

ZONING RESOLUTION

ST. ALBANS TOWNSHIP

Licking County, Ohio

Prepared By the
St. Albans Township Zoning Commission
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CERTIFICATION OF ACCEPTANCE

By Board of Trustees and Fiscal Officer

St. Albans Township

Licking County, Ohio

Bruce Lane, Chairman Board of
Township Trustees
P.O. Box 346
Alexandria, OH 43001

Bruce Lane

Adopted Date: August 13, 2025

Bridgett J. Reeves, Fiscal Officer
P.O. Box 346
Alexandria, OH 43001

Adopted Date: August 13, 2025

Effective Date: September 12, 2025

Table of Contents

Article 1: PURPOSE AND SCOPE.....	1-1
Section 100 Title.....	1-1
Section 101 Provisions Declared Minimum Requirements	1-1
Section 102 Separability Clause.....	1-1
Section 103 Repeal of Conflicting Resolution, Effective Date	1-1
Article 2: DEFINITIONS	2-1
Section 200 Interpretation of Terms or Words.....	2-1
Article 3: ENFORCEMENT.....	3-1
Section 300 Zoning Permits Required.....	3-1
Section 301 Contents of Application for Zoning Permit.....	3-1
Section 302 Approval of Zoning Permit.....	3-2
Section 303 Submission to Director of Transportation (ODOT)	3-2
Section 304 Building Permits Required.....	3-3
Section 305 Expiration of Zoning Permit.....	3-3
Section 306 Certificate of Compliance.....	3-3
Section 307 Temporary Certificate of Compliance	3-3
Section 308 Record of Zoning Permits and Certificate of Compliance	3-4
Section 309 Failure to Obtain a Zoning Permit or Certificate of Compliance.....	3-4
Section 310 Construction and Use to be as Provided in Applications, Plans, Permits, and Certificates.....	3-4
Section 311 Complaints Regarding Violations	3-4
Section 312 Penalties for Violation	3-4
Section 313 Schedule of Fees, Charges, and Expenses	3-5
Article 4: NONCONFORMITIES.....	4-1
Section 400 Intent.....	4-1
Section 401 Incompatibility of Nonconformities.....	4-1
Section 402 Existing Nonconforming Uses - Continuation	4-1

Section 403 Single Nonconforming Lots of Record	4-1
Section 404 Nonconforming Use of Land	4-2
Section 405 Nonconforming Structures.....	4-2
Section 406 Nonconforming Uses of Structures or Structures/Land in Combo.....	4-3
Section 407 Repairs and Maintenance.....	4-5
Section 408 Nonconforming Certificate	4-5
Section 409 Uses Under Conditional Use Provisions Not Nonconforming Uses	4-7
Section 410 Non-Conforming Lot of Record Yard Requirements.....	4-7
Article 5: ADMINISTRATION	5-1
Section 500 Office of Zoning Inspector Created.....	5-1
Section 501 Duties of Zoning Inspector	5-1
Section 502 Proceedings of Zoning Commission	5-1
Section 503 Membership	5-2
Section 504 Duties of Zoning Commission	5-2
Section 505 Board of Zoning Appeals and Zoning Commission Created	5-2
Section 506 Proceedings of the Board of Zoning Appeals	5-2
Section 507 Duties of the Board of Zoning Appeals	5-3
Section 508 Duties of Zoning Inspector, Board of Zoning Appeals, Legislative Authority and Courts on Matters of Appeal.....	5-4
Section 509 Procedures and Requirements for Appeals and Variances	5-4
Section 510 Appeals	5-4
Section 511 Stay of Proceedings.....	5-4
Section 512 Variance.....	5-5
Section 513 Application and Standards for Variances Section 513-A.....	5-5
Section 514 Supplementary Conditions and Safeguards	5-7
Section 515 Adjudicatory Hearing by the Board of Zoning Appeals	5-7
Section 516 Notice of Adjudicatory Hearing.....	5-7
Section 517 Notice to Parties in Interest.....	5-8
Section 518 Action by Board of Zoning Appeals.....	5-8
Section 519 Procedures and Requirements for Approval of Conditional Use Permits	

.....	5-8
Section 520 General	5-8
Section 521 Contents of Application for Conditional Use Permit.....	5-9
Section 522 General Standards Applicable to All Conditional Uses.....	5-9
Section 523 Specific Criteria for Conditional Uses.....	10
Section 524 Supplementary Conditions and Safeguards	5-15
Section 525 Procedure for Adjudicatory Hearing and Notice.....	5-15
Section 526 Action by the Board of Zoning Appeals	5-15
Section 527 Expiration of Conditional Use Permit.....	5-15
Section 528 Site Design Approval	5-16
Article 6: AMENDMENT	6-1
Section 600 Procedure for Amendments or District Changes	6-1
Section 601 General	6-1
Section 602 Initiation of Zoning Amendments.....	6-1
Section 603 Contents of Application.....	6-1
Section 604 General Standards for All Zoning Amendments.....	6-2
Section 605 Transmittal to Zoning Commission	6-3
Section 606 Submission to County Planning Commission.....	6-3
Section 607 Submission to Director of Transportation.....	6-3
Section 608 Public Hearing by Zoning Commission	6-4
Section 609 Notice of Public Hearing	6-4
Section 610 Notice to Property Owners by Zoning Commission.....	6-4
Section 611 Recommendation by Zoning Commission	6-4
Section 612 Public Hearing by Board of Township Trustees.....	6-5
Section 613 Action by Board of Township Trustees	6-5
Section 614 Effective Date and Referendum.....	6-5
Article 7: PROVISIONS FOR OFFICIAL ZONING MAP.....	7-7
Section 700 Official Zoning Map	7-7
Section 701 Identification of the Official Zoning Map	7-7

Section 702 Interpretation of District Boundaries.....	7-7
Article 8: DISTRICT REGULATIONS.....	8-1
Section 800 Compliance With Regulations	8-1
Section 801 Official Schedule of District Regulations Adopted.....	8-1
Section 802 Intent of District Regulations	8-1
Section 803 Flood Plain Overlay District (FP) (with building restriction) [Moved] .	8-2
Section 804 Agriculture District (AG) [Moved]	8-3
Section 805 Not Used.....	8-3
Section 806 Local Business District (LB) [Deleted]	8-3
Section 807 General Business District (B-2) [Deleted]	8-3
Section 808 Manufacturing District (M-1) [Deleted]	8-3
Article 9: SUPPLEMENTARY DISTRICT REGULATIONS.....	9-1
Section 900 General	9-1
Section 901 Conversion of Dwelling to More Units.....	9-1
Section 902 Community Swimming Pools.....	9-1
Section 903 Temporary Buildings.....	9-1
Section 904 Parking and Storage of Certain Vehicles.....	9-2
Section 905 Junk Yards	9-2
Section 906 Junk Motor Vehicle	9-2
Section 907 Required Trash Areas	9-3
Section 908 Supplemental Yard and Height Regulations	9-3
Section 909 Setback Requirements for Corner Buildings.....	9-3
Section 910 Visibility at Intersections.....	9-3
Section 911 Yard Requirements for Multi-Family Dwellings	9-4
Section 912 Landscaping, Buffering, Screening and Fences.....	9-4
Section 913 Not used	9-4
Section 923 Not used – Glare Being Removed	9-4
Section 914 Front, Side and Rear Yard Requirements for Accessory Buildings.....	9-4
Section 915 Architectural Projections	9-5

Section 916 Exceptions to Height Regulations	9-5
Section 917 Special Provisions for All Uses	9-5
Section 918 Fire Hazard	9-5
Section 919 Radioactivity or Electrical Disturbance.....	9-5
Section 920 Noise.....	9-6
Section 921 Vibration.....	9-6
Section 922 Air Pollution.....	9-6
Section 923 Not Used	9-6
Section 924 Erosion.....	9-6
Section 925 Water Pollution	9-6
Section 926 Enforcement Provisions.....	9-7
Section 927 Measurement Procedures.....	9-7
Section 928 Satellite Dish Antennas.....	9-7
Section 929 Towers, Antennas, Satellite Earth Station Or Similar Structures Or Appurtenances	9-8
Section 930 Oil and Gas Well Regulatory Guidelines.....	9-9
Section 931 Adult Entertainment Facilities	111
Section 932 Street Frontage Required.....	9-14
Section 933 Parking and Storage of Commercial Vehicles and Trailers.....	9-14
Article 10: OFF-STREET PARKING AND LOADING FACILITIES	10-1
Section 1000 General Requirements.....	10-1
Section 1001 Parking Space Dimensions.....	10-1
Section 1002 Loading Space Requirements and Dimensions	10-1
Section 1003 Paving	10-2
Section 1004 Drainage	10-2
Section 1005 Maintenance	10-2
Section 1006 Lighting.....	10-2
Section 1007 Location of Parking Spaces.....	10-2
Section 1008 Landscaping, Screening, Buffering and Fences.....	10-2
Section 1009 Minimum Distance and Setback.....	10-3

Section 1010 Joint Use	10-3
Section 1011 Wheel Blocks	10-3
Section 1012 Width of Driveway Aisle	10-3
Section 1013 Access	10-3
Section 1014 Width of Access Driveway	10-4
Section 1015 Striping	10-4
Section 1016 Parking Space Requirements.....	10-4
Section 1017 General Interpretation of Article 10.....	10-6
Article 11: SIGNS	11-1
Section 1100 Intent.....	11-1
Section 1101 Governmental Signs Excluded.....	11-1
Section 1102 General Requirements for All Signs and Districts	11-1
Section 1103 Measurement of Sign Area.....	11-3
Section 1111 Violations	11-7
ARTICLE 12: LANDSCAPING, BUFFERING, SCREENING & FENCES	12-1
Section 1200 - Intent	12-1
Section 1201 - Required Landscape Review	12-1
Section 1202 - General Requirements	12-2
Section 1203 - Enforcement.....	12-5
Section 1204 - Sight Triangles.....	12-5
Section 1205 - Plant Types	12-5
Section 1206 - Screening and Berming.....	12-8
Section 1207 - Landscaping Along Street Frontages	12-9
Section 1208 - Interior Landscaping for Parking/Loading Areas	12-9
Section 1211 - Bufferyards/Required Bufferyards	12-13
Section 1212 - Fences	12-15
Section 1213 - Authority	12-15
Section 1214 - Procedure	12-16
Section 1215 - Application and Approval	12-16

Section 1216 - Landscape Plan Requirements.....	12-16
Article 13: PLANNED DEVELOPMENT DISTRICT (PD).....	13-1
Section 1301 Establishment of Planned Development Types.....	13-1
Section 1302 Overview.....	13-2
Section 1303 Procedure	13-6
Section 1304 Planned Development District Standards	13-26
Section 1305 Special Submittal Requirements for PDs	13-43
Article 14: NEIGHBORHOOD BUSINESS DISTRICT (NB).....	14-1
Section 1400 Purpose	14-1
Section 1401 Permitted Uses.....	14-1
Section 1402 Conditionally Permitted Uses	14-2
Section 1403 Required Lot Area and Lot Width.....	14-4
Section 1404 Building Height Regulation	14-4
Section 1405 Required Yards.....	14-4
Section 1406 Landscaping, Buffering, Fences.....	14-5
Article 15: GENERAL BUSINESS DISTRICT (GB).....	15-1
Section 1500 Purpose	15-1
Section 1501 Permitted Uses.....	15-1
Section 1502 Conditionally Permitted Uses	15-3
Section 1503 Required Lot Area and Lot Width.....	15-4
Section 1504 Building Height Regulation	15-4
Section 1505 Required Yards.....	15-4
Section 1506 Landscaping, Buffering, Screening and Fences.....	15-5
Article 17: AGRICULTURE DISTRICT (AG).....	17-1
Section 1700 Purpose	17-1
Section 1701 Agricultural Exemptions	17-1
Section 1702 Permitted Uses.....	17-1
Section 1703 Conditionally Permitted Uses	17-2
Section 1704 General Requirements of the Agriculture District (AG)	17-2

Article 18: RURAL RESIDENTIAL DISTRICT (RR)	18-1
Section 1800 Purpose	18-1
Section 1801 Permitted Uses	18-1
Section 1802 Conditionally Permitted Uses	18-1
Section 1803 Required Lot Area and Lot Width	18-1
Section 1804 Building Height Regulation	18-2
Section 1805 Required Yards	18-2
Section 1806 Dwelling Bulk	18-2
Article 19: MULTI-RESIDENTIAL DISTRICT (MR)	19-1
Section 1900 Purpose	19-1
Section 1901 Permitted Uses	19-1
Section 1902 Conditionally Permitted Uses	19-1
Section 1903 Required Lot Area and Lot Width	19-3
Section 1904 Building Height Regulation	19-3
Section 1905 Required Yards	19-3
Section 1906 Dwelling Bulk	19-3
Section 1907 Landscaping, Buffering, Screening and Fences - See Article 12	19-3
Article 20: FLOOD PLAIN OVERLAY DISTRICT (FP) (WITH BUILDING RESTRICTION)	20-1
Section 2000 Purpose	20-1
Section 2001 Finding of Fact	20-1
Section 2002 Applicable Lands	20-1
Section 2003 Overlay District Designation	20-1
Section 2004 Interpretation of Boundaries	20-2
Section 2005 Warning and Disclaimer of Responsibility	20-2
Section 2006 Compliance	20-3
Section 2007 Abrogation	20-3
Section 2008 Flood Plain Development Permit	20-3
Section 2009 General Requirements	20-3
Section 2010 Required Lot Area, Lot Width, Height, Parking, Yards, and Sign	

Requirements.....	20-4
Article 21: CONSERVATION/NATURAL RECREATION DISTRICT (CN)	21-1
Section 2100 Purpose	21-1
Section 2101 Permitted Uses.....	21-1
Section 2102 Conditionally Permitted Uses	21-1
Section 2103 General Requirements of the Conservation / Natural Recreation District (CN)	21-2
Article 99: DELETED SECTIONS	99-1
Section 9900 Purpose	99-1
Section 9901 Former “Neighborhood Business District (B-1)”	99-1
Section 9902 Former “Section 807 General Business District (B-2)”	99-3
Section 9903 Former “Section 808 Manufacturing District (M-1)”	99-4
Section 9904 Former “Section 806 Local Business District (LB)”	99-6
Section 9905 Former “Article 11: Signs”	99-9
Section 9906 Former “Article 16: MANUFACTURING & DISTRIBUTION DISTRICT (M&D)”	99-15
Section 9906.1 Purpose	99-15
Section 9906.2 Permitted Uses.....	99-15
Section 9906.3 Conditionally Permitted Uses	99-16
Section 9906.4 Required Lot Area and Lot Width.....	99-16
Section 9906.5 Building Height Regulation	99-16
Section 9906.6 Yard Required	99-17
Section 9906.7 Landscaping, Buffering, Screening and Fences.....	99-17
Section 9906.8 Site Design Approval.....	99-17
Appendix A: GUIDELINES FOR RECOMMENDED METHODS OF TREE PROTECTION	A-1

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Article 1: PURPOSE AND SCOPE

Section 100 Title

This resolution shall be known and may be cited as the "St. Albans Township, Licking County, Ohio Zoning Resolution" ("Zoning Resolution").

Section 101 Provisions Declared Minimum Requirements

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

Section 102 Separability Clause

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

Section 103 Repeal of Conflicting Resolution, Effective Date

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

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Article 2: DEFINITIONS

Section 200 Interpretation of Terms or Words

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

1. The word "person" includes a firm, association, organization, partnership, trust, business 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 the plural number includes the singular.
3. The word "shall" is a mandatory requirement, the word "may" is a permissive requirement, and the word "should" is a preferred requirement.
4. The words "used" and "occupied" include the words "intended, designed, or arranged to be used or occupied."

Access Management: The process of providing and managing access to land development while preserving the optimum flow of all modes of traffic in terms of safety, capacity, and speed.

Accessory Structure:

A subordinate structure attached to or detached from, but located on the same lot as, a principal building. The use of an accessory structure must be identical and accessory to the use of the principal building. Accessory structures include but are not limited to; parking places, garages, outbuildings, sheds, decks, signs, canopies, fences and the like.

Accessory Use of Structure:

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

Adjudicatory Hearing: A hearing which is open to the public and involves the determination of rights of specific persons and whether such rights should be granted based upon the evidence (not public opinion) presented at the hearing.

Adult Entertainment Facilities: Adult entertainment facility means any establishment which is involved in one or more of the following listed categories:

1. Adult Book or Video-Book Store; An establishment having any of its display area or items for sale of its stock in-trade, books, videos, magazines and other periodicals which are distinguished or characterized by their emphasis on matter depicting or relating to specified sexual activities or specified anatomical areas as herein defined.
2. Adult Mini-Motion Picture Theater; A facility with a capacity of 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.

3. **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.
4. **Adult Entertainment Business;** Any establishment involved in the sale or services of products characterized by the exposure or presentation specified anatomical area 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 similar functions which utilize activities as specified above.

See Section 931, “Adult Entertainment Facilities.”

Agriculture: The use of land for farming, dairying, pasturage, horticulture, floriculture, apiculture, viticulture, and animal (including horses) and poultry husbandry and the necessary accessory uses for packing, treating, or storing the produce provided, however, that the operation 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 necessary taxiways, aircraft storage and tie-down areas, hangars and other necessary building and open spaces.

Alley: See **Thoroughfare**.

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

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

Alterations, Structural: Any change in the supporting members of a building such as bearing walls, columns, beams, or girders or any change in original building footprint and/or square footage.

Aquifer: Underground regions with particularly large concentrations of groundwater. Most often, aquifers are found in underground areas of porous rock or sand. For planning purposes, an aquifer is often evaluated on its recharge rate and its cleanliness.

Architecture Review Board: A group of people appointed to oversee the architectural integrity of new structures in the township.

Basement: A story all or partly underground but having at least one-half of its height below the average level of the ground. The distance from the bottom of the floor joist to the top of the concrete floor shall be at least seven feet.

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

Boarding or Lodging House: A dwelling or part thereof where meals and/or lodging are provided for three or more persons for compensation by previous arrangement, but not transients.

Buffer: See Article 12 Shall mean a designated area between uses or adjacent to the perimeter of natural features designed and intended to provide protection and which shall be permanently maintained.

1. Land Use Buffer: Land area used to separate or visibly shield and/or screen one use from another.
2. Riparian Buffer: A naturally vegetated area located adjacent to streams and rivers that is intended to stabilize banks and limit erosion.
3. Wetlands Buffer: An area of undisturbed natural vegetation located adjacent to the perimeter of the wetlands.

BZA: Board of Zoning Appeals.

Building: Any structure designed or intended for the support, enclosure, shelter, or protection of persons, animals, chattels, or property of any kind, which is governed by the following characteristics:

1. Is affixed to the land; and
2. Has one or more floors and a roof; and
3. Is bounded by either open space or the lot lines of a lot.

Building, Accessory: A subordinate building, detached from, but located on the same lot as the principal building, the use of which is incidental and accessory to that of the main building or use.

Building, Height of: The vertical distance from the established average sidewalk grade, street grade, or finished grade, at the building line, whichever is highest, to the highest point of the building.

Building Permit: Approval in the form of a building permit is required by Licking County in accordance with CABO Code. Using application forms furnished by building official, a permit shall be obtained before beginning work on the construction, prefabrication, use, or occupancy of new occupiable spaces of townhouses and one, two, or three family dwellings. The enclosure of a space where either a foundation or a roof

existed as of June 1, 1993 is not regulated by code. When any owner or contractor has commenced work on a project without first obtaining the necessary permits, the building official shall conduct an investigation to determine whether all work performed prior to the subsequent issuance of the permit conforms to all building code provisions.

Building, Principal: See **Principle Structure**.

Business-to-Business Occupations: Office-type businesses, which provide services and products exclusively to other businesses (see Section 523, “Specific Criteria for Conditional Uses”).

Business, Convenience: Commercial uses catering primarily to passing traffic which originates outside of the surrounding neighborhood. Such uses generally require location on or near major thoroughfares or their intersections.

Business, General: Commercial uses which generally require location on or near major thoroughfares or their intersections, and which, in addition to serving day to day needs of the community, also supply the more durable and permanent needs of the whole community. General business uses include, but are not limited to, such activities as stores that sell hardware and appliances.

Business, Highway: Commercial uses which generally require locations on or near major thoroughfares and/or their intersections, and which tend to serve the motoring public. Highway business uses include, but need not be limited to, such activities as filling stations, truck and auto sales and services, restaurants and motels, and commercial recreation.

Business, Local: Commercial establishments, which cater to and can be located in close proximity to or within residential districts without creating undue vehicular congestion, excessive noise, or other objectionable influences. Local business, uses include, but are not limited to drugstores, clothing stores, beauty salons, barbershops, carry-outs, and grocery stores, of less than 3,000 square feet in floor area. Uses of this classification tend to serve a day-to-day need in the surrounding neighborhood.

Business, Office Type: Quasi-commercial uses which may often be transitional between retail business or manufacturing, and residential uses. Office-type business generally accommodates administrative, executive, professional, accounting, writing, clerical, stenographic, and drafting operations, institutional offices or a charitable, philanthropic, or religious or educational nature are also included in this classification.

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

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

manufacturing establishments. These commodities are basically for further resale, for use in the fabrication of a product, or for use by business service.

BZA: Board of Zoning Appeals.

CABO: Council of American Building Officials. Building codes for one, two, and three family dwellings, current addition.

Canopy: A structure constructed of rigid materials including, but not limited to, metal, wood, concrete, plastic, canvas or glass which is attached to and supported by a building or by columns, poles or braces extending to the ground.

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

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

Chairman: Presiding official of a board meeting to be used synonymously with Madam Chairman and Mr. Chairman.

Church: Shall mean a building or structure, or groups of buildings or structures that by design and construction are permanently intended for conducting organized religious services and associated accessory uses.

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 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.

Collector Street: See **Thoroughfare**.

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

Comprehensive Plan: A plan or any portion thereof, adopted by the township Board of Trustees and the legislative authority of Licking County showing the general location and extent of present and proposed physical facilities including housing, industrial and

commercial uses, major thoroughfares, parks, schools, and other community facilities. This plan establishes the general goals, objectives, and policies of the community.

Conditional Use: A use permitted within a district other than a principally permitted use, requiring a conditional use permit and approval of the BZA. Conditional uses permitted in each district are listed in the Official Schedule or District Regulations.

Conditional Use Permit: A permit issued by the Zoning Inspector upon approval by the BZA to allow a use other than a principally permitted use to be established within the district.

Corner Lot: See **Lot Types**.

Cul-de-Sac: See **Thoroughfare**.

Culvert: Shall mean a ditch, drain, or a conduit, not incorporated in a closed system that carries drainage water under a driveway, roadway, railroad, pedestrian walk or public way. (A culvert permit is needed; see the Office of the Licking County Engineer for the required permit.)

Day Care Facility: A facility for the care of infants, children, persons, or elderly people.

Dead-End Street: See **Thoroughfare**.

Deed: In the ordinary acceptance of the word, a "deed" is an instrument conveying real property. As commonly understood, and as used in the statute prescribing the mode of executing "deeds," it has been said that a deed denotes an instrument conveying full title, without any interest remaining in the grantor. As used in a contract to make a good and sufficient deed, the word "deed" has been held to mean an instrument conveying a fee simple title with covenants of warranty. At common law a deed was defined as writing, sealed and delivered by the parties a strict sense, the equivalent of specialty. The word "deed" when used in a pleading alone is taken to mean an instrument of conveyance with the usual habendum clause and covenants of warranty. A deed signifies an instrument conveying real property and is thus to be distinguished from the common-law definition of the term as a writing sealed and delivered by the parties, a meaning that would include bonds and executory contracts under seal. A general rule, if an instrument is construed as presently passing an interest to another person, even though the effective use of the property may be postponed until after the death of the person who executed the instrument, it is a deed. However, when the provision in an instrument postponing its effect until after the death of the grantor is construed as passing an interest not to take effect until after the death of the maker, the instrument is testamentary in character, notwithstanding that in form it may be a deed.

Density: Number of dwelling units per acre of land:

1. **Gross Density:** The number of dwelling units per gross acre of the total land to be developed.

2. **Net Density:** The number of dwelling units per acre of land where the acreage involved includes only the land devoted to residential uses.

Display Sign: A structure that is arranged, intended, designed or used as an advertisement, announcement or direction, including a 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 a property designated by the owner for ingress and egress.

Dwelling: Any building, which contains one or more dwelling units used, intended, or designed to be built, used, rented, leased, let or hired out to be occupied, or which are occupied for living purposes.

Dwelling, Duplex: See **Dwelling, Two-Family**

Dwelling, Manufactured Home: See **Manufactured Home**

Dwelling, Multi-Family: A dwelling consisting of three or more dwelling units, including condominiums, with varying arrangements of entrances and common walls. Multi-family housing may include public housing.

Dwelling, Rooming Housing (Boarding House, Lodging House, Dormitory): A dwelling or part thereof, other than a hotel, motel, or restaurant where meals and/or lodging are provided for compensation, for three or more unrelated persons where no cooking or dining facilities are provided in the individual rooms.

Dwelling, Single-Family: A dwelling containing only a single dwelling unit, which is separated from other dwelling units by open space.

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

Dwelling Units: A dwelling unit is a single unit providing complete independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking and sanitation.

Easement: Authorization by a property owner for another to use (as a driveway, for utilities, etc.) a designated part of his property for a specified purpose.

Essential Services: The erection, construction, alteration, or maintenance, by public utilities or municipal or other governmental agencies, of gas, electrical, steam or water transmission, distribution, collection, communication, supply or disposal systems or sites,

including poles, wires, mains, drains, sewers, pipes, traffic signals, hydrants, or other similar equipment, and accessories in connection therewith which are reasonably necessary for the furnishing of adequate service by such public utilities or municipal or other governmental agencies for the public health or safety or general welfare, but not including buildings.

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

Farm Market: Markets from which fifty 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.

F.E.M.A.: Federal Emergency Management Agency; the agency with the overall responsibility for administering the National Flood Insurance Program.

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

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

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

Floodway Fringe: That portion of the flood plain, excluding the floodway, where development may be allowed under certain restrictions. (See **Buffer**)

Floor Area of a Residential Building: The sum of the gross horizontal area of the floors of a residential building, exclusive of porches, garages, or basements. 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, and other similar uses.

Floor Area, Usable: This measurement shall be the sum of the horizontal areas of the several floors of the building measured from the interior lines of the exterior walls.

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

Frontage: The linear measurement of all contiguous property abutting on one side of a street between intersecting or intercepting streets, or between a street and a public 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. (See **Lot Frontage**)

Future Land Use: Incorporated within the Comprehensive Plan, future land use and the future land use map provides the basis for zoning in a township or other jurisdiction. The U.S. Supreme Court and other courts continue to place emphasis on comprehensive plans and future land use maps.

Garages, Mini-Storage: A principal commercial structure, open to the public, for the purpose of temporary, enclosed storage of personal belongings, furniture, household goods, boats, trailers, or automobiles.

Garages, Private: A detached accessory building or portion or a principal building for the parking or temporary storage of automobiles, travel trailers and/or boats of the owner or occupant of the premises.

Garages, Public: A principal or accessory building other than private garages, used for parking or temporary storage of passenger automobiles, and in which no service shall be provided for remuneration.

Garages, Service Station: Buildings and premises where gasoline, oil, grease, batteries, tires, and other motor vehicle accessories may be supplied and dispensed at retail, and where, in addition, related vehicle and farm machinery services may be rendered and sales made, including soft drinks, packaged food, tobacco products and similar goods for service station customers as accessory and incidental to the principle operation.

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 purposes. "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, or any similar facility.

Grandfather Clause: See Article 4, “**Nonconformities**”

Grocery Store: Grocery stores are retail stores selling a complete assortment of food preparation and wrapping materials, household cleaning, and servicing items.

Health Permit: Well and septic permits required before a zoning permit for human habitation can be issued.

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

1. No more than two full-time people, other than members of the family residing on the premises, shall be engaged in such occupation.
2. The use of a dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than 25 percent of floor area of the dwelling unit shall be used in the conduct of 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 square feet in area, non-illuminated.
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 to the normal senses of the lot, if the occupation is conducted in a single-family dwelling unit. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises.

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

Hotel or Motel and Apartment Hotel: A building in which lodging or boarding and lodging are provided and offered to the public for compensation. As such it is open to the public in contradistinction to a boarding house, rooming house, lodging house, or dormitory which is herein separately defined.

Hunting Preserve: Land designated by the State of Ohio and designated for raising and protecting game for the purposes of sport.

Institution: Building and/or land designed to aid individuals in need of mental, therapeutic, rehabilitative counseling or other correctional services. "Institution" under this Resolution shall not include a prison, jail, workhouse, penal institution, reformatory, correctional institution, penitentiary, juvenile detention home, juvenile community

rehabilitation center, any facility created under Section 2151.65, Chapter 341, Sections 753.02 et seq., or Sections 5145.01 et seq. of the ORC, or any similar facility.

Junk Yard: Any open area where waste, discarded or salvaged materials are bought, sold, exchanged, baled, packed, disassembled or handled, including, but not limited to: auto wrecking yards, house-wrecking yards, used lumber yards and places or yards for storage and equipment, as well as any structures or buildings used in connection therewith.

Junk Vehicle: As per ORC 4513.65, junk vehicle means a vehicle that meets all the following criteria:

1. Three models old or older;
2. Apparently inoperable;
3. Extensively damaged, including, but not limited to, any of the following:
 - a. Missing wheels
 - b. Missing tires
 - c. Missing engines
 - d. Missing transmissions.

Kennel: Any lot or premises, on which five or more domesticated dogs or cats, of more than four months of age, are housed, groomed, bred, boarded, trained, or sold.

Kennel (Commercial): Any lot or premises on which five or more domesticated dogs or cats, of more than four months of age, are housed, groomed, bred, boarded, trained, or sold and which pet care products, equipment, merchandise, and/or food is sold.

Legal Description: A description of a property by legal survey, metes and bounds, or lot numbers of a recorded plat including a description of any portion of the property subject to an easement or reservation, if any, under the Land Installment Contracts Law.

Legal Evidence: Evidence is not confined to mere oral testimony and statements made by witness, but include every known means obtainable to ascertain the truth about any disputed question of fact, in whatever form offered, embracing both oral and written evidence.

Licking County Planning Department: LCPD.

Licking County Planning Commission: LCPC.

Line Fence: A common fence erected on the dividing line between adjacent property owners.

Loading Space, Off-Street: Space logically and conveniently located for bulk pickups and deliveries, scaled to delivery vehicles expected to be used, and accessible to such vehicles when required off-street parking spaces are filled. Required off-street loading

space is not to be included as off-street parking space in computation of required off-street parking space. All off-street loading spaces shall be located totally outside of any street or alley right-of-way.

Location Map: See **Vicinity Map**.

LOS: Line of Sight

Lot: For the purpose of this Resolution, a lot is a parcel of land of sufficient size to meet minimum zoning requirements for use, coverage, and area, and to provide such yards and other open spaces as are herein required. Such lot shall have frontage on an improved public street, and shall consist of one of the following:

1. A single lot of record.
2. A portion of a lot of record on the same deed.
3. A combination of complete lots of record, of complete lots of record and portions of lots of record, or portions of lots of record on the same deed.

Lot Coverage: The ratio of enclosed ground floor area of all buildings on a lot to be horizontally projected area of the lot, expressed as a percentage.

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

Lot Measurements: A lot shall be measured as follows (easements and right-of ways):

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

Lot, Minimum Area of: The area of a lot is computed including of any portion of the right-of-way of any public or private street and road right-of-way (ROW). Where no road ROW has been established, the calculation shall be conducted from the center of the road.

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

Lot Types: Terminology used in this resolution with reference to corner lots, interior lots and through lots is as follows:

1. **Corner Lot:** A lot located at the intersection of two or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost points of the lot meet at an interior angle of less than 135 degrees.
2. **Interior Lot:** A lot with only one frontage on a street.
3. **Through Lot:** A lot other than a corner lot with frontage on more than one street. Through lots abutting two streets may also be referred to as double frontage lots.
4. **Reversed Frontage Lot:** A lot on which frontage is at right angles to the general pattern in the area. A reversed frontage lot may also be a corner lot.

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

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

Manufactured Home (State Definition): A building unit or assembly of closed construction that is fabricated in an off-site facility and constructed in conformance with the federal construction and safety standards established by the secretary of housing and urban development pursuant to the “Manufactured Housing Construction and Safety Standards Act of 1974,” 88 Stat. 700, 42 U.S.C.A. 5401, 5403, and that has a permanent label or tag affixed to it, as specified in 42 U.S.C.A. 5415, certifying compliance with all applicable federal construction and safety standards.

Manufacturing, General: Processing, major manufacturing, warehousing, assembling, storing, major research and testing, and similar 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 district boundary.

Manufacturing, Planned: 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. This district is further designed to act as a transitional use between general manufacturing uses and other less intense business and residential uses.

Mixed Use: Shall mean the development of a lot or parcel of land, building or structure with two or more different uses including, but not limited to, residential, office, retail, public uses, personal services or entertainment uses, designed and constructed as a unit.

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.

NAICS: The North American Industry Classification System (NAICS, pronounced Nakes) was developed as the standard for use by Federal statistical agencies in classifying business establishments for the collection, analysis, and publication of statistical data related to the business economy of the U.S. As used in this Zoning Resolution, most permitted and conditionally-permitted uses in each zoning district are listed in terms of NAICS; see Appendix C. Online access to NAICS definitions is available at <http://www.census.gov/epcd/www/naics.html>.

Nonconformities: A building, structure or use of land existing at the time of enactment of this Resolution, and which does not conform to the regulations of the district or zone in which it is situated. (Also known as Grandfather Clause)

Nonferrous Foundries: Casting of materials not containing or derived from iron but would include aluminum, copper, metal and other such operations.

Nuisance: Anything that interferes with the use or enjoyment of property, endangers personal health or safety, or is offensive to the senses, including but not limited to: odors, pollution, noise, dust, fumes, smoke, radiation, and congestion.

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

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

Open Space: An area substantially open to the sky, which may be on the same lot with a building. The area may include, along with the natural environmental features, water areas, swimming pools, and tennis courts, designated parks, schools, or deed restricted open spaces (yards), any other recreational facilities that the Zoning Commission deems permissive. Streets, parking areas, structures for habitation, and the like shall not be included.

ORC: Ohio Revised Code.

Outlet Stores: Stores, which sell damaged goods, seconds, or overstocked merchandise. Such merchandise is typically bought in bulk and sold at discount prices.

Overlay Districts: Zoning districts, which extend on top of more than one base-zoning district and are intended to protect certain critical resources and features, or further promote public health, safety, comfort, and morals. When the standards of the base-zoning district conflict with that of the overlay zone, the more restrictive standard shall apply.

Parking Space, Off-Street: For the purpose of this Resolution, an off-street parking space shall consist of an area adequate for parking an automobile with room for opening doors on both sides, together with properly related access to a public street or alley and maneuvering room, but shall be located totally outside of any street or alley right-of-way.

Performance Bond or Surety Bond: An agreement by a sub divider, mining operation or developer with the 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.

Personal Services: Any enterprise conducted for gain, which primarily offers services to the general public such as shoe repair, watch repair, barbershops, beauty parlors, laundry and dry-cleaning, portrait/photography studios, employment service, mailing and copy shops and similar activities.

Places of Worship: Shall include churches, synagogues, mosques and the like, but shall not include buildings used for commercial endeavors, including, but not limited to, commercial motion picture houses, stage productions or temporary housing such as school buildings.

Planning Commission, Licking County: (LCPC)

Principal Structure: The structure on a lot of record within which the main or primary use of the property is conducted.

Principle Use: The main or primary purpose for which a building, other structure and/or lot is designed, arranged, or intended, or for which may be used, occupied or maintained under this Ordinance. 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 and accessory use.

Professional Activities: medical practitioners, lawyers, architects, and engineers, and similar professions provide the use of offices and related spaces for such professional services as.

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 similar public service structures by a public utility, by a railroad, whether publicly or privately owned, or by a municipal or other governmental agency, including the furnishing of electrical, gas, rail transport, communication, public water and sewage services.

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

Public 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.

PUD: Planned-Unit Development (PUD)

Authority:

The Ohio Revised Code (ORC) Section 519.21 B authorizes Townships to establish and regulate Planned Unit Districts (PUD), which require both a Zoning Text Amendment and Zoning Map Amendment, applicable solely to the adopted PUD District, the passage of which, and the amendment or modification thereto, are subject to referendum pursuant to Section 519.12 of the ORC.

Purpose:

The purpose of the PUD District is to achieve, to the greatest degree possible, land development which is responsive to the natural and environmental assets and liabilities of a given site and to keep land undeveloped in perpetuity without affecting overall densities. A PUD District shall promote the general public welfare by 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. A PUD District shall be a well-integrated development in terms of land uses and major design elements such as roads, internal circulation, connectivity to existing developments and adjoining properties, pedestrian corridors and walkways, drainage systems, utilities, recreation facilities, open space and undeveloped land. Within a PUD District development, the township zoning regulations, where applicable, need not be uniform, but may vary in order to accommodate a unified development and promote the public safety, morals and other purposes of this resolution. In part to accomplish this, the PUD District affords greater design flexibility so that concentrating development on more suitable or less environmentally sensitive areas may protect natural features.

The purpose of a PUD District in this Article is not to provide a zoning tool to establish higher density development. Higher density development shall only be permitted when it can clearly be shown that it is subordinate to the effort to preserve natural and environmental assets and promote high quality design that will in turn promote the public health, safety, morals and other purposes of this resolution.

General Requirements to Establish a PUD:

Project Location:

A PUD District may be located in any area of St. Albans Township where the applicant can demonstrate that his proposal will meet the objectives of this Zoning Resolution and the St. Albans Township Comprehensive Plan.

Project Area:

The minimum gross project area shall be twenty (20) contiguous acres in size. Smaller parcels may be considered if contiguous to an existing PUD District and/or

in conjunction with another proposed PUD District. However, said development shall meet all requirements within this article within the gross project area of the proposed development. A development shall not rely on another development for open space, setbacks, buffers and the like.

Quasi-Public Use: Churches, Sunday schools, parochial schools, colleges, hospitals, firehouses, 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.

Research Activities: Research, testing, and related facilities including operation of prototype, pilot plant or semi-works processes which are no larger than normal version of process, exposure of product to weather and all other tests relating to code and other product performance requirements, and fabrication or assembly operations which process materials or equipment for market development and other uses.

Restaurant: Shall mean an establishment where the principle business is the sale of food and beverages in a ready-to-consume state where:

1. There is no service to a customer in a vehicle;
2. The design or principle method of operation consists of one or more of the following:
 - a. A sit-down restaurant where customers, normally provided with an individual menu, are generally served food in non-disposable containers by a restaurant employee at the same table or counter at which the food and beverages are consumed; or
 - b. A cafeteria or cafeteria-type operation where food and beverages generally are served in non-disposable containers and consumed within the restaurant.

Restaurant, Drive Through: Shall mean an establishment in which the principle business is the sale of food or beverages to the customer in a ready-to-consume state and in which the design or method of operation of all or any portion of the business is to allow food or beverages to be served directly to the customer without the need for the customer to exit the motor vehicle.

Restaurant, Fast Food:

- Restaurants where most customers order and are served their food at a counter or in a motor vehicle in packages prepared to leave the premises, or able to be taken to a table or counter to be consumed.
- An establishment engaged primarily in the business of preparing food and purveying it on a self-serve or semi self-serve basis. 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 premises.

- Any restaurant whose design or principal method of operation includes four or more of the following characteristics:
 1. 45 percent or more of the floor area is devoted to food preparation, employee work space, and customer service area;
 2. A permanent menu board is provided from which to select and order food;
 3. If a chain or franchised restaurant, standard floor plans are used over several locations;
 4. Customers pay for food before consuming it;
 5. A self-service condiment bar is provided;
 6. Trash receptacles are provided for self-service bussing.
 7. Furnishing plan indicates hard-finished, stationary seating arrangements;
 8. Most main course food items are prepackaged rather than made to order.

Retail: Shall mean establishments that sell or rent commonly used goods and merchandise for personal or household use, but excludes those uses classified more specifically such as restaurants or adult businesses. Typical uses include grocery stores, department stores, furniture stores, clothing stores, and establishments providing the following products or services: household electronic equipment, sporting goods, bicycles, office supplies, home furnishings household appliances, jewelry, wallpaper, carpeting and floor coverings, art supplies, kitchen utensils, prescription medications, cosmetics, books, notions, antiques or automotive parts and accessories.

Roadside Stand: A temporary structure designed or used for the display or sale of agricultural and related products. (See **Farm Market**)

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. Refer to Ohio House Bill 533 and Ohio Senate Bill 221 of the 121st General Assembly for further clarification.

Satellite Dish Antenna (greater than three feet in diameter):

1. Dish type satellite signal receiving antennas, also referred to as earth stations or ground stations, shall mean one or a combination of two or more of the following:
 - a. A signal receiving device (antenna, dish antenna or dish type antenna), the purpose of which is to receive communication or other signals for satellites in earth orbit and other extraterrestrial sources.
 - b. A low noise amplifier (LNA) which is situated at the focal point of the receiving component and the purpose of which is to magnify, store, transfer and/or transmit electronic or light signals.

- c. A coaxial cable the purpose of which is to carry or transmit said signals to a receiver.
2. **Receiver** shall mean a television set or radio receiver.
3. **Dish** shall mean that part of a satellite signal receiving antenna characteristically shaped like a saucer or dish.
4. **Grounding rod** shall mean a metal pole permanently positioned in the earth to serve as an electrical conductor through which electrical current may safely pass and dissipate.

School, Public: Public elementary, secondary (middle, high, vocational, or technical) or post-secondary (college, university, adult vocational or technical) school shall mean any building or part thereof used for instructional purposes and licensed by the State of Ohio to provide elementary, secondary or post secondary education.

School, Private: Private pre-school, elementary, secondary (middle, high, vocational, or technical) or post-secondary (college, university, adult vocational or technical) school shall mean any building or part thereof used for instructional purposes and licensed by the State of Ohio to provide pre-school, elementary, secondary or post secondary education other than a public school.

Screening: See Buffer. Also, refer to Article 12.

Seat: For purposes of determining the number of off-street parking spaces for certain uses, the number of seats is the number of seating units installed or indicated, or each 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 edge of the ROW (if no ROW exists, the calculation shall be conducted 30 feet from the center of the road) defining the limits of a yard in which no building or structure may be located above ground, except as may be provided in said resolution. See "Yard".

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 tank or similar installation on an individual lot which utilizes an anaerobic/aerobic bacteriological process or equally satisfactory process for the elimination of sewage and provides for the proper and safe disposal of the effluent, subject to the approval of health and sanitation officials having jurisdiction.

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

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:** 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 including 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 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 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. **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, scrolling messages, 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.

Stable, Commercial: Any building or structure including surrounding fenced land, used for the care and board of horses, donkeys, mules, and ponies and their get, which is open to the public for let, hire, use, or board on a commercial basis and for compensation.

Stable, Private: A structure or building, including surrounding fenced lands, used for the care and board of horses, donkeys, mules, or ponies and their get, owned by the occupant or owner of the premises which is not open to the general public.

Storage, Outside:

The storage of any materials outside the principal or accessory buildings on a property.

Story: Story is that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the top most story shall be that habitable portion of a building included between the upper surface of the topmost floor and ceiling or roof above.

Street: Any public or private way dedicated to public travel. The word "street" shall include the words "road," "highway," and "thoroughfare."

Structure: Anything constructed or erected, the use of which requires location on the ground, or attachment to something having a fixed location on the ground. Among other things, structures include buildings, manufactured homes, parking lots, walls, fences, billboards, sheds, storage bins, commercial communication towers, private towers and swimming pools.

Supermarkets: Large scale stores which sell groceries and services. The facilities 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 rent or sale building supplies, steel supplies, coal, heavy equipment, feed and grain, and similar goods.

Swimming Pools: A pool, pond, lake, or open tank containing water with a depth of at least one and one half feet of water, and a diameter of eight feet at any point and maintained by the owner or manager.

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

Theaters: Theaters or playhouses designed and used exclusively for theatrical productions, ballets, operas, or other live entertainment productions.

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

1. **Alley:** A minor street used primarily for vehicular service access to the back or side of properties abutting on another street.
2. **Arterial Street:** Arterial are major thoroughfares designed to carry traffic between municipalities and other activity centers and to provide connections with major state and interstate roadways. Typically, existing state routes will be classified as arterial.
3. **Collector Street:** Collectors distribute traffic between lower order residential streets and higher order arterial. Their purpose is primarily to promote free traffic flow, and direct access for adjoining lots should be limited where possible. Collectors should not be used for on street parking, and may provide linkages to adjoining developments to improve circulation. Typically, existing County roads will be classified as collectors and, a new collector will be required when a residential subdivision reaches 150 dwelling units, or an equivalent traffic generation.
4. **Cul-de-Sac:** A street that has a single means of access and that terminates in a vehicular turnaround. Cul-de-sacs should be encouraged where feasible to the extent that they provide low traffic volumes and neighborhood identity. Lengths of cul-de-sacs are limited to minimize backup time for large service vehicles unable to use the

turn-around, to minimize mistaking cul-de-sacs with connecting streets, and to discourage speeding.

5. **Dead-End Street:** A street having only one outlet for vehicular traffic.
6. **Local Street:** Local residential streets are the lowest order streets providing access to residential lots and carrying only the traffic generated by adjoining residential land uses. Residential subdivisions should be developed so that the maximum number of housing units has frontage on local residential and cul-de-sac streets.
7. **Loop Street:** A type of local street, each end of which terminated at an intersection with the same arterial or collector street, and whose principal radius points of the 180 degree system of turns are not more than 1,000 feet from said arterial or collector street, not normally more than 600 feet from each other.
8. **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).
9. **Roundabout:** A type of road junction (or traffic calming device) at which traffic enters a stream around a central island after first yielding (giving way) to the circulating traffic.
10. **Sub collector:** Sub collectors are designed to provide access to adjoining property and carry traffic between local residential streets and cul-de-sacs and higher order collectors and arterial. Typically, sub collectors should be provided when residential subdivisions exceed 100 single-family dwellings.

Through Lot: See **Lot Types**.

Toxic or Noxious Substance:

Any solid, liquid, or gaseous matter, including but not limited to gases, vapors, dusts, fumes, and mists containing properties which by chemical means are inherently harmful and likely to destroy life and impair health, or capable of causing injury to the well-being of persons or damage to property.

Trailer: Shall mean any vehicle or structure constructed in such a manner as to permit occupancy thereof as sleeping quarters or conduct of any business, trade or occupation or the use as a selling or advertising device or use for the storage, conveyance for tools, equipment or machinery and so designed that it is or may be mounted on wheels and used as a conveyance on highways and streets, propelled by its own or other motor power.

Transient Uses of Land: Land use activity involving the use of mobile, non-permanent structures. Such uses may include flea markets or carnivals.

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

Truck Stop: A facility generally providing service to motor vehicles and/or semi trailer or other types of vehicles as defined in O.R.C. 4501.01. The service provided by such facility may include but not limited to, gasoline, diesel fuel, repair service, and restaurant

facilities. Generally, these are associated with interchange area along the major limited access highways and to provide a service to the motoring public.

Unnecessary Hardship:

A hardship due to exceptional shape of a lot, exceptional topographic conditions, or other exceptional physical conditions of a parcel of land. Unnecessary hardship shall not include personal or financial hardship or any other hardship that is self-imposed. Used as a standard for granting a variance, the nature of which, is that the owner, unless granted a variance, will be unable to use the property for the purposes for which it is zoned.

Use: The specific purposes of which land or a building is designated, arranged, intended, or for which it is or may be occupied or maintained.

Variance: Shall mean a grant by the Board of Zoning Appeals. It is a modification of the strict terms of the relevant regulations where such modification will not be contrary to the public interest and where owing to conditions peculiar to the property and not the result of the action of the applicant, a literal enforcement of the regulations in regards to area variances will result in practical difficulties. Unnecessary and undue hardship should still be used as the test in regards to use variances.

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 feet or more in width, for pedestrian use only, whether along the side of a road or not.

Wholesale Store: An establishment or place of business primarily engaged in selling wholesale or outlet goods directly to the general public.

Yard: A required open space other than a court unoccupied and unobstructed by any structure or portion of a structure from three feet above the general ground level of the graded lot upward; provided, accessories, ornaments, and furniture may be permitted in any yard, subject to height limitations and requirements limiting obstruction of visibility.

1. **Yard, Front:** A yard extending between side lot lines across the front of a lot and from the lot line to the front of the principal building.
2. **Yard, Rear:** 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.

3. **Yard, Side:** A yard extending from the principal building to the side lot line on both sides of the principal building between the lines establishing the front and rear yards.
4. **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.

Zoning Amendment:

A change in the wording, context, or substance of this title or a change in the zoning or district boundaries of the official zoning map, to be made a part of this title.

Zoning Inspector: The zoning inspector of the township, or his/her authorized representative employed by the township trustees to enforce the zoning regulations.

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

Zoning Permit: A document issued by the zoning inspector authorizing the use of lots, structures, uses of land and structures, and the characteristics of the uses as adopted by the St. Albans Township Trustees by resolution and as amended.

Zoning Resolution:

A resolution enacted by the Township Board of Trustees pursuant to state law that sets forth regulations and standards relating to the nature and extent of uses of land and structures, which is consistent with the township Comprehensive Plan, which includes a zoning map, and complies with the provisions of State law.

The following diagrams are for your information.

Fig. 1 - Lot Diagram and Terms

Fig. 2 - Basement and Story

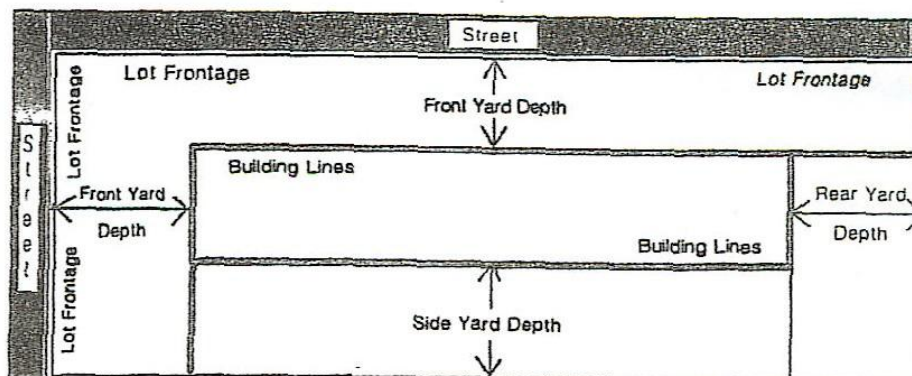
Fig. 3 - Flood Plain Terms

Fig. 4 - Classification of Thoroughfare System

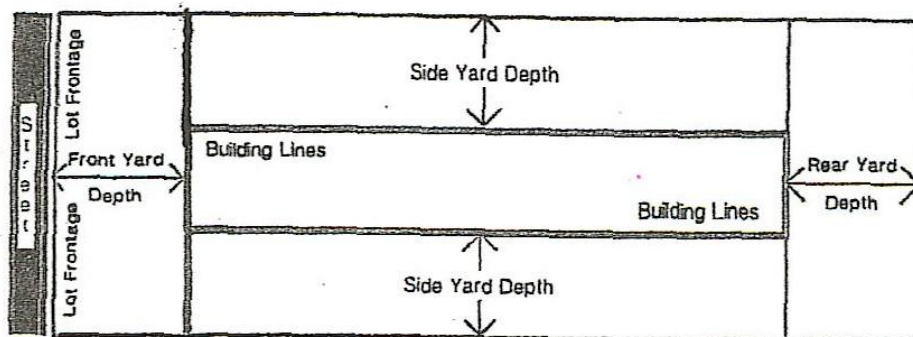
Figure 1 -Lot Diagram and Terms

LOT AND YARD ARRANGEMENTS

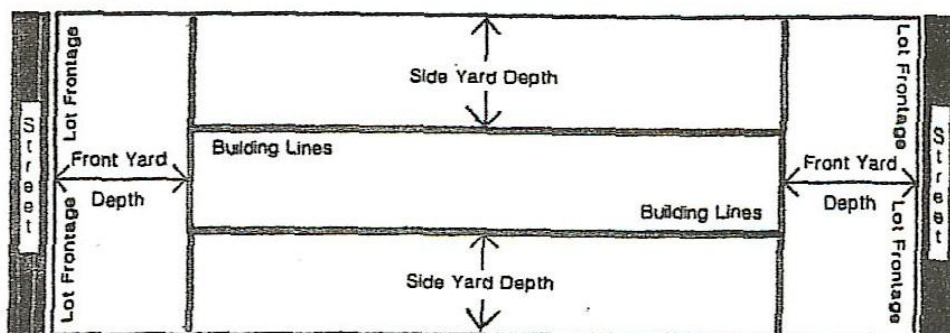
(1) Corner Lot:



(2) Interior Lot:

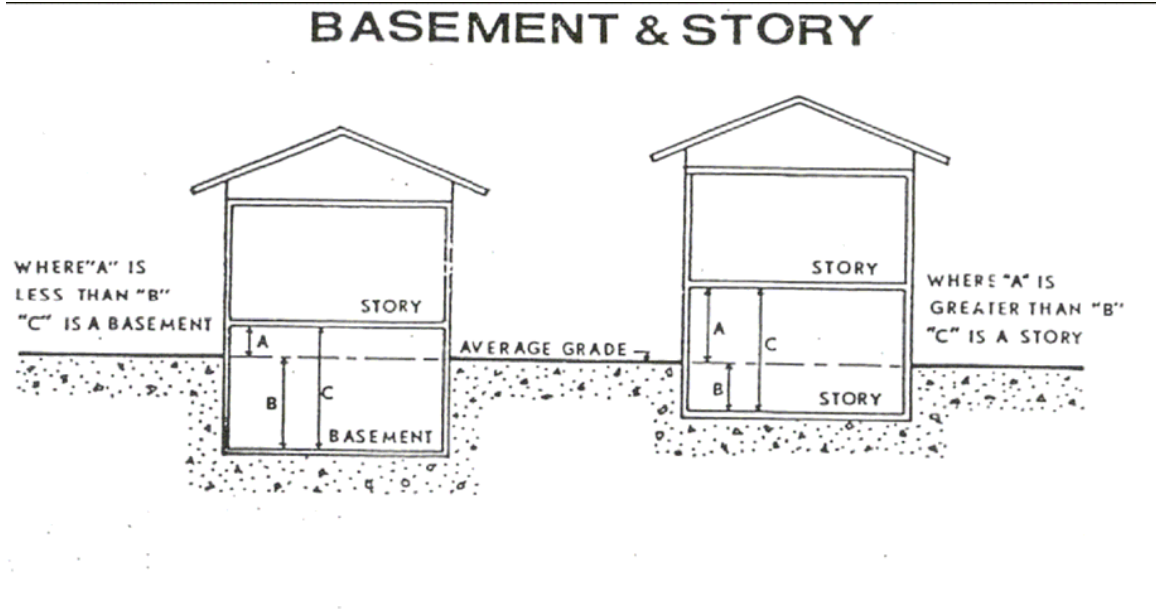


(3) Through Lot:



Notes: See Definitions. Above diagrams apply to irregularly shaped lots and yards.

Figure 2 - Basement and Story



Basement: A story having more than one half its height below the average grade. A basement shall not be counted as a story for the purpose of height regulations.

Figure 3 - Flood Plain Terms

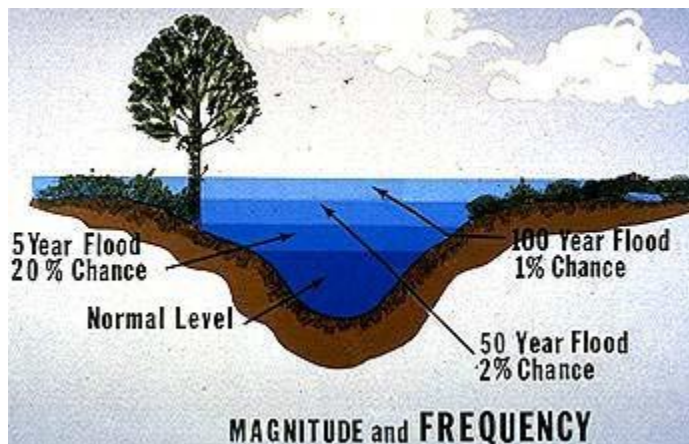
The Regulatory Floodplain

The first step in planning a floodplain management program is to determine the size of the flood against which we want to be protected. From this we can determine the area that would be covered by such a flood or, in other words, the size of the floodplain that we wish to regulate. This becomes the regulatory floodplain.

The 100-year flood has become the accepted national standard for regulatory purposes. It is defined as the flood event that has a one percent chance of occurring in any given year or, on the average, occurs once in a 100-year period. However, 100-year floods can and do occur more frequently.

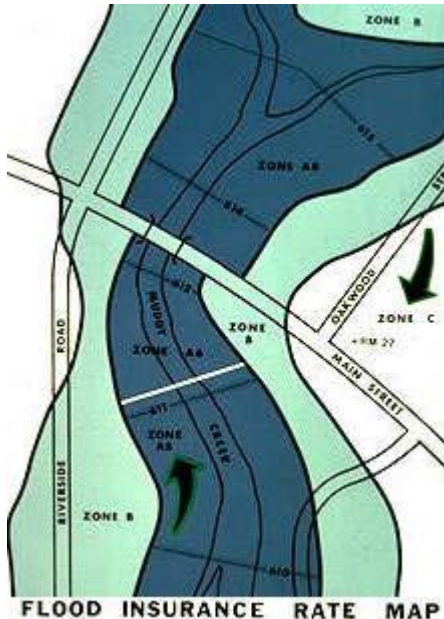
Floodplain Regulations

For regulatory purposes, the floodplain is divided into two areas based on water velocity: the floodway & the flood fringe. The



floodway includes the channel &

the portion of the adjacent floodplain required to pass the 100-year flood without increasing flood heights. Typically, this is the most hazardous portion of the floodplain where the fastest flow of water occurs. Due to the high degree of hazard, most floodplain regulations require that proposed floodway developments do not block the free flow of flood water as this could dangerously increase that water's depth & velocity.



The flood fringe is the remaining portion of the floodplain, outside of the floodway, that usually contains slow-moving or standing water. Development in the fringe will not normally interfere as much with the flow of water. Therefore, floodplain regulations for the flood fringe typically allow development to occur but require protection from the flood waters through the elevation of the buildings above the 100-year flood level or flood proofing buildings so that water cannot enter the structure.

Fig. 4 -Classification of Thoroughfare System

Highway Functional Classification Definitions

Limited Access Highway / Freeway: A highway especially designed for through traffic and over which abutting property owners have no easement or right of access (or no right of increased access) by reason of the fact that their property abuts upon such highway (ORC 5511.02) except as granted by Licking County Subdivision Regulations. Major and minor arterials are limited access highways/freeways.

Major Arterial: A major arterial is a major thoroughfare designed to carry traffic between municipalities and other activity centers at a high rate of speed, generally over 45 mph, and to provide connections with major state and interstate roadways. Arterials shall consist of a minimum of 4 lanes, and contain as few intersections and access as few driveways as possible. As a result, no new access points for driveways will be permitted. Typically, existing or new state routes are classified as an arterial.

Minor Arterial: This roadway is a thoroughfare similar in nature to a major arterial, but designed for lower volumes of traffic. Minor arterials shall consist of a minimum of 4 lanes with a median, and intersections and direct driveway accesses shall be minimized.

Major Collector: A collector roadway distributes traffic between lower-order residential streets and higher order arterial streets. The collector's purpose is primarily to promote free traffic flow, thus direct access for adjoining lots should be limited where possible. Collectors should not be used for on-street parking and may provide linkages to adjoining developments to improve vehicle circulation.

There are two types of collectors, minor and major. A minor collector adds a middle turn lane while a major collector is designed to carry more traffic by removing the turn lane in favor of two dedicated lanes running in each direction.

Minor Collector: A collector roadway distributes traffic between lower-order residential streets and higher order arterial streets. The collector's purpose is primarily to promote free traffic flow, thus direct access for adjoining lots should be limited where possible. Collectors should not be used for on-street parking and may provide linkages to adjoining developments to improve vehicle circulation.

There are two types of collectors, minor and major. A minor collector adds a middle turn lane while a major collector is designed to carry more traffic by removing the turn lane in favor of two dedicated lanes running in each direction.

Local Residential Street: A local residential street is the lowest order of roadway providing access to residential lots and carrying only the traffic generated by adjoining residential land uses. Residential subdivisions should be developed so that the maximum number of housing units have frontage on local residential streets.

Cul-de-Sac: A street that has a single means of ingress and egress and terminates in a permanent vehicular turnaround. Lengths of cul-de-sacs are limited to minimize mistaking cul-de-sacs with connecting streets, to discourage speeding, and to limit the number of families stranded in emergency or repair situations where the road is cut or blocked off. Cul-de-sacs in a commercial or industrial zoning district shall meet additional width and right-of-way requirements:

1. Cul-de-sacs should be used sparingly and only to capture areas that cannot be reasonably developed with a through street.
2. Cul-de-sacs are intended to serve fewer than 25 lots.
3. When cul-de-sacs are planned, developers must provide a written explanation why a cul-de-sac is a more beneficial design and why interconnecting streets cannot be used. Offset cul-de-sac bulbs are preferred and shall be used whenever possible. Where cul-de-sacs are curbed, they shall be posted as a fire lane and no parking signs shall be erected.

Marginal Access Road: A service roadway may be running parallel to and from a higher order roadway and providing access to abutting properties and separation from through traffic on the higher order roadway. A marginal access road shall be designed as a local residential street or as a subcollector according to anticipated daily traffic. When a marginal access road is developed directly adjacent to the arterial, its ultimate design should be one-way.

Source: Licking County Subdivision Regulations, Final Draft, September 11, 2007

Article 3: ENFORCEMENT

Section 300 Zoning Permits Required

No building or other structure shall be erected, moved, added to, structurally altered, nor shall any building, structure (See Article 2, "Definitions"), 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 as provided by this resolution.

Section 301 Contents of Application for Zoning Permit

The application for zoning permit shall be signed by the owner or applicant attesting to the truth and exactness of all information supplied on the application. Each application shall clearly state that the permit shall expire and may be revoked if the work has not been substantially completed within 18 months. At a minimum, the application shall contain the following information:

1. Name, address, and phone number of applicant.
2. Legal description of property, name, and address of legal owner. Proof of legal description may be by description of property that has been prepared by a licensed surveyor and/or by a deed having a legal description of such a lot or property and owner, which has been recorded in the Licking County Recorders Office.
3. Existing use.
4. Proposed use.
5. Zoning district.
6. A copy of the building plans in duplicate drawn to scale, showing the actual dimensions and the shape of the lot to be built upon; the exact size and location of existing buildings on the lot, if any; and the location and dimensions of the proposed building(s) or alteration.
7. Building heights.
8. Number of off-street parking spaces or loading berths.
9. Number of dwelling units.
10. Such other matters as may be necessary to determine conformance with, and provide for the enforcement of this resolution.

11. Provision for on site inspection with placement of building stakes, or review of existing structure and/or use, including any permits for water and sewer or other necessary permits.
12. Minimum building standards to which applicant will comply.
13. 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.
14. Explanation as to the conformity with Section 604, "General Standards for All Zoning Amendments" of this resolution.

Section 302 Approval of Zoning Permit

A list of zoning permits is available from the Zoning Inspector or the Board of Township Trustees.

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, however, be conditional upon the commencement of work within 6 months. The Zoning Inspector shall retain one copy of the plans, one will be returned to applicant, and one given to the County Auditor. 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 303 Submission to Director of Transportation (ODOT)

Before any zoning permit is issued affecting any land within 300 feet of the centerline of a proposed new highway or a highway (i.e., but not limited to, SR 161, SR 37, or SR 310) for which changes are proposed as described in the certification to local officials by the Director of Transportation or any land within a radius of 500 feet from the point of intersection of said centerline with any public road or highway, the Zoning Inspector shall give notice, by registered mail to the Director of Transportation that he shall not issue a zoning permit for 120 days from the date the notice is received by the Director of Transportation. If the Director of Transportation notifies the Zoning Inspector that he shall proceed to acquire the land needed, then the Zoning Inspector shall refuse to issue the zoning permit. If the Director of Transportation notifies the Zoning Inspector that acquisition at this time is not in the public interest or upon the expiration of the 120 day period of any extension thereof agreed upon the Director of Transportation and the property owner, the Zoning Inspector shall, if the application is in conformance with all provisions of this resolution, issue the zoning permit.

Section 304 Building Permits Required

A building permit is required from the Licking County Building Code Department before construction can begin on any business, manufacturing & distribution, or residential structures, or any residential structure addition(s), as permitted by this resolution. Building permits shall be issued in conformance with the Building Code of Licking County and/or the Basic Building Code of the State of Ohio.

To apply for a building permit, the applicant shall submit appropriate material and fees, as specified by the Building Code Department. 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 application in accordance with the applicable building code.

Section 305 Expiration of Zoning Permit

If the work described in any zoning permit has not begun within 6 months from the date of issuance thereof, said permit shall expire; the Zoning Inspector shall revoke it; and written notice thereof shall be given to the persons affected. If the work described in any zoning permit has not been completed within 18 months of the date of issuance thereof, said permit shall expire and be revoked by the Zoning Inspector, and written notice thereof shall be given to the persons effected, together with notice that further work as described in the canceled permit shall not proceed unless and until a new zoning permit has been obtained.

Section 306 Certificate of Compliance

It shall be unlawful to use any building, land, or premises, or all, or part thereof hereafter created, erected, changed, converted, or wholly or partly altered or enlarged in its use or structure or in a manner that does not comply with designated zoning district until a certificate of compliance shall have been issued thereof by the Zoning Inspector stating that the proposed use of the building or land conforms to the requirements of this resolution. This section shall apply to business and manufacturing & distribution districts only. The owner or occupant shall make application for a certificate of compliance by submitting the information necessary under Section 301, "Contents of Application for Zoning Permit."

Section 307 Temporary Certificate of Compliance

The Zoning Inspector may issue a temporary certificate of compliance for a period not exceeding 6 months during alterations or partial occupancy of a building pending its completion.

Section 308 Record of Zoning Permits and Certificate of Compliance

The Zoning Inspector shall maintain a current record of all zoning permits and certificates of occupancy and copies shall be furnished upon request from the Township Fiscal Officer. The township shall maintain a record of all zoning and compliance permits, which shall become part of township record.

Section 309 Failure to Obtain a Zoning Permit or Certificate of Compliance

Failure to obtain a zoning permit or certificate of compliance shall be a violation of this resolution and punishable under Section 312, "Penalties for Violation" of this resolution.

Section 310 Construction and Use to be as Provided in Applications, Plans, Permits, and Certificates

Zoning permits or certificates of compliance 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 312, "Penalties for Violation" of this resolution.

Section 311 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 cause and basis thereof shall be filed with the Zoning Inspector. The Zoning Inspector shall record properly such complaints, immediately investigate, and take action thereon as provided by this resolution.

Section 312 Penalties for Violation

Whoever violates the provisions of this resolution, fails to comply with any of its requirements, including violation of conditions and safeguards established in various sections of this resolution, or fails to comply with any of its requirements, shall upon conviction thereof be fined not more than \$100 and in addition shall pay all costs and expenses involved in the case. Each day such violation continues after initial written notification, 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 313 Schedule of Fees, Charges, and Expenses

The Board of Township Trustees shall by separate 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 township hall and shall be available from the Zoning Inspector, and may be altered or amended only by the Board of Township Trustees. Until said fees are paid, no action shall be taken on any application.

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Article 4: NONCONFORMITIES

Section 400 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 401 Incompatibility of Nonconformities

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

Section 402 Existing Nonconforming Uses - Continuation

Except as hereinafter specified, the lawful use of a building or premises existing at the time of 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.

Section 403 Single Nonconforming Lots of Record

In any district in which a structure/use is permitted, a structure and customary accessory buildings 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 provisions of this resolution including minimum lot sizes and square footage requirements. This provision shall apply even though such lot fails to meet the requirements for area or width, or both for the district in which such lot is located. Variances of requirements listed in this resolution other than lot area or lot width shall be obtained only through action of the Board of Zoning Appeals as provided in Article 5, "Administration", sections 508 through 517 inclusive.

However, no lot of record created prior to the date of this resolution shall be granted any greater non-conformity than as previously allowed under Section 403 of the St. Albans Township Zoning Resolution adopted 1971 existed prior to the date of this Section 403.

Section 404 Nonconforming Use of Land

Where, at the time of adoption of this resolution, lawful uses of land exist that would not be permitted by the regulations imposed by this resolution, the uses may be continued, without the approval of the Zoning Board of Appeals, so long as they remain otherwise lawful, provided:

1. No such nonconforming 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, unless approved by the Board of Zoning Appeals in accordance with Article 5, "Administration."
2. No such nonconforming 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, unless approved by Board of Zoning Appeals in accordance with Article 5, "Administration."
3. If any such nonconforming uses of land are discontinued or abandoned for more than two years, any subsequent use of land shall conform to the regulations specified by this resolution for the district in which such land is located.
4. No additional structure not conforming to the requirements of this resolution shall be erected in connection with such nonconforming use of land.

Section 405 Nonconforming Structures

Where there are existing structures or when the construction of a lawful structure began before 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, or other requirements concerning the structure, such structure may be continued, without the approval of the Board of Zoning Appeals, so long as it remains otherwise lawful, subject to the following provisions:

1. No such nonconforming structure may be enlarged or altered in a way, which increases its nonconformity, but any structure or portion thereof may be altered to decrease its nonconformity, provided that all such alterations are in accordance with Section 406, "Nonconforming Uses of Structures or Structures/Land in Combination," paragraph 3 or changes are reviewed by the Board of Zoning Appeals.
2. Should such structure be moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the district in which it is located after it is

moved. Replacing the structure that has been moved with another nonconforming structure shall be prohibited unless approved by the Board of Zoning Appeals in accordance with Article 5, "Administration."

Section 406 Nonconforming Uses of Structures or Structures/Land in Combination

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

1. No existing structure devoted to a use not permitted by this resolution in the district in which it is located shall be enlarged, extended, constructed, reconstructed, moved, or structurally altered except in changing the use of the structure to a use permitted in the district in which it is located.
2. Any nonconforming use may be extended throughout any parts of a building, which were manifestly arranged or designed for such use at the time of adoption or amendment of this resolution, but no such use shall be extended to occupy any land outside such building.
3. If no structural alterations are made, any nonconforming use of a structure or structure and land, may, upon approval by the Board of Zoning Appeals, be changed to a more restrictive nonconforming 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 impact on the neighborhood, and that it will not prolong the natural life of a nonconforming use (i.e., costly improvements are indicators that the natural life of the nonconforming use will be extended). In permitting such change, the Board of Zoning Appeals may require appropriate conditions and safeguards in accord with other provisions of this resolution and any or all of the following:
 - a. The nonconforming 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;
 - b. The nonconforming structure or use shall not contribute substantially to increasing congestion of streets or create a traffic hazard;
 - c. The proper number of parking and loading spaces as required by the resolution is provided for the use or structure to the maximum extent possible;
 - d. The existing drainage, sewerage, and street systems are not overburdened and the necessary improvements are provided to accommodate the use or structure;

- e. The nonconforming structure shall be compatible with surrounding development within 300 feet in that the same or similar exterior finishes; roof materials and rooflines are used;
 - f. See Article 12 – “Landscaping, Buffering, Screening and Fence”
- 4. Any structure, or structure and land in combination, in or on which a nonconforming use is superseded by a permitted use, shall thereafter conform to the regulations for the district, and the nonconforming use may not thereafter be resumed.
 - 5. When a nonconforming use of a structure, or structure and land in combination is discontinued or abandoned for more than two years for any reason, the structure or structure and land in combination, shall not thereafter be used except in conformity with the regulations of the district in which it is located.

6. Reasonable expansion of a non-conforming use shall be reviewed by the Board of Zoning Appeals in accordance with these standards established in Articles 4, “Nonconformities” and Article 5, “Administration.”

Section 407 Repairs and Maintenance

On any nonconforming structure or portion of a structure containing a nonconforming use, work may be done on ordinary repairs provided that the cubic content existing when it became nonconforming shall not be increased. Nothing in this section shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official.

Section 408 Nonconforming Certificate

The Zoning Inspector may upon his 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 nonconforming.

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

The purpose of this section is to protect the owners of land or structures that are or become nonconforming by certifying that their property and/or use are, in fact, nonconforming. Once certified, the owner is entitled to all rights and regulations as defined in Ohio Revised Code - Article 519.19, and Article 4, “Nonconformities” of the Zoning Resolution. There may be properties and/or uses that are nonconforming, whose owners do not have certificates. A fee may be charged for a certificate as determined by the Board of Township Trustees.

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

NONCONFORMING CERTIFICATE Number_____ Cert. No._____

This certifies that the property located at _____ (address),
owned by _____ (name), is covered under Article 4,
“Nonconformities,” of the St. Albans Township Zoning Resolution.

The reason for the nonconformity is (state here why the property is nonconforming):

The extent of the nonconformity is (list here the exact extent and kind of the
nonconformity):

- 1) If it is a nonconforming lot and/or structure, show what dimensional requirements
are nonconforming;
- 2) If it is a nonconforming use of lot and/or structure, show which portion of the
property is used for the nonconforming use.

Signature of the Zoning Inspector _____ Date _____
(Date Issued)

Attested to:

Section 409 Uses Under Conditional Use Provisions Not Nonconforming Uses

Any use, which 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 410 Non-Conforming Lot of Record Yard Requirements

The yard requirements for 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 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 with having yards with a variation of not more than 10 feet in depth, the average of such developed/improved yards shall establish the yards for the lot of record, except as provided elsewhere in these regulations.

The yard requirements for 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, but it is the intent of this resolution to provide for a lot of record to be developed and/or improved with structures or uses to be compatible with the existing neighborhood and existing structures. If the applicant and Zoning Inspector cannot reach an agreement on the yards, then the applicant can appeal the Zoning Inspector's decision to the Board of Zoning Appeals.

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Article 5: ADMINISTRATION

Section 500 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 Zoning Inspector, before entering upon his or her duties, shall give bond as specified in Section 519.161, Ohio Revised Code.

Section 501 Duties of Zoning Inspector

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

1. Upon finding that any of the provisions of this resolution are being violated, he shall notify in writing the person responsible for such violation(s), ordering the action necessary to correct such violation.
2. Order discontinuance of illegal uses of land, buildings, or structures.
3. Order removal of illegal buildings or structures or illegal additions or structural alterations.
4. Order discontinuance of any illegal work being done.
5. 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 and certificate of compliance permits and such similar administrative duties as are permissible under the law.

Section 502 Proceedings of Zoning Commission

The Zoning 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 chairperson and at such other times as the Zoning Commission may determine. The Zoning Commission may, within the limits of the moneys appropriated by the Board of Township Trustees for the purpose, employ or contract with such planning consultants and executive and other assistants, as it deems necessary. All meetings shall be advertised and open to the public. The Zoning 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 township hall. 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 shall be necessary to decide in favor of any applicant on any matter

upon which it is required to pass under this resolution or to initiate, review, or interpret under Section 503, “Membership.”

Section 503 Membership

At the beginning of each calendar year, one member of the Zoning Commission and one member of the Board of Zoning Appeals will end their five-year term. Any township resident who desires to volunteer for a position on either board should notify the Board of Township Trustees of their desire to serve before selection occurs in January of each year. The Zoning Commission and Board of Zoning Appeals shall elect a chairperson and secretary from its membership at its January meeting.

Section 504 Duties of Zoning Commission

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

1. Initiate proposed amendments to this resolution.
2. Review all proposed amendments to this resolution and make recommendations to the Board of Township Trustees as specified in Article 6, “Amendment.”
3. Along with the Technical Review Committee, review all agriculture, business, manufacturing & distribution, and residential districts and make recommendations to the Board of Township Trustees as provided in Article 9, “Supplementary District Regulations.”

Section 505 Board 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 each to be appointed by the Board of Township Trustees each for a term of five years, except that the initial appointments 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 Zoning Commission may be removed from office by the Board of Township Trustees for cause upon written charges and after public hearing. Vacancies shall be filled by appointment by the Board of Township Trustees for the unexpired term of the member affected.

Section 506 Proceedings of the Board of Zoning Appeals

The Board of Zoning Appeals 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 chairperson at such other times as the Board of Zoning Appeals may determine. 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 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 chairperson, or in his or her absence the acting chairperson, shall administer oaths and compel the attendance of witnesses. All meetings and adjudicatory hearings shall be advertised and open to the public. The Board of Zoning Appeals 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 of which shall be a public record and be immediately filed in the township hall.

Section 507 Duties of the Board of Zoning Appeals

In exercising its duties, the Board of Zoning Appeals 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 shall have the powers of the Zoning Inspector from whom the appeal is taken. For the purpose of this resolution, the Board of Zoning Appeals has the following specific responsibilities:

1. 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.
2. 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 of the land, a literal enforcement of this resolution will result in practical difficulties, and so that the spirit and intent of this resolution shall be observed and substantial justice done.
3. To grant conditional use permits as specified in the Official Schedule of District Regulations and under the conditions specified in Article 8, "District Regulations" and such additional safeguards as will uphold the intent of this resolution.
4. To interpret the zoning map and resolution upon appeal of Zoning Inspector's decision. 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 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 of the resolution, a request for interpretation of the zoning map or the textual provision in question may be made to and a determination shall be made by the Board of Zoning Appeals.
5. Upon receipt of any request of variance or conditional use, the chairperson shall forward all documentation to all Board of Zoning Appeals members and request that all members inspect the property affected.

Section 508 Duties of Zoning Inspector, Board of Zoning Appeals, Legislative Authority and Courts on Matters of Appeal

It is the intent of this resolution that all questions of interpretation and enforcement shall be first presented to the Zoning Inspector, and that such questions shall be presented to the Board of Zoning Appeals only on appeal from the decision of the Zoning Inspector, and that recourse from the decisions of the Board of Zoning Appeals 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 Section 313, “Schedule of Fees, Charges, and Expenses” of this resolution. Nothing in this resolution shall be interpreted to prevent any one from appealing a decision of the Board of Zoning Appeals as provided in Chapters 2505 and 2506 of the Ohio Revised Code. Any such appeal shall be made within 20 days of the Board of Zoning Appeals’ written decision.

Section 509 Procedures and Requirements for Appeals and Variances

Appeals and variances shall conform to the procedures and requirements of Section 509 through 518, inclusive, of this resolution. As specified in Article 5, “Administration,” the Board of Zoning Appeals has appellate jurisdiction to appeals and variances.

Section 510 Appeals

Appeals to the Board of Zoning Appeals concerning interpretation or administration of this resolution may be taken by any person aggrieved or by any officer 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, with the Zoning Inspector and with the Board of Zoning Appeals, a notice of appeal specifying the grounds upon which the appeal is being taken. 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 511 Stay of Proceedings

An appeal stays all proceedings in furtherance of the action appealed from, unless the Zoning Inspector from whom the appeal is taken certifies to the Board of Zoning Appeals after the notice of appeal is filed with him, that by reason of facts stated in the

application, a stay would, in his or her 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 or due cause shown.

Section 512 Variance

The Board of Zoning Appeals 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. No nonconforming use of neighboring lands, structures, or buildings in the same district and no permitted or nonconforming use of lands, structures, or buildings in other districts shall be considered grounds for issuance of a variance. Variances shall not be granted on the grounds of convenience or profit, but only where strict application of the provisions of this resolution would result in practical difficulties.

The factors to be considered and weighed in determining whether a property owner seeking an area variance has encountered practical difficulties in the use of his property include; but are not limited to:

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

Section 513 Application and Standards for Variances Section

513-A

At least one owner or lessee of the property for which such variance is proposed shall file an application for variance with the chairperson of the Board of Zoning Appeals.

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 Inspector and the Board of Zoning Appeals containing:

1. Name, address, and phone number of applicants.
2. Zoning district in which property is currently located.
3. Legal description of property, legal owner, and address.
4. Description of the nature of the variance requested.
5. List of all owners and their legal address of those owning property within 500 feet from any point on the perimeter of the applicant's property line. A map certified by the County Engineer's office showing the area in question shall also be submitted.
6. A narrative statement demonstrating that the requested variance conforms to the following standards:
 - a. That special conditions and circumstances exist which are peculiar to the land, structure, or buildings in the same district.
 - b. That a literal interpretation of the provisions of this resolution would deprive the applicant of rights commonly enjoyed by other property owners in the same district under the terms of this resolution.
 - c. That special conditions and circumstances do not result from the applicant's action.
 - d. That granting the requested variance will not confer a special privilege(s), which are denied by this resolution to other lands, structures, or buildings in the same district.

Section 513-B

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 conditions imposed by Subsection 6, "Proceedings of the Board of Zoning Appeals," of this section have been met by the applicant. Variances may be granted as guided by, but not limited to, only or all of the following examples:

1. To permit any yard or setback less than the yard or setback required by the applicable regulations.
2. 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 80 percent of the required area and width.
3. To permit the same off-street parking facility to qualify as required facilities for two or more uses, provided that substantial use of such facility by each user does not take place at approximately the same hours of the same days of the week.

4. To reduce the applicable off-street parking or loading facilities required, but generally by not more than 30 percent of the required facilities.
5. To allow for the deferment of required parking facilities for a reasonable period of time, such period of time to be specified in the variance.
6. To increase the maximum distance that required parking spaces are permitted to be located from the use served, but generally not more than 40 percent. (See Article 10, “Off-Street Parking and Loading Facilities”)
7. To increase the maximum allowable size or area of signs on a lot, but generally by not more than 25 percent.
8. To increase the maximum gross floor area of any use so limited by the applicable regulations, but generally not more than 25 percent.

Section 514 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 312, “Penalties for Violation” of this resolution.

Section 515 Adjudicatory Hearing by the Board of Zoning Appeals

The Board of Zoning Appeals shall hold an adjudicatory hearing within 30 working days after the receipt of an application and appropriate fee for an appeal or variance from the Zoning Inspector.

Section 516 Notice of Adjudicatory Hearing

Before holding the adjudicatory hearing required in Section 515, “Adjudicatory Hearing by the Board of Zoning Appeals,” notice of the hearing shall be provided in accordance with Ohio Revised Code Section 519.12 and shall be open to the public. The notice shall include the time, date, and location of the hearing, as well as a general description of the proposed appeal or variance. The notice shall also identify the individual or office responsible for issuing the notice, such as the secretary or chairperson of the Board of Zoning Appeals.

Section 517 Notice to Parties in Interest

Before holding the adjudicatory hearing required in Section 515, “Adjudicatory Hearing by the Board of Zoning Appeals,” written notice of such hearing shall be mailed by the secretary of the Board of Zoning Appeals, by certified mail, at least ten days before the day of the hearing to all landowners identified on the respective application. The notice shall consist of the same information as required of notices specified in Section 516, “Notice of Adjudicatory Hearing.”

A sign measuring 3 feet by 3 feet shall be erected at the proposed site by the Zoning Inspector. The sign should indicate that a variance has been requested.

Section 518 Action by Board of Zoning Appeals

Within a reasonable amount of time after the adjudicatory hearing required in Section 515, “Adjudicatory Hearing by the Board of Zoning Appeals,” the Board of Zoning Appeals shall approve; approve with supplementary conditions as specified in Section 514, “Supplementary Conditions and Safeguards;” or disapprove the request for appeal or variance. Appeals from Board of Zoning Appeals decisions shall be made in the manner specified in Section 507, “Duties of the Board of Zoning Appeals.”

Section 519 Procedures and Requirements for Approval of Conditional Use Permits

Conditional uses shall conform to the procedures and requirements of Sections 519 through 526 inclusive of this resolution.

Section 520 General

It is recognized that an increasing number of new kinds of land 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 14, “Neighborhood Business District (NB),” Article 15, “General Business District (GB),” Article 16, “Manufacturing & Distribution District (M&D),” Article 17, “Agriculture District (AG),” Article 18, “Rural Residential District (RR),” Article 19, “Multi-Residential District (MR),” and Article 21, “Conservation / Natural Recreation District (CN),” shall follow the procedures and requirements set forth in Sections 519 through 526, inclusive. The Board of Zoning Appeals may not grant or permit a use that is dissimilar to the surrounding uses.

Section 521 Contents of Application for Conditional Use Permit

At least one owner or lessee of property for which such conditional use is proposed shall file an application for conditional use permit with the chairperson of the Board of Zoning Appeals. At a minimum, the application shall contain the following information:

1. Name, address, and phone number of applicant.
2. Proposed amendment and legal description of proposed conditional use and property address.
3. Names and addresses of all legal owners within 500 feet from any point on the perimeter of the applicant's property line.
4. Description of existing use.
5. Zoning district.
6. Description of proposed conditional use.
7. A plan of the proposed site for the conditional use showing the location of all buildings, parking and loading area, traffic access and traffic circulation, open spaces, landscaping, refuse and service areas, utilities, signs, yards, and such other information as the Board of Zoning Appeals may require to determine if the proposed conditional use meets the intent and requirements of this resolution on a copy of a map certified by the County Engineer's office showing the property in question and surrounding areas.
8. 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.
9. Such other information as may be required in Section 522, "General Standards Applicable to All Conditional Uses," including legal owner's consent if applicant is not the legal owner or satisfactory showing of applicant's legal or equitable interest.
10. A fee as established by the Board of Township Trustees according to Section 313, "Schedule of Fees, Charges, and Expenses."

Section 522 General Standards Applicable to All Conditional Uses

In addition to the specific requirements for conditionally permitted uses as specified in Section 523, "Specific Criteria for Conditional Uses," the Board of Zoning Appeals 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:

1. Is in fact a conditional use as established under the provisions of Article 14, "Neighborhood Business District (NB)," Article 15, "General Business District (GB)," Article 16, "Manufacturing & Distribution District (M&D)," Article 17,

“Agriculture District (AG),” Article 18, “Rural Residential District (RR),” Article 19, “Multi-Residential District (MR),” and Article 21, “Conservation / Natural Recreation District (CN).” and appears on the Official Schedule of District Regulations.

2. Will be harmonious with and in accordance with the general objectives, or with any specific objective of the township Comprehensive Plan and Zoning Resolution.
3. 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.
4. Will not be hazardous or disturbing to existing or future neighboring uses.
5. Will be served adequately by essential public facilities and services such as highways, street, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.
6. 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.
7. Will not involve uses, activities, processes, materials, equipment and conditions of operations that will be detrimental to any persons, property, or the general welfare, including but not limited to excessive production of traffic, noise, smoke, fumes, glare, odor, potential for explosion, and air or water pollution.
8. Will have vehicular approaches to the property designed so as not to create an interference with traffic on surrounding public thoroughfares.
9. Will not result in destruction, loss, or damage of a natural, scenic, or historic feature of major importance.

Section 523 Specific Criteria for Conditional Uses

The following is a list of specific criteria, which can be used, but is not limited to, in evaluating or to determine conditionally permitted uses as specified under the Official Schedule of District Regulations. The Board of Zoning Appeals should review the following items to determine if any of these should be a condition for approval of the proposed conditional use. The Board of Zoning Appeals may also add other conditions to the following list in order to protect and promote the public health, safety, and morals:

1. Protection of Surrounding Properties and Neighborhoods
 - a. Such uses 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.
 - b. All structures and activity areas should be located at least 100 feet from all property lines.

- c. The location of such structure should be relative to parks and other non-residential uses such as schools and shopping facilities where use could be made of joint parking facilities.
 - d. Site locations should be preferred that offer natural or man-made barriers that would lessen the effect of intrusion into a residential area.
 - e. Such uses shall be properly landscaped to be harmonious with surrounding residential uses in accordance with Article 12, "Landscaping, Screening, Buffering & Fences."
 - f. The area of use shall be completely enclosed by a fence sufficient for screening and appropriately landscaped to be harmonious with surrounding properties.
 - g. 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.
 - h. There shall be no more than one sign oriented to each abutting street identifying the activity.
 - i. All lighting and lighting used for advertising purposes shall be directed away from surrounding and nearby residential properties by suitable screen of evergreen shrubs of at least 10 feet in width and 4 feet in height, or wall at least 6 feet in height above finished grade.
 - j. Sound from loud speakers, which can be detected beyond the premises, shall not be permitted.
 - k. The buildings shall be designed so as to conform with the architectural character of the neighborhood.
2. Specific Performance Standards
- a. No lighting shall constitute a nuisance and shall in no way impair safe movement of traffic on any street or highway.
 - b. Hours may be limited further depending upon the surrounding land uses.
 - c. 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.
 - d. The facility shall be operated so that guests reside at the home for no longer than one contiguous week.
 - e. The facility shall contain not more than six sleeping rooms for guests.
 - f. 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.
 - g. Sanitation practices shall be adequate to assure that objectionable odors shall not be noticeable on or off the lot considering various wind conditions.

- h. The applicant shall submit a written statement showing the measures and practices he will use to reduce the noise level in the design of the building and the management or rotation of animals and outdoor exercise runs.
 - i. No dead animals shall be buried on the premises and incineration of dead animals shall not create odors or smoke.
 - j. Outdoor playgrounds, tot lots, exercise areas (for example), shall be fully enclosed by a fence, the height and design which shall be approved by the Board of Zoning Appeals.
 - k. To protect against excessive ground water usage, prevent possible contamination of water source, and prevent a negative impact on surrounding water sources, the Board of Zoning Appeals shall request the applicant to supply a report from a certified hydrologist and then utilize this information in evaluation of the condition use.
3. Excavation
- a. 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.
 - b. 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 noncombustible solids, to secure:
 - i. That the excavating area shall not collect or permit to remain therein stagnant water.
 - ii. 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 adjoining land area. The banks of all excavations not backfilled shall be sloped which shall not be less than three feet horizontal to one foot vertical and said bank shall be seeded.
4. Mining
- a. 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 or shrubs or grass to be planted, and the location of future roads, drives, drainage courses, or other improvements contemplated.
 - b. 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.

- c. 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 the County Engineer may specify other treatment as.
- d. Contaminated water shall be discharged per EPA standards specific to that contaminate.
- e. Reclamation plans must be approved by the zoning commission and township trustees.

5. Business-to-Business Occupations

Office-type businesses, which provide services and products exclusively to other businesses. Such Businesses:

- a. Do not engage in a retail trade or business that sells either to consumers or to the general public.
- b. Do not warehouse tangible goods onsite.
- c. Do not have more than six employees onsite.
- d. Shall not have signage on the property that is visible from the road.
- e. Shall not occupy more than 1,600 square feet of usable office and meeting space, excluding kitchens, bathrooms, closets, and entryways.
- f. Shall conduct their operations between the hours of 8:00 a.m. to 5:00 p.m. Monday through Saturday.
- g. Shall have no more than six parking spaces on site.
- h. Shall be located in an existing single family residential dwelling only, the interior of which has been modified for such purpose, without modification to the exterior of the structure so as to change its residential appearance.
- i. The existing single-family residential dwelling unit shall not be used for dwelling purposes during the time period that it is classified as “business-to-business”.
- j. Include, by way of illustration, but not of limitation, the following examples:
 - i. Industrial sales representatives.
 - ii. Trade association representatives.
 - iii. Information technology sales and services technicians and consultants.
 - iv. Insurance agents who sell insurance exclusively to commercial enterprises.
 - v. Architectural or professional engineering services.
 - vi. Accountants who provide services to businesses only.
 - vii. Investment advisers and financial planners who provide investment advice and money management services to businesses only.

- viii. Graphic artist and designers that provide services to businesses only.
 - ix. Marketing and advertising services for businesses only.
 - k. Generate very little traffic or the need for parking onsite, other than for employees as meetings with clientele generally occurs offsite. Business is conducted onsite, for the most part by telephone, facsimile, or through the Internet.
 - l. Are located on real property classified as commercial for real estate tax purposes only.
6. Access
- a. All points of entrance or exit should be located no closer than 400 feet from the intersection of two arterial thoroughfares or no closer than 200 feet from the intersection of an arterial street and a local or collector street.
 - b. Structures should have primary access to a collector thoroughfare.
 - c. Such developments should have primary access to arterial thoroughfares or be located at intersections of arterial and/or collector streets.
 - d. Such uses should be located on an arterial thoroughfare, adjacent to non-residential uses such as commerce, industry, or recreation, or adjacent to sparsely settled residential uses.
 - e. Such developments should be located on or immediately adjacent to state highways.
 - f. Truck parking areas, maneuvering lands, and access ways to public thoroughfares shall be designed to cause no interference with the 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.
 - g. 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 applies, provide a safe drop off point for pedestrians that will not impede other traffic.
7. Miscellaneous - Administrative
- a. The Board of Zoning Appeals may, at its discretion, require that, upon the issuance of conditional use permit, the conditions of the permit be subject to periodical review to insure compliance with the terms of the permit.

Section 524 Supplementary Conditions and Safeguards

In granting any conditional use, the Board of Zoning Appeals may prescribe appropriate conditions and safeguards in conformity with this resolution. All conditional use permits are subject to revocation should the applicant fail to uphold the conditions upon which the conditional use permit was granted. A public hearing shall be held to review the purported violation.

Violations of such conditions and safeguards, when made a part of the terms under which the conditional use is granted, shall also be deemed a violation of this resolution and punishable under Section 312, "Penalties for Violation" of this resolution.

Section 525 Procedure for Adjudicatory Hearing and Notice

Upon receipt of the application for a conditional use permit specified in Section 520, "General," the Board of Zoning Appeals shall hold an adjudicatory hearing, publish notice, and give written notice to all parties in interest according to the procedures specified in Section 514 through 516 inclusive.

A sign measuring 3 feet by 3 feet shall be erected at the proposed site by the Zoning Inspector. The sign should indicate a conditional use has been requested.

Section 526 Action by the Board of Zoning Appeals

Within a reasonable amount of time after the public hearing required in Section 524, "Supplementary Conditions and Safeguards," the Board of Zoning Appeals shall approve; approve with supplementary conditions as specified in Section 523, "Specific Criteria for Conditional Uses;" or disapprove the application as presented. If the application is approved or approved with modifications, the Board of Zoning Appeals shall direct the Zoning Inspector to issue a conditional use permit listing the specific conditions specified by the Board of Zoning Appeals for approval. If the Board of Zoning Appeals disapproves the application, the applicant may seek relief through the Court of Common Pleas. Appeals of Board of Zoning Appeals decisions shall be made in the manner specified in Section 507, "Duties of the Board of Zoning Appeals."

Section 527 Expiration of Conditional Use Permit

A conditional use permit shall be deemed to authorize only one particular conditional use and said permit shall automatically expire if, for any reason, the conditional use shall cease for more than two years.

Section 528 Site Design Approval

The zoning permit application within the Manufacturing & Distribution District (M&D) will be processed as follows:

1. The Zoning Inspector shall review all zoning permit applications to insure all requirements of Section 301, "Contents of Application for Zoning Permit" have been submitted.
2. Before a zoning permit is issued in the Manufacturing & Distribution District (M&D) by the Zoning Inspector, the developer shall submit plans, drawn to an appropriate scale, to the Technical Review Committee (appointed by the Board of Township Trustees and comprised of two members from the Zoning Commission and the Zoning Inspector) for recommendations and approval. The Technical Review Committee may, at its discretion, request additional studies or outside assistance from the Licking County Planning Commission staff or others, at the expense of the developer, in its effort to review the development plan in an appropriate manner.
3. If the Zoning Inspector determines that the application is complete, the Zoning Inspector shall schedule a meeting of the Technical Review Committee within 10 days of receipt of the complete application. This meeting shall be open to the public, and notice of such meetings shall be provided to the applicant and/or his or her representative, news media, the Licking County Planning Commission, and any other interested parties. The Technical Review Committee shall review the zoning permit application and provide a recommendation to the Zoning Inspector whether to approve or deny the zoning application. The Technical Review Committee shall recommend approval if the requirements of this resolution have been met. If the recommendation from the Technical Review Committee is for denial, then the applicant shall be provided in writing, within 10 days, the reason(s) for such recommendation.
4. This process of approval does not prevent the applicant or any interested party from appealing the decision of the Zoning Inspector to the Board of Zoning Appeals under the provision provided by Article 5, "Administration" of this resolution.
5. If the applicant would desire to request a preliminary review meeting to review their proposal with the Technical Review Committee, then this request shall be requested in writing and given to the Zoning Inspector. The Zoning Inspector shall then contact the members of the Technical Review Committee to establish a location, date, and time for the preliminary review meeting. The same notice shall be required as in item #3 of this section and provide direction to the applicant how to comply with the requirements of the Manufacturing & Distribution District (M&D) and any other requirements of this resolution.
6. There will be a fee for the Manufacturing & Distribution District (M&D) application and for the preliminary review meeting to cover the township's costs, as established by the Board of Township Trustees according to Section 313, "Schedule of Fees, Charges, and Expenses."

Article 6: AMENDMENT

Section 600 Procedure for Amendments or District Changes

Utilizing the procedures specified in Section 601 through 614, inclusive, of this resolution, may amend this resolution.

Section 601 General

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

Section 602 Initiation of Zoning Amendments

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

1. By adoption of a motion by the Zoning Commission.
2. By adoption of a resolution by the Board of Township Trustees.
3. By the filing of an application by at least one owner or lessee of property within the area proposed to be changed or affected by said amendment.

Section 603 Contents of Application

Applications for amendments to the official zoning map adopted as part of this resolution by Section 700, "Official Zoning Map," shall contain at least the following information:

1. Name, address, and phone number of applicant(s) and legal owner(s).
2. Area in question shall be drawn on a certified map from the County Engineer's Office.
3. Present use.
4. Present zoning district.
5. Proposed use.
6. Proposed zoning district.
7. A written description, sufficient to identify the area in question, shall be included as well as a legal description, including survey, if deemed necessary by the Zoning

Commission, describing the area proposed to be rezoned shall be submitted no later than sixty days after area amended is approved by the Board of Township Trustees. A vicinity map at a scale approved by the Zoning Inspector showing property lines, thoroughfares, existing proposed zoning, and such other items as the zoning inspector may require.

8. A list of all property owners within 500 feet from any point of the perimeter of the applicant's property line, and their mailing addresses who are within, contiguous to, or directly across the street from the parcel(s) proposed to be rezoned and others that may have a substantial interest in the case, except that addresses need not be included where more than ten parcels are to be rezoned, except as provided in Section 610, "Notice to Property Owners by Zoning Commission."
9. A statement on how the proposed amendment relates to the Comprehensive Plan.
10. A fee as established by the Board of Township Trustees according to Section 313, "Schedule of Fees, Charges, and Expenses."
11. Owner's consent to application or satisfactory showing of applicant's legal or equitable interest in said property.

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

Section 604 General Standards for All Zoning Amendments

1. Will be harmonious with and in accordance with the general objectives, or with any specific objective of the township or County's Comprehensive Plan and/or the Zoning Resolution.
2. 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.
3. Will not be hazardous or disturbing to existing or future neighboring uses.
4. Will be served adequately by essential public facilities and services such as highways, street, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.
5. 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.
6. 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.
7. Will have vehicular approaches to the property, which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares.

8. Will not result in destruction, loss, or damage of a natural, scenic, or historic feature of major importance.

Section 605 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 person responsible for receiving the zoning amendment shall transmit the application or resolution or application to the Zoning Commission Chairperson or Secretary within 24 hours.

Section 606 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.

Section 607 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, however, the Board of Township Trustees shall not approve the amendment for 120 days from the date the Director of Transportation receives the notice. If the Director of Transportation notifies the Board of Township Trustees that he or she 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 or 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 608 Public Hearing by Zoning Commission

The Zoning Commission shall schedule a public hearing after the adoption of their motion, transmittal of a resolution from the Board of Township Trustees, or the filing of an application for zoning amendment. Said hearing shall be not less than twenty or more than forty days from the date of adoption of such motion, transmittal of such resolution, or the filing of such application.

Section 609 Notice of Public Hearing

Before holding the public hearing as required in Section 608, “Public Hearing by the Zoning Commission,” notice of the hearing shall be provided by the Zoning Commission in accordance with Ohio Revised Code Section 519.12. The notice shall be made available at least ten days prior to the hearing and shall include the time, date, and location of the hearing; a general description of the proposed zoning amendment; the name of the person responsible for providing notice; and the location where the text and maps of the proposed amendment may be examined for a period of at least ten days prior to the hearing. The notice shall also state that, following the conclusion of the public hearing, the matter will be forwarded to the Board of Township Trustees for further consideration.

Section 610 Notice to Property Owners by Zoning Commission

If the proposed amendment intends to rezone or redistrict ten 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 evidenced by a certificate of mailing, at least ten days before the date of the public hearing to all owners of property within, contiguous to, and directly across the thoroughfare, street or road, from such area proposed to be rezoned or redistricted to the address of such owners appearing on the County Auditor's current tax list or the Treasurer's mailing list and to such other list or lists that may be specified by the Board of Township Trustees. The failure to deliver the notice, as provided in this section, shall not invalidate any such amendment. The notice shall contain the same information as required of notices as specified in Section 609, “Notice of Public Hearing”.

Section 611 Recommendation by Zoning Commission

Within thirty days after the public hearing required by Section 608, “Public Hearing 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 612 Public Hearing by Board of Township Trustees

Within thirty days from the receipt of the recommendation of the Zoning Commission, the Board of Township Trustees shall hold a public hearing. Notice of such public hearing, and contiguous property owners, shall be given by the Board of Township Trustees as specified in Section 609, "Notice of Public Hearing" and 610, "Notice to Property Owners by Zoning Commission."

Section 613 Action by Board of Township Trustees

Within twenty days after the public hearing required by Section 612, "Public Hearing by Board of Township Trustees," the Board of Township Trustees shall either adopt or deny the recommendation of the Zoning Commission or adopt some modification thereof. In the event the Board of Township Trustees denies or modifies the recommendation of the Zoning Commission, the unanimous vote of the Board of Township Trustees is required.

Section 614 Effective Date and Referendum

Such amendment adopted by the Board of Township Trustees shall become effective thirty days after the date of such adoption unless within thirty 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 areas of the township or part thereof included in the zoning plan equal to not less than eight percent of the total vote cast for all candidates for Governor in such area at the last preceding general election at which a Governor was elected, requesting the Board of Township Trustees to submit the amendment to the electors of such area, for approval or rejection, at the next primary or general election.

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

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Article 7: PROVISIONS FOR OFFICIAL ZONING MAP

Section 700 Official Zoning Map

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

Section 701 Identification of the Official Zoning Map

The official zoning map shall be identified by the signature of the Chairman of the Board of Township Trustees, attested by the Township Fiscal Officer. A copy of the current zoning map shall be located in township hall and available for inspection during all public meetings and hearings and at other times by arrangement with township officials. A copy shall also be available through the Licking County Planning Department and/or the Licking County Recorder's Office.

Section 702 Interpretation of District Boundaries

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

1. Where district boundaries are indicated as approximately following the center lines of thoroughfares or highways, street lines, or highway right-of-way lines, such center lines, street lines, or highway right-of-way lines shall be construed to be such boundaries.
2. Where district boundaries are so indicated that they approximately follow the lot lines, such lot lines shall be construed to be said boundaries.
3. Where district boundaries are so indicated that they are approximately parallel to the centerlines or street lines of streets, or 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 or 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.

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Article 8: DISTRICT REGULATIONS

Section 800 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:

1. 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.
2. No building or other structure shall be erected or altered:
 - a. To provide for greater height or bulk than is allowed in the appropriate district.
 - b. To accommodate or house a greater number of families than is allowed in the appropriate district.
 - c. To occupy a greater percentage of lot area than is allowed in the appropriate district.
 - d. To have narrower or smaller rear yards, front yards, side yards, or other open spaces than is allowed in the appropriate district.
3. 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 801 Official Schedule of District Regulations Adopted

District regulations shall be as set forth in the Official Schedule of District Regulations hereby adopted and declared in Article 9, "Supplementary District Regulations."

Section 802 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 as such as governed by Article 4, "Nonconformities," Article 5, "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 each article of these regulations.

Uses not specifically defined or stated which cannot reasonably be interpreted by the Zoning Inspector or the Zoning Commission as permitted or conditionally permitted in any district 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 will prevail as specified in Article 5, "Administration."

Section 803 Flood Plain Overlay District (FP) (with building restriction) [Moved]

This section was moved on _____ to Article 20, "Flood Plain Overlay District (FP) (with Building Restriction)."

Section 804 Agriculture District (AG) [Moved]

This section was moved on _____ to Article 17, “Agriculture District (AG).”

Section 805 Not Used

Section 806 Local Business District (LB) [Deleted]

This section was deleted on _____ and is no longer in effect. It remains in the Zoning Resolution for reference only (See Article 99, “Deleted Sections”).

Section 807 General Business District (B-2) [Deleted]

This section was deleted on 08-09-00 and is no longer in effect. It remains in the Zoning Resolution for reference only (See Article 99, “Deleted Sections”).

Section 808 Manufacturing District (M-1) [Deleted]

This section was deleted on 08-09-00 and is no longer in effect. It remains in the Zoning Resolution for reference only (See Article 99, “Deleted Sections”).

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Article 9: SUPPLEMENTARY DISTRICT REGULATIONS

Section 900 General

The purpose of supplementary district regulations is to set specific conditions for various uses, classification of uses, or areas where problems are frequently encountered.

Section 901 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 new structures 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 for such structures.

Section 902 Community Swimming Pools

Community Swimming Pool shall meet the following criteria:

1. The pool and accessory structure thereto, including the area used by the bathers, will not be closer than one hundred feet to any property.
2. The swimming pool and all of the area used by the bathers will be walled or fenced to prevent uncontrolled access. Said fence or wall will not be less than six feet in height and maintained in good condition with a gate and lock.

Section 903 Temporary Buildings

A temporary, or accessory structure may be 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 months. A separate zoning certificate shall be required for the use of a temporary dwelling quarters, subject to renewal by the Board of Zoning Appeals.

A temporary structure not related to construction of a dwelling or other structure shall follow the same regulations above but shall not exceed a period of three months.

All temporary structures shall comply with all township, county, and state regulations for the use of a temporary structure. Proof of compliance shall be presented upon request by any appropriate authorities.

Any temporary structure shall not be required to have a zoning permit for a use such as weddings, graduations, and community events that are established on a lot and removed within seventy-two hours.

Storage of such facilities or equipment beyond the completion date of the project shall require a zoning permit authorized by the Zoning Inspector.

Section 904 Parking and Storage of Certain Vehicles

Automotive vehicles or trailers of any kind or type without current license plates shall not be parked or stored on residential property other than in completely enclosed buildings. However, one boat and one travel trailer may be stored in the rear yard if the vehicles have a current license.

Section 905 Junk Yards

Junk yards are prohibited when they are determined to be a junkyard as defined in this resolution except as permitted in the GB and in the M&D District. Any area that meets this definition requires a conditional use permit as defined in Section 521, "Contents of Application for Conditional Use Permit" of this resolution. Should the conditional use permit be denied, then the area will be modified within thirty days of the date of the conditional use permit denial, to a state that will be as such not to fall into the definition of a junk yard.

Section 906 Junk Motor Vehicle

A junk motor vehicle is any motor vehicle that is apparently inoperable and left uncovered by not being housed in a garage or other suitable structure, in the open on private property for more than ten days with the permission of the person having the right to the possession of the property.

No junk motor vehicle, i.e. those which are either extensively damaged or apparently inoperable, may be parked in the right-of-way of any state, county or township roadway.

The Zoning Inspector of St. Albans Township may send notice by first class mail as evidenced by a certificate of mailing, with return receipt requested, to the person having

the right to the possession of the property on which a junk motor vehicle is left, that within ten days of receipt of the notice, the junk motor vehicle either shall be covered by being housed in a garage or other suitable structure, or shall be removed from the property.

Any person wishing to appeal the decision of the provisions of this section may appeal such decision to the St. Albans Township BZA in accordance with Section 509 and 514 through 517.

No person shall willfully leave a junk motor vehicle uncovered in the open for more than ten days after receipt of a notice as provided in this section. 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.

Section 907 Required Trash Areas

All commercial, industrial, and multi-family 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 two feet in height above the trash container 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 determined by the Zoning Inspector shall be required.

Section 908 Supplemental Yard and Height Regulations

In addition to all yard regulations specified in the Official Schedule of District Regulations and in other sections of this resolution, the provisions of Sections 919 through 928, inclusive shall be used for interpretation and clarification.

Section 909 Setback Requirements for Corner Buildings

On a corner lot the principal building and its accessory structures shall be required to have the same setback distance from all street right-of-way lines as required for the front yard in the district in which such structures are located.

Section 910 Visibility at Intersections

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 and ten feet above the center line grades of the intersecting streets in the

area bounded by the right-of-way lines or such corner lots and a line joining points along said street lines fifty feet from the point of intersection.

Section 911 Yard Requirements for Multi-Family Dwellings

Multi-family 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 912 Landscaping, Buffering, Screening and Fences.

See Article 12 – Current regulations will be removed and replaced by Article 12.

Section 913 Not used

Section 923 Not used – Glare Being Removed

Section 914 Front, Side and Rear Yard Requirements for Accessory Buildings

Accessory buildings and structures shall not be located any closer to a property line than the required front, side or rear yard setback requirements. Also see Section 403, “Single Nonconforming Lots of Record” and Section 410, “Non-Conforming Lot of Record Yard Requirements.”

Section 915 Architectural Projections

Open structures such as porches, canopies, balconies, platforms, carports, covered porches, 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.

Section 916 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, conveyors, or other appurtenances usually required to be placed above the roof level and not intended for human occupancy except where the height of such structures will constitute a hazard to the safe landing and take-off of aircraft at an established airport.

Section 917 Special Provisions for All Uses

The dumping, storage, or incineration of nuclear, toxic, or hazardous waste (excluding products that are used for agricultural purposes) shall be prohibited. Noxious weeds, as defined by the Ohio Department of Agriculture shall be controlled as to not adversely affect any surrounding areas. No land or building in any district shall be used or occupied in any manner creating dangerous, injurious, noxious, or otherwise conditions which could create a nuisance or 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 Section 919 through 928, inclusive.

Section 918 Fire Hazard

Any activity involving the use or storage of flammable or explosive materials shall be protected by adequate fire-fighting and fire-prevention equipment and by such safety devices as are normally used in the handling of any such material. Such hazards shall be kept removed from adjacent activities to a distance, which is compatible with the potential danger and shall meet all requirements of the State of Ohio Fire Marshal.

Section 919 Radioactivity or Electrical Disturbance

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

Section 920 Noise

Objectionable noise as determined by the Zoning Inspector, subject to review by the BZA, which is due to volume, frequency, pitch, or beat shall be muffled or otherwise controlled. Air raid sirens and related apparatus used solely for public purposes and agricultural operations are exempt. Sound from loudspeakers, which can be heard beyond the property boundaries, shall not be permitted.

Section 921 Vibration

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

Section 922 Air Pollution

Air pollution shall be subject to the requirements and regulations established by the Director of the Ohio Environmental Protection Agency. Smoke, odors, excessive dust, or other forms of air pollution shall not be detectable beyond the boundaries of the Manufacturing district. Agricultural operations are exempt.

Section 923 Not Used

Deleted December 11, 2014

Section 924 Erosion

No erosion, by either wind or water, shall be permitted which will carry objectionable substances onto neighboring properties. All requirements as outlined in Article 6 of the Licking County Subdivision Regulations and/or all State laws pertaining to erosion control must be adhered to.

Section 925 Water Pollution

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

Section 926 Enforcement Provisions

The Zoning Inspector, prior to the issuance of a zoning permit, may require the submission of statement and plan indicating the manner in dangerous and objectionable elements involved in processing and in equipment operations are to be eliminated or reduced to acceptable limits and tolerances.

Section 927 Measurement Procedures

Methods and procedures for the determination of the existence of any dangerous and objectionable elements shall conform to applicable standard measurement procedure published by the American Standards Institute, Inc., New York, Chemical Manufacturers' Association, Washington, D.C., the United States Bureau of Mines, and the Ohio Environmental Protection Agency.

Section 928 Satellite Dish Antennas

Definitions of dish-type satellite signal-receiving antennas (Greater than three feet in diameter):

1. "Dish-type satellite signal-receiving antennas," also referred to as "earth stations" or "ground stations" shall mean one, or a combination of two or more of the following:
 - a. A signal-receiving device (antenna, dish antenna, or dish-type antenna), the purpose of which is to receive communication or other signals for satellites in earth orbit and other extraterrestrial sources.
 - b. A low-noise amplifier (LNA), which is situated at the focal point of the receiving component and the purpose of which is to magnify, store, transfer and/or transmit electronic or light signals.
 - c. A coaxial cable the purpose of which is to carry or transmit said signals to a receiver.
2. "Receiver" shall mean a television set or radio receiver.
3. "Dish" shall mean that part of a satellite signal-receiving antenna characteristically shaped like a saucer or dish.
4. "Grounding rod" shall mean a metal pole permanently positioned in the earth to serve as an electrical conductor through which electrical current may safely pass and dissipate.

Permit Required: No person, firm, partnership, corporation, trust, or other legal entity shall construct an earth station without a permit, nor shall construction commence before a permit is issued in accordance with this section.

Application for Permit: The owner, or occupant with written permission from the owner, or any lot, premises or parcel of land within the township, who desires to construct an earth station on said lot, premises, or land parcel, must first obtain a permit to do so from the township Zoning Inspector. The township Zoning Inspector shall issue such permit, provided the applicant submits a written application upon forms provided and approved by the Zoning Inspector, along with a plat plan of the lot, premises or land parcel attached, showing the exact location and dimensions of the proposed earth station; a description of the kind of earth station proposed; the exact location and dimensions of all buildings or structures. Each application shall specify among other things the name and address the owner of the real estate on the application; and the person to be permitted to construct the proposed earth station.

The applicant shall present documentation of the possession of any license or permit required by any federal, state, or local agency pertaining to the ownership, construction, or operation of an earth station.

The applicant shall submit with each application the sum in accordance with Section 313, "Schedule of Fees, Charges, and Expenses," which represents the permit fee. The permit fee shall cover the costs of reviewing the construction and inspecting the final construction and processing the application.

The Zoning Inspector must notify by certified mail owners of real estate adjoining the property upon which the proposed earth station is to be erected at least ten days before issuing a permit. (Optional).

Location of Earth Station

1. Ground-Mounted:
 - a. No earth station, including its concrete base slab or other substructure, shall be constructed less than ten feet from any property line or easement (or same as an accessory building(s)).

Penalty: Whosoever violates any of the provisions of this section, may be remedied by Section 311, "Complaints Regarding Violations."

Appeals: Appeals from decisions of the Zoning Inspector shall be made to the BZA as provided by this resolution.

Section 929 Towers, Antennas, Satellite Earth Station Or Similar Structures Or Appurtenances

Microwave, or radio transmission towers for cellular telephone and/or other similar communication systems, including radar and satellite receiving 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 seventy-five feet in height, shall be located in a business or

manufacturing & distribution district. For the purposes of this section, all districts other than business or manufacturing & distribution are considered to be used for residential purposes for which such towers, antennas or similar structures shall be excluded under ORC 519.211.

Section 930 Oil and Gas Well Regulatory Guidelines

This section sets forth requirements to insure that any operation incidental to exploration, production, or storage of gas and oil takes place in a manner not endangering public health, safety, and welfare. In the event of conflict between these regulations and state law, adopted pursuant to ORC 1509, the Ohio Administrative Code, and applicable Federal regulations, the most stringent regulations shall apply.

1. Not less than seven days prior to any drilling operation or as the indicated operator shall file with the Zoning Inspector:
 - a. A plat, drawn to scale, showing:
 - i. Ingress and egress points.
 - ii. The well location.
 - iii. The location of all known oil and gas wells within 1,000 feet.
 - iv. Storage tanks.
 - v. Separators.
 - vi. Power shutoffs.
 - vii. Transmission lines.
 - viii. Oil flow shutoffs.
 - ix. Permanent and temporary pits.
 - x. Access roads.
 - b. A list of emergency telephone numbers.
 - c. A copy of the state permit.
 - d. A copy of the brine and waste disposal plan (to include handling of brine, frac-water, sludge, and any other oil field wastes).
 - e. A copy of the Spill Prevention, Control and Countermeasure Plan (SPCC) as required by Title 40 Code of Federal Regulations, Part 112. To be furnished within thirty days after the well has been put on line.
 - f. A statement schedule of the proposed drilling operation as soon as it is available.
 - g. A statement of liability coverage for all operations related to drilling, production, storage and transmission of all products, byproducts, and wastes.

2. No gas or oil well, storage tank, nor separator unit shall be placed closer than 100 feet to any public highway, excluding the Right-of-Way, nor closer than 150 feet to a public building, or private residence.
3. No equipment shall be placed within fifty feet of a property line unless both properties are part of the same drilling unit. In no case shall any equipment be placed directly on the property line.
4. All permanent production facilities shall be enclosed by a chain linked fence not less than six feet in height.
5. All shut-off valves shall be painted a conspicuous color for ease of identification in emergencies.
6. All gas and oil lines shall be buried, unless otherwise requested via the Township by the landowner.
7. Prior to drilling, all access roads shall be of sufficient width and paved with slag, gravel, crushed stone, or other suitable material to permit all weather access by emergency vehicles. All access roads shall have a paved turnaround of sufficient size for the largest firefighting equipment used by the township.
8. All gates and storage tanks shall be locked with combination type locks and the combination and well number shall be provided to the Township Trustees and fire department.
9. At all times a sign shall be posted on site showing:
 - a. Access street name, number, or both.
 - b. Owner.
 - c. Lease name.
 - d. Permit number.
 - e. All emergency telephone numbers.
10. All truck loading and parking areas shall be located outside of any road right-of-way.
11. All gas and oil production and storage equipment and brine storage shall be diked to prevent contamination of surface or ground water. The dikes shall be liquid tight. Dikes surrounding storage facilities shall have a capacity two times that of the storage vessel.
12. In locations where dikes may be damaged by storm runoff, a diversionary dike or swale shall be constructed to prevent damage to the containment dikes.
13. If during construction of any temporary or permanent pit or containment dike, a subsurface drainage system is encountered, said subsurface drainage system shall be removed to a distance of twenty feet from the pit, or containment dike, and on the outflow side shall be plugged at that point. The inflow side shall be rerouted to prevent ponding.

14. If a well is located on a steep slope or in a flood plain, tanks only shall be used, no open storage pits. All tanks shall be adequately and permanently anchored to resist slippage or floatation. All tanks shall be liquid tight.
15. No person shall conduct any well drilling, production or transmission operation that contaminates or pollutes the land surface or any surface or subsurface water. No saltwater (brine), sludge, frac-water or any other oil field wastes shall be deposited or discharged in the township for any purpose, except into an authorized injection well. No person shall vary or change the waste disposal plan or method initially submitted.
16. The owner and/or operator of all transmission lines shall provide within 30 days after the well has been put on line the Zoning Inspector with a plat drawn to scale of all transmission lines within 1,000 feet of the well. All transmission lines buried or above ground, shall be marked with permanent markers. All lines crossing public highways shall be marked with permanent markers at each side of the right-of-way.
17. The Zoning Inspector may inspect oil and gas wells and storage facilities at any time to insure compliance with local regulations.

Section 931 Adult Entertainment Facilities

Definitions

1. "Adult Entertainment Facility" means any establishment, which is involved in one or more of the following listed categories:
 - a. **Adult Book or Video-Book Store:** An establishment having any of its display area or items for sale of its stock in trade, books, videos, magazines, and other periodicals which are distinguished or characterized by their emphasis on matter depicting or relating to "specified sexual activities" or "specified anatomical areas" as herein defined.
 - b. **Adult Mini-Motion Picture 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.
 - c. **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.
 - d. **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 similar functions, which utilize activities as specified above.

2. **"Specified Sexual Activities"** means any of the following:
 - a. Human genitals in a state of sexual stimulation or arousal.
 - b. Acts, real or simulated, of human masturbation, sexual intercourse, sodomy, cunnilingus, fellatio, or sadomasochistic sexual abuse.
 - c. Fondling or other erotic touching of human genitals, pubic regions, buttocks, or female breasts.
3. **"Specified Anatomical Areas"** means any of the following:
 - a. Less than completely covered human genitals, pubic regions, buttocks, and female breasts below a point immediately above the top of the areola.
 - b. Human male genitals in a discernibly turgid state.
4. **"Person"** means any individual, corporation, company, business, partnership, association, establishment, or other legal entity of any kind.
5. **"Fine Art Gallery"** means any display of artwork, which is individually crafted and signed by, the artist to which is limited in edition to 1,000 or less.
6. **"Sexually Explicit Nudity"** means the sexually oriented and explicit showing of nudity, including, but not limited to, close-up views, poses, or depictions in such position or manner, which present or expose such nudity to prominent, focal, or obvious viewing attention.
7. **"Sadomasochistic Sexual Abuse"** means actual or simulated flagellation, rape torture, or other physical or sexual abuse, by or upon a person who is wholly or partially nude, or the condition of being fettered, or bound for sexual gratification or abuse or represented in the context of a sexual relationship.
8. **"Visibly Displayed"** means the material is visible on a billboard, viewing screen, marquee, newsstand, display rack, window, show case, display case, or other similar display area that is visible from any part 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.
9. **"Knowledge of Character"** means having general knowledge, or reason to know; or a belief or ground for belief which warrants further inspection or inquiry, of the nature and character of the material or performance involved. A person has such knowledge when he or she knows or is aware that the material or performance contains, depicts, or describes sexually explicit nudity, sexual activity, sadomasochistic sexual abuse, or lewd exhibition of the genitals, whichever is applicable, whether or not such person has precise knowledge of the specific contents thereof. Direct or circumstantial evidence, or both may prove such knowledge.

10. **"Harmful to Juveniles"** means any material or performance, whether through motion pictures, photographs, drawings, cartoons, slides, depictions, or descriptions in which (a), (b), and (c) apply.
- a. The average adult person, applying contemporary community standards would find that the material or performance, taken as a whole, is intended to excite lustful or erotic thoughts in juveniles, or is designed or marketed to cater or appeal to a prurient interest in nudity, sex, or excretion.
 - b. The material or performance depicts or describes sexually explicit nudity, sexual activity, sadomasochistic sexual abuse, or lewd exhibition of the genitals, in a way, which is patently offensive to prevailing standards in the adult community with respect to what is suitable for juveniles.
 - c. The material or performance, taken as a whole, lacks serious literary, artistic, political, educational or scientific value for juveniles.

Exceptions

Nothing in this article shall be constructed to pertain to:

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

Location

Adult entertainment facilities, adult mini-motion picture theaters, adult entertainment facilities of any kind or type are prohibited in St. Albans Township. Violations of this zoning regulation shall be subject to the enforcement articles and penalties as outlined in the zoning regulations of St. Albans Township.

Unlawful Exhibition or Display of Harmful Material to Juveniles

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

1. Allow, permit, or fail to prevent any juvenile who is not accompanied by a parent or lawful guardian to enter or remain on premises if in that part of the premises where the juvenile is or may be allowed, permitted, or invited as part of the general public or otherwise, there is visibly displayed all or any part of any book, magazine, newspaper, or other form of any material which is either of the following: harmful to

juveniles, when taken as a whole; or contains on its cover, package, wrapping, or within the advertisements therefore, depictions or photographs of sexually explicit nudity, sexual activity, sadomasochistic sexual abuse, or lewd exhibition of the genitals.

2. Visibly display, exhibit, or otherwise expose to view, all or any part of such material in any business or commercial establishment where juveniles, as part of the general public or otherwise, are, or will probably be, exposed to view all or any part of such material from any public or private place.
3. Hire, employ, or otherwise place, supervise, control, or allow in any business or commercial establishment or other place, any juvenile under circumstances which would cause, lead or allow such juvenile to engage in the business or activity of selling, distributing, disseminating, or otherwise dealing or handling such material, either to or for adults or juveniles.

Violation and Penalty

Violators of any provision of this Article shall be subject to penalties of Section 312, "Penalties for Violation," of this resolution as well as loss of any conditional use granted for said premises.

Section 932 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. The minimum road frontage requirement for lots fronting on a cul-de-sac shall be 50% of the lot width requirement, however, the building setback should be equivalent to the road frontage for the appropriate district.

Section 933 Parking and Storage of Commercial Vehicles and Trailers

No more than one commercial vehicle (per adult within a household) with a current license plate and with a net capacity rating in excess of two and one half tons, including commercial tractors, automobiles, trucks, buses, trailers, semi-trailers, shall be parked or stored on any property within a residential zoning district other than in a completely enclosed building, except those commercial vehicles conveying the necessary tools, materials, and equipment to a premises where labor using such tools, materials and equipment is to be performed during the actual time of parking.

Article 10: OFF-STREET PARKING AND LOADING FACILITIES

Section 1000 General Requirements

1. No building or structure shall be erected, substantially altered, or its uses changed unless permanently maintained off-street parking and loading spaces have been provided in accordance with the provisions of this resolution.
2. The provisions of this article, except where there is a change of use, shall not apply to any existing building or structure. Where the new use involves no additions or enlargements, there shall be provided as many of such spaces as may be required by this resolution.
3. Whenever a building or structure constructed after the effective date of this resolution is changed or enlarged in floor area, number of dwelling units, seating capacity, or otherwise to create a need for an increase in the number of existing parking spaces, additional parking spaces shall be provided on the basis of the enlargement or change. Whenever a building or structure existing prior to the effective date of this resolution is enlarged to the extent of 50 percent or more in floor area, number 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 1001 Parking Space Dimensions

A parking space shall have minimum rectangular dimensions of not less than nine feet in width and 19 feet in length for 90 degree parking, nine feet in width and 23 feet in length for parallel parking, ten feet in width and 19 feet in length for 60 degree parking, and 12 feet in width and 19 feet in length for 45 degree parking. All dimensions shall be exclusive of driveways, aisles, and other circulation areas. The number of required off street parking spaces are established in Section 1117 of this resolution.

Section 1002 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 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 every occupancy requiring delivery or goods and having a modified gross floor area of up to 5,000 square feet. One loading space shall be provided for each additional 10,000 square feet or fraction thereof.

Section 1003 Paving

The required number of parking and loading spaces as set forth in Sections 1102 and 1017, together with driveways, aisles, and other circulation areas, shall be improved with such material to provide a durable and dust-free surface.

Section 1004 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.

Section 1005 Maintenance

The owner of property used for parking and/or loading shall maintain such area in good condition without holes and free of all dust, trash, and other debris.

Section 1006 Lighting

All parking areas, which 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 shaded and so arranged as to reflect the light away from the adjoining property and right-of-way.

Section 1007 Location of Parking Spaces

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

1. Parking spaces for all detached residential uses shall be located on the same lot as the use, which they are intended to serve.
2. Parking spaces for commercial, industrial, institutional uses shall be located not more than 700 feet from the principal use.

Section 1008 Landscaping, Screening, Buffering and Fences

See Article 12

Section 1009 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 for human care located on an adjoining lot, unless separated by an acceptably designed screen. If on the same lot with a one-family residence, the parking area shall not be located within the front yard required for such building. In no case shall any part of a parking area be closer than ten feet to any established street or alley right-of-way.

Section 1010 Joint Use

Two or more non-residential uses may jointly provide and use parking spaces when their hours of operation do not normally overlap, provided that a written agreement approved by the Zoning Inspector shall be filed with the application for a zoning permit.

Section 1011 Wheel Blocks

Whenever a parking lot extends to a property line, wheel blocks shall be installed to prevent any part of a parking vehicle from extending beyond the property line.

Section 1012 Width of Driveway Aisle

Driveways serving individual parking spaces shall be not less than 25 feet wide for 90 degree parking, 12 feet wide for parallel parking, 17 and one-half (17 ½) feet for 60 degree parking, and 13 feet for 45 degree parking.

Section 1013 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 1014 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 14 feet except for 45 degree parking in which case the minimum width of the access road shall be 17 feet. Access roads for two-way traffic shall have a minimum width of 24 feet. Parking areas having more than one aisle or driveway shall have directional signs or markings in each aisle or driveway.

Section 1015 Striping

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

Section 1016 Parking Space Requirements

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

TYPE OF USE	MINIMUM PARKING SPACES REQUIRED
Residential	
Single family or two-family dwelling	Two for each unit
Apartments or multi-family dwellings	Two for each unit
Boarding houses, rooming houses, dormitories, and fraternity houses which have sleeping rooms	One for each sleeping room or two for each permanent occupant
Manufactured homes	Two for each unit
Commercial	
1. Automobile service garage, which also provides repair	Two for each gasoline pump and four for every service bay
2. Hotels, motels	One for every sleeping room plus one space for each two employees
3. Funeral parlors, mortuaries and similar type uses	One for every 100 square feet of floor area in slumber room, parlors, or service rooms

TYPE OF USE	MINIMUM PARKING SPACES REQUIRED
Recreational or Entertainment	
1. Dining rooms, restaurants, taverns, night clubs, etc.	One for every 200 square feet for floor area
2. Bowling alleys	Four for every alley or lane plus one additional space for each 100 square feet of the area used for restaurant, cocktail lounge, or similar use
3. Dance floors, skating rinks	One for every 100 square feet of floor area used for the activity
4. Outdoor swimming pools, public or community or club	One for every five persons capacity plus one for each four seats or one for each 30 square feet floor area used for seating purposes whichever is greater
5. Auditoriums, sport arenas, theaters, and similar uses	One for every four seats
6. Retail store	One for every 250 square feet of floor area
7. Banks, financial institutions and similar uses	One for every 200 square feet of floor area
8. Offices, public or professional administration, or service building	One for every 400 square feet of floor area
9. All other types of business or commercial uses permitted in any business district	One for every 300 square feet of floor area

Institutional	
1. Churches and other places or religious assembly	One for every five seats
2. Hospitals	One for every bed
3. Sanitariums, home for the aged, nursing homes, asylums, and similar uses	One for every two beds
4. Medical and dental clinics	One for every 200 square feet area of examination, treating room office, and waiting room
5. Libraries, museums, and art galleries	One for every 400 square feet of floor area

Schools (Public, Parochial, or Private)	
1. Elementary and junior high schools	Two for every classroom and one for every eight seats in auditorium or assembly halls
2. High schools	One for every ten students and one for each teacher and employee
3. Business, technical and trade schools	One for every two students
4. Colleges, universities	One for every four students
5. Kindergartens, childcare centers, nursery schools, and similar uses	Two for every classroom but less than six for the building

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

Section 1017 General Interpretation of Article 10

In the interpretation of Article 10, the following rules shall govern:

1. Parking spaces for other permitted or conditional uses not listed in this article shall be determined by the Board upon an appeal from a decision of the Zoning Inspector.
2. Fractional numbers shall be increased to the next whole number.
3. Where there is an adequate public transit system or where for any other reason parking demand is unusually low, then the parking space provisions cited above may be reduced proportionately by the Board upon an appeal from a decision of the Zoning Inspector.

Article 11: SIGNS

Section 1100 Intent

The purpose of this article is to promote and protect the public health, welfare, and safety by regulating existing and proposed outdoor advertising signs, and outdoor signs of all types. It is intended to protect property values, create a more attractive economic and business climate, enhance and protect the physical appearance of the community, and preserve the scenic and natural beauty of St. Albans Township. It is further intended to reduce sign or advertising distraction and obstructions that may contribute to traffic accidents, reduce hazards that may be caused by signs overhanging or projecting over public rights-of-way, provide more open space, curb the deterioration of the natural environment, and enhance community development.

Section 1101 Governmental Signs Excluded

For the purpose of this resolution "sign" does not include signs erected and maintained pursuant to and in discharge of any governmental function, or required by any law, ordinance, or governmental regulations.

Section 1102 General Requirements for All Signs and Districts

The regulations contained in this section shall apply to all signs and all use districts.

1. Any illuminated sign or lighting device shall employ only light emitting a light of constant intensity, and 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 an adjacent property, especially residential districts, a public thoroughfare, highway, or sidewalk so as to cause glare or reflection that may constitute a traffic hazard or nuisance.
2. 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.
3. No projecting sign shall be erected or maintained 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.
4. No sign or part thereof shall contain, inflatable signs, pennants, portable signs, spinners, streamers, ribbons, changeable message signs, flashing or animated signs or signs with a source of illumination that flashes, blinks or fluctuates,

- temporary signs using illumination derived from noble gases from group VIII of the Periodic Table, vehicles used primarily as signs, permanent banner signs, and other signs failing to meet the purpose and intent of Section 1100, are prohibited. Such devices, as well as string of lights, shall not be used for the purpose of advertising or attracting attention when not part of sign.
5. 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.
 6. Should any sign be or become unsafe or be in danger of falling, the owner thereof or the person maintaining the same, shall upon receipt of written notice from the zoning inspector proceed at once, and within sixty (60) days of such written notice, to put such sign in a safe and secure condition or remove the sign.
 7. Property owners shall be responsible for the removal of signs and signage structures for any business, which has ceased to operate for a period of one year.
 8. No sign shall be placed in any public right-of-way except publicly owned signs, such as traffic control signs and directional signs. Signs directing and guiding traffic and parking on private property but bearing no advertising matter shall be permitted on any property.
 9. All off-premises advertising devices erected or maintained under Chapter 5516 of the Ohio Revised Code are permitted use and are regulated by Section 1105.
 10. The following are prohibited.
 - a. Advertising devices erected or maintained on trees, or painted or drawn upon rocks or other natural features.
 - b. Advertising devices, which prevent the driver of a vehicle from having a clear and unobstructed view of official signs and approaching or merging traffic.
 - c. Advertising devices illuminated so as to interfere with the effectiveness of or obscure an official sign, signal, or device.
 - d. 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.
 - e. No existing conforming or non-conforming sign or advertising device may be changed or converted to a variable message advertising device or changeable digital sign.
 - f. Advertising devices located within the road right-of-way of property in any district.
 - g. Vehicles Use Primarily as Signs – 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 shall be identified as being used in this manner when any of the following apply:
 1. Said vehicle is located in a location for an extended period of time during a business day, a business day shall be deemed as normal or posted business operating hours, and repeatedly over two or more business days. Said business days shall not be required to be consecutive for the purpose of this section.
 2. Said vehicle is parked or positioned in manner as to present the

- face of the advertising message to motorist or pedestrians.
3. Said vehicle has a sign resting in the bed of a truck, on the rooftop, or hood of a vehicle and/or has a sign strapped to the to the vehicle by the means of a rope, chain, and the like.
11. No sign shall be placed on the roof of any building, except those signs whose supporting structure is screened so the sign appears to be a continuation of the face of the building

Section 1103 Measurement of Sign Area

The surface area of a sign shall be computed as including the entire area within a regular, geometric form or combinations of regular, geometric forms comprising all of the display area of the sign and including all of the elements of the matter displayed. Frames and structural members not being advertising matter shall not be included in computation of surface area.

Section 1104 Signs Permitted in All Districts - No Permit Required

1. Signs advertising the sale, lease, or rental of the single family residence or lot in an agricultural or residential districts where the area of the sign shall not be more than six (6) square feet and the maximum total height of the sign structure (including the sign) is six (6) feet and total sign face area not to exceed twelve (12) square feet.
2. Non-farm signs denoting the name and address of the occupant of the premises, not exceeding six (6) square feet in area per side and the maximum total height of the sign structure (including the sign) is six (6) feet and not exceeding one sign per home or business.
3. Signs or bulletin boards customarily incidental to places of worship, libraries, museums, social clubs, or societies, which signs or bulletin boards shall not exceed 30 square feet in area, the maximum total height of the sign structure (including the sign) is **six (6)** feet, and which shall be located on the premises of such institutions and shall be setback from all street lot lines at least twelve (12) feet.
4. Traffic directional signs indicating points of entry or exit to off-street parking, provided that such signs are not located in public right(s) of way, limited to an area of four square feet per sign and three feet in height for the total structure (including the sign).
5. Temporary signs announcing special public or institutional events, the erection of a building, or signs for similar uses. Such signs shall be removed within two weeks of the completion of the event or project. Temporary signs are not to exceed 32 square feet per sign face and not exceed a total of 64 square feet of sign face area, per business or event sponsor and per lot.
6. Political signs provided such sign is not placed in the public right of way.
7. Sandwich boards are permitted in front of businesses but shall be located immediately in front of the business and shall be no closer to the public right of

way than thirty (30) feet. They shall have the following specifications:

- a. Four (4) feet in height and two (2) feet in width.
- b. One per business.
- c. Be made of permanent weatherproof material such as painted wood or metal.

Section 1105 Signs Permitted in Districts - Permits Required

1. In a commercial or manufacturing district, each business shall be permitted one flat or wall on-premises sign that advertises the business being conducted at that location. The sign shall face the primary access street or road. The maximum area shall not exceed thirty-two (32) square feet.
2. In addition to the above, each business or industry shall be permitted one (1) or in the case of a business having frontage on two streets two (2) on premise ground signs, not exceeding ten (10) feet in height for the total structure (including the sign), setback twenty (20) feet from the street or road right-of-way and no more than thirty (30) square feet on any face of the sign(s).
3. In lieu of the permitted ground signs as permitted in Item 2 above, groups of establishments of four (4) or more businesses shall be permitted one larger ground sign for all businesses. Such sign shall not exceed 80 square feet on any face nor exceed 30 feet in height and shall be setback at least 20 feet from the street right-of-way. The sign shall be located within 250 feet of the nearest business structure.
4. Total window signs shall not exceed twelve (12) square feet and are limited to first floor windows only. For uses that are located in the second or higher stories of the building, the Board of Zoning Appeals may grant special sign provisions indicating occupant and use as a conditional use.
5. Signs or advertising devices for business or industries adjacent to the interstate and primary highways as regulated by the Ohio Revised Code, Section 5516, as amended, **shall be a permitted use, subject to the following regulations:**
 - a. Such signs or structure(s) shall not be located within 300 feet of any street or road right of way.
 - b. Signs or structure(s) shall not be located on or within 2,500 feet of any other outdoor advertising display or billboard on the same side of or on the other side of any street or road right of way.
 - c. Such signs or structure shall not be located on or within 1000 feet of any building, except signs painted on barns, buildings, or other structures.
 - d. Such signs shall not exceed 50 square feet on one sign face and 100 feet on two sides. In no case shall more than 50 square feet of display or sign face area be visible from any road or street. Such signs shall not exceed ten (10) feet in height for the total structure (including the sign).
 - e. Outdoor advertising displays and/or billboards shall not be permitted in the Flood Plain Overlay or Conservation/Natural Recreation (CN) districts.
 - f. Such Outdoor advertising device and/or billboards shall not be permitted

in any residential district or within a 1000 feet of a residential district.

- g. Such Outdoor Advertising Devices that is a Variable Message Advertising Device, Changeable, Digital sign shall contain static message only, when the copy or message changes by electronic process, it shall be accomplished in three (3) seconds or less. In any event, such advertising devices may not have movement or the appearance of or illusion of movement of any part of the sign structure design or pictorial segment of the advertising device, including movement of any illumination or flashing or varying of light intensity.
- h. Each message or copy shall remain fixed for at least eight (8) seconds.
- i. Such advertising device shall contain a default design that will automatically freeze to a single display in the advent a malfunction occurs.
- j. No such advertising device shall be illuminated so as to obstruct the view of any connecting road, intersection, or interchange or obscure any official traffic device or signal.
- k. No LED, OLED or similar devices may exceed the following brightness limits, measured in candelas per square feet at any focal point on any highway, berm, or vehicular approach to any highway:

	Day	Night
Red	300	100
Green	600	200
Amber	450	150
Blue	550	50
All Color	650	250

In case shall any excessive or pulsating light from a electronic variable Advertising device shall not increase by more than 0.3 foot candles (over ambient levels) as measured using a foot candle meter at a distance of 200 feet.

- l. All Variable Message Advertising Device owner/operators upon contact by official of Law Enforcement Agency, Licking County Emergency Management or state agencies are required to within one (1) hour notice, post emergency announcements on the variable message device. The duration of the announcement will dependent upon the emergency. Such announcement will be limited to situations involving danger to citizens due to criminal activity, weather conditions, or local, state, or national emergencies. It is the owner/operator of such outdoor advertising device to contact these agencies with their contact information and location of such device.
 - m. No existing or non-conforming outdoor advertising device maybe converted to a variable or digital message device.
6. Any sign advertising a commercial enterprise, including real estate developers or subdivider, in a district zoned residential or agricultural shall not exceed twelve (12) square feet in area and shall advertise only the names of the owners, trade names, products sold and/or the business or activity conducted on the premises where such sign is located. Any subdivision development establishing a sign

identifying the subdivision shall comply with these regulations.

7. Commercial, Manufacturing and/or Distribution enterprises off premise directional signs shall be permitted in any district subject to the following restrictions:
 - A. Directional signs are for the purpose of providing guidance to the vehicular traffic direction to the establishment.
 - B. A directional sign may contain a logo and name of the commercial, manufacturing and/or distribution enterprise.
 - C. Such signs shall not exceed eight (8) square feet and each sign shall not exceed two (2) feet in height for individual sign and the total direction sign structure height shall not exceed ten (10) feet.
 - D. There will only be one directional sign structure on the same side of a intersection of roads/ streets. It is the intent that directional signs for multiple enterprises use the same sign structure with multiple signs on the same structure.
 - E. All directional signs shall be at least twelve (12) feet from all right of way lines
8. There is a fee for the issuance of the permit in accordance with Section 313.

Section 1106 Photographs of Signage

Within thirty (30) days of erecting a sign in accordance with Sections 1105, or in accordance with a variance granted by the St. Albans Township Board of Zoning Appeals, the owner shall furnish a photograph of the entire sign, including all sides, to the township-zoning inspector.

Section 1107 Setbacks for Public and Quasi-Public Signs

Real estate signs and bulletin boards for a church, school, or any other public, religious, or educational institution must be erected at least ten (10) or more feet from the established right-of-way line of any street or highway provided such sign or bulletin board does not obstruct traffic visibility at street or highway intersection.

Section 1108 Special Yard Provisions

On-premises signs where permitted shall be erected or placed in conformity with the side and rear yard requirements of the district in which located.

Section 1109 Limitation

For the purposes of this resolution, outdoor advertising off-premises signs shall be classified as a business use and be permitted in all districts zoned for manufacturing or business or lands used for agricultural purposes **and shall comply with Article 11.**

Section 1110 Abandoned Signs

Abandoned Signs shall be considered abandoned when one of the following applies:

1. When the sign is associated with an abandoned use.
2. When the sign remains after the termination of a business. A business is considered to have ceased operation if it is closed to the public for at least one year. Seasonal businesses are exempt from this determination.
3. When the sign on its immediate premises is not adequate and the repairs or maintenance as required by the resolution are not affected within the specified time.
4. When the sign does not conform to the provisions of this section and/or of the resolution.
5. When the sign does not have a permit or no exemption is available.

The St. Albans Township Zoning Inspector shall determine abandonment of a sign. Upon determination that the sign is abandoned, the right to maintain and use of such sign shall terminate immediately and the Zoning Inspector or his/her designee shall issue an order for the sign to be removed within thirty days. Any abandon sign still established after thirty days following an order for removal may be appealed to the Township Board of Appeals (BZA), and procedures of Article 5 shall be followed. The owner of such sign(s) shall be subject to the decision of the BZA. If no appeal is filed within the required time period, The Zoning Inspector shall proceed with the proper violation procedures.

Section 1111 Violations

In case any sign shall be installed, erected, constructed, or maintained in violation of any of these terms of this resolution, the zoning inspector shall notify in writing the owner or lessee thereof to alter such sign so as to comply with this resolution. Failure to comply with any of the provisions of this article shall be deemed a violation and shall be punishable under Section 312 of this resolution.

ARTICLE 12: LANDSCAPING, BUFFERING, SCREENING & FENCES

SECTION 1200 - Intent

The purpose of this article is to regulate multi-family, commercial, office, industrial and other developments of structures and sites in a manner which considers the impacts to adjacent properties and public infrastructure. Landscape Plan Review will address specific issues such as parking, landscaping, internal and external access, stormwater runoff and erosion, garbage collection areas and outside storage. Further, this article is written for the benefit of a property owner or developer because it provides the design standards and requirements for developing property within St Albans Township. This article includes references to all other pertinent articles related to the Landscape Plan Review procedure and requirements that establish standards for the location, spacing, quantity, type, size, protection, planting, and maintenance of landscape materials in order to accomplish the objectives listed above.

The additional purpose of this article is to provide landscaping regulations that will enhance the environment and visual character as development occurs within the township limits. The preservation of existing trees and vegetation, and the planting of new trees and vegetation will protect public and private investments, and promote high-quality development. Areas of transition will be created between land uses, in order to minimize adverse visual impacts, noise, light and air pollution. Landscaping will be required to provide separation between parking areas and buildings, which will define pedestrian and vehicular circulation areas and diminish the visual impact of continuous building facades. Therefore, this article requires landscaping to be planted between uses, around buildings, within and around parking lots and along street frontages in order to:

1. Encourage the preservation of existing trees and vegetation and replenish vegetation that is removed.
2. Facilitate the creation of attractive and harmonious development with the intent to enhance property values.
3. Improve the visual quality of the township by minimizing the negative impacts of development.
4. Reduce environmental impacts, such as noise, air and light pollution, reduce stormwater runoff and decrease soil erosion, improve water quality, protect wildlife habitat, and reduce heat convection from impervious surfaces.
5. Minimize conflicts between land uses, reduce visual impacts to adjoining properties and public rights-of-way, create a transition between dissimilar land uses, promote and preserve the character and value of an area, and provide a sense of privacy.

SECTION 1201 - Required Landscape Review

All developments that are subject to Zoning Permit Application or Zoning Amendment Application as defined by Articles 3 and 6 of this resolution must demonstrate the requirements of this article will be achieved.

SECTION 1202 - General Requirements

1. EXISTING TREE PROTECTION

St. Albans Township recognizes the importance of trees as a vital component in counterbalancing the effects of development by providing cooling shade, reducing noise and glare, contributing to aesthetics, improving air quality, improving surface drainage, filtering non-point source pollution from area streams, stabilizing soil thereby minimizing erosion, and by providing habitat for wildlife. Tree protection standards establish procedures for township wide tree protection.

- a. Where mature trees exist on a site proposed for development, a Tree Preservation Plan (TPP) shall be required to be filed as a part of any initial application for approval of a preliminary subdivision or final development plan. Where such trees are existent, the developer is required to make a good faith tree preservation effort during the site development planning process. All desirable trees of species not listed in 1205.1.a, having a trunk diameter at breast height (DBH) of nine (9) inches or more, shall be preserved, unless located where planned structures, parking lots, vehicular circulation, and/or significant cut and fill must be located due to site considerations.
- b. If the TPP is not provided at the time of filing in a full and complete form, the plan application shall not be considered as properly filed and may be rejected. The TPP shall contain the following map and text information at a minimum:
 - i. A Tree Inventory Map, based upon field review. A landscape architect, horticulturalist, arborist, or other similar licensed professional within the State of Ohio may prepare a tree inventory map.
 - ii. The Tree Inventory Map must include the following:
 - a. All trees potentially impacted by proposed construction with associated canopy drip line shown.
 - b. DBH of all trees with DBH greater than 6 inches.
 - c. Species of trees.

- d. Overall assessed tree health.
- e. Any pertinent notes on crown or root conditions.
- f. Proposed tree protection areas, including buffers. Trees to be protected must be designated as such on the landscape, grading, erosion & sediment control, and any other applicable plans. Temporary tree protection fencing shall be located at the tree canopy drip line(s), at a minimum. Include detail of tree protection fencing installation and location with erosion & sediment control measure details. Tree protection fencing shall be installed at the same time as erosion & sediment control measures, and shall be in the form of orange, 40-inch-high polyethylene web fencing secured to metal posts placed 6-feet on center and driven 18 inches, at a minimum.
- g. Proposed tree removal areas, including justification for removal and mitigation measures to be taken. Mitigation requirements are as follows: All desirable trees of species not listed in 1205.1.a, having a trunk DBH of nine (9) inches or more, that are removed from the development site must be replaced on site with hardwood or conifer trees, per removed type. See 1202.3.e for required sizes for replacement trees.
- h. Sufficient information on proposed limits of grading, cut and fill areas, equipment storage areas, retaining walls, and, where appropriate, proposed stormwater detention areas, lot locations, and similar activities, so that the impact on existing tree areas can be assessed.

2. REQUIRED LANDSCAPING SITES: PUD, NB, GB, M+D, MU, AND MR DISTRICTS

- a. New Sites – No new site development, building, or structure shall hereafter be constructed, or vehicular use area created or used unless landscaping is provided as required by the provisions of this Article 12.
- b. Existing Sites – No building, structure, or vehicular use area shall be expanded, moved, or removed and/or reconstructed unless the minimum landscaping required by the provision of this Article is provided for the property to the extent of its alteration or expansion, but not for the entire property.
- c. Change of Use – No use shall be changed to another use for which this Zoning Resolution requires additional parking over and above that required for the previous use, unless vehicular use area perimeter landscaping as required by this Article is provided for such additional parking. The provisions of this Article shall be effective

regardless of whether or not new construction will be necessary to meet the parking requirements. Where the previous use had no required parking, perimeter landscaping shall be provided for the entire vehicular use area serving the new use. Interior landscaping shall not be required where only the use of the property is changed, and no new construction or reconstruction is proposed.

- d. Change of Zone – No use of an existing building, structure, or vehicular use area shall be commenced subsequent to change in zoning unless property perimeter landscaping as required herein has been provided.

3. STANDARDS FOR NEW PLANTINGS

A Landscape Plan will be required as part of the Zoning Permit Application or Zoning Amendment Application process. The information required on this landscape plan is listed in Section 1216.

- a. The owner of the property is responsible for the maintenance and watering of all landscaping materials, and shall keep all plants in a proper, neat and orderly appearance free from weeds or tall grass, refuse and debris at all times. All unhealthy or dead plant material shall be replaced by the next planting season, or within one year, whichever comes first. Topping trees, or the severe cutting of live limbs to stubs, shall not be permitted for the maintenance of trees.
- b. All plant material must be installed, according to the approved landscaping plan, no later than the next planting season or within 6 months from the date that a building occupancy permit is issued, season permitting. If no occupancy permit is required, all plant material must be installed by the next planting season from the date of approval for the landscaping/site plan.
- c. All plant material selected should be hardy in USDA Plant Hardiness Zone 5b, be able to tolerate the microclimate in which it is planted, and be easily maintained. Also, all landscaping shall be designed and installed to permit access to any area where repairs, renovations or regular maintenance to site buildings, utilities, etc. are expected.
- d. In addition to the designated width of all landscaping strips and the types of plants that are required, some type of ground cover shall be incorporated in the design, which may include any combination of cool season grasses, low ground cover, shrubs, perennial flowers, mulch, or natural color aggregate other than bright white. Hard surfaces (i.e., asphalt or concrete) shall not be permitted for use as ground cover.
- e. Required minimum plant sizes at time of planting are as follows:

Plant Type	Minimum Plant Size at Planting
Shade Trees	1 ¾ inch caliper B&B
Ornamental Trees	6 ft B&B

Evergreen Trees	6 ft B&B
Deciduous Shrubs	24 inches B&B or 3 gal. container
Evergreen Shrubs	18 inches B&B or 3 gal. container
Herbaceous Perennials	1 gal. container
Groundcovers	Cell Pack Flats

- f. All bufferyards, landscaping strips, and planted areas that adjoin a street; and all parking/loading areas, shall install a minimum six (6) inch high curb along the landscaping strip to protect the planted area from vehicular traffic. If it is determined by the Zoning Inspector that damage from vehicles will not occur, curbing may not be necessary.
- g. Unless otherwise permitted within this Resolution landscaping shall not be permitted within a public right-of-way or easement.

SECTION 1203 - Enforcement

Inspections shall be conducted by the Zoning Inspector or designee, before, during, and after construction as needed to assure compliance with the submitted and approved Tree Preservation Plan and Landscape Plan.

SECTION 1204 – Sight Triangles

The use of plant material in a sight triangle is intended to provide aesthetic appeal while not unduly limiting or restricting visibility, whether as a pedestrian or a passenger in a vehicle. Plants shall not reduce or limit visibility to such an extent that a safety hazard is presented. Plants normally considered as effective screens shall be unacceptable for use in the sight triangle. Trees used in a sight triangle shall have a minimum branching clearance of six feet from the ground to the first branch. Trees with a naturally high branching pattern are preferred. Trees with normally low branching patterns or descending branches (e.g., Pin Oak, Weeping Willow, etc.) shall be unacceptable. Normally there can be no obstructions allowed in the sight triangle.

Trees shall not be planted in the right of way within 75 feet of a vehicular intersection. All shrubs or groundcovers used in the sight triangle shall be a maximum of 18 inches tall at maturity. No large or medium shrubs shall be acceptable for use in the sight triangle because of their height at maturity. Low shrubs shall be acceptable only if they do not exceed the 18-inch height limit at maturity. Plant materials used in medians or raised planters in the sight triangle shall be a maximum of 18 inches in height at maturity when measured from the pavement elevation.

For roundabout vehicular intersections, refer to FHWA or ODOT guidance for sight distance recommendations and requirements.

SECTION 1205 - Plant Types

The Plant Types listed below are arranged by size of plant at maturity and evergreen or deciduous. The height is measured from the surface of the planted area to the top of the plant (does not include the roots of the plant) or by container size. All plants selected from each plant type shall be indigenous to this region or capable of flourishing within the proposed planting area.

1. Plant Type A Large deciduous trees over 50 feet in height at maturity.
2. Plant Type B Medium sized deciduous tree from 25 to 50 feet in height at maturity.
3. Plant Type C Large shrubs or small trees 10 to 25 feet in height at maturity.
4. Plant Type D Large evergreen trees over 50 feet in height at maturity.
5. Plant Type E A. Small shrubs and medium ornamental grasses: maximum height of 4 feet.
 B. Medium shrubs and large ornamental grasses: 4 feet to 10 feet in height.
6. Plant Type F Groundcovers and small ornamental grasses: maximum height of 18 inches to 24 inches.

1. UNACCEPTABLE PLANT MATERIALS:

In Ohio it is prohibited to sell, offer for sale, propagate, distribute, import, or intentionally cause the dissemination of certain invasive plants as identified in Ohio Administrative Code Rule 901:5-30-01. For more information see: <https://agri.ohio.gov/divisions/plant-health/invasive-pests/invasive-and-noxious-plants/invasive-plants>

Additionally, the following lists of unacceptable landscape plants (1205.2.a & 1205.2.b) were created solely in reference to applicable sites in PUD, NB, GB, M+D, and MR Districts. (See Section 1202.2). Though unacceptable for the listed districts, plants on the following lists may be appropriate for use on agricultural or residential private property as well as on conservation and park lands.

The illegal plant materials listed in the Ohio Administrative Code are not included in the following lists of unacceptable trees, shrubs, and groundcovers (circa 2024).

a. Unacceptable Trees:

Botanical Name	Common Name	Justification
<i>Acer negundo</i>	Box Elder	Can become a noxious weed tree.
<i>Acer platanoides</i>	Norway Maple	Prone to verticillium issues, especially 'Crimson King'.
<i>Acer saccharinum</i>	Silver Maple	Extensive shallow root system that can clog drain tiles and buckle

		sidewalks. Very weak wooded - a liability with age.
<i>Aesculus hippocastanum</i>	Horse Chestnut	Very messy due to large fruit and low rate of leaf drop.
<i>Betula papyrifera</i>	Paper Birch	Susceptible to Bronze Birch Borer. Short lived in sites with stress (i.e., street tree).
<i>Betula pendula</i>	European White Birch	Leaf miner and bronze Birch Borer are serious pests. Short lived in sites with stress (i.e., street tree).
<i>Castanea dentata</i> and <i>Castanea mollissima</i>	American Chestnut and Chinese Chestnut	Very large, prickly fruit, also very susceptible to diseases. Flowers have unpleasant odor.
<i>Catalpa speciosa</i>	Northern Catalpa, Western Catalpa, Hardy Catalpa	Weak wooded and messy fruit.
<i>Fraxinus pennsylvanica</i> , <i>F. americana</i>), <i>F. nigra</i> , and <i>F. quadrangulata</i> , as well as cultivars of these species.	Green Ash, White Ash, Black Ash, & Blue Ash as well as horticultural cultivars of these species.	The Emerald Ash Borer kills these trees.
<i>Ginkgo biloba</i> (female)	Ginkgo	Female Ginkos have messy, malodorous fruit. Identifying the sex of young trees not possible unless tree was grafted onto known root stock.
<i>Gleditsia triacanthos</i>	Common Honey Locust	Extremely thorny, invasive.
<i>Laburnum x watereri</i>	Golden Chain Tree	Flowers buds (main reason for growing plant) are killed most winters. Seeds are poisonous.
<i>Malus</i> (selected)	Crabapples (selected)	Avoid ‘Almey’, ‘Corovaria’, ‘Dorothea’, ‘Eley’, ‘Hopa’, ‘Ioensis’, ‘Oekonomierat’, ‘Echtermeyer’, ‘Radiant’, ‘Red Silver’, and ‘Sylvestris’ (Many crabapples are susceptible to disease & insects).
<i>Malus pumila</i>	Common Apple	Weedy and large fruit. Some varieties susceptible to disease.
<i>Morus rubra</i>	Red Mulberry	Fleshy and messy fruit.
<i>Pinus nigra</i>	Austrian Pine	Highly susceptible to Diplodia Tip Blight.
<i>Populus</i> (all)	Poplars (all)	Poplars are disease prone, weak wooded, and their roots will clog drain tiles and sewer lines.
<i>Prunus cerasifera</i> (Straight species) & <i>Prunus persica</i>	Cherry Plum (Straight Species) & Peach	Serious disease problems and pollution sensitivity.
<i>Pyrus communis</i>	Common Pear	Extremely susceptible to fireblight. Large fruit.
<i>Salix</i> (<i>Salix fragilis</i> is included in OAC list)	Willows	Disease prone. Roots will clog drain tiles and sewer lines.
<i>Sorbus</i> (species)	Mountain Ash	Susceptible to many diseases and pests. Not urban tolerant.

Tilia americana	American Linden, Basswood	Very large tree susceptible to multiple diseases.
Ulmus americana	American Elm	Disease resistant cultivars of Ulmus americana are acceptable.
Ulmus carpiniflora, Ulmus fulva	Smoothleaf Elm, Red Elm	Elms in general are disease prone, weak-wooded, and messy, requiring much maintenance.

b. Unacceptable Shrubs and Groundcovers:

Botanical Name	Common Name	Justification
Berberis julianae, Koreana, thunbergia, x mentorensis	Wintergreen Barberry, Korean Barberry, Japanese Barberry, Mentor Barberry	Invasive.
Euonymus alatus	Winged Euonymus or Burning Bush, including 'Compacta'	Invasive.
Euonymus fortunei	Wintercreeper (groundcover)	Invasive.
Lonicera fragrantissima	Fragrant Honeysuckle	Invasive.
Rhamnus frangula	Glossy Buckthorn	Serious disease problems. Invasive.
Rhodotypos scandens	Jetbead	Invasive.

SECTION 1206 – Screening and Berming

Screens are used as visual controls to block objectionable views, define and create outdoor space, and provide a sense of privacy. Screens also may control and reduce wind and drifting snow. Screens usually serve a functional use, but they also have an aesthetic impact. Screen plantings are almost always mass plantings arranged in a more or less linear pattern. The best plants for screens have narrow, upright forms that allow them to be planted closely together. The branching pattern shall be dense, fine textured, and branch all the way to the ground.

1. Trees should be durable and relatively maintenance free.
2. Evergreens create the best screens, but deciduous plants are also acceptable if they have a minimum opacity of 70 percent during the winter.
3. Most large shrubs shall be acceptable for screening if they meet the opacity requirements.

Berming, which is an earthen mound that is designed to provide visual interest, screen undesirable views, and decreases noise, may be used as an effective method of landscaping and screening in accordance with the following guidelines:

1. The berm shall be located between the public right-of-way and the building setback

- lines.
2. Berming shall generally vary in height, width and length to create a free-form naturalistic effect.
 3. The slope of a berm shall not exceed a 2.5:1 ratio.
 4. The use of berms may reduce the size and number of plants required by a specific landscape, if it is specified in Section 1211 and reduction standards.
 5. The design of berms shall include provisions for drainage that are tied into entire site system if necessary or applicable. Berms shall be designed so as to not interfere with storm water management on the site or cause issues for adjoining property.
 6. The toe of berm shall be a minimum of three (3) feet from the road right of way line and all side and rear lot lines. The purpose of which is to protect adjoining lots from grading and allow an area on the subject property for the construction and maintenance of berm(s).

SECTION 1207 - Landscaping Along Street Frontages

When a developing use adjoins a street, regardless of whether it is public or private, landscaping shall be required per Section 1211 along the entire street frontage. Street frontage trees or landscaping shall not be planted or placed within the public or private road right of way/easement. This landscaping is not required to be placed in a linear design, but shall be required to be dispersed throughout the street frontage and not clustered entirely at the ends of the property. This landscaping will provide screening for parking/loading area, while also allowing flexibility for uses, which require high visibility from street frontages. If the street frontages (area between the building and the street) do not contain a parking/loading area, then only the trees from Plant Type A, B, C or D (referenced in Section 1205) shall be required.

Activities, such as outside storage, loading/unloading areas, parking or semi-trailers and heavy equipment or other activities and/or operations shall be required to provide screening found within Bufferyard D in Section 1211.

SECTION 1208 - Interior and Perimeter Landscaping for Vehicular Parking/Loading Areas

1. Interior landscaping shall be provided for parking/loading areas that contain more than 20 parking spaces in total. Interior landscaping is intended to minimize the impact of large, paved areas on the visual and microclimate environment. Tree canopies will reduce heat build-up from paving in summer months. Large, medium, and/or small trees, that have high branching characteristics, shall be used. Landscaping shall be designed in accordance with Article 10 and the following interior landscaping standards:
 - a. Plant types installed for this section shall not interfere with any sight distances within the parking lots and/or entrances and

exits to and from parking lots or street. (See Section 910 – Visibility at Intersections.)

- b. A minimum of 5 percent of the total parking/loading interior areas shall be landscaped. The landscaping shall be dispersed throughout the paved area, as illustrated in Figure 12.1. This landscaped area cannot be combined into one large planting area, except as permitted by Item 5 of this section. This interior landscaping shall be in addition to any other planting or landscaping required within this article.
- c. The parking/loading area landscaping shall contain a variety of trees from Plant Type A, B, and/or C and be dispersed in the form of islands or peninsulas throughout the parking/loading area, as illustrated in Figure 12.1. The minimum size of planting areas shall be 10 feet in width and 180 square feet in size.

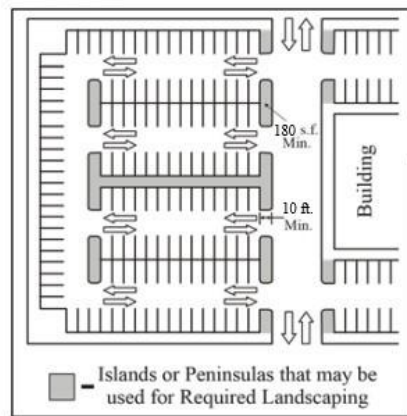
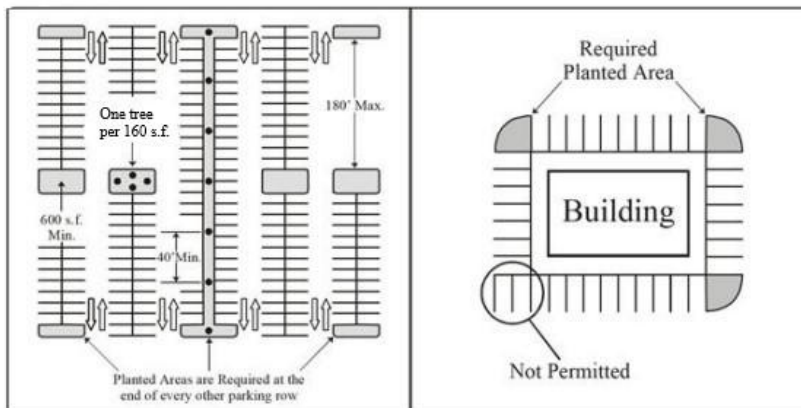


Figure 12.1

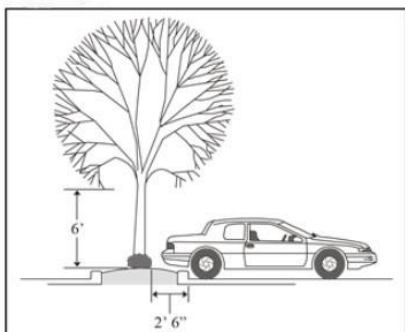
- d. Planted areas will be required to have 1 tree from Plant Type A, B, and/or C per 160 square feet of area and 1 tree per 40 linear feet (or fraction thereof) if designed as in Figure 12.2.
- e. Planted areas shall be required at the end of every parking row and when parking adjoins each other as illustrated in Figure 12.2.

Figure 12.2



- f. All planting islands shall be covered with grass, low ground cover, shrubs, flowers, mulch, natural colored aggregate, or any combination of these. Hard surfaces (i.e., asphalt or concrete) shall not be permitted for use as ground cover.
- g. All plant material, other than grass or ground cover that is located within landscape islands where vehicle overhangs are needed shall be setback, from the edge of pavement or face of curb, a minimum of 2'6" as is illustrated in Figure 12.3. See Plant Type F.

Figure 12.3



- h. Landscaping within parking and loading areas shall not interfere with sight distances within circulation.
2. Perimeter landscaping shall be provided for parking/loading areas that contain more than 20 parking spaces in total. Required perimeter landscaping is intended to minimize the visual impact of paved parking areas for the benefit of travelers on adjacent streets, roads,

access roads, or service roads. Landscaping shall be designed in accordance with Article 10 and the following perimeter landscaping standards:

- a. Perimeter landscaping shall be located along the perimeter of a vehicular parking area between the parking area and adjacent streets, roads, access roads, or service roads. This shall include perimeter landscaping along sides of a parking area situated more or less perpendicular to the street, road, access road, or service road. This perimeter planting area shall maintain a minimum average width of five (5) feet. Perimeter landscaping shall contain:
 - i. A continuous hedge, fence, wall, and/or earthen mound, except where trees require breaks.
 - ii. Hedges shall be composed of a row of evergreen shrubs, deciduous shrubs, and/or ornamental grasses with a minimum planting height of 24 inches at maturity and planted three to five feet on center, depending on mature size of plant material.
 - iii. Up to 50 percent of hedge may be deciduous.
- b. Plant material other than groundcover shall be located at least three (3) feet from the back edge of the curb where cars overhang.
- c. Fences or walls, when installed without associated trees or shrubs, shall be opaque and shall be a minimum of three (3) feet in height.
- d. One (1) canopy tree (Group A or B) is required per forty (40) linear feet of applicable parking area perimeter and/or one small tree (Group C) per twenty-five (25) linear feet of applicable parking area perimeter.
- e. Trees shall be located at least six (6) feet from the back edge of the curb where cars overhang.
- f. In areas where overhead utilities prevent the use of canopy trees (Group A or B), understory trees (Group C) should be planted.
- g. If proximate to the vehicular parking area, trees required by section 1207 may be substituted for an equal number of parking area perimeter trees. Likewise, if trees protected via TPP in Section 1202.1 are proximate to the vehicular parking area, they may be substituted for an equal number of new parking area perimeter trees. However, if such existing trees, qualifying as required landscape trees, are found to be significantly unhealthy or dead after one year from installation of the overall landscape, they shall be replaced by the next planting season, or within one year,

whichever comes first. Replacement trees shall conform to size requirements listed in Section 1202.3.e.

- h. All acceptable plants shall meet the minimum sizes specified in Section 1202.3.e.
- i. Required sight clearances at driveways and ingress/egress locations shall take precedence over landscaping and shall be maintained.
- j. A vehicular use area perimeter buffer shall not be required when the intent of this Section is otherwise met through significant topographic conditions or other features, when approved by the Zoning Commission.

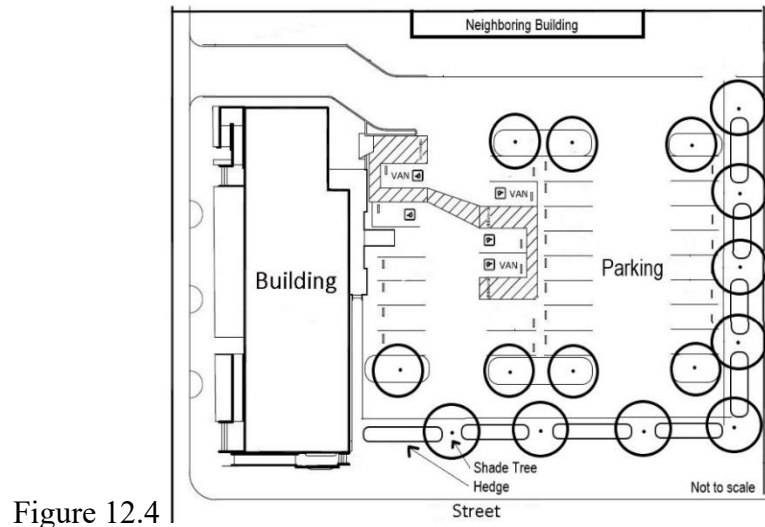


Figure 12.4

SECTION 1209

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SECTION 1210

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SECTION 1211 - Bufferyards/Required Bufferyards

Bufferyards provide visual screening in order to minimize adverse impacts between disparate land uses. Bufferyards may consist of fencing, plantings, walls, berms, or combinations thereof to achieve the desired screening objectives. Existing mature plants may count toward required bufferyard elements if the developer can demonstrate they achieve the desired screening objective. Buffering elements shall be significant at the time of installation so that an immediate effect of visual screening is achieved. The buffer should be at least 70% opaque during the winter and at least six feet in height at the time of planting.

A	B	C	D
When the following:	Adjoins the following or vice versa:	The minimum buffer yard shall be:	The minimum landscape requirements shall be:
1. Any Residential, Agricultural, or Conservation/Natural Recreation Zones	Mobile Home Park/Manufactured Home Park	25 ft., adjacent to all common boundaries including street frontage.	1 type A or D tree every 40 ft., or linear boundary, plus continual 6 ft. high planting, hedge, fence, wall and/or earth mound.
2. Any Residential, Agricultural, or Conservation/Natural Recreation Zones	Any Office Use	25 ft., adjacent to all common boundaries including street frontage	1 type A or D tree every 40 ft., or linear boundary, plus continual 6 ft. high planting, hedge, fence, wall and/or earth mound.
3. Any Residential, Agricultural, or Conservation/Natural Recreation Zones	Any Commercial Use	25 ft., adjacent to all common boundaries including street frontage.	1 type A or D tree every 30 ft., or lineal boundary, plus continual 6ft. high planting, hedge, fence, wall, and/or mound. Or a double row of type D trees planted 25 feet on center in a staggered pattern.
4. Any Residential, Agricultural, or Conservation/Natural Recreation Zones	Any Industrial Use	50 ft., adjacent to all common boundaries including street frontage.	Same as 3-D
5. Any office or commercial use	Any Industrial Use	5 ft., adjacent to all common boundaries except street frontage.	Same as 3-D
6. Any zone	A Freeway or Arterial Street	100 ft. for residential or Conservation/Natural Recreation zones and 50 ft. for all other	Same as 3-D

		zones adjacent to freeway or arterial.	
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SECTION 1212 - Fences

1. All fences shall have the finished side facing out, with no structural supports visible from adjoining properties, or public street right-of-way unless the fence is designed so that such supports are visible from both sides.
2. Fences shall be permitted within all districts. Fences within Business and Manufacturing Zones shall not exceed eight (8) feet in height.
3. All fences shall be constructed of durable materials and shall be installed to withstand the natural weather conditions. Fences shall be maintained in good condition at all times. No signs or advertising shall be permitted on fencing.
4. No fence may be located within a public right-of-way nor can it be located in an area which will obstruct the sight triangle for any motorist or pedestrian as defined in Section 910 "Visibility at Intersections".
5. Fences shall be of a decorative design – chain link, barbed wire, chicken wire and similar type fences are not permitted.
6. In situations where fencing for outside storage is proposed or exists, a site plan must be submitted to, and approved by, the Zoning Inspector or designee.

SECTION 1213 - Authority

Authority In the interest of public convenience, comfort, prosperity, or general welfare, the St. Albans Township Board of Trustees has established these regulations to provide landscaping and buffering standards as provided by ORC Section 519.171. The provisions and requirements in this article are written and shall be administered to ensure orderly growth and development of St. Albans Township. No building shall be erected or expanded, nor shall any grading take place or other site improvements occur, on any lot, site, or parcel for uses where Landscape Plan Review is required except in accordance with the regulations in this Resolution and with the requirements stated in this article. All such Landscape Plans shall be reviewed by the Zoning Inspector or designee and a determination either approving or rejecting such plans shall be made in accordance with the requirements of this article and other applicable articles of this order.

The Zoning Inspector or designee shall not be permitted to reject any Landscape Plan which is in full conformance with the requirements, terms and conditions of this article and Zoning Resolutions, nor can additional regulations be imposed which are not included within this order.

All approved Landscape Plans shall be binding upon the applicant, property owner, developer, or their successors and shall limit the development or project to the construction work as shown on the approved Landscape Plan and to all conditions and limitations for such plans agreed to by the applicants. Amendments or changes to the approved Landscape Plans shall be subject to the provisions of Section 1219.

SECTION 1214 - Procedure

Prior to submitting an application for Zoning Permit each applicant, property owner, or developer is encouraged to have a pre-application meeting with the Zoning Inspector. The purpose of this pre-application meeting is to advise each applicant, property owner, or developer of the Landscape Plan Review procedure and requirements and discuss any initial concerns and omissions about the Landscape Plan that is being previewed.

SECTION 1215 - Application and Approval

A landscape plan for the proposed development shall be approved or denied with an application of a Zoning Permit according to the procedures of Article 3 - Enforcement. An application for landscape plan and the related material may be submitted prior to an application for Zoning Permit according to Section 1215. Action in the form of approval or denial of a Landscape Plan is by the Zoning Inspector. Action on the application shall occur within 30 calendar days. The Landscape Plan will be submitted by the Zoning Inspector to the Zoning Commission for a non-binding recommendation. Upon approval of the Landscape Plan application, a Zoning Permit or a Letter of Compliance will be provided to the applicant according to Article 3 of the resolution. An appeal of the Zoning Inspector's denial of a Landscape Plan is possible before the St. Albans Township Board of Zoning Appeals according to Article 5 - Section 509-528 of this resolution.

SECTION 1216 - Landscape Plan Requirements

All Landscape Plans submitted to the Zoning Inspector shall be in accordance with this article and shall contain the following information:

1. Dimensions of the site or lot and drawn to scale. Plan shall include a north arrow and scale indicator.
2. Location and width of all public and private streets, driveways, and other vehicular circulation areas.
3. Location of all existing and proposed structures.
4. Existing and proposed topography using different line types to distinguish between the two. Topography lines should be lightened to allow a clear graphical representation of landscape materials and placement proposed.
5. The proposed uses at the site.
6. Square footage and height of proposed building, addition, or accessory building
7. Location of all existing water, sanitary sewer, storm sewer, electric and cable television lines, easements, Right of Ways, and poles;

8. Location of any proposed parking spaces and dimensions and access points;
9. Location, size, and type of all landscaping features (e.g. berms, walls, fences, planting material) including: a landscape schedule that specifies plant species, number of plants per species, plant size at installation, and mature plant size; total square footage of the Parking/Loading Area, the total square footage required to be landscaped and the total landscaped area provided; and existing trees which are to be retained including temporary fenced or taped areas which will be used to protect the trees during site disturbance.
10. Provide plant specifications including but not limited to: plant name (both common and botanical names) and for each plant species identified, quality, brief description, hardiness zone and range, minimum spacing, mature size (height and width) and size at the time of planting (height, width, caliper measured 12 inches above existing grade at the base of the tree, or root flare of the tree).
11. Location, orientation, lighting, materials, size, and height of signs. Plans conforming to these criteria should be submitted for the section or phase to be developed along with conceptual or schematic plans for the entire property in order to show the relationship of the relevant section to the entire development plan.

Article 13: PLANNED DEVELOPMENT DISTRICT (PD)

The Planned Development District (PD) is established under the provisions of Ohio Revised Code 519.021(B) to promote the general public welfare, encourage the efficient use of land and resources, promote greater efficiency in providing public and utility services, and encourage innovation in planning and building of all types of development in accordance with the Comprehensive Plan. The regulations set forth herein are based on the premise that the ultimate quality of a built environment or development proposal is determined not only by the general classification of land uses, but also by the specific way in which such land uses are executed. In many cases, the subdivision regulations and standard zoning district classifications do not adequately regulate the design of buildings, the mix of uses, and the general character of development that are desirable in the Township. In accordance with the Comprehensive Plan and the above statements it is the intent of the Planned Development District to promote development that:

- 1) Provides an opportunity for a mix of open space and other uses not otherwise permitted within the standard zoning district classifications; and
- 2) Allows the creation of development standards that respect the unique characteristics, natural quality and beauty of the site and the immediate vicinity and protects the community's natural resources by avoiding development on, and destruction of, sensitive environmental areas; and
- 3) Enables more extensive review of design characteristics to ensure that the development project is properly integrated into its surroundings and is compatible with adjacent development; and
- 4) Assures compatibility between proposed land uses within and around the PD through appropriate development controls; and
- 5) Enhances the economy of the Township by making available a variety of employment opportunities and providers of goods and services; and
- 6) Encourages unified development projects that exhibit creative planning and design in ways that cannot be achieved through a standard zoning district, yet are imaginative in architectural design and are consistent with applicable plans for the area and are compatible with adjacent and nearby land uses.

Establishment of Planned Development Types

The following types of PDs are hereby established and may be proposed through a zoning map amendment according to Article 6:

- A) "PD-R" – Planned Residential Use - A planned development

where the primary use of land is residential with the ability to include public, institutional, and recreational uses as approved by the Township.

- B) "PD-MU" – Planned Mixed-Use – A planned development that includes a mixture of residential, commercial, and office uses as specified in this article with the ability to also include public, institutional, and recreational uses as approved by the Township.
- C) "PD-C" – Planned Commercial Use – A planned development where the primary use of land is commercial and/or office with the ability to include public, institutional, and recreational uses as approved by the Township.
- D) "PD-MD" – Planned Manufacturing and Distribution Use – A planned development where the primary use of land is manufacturing, distribution, and/or light industrial with the ability to include public, institutional, and recreational uses as approved by the Township.

13.02 Overview

A) Overall Purpose

This article is intended to permit the creation of Planned Development Districts (PDs) to encourage the efficient use of land and resources, promote greater efficiency in providing public and utility services, and encourage innovation in the planning and building of all types of development. Such districts may be permitted as amendments to the St. Albans Township Zoning Map, on application and approval of specific and detailed plans where tracts suitable in location and character for the uses and structures proposed are to be planned and developed.

Regulations set forth in this article are adopted to accommodate unified planning and development that are consistent with existing established land use patterns in St. Albans Township. The Township's character is related to the physical attributes of the Township, including its land use patterns and natural resources. The PD district is intended to achieve the following land use objectives:

- 1) Provide a variety of housing and lot sizes to promote the planning of a development that is more sensitive to the protection of natural resources on sites by clustering the housing in areas physically suited to accommodating development and preserving the resources in open space.
- 2) Encourage the protection of open space by permitting developments with a range of densities that also provide active and/or passive open space, consistent with the open space character of the surrounding area.

- 3) Preserve open spaces to reduce erosion, improve water quality, provide wildlife habitats, retain scenic views, and reduce storm water runoff.
- 4) Preserve areas with steep terrain by respecting topography and other natural features in the development plan and maintaining significant percentages of land in open space in wooded and sloped areas.
- 5) Provide for a variety of housing types in a single unified development that is integrated into the community.
- 6) Provide a transition between higher densities in the area around the Village of Alexandria as a transition between the Village and existing farming and rural residential areas in the Township.
- 7) Respect the character of surrounding developments by providing appropriate buffers as a transition to higher density uses.
- 8) Provide a higher level of design review to ensure attractive, well-planned communities and eliminate the barriers to creative and sensitive design that may exist when attempting to comply with conventional district standards and subdivision rules.
- 9) Respect the balance between building mass or volume and vegetation mass or volume by considering scale relationships between the new development and existing buildings and the landscape.
- 10) Promote the inclusion of pedestrian-oriented, multimodal-oriented facilities within multi-family, commercial, and industrial areas to provide alternate means of accessing these areas other than by personal motor vehicles.
- 11) Integrates open space within developments with an emphasis on connectivity through the use of thoughtful multi-use paths and sidewalk connections.

B) Individual District Purpose Statements

The PD districts shall have the following purposes:

- 1) Planned Residential Uses (PD-R)
 - (a) For residential uses within a PD, the objective is to encourage the creation of neighborhoods with a variety of housing types that retain natural resources, provide adequate landscaping and open space areas, and are compatible with the character of adjoining land uses.

- 2) Planned Mixed-Use (PD-MU), Commercial Uses (PD-C), and Manufacturing & Distribution Uses (PD-MD)
 - (a) For mixed-use developments and all commercial uses within a PD, the objective is to create streetscapes that emphasize landscaping, coordinated sign control, and uniform architectural character. Proposed buildings should have rooflines and architectural features that provide a sense of identity and emphasize the most important use with visual elements.

C) General Provisions

1) Concept Plan, Preliminary Development Plan, and Final Development Plan

- (a) For purposes of this Chapter, plans including all supporting documentation adopted by the Township at the time of amendment of the Official Zoning Map to Planned Development District shall be referred to as the “concept plan,” and plans including all supporting documentation approved subsequent to such amendment but prior to the initiation of any development activities are referred to as the “final development plan.”

2) Effect of PD District Approval

- (a) Each PD District is considered a separate and unique zoning district wherein a concept plan, including associated proposed regulation text describing the allowable uses and specific development standards, is adopted simultaneously with the application requesting amendment of the Official Zoning Map to apply the PD District designation. The preliminary development plan, as approved by the Township and as provided under Ohio Revised Code Section 519.021(B), shall constitute the zoning regulations for and shall apply only to the property included within that particular PD District. Whenever there is a conflict or difference between the provisions of this Chapter and those of other provisions of this Zoning Resolution, the provisions of this Chapter shall prevail for the development of land within the PD District. Subjects not expressly covered by this Chapter or the applicable preliminary development plan shall be governed by the respective provisions found elsewhere in this Zoning Resolution that are most similar to the proposed use.

3) **Subareas**

- (a) Depending upon the size and complexity of the proposed development, different subareas may be established within a PD District. Each subarea may, if requested, be treated as a separate district with individual standards. However, only one preliminary development plan approval shall be issued for the entire development. For each subarea, the applicant shall indicate gross density, dwelling type, minimum development standards, and all other uses by type, size and location, and such information shall be reflected within the conceptual site plan, regulation text, or other appropriate documents contained in the preliminary development plan.

4) **Type of Action**

- (a) The action of the Board of Township Trustees approving an amendment of the Official Zoning Map to Planned Development District pursuant to this Chapter and Article 6 of the Zoning Resolution shall be considered a legislative act, and subject to a referendum. After property has been rezoned to the PD District, any action related to the subsequent use or development of such property, as being in compliance with the regulations authorized to be established by this Chapter including any action taken on a final development plan, shall not be considered to be an amendment to the Zoning Resolution for the purpose of Section 519.12 of the Ohio Revised Code, but may be appealed pursuant to Chapter 2506 of the Ohio Revised Code.

5) **Zoning Amendment**

- (a) A change to an adopted preliminary development plan shall be considered to be a zoning amendment and shall be processed and reviewed according to the procedures set forth in Section 519.12 of the Ohio Revised Code and Article 3 of this Zoning Resolution. Whenever a preliminary development plan contains multiple subareas, an application for zoning amendment may be filed applicable to one or more subareas provided that the requested change will have no effect on the remaining subareas.

6) **Final Development Plan**

- (a) An application for approval of a final development plan

shall be required to be submitted to the Township for approval prior to the initiation of construction and development in each phase or subarea of a PD District. Such final development plan shall be in substantial compliance with and consistent with the approved preliminary development plan for that PD District or any subarea thereof with respect to land uses, densities, architectural and landscape standards, and open space. Minor deviations from the approved preliminary development may be considered for approval during the final development plan review process by the Zoning Commission without requiring an applicant file for an amendment to the preliminary development plan as noted on Subsection 5 above. Deviations that may be considered minor, but do not limit the Commission's discretion in such matters, include:

- (i) Adjustments to the layout or alignment of new roads or to the site layout that does not affect number of buildable lots, density, setbacks, or open space and does not increase access points to existing public roadways unless required by the County Engineer or the Licking County Planning Commission.
- (ii) Increases in residential lot areas or reductions in residential density provided such changes do not reduce the required setbacks, decrease the required open space, or change the required architectural or development standards.

7) Conditions of Approval

- (a) Unless otherwise excluded by resolution approved by the Board of Trustees, no real property located in a Planned Development District shall be included in a Final Development Plan unless such property is located in a joint economic development district created under Section 715.72 of the Ohio Revised Code (a "JEDD") and in which St. Albans Township is a contracting party.

13.03 Procedure

A) Planned Development (PD) Initiation

- 1) PDs may be initiated by the property owner or an agent of the property owner.
- 2) In cases where multiple property owners are involved, the

application shall include a “consent to rezone” letter(s) from all property owners. The “consent to rezone” letter(s) shall designate a single contact or agent who will be responsible for contact with the Township.

- 3) Whenever there is a conflict or difference between the provisions of this Article and those of the other Articles of this Resolution, the provisions of this Article shall prevail.

B) Concept Plan Review and PD Zoning Map Amendment Procedure

1) Concept Plan Review

(a) Step 1 – Preapplication Conference and Meetings

1. The applicant shall meet with the Zoning Inspector to discuss the initial concepts of the proposed PD and general compliance with applicable provisions of this zoning resolution prior to the submission of the application.
2. During this time, an applicant may also request an informal public meeting with the Zoning Commission to discuss the initial concepts.
3. Discussions that occur during a preapplication conference or meetings with staff or the Zoning Commission are not binding on the Township and do not constitute official assurances or representations by St. Albans Township or its officials regarding any aspects of the plan or application discussed.

(b) Step 2 – Concept Plan Application and PD Zoning Map Amendment

1. Following at least one Concept Plan Review preapplication conference or meeting to discuss the initial concepts (Step 1), the applicant shall submit an application for a PD zoning map amendment and concept plan review.
2. The application shall include all such forms, maps, and information, as may be prescribed for that purpose by the Zoning Commission to assure the fullest practicable presentation of the facts for the permanent record. (See Sections 13.03 (B) (2) Additional Requirements and (3) Crucial Features and 13.05 (A) Concept Plan Requirements)
3. Each application shall be signed by all of the

owners or the owners' authorized agent, of the property within the area proposed to be reclassified, attesting to the truth and correctness of all facts and information presented with the applications, except when initiated by the Board of Trustees or Zoning Commission.

4. All applications shall be submitted with the required fees as established in the St. Albans Township fee schedule. In addition, the applicant shall also be responsible for all reasonable and necessary expenses incurred by the Township in using professional consulting services to review the application and any subsequent plan. These expenses may include, without limitation, costs for professional consultants such as architects, landscape architects, planners and engineers utilized by the Township in connection with reviewing the preliminary development plan or detailed development plan and related application materials. As soon as reasonably practicable following the submission of an application for approval of a preliminary development plan or detailed development plan, the Zoning Commission shall decide if it needs a professional consultant(s) to assist it in reviewing the application. If the Zoning Commission decides it needs professional consulting services, it shall designate the person(s) to be consulted and make an initial estimate of the expenses anticipated to be incurred in reviewing the application materials. The Zoning Commission shall provide the applicant with notice of its initial estimate of such expenses. This initial estimate will be reviewed, and may be revised, from time to time during the review process, and, if such review results in an increase in the estimated professional consulting fees and charges which will be incurred in the Township's review of the application materials, the Zoning Commission shall send the applicant written notice of the revised estimate of fees and charges. Within fourteen (14) days of the date of the notice of the initial estimate of fees and charges

(and, if applicable, within fourteen (14) days of the date of the notice of any revised estimate), the applicant shall deposit in the office of the Fiscal Officer, an amount equal to the estimated cost of the Township's expenses. In making the estimate of the professional consulting fees and charges anticipated to be incurred, the Zoning Commission shall consider the reasonable commercial rates of qualified professionals and reasonable estimates of time to complete the review. Any unused portion of the estimated amount received to cover the professional consulting fees and charges shall be returned to the applicant as soon as practicable following the final disposition of the application, along with a summary of the fees and charges expended for such services.

5. The application shall include a list of the names and mailing addresses of adjacent property owners within 500 feet including those with shared lot lines and those directly across the street.
6. The applicant shall submit the concept plan simultaneously with the application for a PD zoning map amendment.

(c) Step 3 – Site Visit

1. Upon the filing of an application for a concept plan and PD zoning map amendment (Step 2), the applicant is strongly encouraged to schedule a site visit with the Zoning Inspector and/or Commission.
2. Upon completion of a site visit, the Zoning Commission shall, at their next regularly scheduled meeting, disclose any discussions held with the applicant during the site visit related to the proposed development.
3. The site visit shall be noticed in accordance with State law.

(d) Step 4 – Referral to the Licking County Planning Commission

1. Upon receipt, the Township shall submit a copy of the Map Amendment application, to the Licking County Planning Commission.

2. The applicant shall submit the concept plan to the Licking County Planning Commission and the Licking County Technical Review Committee as a sketch plan application in accordance with the Licking County Subdivision Regulations, Licking County Subdivision Improvement Regulations, Licking County Soil Erosion and Stormwater Regulations, and Flood Damage Prevention Regulations for Licking County, Ohio as applicable. The developer would submit the appropriate application forms and materials that may be required for each of these entities in accordance with their regulations and/or policies.
 3. After the Licking County Technical Review Committee Meeting is held for the sketch plan application at the county level, then the developer may submit the same to the St. Albans Township Zoning Clerk, along with a copy of the comments provided by the Licking County Technical Review Committee reviewing agencies. This includes, but is not limited to, the Licking County Planning Commission, Licking County Engineer's Office, Licking County Soil and Water Conservation District, Water and Wastewater District with jurisdiction, Fire District with jurisdiction, and if along or impacting a State of Ohio roadway, ODOT District 5. These agencies make up the Licking County Technical Review Committee.
 4. Comments obtained by the Technical Review Committee shall be considered by the Zoning Commission when considering the Preliminary and Final Development Plans
- (e) Step 5 – Public Hearing with the Zoning Commission**
1. Upon receiving a non-binding recommendation from the Licking County Planning Commission on the PD zoning map amendment (Step 2), the

Zoning Commission shall set a date for a public hearing regarding the proposed concept plan and PD zoning map amendment.

2. The public hearing shall be scheduled pursuant to R.C. 519.12.
3. Notification shall be given in accordance with R.C. 519.12(A).

(f) Step 6– Recommendation by the Zoning Commission

1. After the Zoning Commission’s public hearing (Step 5), the Zoning Commission shall recommend the approval, approval with modifications, or denial of the proposed concept plan and PD zoning map amendment and submit such recommendation together with such application, concept plan, and recommendation of the Licking County Planning Commission to the Board of Trustees.

(g) Step 7 – Public Hearing with the Board of Trustees

1. Upon receipt of the recommendation from the Zoning Commission (Step 6), the Board of Trustees shall set a time for a public hearing on such proposed concept plan and PD zoning map amendment pursuant to R.C. 519.12.
2. Notification shall be given in accordance with R.C. 519.12(A).

(h) Step 8 – Decision on Concept Plan and Map Amendment

1. After its public hearing (Step 7), the Board of Trustees shall either adopt or deny the recommendations of the Zoning Commission or adopt some modification thereof pursuant to R.C. 519.12. In the event the Board of Trustees overturns or modifies the recommendation of the Zoning Commission, a majority vote of the Board of Trustees shall be required.
2. Approval of the concept plan shall include density, intensities, land uses and their inter-relationship.
3. The Board of Trustees’ decision on the concept plan and PD zoning map amendment is a legislative action of the Board of Trustees and is subject to the same effective date and referendum provisions as set forth in the St. Albans Township Zoning Resolution. After approval of the concept plan and PD zoning map amendment, and after the subsequent referendum period has ended, the Official Zoning Map shall be changed to reflect this amendment. However, in a PD District, no structure shall be constructed or altered on any part of said tract, until there is submitted a final development plan for said part of said tract, and until the final development plan is approved by the Zoning Commission.

4. Once the PD zoning map amendment is effective, the requirements for PDs in Sections 13.03 (E) (Preliminary Development Plan Review Procedure) and (D) (Final Development Plan Review Procedure), along with the approved concept plan, and any approved conditions, shall apply to the future development of the property, if the property is developed as a PD.

- 1) Additional Requirements for the Concept Plan

- (a) In approving a concept plan, the Township shall establish the maximum density of the PD. The project density approved by the Board of Trustees in the concept plan shall be subject to the development standards of this resolution and any conditions of the approved concept plan. If the applicant cannot achieve the maximum approved density, then the applicant shall be limited to the density achieved from the application of the PD standards and any conditions placed upon the approved application.

- 2) Crucial Features of the PD (Concept Plan)

- (a) The Township may incorporate a list of “crucial features of the PD” as part of a concept plan approval with additional crucial features to be designated in the preliminary and final development plans approval process.
- (b) The crucial features of the PD are those items or features that the Township finds crucial or indispensable to the PD approval and as such, the Township finds that such items or features shall not be altered in the future unless undertaken as a major modification to the PD (See Section 13.03 (J) (Modifications to Approved Concept, Preliminary or Final Development Plans). Such crucial features may include, as an example, the amount and/or location of open space, pedestrian and vehicular connectivity, net and gross density, rural aesthetics, smart growth principles, protected natural resource areas or features, or other key elements of the development.
- (c) The Zoning Commission may include a recommendation on the list of crucial features as part of their recommendation to the Board of Trustees, which the Board of Trustees may adopt within their decision. The Board of Trustees shall also have the

authority to modify the list of crucial features the Zoning Commission includes in its recommendation or create its own list of crucial features as part of the Board of Trustee's decision.

- (d) If a list of crucial features is included in the decision on the concept plan, such list shall be placed in a prominent position on the drawings submitted as part of the PD records.

C) Preliminary Development Plan Review Procedure

1) Preliminary Development Plan Review

(a) Step 9 – Submission of a Preliminary Development Plan

1. Once the concept plan and PD zoning map amendment have been approved by the Board of Trustees, the applicant shall proceed with the preparation of the preliminary development plan(s) in whole or in phases. A final development plan can be processed concurrently with a preliminary development plan review by combining all requirements in 13.03 (C) (Preliminary Development Plan Review) and (D) (Final Development Plan Review) with the preparation of the “preliminary and final development plan.”
2. The preliminary development plan shall include all such zoning text, permitted uses, forms, maps, and information, as may be prescribed for that purpose by the Zoning Commission to assure the fullest practicable presentation of the facts for the permanent record.
3. The preliminary development plan shall be consistent with the applicable PD requirements in this zoning resolution and the contents of the approved concept plan. The preliminary development plan shall be prepared by a professional urban planner, engineer, architect, or landscape architect.
4. A preliminary development plan shall propose all necessary legal documentation relating to the incorporation of a New Community Authority (NCA), homeowners' association, and/or property owners' association for the purpose of maintaining the specified common open space within all planned developments.

5. The application shall include a list of the names and mailing addresses of adjacent property owners within 500 feet including those with shared lot lines and those directly across the street.

(b) Step 10 - Public Meeting with the Zoning Commission

1. Upon receipt of the detailed preliminary development plan and recommendations of Township staff, the Zoning Commission shall, at a public meeting, study and review the preliminary development plan to determine whether all requirements have been satisfied, and the conditions specified in Section 13.03 (C)(2) (Additional Requirements for a Preliminary Development Plan) have been met.
2. The Zoning Commission Secretary shall make notifications in accordance with R.C. 519.12(A).

(c) Step 11 – Decision by the Zoning Commission

1. Within 30 days of the Zoning Commission’s public meeting (Step 10), the Zoning Commission shall recommend the approval, approval with modifications, or denial of the proposed preliminary development plan, and submit such recommendation to the Board of Trustees.
2. The approval of a preliminary development plan by the Zoning Commission is a ministerial act and shall not be considered an amendment to the Zoning Resolution.
3. Copies of the findings and recommendations of the Zoning Commission shall be made available to any other interested persons.

(d) Step 12 – Public Meeting with the Board of Trustees

1. Upon receipt of the recommendation from the Zoning Commission (Step 11), the Board of Trustees shall set a time for a public meeting on the preliminary final development plan.

(e) Step 13 – Decision on the Preliminary Development Plan

1. The Board of Trustees may either adopt or overturn the recommendations of the Zoning Commission or adopt some modification thereof. In the event the Board of Trustees overturns the recommendation of the Zoning Commission, a majority vote of the

- Board of Trustees shall be required.
2. The Board of Trustees's decision on the preliminary development plan is an administrative action of the Board of Trustees and is not subject to referendum but may be appealed pursuant to Chapter 2506 of the Ohio Revised Code.

2) Additional Requirements for the Preliminary Development Plan
The following criteria shall serve as conditions for the review and approval of the preliminary development plan by the Zoning Commission:

- (a) The preliminary development plan is consistent with the intent and purpose of this zoning resolution and, in particular, the furtherance of the purpose of the PD as set forth in Section 13.02 (Purpose Statements).
- (b) The PD and preliminary development plan are consistent with the adopted St. Albans Township Land Use Plan.
- (c) The internal streets and primary and secondary roads that are proposed are adequate to serve the proposed development and properly interconnect with the surrounding existing road network as designated on the St. Albans Township or Licking County Thoroughfare Plan. The plan must demonstrate that improvements or other actions have been or will be taken to mitigate those traffic problems identified by the Zoning Commission, and in the traffic impact analysis, if required, that are attributable to the proposed development.
- (d) The proposed infrastructure, utilities and all other proposed facilities are adequate to serve the planned development and properly interconnect with existing public facilities.
- (e) The proposed uses, location and arrangement of structures, lots, parking areas, walks, open spaces, landscaping, lighting and appurtenant facilities are compatible with the surrounding land uses.
- (f) Required resource protection land and open space areas are identified and provisions have

been made for the care and maintenance of such areas.

- (g) The PD is designed to minimize the impact on the natural environment and complies with the performance standards set forth in Section 13.04.
 - (h) The preliminary development plan has been transmitted to all other agencies and departments charged with responsibility of review. Agencies include but are not limited to Licking County Soil & Water, Licking County Engineer, Licking County Planning Commission, St. Albans Township Fire Department, Northridge Local School District.
- (i) When the Township boards are reviewing a new or modified preliminary development plan following the expiration of a previous development plan (See Section 13.03 (E) (Time Limits), the Township may take into consideration changes in Township land use and development policy when making recommendations and decisions related to the preliminary development plan.
- (j) The following information shall be submitted on the plan drawing and shown on drawings of the site drawn to scale (1"=100' or larger) and include:
 - 1. A vicinity map or sketch showing the general relationship of the proposed development to the surrounding areas with access roads referenced to the intersection of the nearest State Routes. Reference distances shall be shown in feet if less than (1,000') and in miles or tenths of a mile greater than 1,000'.
 - 2. A table showing the amount of gross acreage to be dedicated to each type of proposed land use, density for each type of proposed use, and the amount of land as a percentage of the whole devoted to each land use.
 - 3. Location, type, and density of residential development.
 - 4. Conceptual drainage plan.
 - 5. Natural features (see section 1202)
 - 6. Location and type of undeveloped land.
 - 7. Buffers between incompatible land uses and activities.

8. Proposed street system layout/circulation pattern.
9. Any existing buildings or potential environmental hazards (underground storage tanks, former industrial dumpsite, etc.).
10. Proposed driveways onto existing roads.
11. Any proposed off-site improvements (e.g. deceleration lanes, stoplight, road widening, intersection improvements, etc.).
12. Overlay maps showing topography (derived from a field survey or aerial photography), and soil types obtained from the Licking County Soil and Water Conservation District.
13. A survey of the proposed development site, showing dimensions and bearings of the (a) property lines; area in acres; topography; and existing features of the development (b) site, including major wooded areas, streets, easements, utility lines, and land uses.
14. The location and dimensions of all lots, setbacks, and building envelopes, as well as those of any primary and secondary leaching field envelopes.
15. Engineering drawings and plans of sewer and water facilities as well as street and drainage systems.
16. Landscaping plan for all buffers and other common areas.
17. Architectural guidelines to apply throughout the development.
18. The proposed names of all interior streets proposed for the development
19. Layout and dimensions for all parking and loading areas along with an indication of what they are to be built to serve.
20. A layout designating all undeveloped land including green space, conservation areas and wetlands. A plan for maintenance and administration of such undeveloped space.

3) Crucial Features of the PD (Preliminary Development Plan)

- (a) The Township may incorporate a list of “crucial

features of the PD” as part of a preliminary development plan approval.

- (b) The crucial features of the PD are those items or features that the Township finds crucial or indispensable to the PD approval and as such, the Township finds that such items or features shall not be altered in the future unless undertaken as a major modification to the PD (See Section 13.03 (J) (Modifications to Approved Concept, Preliminary or Final Development Plans). Such crucial features may include, as an example, the amount and/or location of open space, pedestrian and vehicular connectivity, net and gross density, rural aesthetics, smart growth principles, protected natural resource areas or features, or other key elements of the development.
- (c) The Zoning Commission may include a recommendation on the list of crucial features as part of their recommendation to the Board of Trustees, which the Board of Trustees may adopt within their decision. The Board of Trustees shall also have the authority to modify the list of crucial features the Zoning Commission includes in its recommendation or create its own list of crucial features as part of the Board of Trustees’ decision.
- (d) If a list of crucial features is included in the decision on the preliminary development plan, such list shall be placed in a prominent position on the drawings submitted as part of the PD records.

D) Final Development Plan Review Procedure

1) Final Development Plan Review

(a) Step 14 – Submission of a Final Development Plan

1. Once the preliminary development plan has been approved by the Board of Trustees, the applicant shall proceed with the preparation of the final development plan(s) in whole or in phases.
2. The final development plan shall include all such forms, maps, and information, as may be prescribed for that purpose by the Zoning Commission to assure the fullest practicable presentation of the facts for the permanent record.
3. The final development plan shall be consistent with the applicable PD requirements in this zoning resolution, the contents of the

approved concept plan, and the approved preliminary development plan. The final development plan shall be prepared by a professional urban planner, engineer, architect, or landscape architect.

4. A final development plan shall propose all necessary legal documentation relating to the incorporation of a New Community Authority (NCA), homeowners' association, and/or property owners' association for the purpose of maintaining the specified common open space within all planned developments.
5. The application shall include a list of the names and mailing addresses of adjacent property owners within 500 feet including those with shared lot lines and those directly across the street.
6. The applicant shall be responsible for all reasonable expenses incurred by St. Albans Township in reviewing the Development Plan or any modifications to that plan. Such expenses may include items such as the cost of professional services, including legal fees and the fees of other professionals such as geologists, landscape architects, planners, engineers, environmental scientists, and architects.

(b) Step 15 – Public Meeting with the Zoning Commission

1. Upon receipt of the detailed final development plan and recommendations of staff, the Zoning Commission shall, at a public meeting, study and review the detailed final development plan to determine whether all requirements have been satisfied, and the conditions specified in Section 13.03 (D) (2) (Additional Requirements for the Final Development Plan) have been met.
2. The Zoning Commission Secretary shall make notifications in accordance with R.C. 121.22

(c) Step 16 – Decision by the Zoning Commission

1. Within 30 days of the Zoning Commission's public meeting (Step 15), the Zoning Commission shall approve, approve with

modifications, or deny the proposed final development plan.

2. The Zoning Commission's decision on the final development plan is a ministerial act and is not subject to referendum but may be appealed pursuant to Chapter 2506 of the Ohio Revised Code.
3. After approval of the final development plan, the applicant shall be required to submit a copy of the approved plat plan and revised final development plan incorporating any revisions or modifications approved by the Township to be maintained for Township records.

2) **Additional Requirements for the Final Development Plan**

The following criteria shall serve as conditions that should generally be satisfied before the approval of the final development plan:

- (a) Appropriate arrangements with the applicant have been made to ensure the accomplishment of the public improvements and reservation of common open space as indicated on the preliminary development plan and final development plan.
- (b) The proposed detailed final development plan for an individual section of the overall PD is consistent in contents (building location, as applicable, land uses, densities and intensities, yard requirements, and area and frontage requirements) with the approved preliminary development plan.
- (c) Each individual phase of the development can exist as an independent unit that is capable of creating an environment of sustained desirability and stability, or that adequate assurance will be provided that such objective can be obtained. No individual phase shall exceed the approved density.
- (d) That any part of the PD not used for structures, parking and loading areas, or streets, shall be landscaped or otherwise improved; or if approved by the Board of Trustees, left in its natural state.
- (e) That any exception from the design standards provided

in the PD is warranted by the design and amenities incorporated in the detailed final development plan

- (f) That the detailed final development plan is consistent with the intent and purpose of this Zoning Resolution.
- (g) Proposed covenants, easements and other provisions meet development standards and protect the public health, safety and general welfare.
- (h) The final development plan has been transmitted to all other agencies and departments charged with responsibility of review. Agencies include but are not limited to Licking County Soil & Water, Licking County Engineer, Licking County Planning Commission, St. Albans Township Fire Department, Northridge Local School District.
- (i) Final development plans shall include a list of any and all features in the PD Plans which were crucial, and indispensable, in order to gain PD approval from the Township. This list, under the heading, “Crucial Features for this PD,” shall be reviewed for approval or denial as part of the PD process and shall be placed in a prominent position on the drawings to remain a permanent component of the record drawings.
- (j) The Fiscal Office shall certify that all required fees and expenses have been paid in full.

3) **Crucial Features of the PD (Final Development Plan)**

- (a) The Township may incorporate a list of “crucial features of the PD” as part of a final development plan approval.
- (b) The crucial features of the PD are those items or features that the Township finds crucial or indispensable to the PD approval and as such, the Township finds that such items or features shall not be altered in the future unless undertaken as a major modification to the PD (See Section 13.03 (J) (Modifications to Approved Concept, Preliminary or Final Development Plans). Such crucial features may include, as an example, the amount and/or location of open space, pedestrian and vehicular connectivity, net and gross density, rural aesthetics, smart growth principles, protected natural resource areas

or features, or other key elements of the development.

- (c) The Zoning Commission may include a recommendation on the list of crucial features as part of their recommendation to the Board of Trustees, which the Board of Trustees may adopt within their decision. The Board of Trustees shall also have the authority to modify the list of crucial features the Zoning Commission includes in its recommendation or create its own list of crucial features as part of the Board of Trustee's decision.
- (d) If a list of crucial features is included in the decision on the final development plan, such list shall be placed in a prominent position on the drawings submitted as part of the PD records.

E) Time Limits

- 1) The final development plan shall be submitted within one year after approval of the preliminary plan, or the approval of the preliminary plan will expire and the plan will be deemed null and void.
- 2) Upon expiration of the preliminary plan, the property shall still be zoned as a PD with a voided preliminary plan. The property owner or authorized agent may submit an application and new preliminary plan for consideration pursuant to Section 13.03 (Procedure) or an application for a zoning map amendment to another district.
- 3) If the applicant has not received subdivision plat approval or an extension pursuant to Section 13.03 (F) below within one-year of the approval of the final development plan approval, both the preliminary and final development plans will become null and void.
- 4) Upon the expiration of the preliminary and/or final development plan, the Board of Trustees or the Zoning Commission may initiate a zoning map amendment to change the PD zoning on the property to another zoning district. The applicant may also initiate a zoning map amendment or submit a new concept plan, with all applicable fees, pursuant to the review procedure established in this article.
- 5) For phased developments, the Zoning Commission and Board of Trustees may approve a phased preliminary and final development plan schedules as part of the concept,

preliminary and/or final development plan approvals. In such case, the approved time frames shall establish when the approved development plans shall expire.

- 6) The Board of Trustees may issue an extension for more than one year.

F) Review of Status of PD Development Plans

- 1) If an applicant fails to comply with all of the provisions of this article, the Board of Trustees may review the status of any approved PD district or any development plan, and take action, in accordance with the following procedures:
 - (a) The Board of Trustees may hold a public hearing to review the status of any approved development plan and, at the conclusion of the hearing, may by resolution:
 1. Extend any applicable time period; or
 2. Modify or revoke the preliminary and/or final development plan approval.
 - (b) The Board of Trustees may initiate a zoning map amendment to rezone the property to another zoning district.
- 2) If the applicant requires an extension of the time limits, it shall be the applicant's responsibility to request a status review by submitting a written request to the Board of Trustees.

G) Approved Plans Stay with Land

- 1) Approved concept, preliminary and final development plan shall be attached to the land for which the plans were approved, regardless of the land ownership, developer, or applicant changes.
- 2) If there is a change in land ownership, the new land owner may:
 - (a) Continue with the PD process and development in accordance with this article and the approved plans;
 - (b) Submit a new preliminary development plan and/or final development plan and associated application fees in accordance with this article or St. Albans Township Zoning Fee Schedule; or
 - (c) Submit an application for a zoning map amendment in accordance with Section 3.06 (Zoning Text and Map Amendments) of this resolution.

- (d) In the instance where neither the original property owner nor subsequent property owners have consented to a PD Concept Plan, the underlying zoning may be utilized in lieu of PD development.

H) Effect of a Final Development Plan

- 1) The final development plan approved by the Zoning Commission shall serve as the final approval by the Township.
- 2) The approved final development plan shall be kept on record in the Township offices together with all resolutions, applications, plats, plans, and other information regarding the development.
- 3) The resolutions approved by the Board of Trustees shall serve as the official record for the permitted uses and activities which are approved for the property in the PD.
- 4) The use of the PD property or the location, erection, construction, reconstruction, enlargement, or change of any building or structure in a manner which is not consistent with the final development plan shall be considered a violation of this zoning resolution and subject to the procedures and penalties specified in Article 3 Section 312 (Enforcement and Penalties).

I) Required Conditions for the Issuance of a Zoning Permit

- 1) A zoning permit may be issued for a structure in a PD district, in accordance with an approved final development plan, following approval by the Licking County Planning Commission of a final subdivision plat for that portion of the PD within which the proposed structure is to be located, and recording of the approved subdivision plat.
- 2) No zoning permit shall be issued for any property in a PD and no construction, except preliminary excavation, shall begin until an approved final development plan is in effect for that phase or property. The final development plan becomes effective upon approval by the Zoning Commission.

J) Modifications to Approved Concept, Preliminary or Final Development Plans

- 1) If an applicant proposes to modify an approved concept plan, preliminary plan or final development plan, the applicant shall submit the proposed modifications to the Zoning Inspector for transmittal to the appropriate authority based on paragraphs (3) and (4) below.

- 2) The proposed modifications shall be classified as a minor or major modification based on the following:
 - (a) **Major Modifications**

Major modifications shall involve:

 1. Changes to the approved plan including, but not limited to, a change of use or density to a more intense use or density than permitted by the approved concept and preliminary development plan or changes to the location or amount of land designated for a specific land use or open space;
 2. A reduction of more than five percent in the number of parking spots;
 3. A change of the permitted uses to a use not otherwise permitted in the proposed PD;
 4. Any change that will increase demand on any on- or off-site infrastructure;
 5. Moving a building closer to any of the perimeter lot lines adjacent to properties outside of the boundary of the PD;
 6. An expansion of a building footprint that affects the specified setbacks of the approved plan;
 7. Changes to the property or project boundaries of the entire PD District;
 8. Modifications in the internal street and thoroughfare locations or alignments which significantly impact traffic patterns or safety considerations,
 9. Any proposed change to a preapproved crucial feature, or
 10. Any change that the Zoning Commission determines, after review, should be forwarded on to the Board of Trustees as a major modification.
- 3) Review of Minor Modifications
 - (a) Any modification not listed above as a major modification will be deemed a minor modification.
 - (b) The Board of Trustees shall be responsible for reviewing and making a decision on minor modifications to an approved concept and preliminary development plan.
 - (c) Such review and decision shall take place at a public meeting of the Board of Trustees and shall not require

any additional notice beyond what is required by the ORC for public meetings.

- (d) The decision of the Board of Trustees on minor modifications shall be deemed administrative.
- (e) If a concept plan is amended, any future preliminary or final development plans shall comply with the amended concept plan.
- 4) Review of Major Modifications
 - (a) Major modifications shall require a public hearing with the Zoning Commission and Board of Trustees to revise the concept plan pursuant to Section 13.03 (B) (Concept Plan Review Procedure) with the following provisions:
 - 1. The new plan shall not be subject to review by the Licking County Planning Commission; and
 - 2. Major modifications shall be subject to new application fees.
 - (b) If a concept plan is amended, any future preliminary and final development plans shall comply with the amended concept plan.

13.04 Planned Development District Standards

Except as otherwise authorized by the Zoning Commission and the Board of Trustees, PD districts shall comply with the following development standards:

A) Density and Intensity of Uses

- 1) All PDs shall have a minimum site area of five acres.
- 2) All PDs shall comply with the standards set forth in Table 13.04-1.
- 3) A minimum of 35 percent of the floor area in a PD-MU shall be residential dwelling unit.

Zoning District	Comprehensive Plan Land Use Reference	Maximum Lot Coverage	Maximum Gross Density	Maximum Net Density

PD-R without sewer service	Rural Residential / Agricultural	40%	0.50 dwelling units per acre	0.80 dwelling units per acre
PD-R with sewer service	Planned Residential	35%	2.00 dwelling units per acre	4.25 dwelling units per acre
PD-R / PD-MU within 500 feet of a municipal boundary	Mixed-Use / Village Center / Planned Residential	20%	8.00 dwelling units per acre	16 dwelling units per acre
PD-C / PD-MD	Planned Commercial / Planned Light Industrial / Planned M&D / Planned Mixed Use	20%	1.00 FAR	1.0 FAR
PD-MU	Planned Mixed-Use / Mixed Use	30%	4.50 dwelling units per acre	7.50 dwelling units per acre
FAR = Floor Area Ratio – FAR is calculated as a ratio of the total gross floor area of the building(s) divided by the total square footage of the lot area.				

B) Lot Standards

A PD may contain various housing types which shall comply with the minimum lot size, frontage, and setback requirements set forth in Table 13.04-2.

Unit Type	Minimum Area (Sq. Ft.)	Minimum Lot Width (Feet)	Minimum Front Yard [1] (Feet)	Minimum Side Yard[1] (Feet)	Minimum Rear Yard[1] (Feet)
Single-family detached [2][3]	12,000	80	25	12	30
Two-family [2][3]	6,000 per unit	80	25	12	30
Multi-family: four units or less [2][3]	3,000 per unit	25	20	none	30
Multi-family: more than four units [2]	2,500 per unit	100	30	12	25
Nonresidential [2][4]	20,000	100	40	10	75

NOTES:

[1] Setbacks may be adjusted if the applicant proposes building pads that will protect natural resources on the site. Setbacks may also be waived for the PD-MU and PD-B when similar uses will be abutting each other along a lot line.

[2] The minimum lot area for lots without access to sanitary sewer shall be determined by the requirements of the Licking County Board of Health.

[3] Side and rear yard setbacks may be varied for these unit types if an attached garage is proposed in the rear of a dwelling.

[4] Setbacks may be varied for nonresidential buildings to minimize conflicts with adjoining residential uses, consistent with the intent to have buildings nearer the street with adequate landscaping and to locate parking at the rear of the building.

C) Accessory Uses and Structures in a PD District

Accessory uses in a PD District shall be subject to the following standards:

- 1) Accessory uses and structures related to single-family and two-family dwellings shall be subject to the standards applied to accessory uses in the Article 9 Section 9.14 District.
- 2) Accessory uses and structures related to multi-family dwellings shall be subject to the standards applied to accessory uses in the MFR District.
- 3) Accessory uses and structures related to nonresidential uses shall be subject to the standards applied to the GB District.

D) Resource Protection Standards

- 1) The natural resources listed in this section are resources that are sensitive to development and shall be protected.
- 2) Table 13.04-3 establishes the minimum percentages of those natural resource areas that are to be preserved as part of the open space requirements (See Section 13.04 (A).). The Zoning Commission and Board of Trustees may reduce the percentages listed in Table 13.04-3 if they make a finding that:
 - (a) The proposed alternative achieves the intent of resource protection to the same or better degree than the subject standard;
 - (b) The proposed alternative achieves the goals and intent of this resolution and the land use plan to the same or

better degree than the subject requirement; and

- (c) The proposed alternative results in benefits to the Township that are equivalent to or better than compliance with the established percentage.
- 3) Preliminary and final development plans shall include maps of the resources identified in Table 13.04-3 and indicate those portions that will be protected within the open space required as part of the PD and permanently protected in accordance with this article.

Natural Resource	Percentage to be Preserved
Floodplains as defined by FEMA	100%
Wetlands	Subject of U.S. Army Corps of Engineers and Ohio EPA requirement
Unstable slopes (Eden and Fairmount soils with 25 – 50% slopes)	90%
Steep slopes 30% or steeper	85%
Steep slopes 20 – 30%	70%
Young Woodland	25%
Mid-growth Woodland	40%
Mature Woodland	50%

E) Open Space and Resource Protection Area Ownership and Maintenance

- 1) Any open space preserved as part of one of the PD types shall be preserved or used in a manner established within the specific PD and shall be either:
 - (a) Owned by the Township, County, State, or park district subject to acceptance by the appropriate legislative body; or
 - (b) Protected by a conservation easement as outlined in Section 13.04 (E)(4) and as approved by the Township Zoning Commission and Board of Trustees; and/or

- (c) Owned jointly or in common by the owners of the building lots with maintenance provided through a homeowners' association.
- 2) The following areas shall not count toward the minimum open space required in Table 13.04-1:
 - (a) Private and public roads, and associated rights-of-way;
 - (b) Other public utility rights-of-way and easements in excess of 50 feet;
 - (c) Public or private parking areas, access ways, and driveways related to any residential use;
 - (d) Required setbacks between buildings, and parking areas;
 - (e) Required setbacks between buildings and streets;
 - (f) Required minimum spacing between buildings and parking areas;
 - (g) Private yards, including front, back and side yards; or
 - (h) Above-ground buildings, pipes, apparatus, and other equipment for community or individuals, septic or sewage disposal systems.
 - (i) Retention and/or detention ponds unless integrated as a cohesive part of utilizing the retention/or detention pond as a recreational asset of the development.
- 3) Wherever possible, open space should be located contiguous to open space, parks, and recreational lands adjacent to the subject property.
 - (a) Multiple small isolated parcels shall be discouraged.
 - (b) All open space areas shall have a minimum width of 30 feet in all directions in order to count toward the open space requirement.
 - (c) All open space must have at least 30 feet of frontage on a public road.
- 4) Conservation Easements
 - (a) Prior to the recording of a PD subdivision, a conservation easement may be placed on all lands and private waters used to satisfy the open space requirement of this district. The conservation easement shall:
 - (i) Run with the land, regardless of ownership;

- (ii) Provide for protection of the land in perpetuity;
 - (iii) Be granted and deeded to the Township, a Township approved land trust, or other qualified organization approved by the Township.
 - (iv) Be solely for the purpose of ensuring the land remains undeveloped; and
 - (v) Shall not, in any way, imply the right of public access or any other right or duty not expressly established by the terms of the easement.
 - (b) While the Township, Township approved land trust, or other qualified organization must hold the conservation easement, the property itself shall still be owned by the original property owner, the developer (applicant of the PD), or the homeowners' association.
 - (c) The conservation easement shall include information on how the property will be maintained by the property owner and shall also state that failure to maintain the property in accordance with the conservation easement agreements shall be considered a violation of this Zoning Resolution. In addition, the holder of the easement may pursue any remedy provided by law or equity, including, but not limited to, the remedies in Section 5301.70 of the Ohio Revised Code.
- 5) Further subdivision of the open space or its use for other than those uses prescribed in the approved preliminary and final PD plans shall be prohibited. Structures and buildings accessory to the open space may be erected on the open space, subject to the review of the site by the Zoning Commission and Board of Trustees. Any restrictions on the established open space shall be memorialized in a conservation easement consistent with the provisions of Section 13.04 (E)(4).
- 6) Homeowners or Property Owners' Associations
- (a) When a homeowners' or property owners' association owns any open space, common areas or conservation easements in accordance with Section 13.04 (E)(1), then such association shall be subject to the following;
 - (i) A homeowners' or property owners' association shall be established to permanently maintain all open space, common areas and conservation easements related to the PD.

- (ii) All homeowners' association or property owners' agreements shall be submitted for approval as part of the final development plan review procedure. Copies of the proposed covenants, articles of incorporation, and bylaws of the homeowners' or property owners' association shall be submitted with said agreements. No set of proposed covenants, articles of incorporation, or bylaws of a homeowners' or property owners' association shall permit the abrogation of any duties set forth in this section.
- (iii) All homeowners' or property owners' associations shall guarantee maintenance of all open space and common areas within the boundaries of the development. In the event of a failure to maintain such open space or common areas, the Township may do any of the following:
 - If the open space or common area is owned by the Township, Township approved land trust or other qualified organization, County, State or a park district, the Township may remedy the failure to maintain at its own cost and seek reimbursement from the homeowners' or property owners' association, or seek to enforce the homeowners' or property owners' association's duty to maintain through an injunction or any other civil penalty.
 - If the open space or common area exists pursuant to a conservation easement owned by the Township, the Township may seek to enforce the terms of the conservation easement as provided in Section 13.04 (E)(4).

F) Landscaping Requirements

- 1) Landscaping shall be provided as follows and shall meet the minimum standards of Article 12 (Landscaping, Buffering and Fences).
- 2) Existing vegetation may count toward any landscaping requirement if it meets the provisions of Section 12.05 (Landscaping Materials and Standards).
- 3) Open Space
 - (a) Open space areas shall be designated on the plan as recreation areas, buffer yards, resource protection areas, and other open space.

- (b) Areas designated as resource protection areas shall be retained in their natural state except for areas upon which pedestrian trails are located.
 - (c) Non-recreational open spaces that are to be mowed and maintained with a lawn ground cover shall have a minimum of four canopy trees planted per acre.
- 4) **Parking Lots**

Parking lots shall be landscaped in accordance with Section 12.08 (Interior Landscaping for Parking And Loading Area).
- 5) **Buffers and Screening**

Buffers and screening shall be provided in accordance with Article 12.
- 6) **Street Trees**
 - (a) All public and private streets shall have street trees installed outside the right-of-way on both sides of the road. A minimum 15-foot easement shall be provided from the back of the pavement or curb where street trees and utilities can be located.
 - (b) Two canopy trees per every 100 linear feet of street length, including driveway cuts, shall be provided.
- 7) Public utility and similar easements and rights-of-way for water courses and other similar channels are not acceptable for common open space dedication unless such land or right-of-way is useable as a trail or similar purpose and has been approved by the Zoning Commission

G) Architectural Standards

- 1) Reserved for future use.

H) Parking and Loading

Parking and loading shall be provided in accordance with the provisions of Article 10 (Off Street Parking and Loading Areas) of the St. Albans Township Zoning Resolution, subject to the landscaping requirements of Article 12 Section 12.08 (Parking Area Landscaping).

I) Lighting

- 1) If applicable, a preliminary development plan shall include the type and description of all proposed street and parking lot lighting. Street lighting shall conform to the standards of the Licking County Subdivision Regulations and Licking

County Subdivision Improvement Regulations.
Additionally, all lighting within the proposed PD District shall conform to the following:

- (a) The lighting plan contained within the preliminary development plan shall specify the proposed pole and luminary design, maximum height, lighting source, wattage, shielding and any other information necessary to evaluate the lighting as proposed.
- (b) The lighting plan be designed to promote an overall cohesiveness in the development of the plan and to minimize the amount of light pollution affecting the neighboring properties and the rural character of the Township.
- (c) Where no other regulations are provided within a preliminary development plan, the provisions of Article 5 of this Resolution shall govern exterior lighting.

J) Signage

- 1) All preliminary development plans shall include a signage plan and or standards for all uses and subareas within the PD District. Signage design and standards shall ensure a constant and comprehensive character throughout the project and compatible with the character of the Township and shall meet the following:
 - (a) All signs and graphics within the PD District shall be compatible in size, location, material, height, shape, color, and illumination.
 - (b) A detailed sign plan and standards shall be including within a preliminary development plan and shall include the design, layout and dimensions of all proposed ground, window and wall signs as well as the setbacks from the rights-of-way and the type and intensity of illumination.
 - (c) Signs shall contribute to an overall cohesive design, reflect simplicity, reduce visual clutter and compliment the rural character of the Township.
 - (d) Wall signs shall be controlled and designed in a manner to compliment the architecture of any proposed buildings. Ground signs shall be designed to relate to and share common elements

with the proposed architecture.

K) Public Improvements

- 1) A PD District should be developed at a minimum with the following improvements meeting the design standards of the Licking County Subdivision Regulations and the Licking County Subdivision Improvement Regulations under the administration of the Licking County Planning Commission::
 - (a) Public roads shall be designed and constructed to established design standards.
 - (b) Means for safe pedestrian and bicycle access and circulation shall be provided. Pedestrian paths should be integrated into open space where applicable or allowed, with ownership and maintenance dedicated to the entity holding title to the open space. Trails and paths shall interconnect to any existing network of paths / sidewalks / trails in adjoining developments.
 - (c) Storm water management facilities shall be provided as required by the County Engineer and State of Ohio.

L) Buildings

- 1) To promote the purpose and intent of the Planned Development District and the goals of the Comprehensive Plan, all applications for amendment of the Official Zoning Map to PD District shall detail the proposed design and development standards for all residential and non-residential buildings within the PD District. The following standards apply to all residential and non-residential buildings within a PD District.
 - (a) The physical relationship of buildings and other site improvements to one another and the surrounding area, as created by building mass, floor area, height, shape, location on the site, and setback, shall result in a harmonious development both within the PD District and in relation to its surroundings.
 - (b) The bulk and height of buildings within the proposed development shall be compatible with the surrounding area.
 - (c) Buildings, structures, and parking areas shall be designed and located in such a way to conserve

environmentally sensitive or unique natural, historic or cultural features.

- (d) The preliminary development plan shall specify for all buildings and residences, at a minimum, the proposed exterior materials, floor area, height, roof shape and pitch.

M) Access

- 1) The preliminary development plan should require direct access, not through easement, to one or more dedicated and improved public roads. Provisions for future connections to other public roads or adjacent land shall be required if recommended by the Township, County Engineer, or Licking County Planning Commission.

N) Parking and Loading Areas

- 1) Parking and access requirements and standards shall be as defined in the preliminary development plan and shall meet the requirements of the Licking County Subdivision Regulations and Licking County Subdivision Improvement Regulations, the applicable fire regulations, and the following standards:
 - (a) Off-street parking and loading shall be provided for all non-residential buildings with adequate provisions for ingress and egress.
 - (b) Parking areas shall be designed to discourage large single expanses of parking and shall encourage smaller defined parking areas within the total parking system. Such parking areas shall be delineated and accentuated by landscaped areas.
 - (c) The layout of parking areas, service areas and related entrances, exits, signs, lighting, noise sources or other potentially adverse influences shall be designed and located to protect the character of the area as well as those areas adjacent to the PD District.
 - (d) To minimize the environmental impacts of large parking areas shared parking between uses shall be encouraged and supported within the PD District. Where shared parking is desired the applicant shall submit a statement identifying how the parking is to be shared between the uses, and the percentage of parking and hours of

parking allocated for each use.

- (e) All service and delivery and loading areas for all uses shall be arranged and located to minimize the impacts and view of such uses throughout the development.

O) Use-Specific Development Standards

1) Low and Medium Density Residential Land Use

- (a) Future development of clustered subdivisions is anticipated to occur in those areas with central water and sewer systems shall be managed to protect the area's unique quality of life and semi-rural character. The density of these developments will be based upon several factors, including, without limitation, the availability of central water and sewer systems, the recommendations of the Comprehensive Plan, and whether the proposed development will be compatible in use and appearance with surrounding or planned land uses. The following shall apply when calculating residential density within a PD District:

- (i) Calculating Residential Density – While the densities of individual residential areas may vary within a large PD District, the calculation of density for the entire PD District shall be based upon the gross density proposed of total area devoted exclusively to residential use, including open space. Where open space is included within the calculation for residential density, such open space shall permanently remain as open space within the PD District unless specifically included in another duly approved zoning amendment in accordance with the provisions of this Resolution.
- (ii) Additional Density Considerations – Additional density for residential developments to be serviced by centralized water and sewer systems may be permitted in certain unique and

special instances such as those where: the open space set-aside far exceeds the minimum recommended ; additional and substantial site amenities are provided; the development incorporates rural design elements that help preserve and retain the rural character of the area into the overall design of the site and maintains compatibility with the surrounding or planned land uses; the design of the development preserves, protects and enhances the natural and historic resources located on the site; and storm water and other environmental impacts are minimized and mitigated and natural features are enhanced.

- (iii) Lower Density Considerations – In addition to the consideration for additional density as mentioned above, lower densities may be required for a residential development in certain unique and special instances such as those where: a large portion of the site is undevelopable due to its physical features such as existing bodies of water, steep slopes and similar characteristics, and where proposed residential development is not compatible with adjacent residential development patterns

2) **Higher Density Residential Land Use**

- (b) Future development of higher density land uses is expected to occur in areas so designated in the Comprehensive Plan as being suitable for such uses. These areas provide an opportunity to serve differing housing needs within the community and establish an effective transition between more intense commercial and office land uses, and lower density residential uses. The density of these developments will be based upon several factors, including, without limitation, the availability of centralized water and sewer, the

recommendations of the comprehensive plan, and whether the proposed development will be compatible in use and appearance with surrounding or planned land uses. In addition, increases in density should be supported for increased architectural and landscape standards and creative site planning that contributes to the desirability of the community.

3) Agriculture and Rural Residential Land Use

- (c) It is anticipated that portions of the Township will remain principally agricultural in nature, especially in those areas where centralized utilities are not anticipated to be provided. Development standards within these areas should encourage a development pattern that minimizes impacts and intrusions to agriculture, such as clustering homes on new streets and not along existing road frontage and designating agricultural-exclusive areas

4) Residential Conservation Development

- (d) Within the Comprehensive Plan there exists recommendations for residential development in certain areas that adheres to conservation development principles. These principles promote more compact development patterns in exchange for the preservation of important existing environmental and natural features and the set aside of significant amounts of open space. These types of developments reduce infrastructure costs for the developer, help to maintain a more open, rural feel for the Township, promote a more efficient use of land, and provide a mechanism to preserve important natural features and incorporate them into a development strategy. Land developed with conservation development principles shall adhere to the following standards:
 - (i) Uses – PD Districts designed using conservation development principles may be permitted to contain a mix of uses provided that all proposed uses are identified in the preliminary development plan and application as specified in Section 13.03.

- (ii) Density – The overall residential density of a PD District designed using conversation development principles should conform to the recommendations and intent of the Comprehensive Plan and shall be identified in the preliminary development plan and application per Section 13.03.
- (iii) Lot Area – The intent of a PD District designed using conservation development principles is to allow smaller lot areas and more compact development patterns in exchange for a higher percentage of dedicated open space and natural lands. To accomplish this goal, lot shall be flexible within a PD District designing using conversation development principles and shall be established by the approved preliminary development plan. All lots less than two acres in area shall be serviced by public sewer and water systems. Proposed lots with an area of 2 acres or more shall be served by either public sewer and water services or on site treatment and well systems subject to the approval of the Licking County Health Department and / or the Ohio Environmental Protection Agency.
- (iv) Dedicated Open Space – All PD Districts designed using conversation development principles shall comply with the following minimum requirements regarding open space:
 - 1. The minimum amount of open space to be provided is recommended to be 40% of the total acreage of the property being included in the PD District. Development of smaller parcels may be considered for a reduction in the open space requirements provided that the recommendations of (2) and (3) below still

apply.

2. All PD Districts designed using conservation development principles shall strive to utilize open space to preserve natural features including but not limited to floodplains, waterways, stream buffers, steep slopes, woodlands, wetlands and natural habitats or shall be designed to preserve significant amounts of agricultural lands.
3. Open space shall meet all other requirements of Section 13.04.

5) Commercial and Office Land Use

(e) Commercial and office development should be clustered in areas serviced by centralized utilities and adequate roadway systems. The density of general commercial development should not exceed 10,000 square feet per acre, absent special circumstances. This density calculation will ordinarily be based upon the total square footage proposed for the entire area devoted exclusively to commercial and office development. However, a lower density may be mandated due to the nature of the project, the physical features of the site or the compatibility of the project with surrounding or planned land uses. In addition a higher density may be approved to accommodate mixed use projects and other innovative and sustainable planning features. Design standards should be incorporated into the preliminary development plan which will improve the aesthetic quality of this type of development.

6) Light Industrial / Manufacturing & Distribution Use

(f) Light industry, research and development, and related office uses should be clustered in areas serviced by centralized utilities and adequate highway accessibility. Absent special circumstances, density should not exceed 10,000 square feet per acre. This density calculation will ordinarily be based upon the total floor area proposed for the entire area devoted exclusively to industrial development. However, a lower

density may be mandated due to the nature of the project, the physical features of the site or the compatibility of the project with surrounding or planned land uses. The industrial areas should only develop in conjunction with centralized utilities. These areas should be master planned and well-coordinated, and not developed in a piecemeal (lot by lot) way. Access should be shared. Design standards should be incorporated into the preliminary development plan which will improve the aesthetic quality of this development type. In addition, all industrial uses developed under the PD District shall conform to the following standards:

- (i) Fire and Explosion Hazards – All activities, including storage, involving flammable or explosive materials shall include the provision of adequate safety devices against hazard of fire and explosion. All standards enforced by the Occupational Safety and Health Administration shall be adhered to. Burning of waste materials in open fire is prohibited, as enforced by the Ohio Environmental Protection Agency.
- (ii) Air Pollution – No emission of air pollutants shall be permitted which violate the Clean Air Act of 1977 or later amendments as enforced by the Ohio Environmental Protection Agency.
- (iii) Glare, Heat, and Exterior Light – Any operation producing intense light or heat, such as high temperature processing, combustion, welding, or other shall be performed within an enclosed building and not visible beyond any lot line bounding the property whereon the use is conducted.
- (iv) Dust and Erosion – Dust or silt shall be minimized through landscaping or paving in such a manner as to prevent their transfer by wind or water to points

- off the lot in objectionable quantities.
- (v) Liquid or Solid Wastes – No discharge at any point into any public sewer, private sewage disposal system, or stream, or into the ground, of any materials of such nature or temperature as can contaminate any water supply or interfere with bacterial processes in sewage treatment, shall be permitted. The standards of the Ohio Environmental Protection Agency shall apply.
 - (vi) Vibrations and Noise – No uses shall be located and no equipment shall be installed in such a way as to produce intense, earth-shaking vibrations which are discernable without instruments at or beyond the property line of the subject premises. Noise standards of the Ohio Environmental Protection Agency shall be adhered to.
 - (vii) Odors – No use shall be operated so as to produce the continuous, frequent or repetitive emission of odors or odor causing substances in such concentrations as to be readily perceptible at any point at or beyond the lot line of the property on which the use is located. The applicable standards of the Ohio Environmental Protection Agency shall be adhered to.

13.05 Special Submittal Requirements for PDs

A) Concept Plan Requirements

Any concept plan submittal shall require the following information in text and map form:

- 1) Evidence that the applicant has sufficient control over the tract to affect the proposed plan, including a statement of all ownership and beneficial interests in the tract of land and the proposed development, except when initiated by

the Board of Trustees or Zoning Commission.

- 2) Aerial mapping of the property showing the general features which may include: significant natural features such as general topography, soils, drainage ways, water bodies, floodplains, wetlands, rock outcrops, and forested areas; and other significant features such as existing and adjacent land uses, zoning, platted land, streets, alleys, rights-of-way, easements, lots, buildings and utility lines.
- 3) A map showing highways and streets in the vicinity of the tract; the ingress and egress to the tract; and existing utilities and sidewalks on or adjacent to the tract.
- 4) A general plan for the site showing the location of general land areas to be developed, the general boundaries of the land use, estimated density, and a simple diagram of vehicle and pedestrian circulation. This can be accomplished in a general bubble diagram, sketch, or other drawing to illustrate the concept behind the proposal without requiring the illustration of lot lines, setbacks, detailed street design, or other engineering drawings.
- 5) Survey plat of the tract to be developed, providing a metes and bounds description of the property and the survey of property lines and total acreage, existing zoning district boundaries, the area and district to be rezoned if applicable, and the property ownership of the site and all adjacent parcels within 500 feet of the subject site.
- 6) A list of names and addresses of all owners of property within 500 feet of the subject site.

B) Preliminary Development Plan Requirements

Any preliminary development plan submittal shall require the following information in text and map form:

- 1) A Preliminary Development Plan shall be filed for any portion of an approved Concept Plan the applicant wishes to develop and it shall conform substantially to the approved Concept Plan and shall conform to any applicable Licking County regulations or other County requirements for maintaining safety.
- 2) Plat of the survey of the tract to be developed, providing a metes and bounds description of the property and the survey of property lines and total acreage, existing zoning district

boundaries and the property ownership of the site and all adjacent parcels and buildings within 100 feet of the subject site.

- 3) A list of names and addresses of all owners of property within 500 feet of the subject site.
- 4) Evidence that the applicant has sufficient control over the tract to affect the proposed plan, including a statement of all ownership and beneficial interests in the tract of land and the proposed development.
- 5) Time schedule of projected development, if the total site is to be developed in phases or if construction is to extend beyond a two year time period.
- 6) Base mapping of the property showing the physical features. Including; significant natural features such as general topography, soils, drainage ways, water bodies, floodplains, wetlands, rock outcrops, and forested areas; and other significant features such as existing and adjacent land uses, zoning, platted land, streets, alleys, rights-of-way, easements, lots, buildings and utility lines.
- 7) Boundaries and easements of the tract.
- 8) Highways and streets in the vicinity of the tract; the ingress and egress to the tract; existing utilities and sidewalks on or adjacent to the tract.
- 9) A drainage analysis that includes a description of soil conditions and proposed method of compliance with the Licking County Stormwater and Sediment Control Regulations.
- 10) A site plan showing the location of general land areas to be developed, including type and description of land uses, proposed principal streets, proposed lots, including set back lines, and blocks, proposed sidewalks and pedestrian circulation system, and proposed public or common open space or other public facilities, including parks, playgrounds, school sites and recreational facilities.
- 11) Calculations of density, open space and resource protection land.
- 12) Proposed treatment of existing topography, drainage ways, tree cover, and proposed landscaping and buffer plantings.

- 13) Preliminary engineering plans including; site grading; drainage and utility improvements and extensions as necessary; street improvements, showing proposed general location of vehicular circulation routes and how this circulation pattern relates to the primary and secondary road alignments designated on the Licking County Thoroughfare Plan.
- 14) A traffic impact analysis, as required by the Licking County Engineer or Ohio Department of Transportation, of the proposed development on roadways and intersections within a study area based upon net project trip generation methodology consistent with the latest edition of the Institute of Traffic Engineers (ITE) Trip Generation and Information Report that addresses the following elements:
 - (a) Existing roadway conditions, including existing deficiencies and proposed improvements;
 - (b) Trip generation based upon the development characteristics;
 - (c) Distribution and assignment of trips based upon existing and future roadway network, travel time characteristics;
 - (d) Background traffic projections
 - (e) Capacity (level of service) analysis methodology for roadways and intersection;
 - (f) Types and costs of roadway and intersection improvements needed to mitigate the traffic impacts directly attributable to the proposed development.
- 15) A traffic impact analysis shall be provided in addition to any information required by Licking County Engineer, Licking County Planning Commission, or Ohio Department of Transportation as well as any additional information as reasonably necessary to address the foregoing issues. The applicant is advised to contact the Licking County Engineer, Licking County Planning Commission and/or Ohio Department of Transportation to discuss the project.
- 16) Any Final Development Plan requirements may be submitted with the Preliminary Development Plan.

C) Final Development Plan Requirements

Any final development plan submittal requires the following information in

text and map form:

- 1) A Final Development Plan shall be filed for any portion of an approved Preliminary Development Plan the applicant wishes to develop and it shall conform substantially to the approved Preliminary Development Plan and shall conform to any applicable Licking County regulations or other County requirements for maintaining safety.
- 2) Plat of the parcel to be developed showing existing physical features, including general topography, drainage ways, designated resource protection areas and tree cover and streets, easements and utility lines,
- 3) A site plan showing the location and arrangement of all existing and proposed structures, including building pads for single family detached units where site constraints limit the placement of proposed structures, the proposed traffic circulation pattern within the development, the areas to be developed for parking, the points of ingress and egress including access streets where required, the relationship of abutting land uses and zoning districts, proposed lot lines, building setbacks, proposed sidewalks and pedestrian walkways, and proposed public or common open space or other public facilities, including parks, playgrounds, school sites and recreational facilities.
- 4) A statement of the anticipated open space, gross density and net density.
- 5) For uses other than single family detached housing, footprints, floor plans and exterior elevations and types of building materials.
- 6) Landscaping plans prepared by an Engineer or Landscape Architect, showing the placement of trees, shrubs, ground cover and associated structures and improvements, including specifications, species, quantities and installation of landscaping for common areas, parking areas, open space, street trees, typical front yards, and buffer yards.
- 7) Specific engineering plans, including site grading, street improvements, drainage and utility improvements and extensions as necessary.
- 8) When a development is to be constructed in phases, a schedule for the development of such phases shall be

submitted.

- 9) The total area of common open space provided at any phase of development shall, at a minimum, bear the same relationship to the total open space to be provided in the entire PD as the phases or units completed or under development bear to the entire PD.
- 10) Evidence that the applicant has sufficient control over the tract to affect the proposed plan, including a statement of all the ownership and beneficial interests in the tract of land and the proposed development.
- 11) In the case of a Mixed-Use, Commercial, or Manufacturing and Distribution PD, a statement identifying the principal types of uses that are to be included in the proposed development.
- 12) When a PD includes provisions for common open space or recreation facilities, a statement describing the provision that is to be made for the care and maintenance of such open space or recreational facilities. If it is proposed that such open space be owned and/or maintained by any entity other than a governmental authority, copies of the proposed articles of incorporation and by-laws of such entity shall be submitted.
- 13) The required amount of common space land reserved under a planned development shall be held in corporate ownership by owners of the projected areas, for the use of each owner who buys property within the development, be dedicated to a homeowners' association who shall have title to the land which shall be retained as common open space for parks, recreation and related uses, or be held in ownership by a not for profit entity acceptable to the Board of Trustees under which said lands shall be for public use. The legal articles relating to the organization of the homeowners' association is subject to review and approval by the Zoning Commission and shall provide adequate provisions for the care and maintenance of all common areas. Public utility and similar easements and rights-of-way for water courses and other similar channels are not acceptable for common open space dedication unless such land or right-of-way is useable as a trail or similar purpose and has been approved by the Zoning Commission. The responsibility for the maintenance of all open spaces shall be specified by the developer before approval of the

final development plan.

- 14) Copies of any restrictive covenants that are to be recorded with respect to property included with the PD subdivision plats.

St. Albans Township

Section 1 - Consent to Rezone

I, _____, hereby acknowledge that I have been granted consent by the property owner(s) of the parcels listed in Section 2 to act on their behalf for the purpose of rezoning the property(s) located at _____ (address(es)).

Section 2 - Licking County Auditor Property Identification Number(s)

- | | |
|----------|----------|
| 1. _____ | 4. _____ |
| 2. _____ | 5. _____ |
| 3. _____ | 6. _____ |

List additional PIN numbers as needed.

Section 3 - Consent

I understand my responsibilities as the point of contact and will represent the property owner(s) throughout the rezoning process.

Name: _____

Signature: _____

Date: _____

Article 14: NEIGHBORHOOD BUSINESS DISTRICT (NB)

Section 1400 Purpose

The purpose of the Neighborhood Business district (NB) is to encourage the establishment of local businesses and services, which tend to meet the daily needs of the residents of an immediate area. 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.

Section 1401, “Permitted Uses,” and Section 1402, “Conditionally Permitted Uses,” is explained in Section 802, “Intent of District Regulations”. All uses not specifically authorized as a permitted or conditionally permitted use by the express terms of these sections of the zoning resolution are hereby prohibited.

Section 1401 Permitted Uses

1. Any use permitted in a residential district.
2. Public parks and playgrounds.
3. Retail Trade:
 - Furniture and Home Furnishings Stores; Electronics and Appliance Stores; Food and Beverage Stores; Health and Personal Care Stores; Clothing and Clothing Accessories Stores; Sporting Goods, Hobby, Book, and Music Stores; Miscellaneous Store Retailers, limited to Florists, Office Supplies, Stationery, and Gift Stores, and Art Dealers
4. Information:
 - Libraries and Archives.
5. Finance and Insurance (without drive-through facilities):
 - Mortgage brokers, banks and credit unions
6. Real Estate and Rental and Leasing:
 - Real Estate, including all except Lessors of Mini-warehouses and Self-Storage Units.
7. Professional, Scientific, and Technical Services:
 - Professional, Scientific, and Technical Services, limited to Legal Services, Accounting, Tax Preparation, Bookkeeping, and Payroll Services, Interior Design

Services, Industrial Design Services, Graphic Design Services, Custom Computer Programming Services, Computer Systems Design Services, Computer Facilities Management Services, and Photography Studios, Portrait.

8. Arts, Entertainment, and Recreation:

Museums, Historical Sites, and Similar Institutions, including all except Zoos and Botanical Gardens.

9. Accommodation and Food Services:

Accommodation, limited to Bed-and-Breakfast Inns; and Food Services and Drinking Places, without entertainment or drive-through facilities.

10. Other Services (except Public Administration):

Personal and Laundry Services, limited to Barber Shops, Beauty Salons, Nail Salons, Funeral Homes and Funeral Services, Dry Cleaners, Photo finishing, and places of worship.

11. Public Administration:

Police Protection and Fire Protection.

Section 1402 Conditionally Permitted Uses

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

1. Public or private swimming pools.

2. Retail Trade:

Motor Vehicle and Parts Dealers, provided there is no storage of wrecked automobiles or scrapped or salvaged auto parts on the premises; Gasoline Stations, provided operations involving major repairs, body and fender work, and painting, are not conducted on the premises; provided all pumps are set back at least 55 feet from the centerline of the road of all abutting streets; provided all pumps are set back at least 80 feet from the centerline of the road along those major thoroughfares; and provided parking and/or services areas are separated from adjoining residential properties by a suitable planting screen, fence, or wall at least 6 feet in height above finished grade; Miscellaneous Store Retailers, including only Used Merchandise Stores, Pet and Pet Supplies Stores (provided all animals are housed within the principal building(s)), and Non-store Retailers, limited to Direct Selling Establishments.

3. Finance and Insurance:

Credit Intermediation and Related Activities; Securities, Commodity Contracts, and Other Financial Investments and Related Activities; Insurance Carriers and Related Activities; and Funds, Trusts, and Other Financial Vehicles.

4. Real Estate and Rental and Leasing:

Rental and Leasing Services, limited to Consumer Electronics and Appliance Rental and Formal Wear and Costume Rental.

5. Professional, Scientific, and Technical Services:

Professional, Scientific, and Technical Services, limited to Architectural, Engineering, and Related Services, Other Specialized Design Services, Other Computer Related Services, Management, Scientific, and Technical Consulting Services, Scientific Research and Development Services, Advertising and Related Services, Other Professional, Scientific, and Technical Services, Commercial Photography, Translation and Interpretation Services, Veterinary Services, provided any structure shall be no closer than 200 feet to any residential zoning perimeter or residential dwelling, provided all boarding arrangements of animals are temporary in nature and are maintained within the facility, and it will not be audible beyond the property line from the use of outside runs or exercise areas, and All Other Professional, Scientific, and Technical Services.

6. Health Care and Social Assistance:

Ambulatory Health Care Services, and Child Daycare services.

7. Accommodation and Food Services:

Accommodation, limited to All Other Traveler Accommodation, and Rooming and Boarding Houses; and Food Services and Drinking Places, without entertainment.

8. Other Services (except Public Administration):

Repair and Maintenance, including all except Commercial and Industrial Machinery and Equipment (except Automotive and Electronic) Repair and Maintenance, provided all operations are conducted within a fully enclosed building and there is no open storage of wrecked vehicles, dismantled parts, or parts visible beyond the premises, and automobile or truck washes, provided central water and sewer connections are available and used, and provided off-street paved parking area, capable of accommodating not less than one-half of hourly vehicle washing capacity awaiting entrance to the washing process is suitably located and maintained on the premises, and for such space to contain at least 200 square feet per waiting vehicle, and no safety hazard or impediment to traffic movement is created by the operation of such an establishment; Personal and Laundry Services, including dry cleaning, laundry mat or laundry pickup agencies provided that any laundering, cleaning or pressing done on the premises involves only articles delivered to the premises by individual customers; and

Religious, Grantmaking, Civic, Professional, and Similar Organizations, limited to Civic and Social Organizations.

9. Accessory uses or building

10. Educational Services

Educational Services limited to Elementary and Secondary schools state accredited.

Section 1403 Required Lot Area and Lot Width

Each residential and business use to be accommodated in the Neighborhood Business district (NB) shall meet the minimum lot area and minimum lot width requirements set forth in either Article 18, “Rural Residential District (RR)” or Article 19, “Multi-Residential District (MR),” depending on the availability of centralized water and sewer services.

Section 1404 Building Height Regulation

No building shall exceed 25 feet in height, except as provided in Section 916, “Exceptions to Height Regulations.”

Section 1405 Required Yards

1. Residential Uses:

Each residential use to be accommodated in the Neighborhood Business district (NB) shall meet the minimum required yard requirements set forth in either Article 18, “Rural Residential District (RR)” or Article 19, “Multi-Residential District (MR),” depending on the availability of centralized water and sewer services.

2. Business Uses:

a. Front yard:

Minimum setback of 100 feet (from the center of the road); where road right-of-way exceeds 60 feet, the minimum setback of 70 feet from the right-of-way.

b. Side yard:

Minimum of 50 feet on each side.

c. Rear yard:

Minimum of 50 feet, except where a rear lot line abuts an alley, $\frac{1}{2}$ of the width of such alley may be considered in meeting the rear yard

requirements.

Section 1406 Landscaping, Buffering, Fences

See Article 12. Landscaping, Buffering, Screening and Fences

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Article 15: GENERAL BUSINESS DISTRICT (GB)

Section 1500 Purpose

The purpose of the General Business district (GB) is to encourage the establishment of areas for general businesses and services, 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 do not make frequent purchases. A General Business district (GB) shall generally be located on an arterial thoroughfare.

Section 1501, “Permitted Uses,” and Section 1502, “Conditionally Permitted Uses,” is explained in Section 802, “Intent of District Regulations”. All uses not specifically authorized as a permitted or conditionally permitted use by the express terms of these sections of the zoning resolution are hereby prohibited.

Section 1501 Permitted Uses

1. All permitted and conditionally permitted uses as allowed in the Neighborhood Business district (NB), except single-family residential uses.
2. Construction:
Construction of Buildings; Heavy and Civil Engineering Construction; and Specialty Trade Contractors.
3. Wholesale Trade:
Merchant Wholesalers, Durable Goods, when no processing, fabrication or assembly is involved, if conducted entirely in an enclosed building; Merchant Wholesalers, Nondurable Goods, when no processing, fabrication or assembly is involved, if conducted entirely in an enclosed building; and Wholesale Electronic Markets and Agents and Brokers.
4. Retail Trade:
Motor Vehicle and Parts Dealers; Furniture and home furnishings stores; Electronics and appliance stores; Building Material and Garden Equipment and Supplies Dealers; Food and beverage stores; Health and personal care stores; Gasoline Stations; Clothing and clothing accessories stores; Sporting goods, hobby, book and music stores; General Merchandise Stores; Miscellaneous store retailers; and Nonstore retailers.
5. Finance and Insurance
Credit Intermediation and Related Activities; Securities, Commodity Contracts, and Other Financial Investments and Related Activities; Insurance Carriers and Related Activities; and Funds, Trusts, and Other Financial Vehicles.

6. Real Estate and Rental and Leasing:
Real Estate; and Rental and Leasing Services, limited to Automotive Rental and Leasing, Other Consumer Goods Rental, and General Rental Centers.
7. Professional, Scientific, and Technical Services
8. Management of Companies and Enterprises
9. Educational Services
10. Ambulatory Health Care Services
11. Indoor Performing Arts
12. Accommodation and Food Services:
Accommodation, limited to Bed-and-Breakfast Inns; and Food Services and Drinking Places, without entertainment.
13. Other Services (except Public Administration):
Repair and Maintenance, limited to Electronic and Precision Equipment Repair and Maintenance, Home and Garden Equipment Repair and Maintenance, Appliance Repair and Maintenance, Reupholstery and Furniture Repair, and Footwear and Leather Goods Repair; Personal and Laundry Services; and Religious, Grantmaking, Civic, Professional, and Organizations.
14. Public Administration:
Executive, Legislative, and Other General Government Support; Justice, Public Order, and Safety Activities, Administration of Human Resource Programs; Administration of Environmental Quality Programs; Administration of Housing Programs, Urban Planning, and Community Development; Administration of Economic Programs; Space Research and Technology; and National Security and International Affairs except Correctional Institutions.
15. Accessory uses or buildings.
16. Business and/or advertising sign(s) pertaining to the business on the property on which the sign(s) is/are located, subject to applicable provisions in Article 11, "Signs."

Section 1502 Conditionally Permitted Uses

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

1. Residential uses as specified in Article 17, “Agriculture District (AG)”.
2. All drive-through facilities not provided for under Permitted Uses in the General Business district (GB).
3. Transportation and Warehousing:
Support Activities for Transportation, with or without dining, provided any repair operations are conducted within a fully enclosed building and there is no open storage of wrecked vehicles, dismantled parts, or parts visible beyond the premises.
4. Information:
Publishing Industries , provided that the requirements for parking, loading, and unloading conform to those for industrial buildings; Broadcasting , including towers (applies to commercial stations and equipment only); Internet Publishing and Broadcasting; Telecommunications; Internet Service Providers, Web Search Portals, and Data Processing Services; and Other Information Services.
5. Health Care and Social Assistance:
Hospitals; Nursing and Residential Care Facilities; and Social Assistance and Urgent Care and Outpatient Psychiatric and Outpatient Substance Use Hospital and Outpatient Mental Health Facilities.
6. Arts, Entertainment, and Recreation:
Museums, Historical Sites, Zoos and Botanical Gardens.
7. Accommodation and Food Services:
Accommodation; and Food Services and Drinking Places, with entertainment.
8. Other Services (except Public Administration):
Repair and Maintenance, limited to Automotive Repair and Maintenance, provided all operations are conducted within a fully enclosed building and there is no open storage of wrecked vehicles, dismantled parts, or parts visible beyond the premises, and automobile or truck washes, provided central water and sewer connections are available and used, and provided off- street paved parking area, capable of accommodating not less than one-half of hourly vehicle washing capacity awaiting entrance to the washing process is suitably located and

maintained on the premises, and for such space to contain at least 200 square feet per waiting vehicle, and no safety hazard or impediment to traffic movement is created by the operation of such an establishment, Commercial and Industrial Machinery and Equipment (except Automotive and Electronic) Repair and Maintenance, and Other Personal and Household Goods Repair and Maintenance and pet care.

Section 1503 Required Lot Area and Lot Width

Residential and business uses to be accommodated in the General Business district (GB) shall provide a minimum lot area of 3 acres and a minimum lot width of 200 feet.

Section 1504 Building Height Regulation

No building shall exceed 25 feet in height, except as provided in Section 916, “Exceptions to Height Regulations.”

Section 1505 Required Yards

1. Residential Uses:

Each residential use to be accommodated in the General Business district (GB) shall meet the minimum yard requirements set forth in Article 17, “Agriculture District (AG).”

2. Business Uses:

a. Front yard:

Minimum setback of 100 feet (from the center of the road); where road right-of-way exceeds 60 feet, the minimum setback of 70 feet from the right-of-way.

b. Side yard:

Minimum of 50 feet on each side.

c. Rear yard:

Minimum of 50 feet, except where a rear lot line abuts an alley, ½ of the width of such alley may be considered in meeting the rear yard requirements.

Section 1506 Landscaping, Buffering, Screening and Fences

See Article 12

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Article 17: AGRICULTURE DISTRICT (AG)

Section 1700 Purpose

The purpose of the Agriculture District (AG) 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.

All uses not specifically authorized as a permitted or conditionally permitted use by the express terms of these sections of the zoning resolution are hereby prohibited.

Section 1701 Agricultural Exemptions

Sections 519.02 to 519.25, inclusive, of the Ohio Revised Code confer no power on any Board of Township Trustees or Board of Zoning Appeals to prohibit the use of land for agricultural purposes or the construction or use of buildings or structures incidental 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.

Section 1702 Permitted Uses

1. Agriculture, Forestry, Fishing and Hunting:
Crop Production; Animal Production; Forestry and Logging; Fishing, Hunting and Trapping; and Support Activities for Agriculture and Forestry.
2. Mining:
Only for Oil and Gas Extraction.
3. Single-family residential dwelling.
4. Public parks and playgrounds and golf courses.
5. Accessory Structure Used for Agricultural Purposes
6. Family Cemetery.

Section 1703 Conditionally Permitted Uses

A conditional use permit may be issued in accordance with Article 5, “Administration,” and the other provisions of these regulations, provided that the applicant can demonstrate that the proposed use is consistent with those general principles outlined in Section 521, “Contents of Application for Conditional Use Permit,” of this resolution as well as any additional standards in accordance with any or all of those standards found in Section 522, “General Standards Applicable to All Conditional Uses,” or other conditions as required by the Board of Zoning Appeals and conditions referred to in the following descriptions:

1. Educational Services:

Educational Services, limited to Elementary and Secondary Schools, state accredited.

2. Accommodation and Food Services:

Accommodation, limited to temporary campground for maximum of 7 calendar days

3. Other Services (except Public Administration):

Religious, Grantmaking, Civic, Professional, and Similar Organizations.

4. Other Services (except Public Administration):

Barber Shops, Beauty Salons, Nail Salons, Other Personal Care Services, Cemeteries and Crematories; and Religious, Grantmaking, Civic, Professional, and Similar Organizations, limited to Religious Organizations and Environment, Conservation and Wildlife Organizations.

5. Public Administration:

Justice, Public Order, and Safety Activities, limited to Police Protection and Fire Protection.

6. Commercial Equestrian Facility

7. Home Occupations

8. Accommodation, limited to Bed-and-Breakfast Inns

Section 1704 General Requirements of the Agriculture District (AG)

1. Height Limit:

No building shall exceed 35 feet in height, except as provided in Section 916, “Exceptions to Height Regulations.”

2. Lot Area, Width and Depth:

Every lot shall have a minimum frontage of 200 feet, and a minimum lot area of

not less than 3 acres (130,680 square feet), including the road right-of-way. All lots must meet those frontage requirements as outlined in Section 932, "Street Frontage Required" of this resolution.

3. Front Yard:

There shall be a front yard of not less than 100 feet in depth (from the center of the road). Except where road right-of-way exceeds 60 feet, the setback shall be not less than 70 feet from the right-of-way.

4. Side Yard:

There shall be side yards of not less than 50 feet on each side (exclusive of road right-of-way).

5. Rear Yard:

There shall be a rear yard of not less than 100 feet (exclusive of road right-of-way).

****For all lots of record for yard requirements, see Section 410, "Non-Conforming Lot of Record Yard Requirements."**

***All structures placed on corner lots must meet those requirements outlined in Section 910, "Visibility at Intersections."**

6. Dwelling Bulk:

Dwellings or structures shall have a minimum area of living space by outside dimensions, exclusive of porches, garages, and cellars or basements as hereinafter specified:

Single-Family Dwelling
1200 square feet
Single-family dwellings shall not be less than 24 feet in width or depth.

7. Parking Requirements:

Parking requirements shall be as regulated in Article 10, "Off-Street Parking and Loading Facilities" and Section 522, "General Standards Applicable to All Conditional Uses," paragraph 5 of these regulations.

8. Line or Partition Fence:

Line or partition fences shall be properly maintained. The Board of Township Trustees, as directed by the Ohio Revised Code, should handle disputes.

Article 18: RURAL RESIDENTIAL DISTRICT (RR)

Section 1800 Purpose

The purpose of the Rural Residential district (RR) is to provide an area for manageable rural residential family living in areas not suitable for urban/high-density development, and at the same time preserving much of the rural atmosphere.

Section 1801, “Permitted Uses” is explained in Section 802, “Business Establishment Listings in Districts”. All uses not specifically authorized as a permitted or conditionally permitted use by the express terms of these sections of the zoning resolution are hereby prohibited.

Section 1801 Permitted Uses

1. Single-family residential dwellings.
2. Other Services (except Public Administration):
 - Cemeteries and Crematories; and Religious, Grantmaking, Civic, Professional, and Similar Organizations, limited to Religious Organizations.
3. Accessory buildings and private swimming pools.

Section 1802 Conditionally Permitted Uses

1. Business-to-business occupations.
2. Public parks and recreation areas
3. Home occupations.

Section 1803 Required Lot Area and Lot Width

No lot shall be less than 2 acres in area, or less than what is required to support a private septic system and provide adequate ground water supply, whichever is greater. Lots equal to or greater than 3 acres in size shall follow agriculture district regulations as specified in Article 17, “Agriculture District (AG).”

No lot shall be less 150 feet in width.

Section 1804 Building Height Regulation

No building shall exceed 35 feet in height, except as provided in Section 916, “Exceptions to Height Regulations.”

Section 1805 Required Yards

- 1. Front yard:
Minimum setback of 75 feet (from the center of the road); where road right-of-way exceeds 60 feet, the minimum setback of 45 feet from the right-of-way.
- 2. Side yard:
Minimum of 25 feet on each side.
- 3. Rear yard:
Minimum of 25 feet.

Section 1806 Dwelling Bulk

Dwelling or structures shall have a minimum area of living space by outside dimensions, exclusive of porches, garages, or basements, as herein specified:

Single-Family Dwelling
1200 square feet
Single-family dwellings shall not be less than 24 feet in width or depth.

Article 19: MULTI-RESIDENTIAL DISTRICT (MR)

Section 1900 Purpose

The purpose of the Multi-Residential district (MR) is to provide an area for the establishment of higher density single-family dwellings, multi-family dwellings, and those public and semi-public uses normally considered an integral part of the neighborhood they serve. Multi-Residential district (MR) is associated with those areas to be served by local streets and centralized water and sewer services.

Section 1902, “Conditionally Permitted Uses” is explained in Section 802, “Business Establishment Listings in Districts”. All uses not specifically authorized as a permitted or conditionally permitted use by the express terms of these sections of the zoning resolution are hereby prohibited.

Section 1901 Permitted Uses

1. Single-family residential dwellings not included in major subdivision and development process through Licking County Planning Commission.
2. Accessory buildings and private swimming pools not included in major subdivision and development process through Licking County Planning Commission.
3. Multiple residential dwelling units in a single structure

Section 1902 Conditionally Permitted Uses

1. Home occupations.
2. Business-to-business occupations.
3. Public parks and recreation areas and playgrounds.
4. Information:

Other Information Services, limited to Libraries and Archives.

5. Educational Services:

Educational Services, limited to Elementary and Secondary Schools, state accredited.

6. Health Care and Social Assistance:

Ambulatory Health Care Services; and Social Assistance, limited to Individual and Family Services.

7. Arts, Entertainment, and Recreation:

Museums, Historical Sites, and Similar Institutions, including all except Zoos and Botanical Gardens.

8. Accommodation and Food Services:

Accommodation, limited to Bed-and-Breakfast Inns.

9. Other Services (except Public Administration):

Religious, Grant making, Civic, Professional, and Similar Organizations, limited to Religious Organizations.

10. Public Administration:

Justice, Public Order, and Safety Activities, limited to Police Protection and Fire Protection.

Section 1903 Required Lot Area and Lot Width

No lot shall be less than 2 acre in area or exceed one structure with a maximum of two family units per lot.

No lot shall be less 175 feet in width throughout the lot.

Section 1904 Building Height Regulation

No building shall exceed 35 feet in height, except as provided in Section 916, "Exceptions to Height Regulations."

Section 1905 Required Yards

1. Front yard:

Minimum setback of 75 feet (from the center of the road); where road right-of-way exceeds 60 feet, the minimum setback of 45 feet from the right-of-way.

2. Side yard:

Minimum of 50 feet on each side.

3. Rear yard:

Minimum of 50 feet.

Section 1906 Dwelling Bulk

Dwelling or structures shall have a minimum area of living space by outside dimensions, exclusive of porches, garages, or basements, as herein specified:

Required Floor (Living) Area	
Unit	Minimum Living Area
Single-family	1500 square feet
Two-family	1200 square feet per unit
Dwellings shall not be less than 24 feet in width or depth.	

Section 1907 Landscaping, Buffering, Screening and Fences - See Article 12.

Article 20: FLOOD PLAIN OVERLAY DISTRICT (FP) (WITH BUILDING RESTRICTION)

Section 2000 Purpose

It is the purpose of this district to promote the public health, safety, and general welfare and to minimize losses resulting from periodic inundation of flood waters in St. Albans Township by restricting or prohibiting uses which are dangerous to health, safety of property in time of flooding or cause excessive increases in flood height or velocities, requiring that uses vulnerable to floods be protected from flood damage at time of initial construction, controlling the filling, grading, dredging, and other development which may increase flood damage, and controlling the alteration of natural flood plains, stream channels, and natural protective barriers which are involved in the accommodation of flood waters.

Section 2001 Finding of Fact

The flood hazard areas of St. Albans Township are subject to periodic inundation which may result in loss of life and property, hazards to health and safety, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare. These flood losses are caused by:

1. The cumulative effect of obstruction in flood plains, causing increased flood heights and velocities.
2. The occupancy of flood hazard areas by uses vulnerable to floods and which are not adequately elevated or protected from flood damage.

Section 2002 Applicable Lands

This section shall apply to all lands within the township boundaries shown on the Official Zoning Map within the boundaries of floodway, or floodway fringe, as identified by the Federal Emergency Management Agency (FEMA) on the FIRM and Floodway Map No. 3903280100, dated December 1, 1983, and any revision thereto as adopted by reference and declared to be a part of this resolution.

Section 2003 Overlay District Designation

The areas of floodway or floodway fringe identified on the Official Zoning Map shall be shown as an overlay district. This overlay district shall be designated as the Flood Plain Overlay District.

Those areas within the Flood Plain Overlay District designated as floodway on the Official Zoning Map shall be subject to all the requirements of the Flood Plain Overlay District, as well as those specific sections that address the floodway.

The Flood Plain Overlay District shall be superimposed over the Official Zoning Map. The underlying zoning district, as shown on the Official Zoning Map, shall hereafter be called the base district. The base district shall determine uses and minimum requirements. However, if the provisions and requirements governing the Flood Plain Overlay District are more restrictive than those of the base district, the provisions of this article shall supersede those of the base district.

In addition to the requirements of the base district, the Flood Plain Overlay District requires where subdivisions of land are proposed to be located in identified 100-year flood hazard areas, such flood prone areas shall be left undeveloped (IE, open space, recreational areas). No area shown as flood prone shall be used for building sites, leach fields, or well sites. Any activity within the flood prone area shall meet county Floodplain Damage Prevention Regulations. These requirements shall be included in the covenants and deed restrictions. If the 100-year flood hazard or floodway designation is disputed, the sub divider must demonstrate where the FIRM is inaccurate through an engineering analysis that is accepted by FEMA according to their flood map amendment procedures.

Section 2004 Interpretation of Boundaries

When disagreement exists as to the boundaries of the Flood Plain Overlay District or the floodway, those boundaries shall be interpreted to be the boundaries of the floodway and floodway fringe as shown on the Firm Rate and Floodway Map Nos. 3903280100, dated December 1, 1983. Disagreement as to boundaries of the flood hazard areas will be resolved by the procedures outlined in the Licking County Flood Damage Regulations, and not the St. Albans Township Board of Zoning Appeals.

Section 2005 Warning and Disclaimer of Responsibility

The degree of flood protection required by this resolution is considered reasonable for regulatory proposes. Larger floods may occur or flood heights may be increased by man-made or natural causes, such as ice jams and bridge openings restricted by debris. This resolution does not imply that areas outside the Flood Plain Overlay District boundaries or land uses permitted within such district will be free from flooding or flood damages. This resolution shall not create liability on the part of St. Albans Township, Licking County, or any officer or employee thereof for any flood damages that result from reliance of this article or any administrative decision lawfully made there under.

Section 2006 Compliance

Unless specifically exempted as stated in Section 4.2 of the Licking County Flood Damage Prevention Regulations, no structure or land shall hereafter be located, extended, converted, or structurally altered without full compliance with the terms of this article and other applicable ordinances of the township and Licking County.

Section 2007 Abrogation

This section is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this article and another conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

Section 2008 Flood Plain Development Permit

A flood plain development permit shall be obtained before the start of construction or development of land in the Flood Plain Overlay District. This permit shall be in addition to the zoning permit required in Section 300 of this resolution. Application for a flood plain development permit shall be made to the Licking County Planning Commission's Flood Plain Administrator, 20 South Second Street, Newark, Ohio 43055, (740) 670-5200. This permit will be applied for and approved by the Flood Plain Administrator of the Licking County Planning Commission prior to the zoning permit being applied for and approved. The Zoning Inspector must receive a copy of the flood plain development permit before the zoning permit is issued.

All structures or uses to be located in the Flood Plain Overlay District shall comply with the requirements of the St. Albans Township Zoning Resolution and the Licking County Flood Damage Prevention Regulations and any amendment or revisions.

Section 2009 General Requirements

Where subdivisions of land are proposed to be located in identified 100-year flood hazard areas, such flood prone areas shall be left undeveloped (i.e., open space, recreational areas). No area shown as flood prone shall be used for building sites, leach fields, or well sites. Any activity within the flood prone area shall meet county Floodplain Damage Prevention Regulations. These requirements shall be included in the covenants and deed restrictions. If the 100-year flood hazard or floodway designation is disputed, the sub divider must demonstrate where the FIRM is inaccurate through an engineering analysis that is accepted by FEMA according to their flood map amendment procedures.

1. Change to Non-Flood Plain Overlay District: Changes of district classification from the Flood Plain Overlay District to any other classification provided by this resolution may be initiated in accordance with the requirements of this resolution; provided that the

applicant can show that any flood condition existing at the time the Flood Plain Overlay District was originally established does no longer exist or has been remedied to the satisfaction of the Licking County Flood Plain Administrator, and that the area in question is now reasonably well protected from floods for the intended purpose and occupancy. Prior to recommendation a change of zoning to the Township Trustees, the township Zoning Commission shall obtain certification from the Licking County Planning Commission, or the agency or department administering the Flood Hazard Prevention Regulations, that the area proposed to be removed from the Flood Plain Overlay District is free from inundation from a 100 year flood event, and the amendment procedures of Article 6, "Amendment," shall be followed.

Section 2010 Required Lot Area, Lot Width, Height, Parking, Yards, and Sign Requirements

The lot area, lot width, building height, parking, yards, and sign requirements shall comply with the base district requirements as outlined in this Zoning Resolution.

Article 21: CONSERVATION/NATURAL RECREATION DISTRICT (CN)

Section 2100 Purpose

The purpose of the Conservation / Natural Recreation district (CN) is to preserve and protect public and private lands, significant forests and wildlife areas, steep slopes, open spaces, scenic vistas, and outdoor recreational areas for the welfare and enjoyment of the township residents. It is important that significant natural resources and open spaces be conserved for the benefit of current and future residents.

Section 2101 Permitted Uses

1. Any customary agricultural uses including general farming, pasture, grazing, outdoor plant nurseries, horticulture, viticulture, forestry, sod farming, and wild crop harvesting.
2. Recreational facilities such as parks, hiking and/or equestrian trails, bike paths, fishing, golf courses and/or driving ranges, baseball diamonds, football and/or soccer fields, tennis and/or volleyball courts, picnic grounds, swimming areas, and boat launching ramps.
3. Water conservation works including water supply works, flood control and watershed protection, fish and game hatcheries and preserves.
4. Nature and wildlife preserves, and botanical gardens.
5. Residential uses limited to lawns, gardens, play areas, and necessary parking.
6. Essential services.

Section 2102 Conditionally Permitted Uses

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

1. Circus, carnival, and similar non-permanent, temporary, and/or transient uses.
2. Gun clubs, target ranges, archery ranges.
3. Dwelling for habitation of the person employed to care for the land.
4. Conservation/museum buildings for education about and preservation of the land.
5. Accessory use and building(s).

Agricultural Exemptions: Sections 519.02 and 519.25, inclusive, of the Ohio Revised Code confer no power on any board of township trustees or board of 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 certificate shall be required for any such building or structure.

Section 2103 General Requirements of the Conservation / Natural Recreation District (CN)

1. Required Lot Area and Lot Width:

If a dwelling or principal structure is located on the lot, there must be a minimum of 2 acres or the amount required to support a private septic system and provide adequate ground water supply, whichever is greater. Licking County Subdivision Regulations for minimum lot size and frontage must be met.

2. Setback Lines:

a. Front:

Minimum setback of 100 feet (from the center of the road); where road right-of-way exceeds 60 feet, the minimum setback of 70 feet from the right-of-way.

b. Side:

Minimum of 50 feet on each side.

c. Rear:

Minimum of 50 feet.

3. Height Limit:

No building shall exceed 35 feet in height, except as provided in Section 916, "Exceptions to Height Regulations."

Article 99: DELETED SECTIONS

Section 9900 Purpose

The purpose of this section is to provide a reference to previously-active sections of the Zoning Resolution. These sections are no longer in force and are provided here for reference only.

Section 9901 Former “Neighborhood Business District (B-1)”

Note: This section was in effect from September 23, 1971 through November 2, 1996.

This section was deleted on (11-02-96) and is no longer in effect, it remains in the zoning resolution for reference only.

Purpose: The purpose of the B-1 Neighborhood Business District is to provide for a wide range of retail facilities and services of such a nature as to be fully compatible in the close proximity they must enjoy in a centralized business district.

Permitted Uses

1. Any use permitted in the R-3 District.
2. Major Retail Outlets: furniture, department, clothing, show and variety stores, hardware, appliance, paint and wallpaper stores.
3. Food, Drug, and Beverage: grocery stores, supermarkets, meat markets, drug stores, bakery in conjunction with retail sales, restaurants, and tea rooms.
4. Specialty Shops: gift shops, magazine, book and stationery outlets, florist's shops, camera and photography shops, sporting goods.
5. Service and Recreation: Laundromat, dry cleaning and laundry pick-up stations, barber and beauty shops, shoe repair and tailor shops, mortuaries, printing shop with not more than 10 full-time regular employees, places of amusement and assembly.
6. Business and Professional Offices: medical and dental offices and clinics, law offices, insurance and real estate offices, banks finance and utility companies.
7. Automotive and Related Uses: new and used car sales, service, and repair, gasoline filling stations, motor-cycle and bicycle shops, cab and bus stands and depots.
8. Motels and Motor Hotels: subject to the provisions of Article 21.
9. Accessory uses or buildings.
10. Business and advertising signs pertaining to the business on the property on which the sign is located providing that (1) illumination of all signs shall be diffused or indirect and shall be arranged so as not to reflect direct rays of light into adjacent residence districts or into the public way, and (b) that any

sign located in the direct line of vision of any traffic control signal shall not have flashing intermittent red, green or amber illumination.

Required Lot Area and Lot Width

1. Residential Uses: Each residential use to be accommodated in the B-1 Districts shall meet the minimum lot area and minimum lot width requirements of the R-3 Residence Districts.
2. Commercial Uses: Each residential use to be accommodated in the B-1 Districts shall meet the minimum lot area and minimum lot width requirements of the R-3 Residence Districts.
3. Commercial Uses: No minimum lot area or minimum lot width is required for commercial uses.

Building Height Regulation

No building shall exceed 2 stories or 30 feet in height, except as provided in Article 24.

Required Yards

1. Residential Uses: Each residential use to be accommodated in the B-1 Neighborhood Business District shall meet the minimum yard requirements of the R-3 District.
2. Commercial Uses:
 - Front Yard – 25 feet.
 - Side Yard – no minimum yard required, except lots adjoining a residential district shall provide a side yard on the adjoining side equal to that required in the adjoining Residence District.
 - Rear Yard – 25 feet. Where a lot line abuts an alley, one-half of the width of such alley may be considered in meeting the rear yard requirements.

Landscaping or Screening Provisions

For non-residential uses abutting an “R” District the minimum yards may be reduced to 50 percent of the minimum side or rear yard requirements, if acceptable landscaping or screening, approved by the Board is provided. Such screening shall be a masonry or solid fence between 4 and 6 feet in height maintained in good condition and free of all advertising or other signs. Landscaping provided in lieu of such wall or fence shall consist of a strip of land not less than 15 feet in width planted with evergreen hedge, or dense planting of evergreen shrubs not less than 4 feet in height.

Section 9902 Former “Section 807 General Business District (B-2)”

Note: This section was in effect from September 23, 1971 through August 9, 2000.

This section was deleted on (08-09-00) and is no longer in effect; it remains in the zoning resolution for reference only.

Purpose: The purpose of the existing B-2 General Business District is to provide for those retail businesses and services which require a location other than in a centralized business district being highway oriented and requiring larger tracts of land.

Uses Permitted

1. Building Trades or Equipment: Building concrete, excavating, electrical, masonry, sheet metal, plumbing and heating shops, and building material establishments.
2. Vehicle Drive-In and Heavy Vehicle Service: Drive- in theaters, drive-in restaurants and refreshment stands; express, cartage and trucking facilities; large item machinery or bulk sales and storage not including outdoor unfenced storage.
3. Heavy Service and Processing Facilities: Laundry and dry cleaning plants; linens, towels, diaper and similar supply services; animal pounds, kennels, and veterinary establishments; frozen food lockers; seed and food processing plants; dairies.
4. Accessory uses or buildings.
5. Business and advertising signs pertaining to the business on the property on which the sign is located providing that (a) illumination of all signs shall be diffused or indirect and shall be arranged so as not to reflect direct rays of light into adjacent residence districts or into the public way, and (b) that any sign located in the direct line of vision of any traffic control signal shall not have flashing intermittent red, green or amber illumination.

Required Lot Area and Lot Width

1. Residential Uses: Residential and commercial uses to be accommodated in the B-2 Business District shall meet the minimum lot area and minimum lot width requirements of the AG, Agricultural District, which is three acres (including RO-W).

Building Height Regulation

In the B-2 district, no building shall exceed 2 ½ stories or 35 feet in height.

Required Yards

1. Residential Uses: Each residential use to be accommodated in the B-2 District shall meet the minimum yard requirements of the AG District.
2. Commercial Uses:
 - Front Yard - 25 feet
 - Side Yard - 15 feet
 - Rear Yard - 25 feet. Where a rear lot line abuts an alley, one-half of the width of such alley may be considered in meeting the rear yard requirements.

Landscaping or Screening Provisions

For non-residential uses abutting a “B” District the minimum yards may be reduced to 50 percent of the minimum side or rear yard requirements, if acceptable landscaping or screening, approved by the Board is provided. Such screening shall be a masonry or solid fence between 4 and 6 feet in height maintained in good condition and free of all advertising or other signs. Landscaping provided in lieu of such wall or fence shall consist of a strip of land not less than 15 feet in width planted with evergreen hedge, or dense planting of evergreen shrubs not less than 4 feet in height.

Section 9903 Former “Section 808 Manufacturing District (M-1)”

Note: This section was in effect from September 23, 1971 through August 9, 2000.

This section was deleted on (08-09-00) and is no longer in effect, it remains in the zoning resolution for reference only.

Purpose: The purpose of the existing M-1 Manufacturing District is to provide for commercial uses, storage, and those manufacturing uses not normally creating a nuisance discernible beyond its property.

The purpose of the Conditional Use Provision is to provide for industrial uses not allowed in any other district, providing that, within this district, uses of hazardous nature or those producing extensive smoke or odor shall not be located so that the general hazard or nuisance affects a large segment of the community.

Uses Permitted

1. Any use permitted in the B-2 Business District except residential uses.
2. Warehousing and Storage: Indoor and outdoor storage of goods and materials including warehousing, pole yards, building material storage, and trucking storage. However, not including junkyards or similar uses.

3. Manufacturing: Manufacturing or processing of small items, including gloves, footwear, bathing caps, shoes, batteries, motors or generators; textile products manufacture; glass, cement, and stone products manufacture; furniture manufacture; food manufacture or processing including hatcheries, canning, freezing, storage and bottling.
4. Other manufacturing uses of a light nature, free from any objectionable odors, fumes, dirt, vibration, or noise detectable at the lot line. A registered engineer or architect indicating that every reasonable provision will be taken to eliminate or minimize gas fumes, odors, dirt, vibration or noise, shall not establish such uses without an application for a permit. In the event of the denial of such permit, an applicant shall have a right of appeal to the Board Zoning of Appeals, Article 5.

Conditional Uses Permitted

All uses not otherwise prohibited by law except residential uses when authorized by the Board of Zoning Appeals as outlined in Article 5.

Required Lot Area and Lot Width

Each use to be established in the M-1 District shall provide a minimum lot area of 40,000 square feet and a minimum lot width of 200 feet.

Building Height Regulation

No building in the M-1 District shall exceed 35 feet in height.

Yard Required

All structures to be constructed, altered, or moved in the M-1 District shall provide yards of the following minimum depths.

Front Yard - 40 feet

Side Yard - 25 feet. Except where a side yard abuts a residential district in which case a side yard of 50 feet shall be provided.

Rear Yard - 40 feet.

Screening Required Between Manufacturing and Residential Districts

Newly established manufacturing uses adjacent or backing on a residential district shall provide on that adjacent property line a dense hedge, tree row, or other suitable landscape device adequate to visually screen the industrial area from the residential area.

Section 9904 Former “Section 806 Local Business District (LB)”

Note: This section was in effect from August 9, 2000 through December 7, 2005.

This section was deleted on (12-07-05) and is no longer in effect, it remains in the zoning resolution for reference only.

Purpose

The purpose of the Local Business District is to encourage the establishment of new local businesses and services which tend to meet the daily needs of the residents of an 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. These districts shall be strategically located with access to a collector thoroughfare as specified in the Major Thoroughfare Plan. Strip development shall be discouraged.

Permitted uses, dimensional requirements, and other regulations of the Local Business, Local Business District; the following regulations shall apply:

Permitted Uses

1. Churches.
2. Public and private schools.
3. Public parks and playgrounds.
4. Governmental buildings.
5. Cemeteries.

Conditionally Permitted Uses

A conditional use permit may be issued in accordance with Article 5, and the other provisions of these regulations provided that the applicant can demonstrate that the proposed use is consistent with those general principles outlined in Section 522 of this resolution as well as any additional standards in accordance with any or all of those standards found in Section 522 or other conditions as required by the BZA and conditions referred to in the following descriptions:

1. Local retail business or service including fruit-vegetable stores, bakery, grocery store, meat markets, pharmacy, barbers or beauty shops, clothes cleaning and laundry pickup stations; Laundromats, supplying commodities or performing services primarily for the residents of a local community.
2. Lodge and fraternal organizations.
3. Doctor's parks, offices, or clinics.
4. Vision and hearing clinics.

5. Dental offices and clinics.
6. Law offices.
7. Insurance and real estate offices.
8. Banks and finance establishments.
9. Utility companies (offices).
10. Planning, architect, or engineering offices.
11. Schools of dance, business, or music instruction.
12. Restaurants without entertainment.
13. Antique stores.
14. Licensed Day care facilities.
15. Public swimming pool.
16. Funeral homes and/or crematory licensed by the state.
17. Theaters.
18. Auto accessory store provided there is no storage of wrecked automobiles or scrapped or salvaged auto parts on the premises.
19. Automobile service station operations involving major repairs, body and fender work, and painting, provided all pumps are set back at least twenty-five (25') feet from the right-of-way line of all abutting streets; provided all pumps are set back at least fifty (50') feet from the right-of-way line along those major thoroughfares; and provided parking and/or services areas are separated from adjoining residential properties by a suitable planting screen, fence, or wall at least six (6') feet in height above finished grade.
20. Contractor's office provided there is no storage of construction vehicles, equipment, or materials are on the premises.
21. Hospitals.
22. Nursing Homes
23. Bowling alleys.
24. Nail salons.
25. Tanning salons.
26. Massage parlors.
27. Mini-storage warehouses.
 - a. A building containing separate, individual self-storage units divided from the floor to the ceiling by a wall with an independent entrance from the exterior of the building, designed to be rented or leased on a short-term basis to the general public for private storage of personal goods, materials and equipment.
 - b. A fully enclosed, single story, building or buildings that may contain removable interior partitions and having individual compartmentalized units, stalls or lockers with privately controlled access points which are rented as storage space for customers' goods, wares or personal property in which no individual storage unit exceeds five hundred square feet in floor space.
 - c. A building wherein general merchandise, vehicles, furniture and household goods are stored in separately occupied, secured storage areas or lockers which are generally accessible by means of individual loading doors. Employees associated with such use shall be limited to a facility

- manager and/or security personnel.
 - d. A building used for the temporary storage of household items and seasonal, recreational or commercial vehicles, boats, trailers, etc. which may not conveniently or legally be parked or stored elsewhere. Outside storage of automobiles, trucks, recreational or commercial vehicles, boats, trailers, etc., or other personal goods, materials, and equipment is prohibited.
28. Miniature golf courses.
- a. An area of land or a building, structure or premises or part thereof operated for profit or gain as a commercial place of amusement in which facilities are provided to simulate the game of golf or any aspect of the game on a small scale.
29. Golf driving ranges.
30. Convenience mart/gas station combinations.

General Requirements of the Local Business District

Height Limit: No building shall be erected or enlarged to exceed two and one-half (2 ½) stories or 35 feet.

Lot Area, Width and Depth: Every lot shall have a minimum width of 225 feet throughout, and a minimum lot area of not less than three acres (130,680 sq ft), including the road right-of-way. A minimum lot size of 20,000 sq. ft. with a minimum frontage of 75 ft. shall be allowed when a lot is serviced by public water and sewer. All lots must meet those frontage requirements as outlined in Section 932 of this resolution.

Front Yard: There shall be a front yard of not less than 100 feet in depth. (from the center of the road, except where road row exceeds 60 ft.) The setback shall be not less than 70 ft. from the ROW.

Side Yard: There shall be a side yard of not less than 50 feet. (exclusive of road row)

Rear Yard: There shall be a rear yard of not less than 100 feet. (exclusive of road row)

**For all lots of record for yard requirements, see Section 410.

*All structures placed on corner lots must meet those requirements outlined in Section 910.

Bulk Requirements: All structures shall have a minimum of 1000 sq. ft. and shall not exceed 3,000 sq. ft. per business unit. All structures shall not be less than 24 feet in width and depth. All structure requirements for the Local Business District are to be determined from outside dimensions, exclusive of porches, garages, and cellars or basements.

Maximum Lot Occupancy: The maximum percentage of the total lot area which may be occupied, by both principal and accessory buildings for commercial uses, the maximum

lot occupancy shall be not exceed 95%.

Screening/Buffer Yard Requirements: Screening/buffer yards shall be required as specified in Section 912 of these regulations.

Parking Requirements: Parking requirements shall be as regulated in Article 10 and Section 522 No. 5 of these regulations.

Signs: Signs shall be as regulated in Article 11 of these regulations.

Section 9905 Former “Article 11: Signs”

Note: This article was in effect from September 23, 1971 through November 23, 2010.

This section was deleted on (11-23-10) and is no longer in effect, it remains in the zoning resolution for reference only.

Intent

The purpose of this article is to promote and protect the public health, welfare, and safety by regulating existing and proposed outdoor advertising signs, and outdoor signs of all types, which are to be used for the purposes of identification, navigation, and information. It is intended to protect property values, create an unobtrusive, fair local economic and business climate, enhance and protect the physical appearance of the community, and preserve the scenic and natural beauty of designated areas. It is further intended to reduce sign or advertising distraction and obstructions that may contribute to traffic accidents, impairing motorist ability to see pedestrians, other vehicles, obstacles or to read traffic signs, reduce hazards that may be caused by signs overhanging or projecting over public rights-of-way, provide more open space, curb deterioration of the natural environment, prevent signs from becoming a nuisance to surrounding properties and community, and enhance community development.

D) Governmental Signs Excluded

For the purpose of this resolution "sign" does not include signs erected and maintained pursuant to and in discharge of any governmental function, or required by any law, resolution, or governmental regulations.

E) General Requirements for All Signs and Districts

The regulations contained in this section shall apply to all signs and all land use districts.

1. Any illuminated sign or lighting device shall employ only illumination of a constant

intensity, and 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.

2. All wiring, fittings, and materials used in the construction, connection and operation of electrically illuminated signs shall be buried and shall be in accordance with the provisions of the Local, State, or National Electric Code.
3. No projecting sign shall be erected or maintained from the front or face of a building a distance of more than four feet, including those projecting from the face of any theater, hotel, or motel marquee.
4. No portable or temporary sign shall be placed on the front or face of a building or on any premises, except as provided in Section 1104 herein, or after obtaining a permit in Section 1105.
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.
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.
7. Should any sign be or become unsafe or be in danger of 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.
8. No sign shall be placed in any public right-of-way except publicly owned signs, such as traffic control signs and directional signs. Signs directing and guiding traffic and parking on private property but bearing no advertising matter shall be permitted on any property.
9. The regulations shall also apply to all off premises advertising devices erected or maintained under ORC 5516.10.
10. The following are prohibited:
 - a. Advertising devices erected or maintained on trees, or painted or drawn upon rocks or other natural features.
 - b. Advertising devices, which prevent the driver of a vehicle from having a clear and unobstructed view of official signs and approaching or merging traffic.
 - c. Advertising devices illuminated so as to interfere with the effectiveness of or obscure an official sign, signal, or device.
 - d. 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.

- e. Advertising devices located within the road right-of-way of property in any district.

F) Measurement of Sign Area

The surface area of a sign shall be computed as including the entire area within a regular, geometric form or combinations of regular, geometric forms comprising all of the display area of the sign and including all of the elements of the matter displayed. Frames and structural members not being advertising matter shall not be included in computation of surface area.

G) Signs Permitted in All Districts - No Permit Required

1. Signs advertising the sale, lease, or rental of the premises upon which the sign is located, shall not exceed 12 square feet in area.
2. Professional name plates, home occupation signs or non-farm signs, denoting the name and address of the occupants, denoting professional service, and denoting home occupation or business, shall not exceed 10 square feet in areas and not exceed 1 sign per lot of record.
3. Farm signs, denoting the name and address of occupants, denoting advertising for produce or merchandise grown on such farms, and denoting membership or organizations shall not exceed 50 square feet of sign face area per farm sign.
4. Signs or bulletin boards customarily incidental to places of worship, libraries, museums, social clubs, or societies, when located on the premises of such institutions shall be setback from all street rights-of-way at least 12 feet, not exceed 20 square feet in area, and not exceed 2 signs per institution.
5. Entrance and exit signs containing only directional information, shall not exceed 6 square feet in area and not exceed 2 signs per entrance or exit.
6. Temporary signs announcing special public or institutional events, the erection of a building, or signs for similar use, shall not exceed 32 square feet per sign face, not exceed a total of 64 square feet of total sign face area, and not exceed 4 signs per lot of record.
7. Temporary political signs for candidates or issues not exceed 32 square feet per sign face and not exceed a total of 64 square feet of total sign face area.
8. Smaller political signs shall not exceed four 4 square feet per sign face.
9. Temporary banners announcing special public or institutional events may be located on one surface of a business building and shall not exceed 30 square feet of sign face area and not exceed 1 sign per business. Said banner must be supported so that it is held against the surface of the building and does not billow or flap excessively.

H) Signs Permitted in Districts

All sign proposals are required to be reviewed by the Zoning Inspector before required permit will be issued.

1. In a commercial or manufacturing district, each business shall be permitted those

signs as described in Table 1105-A and B which requires that applicants select either Option A or Option B.

2. Larger signs or advertising devices for business or industries adjacent to the interstate and primary highways as regulated by the ORC Section 5516.07, as amended shall be permitted in accordance with those state laws. In addition, all such signs, outdoor advertising displays and billboards shall also comply with sections 1102, 1103, and 1105 of this resolution.

BUSINESS AND MANUFACTURING SIGN REQUIREMENTS				
Option A				
	Wall	Structure Signs Swinging	Canopy	Ground Sign
Maximum Height	15'	15'	18'	15'
Projection of Sign from Wall	1'			
Sign Length			6'	
Sign Width		4'		
Minimum Setback (from road right-of- way)				10'
Quantity	One of each provided that the total square feet does not exceed the total sign area (see below)			1
Sign Area				32 Sq. Ft.
Total Sign Area	1 ½ square feet of sign area for each foot of building width (or part of the building occupied by given enterprise). Maximum area shall not exceed 80 square feet.			

BUSINESS AND MANUFACTURING SIGN REQUIREMENTS	
Option B	
	Larger Ground Sign
Maximum Height	15'
Minimum Setback (from road right-of- way)	20'
Quantity	1
Sign Area	80 Square Feet

I) Setbacks for Public and Quasi-public Signs

Real estate signs and bulletin boards for a church, school, or any other public, religious, or educational institution may be erected not less than ten feet from the established right-of-way line of any street or highway provided such sign or bulletin board does not obstruct traffic visibility at street or highway intersection.

J) Special Yard Provisions

On-premises signs where permitted shall be erected or placed in conformity with the side and rear yard requirements of the district in which located, except that in any residential district, on-premises signs shall not be erected or placed within 50 feet of a side or rear lot line.

K) Limitation

Outdoor advertising shall be classified as a business use and be permitted in all Neighborhood Business (NB), General Business (GB), Manufacturing & Distribution (M&D), and Agriculture (AG) districts subject to the following regulations:

1. Such signs or structures shall not be located within 150 feet of any street (or road) right-of-way.
2. Such signs or structures shall not be located within 2,500 feet of any other outdoor advertising display or billboard on either side of the street, except in General Business (GB) and Manufacturing & Distribution (M&D) districts such distance may be reduced to 1000 feet.
3. Such signs or structures shall not be located on or within 1000 feet of any building, except signs painted on barns.
4. Such signs shall not be more than 50 square feet on one face and 100 square feet on two sides. In no case shall more than 50 square feet of display or sign area be visible from any road or street. Such signs shall not exceed ten feet in height for the total structure (including the sign).
5. Outdoor advertising displays and/or billboards shall not be permitted in a Flood Plain Overlay (FP) or Conservation/Natural Recreation (CN) district.
6. Outdoor advertising displays and/or billboards shall not be permitted in any residential zoning district.

There is a fee for issuance of a permit to erect an outdoor advertising display and/or billboard as determined in accordance with Section 313, "Schedule of Fees, Charges, and Expenses".

Advertising devices adjacent to the interstate and primary highways as regulated by the ORC Sections 5516 and 5531, as amended shall be permitted in accordance with those State laws. All such signs, outdoor advertising displays and billboards shall also comply with all applicable sections in Article 11, "Signs".

L) Abandoned Signs

A sign shall be considered abandoned:

1. When the sign is associated with an abandoned use.
2. When the sign remains after the termination of a business. A business is considered to have ceased operations if it is closed to the public for at least ninety consecutive days. Seasonal businesses are exempt from this determination.
3. When the sign on its immediate premises is not adequately maintained and the repairs or maintenance as required by the resolution are not affected within the specified time.
4. When the sign does not conform to the provisions of this section.
5. When the sign does not have a, or no exemption is available.

The St. Albans Township Zoning Inspector shall determine abandonment. Upon determination that the sign is abandoned, the right to maintain and use such sign shall terminate immediately and the Zoning Inspector or his designee shall issue an order for the sign to be removed within thirty days. Any abandoned sign still standing after thirty days following an order for removal may be appealed to Township BZA, and procedures of Article 5 shall be followed. The owner of such sign(s) shall be subject to the decision of the BZA. If no appeal is filed within the required time period, the Zoning Inspector shall proceed with the proper violation procedures.

M) Violations

In case any sign shall be installed, erected, constructed, or maintained in violation of any of the terms of this resolution, the zoning inspector shall notify in writing the owner or lessee thereof to alter such sign within 30 days so as to comply with this resolution. Failure to comply with any of the provisions of this article shall be deemed a violation and shall be punishable under Section 312, "Penalties for Violation," of this resolution.

N) Surety Bond

The owner or person in control of a display sign suspended over a street into a street more than one foot beyond the building line, whether permanent or temporary, shall execute a bond as required.

Section 9906 Former “Article 16: MANUFACTURING & DISTRIBUTION DISTRICT (M&D)”

Note: This section was deleted on (3-11-2025) and is no longer in effect, it remains in the zoning resolution for reference only.

Section 9906.1 Purpose

The purpose of the Manufacturing & Distribution district (M&D) is to provide for business uses, storage, and those manufacturing uses not normally creating a nuisance discernible beyond its property lines.

The purpose of the conditionally permitted use provision is to provide for industrial uses not permitted in any other district, providing that, within this district, uses of hazardous nature or those producing extensive smoke or odor shall not be located so that the general hazard or nuisance affects a large segment of the community.

The use of NAICS headings in Section 1601, “Permitted Uses,” and Section 1602, “Conditionally Permitted Uses,” is explained in Section 802, “Intent of District Regulations”; also see Article 98, “NAICS.”

Section 9906.2 Permitted Uses

1. Any use permitted in a Neighborhood Business district (NB) or General Business district (GB) except residential uses.
2. (31-33) Manufacturing:
 - (311) Food Manufacturing, including all except (311613) Rendering and Meat Byproduct Processing; (312) Beverage and Tobacco Product Manufacturing; (313) Textile Mills; (314) Textile Product Mills; (315) Apparel Manufacturing; (316) Leather and Allied Product Manufacturing; (321) Wood Product Manufacturing; (323) Printing and Related Support Activities; (332) Fabricated Metal Product Manufacturing; (333) Machinery Manufacturing; (334) Computer and Electronic Product Manufacturing; (335) Electrical Equipment, Appliance, and Component Manufacturing; (336) Transportation Equipment Manufacturing; (337) Furniture and Related Product Manufacturing; and (339) Miscellaneous Manufacturing.
3. (42) Wholesale Trade:
 - (423) Merchant Wholesalers, Durable Goods; (424) Merchant Wholesalers, Non-Durable Goods; and (425) Wholesale Electronic Markets and Agents and Brokers.
4. (48-49) Transportation and Warehousing:
 - (484) Truck Transportation; (488) Support Activities for Transportation, with or without dining, provided any repair operations are conducted within a fully

enclosed building and there is no open storage of wrecked vehicles, dismantled parts, or parts visible beyond the premises; and (493) Warehousing and Storage.(51) Information:

(511) Publishing Industries (except Internet).

5. (56) Administrative and Support and Waste Management and Remediation Services:

(562) Waste Management and Remediation Services, limited to (562111) Solid Waste Collection, (56292) Materials Recovery Facilities, and (562991) Septic Tank and Related Services.

6. General:

Other manufacturing uses of a light nature, free from any objectionable odors, fumes, dirt, vibration, or noise detectable at the lot line. A registered engineer or architect indicating that every reasonable provision will be taken to eliminate or minimize gas fumes, odors, dirt, vibration or noise, shall not establish such uses without an application for a permit. In the event of the denial of such permit, an applicant shall have a right of appeal to the Board Zoning of Appeals as outlined in Article 5, "Administration." However, junkyards or similar uses are prohibited.

Section 9906.3 Conditionally Permitted Uses

1. (31-33) Manufacturing:

(311) Food Manufacturing, limited to (311613) Rendering and Meat Byproduct Processing; (322) Paper Manufacturing; (324) Petroleum and Coal Products Manufacturing; (325) Chemical Manufacturing; (326) Plastics and Rubber Products Manufacturing; (327) Nonmetallic Mineral Product Manufacturing; and (331) Primary Metal Manufacturing.

2. All uses not otherwise prohibited by law and when authorized by the Board of Zoning Appeals as outlined in Article 5, "Administration."

Section 9906.4 Required Lot Area and Lot Width

Each use to be established in the Manufacturing & Distribution district (M&D) shall provide a minimum lot area of 3 acres and a minimum lot width of 200 feet.

Section 9906.5 Building Height Regulation

No building shall exceed 35 feet in height, except as provided in Section 916, "Exceptions to Height Regulations."

Section 9906.6 Yard Required

All structures to be constructed, altered, or moved in the Manufacturing & Distribution district (M&D) shall provide yards of the following minimum depths:

1. Front yard:

Minimum setback of 100 feet (from the center of the road); where road right-of-way exceeds 60 feet, the minimum setback of 70 feet from the right-of-way.

2. Side yard:

Minimum of 25 feet on each side, except where a side yard abuts a residential district in which case a side yard of 50 feet shall be provided.

3. Rear yard:

Minimum of 40 feet.

Section 9906.7 Landscaping, Buffering, Screening and Fences

See Article 12.

Section 9906.8 Site Design Approval

Section 302, "Approval of Zoning Permit" of this resolution requires that all zoning permits shall be approved or denied within 30 days from the date in which a complete application has been submitted. The zoning permit application within the Manufacturing & Distribution District (M&D) will be processed as specified in Section 528, "Site Design Approval."

Appendix A: GUIDELINES FOR RECOMMENDED METHODS OF TREE PROTECTION

Methods of Tree Protection

1. Planning Considerations. Tree space is the most critical factor in tree protection throughout the development process. The root system of trees can easily extend beyond the drip line of the tree canopy. The root system within the drip line region is generally considered to be the critical root zone. Disturbance within this zone can directly affect a tree's chances for survival. To protect these critical root zones, the following standards apply:
 - a. The use of tree-save islands and stands is encouraged rather than the protection of individual (non-specimen) trees scattered throughout a site. This will facilitate ease in overall site organization as related to tree protection.
 - b. The protective zone of specimen trees or stands of trees or otherwise designed tree save areas shall include no less than the total area beneath the tree canopy as defined by the farthest canopy drip line of tree(s). In some instances, the Zoning Inspector may require a protective zone in excess of the area defined by the tree's drip line.
 - c. Layout of the project site utility and grading plans should accommodate the required tree protective zones. Utilities must be placed along corridors between tree protective zones.
 - d. Construction site activities such as parking, material storage, concrete washout, burn hole placement, etc., shall be arranged so as to prevent disturbances within tree protective zones.
 - e. No disturbance shall occur within the protective zone of specimen trees or stands of trees without prior approval by the Zoning Inspector.

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APPENDIX B

Fig. 1: LOT DIAGRAM & TERMS

Fig. 2: BASEMENTS

Fig. 3: FLOOD FRINGE

Fig. 4: CLASSIFICATION OF THOROUGHFARE SYSTEM

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St. Albans Township Zoning Resolution - Comparison of Requirements for Zoning Districts

Item	NB (Art. 14)	GB (Art. 15)		AG (Art. 17)	RR (Art. 18)	MR (Art. 19)	FP (Art. 20)	CN (Art. 21)
Minimum site/lot area (acres)	Same as RR or MR (see Note 1)	3		3 (including ROW)	2 or septic minimum, whichever is greater (see Note 2)	2	Base regulation required	2
- one zoning district								
- multi-zoning districts								
- residential use	Same as RR or MR	Same as AG						
- business use	Same as RR or MR	Same as AG						
Minimum lot width (feet)		200		200	150	175		
Maximum building height (feet)	25	25		35	35	35		35
Required setbacks/yards (feet)								
- front (from center of road)	100	100		100 (see Note 3)	75 (see Note 4)	50 (see Note 5)		100
- side	50	50		50 (exclusive of ROW)	25	50		50
- rear	50 (see Note 7)	50 (see Note 7)		100 (exclusive of ROW)	25	50		50
- residential use in business district	Same as RR or MR	Same as AG						
- business use in business district	see front, side, and rear requirements	see front, side, and rear requirements						
Landscaping								
- for non-residential abutting residential, 50% reduction in side and/or rear setback if approved landscaping is used	YES	YES						
Water & Sewer								
Required?	NO (if following RR); YES (if following MR)	NO		NO	NO	YES	NO	NO
Notes								
Note 1: Dependent on availability of centralized water and sewer services								
Note 2: Lots ≥ 3 acres follow AG District regulations								
Note 3: Where ROW exceeds 60 feet, setback shall not be less than 70 feet from ROW								
Note 4: Where ROW exceeds 60 feet, setback shall not be less than 45 feet from ROW								
Note 5: Where ROW exceeds 60 feet, setback shall not be less than 30 feet from ROW								
Note 6: 50 foot side yard setback required if M&D abuts residential district								
Note 7: If property abuts an alley, 1/2 of the alley width may be included in rear yard setback requirement								

St. Albans Township Zoning Resolution

Adopted: 03/11/25
Effective: 04/11/25

