ARTICLE VI
SPECIAL
DISTRICTS

SECTION 600 - SPECIAL DISTRICTS AND REGULATIONS ADOPTED

600.01 - SPECIAL DISTRICTS ESTABLISHED - Districts providing for use or development of land for certain purposes or under certain conditions, as hereafter specified, are hereby established and adopted.

600.02 - SPECIAL DISTRICT REGULATIONS - Regulations pertaining to use or development of land in SPECIAL DISTRICTS are provided for the following:

600.21 - Floodplain Development

600.22 - Excavation and Quarry

600.23 - Oil and Gas Drilling and Production

600.24 - Exceptional Uses

600.03 - RELATION TO ZONING DISTRICTS - Special Districts and Regulations thereof shall be in addition to the Zoning Districts as established on the Zoning District Map and nothing herein is intended to amend, modify or otherwise change the Zoning District Regulations except as specifically set forth in the Special District Regulations.

600.031 - Relation to Zoning District Map - The inclusion of land in a Special District shall be in addition to the Zoning District as established on the Zoning District Map, and nothing herein is intended to amend, modify or otherwise change the Zoning District boundaries as shown on the Zoning District Map.

SECTION 610 - FLOODPLAIN REGULATIONS

(Effective 7/5/83, and revised as required)

610.01 - ESTABLISHMENT OF REGULATORY FLOODPLAIN DISTRICT

The Regulatory Floodplain District shall exist as an overlay district and shall apply concurrently with other zoning district classifications. Land uses and development allowed under Section 610 must also meet all other applicable sections of this Resolution.

610.11 - Designation of the Regulatory Floodplain District

The Regulatory Floodplain District shall be designated as those special flood hazard areas within the jurisdiction of Blendon Township including any areas that are affected by disincorporation's and which are identified in the "Flood Insurance Study Franklin County, Ohio and Incorporated Areas," and accompanying "Flood Insurance Rate Map Franklin County, Ohio and Incorporated Areas" both effective September 19, 2007. This study and map was published by the Federal Emergency Management Agency (FEMA) under the National Flood Insurance Program (NFIP). **Any revisions to the aforementioned maps and / or studies are hereby adopted by reference and declared to be a part of these regulations. Such maps and/or studies are on file at the Franklin County Development Department.**

610.12 - Floodway and Floodway Fringe

The Regulatory Floodplain District is further divided into two portions consisting of the Floodway and the Floodway Fringe. The Floodway is that portion of the Floodplain consisting of the channel and sufficient adjacent lands to convey the Base Flood discharge without increasing the Base Flood Elevation more than one-half (1/2) foot. The Floodway Fringe is that portion of the Floodplain outside of the Floodway. The FEMA water surface profiles of the Base Flood shall govern the location of the Floodplain boundary. The Base Flood Elevations and Floodway boundaries shall be established as those indicated by NFIP maps and data published by FEMA, including all revisions and amendments thereto. The Floodplain District shall be illustrated on the Blendon Township Zoning District maps. FEMA maps and data shall be used to establish the Regulatory Floodplain District. FEMA maps and data shall govern in case of omission on or in conflict with the zoning maps.

610.13 - Non-Detailed Flood Hazard Areas

In designated flood hazard areas for which FEMA has not determined detailed flood elevations and Floodway boundaries, the applicant shall be required to furnish such information prepared by qualified personnel to enable the administration of this Resolution consistent with its intent. Flood maps and data published by State or Federal sources such as the USDA Soil Conservation Service, U.S. Army Corps of Engineers, U.S. Geological Survey, or Ohio Department of Natural Resources shall be utilized when available. In case of differing information from two (2) or more of these sources, the more comprehensive and recent technical data shall be used.
When detailed flood elevations and floodway boundaries are not available for the Base Flood through FEMA or other state or federal sources, the applicant shall provide them. Such information and data shall be prepared by a qualified Professional Engineer in accordance with currently accepted hydrologic and hydraulic engineering techniques and methodology. Such studies, analysis, computations, etc. shall be submitted in sufficient detail to allow a thorough technical review by the Community NFIP Administrator and the State NFIP Coordinating Agency.

610.02 - PERMITTED USES IN THE FLOODWAY

The following uses, not including buildings, shall be permitted within the Floodway, provided they comply with all other applicable sections of this Resolution:

1.) Agricultural land uses such as general farming and cultivation, pasturing, grazing, outdoor open air nurseries, truck farming, forestry, sod farming, and similar uses.

2.) Private or public recreational land uses such as golfing, tennis, archery, picnicking, boating, swimming; parks, wildlife, or nature preserves; shooting ranges, hunting and fishing areas; hiking, biking, jogging, and horseback riding trails; and other similar uses.

3.) Residential open space uses such as lawns, gardens, play areas, and other similar uses.

610.03 - PROHIBITED USES IN FLOODWAY

The following structures and uses are prohibited in the Floodway unless specifically listed under Section 610.04 as a Conditional Use:

1.) Buildings and structures, including mobile homes, for residential, commercial, industrial, or other use.

2.) Storage or processing of materials.

3.) Trash, garbage, or waste disposal operations; landfills; wastewater treatment and disposal facilities.

4.) Placement of material, fill, or spoil of any type or the construction or extension of levees, dams, dikes, flood walls, or other such moundings or embankments unless otherwise allowed under Section 610 (Floodplain Regulations).

5) Encroachments that would cause any increase in the Base Flood Elevations.

610.04 - CONDITIONAL USES IN FLOODWAY

The following uses shall be Conditional Uses within the Floodway provided they comply with all other applicable sections of this Resolution and any conditions attached by the Board in granting the Conditional Use Permit:

1.) Navigational and stream flow aids, marinas, boat rental, docks, piers, wharfs, and water measuring and monitoring devices.

2.) Construction, placement, or improvement and maintenance of public or private culverts, utilities, bridges and stream crossings of any type or size, erosion control and protection measures.

3.) Extraction of sand, gravel, or other resources.

4.) Alteration or relocation of the channel or watercourse.

610.05 - PERMITTED USES IN THE FLOODWAY FRINGE

1.) Uses permitted in the Floodway by Section 610.02 shall also be permitted in the Floodway Fringe.

2.) Maintenance work such as roofing, painting, and basement sealing, or for small nonstructural development activities (except for filling and grading) valued at less than $1,000.00.

3.) Accessory structures, not for human occupancy and no larger than five hundred and seventy- six (576) square feet gross floor area provided the structure is certified by a registered professional engineer or architect; or the structure is created with a minimum of two (2) openings having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding and ensuring that the bottom of all openings shall be no higher than one (1) foot above grade. Openings may be equipped with screens, louvers, valves, or other openings provided that they permit the automatic entry and exit of floodwaters. All accessory structures shall meet the applicable requirements of Section 610.07.

610.06 - CONDITIONAL USES IN THE FLOODWAY FRINGE

The following uses shall be Conditional Uses in the Floodway Fringe, provided they meet all applicable standards and requirements of this Resolution and any conditions attached by the Board in granting the Conditional Use Permit:

1.) All Conditional Uses in the Floodway as listed in Section 610.04.

2.) Residential, commercial, industrial, manufacturing or similar structures or buildings, with the exception of mobile/modular or manufactured homes or structures which are prohibited uses in special flood hazard areas.

3.) Storage or processing of materials.

4.) Parking and loading areas.

5.) Waste processing and/or disposal facilities and wastewater treatment and disposal systems.

6.) Flood control or mitigation structures and measures.

7.) Temporary or permanent placement of material, fill, or spoil of any type or other such mounding or embankment or additions or extensions thereto.

610.07 - DEVELOPMENT STANDARDS

In addition to other applicable Development Standard provisions of this Resolution, the following standards for arrangement, development, and use of land and buildings shall be required in the Regulatory Floodplain District. A registered professional engineer, architect and/or surveyor shall demonstrate compliance with these standards.

610.71 - Anchoring

All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.

610.72 - Maintain Flow Characteristics

No use of the Floodplain shall unduly or adversely affect or impact the efficiency, flow characteristics, or flood heights of the main channel or other affected tributaries, ditches, drainage facilities or systems, for storm frequencies up to and including the Base Flood event. No use or encroachment within the Floodway shall increase the Base Flood Elevation.

610.73 - Minimize Flood Damage

All activities and developments shall be planned, designed, constructed, and installed consistent with the need to minimize damages in time of flooding.

610.74 - Storage or Processing of Materials

Storage or processing of materials which are buoyant, pollutant, flammable, explosive, or could be injurious to human, animal or plant life in time of flooding shall be stored one and one half (1 1/2) feet above the Base Flood Elevation, or suitably flood-proofed and protected. Proposed protection measures and safeguards shall be approved by the Ohio EPA.

Storage of materials or equipment or placement of other obstructions which in time of flooding may be dislodged or otherwise carried off site by flood waters to the possible damage or detriment to life or property must be protected by suitable safety measures approved by the Board.

610.75 - Parking and Loading Areas

Public or private parking or loading areas which would be inundated to a depth of one and one-half (11/2) feet or more or subjected to flow velocities over four (4) feet per second must be provided with adequate flood warning devices and measures approved by the Board.

610.76 - Public or Private Utilities or Facilities

Waste processing, wastewater treatment and disposal facilities must be approved by the Ohio EPA, the County Sanitary Engineer, or the County District Board of Health, whichever has jurisdiction, and must be elevated or flood-proofed to provide protection from the Base Flood.

Activities or developments such as bridges, culverts, docks, wharfs, piers, water supply systems, sanitary sewer systems, storm sewers and works, or construction of other public or private utility works and appurtenances shall be planned, designed, constructed, installed, and maintained consistent with the need to minimize the potential of flood damage to them and to the community in accordance with this Resolution. Compensating measures shall be required by this Resolution to offset potential impacts of such projects.

610.77 - Flood or Erosion Control Measures or Watercourse Alteration or Relocation

Dams, dikes, levees, embankments, flood walls, rip rap, rock protection, or other flood or erosion control measures and any alteration or relocation of the channel or watercourse shall be subject to all applicable provisions of Sections 1521.06 and 1521.07 of the Ohio Revised Code and all other applicable state, federal, county and local ordinances and regulations.

1.) Such measures over three (3) feet in height or involving over one thousand (1,000) square feet of surface area may be submitted by the Community NFIP Administrator to the U.S. Army Corps of Engineers and/or the Ohio Department of Natural Resources for review, recommendations, and approval as appropriate.

2.) Flood control measures intended to remove lands from the Regulatory Floodplain District classification must be approved by FEMA. The Regulatory Floodplain District shall be changed to coincide only with effective revisions to published NFIP maps.

610.08 - BUILDINGS AND STRUCTURES

Temporary or permanent placement of buildings and structures, new construction and substantial improvement of residential and nonresidential buildings shall meet the following. A registered professional engineer, architect and/or surveyor shall demonstrate compliance with these standards:

610.81 - Residential Construction

1.) Flood protection shall be achieved by elevating the building. Buildings shall not be permitted with floor levels below the base flood elevation. The lowest floor, including basement, shall be at least one (1) foot above the Base Flood Elevation, plus Floodway computation increases. Floodway computation increases range from 0.0 to 0.5 feet and are listed in the Flood Insurance Study published by FEMA and available at the Blendon Township Administration offices.

2.) All structural, site and/or grading plans for residential development activities in the floodplain shall be prepared and sealed by a registered professional engineer and/or architect.

3.) The applicant shall obtain and furnish to the Community NFIP Administrator as-built elevations, (certified by a Registered Surveyor), of the basement and first floor, to be maintained on file for public inspection.

4.) No residential buildings and/or structures shall be located in the Floodway portion of the Floodplain.

610.82 - Non-Residential Construction

1.) New construction and substantial improvement of any non-residential structure shall either have the lowest floor, including basement, elevated at least one (1) foot above the Base Flood Elevation, plus floodway computation increases or, together with attendant utility and sanitary facilities, shall:

a.) Be flood-proofed so that the structure is watertight with walls substantially impermeable to the passage of water to at least one (1) foot above the Base Flood Elevation, plus floodway computation increases.

b.) Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and,

c.) Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the standards of this subsection. A flood proofing certificate, to be completed by a registered professional engineer or architect is required if flood proofing is chosen over elevation.

2.) All structural, site and/or grading plans for non-residential development activities in the floodplain shall be prepared and sealed by a registered professional engineer and/or architect.

3.) The applicant shall obtain and furnish to the Community NFIP Administrator as-built elevations, certified by a Registered Surveyor, of the basement and first floor, to be maintained on file for public inspection.

4.) No non-residential buildings and/or structures shall be located in the Floodway portion of the Floodplain.

610.09 - FLOODWAYS

610.91 - Areas with Floodways

The Flood Insurance Study identifies a segment within areas of special flood hazard known as a floodway. The floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles, and erosion potential. The following provisions apply within all delineated floodway areas:

1.) See Sections 610.081(4) and 610.082(4) for residential and non-residential floodway development provisions.

2.) Other encroachments, including fill and other development, are prohibited unless a hydrologic and hydraulic analysis performed in accordance with standard engineering practices demonstrates that the proposed encroachment would not result in any increase in flood levels during the occurrence of the Base Flood Discharge.

3.) Any encroachment within the floodway that would result in an increase in Base Flood Elevations can only be granted upon prior approval by the Federal Emergency Management Agency.

610.92 - Areas without Floodways

In all areas of special flood hazard where FEMA has provided Base Flood Elevation data but has not delineated a floodway, the following provisions apply:

1.) Encroachments, including fill and other development shall only be permitted if it is demonstrated that the cumulative effect of any proposed development, when combined with all other existing and anticipated development, shall not increase the water surface elevation of the base flood more than one-half (1/2) foot at any point.

610.10 - ADDITIONAL PLAN REQUIREMENTS

For Zoning Compliance, Conditional Use Permit, and Variance applications involving the Regulatory Floodplain District, the applicant shall furnish sufficient information to permit the Administration Officer and/or the Board to determine the Regulatory Floodplain and Floodway Boundaries and Base Flood Elevations, and to otherwise facilitate the administration and enforcement of this Resolution. Such information shall include but not be limited to the following:

1.) Plans drawn to scale showing the nature, location, dimensions, and details of the property, development activities, and land use, both existing and proposed;

2.) Elevation in relation to mean sea level of the lowest floor, including basement, of all proposed structures located in special flood hazard areas where Base Flood Elevation data are utilized;

3.) Existing and proposed topographical information;

4.) Elevation in relation to mean sea level to which any proposed structure will be flood- proofed where Base Flood Elevation data are utilized including certification by a registered professional engineer or architect that the flood proofing methods for any non- residential structure meet the flood proofing criteria required by this resolution;

5.) Description of the extent to which any watercourse will be altered or relocated as a result of the proposed development and certification by a registered professional engineer that the flood carrying capacity of the watercourse will not be diminished.

6.) The applicant shall submit certification of finished elevations, and/or other proofs or assurances of compliance with approved plans to the satisfaction of the Community NFIP Administrator.

7.) Permits issued on the basis of applications, plans, specifications, and other information approved by the Community NFIP Administrator shall authorize only the use, arrangement, and construction set forth therein.

8.) Other information as may be reasonably deemed necessary by the Community NFIP Administrator.

610.11 - COMPLIANCE WITH APPROVED PLANS

Certificates of Zoning Compliance and Conditional Use Permits issued on the basis of applications, plans, specifications, and other information approved by the Administration Officer or the Board shall authorize only the use, arrangement, and construction set forth therein.

The applicant shall submit certification of finished elevations, and/or other proofs or assurances of compliance with approved plans to the satisfaction of the Administration Officer and/or the Board.

610.12 - COMPLIANCE WITH THE NATIONAL FLOOD INSURANCE PROGRAM

The provisions of Section 610 of this Resolution have been submitted to and reviewed by the National Flood Insurance Program (NFIP) State Coordinating Agency and the Federal Emergency Management Agency (FEMA) as required by Federal Law. These agencies have determined that these provisions meet or exceed the Federal Standards of Federal Law 44 CFR part 60.

610.121 - Administration

The administration of this Zoning Resolution shall in no way lower any requirement or standard of the National Flood Insurance Program, 44 CFR Part 60.3 and 60.6.

610.122 - Community NFIP Administrator

Upon receipt of an application involving Conditional Uses and Variances in the Floodplain, the Zoning Inspector and/or Board of Zoning Appeals shall notify the County NFIP Administrator of the application, shall provide the County NFIP Administrator with all application materials and shall notify the County NFIP Administrator of hearings on said applications. Provided at least 14 days' notice, the County NFIP Administrator will review all applications and prepare a brief report and recommendation to be submitted to the Board, prior to action by the Board.

610.13 - WARNING AND DISCLAIMER OF LIABILITY

This Resolution does not imply that areas outside the Regulatory Floodplain District or uses allowed or otherwise permitted or approved within the Regulatory Floodplain District in accordance with the provisions of this Resolution will be free from flooding or flood damages. This Resolution or its administration and/or enforcement shall not create liability on the part of Blendon Township, any officer or employee of Blendon Township or other staff or personnel involved in its administration and/or enforcement. Additional flood protection beyond that required by this Resolution is recommended and encouraged.

SECTION 620 - EXCAVATION AND QUARRY REGULATIONS

620.02 **- PERMITTED USE -** Land and structures governed by the EXCAVATION AND QUARRY REGULATIONS shall be used only for the following purposes in addition to permitted uses of the Zoning District in which the land is located:

620.21 - Extraction

141 Dimension Stone
142 Crushed and Broken Stone, including Riprap
144 Sand and Gravel

620.22 - Processing - The temporary erection and operation of plants and equipment necessary for crushing, polishing, dressing or otherwise physically or chemically processing the material extracted on the site including:

3271 Concrete Brick and Block
3272 Concrete Products, except Block and Brick
3273 Ready Mixed Concrete

620.03 **- DEVELOPMENT STANDARDS -** In addition to the provisions of ARTICLE V, GENERAL DEVELOPMENT STANDARDS, the following standards for arrangement and development of land and buildings are required under the EXCAVATION AND QUARRY REGULATIONS.

620.31 - Intensity of Use - There is no minimum lot area required; however, the lot shall be adequate to provide the yard space required by the following Development Standards and meet the requirements of SECTION 502, ARTICLE V:

1.) For excavation, quarrying and permitted processing, all equipment used shall be constructed, maintained and operated in such a manner as to eliminate, as far as practicable, noise, vibration, or dust which would injure or annoy persons living or working in the vicinity.

2.) Access ways or roads within the premises shall be maintained in a dust free condition through surfacing or such other treatment as may be necessary.

3.) No excavation shall be made from the banks or beds of the Big Walnut Creek, Alum Creeks; or any other such stream or waterway designed as necessary to the Flood Control Program of and no quarrying shall be permitted closer than two hundred (200) feet of either bank of the above named rivers and creeks except by a finding of the Engineer which shall show that such excavation or quarrying shall not impair the lateral support needed for permanent stream levees.

4.) All excavations shall be made either to a depth of five (5) feet below a water producing level, or graded, or back-filled with non-noxious and non-inflammable solids to assure that the excavated area will not collect and retain stagnant water, or that the graded or back-filled surface will create a gentle rolling topography to minimize erosion by wind or rain and substantially conform with the contour of the surrounding area.

5.) Whenever the floor of a quarry is five (5) feet or more below the grade of adjacent land, the property containing the quarry shall be completely enclosed by a barrier either consisting of a mound of earth not less than six (6) feet high located at least twenty-five (25) feet from any street right-of-way and planted with a double row of multiflora rose bushes, other approved landscaping or shall be enclosed with a chain link fence or its equivalent in strength and protective character to a height of six (6) feet in height along the property line. Such barriers may be excluded where deemed unnecessary by the Engineer because of the presence of a lake, stream or other existing natural barrier.

620.32 - Yard Requirements - An excavation shall be located one hundred (100) feet or more and back-filled to one hundred and fifty (150) feet from a street right-of-way line; quarrying operations shall be located fifty (50) feet or more from a street right-of-way line. With approval by the Engineer, such excavation or quarrying may be permitted within these limits to the point of reducing the ground elevation to the established street grade.

Excavation or quarrying shall be no closer than fifty (50) feet to a property boundary line, except with the written consent of said adjacent property owner.

Plants or equipment for processing of extracted materials or other approved ancillary operations shall not be located nearer than six hundred (600) feet to the boundary of the land placed under the provisions of the EXCAVATION AND QUARRY REGULATIONS.

620.04 **- REHABILITATION PLAN -** Extraction shall be permitted only from areas for which there is a Rehabilitation Plan approved by the Blendon Township Board of Trustees.

620.41 - Rehabilitation Plan - All such Rehabilitation Plans shall include the following:

1.) A grading plan showing existing contours in the area to be extracted and proposed future contours showing the topography of the area after completion. Such plans shall include the surrounding area within five hundred (500) feet of the property boundary line, drawn to an appropriate scale with contour lines at intervals of five (5) feet or less.

2.) Existing and proposed drainage of the area.

3.) Details of regrading and revegetation of the site during and at conclusion of the operation.

620.42 - Required Rehabilitation - The following requirements shall be met in the Rehabilitation Plan:

1.) The banks of all extraction, when not back-filled, shall be sloped at a grade of not less than two (2) feet horizontal to one (1) foot vertical. This slope shall be maintained twenty (20) feet beyond the water line if such exists.

2.) Spoil banks shall be graded to a level suiting the existing terrain.

3.) All banks and extracted areas shall be surfaced with at least six (6) inches of suitable soil, except exposed rock surfaces, and shall be planted or seeded with trees, shrubs, legumes or grasses and maintained until the soil is stabilized and approved by the County Engineer.

4.) When any extraction has been completed, such area shall either be left as a permanent spring-fed lake or the floor thereof shall be leveled in such manner as to prevent the collection and stagnation of water and to provide proper drainage without excessive soil erosion, and shall otherwise comply with these requirements.

5.) All equipment and structures shall be removed within three (3) months of the completion of the extraction of materials.

SECTION 630 - OIL AND GAS DISTRICT REGULATIONS

630.02 **- PERMITTED USE -** Land and structures governed by the OIL AND GAS DISTRICT REGULATIONS shall be used only for the following purposes in addition to Permitted Uses of the Zoning District in which the land is located.

630.21 - Extraction

1481 Crude Petroleum
1481 Natural Gas
1482 Natural Gas Liquids
1483 Oil and Gas Field Services

630.22 - Temporary Equipment and Structures - The temporary erection of structure and equipment necessary for the drilling and production of oil or gas on the site.

630.03 **- DEVELOPMENT STANDARDS -** In addition to the provisions of ARTICLE V, GENERAL DEVELOPMENT STANDARDS, the following standards for arrangement and development of land and buildings are required in the OIL AND GAS DISTRICT.

630.31 - Spacing of Wells - No permit shall be issued to drill, deepen, reopen, or plug a well for the production of oil or gas unless the proposed well is located:

1.) Upon a tract or drilling unit containing not less than ten (10) acres;

2.) Not less than four hundred and sixty (460) feet from any well drilling to, producing from, or capable of producing from the same pool;

3.) Not less than two hundred and thirty (230) feet from a boundary of the subject tract or drilling unit.

630.32 - Access and Egress - Prior to commencement of any drilling operations, all private roads used for access to the drill site and the drill site itself shall be surfaced by clean, crushed rock, gravel, decomposed granite, or oiled and maintained to prevent dust and mud.

630.33 - Derricks - All derricks and masts hereafter erected for drilling or re-drilling shall be at least equivalent to the American Petroleum Institute Standards 4A, 14th Edition and 4D, 3rd Edition.

630.34 - Signs and Fencing - A sign having a surface area of not less than two (2) square feet and no more than six (6) square feet bearing the current name and number of the well and the name or insignia of the operator shall be displayed at all times from the commencement of drilling operations until the well is abandoned.

All oil well production equipment having external moving parts hazardous to life or limb shall be attended twenty-four (24) hours per day or be enclosed by a steel chain link type fence not less than six (6) feet in height and in addition having not less than three (3) strands of barbed wire sloping outward at approximately a forty-five (45) degree angle and for eighteen (18) inches from the top of the fence. There shall be no aperture below such fence greater than four (4) inches. Fence gates shall be placed at nonhazardous locations and shall be locked at all times when unattended by a watchman or service man.

630.36 - Storage of Equipment - There shall be no storage of materials, equipment, machinery or vehicles which is not for immediate use or servicing on an installation on the drill site. Storage tanks shall be located on the drill site and storage tank capacity at the drill site shall not exceed a total aggregate of two thousand (2,000) barrels exclusive of processing equipment.

630.37 - Flammable Waste Gases - Flammable waste gases or vapors escaping from a production drill site shall be burned or controlled to prevent hazardous concentration reaching sources of ignition or otherwise endangering the area.

630.04 **- REHABILITATION PLAN -** Drilling and production shall be permitted only from areas for which there is a Rehabilitation Plan approved by the Board of County Commissioners.

630.41 - Rehabilitation Plan - All such Rehabilitation Plans shall include the following:

1.) Redevelopment Plan showing existing and proposed site and all facilities pertinent thereto. Such plans shall include the surrounding area within five hundred (500) feet of the property boundary line, drawn to an appropriate scale.

2.) Details of re-grading and re-vegetation of the site during and at conclusion of the operation.

630.42 - Required Rehabilitation - The following requirements shall be met in the Rehabilitation Plan:

1.) Upon cessation of drilling and beginning of production, the well shall be serviced only with a portable derrick when required.

2.) All concrete, pipe, wood and other foreign materials shall be removed from the drill site to a depth of six (6) feet below grade, unless part of a multi-well cellar then being used in connection with any other well for which a permit has been issued.

3.) All holes and depressions shall be filled and packed with native earth. All oil, waste oil, refuse or waste material shall be removed from the drill site.

4.) Adequate landscaping shall be required of the drilling site with screen planting around visible equipment and tanks, ground cover on other portions of site and maintenance of all equipment and premises in a good and painted condition.

5.) All drilling equipment and the derrick shall be removed from the premises within sixty (60) days following the completion, abandonment or desertion of any well.

SECTION 640 - EXCEPTIONAL USE DISTRICT REGULATIONS

640.02 **- SPECIAL USES -** The following listed uses shall be subject to these EXCEPTIONAL USE DISTRICT REGULATIONS, except as they may be permitted by other provisions of this Zoning Resolution.

640.21 - Transportation - Airport or flying field, transportation terminals, depots or other transportation facilities not exempt from regulation.

640.22 - Recreation and Amusement - Amusement center, amusement park, skating rink, miniature golf, swimming pool, drive-in theater or similar facility.

Drive-in theater (except adult motion picture theater as defined in Section 720, Article VII)

Athletic field, stadium, racetrack or similar sports facility not otherwise allowed by the provisions of this Zoning Resolution.

Golf club, country club, fishing club or lake, gun club, riding stable, including boarding of animals, or similar recreational facility operated on an admission fee or membership basis.

Resort establishment, park, camping or boating facilities, picnic grounds or similar recreational facility operated on an admission fee or membership basis.

640.23 - Social and Cultural Institution - Cemetery or Crematory not otherwise allowed by the provisions of this Zoning Resolution.

Hospital, sanitarium, convalescent home, rest home or home for children or the aged, not otherwise allowed by the provisions of this Zoning Resolution.

Private school or college including those with students or faculty in residence, not otherwise allowed by the provisions of this Zoning Resolution.

640.24 - Other Uses not Provided for - Other legal uses of unique or exceptional requirements or circumstances that are otherwise not permitted by this Zoning Resolution.

640.03 **- PROCEDURE -** The following procedure shall be followed in placing land in the EXCEPTIONAL USE DISTRICT.

640.31 - Development Plan - Three (3) copies of a Development Plan shall be submitted with the application for amendment of the Zoning District Map and such plan shall include in text or map form:

1.) The proposed location and size of areas of use; indicating size, location and type of structure.

2.) The proposed location, size and use of all open areas landscaped and other open space with suggested ownership of such areas.

3.) The proposed provision of water, sanitary sewer and surface drainage facilities including engineering feasibility or other evidence of reasonableness.

4.) The proposed circulation pattern including streets, both public and private, parking areas, walks and other access ways including their relation to topography, existing streets and other evidence of reasonableness.

5.) The proposed schedule of site development and construction of buildings and associated facilities including sketches or other documentation indicating design principles or concepts for site development, buildings, landscapes or other features. Such schedule shall include the use or redevelopment of existing features such as structures, streets, easements, utility lines and land use.

6.) The relationship of the proposed development to the existing and future land use in the surrounding area, the street system, community facilities and services and other public improvements.

7.) Evidence that the applicant has sufficient control over the land to effectuate the proposed Development Plan within three (3) years. Such control includes property rights, economic resources and engineering feasibility as may be necessary.

640.32 - Basis of Approval - The basis of approval for the EXCEPTIONAL USE DISTRICT shall be:

1.) That the proposed development is consistent in all respects to the purpose, intent and applicable standards of this Zoning Resolution;

2.) That the proposed development is in conformity with a Comprehensive Plan or a portion thereof as it may apply;

3.) That the proposed development advances the general welfare of Blendon Township and that the benefits to be derived from the proposed use justifies the change in the land use character of the area.

640.33 - Effect of Approval - The Development Plan as approved by Blendon Township Board of Trustees shall constitute an amendment of the Special District Map and a supplement to the EXCEPTIONAL USE DISTRICT REGULATIONS as they apply to the land included in the approved amendment.

The approval of the Development Plan shall be for a period of three (3) years to allow for the submission of a Certificated of Zoning Compliance in accordance with Section 705.02, Article VII, submitted in accordance with the subdivision regulations for Franklin County, Ohio. If Zoning Compliance has not been properly submitted and approved within this approval period and unless the Board of Trustees approves an extension of this time limit, the Development Plan shall expire. Upon the expiration of the Development Plan, no use shall be established or changed and no building, structure or improvement shall be construction until an application accompanied by a new Development Plan has been filed with and approved by the Township using the same procedures and criteria for the approval of the initial Development Plan.

640.34 - Extension of Time or Modification - An extension of the time limit or the modification of the approved Development Plan may be approved by the Blendon Township Board of Trustees. Such approval shall be given upon a finding of the purpose and necessity for such extension or modification and evidence of reasonable effort toward the accomplishment of the original Development Plan, and that such extension or modification is not in conflict with the general health, safety and welfare of the public or the Development Standards of the EXCEPTIONAL USE DISTRICT.

640.04 **- DEVELOPMENT STANDARDS -** The provisions of ARTICLE V, GENERAL DEVELOPMENT STANDARDS, shall pertain to the EXCEPTIONAL USE DISTRICT. Because of the unique nature and requirements of these uses, and because their locations cannot be readily predetermined, appropriate Development Standards cannot be set forth, but full usage of Development Standards, requirements, and other provisions of this Zoning Resolution shall be used, as they may be appropriate.

SECTION 655 –ALUM AND BIG WALNUT CREEK WATERSHED RIPARIAN SETBACKS

655.02 - PURPOSE AND INTENT

The following district is established to protect and enhance the functions of riparian areas by providing reasonable controls governing structures and uses within a riparian setback along watercourses in the Alum and Big Walnut Creek watershed.

655.22 – Findings - It is hereby determined that the system of rivers, streams, and other natural watercourses within the Alum and Big Walnut Creek watershed contribute to the health, safety, and general welfare of the residents of those watersheds. The specific purpose and intent of this district is to govern uses and developments within riparian setbacks that would impair the ability of riparian areas to**:**

a) Reduce flood impacts by absorbing peak flows, slowing the velocity of flood waters, and regulating base flow.

b) Protect watercourse physical, chemical and biological characteristics and maintain watercourse functions.

c) Preserve to the maximum extent practicable the natural drainage characteristics of the community and building sites.

d) Preserve to the maximum extent practicable natural infiltration and ground water recharge, and maintain subsurface flow that replenishes water resources, wetlands, and wells.

e) Reduce the long term expense of remedial projects needed to address problems caused by inadequate storm water control.

f) Reduce the need for costly maintenance and repairs to roads, embankments, sewage systems, ditches, water resources, and storm water management practices that are the result of inadequate storm water control due to the loss of riparian areas.

g) Assist in stabilizing the banks of watercourses to reduce stream bank erosion and the downstream transport of sediments.

h) Reduce pollutants in watercourses during periods of high flows by filtering, settling, and transforming pollutants before they enter watercourses.

i) Provide shade and nutrient inputs, thus regulating in-stream temperatures and providing food for aquatic communities.

j) Reduce the presence of nuisance species to maintain a healthy, diverse aquatic system.

k) Provide habitat to a wide array of wildlife by maintaining diverse and connected riparian vegetation.

655.04 - APPLICABILITY AND COMPLIANCE

a) Except as otherwise provided in Section 655, all property located within a riparian setback from a watercourse that is subject to this Section shall be preserved in its natural state.

b) In the event of a conflict between a provision of Section 655 and any other provision of the Blendon Township Zoning Resolution, Franklin County Subdivision Regulations, or other adopted regulation, the more stringent regulation applies.

655.06 - ESTABLISHMENT OF DISTRICT

The Alum Creek and Big Walnut Creek Watershed Riparian Setback Overlay District is hereby established. This district applies in the following areas:

a) All territory in Blendon Township within the Big Walnut Creek watershed as designated by the United States Geological Survey HUC 05060001130 and 05060001150

655.08 – WATERCOURSES

655.82 – Applicability– Riparian setbacks, as established pursuant to Section 655.09, apply to all:

a) Perennial, ephemeral and intermittent streams with a defined bed, bank or channel,

and

b) Watercourses that happen to generally parallel a road for any distance and are not constructed exclusively for road side drainage

655.084 – Reference Map - The Franklin County Hydrography Dataset developed by the Franklin Soil and Water Conservation District (hereinafter referred to as Franklin Soil and Water) may be used as a reference to determine the location of watercourses and the extent of required riparian setbacks. The dataset is an electronic map, created using GIS software. In the event of a conflict between the dataset and the application of a provision of Section 655, the provision of Section 655 will control. Although the dataset is a guide and believed to be accurate, the presence or absence of a watercourse requiring protection shall be based upon actual conditions on the property. The Reference Map will be updated from time to time as observed or measured field conditions may change. Any changes to the Reference Map will be in accordance with all applicable federal or State of Ohio requirements related to riparian setbacks, storm water controls, flood control, or such other applicable laws or regulations.

655.09 **– RIPARIAN SETBACKS –** Subject to the inclusion of floodplains, wetlands and steep slopes as determined by Section 655.094, the extent of a riparian setback shall be delineated based upon one of the following two methods:

a) Method 1: The setback distance for property along Alum Creek, Big Walnut Creek, and Spring Run will measure 50 feet from the bank edge of the stream.

b) Method 2: The setback distance for tributary streams will measure 15 feet from the bank edge of the stream.

655.094 – Inclusion of Floodplain, Wetlands and Steep Slopes– Where applicable, the following provisions governing floodplains, wetlands and steep slopes supersede Section 655.09. In the event of a conflict among the following two (2) provisions, the greatest setback distance applies.

a) Where a wetland is identified within a riparian setback, the riparian setback width must be extended to the outermost boundary of the wetland. Wetlands must be delineated through a site survey prepared by a qualified wetlands professional retained by the landowner using delineation protocols adopted by the U.S. Army Corps of Engineers at the time an application is made under this Section 655.

b) Where a slope of 12 percent or greater or a slope designated as Highly Erodible Land (HEL), as defined in Section 720, is partially contained within the riparian setback, the riparian setback width must be extended to the top of the 12 percent slope or the top of the slope designated as HEL.

1) In case of landowner disagreement with any steep slope or HEL designation the property owner may, at their own expense, hire a registered professional surveyor or qualified soil scientist to provide additional information to the Administrative Officer to assist in the determination of steep slope or HEL.

655.10 APPLICATIONS AND SITE PLANS - Applicants submitting development applications are responsible for delineating riparian setbacks as required by this regulation.

655.102 – Site Plan Required - Applicants must identify all setbacks on site plans included with subdivision plans, land development plans, and/or zoning permit applications submitted to the Blendon Township Zoning Department.

655.104 – Preparation of Site Plan - The site plan must be prepared and sealed by a professional engineer, surveyor, or landscape architect.

655.106 – Required Elements on Site Plans - Applicants must submit two (2) copies of the site plan. This site plan must be submitted in addition to any other plan required in conjunction with a development proposal.

a) The site plan must include the following information:

1) The site boundaries with dimensions

2) The Drainage Area of the site;
3) The locations of all watercourses and wetlands;
4) The limits, with dimensions, of the riparian setbacks;
5) The existing topography at contour intervals of two (2) feet;
6) The location and dimensions of any proposed structures or uses, including proposed soil disturbance, in relationship to all watercourses;
7) The proposed location of construction fencing delineating riparian setback area as required in Section 655.108;
8) North arrow, scale, date, and stamp bearing the name and registration number of the qualified professional who prepared the site plan;
9) Soil types and locations;
10) Other such information as may be reasonably necessary for the Administrative Officer to ensure compliance with this regulation; and
11) Narrative describing proposed uses and maintenance plan within the riparian setback.

655.108 – Construction Fencing Required - Prior to any soil disturbing activities occurring, the riparian setback must be clearly identified by the applicant on site with construction fencing as shown on the site plan and the fencing must be maintained throughout soil disturbing activities.

655.110 – No Approvals Without Required Site Plan - No approvals or permits will be issued by the Zoning Inspector without submission of a site plan as required by this regulation, including the prior identification of riparian setbacks on the affected land.

655.12 PERMITTED USES IN RIPARIAN SETBACKS - Open space uses that are passive in character are permitted in riparian setbacks, including but not limited to those listed in this Section 655.12. No use permitted under this regulation allows trespass on privately held lands.

655.122 – Permitted Uses Not Requiring a Zoning Certificate - The following uses are permitted and do not require a certificate of zoning compliance:

a) Property Maintenance. The enjoyment, access, and maintenance of lawns, landscaping, shrubbery, or trees existing at the time of passage of this regulation.

b) Passive Recreational Activity.
1) Uses such as hiking, fishing, hunting, picnicking, and similar passive recreational uses, as permitted by federal, state, and local laws.

2) Unimproved trails and stream access points. Improved trails require a certification of zoning compliance as listed below in Section 655.124.

c) Removal of Damaged or Diseased Trees, invasive species, or noxious weeds. Invasive species (as defined by the Ohio Department of Natural Resources), noxious weeds and damaged or diseased trees that endanger people or that pose a serious threat to property, may be removed.

Special care should be taken to remove trees sparingly. Damaged or decaying trees serve important ecological functions such as supplying stream habitat and material for organisms that aid in organic decomposition as well as providing habitat for endangered species, such as Indiana bats. Applicants or property owners are encouraged to allow these seemingly-damaged trees to remain in their natural state.

Applicants or property owners are further encouraged to seek assistance from Franklin Soil and Water for advice on maintaining these important ecological functions. Franklin Soil and Water can also provide information regarding best management practices in herbicide application techniques for controlling invasive species and noxious weeds in accordance with Ohio DNR and other applicable state and federal regulations.

d) Revegetation and/or Reforestation. Riparian setbacks may be revegetated and/or reforested with Ohio-native, noninvasive plant species. Applicants or property owners are encouraged to seek guidance from Franklin Soil and Water.

655.124 – Permitted Uses Requiring a Zoning Certificate - The following permitted uses require a zoning certificate as provided for in SECTION 705.02 - CERTIFICATE OF ZONING COMPLIANCE.

a) Fences and walls. Fences and walls that provide adequate surface water flow through, under or around, as determined by Franklin Soil and Water, are permitted.

b) Paved or otherwise improved trails. Construction of paved or otherwise improved trails in the riparian setback to further passive recreational uses is permitted with a development plan approved by the Administrative Officer.

Construction of paved or otherwise improved trails must meet the following development standards:

1) Paved trail surfaces must be improved with a pervious or semi-pervious material.
2) Trail width is a maximum of 12 feet
3) Clearing width is a maximum of 20 feet
4) Distance from edge of stream is a minimum of 100 feet
5) Trails that become damaged due to natural erosion:
    a. May not be repaired, and
    b. Must be moved upland or removed altogether and stabilized.

c) Crossings. Crossings through riparian setbacks with roads, driveways, easements, bridges, culverts, utility service lines, or other means may be permitted provided such crossings minimize disturbance in riparian setbacks. Mitigation of crossings may be required by state and federal agencies.

A certificate of zoning compliance for a new crossing will only be issued when the Administrative Officer makes one of the following findings:

1) The parcel has no other existing access;
2) The crossing is necessary for public health or safety;
3) The applicant can demonstrate that important ecological protection and ecological benefits are realized, such as saving a mature woodlot, preventing habitat degradation, avoiding flow alteration, or ensuring passage for fish; or

4) The applicant demonstrates that the new crossing is necessary to achieve important ecological protection goals, or maximized ecological benefit, and that the crossing can be installed and maintained with minimal environmental impacts.

The Administrative Officer in consultation with Franklin Soil and Water may only undertake such crossings upon approval of a Crossing Plan. Such activity must minimize disturbance to the riparian buffer and mitigate any disturbances.

d) Stream Quality Improvement Projects. Stream bank stabilization, erosion control work, or large scale stream channel and riparian buffer restoration work along designated watercourses may be allowed, provided they comply with the following:

1) The project is ecologically compatible and substantially uses natural materials and native plant species where practical and available.
2) The project must comply with the applicable portions of the Ohio DNR Rainwater and Land Development handbook.
3) The Administrative Officer shall only undertake the project upon approval of a Stream bank Stabilization Plan.
4) All stream bank stabilization plans should provide long term streambank protection.

5) All erosion control measures shall be limited to the purposes of stream quality protection and enhancing stream channel stability.

In reviewing this plan, the Administrative Officer may consult with representatives of the Ohio Department of Natural Resources, Division of Natural Areas and Preserves or Division of Soil and Water Conservation; the Ohio EPA, Division of Surface Water; the Franklin Soil and Water Conservation District; or other technical experts as necessary.

655.126 – Proof of compliance with outside permits. If any activities will occur below the ordinary high water mark, as defined in Section 720, of the designated watercourse, the applicant must submit proof of compliance with the applicable conditions of a US Army Corps of Engineers Section 404 Permit (either a Nationwide Permit, including the Ohio State Certification Special Conditions and Limitations, or an Individual Permit, including Ohio 401 water quality certification).

Proof of compliance is considered one of the following:

a) A comprehensive site plan and a copy of the authorization letter from the U.S. Army Corps of Engineers approving activities under the applicable Nationwide Permit, or

b) A comprehensive site plan and a copy of the authorization letter from the U.S. Army Corps of Engineers approving activities under an Individual Permit.

655.14 PROHIBITED USES IN RIPARIAN SETBACKS

Any use not authorized under Section 655.12 – PERMITTED USES IN RIPARIAN SETBACKS is prohibited in riparian setbacks.

655.142 – List of Prohibited Uses - Prohibited uses are not limited to those examples listed here:

a) Construction. Construction of buildings or structures of any kind or size are prohibited except as provided for in Sections 655.144 and 655.18. This restriction applies to new construction, and does not apply to existing residential structures and associated accessory structures.

b) Dredging or Dumping. Drilling, filling, dredging, excavation or dumping of soil, other earthen material, spoils, liquid, or solid materials is prohibited except as permitted under this regulation.

c) Roads or Driveways. Installation of roads or driveways is prohibited, unless approved in association with an approved crossing plan.

d) Parking Spaces or Lots and Loading/Unloading Spaces for Vehicles. Establishment of parking spaces, parking lots, or loading/unloading spaces is prohibited.

e) New Surface and/or Subsurface Sewage Disposal or Treatment Areas. Use of areas within riparian setbacks for the disposal or treatment of sewage is prohibited, except as necessary to repair or replace an existing home sewage disposal system if permitted by the Franklin County Board of Health.

655.144 – Exceptions to Prohibited Uses – The following activities are exempt from the restrictions set forth in Section 655.14 – PROHIBITED USES IN RIPARIAN SETBACKS. The exceptions listed below do not apply to uses and structures that are non-conforming with respect to the requirements of the underlying zoning district. Such existing non-conforming uses and structures must comply with the requirements of Section 110.04 of the Zoning Resolution.

a) The construction or reconstruction of any structure, or other impervious surface, permitted in the underlying zoning district on an existing, legal impervious surface on a lot of record developed with a single- or two-family dwelling existing at the time of passage of this regulation.
b) The installation of conduits flowing from storm water management facilities designed to treat storm water.
c) All activities conducted by Blendon Township .

655.16 NON-CONFORMING STRUCTURES OR USES IN RIPARIAN SETBACKS

The procedures for reviewing non-conforming structures and uses are set forth in Section 110.04 of the Zoning Resolution.

655.18 VARIANCES WITHIN RIPARIAN SETBACKS

a) The Blendon Township Board of Zoning Appeals (BZA) may grant a variance to this Section 655 as provided for by Section 810.04, APPROVAL OF A VARIANCE. In addition to the findings required by Section 810.04 the BZA must consider the following:

   1) The native vegetation of the property.

   2) The extent to which the requested variance impairs the flood control, erosion control, water quality protection, or other functions of the riparian setback.

   3) Soil-disturbing activities permitted in the riparian setback through variances must minimize clearing to the extent possible and must include the use of Best Management Practices necessary to minimize erosion and control sediment.

   4) The degree to which the presence of significant impervious cover, or smooth vegetation such as maintained lawns, in the riparian setback compromises its benefits to any waterway.

b) In order to maintain the riparian setback to the maximum extent practicable, the BZA may consider granting variations to other area or setback requirements imposed on a property by the Blendon Township Zoning Resolution.

655.20 - PROCEDURES FOR VARIANCES & APPEALS

The procedures for granting variances and appeals of the determinations of the Administrative Officer are set forth in Section 810 of the Zoning Resolution.

655.22 - PENALTIES

The penalties for violation of any provision of this Section are set forth in Section 710 of the Zoning Resolution.

SECTION 660 – COMMERCIAL OVERLAY DISTRICT

660.01 – PUPRPOSE AND INTENT OF COMMERCIAL OVERLAY DISTRICT

The Commercial Overlay District (COD) was established to create standards to enhance the development pattern within the Township. Development of commercial properties has historically focused on automobile travel and overlooked pedestrian mobility. Thus, commercial development resulted in restrictive pedestrian access and a lack of connectivity between the streets and buildings due to large parking lots. The existing building setbacks contribute to the lack of overall character and image of the Township.

Important goals of the COD include improving pedestrian mobility, accommodating multiple transportation options, and enhancing landscaping and building appearance. Improving these areas will help to maintain a high-quality community for residents and businesses, and create an economic environment to attract and support future development. The overlay standards are intended to achieve the following objectives:

1) Implement appropriate building and parking setback standards that accommodate redevelopment and establish continuity and consistency within commercial districts;
2) Promote high-quality building materials and timeless architecture;
3) Establish and reinforce pedestrian-oriented development where appropriate;
4) Promote development that features landscaping, façade transparency, rear parking lots, user-friendly access, and appropriately scaled lighting and signage;
5) Enhance connectivity between uses to allow for easy flow of automobile and pedestrian traffic and;
6) Enhance the attractiveness of commercial districts to further economic development.

660.02 – ESTABLISHMENT OF COMMERCIAL OVERLAY DISTRICT

The boundaries of the COD are part of the Official Zoning Map. The COD applies to any and all commercial parcels and/or properties within Blendon Township having the Zoning District designation SO, NC, CC, CS, RI, or LI. Within the COD, there are three sub districts. These areas shall be referred to as the Pedestrian Oriented, Large Format, and General Commercial Sub Districts, defined as follows:

660.21 – Pedestrian Oriented Sub District

Properties within the Pedestrian Oriented Sub District, classified as all commercial properties within Blendon Township having primary frontages along Westerville Road between Dempsey Road and Paris Court, not including any properties classified as Large Format Commercial.

660.22 – Large Format Sub District

All commercial or industrially zoned properties for which total building floor area is greater than or equal to 40,000 square feet.

660.23 – General Commercial Sub District

Any area within the COD that is not defined by the Pedestrian Oriented or Large Format Sub Districts.

660.24 – Application and Extent

The COD shall apply and extend as follows:

1) The expansion or redevelopment of a building's gross floor area by more than 75% over a seven year period or less shall subject the entire site to all standards and requirements herein;
2) Routine maintenance and in-kind replacement of materials are exempt from the provisions herein;
3) All new construction or expansion of an existing building or use;
4) Exterior alteration, enhancement, or reconfiguration of a building;
5) The construction or installing of a parking lot is subject to all applicable provisions herein; and
6) Exterior lighting, fencing, or other accessory structures, and signage are subject to all the applicable provisions herein.

660.03 – PEDESTRIAN ORIENTED SUB DISTRICT

660.31 – Permitted and Conditional Uses

All uses, both permitted and conditional shall conform to the underlying Zoning District of the property.

660.32 – Development Standards

Setbacks – All facades and parking areas shall be constructed behind all required setbacks. Building facades shall adhere to all required maximum setbacks.

a) Minimum building and pavement front setback: 25 feet

   (i) Parking shall not be permitted in the front yard. Access drives shall be permitted.

   (ii) Architectural features including, but limited to signage, awnings, columns, porticos, public art, or landscaped feature may be built forward or behind the required setbacks, upon approval from the Zoning Commission an the Township Administrator.

b) Maximum front building façade setback: 40 feet
c) Minimum rear and side yard building setback: 15 feet
d) Minimum rear and side yard pavement setback: 10 feet

660.33 – Architectural Standards

Buildings shall receive four-sided treatments, including traditional and natural materials and pedestrian-sealed architectural features. Building entrances must be emphasized and have at least one entrance oriented towards the primary street. Buildings shall have a tripartite organization, meaning they shall be designated with a base, middle and cap.

660.04 – LARGE FORMAT SUB DISTRICT

660.41 – Permitted and Conditional Uses

All uses, both permitted and conditional shall conform to the underlying Zoning District of the property.

660.42 – Development Standards

Setbacks – All facades and parking areas shall be constructed behind all required setbacks. Building facades shall adhere to all required maximum setbacks.

a) Minimum building and pavement front setback: 25 feet

(i) Parking shall not be permitted in the front yard. Access drives shall be permitted.

(ii) Architectural features including, but limited to signage, awnings, columns, porticos, public art, or landscaped feature may be built forward or behind the required setbacks, upon approval from the Zoning Commission an the Township Administrator.

b) Minimum rear and side yard building setback: 15 feet

c) Minimum rear and side yard pavement setback: 10 feet

660.05 – GENERAL COMMERCIAL SUBDISTRICT

660.51 – Permitted and Conditional Uses

All uses, both permitted and conditional shall conform to the underlying Zoning District of the property.

660.52 – Development Standards

Setbacks – All facades and parking areas shall be constructed behind all required setbacks. Building facades shall adhere to all required maximum setbacks.

a) Minimum building and pavement front setback: 25 feet

(i) One row of double-loaded parking may be permitted within front yard between front setback and front building façade. Access drives shall be permitted.

(ii) Architectural features including, but limited to signage, awnings, columns, porticos, public art, or landscaped feature may be built forward or behind the required setbacks, upon approval from the Zoning Commission an the Township Administrator.

b) Maximum front building façade setback: 90 feet

c) Minimum rear and side yard building setback: 15 feet

d) Minimum rear and side yard pavement setback: 10 feet

660.06 – COD AREA WIDE STANDARDS

660.61 – Accessibility

1) A public sidewalk with a minimum width of five (5) feet shall be provided along all streets (excluding alleys), extend across the entire frontage of the lot, and connect to the sidewalks on adjacent properties.

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2) A pedestrian walkway with a minimum width of five (5) feet shall be provided from the public sidewalk to a primary building entrance (note the area shall be striped if extending through a parking area).

3) A clearly marked pedestrian walkway/pathway with a minimum width of four (4) feet shall be provided from a parking lot to a building entrance.

4) Public/private spaces such as courtyards, plazas, and outdoor eating spaces shall be incorporated where applicable; such spaces may be located within the front yard setback upon approval from the Zoning Commission and the Township Administrator.

5) Where appropriate, pedestrian and bicycle connections to adjacent residential neighborhoods and

bicycle paths shall be provided.

6) Amenities such as bicycle racks and benches shall be provided. Industrially zones properties shall be exempt.

660.62 – General Design Standards

1) A primary building shall be oriented parallel to a primary street, or as parallel as the site permits.
2) The height of a building shall be a minimum of eighteen (18) feet above grade.
3) A building frontage that exceeds a width of sixty (60) feet shall incorporate articulation, offsets of the wall plane, and/or pilasters to inhibit a large expanse of blank wall and ass interest to the façade.
4) For a primary building frontage of a commercial in any Sub District, a minimum of forty (40) percent of the facade area facing the primary street shall be in clear window glass that permits a full, unobstructed view of the interior to a depth of at least four (4) feet, with the exception of blinds, curtains, or other interior decorative elements. Industrially zones properties shall be exempt.
5) A minimum of sixty (60) percent of the front building façade and thirty (30) percent of the side building façade, not including glazing, shall be of traditional and natural materials. Industrially zoned properties shall be exempt.
6) Any drive-thru shall be attached to the principle building and located at the rear or side of the building.
7) Any roof-mounted mechanical equipment shall be screened from public view to the height of the equipment. The materials used in screening must be architecturally compatible with the rooftop and aesthetic character of the building.
8) Gables shall have a minimum depth of eight (8) feet, parapet walls shall extend around to the side of the building.
9) If a least fifty (50) percent of a building is redeveloped, overhead utilities serving that building shall be placed underground.

660.63 – Landscaping and Screening

Landscaping is an important component, which shapes the character of a site and corridor in which it resides.

1) The greenbelt area or front setback area shall be landscaped and planted with at lest one shade tree and three shrubs per fifty (50) lineal feet, or fraction thereof, in lieu of any front yard tree requirements set out within the code of ordinances.
2) The primary property owner in accordance with Township code must maintain all rights-of-way and tree lawns.
3) Parking lots containing more than 6,000 square feet of area or 20or more vehicular parking spaces shall provide interior landscaping as well as perimeter landscaping.

    a. For every twenty (20) parking spaces, the applicant shall provide no less than two hundred (200) square feet of interior landscaped areas containing at least one tree with a minimum diameter of 2 inches, and four shrubs. Parking lot corners shall not count towards this requirement.
    b. No individual landscape area shall be larger than 500 square feet in size in parking lots less than 30,000 square feet and no individual area shall be larger than 2,000 square feet in parking lots over 30,000 square feet.
    c. All parking lots shall provide perimeter landscaped screening with a mature height of not less than 24” to create a continual opaque buffer. Parking lots shall have a perimeter landscaping of a minimum width of ten (10) feet exclusive of vehicle overhang.

660.64 – Lighting

1) Exterior lighting shall be designed, located, constructed, and maintained to minimize light and reflected light trespass and spill over off the subject property.
2) The light level along a property line adjacent to a residentially zoned or used property shall not exceed an average intensity of one0half (1/2) foot-candle.
3) The height of parking lot lighting shall not exceed:

    a) Eighteen (18) feet in Pedestrian Oriented and General Commercial Sub Districts

    b) Twenty-eight (28) feet in the Large Format Sub District
4) Parking lot lighting fixtures and poles shall be black in color. No 'shoe box' style fixtures shall be permitted.
5) Exterior building illumination shall be from concealed sources. Strobe or flashing lights and exposed neon lights are not permitted. Lighting fixtures shall not generate excessive light levels, cause glare, or direct light beyond the facades onto neighboring property, streets, or the night sky.
6) Security lighting shall be full cut-off type fixtures, shielded and aimed so that illumination is directed to the designated areas.

660.65 – Parking and Circulation

1. The Township Administrator may reduce the required number of off-street parking spaces by up to fifty (50) percent in conjunction with a major site plan approval after giving due consideration to the following factors:

    a) Type of land use/development;
    b) Hours of operation;
    c) Pedestrian traffic and accessibility;
    d) Availability of transit service;
    e) Opportunities for shared parking;
    f) Availability of on street parking;
    g) Availability of other public parking; and
    h) Elimination of arterial curb cuts.

2. The Township Administrator may reduce or eliminate the required number of loading spaces in conjunction with a major site plan approval after giving due consideration to the following factors:
    a) Frequency and time of deliveries;
    b) Necessary size and nature of delivery vehicles;
    c) Impact on adjoin streets or alleys; and
    d) Neighborhood character.

660.67 – Graphics

1. Notwithstanding anything to the contrary herein, in addition to all other code provisions, any new graphics, or sign, other than alike-kind replacement for maintenance reasons, or for a face change in a cabinet box, either ground or wall mounted due to a change in owner or occupant(s) is subject to all the provisions of this section.
2. The following type of signs are not permitted: exposed neon, monopole, roof mounted, rotating, flashing messages, bare bulbs, changeable copy (except fuel pricing, public, and semi-public uses), beach signs, wall cabinet signs, handmade signs, and banners.

3. Except as permitted within this section, only one ground sign is permitted per property street frontage; however it may include the names of all the major tenants of that parcel. Only a monument-type ground sign is permitted. The sign base shall be integral to the overall sign design and complement the design of the building and landscape. The setback for a ground sign shall be a minimum of ten (10) feet from the right-of-way. For General Commercial and Pedestrian Oriented Sub Districts, the height of a ground sign shall not exceed six (6) feet above grade, and the sign area shall not exceed fifty (50) square feet. For the Large Format Sub District, the height of a ground sign shall not exceed fifteen (15) feet above grade, and the sign area shall not exceed 120 square feet.
4. Each tenant is permitted up to one wall sign per street frontage. The size of the wall signage shall not exceed one square foot per one linear foot of building face in which the sign is to be attached.
5. One wall mounted blade sign per building is permitted only in the Pedestrian Oriented Sub District, and are required to be a minimum of eight (8) feet above the walkway. Blade signs shall not exceed eight (8) square feet.
6. When indirectly lighting a ground sign, the light source shall be screened from motorist view.

660.68 – DEFINITIONS

This section contains many commonly used terms found within this chapter of the code. In addition to the definitions listed herein, all definitions from section 720 of the Zoning Code shall also apply.

Building Frontage – The side, or façade, of a building closest to and most nearly parallel to an abutting street.

Build-To-Line – The distance from a primary or secondary right-of-way where the front of the building is to be located.

Building Frontage, Primary – A building frontage that abuts a street listed as a primary street.

Building Frontage, Secondary – A building frontage that abuts an alley or street not listed as a primary street.

Building, Rear – The wall or plane opposite the primary building frontage. For a building on a corner lot, the building rear is the wall or plane opposite the wall or plane containing the principal building entrance.

Drive-Thru – A building or portion thereof that, by design, permits customers to receive goods or services while remaining in a motor vehicle.

Footcandles – A unit of light intensity that is equal to the amount of light falling on one square foot area from a one candela light source at a distance of one foot (one lumen per square foot).

Gable – The triangular section of a wall at the end of a pitched rood, occupying the space between the two slopes o the roof, or the whole end wall of a building or wind having a pitched roof.

Parapet Wall – A low wall barrier at the edge of a roof or structure, which may serve to prevent falls over the edge or serve as a stylistic feature.

Primary Street - Within this section, the following are designated as primary streets: Westerville Road, Morse Road, Cleveland Avenue, Executive Parkway, Sunbury Drive, and Corporate Drive.

Redevelopment – The increase of a developed property or building gross floor area or combination thereof by more than seventy-five (75) percent over a seven (7) year period.

Routine Maintenance – Work that is planned and performed to maintain and preserve the condition of the building or site including but not limited to painting, landscaping, roof repair, parking rehabilitations, and window replacement treatment.

Stacking Space – Area where cars are permitted to wait in a resting state to access a use, or at the traffic signal or sign.

Traditional and Natural Materials – Any of the following materials: clay bricks (full or thin set, if thin set, corners must have a full brick appearance), stone, manufactured stone (samples must be provided), wood, or fiber cement board siding.

Tree Lawn – A small area, often planted with trees and grass, between a street and the sidewalk of that street.

COD OVERLAY DISTRICT ZONING MAP