Walnut Township, Pickaway County, Ohio
Zoning Resolution
As Adopted October 20, 2025
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PART ONE GENERAL PROVISIONS

ARTICLE I

AUTHORIZATION AND PURPOSE

Section 1.01 Title

This Resolution shall be known and may be cited as the Zoning Resolution of Walnut Township, Pickaway County, Ohio.

This Resolution is enacted under the authority of the Walnut Township Trustees pursuant to Chapter 519 of the Ohio Revised Code. Unless otherwise provided in this Resolution, the same rules of construction, definition and application shall govern the interpretation of this Resolution as those governing the interpretation of the Ohio Revised Code.

Section 1.02 Purpose

The Board of Township Trustees hereby finds it necessary and beneficial to the residents of Walnut Township to provide for the division of the unincorporated area of the Township into districts or zones. This Zoning Resolution is adopted to promote and protect the public health, safety, comfort, prosperity, and general welfare of Walnut Township. It is the intent of this Resolution to create regulations that:

1. Identify the most appropriate and desirable land uses for the various areas of the township.
2. Promote reasonable, sustainable development within Walnut Township by allowing agricultural uses, residential housing, and employment-based development opportunities within the appropriate areas of the township.
3. Conserve and protect the township's natural resources and scenic areas.
4. Provide efficient movement of traffic to reduce congestion and increase the safe movement of people and goods within the township.
5. Create development standards for signs, landscaping, parking and lighting that reflect and enhance the rural character and promote, protect, and buffer adjacent land uses, as necessary.
6. Advance projects through the review process efficiently and effectively without compromising the quality of life in Walnut Township.

7. Provide effective enforcement procedures to assist the township officials with efficient implementation of the regulations to protect the health, safety and welfare of the township.

Section 1.03 Applicability and Limitations

The regulations adopted by this Resolution shall apply to all buildings, structures, uses and lands owned or controlled by any individual, organization, political subdivision, district, taxing unit issuing or bond authority located within the limits of the Walnut Township. No building, structure or land shall hereafter be used or occupied, and no building or structure or part thereof be erected, reconstructed, moved or altered except for in conformity with all the regulations herein specified for the zone or district in which it is located.

Section 1.04 Interpretation and Consistency

In their interpretation and application, the provisions of this Resolution shall be held to be the minimum requirements (unless a maximum standard is specified), adopted for the promotion of public health, safety and the general welfare. Whenever the requirements of this Resolution are at variance with any other lawfully adopted rules, regulations, ordinances, or resolutions, the regulations in this Resolution shall control.

Section 1.05 Limitations and Exceptions

Pursuant to Section 519.21 of the Ohio Revised Code (ORC), the zoning authority of Walnut Township shall be limited as follows:

1. Except as otherwise provided in Article XXV of this Resolution, nothing contained herein shall prohibit the use of any land for agricultural purposes or the construction or use of buildings or structures incident to the use for agricultural purposes of the land on which such buildings or structures are located, and no zoning certificate shall be required for any such use, building or structure.
2. Nothing contained in this Resolution shall prevent the location, erection, construction, reconstruction, change alteration, maintenance, removal, use or enlargement of any building or structure of any public utility or railroad, whether publicly or privately owned, or the use of land by any public utility or railroad for operation of its business.
3. Nothing contained in this Resolution shall be interpreted to prohibit the sale or use of alcoholic beverages in areas where the establishment and

operation of any retail business, hotel, lunchroom, or restaurant is permitted.

4. Nothing contained in this Resolution shall be interpreted to prohibit the use of any land owned or leased by an industrial firm for the conduct of oil or natural gas well drilling or production activities or location of associated facilities or equipment when such oil or natural gas obtained by the industrial firm is used for the operation of its own plants.

Section 1.07 Separability

The invalidation of any clause, sentence, paragraph, or section of this Resolution by a court of competent jurisdiction shall not affect the validity of the remainder of this Resolution either in whole or in part.

ARTICLE II

DEFINITIONS

Section 2.01 Interpretation

For the purpose of this Ordinance, certain terms are herein defined. Words used in the present tense shall include the future; the singular number shall include the plural and the plural the singular; the word "shall" is mandatory; the word "used" shall include the words "arranged," "designed," "constructed," "altered," "converted" or "intended to be used," and a "person" shall mean, in addition to any individual, a firm, corporation, association, or any legal entity which may own and/or use land or Buildings.

Section 2.02 Definitions

ACCESSORY DWELLING UNIT (ADU) – A smaller, secondary dwelling unit on the same lot or within a primary one unit dwelling. An ADU is an independent dwelling unit that provides for the basic requirements of shelter, heating, cooking, and sanitation.

ADU, ATTACHED – An ADU that is located completely within the primary dwelling unit, including but not limited to the basement, attic, attached garages, or an addition to primary structure. Units directly attached to the primary structure, sharing a Common Wall shall be considered as an Attached ADU. Units that are connected to the primary dwelling utilizing a breezeway shall be considered as a Detached ADU.

ADU, DETACHED – An ADU located in a structure that is detached from primary dwelling unit, including but not limited to a detached garage or a newly constructed structure. An ADU that is connected to a primary dwelling utilizing a breezeway shall be considered a Detached ADU. Detached ADUs are prohibited per Section 25.03.

ACCESSORY STRUCTURE OR USE – A use or structure, not including those less than one hundred (100) square feet, subordinate to the principal use of a building on the lot or tract and serving a purpose customarily incidental to the use of the principal building. Accessory structures are located on the same lot as the primary structure and are not designed for human occupancy as a dwelling or commercial use. Examples of accessory structures are detached private garages, storage or garden sheds, pool houses, metal storage buildings, and other similar type buildings. This definition does not include patios, uncovered porches, and decks that are less than three-and-one-half (3.5) feet above the average finished Grade.

ADULT BOOKSTORE – A commercial establishment where at least fifty-one percent (51%) of its interior floor area or retail merchandise is devoted to the sale, rent, lease, inspection, or viewing of books, films, video cassettes, DVDs, magazines, other periodicals or digital presentations whose dominant theme is the actual or simulated Specified Sexual Activities, display or exhibition of specified anatomical areas, removal of articles of clothing, or total nudity.

ADULT BUSINESS – Any adult bookstore, adult cabaret, adult mini-theater, or adult motion picture theater.

ADULT CABARET – A restaurant, coffee house, bar or cabaret which features topless dancers, strippers, male or female impersonators, or similar entertainers who provide live adult entertainment for commercial purposes.

ADULT CARE FACILITY – Any residence, facility, institution, hotel, congregate housing project, or similar facility that provides accommodations and supervision to three to sixteen unrelated adults, at least three of whom are provided personal care services, is an adult care facility regardless of how the facility holds itself out to the public.

ADULT ENTERTAINMENT – Any motion picture, live performance, display, or dance of any type whose dominant theme is actual or simulated Specified Sexual Activities, display or exhibition of anatomical areas, removal of articles of clothing, or total nudity, offered for commercial purposes.

ADULT FAMILY HOME – A residence or facility that provides accommodations to three (3) to five (5) unrelated adults and provides supervision and personal care services to at least three (3) of those adults.

ADULT GROUP HOME – A residence or facility that provides accommodations to six (6) to sixteen (16) unrelated adults and provides supervision and personal care services to at least three of the unrelated adults.

ADULT MINI-THEATER – An enclosed building with a capacity of less than fifty (50) persons used for displaying adult entertainment through films, video, or other motion pictures for commercial purposes.

ADULT MOTION PICTURE THEATRE – An enclosed building with a capacity of fifty (50) or more persons used for displaying adult entertainment through films, video, or other motion pictures for commercial purposes.

ADVANCED MANUFACTURING – A use that involves computer technology, robotics, or other innovation to improve a product or process.

AGRICULTURE – The same as stated in Section 519.01 of the Ohio Revised Code, as may be amended, to include farming; ranching; aquaculture; apiculture; horticulture; viticulture; animal husbandry, including but not limited to the care and raising of livestock, equine and fur-bearing animals; poultry husbandry and the production of poultry and poultry products; dairy production; the production of field crops, tobacco, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, flowers, sod, or mushrooms; timber; pasturage; any combination of the foregoing; the processing, drying, storage and marketing of agricultural products when those activities are conducted in conjunction with, but are secondary to, such husbandry or production.

AGRITOURISM – Any agriculturally related educational, entertainment, historical, cultural, or recreational activity, including you-pick operations or farm markets, conducted on a farm that allows or invites members of the general public to observe, participate in, or enjoy that activity.

ANIMAL SERVICES FACILITIES – Any facility maintained by or for the use of a licensed veterinarian in the diagnosis, treatment, or prevention of animal diseases, and where the animals are not boarded or kept overnight except as necessary in the medical treatment of the animal. Animal care facilities may also include animal grooming establishments.

APPEAL – A request by an aggrieved party for a review of any adverse decision by a township official, board or commission.

AUTOMOBILE-ORIENTED USES – A use where a service is rendered or a sales transaction is made while the patron is typically not required to exit their vehicle, or a facility that includes services rendered directly on, to, or for vehicles. Auto-oriented commercial facilities include, but are not limited to drive-thru restaurants, drive-in restaurants, automated teller machines (ATMs), drive-thru banks, drive-in movie theaters, car washes (all types), gas stations (including convenience market), facilities specializing in oil changes, car repair, other similar auto service facilities, and stand-alone parking lots. The sale of vehicles (new and used) in addition to any facility that provides a fixed parcel pickup location is not included within this definition.

AUTOMOBILE OIL CHANGING FACILITY – A facility where oil is removed from a vehicle and new oil is placed into the vehicle without any repair services to the vehicle being provided.

AUTOMOBILE REPAIR – Any building or portion of a building used for the servicing and minor repair of automobile including but not limited to shall include the installation of exhaust systems, repair of the electrical system, transmission repair, brake repair, radiator repair, and tire repair.

BANK – A financial institution licensed to receive deposits and make loans. Such use may also include financial services including but not limited to wealth management, currency exchange, and safe deposit boxes.

BASEMENT – The portion of a building where the floor is not less than two (2) feet below and the ceiling is not more than four-and-a-half (4.5) feet above the average Grade.

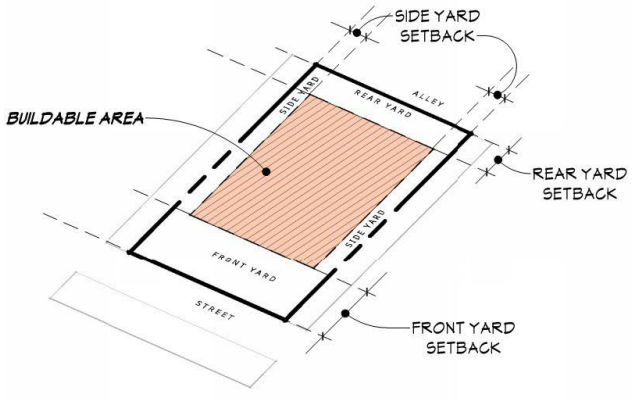
BED AND BREAKFAST – A residential use consisting of one dwelling unit with no more than eight (8) rooms or suites that are rented to the public for overnight or weekly accommodation for a fee. Only the breakfast meal may be prepared for the guests by the proprietor and no other meals are provided by the proprietor. The rented rooms do not contain cooking facilities and do not constitute separate dwelling units.

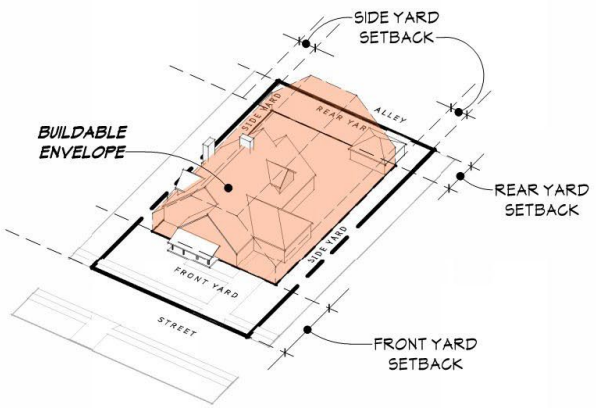
BEVERAGE SALES, ALCOHOLIC - A facility that is primarily devoted to the serving of alcoholic beverages. Food can be served but is incidental to the sale of beverages.

BEVERAGE SALES, MICROBREWERY – A limited production brewery, typically producing specialty beers and selling them on-site or for local distribution.

BODY ART ESTABLISHMENT – A building or portion of a building in which a practitioner performs body piercing, tattooing, branding, or application of permanent cosmetics.

BUILDABLE AREA – The area of a lot, exclusive of the required front, side and rear yard setbacks, where a building can be constructed.





BUILDING – A structure with one (1) or more floors and a roof supported by columns or walls, used or intended to be used for shelter or enclosure of persons, animals and/or property.

BUILDING LINE – A line parallel to the right-of-way line and at a distance there from equal to the required depth of the front setback (as determined by the applicable zoning district) and extending across the full width of the lot.

BUSINESS – Any profit-making activity which renders services primarily to other commercial, institutional, or industrial enterprises, or which services and repairs appliances and machines used in other businesses.

BUSINESS, RETAIL – A use primarily engaged in the selling of merchandise including but not limited to clothes, food, furniture, guns, household goods, gifts, specialty items, and other similar goods, and the rendering of services that is incidental to the sale of the goods.

BUSINESS, SMALL RETAIL – A Retail or Wholesale business that is less than five thousand (5,000) square feet in area and typically services nearby neighborhoods.

BUSINESS, MEDIUM RETAIL – A Retail or Wholesale business that is up to twenty (20,000) square feet in area.

BUSINESS, LARGE RETAIL – **A** Retail or Wholesale business that is twenty thousand (20,000) square feet or larger.

CARGO CONTAINER – A structure used as an individual shipping container designed to be mounted on a rail car as a freight or as enclosed truck trailer. These containers are typically prefabricated metal structures but also include other similar type containers such as shipping crates, boxes, or trailers constructed with other types of materials.

CEMETERY – Land used for 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 the cemetery.

CERTIFICATE OF ZONING COMPLIANCE – A certificate issued by the Zoning Administrator confirming that the requirements of this Ordinance have been met and the building can be occupied.

CO-LOCATION – The use of a telecommunication tower by more than one (1) telecommunications provider.

COMMENCEMENT OF WORK – The time at which physical improvements begin to be made to a property or structure so that it may be utilized for its intended purpose stated in the zoning permit.

COMMERCIAL RECREATIONAL FACILITY, LARGE – A facility that is full enclosed by four solid walls and a roof for the provision of athletic and amusement facilities involving the active participation of the user – public in a sports related activity and includes but is not limited to racquet courts, billiards, bowling alleys, ax throwing, miniature golf courses and arcades. Large Commercial Recreational Facilities are greater than 5,000 square feet.

COMMERCIAL RECREATIONAL FACILITY, SMALL – A facility that is fully enclosed by four solid walls and a roof for the provision of athletic and amusement facilities involving the active participation of the user – public in a sports related activity and includes but is not limited to racquet courts, billiards, bowling alleys, ax throwing, miniature golf courses and arcades. Small Commercial Recreational Facilities are smaller than 5,000 square feet.

COMMERCIAL RECREATIONAL FACILITY, OUTDOOR – A facility that is not fully enclosed by four solid walls for the provision of athletic and amusement facilities involving the active participation of the user – public in a sports related activity and includes but is not limited to fields for soccer fields, football, baseball, lacrosse or other related sports, racquet courts, billiards, bowling alleys, ax throwing, miniature golf courses and arcades.

COMMON WALL – A wall shared between two (2) separate dwelling units that is at least 50% contiguous to the main structure and whose construction shall be not less than 1-hour fire-resistance-rated.

COMMUNITY FACILITIES – A public safety facility that includes detention centers, jails and prisons.

COMMUNICATION FACILITIES – A lot or an area of a lot that includes a telecommunication tower, radio tower, or other similar communication tools including any associated appurtenances.

CONDITIONAL USE – A desirable use within a zoning district that may more intensely affect the surrounding area than a permitted use in said district. Such uses may require supplementary conditions and safeguards to ensure they blend with the surrounding area.

CONTRACTOR OFFICE – Facility or area for the storage of materials, equipment, and commercial vehicles utilized by building and construction contractors, craftsmen and tradesmen, and may include accessory offices related to such activities.

DATA PROCESSING CENTER - A facility that houses computer systems and associated data and is focused on the mass storage of data.

DAY CARE CENTERS – Any place in which child day care or publicly funded child day care is provided for thirteen (13) or more children at one time or any place that is not the permanent residence of the licensee or administrator. In counting children for purposes of this code, any children under six (6) years of age who are related to a licensee, administrator, or employee and who are on the premises of the center shall be counted.

DAY-CARE HOME, FAMILY LARGE – A permanent residence of the administrator in which childcare or publicly funded childcare is provided for seven (7) to twelve (12) children at one time or a permanent residence of the administrator in which childcare is provided for four (4) to twelve (12) children at one time if four (4) or more children at one time are under two (2) years of age. In counting children for the purposes of this division, any children under six (6) years of age who are related to a licensee, administrator, or employee and who are on the premises of the Type A home shall be counted. "Type A Family Day-Care Home" and "Type A home" do not include any child day camp (ORC Section 5104.01(RR)). This definition does not include a residence in which the needs of children are administered to, if all the children whose needs are being administered to are siblings of the same immediate family and the residence is the home of the siblings. This definition shall not be construed to include child day camps.

DAY-CARE HOME, FAMILY SMALL – A permanent residence of the provider in which child care is provided for one (1) to six (6) children at one time and in which no more than three (3) children under two (2) years of age at one time. In counting children for the purposes of this division, any children under six (6) years of age who are related to the provider and who are on the premises of the Type B home shall be counted. "Type B Family Day-Care Home" and "Type B home" do not include any child day camp (ORC Section 5104.01(SS)). This definition does not include a residence in which the needs of children are administered to, if all of the children whose needs are being administered to are siblings of the same immediate family and the residence is home of the siblings. This definition shall not be construed to include child day camps.

DEVELOPMENT – Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

DISTRICT – A part, portion, zone or geographic area within Walnut Township within which certain development standards, as delineated by this Resolution, apply.

DRIVEWAY (ACCESS POINT) – A private drive giving access from a public way to a detached single family dwelling on abutting ground or to a group of multifamily,

commercial, or industrial Buildings, which is not dedicated to the county and for the maintenance of which the county or township shall not be responsible.

DWELLING UNIT – Any room or group of rooms located within a structure and forming a single habitable unit with facilities which are used, or are intended to be used, for living, sleeping, cooking and eating. which is designed or used for residential purposes. This definition does not include a cabin, hotel, motel, rooming house, or other such accommodation used for transient occupancy.

DWELLING UNIT, ACCESSORY – See Accessory Dwelling Unit

DWELLING, MULTI-UNIT – A building designed or used as a residence with four (4) or more dwellings units.

DWELLING, ONE BEDROOM UNIT – A dwelling unit that is contained within a Multi-Unit Dwelling or Mixed-Use Building as defined herein that contains only one bedroom.

DWELLING, STUDIO – A dwelling unit that is contained within a Multi-Unit Dwelling or Mixed-Use Building as defined herein that combines a number of different types of rooms, such as living room, bedroom and kitchen, into a single room.

DWELLING, TWO BEDROOM UNIT – A dwelling unit that is contained within a Multi-Unit Dwelling or Mixed-Use Building as defined herein that contains two bedrooms.

DWELLING, ONE UNIT – A building designed exclusively for one (1) detached dwelling unit that is situated on a parcel with no other principal structures and having a Front, Side, and Rear Yard.

DWELLING, ROW HOUSE – A building designed exclusively for three (3) or four (4) dwelling units that are structurally attached to one another, side by side, and erected as a single building.

DWELLING, TOWNHOME – A building designed exclusively for four (4) or more dwelling units that are structurally attached to one another, side by side, above one another, or in a quad formation, and erected as a single building.

DWELLING, TWO UNIT – A building designed for two (2) dwelling units where each dwelling shares one (1) Common Wall and the remaining sides of the building are surrounded by open areas or street lines.

ENCROACHMENT – The intrusion on another person's property or public right-of-way, intentional or unintentional.

EQUIPMENT REPAIR, LARGE – A facility that is fully enclosed by four solid walls and a roof that is used for the repair of contactor's equipment, heavy machinery, repair equipment, motor vehicles or trucks.

EQUIPMENT REPAIR, SMALL – A facility that is fully enclosed by four solid walls and a roof that is used to repair small tools and equipment such as lawn mowers, small tractors, and other small equipment.

FEATHERED FLAG – SEE SIGN, FEATHERED FLAG

FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) – The agency with the overall responsibility for administering the National Flood Insurance Program.

FENCE – Any structure composed of wood, metal, stone, plastic or other natural or permanent material erected in such a manner and positioned as to enclose or partially enclose any portion of a lot.

FENCE, OPEN – Any fence that has sixty-two percent (62%) or more of its vertical surface area open to light or air. An example of this type of fence is a Kentucky three (3)-Board Fence.

FENCE, PARTIALLY OPEN – Any fence that has at least fifty percent (50%) of its vertical surface area open to light or air. An example of this type of fence is a picket fence.

FENCE, PICKET – A partially open fence made of upright poles or slats where the space between the poles/slats is greater than the width of the poles/slats.

FENCE, SOLID – Any fence that is designed to inhibit public view and provide seclusion, when viewed at right angles, and having more than fifty percent (50%)of its vertical surface area closed to light and air.

FENCE, WROUGHT IRON – A fence constructed of metal, including aluminum, iron or steel, pipe, tubes or bar stock and having some type of decorative features or design. Wrought iron fences shall not have pointed ends exposed but may have finials with blunt ends.

FLEX-OFFICE LABORATORIES – A space for a combination of office and laboratory uses that has built out capabilities to meet individual needs.

FLEX-OFFICE WAREHOUSES – A space for a combination of office and warehouse uses that has built out capabilities to meet individual needs.

FLEX-RETAIL WAREHOUSES – A space with store fronts with small rear warehousing that has build out capabilities to meet individual needs.

FLOOD OR FLOODING – Means a general and temporary condition of partial or complete inundation of normally dry land areas from:

(1) The overflow of inland or tidal waters; and/or

(2) The unusual and rapid accumulation or runoff of surface waters from any source.

FLOODWAY FRINGE – The portion of the regulatory floodplain outside the floodway.

FLOOD INSURANCE-RATE MAP (FIRM) – An official map on which the Federal Emergency Management Agency has delineated both the areas of special Flood hazards and the risk premium zones applicable.

FLOOD INSURANCE STUDY (FIS) – The official report provided by the Federal Emergency Management Agency that includes Flood profiles, Floodway boundaries, and the water surface elevation of the base Flood.

FLOOD PROTECTION ELEVATION – The elevation not less than one- and one-half feet above the base Flood elevation to which uses regulated by the Special Flood Hazard Regulations are required to be elevated or Flood proofed to compensate for the many unknown factors that could contribute to Flood elevations greater than that calculated for a base Flood. In areas where no base Flood elevations exist from any authoritative source, the Flood protection elevation can be historical Flood elevations, of Base Flood elevations determined and/or approved by the Floodplain administrator.

FLOODPLAIN ENCROACHMENT – Any Floodplain development that could obstruct Flood flows, such as fill, a bridge, or other development.

FLOODWAY – The channel of a river or other watercourse and the adjacent land areas that have been reserved to pass the base Flood discharge. A Floodway is typically determined through a hydraulic and hydrologic engineering analysis such that

the cumulative increase in the water surface elevation of the base Flood discharge is no more than a designated height. In no case shall the designated height be more than one foot at any point within the community. The Floodway is an extremely hazardous area, and is usually characterized by any of the following: Moderate to high velocity Flood waters, high potential for debris and projectile impacts, and moderate to high erosion forces.

FLOOR AREA – The sum of the gross horizontal areas of the one or several floors of a building, measured from the exterior faces of the exterior walls or from the centerline of Common Walls separating two (2) buildings. Floor area for the purpose of these regulations will not include basement, elevator and stair bulkheads, attic space, terraces, breezeways, open porches, and uncovered steps.

FLOOR AREA, LIVABLE – The portion of floor area of a dwelling unit that is constructed, completed, and usable for living purposes with normal living facilities which includes sleeping, dining, cooking, entertainment, common space, areas for personal hygiene, or combination thereof. Unheated rooms, unfinished garages, basements or rooms used exclusively for utilities or storage shall not be considered as livable floor area. In no case shall an area less than six (6) feet in height be considered livable floor area.

FOOD CART – A small, wheeled vehicle typical pushed by hand, bicycle or propelled in some similar muscular manner to move it from place to place to offer already prepared or prepackaged food or ice cream for sale to the public. Any vehicle that is capable of preparing food within it shall not be included in the definition of a food cart.

FOOD TRUCK/TRAILER – A vehicle from which food for human consumption is sold and dispensed. Said food can be prepackaged or prepared within the vehicle. Such vehicle may be self-propelled or towed by another vehicle and must be licensed in the state of Ohio.

FOOD TENT – An open-aired, temporary structure with four legs and a canvas top used to prepare and sell food at special events where large groups of people are situated in a park, parade, fraternal organization, or other similar venue.

FRONTAGE – The portion of a lot that directly abuts a public street or street right-of-way and provides primary access to the property. If a lot has two (2) or more segments that abut a public street or street right-of-way that are not continuous or abuts two (2) or more separate and distinct rights-of-way, the segments shall not be totaled together when calculating lot frontage. Rather the lot frontage will be measured from only the segment that directly abuts the public street or street right-of-way and provides access to the lot. Property lines that abut limited access roads shall not be construed to be included within any calculation of lot frontage.

FUNERAL SERVICES FACILITIES – A Building or part thereof used for human funeral services. Such building may contain space and facilities for either (a) embalming and the performance of other services used in the preparation of the dead for burial; or (b) the storage of caskets, funeral urns, and other related funeral supplies; and I the storage of funeral vehicles. Funeral services facilities exclude crematoriums.

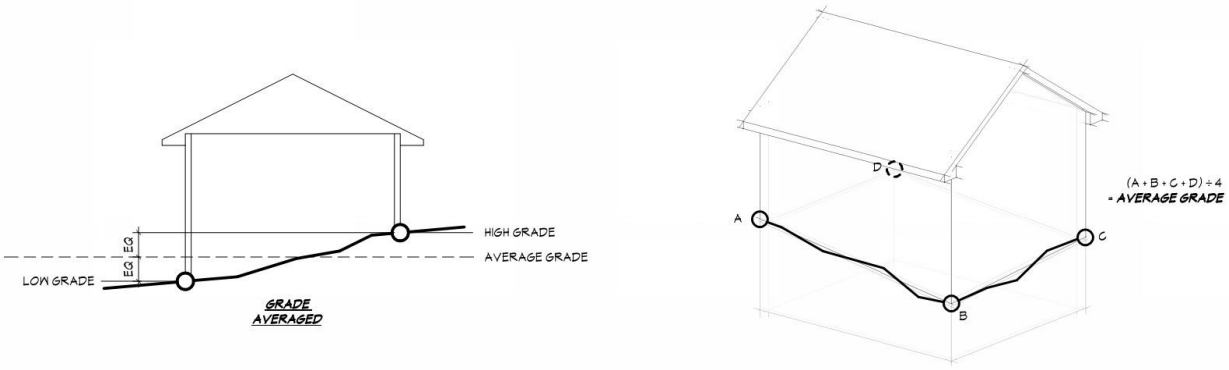
GARAGE, PRIVATE – An accessory building or an accessory portion of the main building enclosed on all sides and designed or used for the shelter or storage of passenger vehicles and located on the same lot as the dwelling for which it is accessory.

GARAGE, PUBLIC – A building or portion of a building in which more than two motor vehicles are or are intended to be housed under arrangements made with patrons for renting or leasing such space and accommodation in which no repair work is carried on.

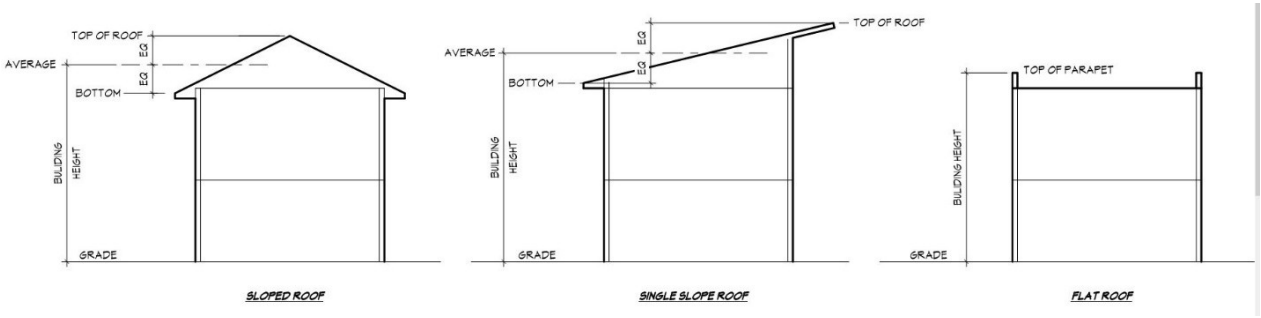
GOVERNMENTAL SERVICES – Any service provided by a governmental agency including but not limited to road and maintenance services and related infrastructure, water and wastewater facilities, fire and safety protection services, and other administrative services associated with a governmental agency.

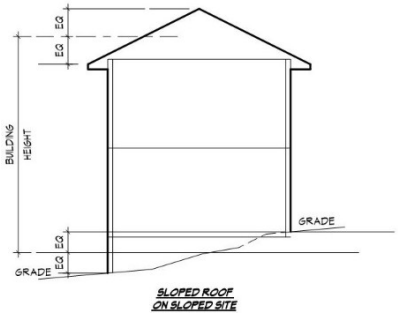
GRADE – The elevation of the ground at any given point.

GRADE, FINISHED – The elevation of the finished surface of the ground adjoining the base of all exterior walls of a building or the elevation of the finished surface of the ground at the base of a structure, exclusive of any artificial embankment at the base of such building or structure. If the ground is not entirely level, the finished grade shall be determined by averaging the grade of the ground at each corner of the building or structure.

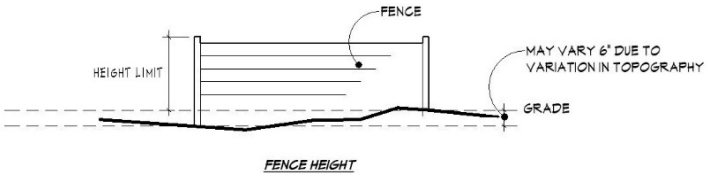


HEIGHT, BUILDING – The vertical distance between the finished grade of the building and the highest point of the roof.





HEIGHT, FENCE – The vertical distance between the highest point of the fence and the finished grade.



HEIGHT, SIGN – See Sign Height.

HEALTH CARE FACILITIES – General and specialized hospitals and associated clinics, rehabilitation centers, senior and assisting living, nursing homes, or other similar facilities providing health related services and involving the overnight or long-term stay of patients.

HOME DAY-CARE FAMILY, LARGE – **SEE DAY-CARE HOME, FAMILY LARGE**

HOME DAY-CARE FAMILY, SMALL – **SEE DAY-CARE HOME, FAMILY SMALL**

HOME OCCUPATION – An accessory use which is an activity, profession, occupation, service, craft or revenue – enhancing hobby conducted by a person on the same premises as this principal place of residence which is clearly subordinate and incidental to the use of the premises for residential purposes. Home occupations may include, but are not limited to, home offices for insurance agents, financial planners, real estate agents, consultants, lawyers, architects, engineers, accountants, or other similar professional services, sewing, tailoring, teaching of music, dance lessons, or tutoring, or other similar uses that do not change the character of the residential neighborhood. Family Day Care Homes, Types A and B shall not be considered to be home occupations and shall be treated as permitted and conditional uses as listed in the applicable zoning district.

HOTEL – A building in which temporary lodging or board and lodging are provided and offered to the public for compensation and in which ingress and egress to and from all rooms is made through an inside lobby.

IMPERVIOUS SURFACE – Any material or area which impedes or prevents the infiltration of water into the soil as it entered in its natural condition prior to development, including but not limited to building roofs, parking and driveway areas, sidewalks and paved recreational facilities. For the purposes of calculating the impervious surface ratio for determining the intensity of a use, pervious pavement or pavers, gravel, and other similar areas shall be counted as one hundred percent (100%) impervious.

INDUSTRIALIZED UNIT – A building unit or assembly of closed construction fabrication in an off-site facility, which is substantially self-sufficient as a unit or as part of a greater structure, and that requires transportation to the site of intended use, including units installed on the site as independent units, as part of a group of units, or incorporated with standard construction methods to form a completed structural entity but does not include a permanently sited manufactured home or mobile home as defined in this Ordinance.

INSTITUTIONAL USES – Those uses organized, established, used or intended to be used for the promotion of public, civic, educational, charitable, cultural or social or philanthropic activity and include but are not limited to art galleries, art studios, libraries, etc.

JUNK YARDS AND SCRAP METAL PROCESSING FACILITIES – An establishment or place of business that is maintained or operated for the purpose of storing, keeping, buying, selling or exchanging old or scrap copper, brass, rope, rags, trash, waste, batteries, paper, rubber, iron, steel, or other old or scrap materials and where such business or operation is not completely conducted within an enclosed building.

KENNEL – Any enclosure, premises, building, structure, lot, area of one ownership where six (6) or more dogs, cats, or other animals are kept. These facilities also consist of

services open to the public that includes, but are not limited to boarding, training, and sale of animals.

LANDMARK – means any property identified and listed individually, and protected under the terms of this ordinance, but not located within a Historical Overlay District.

LANDSCAPE/HARDSCAPE BUINESS – A place where employees are housed and/or vehicles, machinery and materials such as trees, shrubs, flowers or other living vegetation, as well as irrigation systems, stone, brick pavers or other non-living components of a landscape design are stored. Typically workers are dispatched from this site and said materials are transported to another location for installation.

LANDSCAPING – The improvements of a lot with grass, shrubs, trees, and other vegetation and/or ornamental objects.

LEGAL DESCRIPTION – The geographical description of real estate that identifies the precise location, boundaries and may easements for the purpose of a legal transaction, such as a transfer of ownership. A legal description can include either a metes and bounds description or a subdivision plat.

LOADING SPACE, OFF-STREET – An off-street space or berth on the same lot with a building or contiguous to a group of buildings, for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials, and which abuts upon a street, alley, or other appropriate means of access.

LOGISTICS – A large building where material, products, or other manufactured goods are acquired, stored and transported to their final destination. There is no production, processing, assembling or packaging of products or materials in these buildings.

LOT – A division of land separated from other divisions for purposes of sale, lease, or separate use, described on a recorded subdivision plat, recorded map or by metes and bounds.

LOT AREA – The area of a lot computed exclusive of any portion of the right-of-way or any public thoroughfare.

LOT, CORNER – A lot situated at the intersection of two streets, or which fronts a street on two or more sides forming an interior angle of less than 135 degrees. (Also see LOT LINE, FRONT)

LOT DEPTH – The average horizontal distance between the front and rear lot lines.

LOT DEPTH, MIDPOINT – The middle point of the lot depth. It can be calculated by dividing the lot depth by two

LOT, INTERIOR – A lot that abuts no more than one street and that fronts a street on not more than one side.

LOT LINE – A line bounding or demarcating a plot of land or ground.

LOT LINE, FRONT – The property line fronting a roadway right-of-way which provides the principle access; and used by the U.S. Postal Service for the delivery of mail to the structure located on the property. In the case of a Corner Lot, the owner may select which lot line abutting a street is the Front Lot Line.

LOT LINE, REAR – The lot line that is opposite the front lot line and farthest from it.

LOT LINE, SIDE – The lot line running from the front lot line to the rear lot line. This line is also the line dividing two interior lots.

LOT OF RECORD – Any lot or parcel of land that was lawfully created by a subdivision plat of record or by a metes and bounds description and recorded in the County Recorder's Office prior to the effective date of this Resolution.

LOT WIDTH – The horizontal distance between the side lot lines measured at right angles to the lot depth.

LOT WIDTH, MINIMUM – The smallest lot width, as defined herein, that is permitted within an applicable zoning district.

LOT WIDTH, ESTABLISHED – The lot width measured at the right-of-way line. This distance may be greater than the minimum lot width required by the applicable zoning district but it shall not be less than the required minimum, unless a variance is granted by the Board of Zoning Appeals.

MACHINE SHOP – A facility performing cutting, grinding, turning, honing, milling, deburring, lapping, electrochemical machining, etching, or other similar operations.

MAKER SPACE, SMALL – A facility that does not exceed 5,000 square feet that is utilized for the preparation, display, and sale of individually crafted artwork, jewelry, furniture, sculpture, pottery, glass or other related items. No odor, fumes or excess noise may be produced at the facility.

MAKER SPACE, LARGE – A facility that is 5,000 square feet or larger and serves as shared co-working space for independent craftsmen to produce woodwork, furniture, pottery, glass or other related items. The facility can also have shared office space.

MANEUVERING AISLE – A paved area in an off-street parking lot or loading area which provides access to parking, stacking, or loading spaces, exclusive of driveways and is used for and/or is necessary for turning, backing or driving forward a motor vehicle into such parking space. This area is not used as space for the parking or storage of motor vehicles or for loading or unloading.

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

MANUFACTURED HOME, PERMANENTLY SITED – A manufactured home, as defined herein, that meets all the following criteria:

1. The structure is affixed to a permanent foundation such as masonry or concrete and is connected to appropriate facilities.
2. The structure, excluding any addition, has a width of at least twenty-two (22) feet at one
3. point, a length of at least twenty-two (22) feet at one point, and a total living area of at least
4. nine hundred (900) square feet, excluding garages, porches, or attachments.
5. The structure has a minimum three to twelve (3:12) roof pitch, conventional residential siding, and a six (6) inch minimum eave overhang, including appropriate guttering.
6. The structure was manufactured after January 1, 1995.
7. The structure is not located within a manufactured home park.
8. Otherwise complies with the Manufactured Housing Construction and Safety Standards Act of 1974 and has a label or tag permanently affixed to it, certifying compliance with all applicable federal construction and safety standards.

MANUFACTURING – Any industry that makes products from raw materials through manual labor or machinery. This definition also includes the compounding, processing, assembling and packaging of goods.

MIXED-USE BUILDING – A building that contains retail, office or entertainment uses on the ground floor and residential units on the upper floors.

MOBILE HOME – A building unit or assembly of closed construction that is fabricated in an off-site facility, is more than thirty-five (35) body feet in length, or, when erected on site, is three hundred twenty (320) or more square feet, which is built on a permanent chassis and is transportable in one (1) or more sections, and does not qualify as a permanently sited manufactured home or industrialized unit as defined in this Ordinance. A mobile home shall not be considered to be a single-family detached dwelling for the purposes of this code.

MONOPOLE – A support structure constructed of a single, self-supporting hollow metal tube securely anchored to a foundation.

MOTEL – An establishment consisting of a group of attached or detached living or sleeping units with bathroom and closet space, located on a single lot, and designed for use by transient automobile travelers. A motel furnishes customary services such as maid service and laundering of linens, telephone, secretarial or desk service and the use of furniture.

MOTOR VEHICLE – A passenger vehicle, truck, tractor, tractor – trailer, trailer, boat recreation vehicle, semi-trailer, or any other vehicle propelled or drawn by mechanical power.

MUNICIPAL SERVICES – Any building, area and appurtenances owned and operated by a city for the purposes of providing water, wastewater or transportation services.

MURAL, GHOST – A type of sign that has a primary purpose of displaying an historical advertisement painted directly on the exterior of a structure.

MURAL – See Sign, Wall Display, Mural

NON-CONFORMING STRUCTURE – Any building or structure lawfully existing on the effective date of these regulations or amendment thereto, which does not conform to the development standards of the district in which it is located.

NON-CONFORMING USE – Any use that was lawfully being conducted within any building or on any land on the effective date of these regulations or amendment thereto but is not listed as a permitted use of the district in which it is located.

NURSERY SCHOOL – A facility that provide an education suitable for children who have not attained compulsory school age.

NURSING HOME – A home or facility used for the reception and care of individuals who, by reason of illness or physical or mental impairment, require skilled nursing care and of individuals who require personal care services, but not skilled nursing care. For purposes of this Ordinance, nursing homes are considered Health Care Facilities (see definition for Health Care Facilities).

OFFICE, ADMINISTRATIVE, BUSINESS, MEDICAL OR PROFESSION, LARGE – A building that is 5,000 gross square feet or larger in area and includes a set of rooms or tenant spaces used for commercial, professional, medical or bureaucratic work.

OFFICE, ADMINISTRATIVE, BUSINESS, MEDICAL OR PROFESSION, SMALL – A building that is less than 5,000 gross square feet in area and includes a set of rooms or tenant spaces used for commercial, professional, medical or bureaucratic work.

OFF-STREET PARKING SPACE – Any parking space located wholly off any street, alley, or sidewalk, either in an enclosed building or on an open lot and where each parking space conforms to the standards as specified in this Resolution.

OPEN SPACE – That part of a zoned property, including courts or yards, which are open and unobstructed from its lowest level to the sky, accessible to all tenants upon the zoning property.

OUTDOOR RECREATION FACILITY – An area that is not fully enclosed by walls and a roof which includes, but are not limited to uses such as athletic fields, parks, (excluding neighborhood parks) court sports, tracks, swimming pools, golf related activities, and similar outdoor recreation
uses.

OUTDOOR SEASONAL BUSINESS – A use that is conducted on a temporary basis and is outside of a fully enclosed building. Such uses shall include, but are not limited to, holiday tree sales, pumpkin sales, sidewalk sales, etc.

OUTDOOR SERVICE FACILITY – An area that is not fully enclosed by solid walls and a roof and where services are rendered or goods are permanently displayed, sold or stored. For the purposes of this Ordinance, outdoor service facilities include, but are not limited to, restaurant patios, outdoor storage areas, cargo container storage, and garden stores. This definition shall not include any use classified as an outdoor seasonal business as defined herein.

OWNER – Owner of record according to records contained in the County Recorder's Offices.

PARK, NEIGHBORHOOD – A park that is up to twenty (20) acres in size, serving an area one to two miles in diameter and serving a population of less than 5,000 persons. Neighborhood parks are typically designed to service a specific neighborhood area and may include playground apparatus and other space for active recreational purposes, along with some areas for passive use.

PARKING AREA – An open area other than a street or other public way that is used for the parking of motor vehicles.

PENNANT – A flag or banner longer in the fly than in the hoist, usually tapering to a point.

PERMANENT FOUNDATION – A permanent masonry, concrete or locally approved footing or foundation that adequately transfers horizontal and vertical loads of the structure to the undisturbed ground below the frost line.

PERSON – Any individual, corporation, company, business, partnership, association or legal entity.

PERSONAL SERVICES – Uses that primarily provide services to a person or provide for the care and maintenance of personal goods. Such Uses include, but are not limited to, beauty shops, barber shops, salons, shoe repair shops, tailoring services, or garment repair services. This includes laundry or dry cleaning drop off/pick up services, but the process of dry cleaning is not included in this definition.

PLACES OF ASSEMBLY, LARGE – Any facility or business where 300 or more individuals gather to participate or observe programs or services or assemble for social purposes. This includes public halls, theatres, churches, worship facilities, and other similar meeting facilities.

PLACES OF ASSEMBLY, SMALL – Any facility or business where less than 300 individuals gather to participate or observe programs or services or assemble for social purposes. This includes public halls, theatres, churches, worship facilities, and other similar meeting facilities.

PORTABLE HOME STORAGE UNIT – Any assembly of materials which is designed, constructed or reconstructed to make it portable and capable of movement from one site to another and designed to be Used without a permanent foundation. Such Structures are typically utilized for temporarily storing household goods or other such materials on a residential property.

PRACTICAL DIFFICULTY – A standard utilized to determine whether an area variance should be granted. It is based a number of criteria that are weighed against one another to determine if granting the variance will provide a reasonable use of the land without altering the essential character of the area.

PRESERVE OR PRESERVATION – The process, including maintenance, of treating an existing building to arrest or slow future deterioration, stabilize the structure and provide structural safety without changing or adversely affecting the character or appearance of the structure.

PRIVATE POND – Any man-made body of water that is located entirely within the property of the owner of the water body and has no surface water connection to public waters.

RECONSTRUCTION – The act or process of depicting, by means of new construction, the form, features, and detailing of a non-surviving site, landscape, building, structure or object for the purpose of replicating its appearance at a specific period of time and in its historic location.

REHABILITATION – The process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its historic, architectural, and cultural values.

RESEARCH AND DEVELOPMENT – A use where individuals are employed to search for knowledge and test processes that might be used to create new technologies, products, services, or systems.

RESIDENTIAL CARE FACILITY – A home that provides either of the following:

(i) Accommodations for seventeen or more unrelated individuals and supervision and personal care services for three (3) or more of those individuals who are dependent on the services of others by reason of age or physical or mental impairment; or

(ii) Accommodations for three (3) or more unrelated individuals, supervision, and personal care services for at least three (3) of those individuals who are dependent on the services of others by reason of age or physical or mental impairment, and to at least one of those individuals, any of the skilled nursing care authorized by section 3721.011 of the Revised Code.

RESIDENTIAL FACILITY, SMALL – A class two facility licensed under 5119.34 of the Ohio Revised Code that provides accommodations, supervision, and personal care services for five (5) or fewer unrelated persons for any of the following:

(i) One or two unrelated persons with mental illness;

(ii) One or two unrelated adults who are receiving payment under the residential

state supplemental program;

(iii) Three to sixteen unrelated adults.
(ORC 5119.34(B)(1)(b)

RESIDENTIAL FACILITY, LARGE – A class two facility licensed under 5119.34 of the Ohio Revised Code that provides accommodations, supervision, and personal care services for at least six (6) but no more than sixteen (16) unrelated persons for any of the following:

(i) One or two unrelated persons with mental illness;

(ii) One or two unrelated adults who are receiving payment under the residential state supplemental program

(iii) Three to sixteen unrelated adults.
(ORC 5119.34(B)(1)b)

RESIDENTIAL FACILITY, MENTAL HEALTH SERVICES – A class one facility licensed under 5119.34 of the Ohio Revised Code that provides accommodations, supervision, personal care services, and mental health services for one or more unrelated adults with mental illness or one or more unrelated children or adolescents with severe emotional disturbances;

RESPONSIBLE PARTY – The owner of the property as determined by the County Auditor's Tax List, the agent of the property owner authorized to be responsible for the premises, or the occupant of the property.

RESTAURANT – An establishment which offers food and/or drinks to the public, guests, or employees. The food may be prepared and consumed either on or off site.

RIGHT-OF-WAY – 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.

SCHOOL, HIGH SCHOOL – A public or private institution providing secondary education prior to students starting college or obtaining a job. It typically includes grades nine (9) through twelve (12).

SCHOOL, POST-SECONDARY – A public or private institution providing educational or training services to individuals who have completed high school.

SCHOOL, PRIMARY, INTERMEDIATE, OR MIDDLE – A public or private institution providing educational services to children in kindergarten through the eighth (8^{th}) grade.

SCHOOL, TECHNICAL – A secondary or post-secondary school that provides designed training to students for a specific job or skilled trade.

SATELLITE DISH ANTENNA, LARGE – Any antenna greater than one meter in diameter that is designed to receive or transmit signals, either directly or indirectly, to or from

satellites. This definition does not include any antenna used for AM/FM radio, amateur ("ham") radio, Citizen's Band ("CB") radio, Digital Audio Radio Services ("DARS") or short-wave listeners.

SATELLITE DISH ANTENNA, SMALL – Any antenna that is one meter or less in diameter and is designed to receive direct broadcast satellite service, including direct-to-home satellite service, or to receive or transmit fixed wireless signals via satellite. It further means any antenna that is one meter or less in diameter or diagonal measurement and is designed to receive video programming services via MMDS (wireless cable) or to receive or transmit fixed wireless signals other than via satellite.

SELF SERVICE STORAGE FACILITY – An individual compartment or stall used for the storage of customer's goods or wares.

SETBACK, FRONT – The horizontal distance between the right-of-way line and the nearest foundation or structural appurtenance of the principal structure.

SETBACK, REAR YARD – The horizontal distance between the rear lot line and the nearest foundation or structural appurtenance of the principal structure.

SETBACK, SIDE YARD – The horizontal distance between the side lot line and the nearest foundation or structural appurtenance of the principal Building.

SEXUAL CONDUCT – Acts of sexual intercourse within its ordinary meaning, occurring upon any penetration, however slight. Any penetration of the vagina or anus, however slight, by an object. Any contact between persons involving the sex organs of one person and the mouth or anus of another. Masturbation, manual or instrumental, of oneself or of one person by another. Touching of the sex organs or anus, whether clothed or unclothed, of oneself or of one person by another.

SHORT-TERM RENTAL – Renting a home, or a space within a home, with five (5) guestrooms or less that is reserved/rented or partly rented for compensatory fee for less than thirty (30) consecutive days.

SIGN – Any device for visual communication which is designed, intended or used to convey a message, advertise, inform or otherwise direct attention to a person, institution, organization, activity, business, place, object or product. Signs erected by the

local, state or federal government for the purposes of discharging in any normal governmental function, such as traffic control or safety, are likewise excluded from the regulations of this Article. This definition includes all signs visible from any public right-of-way or adjacent property, including interior signs oriented towards the exterior façade of any Building or structure that includes any name, number, symbol, identification, description, display, illustration, object, graphic, sign structure, or part thereof, which directs attention to any object, product, place, activity, person, institution, organization or business.

SIGN, ANIMATED – Any sign that uses movement or change of artificial and natural lighting or noise to depict action or create a special effect or scene.

SIGN, ENTRY FEATURE – A sign intended to provide the identity a residential development or commercial development with more than one lot or tenant.

SIGN, GAS INFLATABLE – Any device which is capable of being expanded by any gas and is typically tethered or otherwise anchored to the ground or structure and used on a permanent or temporary basis to attract attention to a product, event or business.

SIGN, FLASHING – A sign or graphic which in any manner, as a whole or in part, physically changes in light intensity or gives the appearance of such change.

SIGN, FREESTANDING – A sign erected on a pole, poles, pillars, or posts (pylon sign) or any monument type sign (sign with a base) which is wholly independent of any building or support.

SIGN, BILLBOARD – A type of free-standing sign that is mechanically produced or computer generate prints or images, including but not limited to digitally printed vinyl and/or 3-D printed elements, that are typically attached or affixed to a pole or other type of free-standing support. Said signs are greater than 200 square feet.

SIGN, GROUND MOUNTED – A type of free-standing sign that is supported by a monument style base and does not include any poles, pillars or posts.

SIGN, PYLON – A type of free-standing sign that is supported by pole(s), pillars, posts or other free-standing support and is less than 200 square feet.

SIGN, PERMANENT – A sign intended to be erected, displayed or used, or in fact which is used for time period in excess of thirty (30) days within any 180-day period.

SIGN, TRAILER – A sign that is constructed on a chassis intended for the mounting of wheels,

thereby permitting the sign to be moved forward.

SIGN, PROJECTING – A sign which extends outward perpendicular to the building face.

SIGN, ROOF – Any sign erected upon or completely over the roof of any building.

SIGN, TEMPORARY – A display, banner, or other advertising device constructed of cloth, canvas, fabric, wood, or other temporary material, with or without a structural frame, including but not limited to portable signs, development signs, community event signs, garage sale signs, real estate signs, sandwich type signs, sidewalk or curb signs, and balloon or other air or gas filled figures.

SIGN, WALL DISPLAY – A sign attached to a building face, with the exposed face thereof in a plane parallel to the plan of the wall. Wall signs include, messages, graphics and other designs painted along with any letters or numerals mounted directly on buildings or awnings.

SIGN, FEATHERED FLAG – A vertical, portable and temporary sign that contains a harpoon style pole or staff driven into the ground for support or supported by means of an individual stand.

SIGN, WALL – A wall display that is less than 125 square feet.

MURAL, ORIGINAL ART – A type of wall display that has a primary purpose of displaying an original work of visual art produced by hand that is tiled or painted directly upon directly to an exterior wall of a structure. Original Art Mural does not include:

- Mechanically produced or computer-generated prints or images, including but not limited to digitally printed vinyl; or
- Murals containing electronical or mechanical components; or
- Changing mural images

MURAL, VINTAGE ART – A type of wall display that has a primary purpose of displaying an original work of visual art produced by hand that was tiled, painted directly upon or affixed directly to an exterior wall of a structure prior to the date of adoption of this Ordinance.

SIGN, WALLSCAPE – A type of wall display that greater than 125 feet and is mechanically produced or computer generate prints or images, including but not limited to digitally printed vinyl and/or 3-D printed elements, which are typically attached to the side of a building.

SIGN, WAY FINDING – Any sign which provides direction or guidance to help navigate a person to a specific location of an institution, organization or business, or property.

SIGN, WINDOW – A sign, graphic, poster, symbol or other identification which is physically affixed to or painted on the glass or other structural component of the window.

SIMILAR USE – A use not specifically listed in any of the permitted building or use classifications of any district, but which may be found analogous and added to the classification, according to the procedures and requirements of Section 11.02(F) of this Resolution.

SOLAR, ARRAY – A mechanically integrated assembly of modules or panels with a support structure and foundation, tracker and other components as required to form a direct-current power producing unit.

SOLAR ENERGY SYSTEM – The equipment, assembly or building construction and requisite hardware that provides and is used for collecting, transferring, converting, storing or using incident solar energy for water heating, space heating, cooling, generating, electricity, or other applications that would otherwise require the use of a conventional source of energy such as petroleum products, natural gas, manufactured gas, or electricity produced from nonrenewable resource.

SOLAR ENERGY SYSTEM, ROOF MOUNTED – A Solar Energy System mounted to the roof of a building or structure. Roof-mount systems are accessory to the primary use of a property.

SOLAR ENERGY SYSTEM, INDIVIDUAL – A solar energy system that is mounted directly to a building wall or roof (Roof Mounted) and produces less than five (5) megawatts of power.

SOLAR ENERGY FARM, INDUSTRIAL – A solar energy system that produces fifty (50) megawatts or more of power. Such systems are exempt from township zoning.

SOLAR ENERGY FARM, SMALL – A solar energy system that is attached directly to a ground mounted structure instead of building wall or roof, is less than fifty (50) megawatts, and has one or more interconnections to the electrical grid. Any Solar Energy Farm that is fifty (50) megawatts or larger shall be reviewed by the Ohio Power Siting Board and shall not be subject to the regulations of this Zoning Resolution.

SOLAR ENERGY SYSTEM, SMALL GROUND-MOUNTED – A Solar Energy System where a Solar Array is mounted on a rack or pole that is ballasted on, or is attached to, the ground, that produces less than fifty (50) megawatts of power.

SOLAR ENERGY SYSTEM, LARGE GROUND-MOUNTED – A Solar Energy System where a Solar Array is mounted on a rack or pole that is ballasted on, or is attached to, the ground, that produces fifty (50) or more megawatts of power.

SOLAR, PANEL – An array of solar cells used to generate electricity directly from

sunlight.

SPECIFIED SEXUAL ACTIVITIES – Simulated or actual display of human genitals in a state of sexual stimulation or arousal, acts of masturbation, sexual intercourse, sadomasochistic acts, fellatio, or cunnilingus and fondling or erotic touching of human genitals, pubic region, buttocks, or breasts.

START OF CONSTRUCTION – The first placement of permanent construction of a structure (other than a mobile home) on a site, such as the pouring of slabs or footings or any work beyond the state of excavation. Permanent construction does not include land preparation, such as clearing, grading, and filling, nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not as part of the main structure. For a structure (other than a mobile home) without a basement or poured footings, the "start of construction" includes the first permanent framing or assembly of the structure or any part thereof on its piling or foundation. For mobile homes not within a mobile home park or mobile home subdivision, "start of construction" means the affixing of the mobile home to its permanent site. For mobile homes within mobile home parks or mobile home subdivisions, "start of construction" is the date on which the mobile home is to be affixed (including, at a minimum, the construction of streets, either final site grading or the pouring of concrete pads, and installation of utilities) is completed.

STREET, ROAD OR THOROUGHFARE – A public way for the purpose of vehicular travel, including the entire area within the right-of-way.

STRUCTURE – Anything constructed or erected, the use of which requires a permanent location on the ground or attached to something having a permanent location on the ground, including outdoor advertising signs, (billboards), and farmers' street-side stands.

STRUCTURAL ALTERATION – Any change which would replace or tend to prolong the life of a supporting member of a structure, such as bearing walls, columns, beams, or girders.

SUBSTANTIALLY COMPLETE – The stage in which the work, described in the zoning permit, is finished to a point that the applicant/owner can occupy or utilize the land or building for its intended purpose.

SWIMMING POOL, PRIVATE FAMILY – A swimming pool used or intended to be used solely by the owner or lessee thereof and family, and by friends invited to use it without payment of any fee, and normally capable of containing water to a depth at any point greater than three (3) feet.

SWIMMING POOL, COMMERCIAL – A body of water in an artificial or natural receptacle

or another container, whether located indoors or outdoors, used or intended to be used for public, semi-public, or private swimming by adults and/or children whether or not any charge or fee is imposed, operated by an owner, lessee, operator, licensee or concessionaires, exclusive of a family pool as defined herein, and shall include all structures, appurtenances, equipment, appliances, and other facilities appurtenant to and intended for the operation and maintenance of a swimming pool, and also, all swimming pools operated and maintained in conjunction with or by clubs, motels, hotels, apartments and condominiums, and community associations.

TELECOMMUNICATION TOWER – A structure situated on a site used to support antennas and radio or cellular communications equipment. Antennas used by amateur radio operators are excluded from this definition.

TELECOMMUNICATIONS TOWER, FREE STANDING – Any free-standing structure that meets the criteria for a telecommunication tower, as defined herein.

TELECOMMUNICATION TOWER, ATTACHED – Any structure that will be attached to a Building or other structure that meets the criteria for a telecommunication tower, as defined herein.

TEMPORARY STRUCTURE, CONSTRUCTION TRAILER/OFFICE – Any structure that is not permanent and is located on a construction site for purposes of storing materials and tools or for offices for construction management.

TOWNSHIP – Walnut Township, Pickaway County, Ohio.

TREE, SMALL – Any tree species which normally attains a full-grown height of under thirty (30) feet.

TREE, MEDIUM – Any tree species which normally attains a full-grown height between thirty (30) to fifty (50) feet.

TREE, LARGE – Any tree species which normally attains a full-grown height above fifty (50) feet.

TRUCK AND TRAVEL CENTER – A commercial facility which provides refueling, parking, and often ready-made foot for motorists and truck drivers. These facilities sometimes also include showers for truck drivers.

UNNECCESSARY HARDSHIP – A standard utilized to determine whether a use variance should be granted. It is based on the deprivation of an owner's right to the beneficial use of property that is caused by the strict enforcement of this Ordinance. It must involve unique characteristics of the property itself and does not include economic difficulties of the owner/applicant.

USE – The purpose for which a building is arranged, designed, or intended, or for which either land, lot, piece or parcel thereof or a building located thereon or may be occupied or maintained.

VARIANCE – A modification of the strict terms of this Ordinance due to the strict enforcement of these regulations resulting in a practical difficulty or Unnecessary Hardship and where such modification will not be contrary to the public interest.

VARIANCE, AREA – A type of variance that is from a regulation based on the dimensions or physical requirements of applicable zoning regulations such as setbacks, height, or other similar requirement. This type of variance is typically reviewed using a Practical Difficulty standard.

VARIANCE, USE – A type of variance to allow a use that is otherwise prohibited within the district. This type of variance is typically reviewed using an Unnecessary Hardship standard.

VEHICLE, RECREATIONAL – Any motorized or non-motorized vehicle that is used for recreational purposes including, but not limited to all-terrain vehicles, dune buggies, motor bikes, recreational vehicle trailers, snowmobiles, trail bikes, and various watercraft including canoes, kayaks, boats and jet skis.

VEHICULAR SALES, EQUIPMENT – An open area or building used for the display, sale or rental of farm, construction or other similar machinery.

VEHICULAR SALES, NEW AND USED CARS – An open area other than a street, used for the display, sale or rental of new or used motor vehicles in operable condition and where only incidental repair work is done.

VEHICULAR, SALES MOTORCYLCES – An open area or building used for the display, sale or rental of new or used motorcycles and where only incidental repair work is done.

VEHICULAR SALES, RECREATIONAL – An open area or building used for the display, sale or rental of new or used recreational vehicles and where only incidental repair work is done.

WALL, DECORATIVE – An architecturally designed wall that is intended to prohibit public view and provide seclusion, has more than fifty percent (50%) of its vertical surface area closed to light and air, and is not designed for purposes of retaining soil.

WIND ENERGY CONVERSION SYSTEM – An energy system consisting of a wind turbine, a tower, and associated control or conversion electronics.

WIND ENERGY CONVERSION SYSTEM, INDIVIDUAL – A Wind Energy Conversion System consisting of a wind turbine, a tower, and associated control or

conversion electronics, which has a single interconnection to the electrical grid, an aggregate rated capacity of not more than one hundred (100) kilowatts (kw), and is intended to primarily reduce on-site consumption of utility power.

WIND ENERGY CONVERSION SYSTEM, TOWER HEIGHT OF – The distance from the rotor blade at its highest point to the top surface of the tower foundation.

WIND FARM, SMALL – A Wind Energy Conversion System consisting of wind turbine(s), tower(s), and associated control or conversion electronics, which have an aggregate rated capacity of one hundred (100) kW or more, but less than five (5) megawatts and has a single interconnection to the electrical grid. Any Wind Energy System that is five (5) megawatts or larger shall be reviewed by the Ohio Power Siting Board and shall not be subject to the regulations of this Zoning Resolution.

ZONING CERTIFICATE OF COMPLIANCE – A document issued by the Zoning Inspector indicating that the use and structure comply with the parameters of an approved Zoning Permit.

ZONING INSPECTOR – The authorized representatives appointed by the township to issue zoning permits and perform other duties as specified in this Ordinance.

ZONING MAP – A map of the township that legally denotes the boundaries of the zoning districts as they apply to the properties within the township. The official zoning map shall be kept on file in the township administrative offices.

ZONING PERMIT – A document issued by the zoning administrator authorizing the construction or alteration of a building, structure, or use consistent with the terms of this Ordinance.

PART TWO ADMINISTRATION AND ENFORCEMENT

ARTICLE III

ADMINISTRATIVE BODIES AND THEIR DUTIES

Section 3.01 Zoning Inspector

3.01.01 Office of Zoning Inspector Established

The Board of Township Trustees shall appoint a Zoning Inspector who shall be responsible for administering and enforcing this Zoning Resolution. The Board of Township Trustees may direct other persons to assist the Zoning Inspector in his/her duties. The Zoning Inspector, before entering upon his/her duties, shall give bond as specified in Section 519.161 of the Ohio Revised Code.

3.01.02 Relief From Personal Liability

The Zoning Inspector, acting in good faith and without malice in the discharge of his/her duties during enforcement of this Resolution is relieved of all personal liability for any damage that may accrue to persons or property as a result of such acts of alleged failure to act. Further, he/she shall not be held liable for the costs in any action, suit or proceeding that may be instituted against their as a result of the enforcement of this Resolution.

3.01.03 Duties of Zoning Inspector

For the purposes of this Resolution, the Zoning Inspector shall have the following duties:

A. Interpret the meaning and application of this Resolution.
B. Receive, process, and take action on applications for a Zoning Permit.
C. Review and process all applications for Zoning Amendments, Variances, and Conditional Uses with the appropriate boards/commissions.
D. Conduct inspections of building and uses of lands to determine compliance with this Resolution.
E. Make determinations on whether violations of this Ordinance exist and take all necessary actions to

remedy an identified violations in accordance with the procedures of this Resolution.

3.01.04 Removal from Office

As an employee of the Township, the Zoning Inspector may be removed by the Township Trustees for nonperformance of duty, misconduct in office or other just cause.

Section 3.02 Rural Zoning Commission

3.02.01 Establishment

Pursuant to Ohio Revised Code Chapter 519.04, there is hereby established a Rural Zoning Commission in and for Walnut Township. Such Commission shall consist of five (5) residents of the unincorporated area of the Township as appointed by the Board of Township Trustees. The terms of the members shall be of such length and so arranged that the term of one (1) member will expire each year.

For the purposes of this Resolution, the members Rural Zoning Commission existing on the effective date of this amended Resolution shall remain in office; however, the expiration dates of the terms of such members shall be arranged so as to comply with the above. Any vacancies on the Commission shall be filled by the Board of Township Trustees, consistent with the provisions of ORC 519.04.

3.02.02 Removal of Members

Members of the Township Zoning Commission shall be removable for non-performance of duty, misconduct in office, or other cause by the Board of Township Trustees, after a public hearing has been held regarding such charges. In such case, a copy of such charges shall be served on the member at least ten (10) days prior to the hearing, either personally or by registered mail. The member shall be given an opportunity to be heard and answer all such charges.

3.02.03 Proceedings

The Zoning Commission shall elect a Chairman and adopt rules necessary for the conduct of its affairs consistent with the provisions of this Resolution. Meetings shall be held at the call of the Chairman, and at such other times as deemed appropriate by the Commission, as determined by majority vote. All meetings shall be open to the public. For the purpose of taking action, the concurring vote of three (3) members of the Commission shall be required for action on any specific business.

The Commission shall keep minutes of its proceedings, showing the vote of each member upon each question or, if absent or failing to vote, indicating such fact. Such minutes shall be public record, and shall be immediately filed in the office of the Commission.

3.02.04 Zoning Secretary

The Board of Township Trustees may appoint a Zoning Secretary, who shall record the minutes of the Rural Zoning Commission and Board of Zoning Appeals, confirm information on zoning applications, maintain zoning records, assist the Zoning Inspector, and perform other such duties relating to this Resolution as deemed appropriate by the Board of Township Trustees. The Zoning Secretary shall be compensated at rates established from time to time by the Board of Township Trustees.

3.02.05 Powers and Duties

For the purposes of this Resolution, the Rural Township Zoning Commission shall have the following powers and duties:

A. Initiate amendments to this Resolution, pursuant to Article VI.
B. Review proposed amendments to this Zoning Resolution and make recommendations to the Board of Township Trustees.
C. Review all Planned Unit Developments and make related recommendations to the Board of Trustees.
D. Review and approve all Development Plans for the Regional Access Corridor District.
E. Any other powers granted by this Resolution or the Ohio Revised Code.

Section 3.03 Board of Zoning Appeals

3.03.01 Establishment

There is hereby established a Board of Zoning Appeals, which shall have the authority as specified in Sections 519.13 through 519.15 of the Ohio Revised Code. The Board of Zoning Appeals shall consist of five (5) members appointed by the Board of Township Trustees. Every member shall be a resident of the unincorporated territory of Walnut Township, Pickaway County, Ohio. Members shall be appointed for a term of four (4) years and shall be arranged so that that the term of one member shall expire each year. Each member shall serve until his/her/her successor is appointed. Vacancies shall be filled by resolution of the Board of Township Trustees for the unexpired term of the member affected.

The Board of Trustees may appoint two (2) alternate members to the Board of Zoning Appeals for the terms to be determined by the Board of Trustees. An alternate member shall meet the same appointment criteria as a regular member. An alternate member shall take the place of an absent regular member at any meeting of the Board of Zoning Appeals.

Any regular or alternate member shall be present for all testimony on an application before voting on the matter.

For the purposes of this Resolution, the members of the Board of Zoning Appeals existing on the effective date of this amended Resolution shall remain in office; however, the expiration dates of the terms of such members shall be arranged so as to comply with the above. Any vacancies on the Board shall be filled by the Board of Township Trustees, consistent with the provisions of ORC 519.13 through 519.15.

3.03.02 Removal of Members

Members of the Board of Zoning Appeals shall be removable for non-performance of duty, misconduct in office, or other cause by the Board of Township Trustees, after public hearing and notification, following the procedures specified for the members of the Rural Zoning Commission in Section 3.02.02 above.

3.03.03 Proceedings

The Board shall organize annually and elect a Chairman and adopt rules necessary for the conduct of its affairs consistent with the provisions of this Resolution. Meetings of the Board shall be held at the call of the Chairman, and at other such times as the Board shall determine. The Zoning Secretary, as established above, shall be responsible for keeping minutes and performing other administrative duties for the Board as required. All meetings of the Board shall be open to the public.

The Board shall have the power to subpoena witnesses, administer oaths and may require the production of documents, under such rules as it may establish.

3.03.04 Powers and Duties

In exercising its duties, the Board may, as long as such action is in conformity with the terms of this Resolution, reverse or affirm, wholly or partly, or modify the order, requirement, decision, or determination appealed from and may make such order, decision, or determination as ought to be made, and to that end shall have the powers of the Zoning Inspector from whom the appeal is taken. The concurring vote of three (3) members of the Board shall be necessary to reverse any order, 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 affect any variation in the application of this Resolution. For the purpose of this Resolution, the Board has the following specific responsibilities:

A. Hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by the Zoning Inspector, in accordance with Article VII of this Resolution.

B. Authorize such variances 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 this Resolution will result in unnecessary hardship in accordance with the provisions of Article VIII of the Resolution.

C. Interpret the boundaries of the Official Zoning Map, in accordance with the provisions of this Resolution.

D. Permit conditional uses as specified in the Official Schedule of District Regulations and under the conditions specified in Article IX of this Resolution, and such additional safeguards as will uphold the intent of the Resolution.

E. Authorize the substitution or extension of nonconforming uses, as specified in Article V of this Resolution.

F. Authorize extensions of time for completion of work specified in zoning certificate, in accordance with Section 4.06 of this Resolution

G. Declare zoning permits void, pursuant to Section 4.09 of this Resolution.

Section 3.04 Board of Township Trustees

The powers and duties of the Board of Township Trustees pertaining to this Zoning Resolution are as follows:

A. Appoint members to the Zoning Commission and Board of Zoning Appeals.

B. Initiate and/or act upon suggested amendments to the Zoning Resolution text or Official Zoning District Map

Section 3.05 Powers of Administration Bodies and Positions

It is the intent of this Resolution that all questions of interpretation and enforcement shall first be presented to the Zoning Inspector. Such questions shall be presented to the Board of Zoning Appeals only on appeal from the decision of the Zoning Inspector, and recourse from the decisions of the Board of Zoning Appeals shall be only to the courts as provided by law. It is further the intent of this Resolution that the powers 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 Board of Township Trustees shall not have the authority to override the decisions of the Board of Zoning Appeals and/or the Zoning Inspector on matters of appeal or variance. Nonetheless, nothing in this Resolution shall be interpreted to prevent any official of the Township from appealing a decision of the Board of Zoning Appeals to the courts pursuant to Chapter 2506 of the Ohio Revised Code.

ARTICLE IV ENFORCEMENT AND PENALTY

Section 4.01 Zoning Permit Required

No building or structure, unless specifically exempted from this Zoning Resolution, shall be erected, moved, added to, or structurally altered, nor shall any building, structure, or land be established or changed in use without a zoning permit issued by the Zoning Inspector. The Zoning Inspector shall not issue a permit unless such use, buildings and structures conforms to the provisions of this Zoning Resolution or a written order is received from the Board of Zoning Appeals deciding an appeal, conditional use, or variance as provided in this Zoning Resolution.

A zoning permit is required for any of the following subject to the limitations of section 519.211 of the Ohio Revised Code Zoning Resolution:

A. Construction, structural alteration or enlargement of any building or structure, including accessory buildings.
B. Change in use of an existing building or accessory building to a use not listed as a permitted use in the zoning district where the building is located.
C. Occupancy and use of vacant land.
E. Any alteration, expansion or other change of a lawful nonconforming use as regulated by Article V.

Section 4.02 Application for Zoning Permit

Three (3) paper copies and one (1) electronic PDF copy of an application for a zoning permit shall be signed by the owner or applicant attesting to the truth and exactness of all information supplied on the application. At a minimum, the application shall contain the following information:

A. Name, address, and telephone number of the applicant.
B. Legal description of property, as recorded in Pickaway County Recorder's office.
C. Existing use.
D. Proposed use.
E. Zoning district in which property is presently located.

F. Three sets of plans drawn to approximate scale, showing the actual dimensions and shape of the lot to be built upon; the exact dimensions and location of existing buildings of the lot, if any; and the location and dimensions of the proposed building(s) or alteration.
G. Height of proposed buildings.
H. Number of proposed dwelling units.
I. The number of off-street parking spaces or loading spaces (both existing and proposed).
J. An approval by the Pickaway County Health Department of the proposed method of water supply and for disposal of sanitary wastes prior to approval by the Zoning Inspector.
K. Documentation that a permit for driveway installation can be obtained from the Pickaway County Engineer, Ohio Department of Transportation or other applicable authority, if required by the specific zoning district regulations in this Resolution.
L. Such other material and information may be requested by the Zoning Inspector to determine conformance with and provide for the enforcement of this Resolution.

Where complete and accurate information is not readily available from existing records, the Zoning Inspector may require the applicant to furnish a survey of the lot by a registered surveyor. In particular cases, the Zoning Inspector may reduce the submittal requirements for an application, when the proposed action warrants.

Section 4.03 Approval of Zoning Permits

Within thirty (30) days after the receipt, the application shall be either approved or disapproved by the Zoning Inspector, in conformance with the provisions of this Resolution, unless the provisions of Section 4.04 are applicable. Zoning permits issued on the basis of plans and applications approved by the Zoning Inspector shall authorize only the use and arrangement as set forth in such approved application. All zoning permits shall be conditional upon the commencement of work within one hundred eighty (180) days. One (1) copy of the application shall be returned to the applicant by the Zoning Inspector, after such copy is marked as either approved or disapproved and attested to same by the signature of the Zoning Inspector, or his/her designated agent on such copy. In the case of disapproval, the Zoning Inspector shall state on the returned plans the specific reasons for disapproval. Two (2) copies of plans, similarly marked, shall be retained by the Zoning Inspector. One (1) copy retained by the Zoning Inspector shall be forwarded to the County Auditor upon issuance of a certificate of zoning compliance along with one (1) copy of the application.

Section 4.04 Submission to the Director of the Department of Transportation

Before any zoning certificate is issued affecting any land within 300 feet of the centerline of a proposed new highway or a highway for which changes are proposed as described in the certification to local officials by the Director of the Department of Transportation, the Zoning Inspector shall give notice, by registered or certified mail to the Director of the Department of Transportation. The Zoning Inspector shall not issue a zoning certificate for 120 days from the date the notice is delivered to the Director of the Department of Transportation. If the Director of the Department of Transportation notifies the Zoning Inspector that they shall proceed to acquire the land needed, then the Zoning Inspector shall refuse to issue the Zoning Certificate. If the Director of the Department of Transportation notifies the Zoning Inspector that acquisition at this time is not in the public interest, or if notification of action is not received by the Zoning Inspector, the Zoning Inspector shall, if the application is in conformance with all provision of this Resolution, issue the zoning certificate.

Section 4.05 Record of Zoning Permits

A record of all zoning permits shall be kept on file in the Office of the Zoning Inspector, or his/her designated agent, and copies shall be furnished upon request to any persons having proprietary or tenancy interest in the building or land affected.

Section 4.06 Expiration of Zoning Permits

If the work described in any zoning permit has not begun within one hundred eighty (180) days from the date of issuance thereof, or has not been completed within one (1) year from the date of issuance thereof, said permit shall expire. For the purposes of these regulations, a building or structure shall be considered complete when it is ready for a Certificate of Zoning Compliance, pursuant to Section 4.07 below, has been issued. In cases where a zoning permit has expired, it shall be revoked by the Zoning Inspector, and written notice thereof shall be given to the persons affected, together with notice that further work as described in the expired permit shall not proceed unless and until a new zoning permit has been obtained or extension granted by the Board of Zoning Appeals.

Section 4.07 Certificate of Zoning Compliance

It shall be unlawful to use or occupy, or permit the use or occupancy of any building or premises hereafter created, erected, changed, converted, or wholly or partly altered or enlarged in its use or structure until a certificate of zoning compliance shall have been issued by the Zoning Inspector, stating that the proposed use of the building or land, as completed, conforms to the requirements of this Resolution. Such Certificate of Zoning Compliance may be processed as an indication of final approval on the zoning permit.

Section 4.08 Schedule of Fees, Charges and Expenses

The Board of Township Trustees shall establish, by separate Resolution, a schedule of fees, charges, and expenses and a collection procedure for zoning permits, certificates of zoning compliance, appeals, and other matters pertaining to this Resolution. Copies of the schedule of fees shall be retained by the Zoning Inspector and posted in the Township offices and may be altered or amended only by the Board of Township Trustees. Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application.

Section 4.09 Void Zoning Permit

A zoning permit shall be void if any of the following conditions exist:

A. The zoning permit was issued contrary to the provisions of this Resolution by the Zoning Inspector.
B. The zoning permit was issued based upon a false statement by the applicant.
C. The zoning permit has been assigned or transferred.

When a zoning permit has been declared void for any of the above reasons by the Board of Zoning Appeals pursuant to this Resolution, written notice of its revocation shall be given by certified mail to applicant and sent to the address as it appears on the application. Such notices shall also include a statement that all work upon or use of the building, structure, or land cease unless, and until, a new zoning permit has been issued.

Section 4.10 Violation and Penalty

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

Zoning certificates or certificates of occupancy 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. Any use, arrangement, or construction not in conformance with that authorized shall be deemed a violation of this Resolution, and punishable as provided in Section 4.10.03.

4.10.02 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 shall state fully the causes and basis thereof, and shall be filed with the Zoning Inspector. The Zoning Inspector shall record properly such complaint, immediately investigate, and take such appropriate action thereon as may be necessary and provided for by this Resolution.

4.10.03 Penalties for Violation

Violation of the provisions of this Resolution or failure to comply with any of its requirements (including violations of conditions and safeguards established in various sections of this Resolution) shall constitute a misdemeanor. Any person who violates this Resolution or fails to comply with any of its requirements shall upon conviction thereof be fined not more than $500 and in addition shall pay all costs and expenses involved in the case. Each day such violation continues, after receipt of violation notice, shall be considered a separate offense. The owner or tenant of any building, structure, premises, or part thereof, and any architect, builder, contractor, agent, or other person who commits, participates in, assists in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided. Nothing herein contained shall prevent the Township, the County Prosecutor, or any adjacent property owner from taking such other lawful action as is necessary to prevent or remedy any violations.

ARTICLE V

NONCONFORMITIES

Section 5.01 Intent

The purpose of this Article is to provide for the continuation of uses and structures that do not conform to the existing zoning, but which were legally constructed and in operation prior to the enactment of the regulation making said use or structure non-conforming.

Except as specified in this Article, no land, building, structure or premise shall be utilized and no building or structure, in whole or in part, shall be located, erected, moved, constructed, extended, enlarged or altered except in conformity with the regulations of the district in which it is located.

Section 5.02 Grace Period

A. Any structure or use that was legally established prior to the adoption of this Resolution may continue to exist and operate in its legally nonconforming capacity in accordance with the provisions of this Resolution.

B. Any work involving the changing, remodeling or construction of a said non-conforming structure that was legally commenced prior to the adoption of this Resolution, may continue, provided the said work is completed within two (2) years of the date of the adoption of this Zoning Resolution or amendment of it making said use or structure non-conforming.

Section 5.03 Discontinuance

A nonconforming use which has been discontinued or abandoned shall not thereafter be returned to a nonconforming use. A nonconforming use shall be considered abandoned whenever any one of the following conditions exist:

A. When the use has been voluntarily discontinued for a period of two (2) years and there is evidence by an overt act or failure to act indicating that the owner has not been using the nonconforming use for said period of time.

B. When the nonconforming use has been replaced by a conforming use or changed to another non-conforming use under permit from the Board of Zoning Appeals.

Section 5.04 Substitution

A nonconforming use may be changed to another nonconforming use only by the Board of Zoning Appeals, provided that the Board of Zoning Appeals finds that the proposed use is equally appropriate or more appropriate to the district than the existing non-conforming use. In permitting such change, the Board of Zoning Appeals may require appropriate conditions and safeguards in accordance with other provisions of this Zoning Resolution, which if violated are punishable under Section 4.10.03 of this Resolution.

In any R District, no change shall be authorized by the Board of Zoning Appeals to any use which is not a permitted or conditional use in any "R" District.

Section 5.05 Extension

No nonconforming use or structure shall be enlarged, extended, reconstructed, or structurally altered, except as follows:

A. The Board of Zoning Appeals may permit, on a once-only basis, a building containing a nonconforming use to be enlarged to an extent not exceeding fifty percent (50%) of the ground floor area of the existing building or structure devoted to a nonconforming use at the time of enactment of this Resolution or at the time of its amendment making the use nonconforming. The Board shall not authorize an extension which would result in a violation of provisions of this Resolution with respect to any adjoining premises, or which would occupy ground space required for meeting the setback or other requirements of this Resolution.

B. No nonconforming building or structure shall be moved in whole or in part to any other location unless such building or structure and the setback and other open spaces provided are made to conform to all of the regulations of the district in which such building or structure will be located.

C. Any residential structure which is nonconforming due to the fact of it being in a non-residential zoning district may be enlarged, extended, reconstructed or structurally altered provided it meets the requirements of the adjacent or most proximate R-District.

D. Any structure which is nonconforming due to its location or configuration on the lot, resulting in lot coverage or setbacks inconsistent with the requirements of the zoning district where it is located, may be enlarged, extended or structurally altered in a manner that decreases or maintains its existing degree of nonconformity, but in no case shall such structure be enlarged, extended or structurally altered in a manner that increases its degree of nonconformity.

Section 5.06 Damage and/or Destruction of a Nonconforming Building or Use

In the event that any nonconforming building or other nonconforming structure is damaged or destroyed by any means, to the extent of more than fifty (50) percent of its fair market value at the time of the damage, such building or other structure shall not be restored unless such building or other structure and the use of it conform to the regulations of the district in which it is located. If such damage is fifty (50) percent or less of its current fair market value, it may be restored or rebuilt to its previous size, shape and dimensional characteristics and the previous use may be permitted, provided that the restoration or rebuilding is commenced within six (6) months of the time of damage and that construction is completed within twenty-four (24) months.

Section 5.07 Maintenance and Repair

Any structure devoted to a nonconforming use or that does not comply with the current setback requirements may be maintained, repaired, or structurally altered, provided that no such maintenance, repair or structural alteration creates any additional nonconformity, increased or extends the size, amount, quantity or degree of the existing nonconforming use or structure.

Section 5.08 Nonconforming Lots of Record

A. A Lot of Record is any lot or parcel of land that was lawfully created by a subdivision plat of record or by a metes and bounds description and recorded in the County Recorder's Office prior to the effective date of this Resolution.

B. Any lot of record existing on the initial effective date of this Resolution may be used for any single family dwelling when such use is permitted in the district, regardless of the width or area of said lot, provided all of the following criteria are met:

1. The side yard setback for any lot of record shall not exceed ten (10%) percent of the width of the lot, but in no case shall a side yard be less than ten (10) feet.
2. The rear yard setback for any lot of record shall not exceed twenty (20%) percent of the depth of the lot, but in no case shall the rear yard be less than ten (10) feet.
3. Accessory structure shall comply with all side and rear yard setback requirements in the applicable district regulations.

C. In any district where dwellings are not listed as a permitted use, a lot of record may be used for any permitted use in the district in which it is located, provided the following criteria are met:
   1. The side yard setback shall be a minimum of ten (10) percent of the lot width.
   2. The rear yard setback shall be a minimum of twenty (20) percent of the lot depth.
   3. All other regulations for the district, including but not limited to impervious surface ratio, shall apply as stated in the applicable zoning district.

D. Any lot of record that contains a structure that complies with the regulations in this Section shall be considered to be in compliance with these Zoning Regulations.

ARTICLE VI

DISTRICT CHANGES AND AMENDMENTS

Section 6.01 Intent

This Article describes the procedures to be followed for amendment of the Zoning.

Section 6.02 Initiation of Zoning Amendments

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

A. By referral of a proposed amendment to the Township Zoning Commission by Board of Township Trustees.
B. By the adoption of a motion by the Township Zoning Commission submitting the proposed amendment to the Board of Township Trustees.
C. By the filing of an application by at least one (1) owner or lessee of property, or his/her designated agent, within the area proposed or affected by the said amendment.

Section 6.03 Contents of Application

An application for amendment shall be submitted by the applicant to the Zoning Inspector and shall contain, at a minimum, the following information:

A. Name, address, and phone number of the applicant.
B. Proposed amendment to the text or legal description of the property affected that is signed and stamped by a Professional Surveyor in the State of Ohio.
C. Present use and district.
D. Proposed use and district.
E. A map drawn to scale showing property lines, streets, existing and proposed zoning, and such other items as the Zoning Inspector may require.
F. A list of all property owners within the 200 feet, contiguous to, and directly across the street from the parcel(s) proposed to be rezoned and their address as appearing on the Pickaway County Auditor's current tax list. The requirement for

addresses may be waived when more than ten (10) parcels are proposed to be rezoned.

G. A statement as to how the proposed amendment will impact adjacent and proximate properties.

H. Any other information as may be requested by the Zoning Inspector to determine conformance with and provide for enforcement of this Zoning Resolution.

I. A fee as established by the Board of Township Trustees.

Upon receipt of the application, the Zoning Inspector shall review it for completeness. If the above requirements are met, the Zoning Inspector shall transmit the application to the Zoning Commission. The date of such transmittal shall be considered the date of filing. If the application is incomplete, the Zoning Inspector shall return it to the applicant.

Section 6.04 Submission to Planning Commission

Within five (5) 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 pursuant to Section 6.03 above, 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 Pickaway County Planning Commission. The Pickaway County Planning Commission may recommend the approval or denial of the proposed amendment, or some modification thereof, and shall submit such recommendation to the Township Zoning Commission. Such recommendation shall be considered at the public hearing held by the Zoning Commission, pursuant to Section 6.05 below.

Section 6.05 Public Hearing by Zoning Commission

6.05.01 Date of Public Hearing

The Zoning Commission shall schedule a public hearing after adoption of their motion, transmittal of a resolution from the Board of Township Trustees, or the filing of an application pursuant to Section 6.03 above. Said hearing shall be held not less than twenty (20) nor more than forty (40) days from the date of adoption of such motion, transmittal of such resolution, or filing of such application.

6.05.02 Notice of Public Hearing in Newspaper

Before holding the public hearing as required, notice of such hearing shall be given by the Township Zoning Commission in at least one (1) newspaper of general circulation in the Township at least ten (10) days before the date of such hearing. The notice

shall set forth the following information:

a. The time and place of the public hearing.
b. A statement that the hearing is being conducted by the Walnut Township Rural Zoning Commission.
c. A statement indicating that the proposed action is an amendment to the zoning resolution.
d. A list of the addresses and owners of all properties to be rezoned or redistricted as they appear on the application, if applicable.
e. The present and proposed zoning classification of the property to be rezoned or redistricted, if applicable.
f. The time and place where the application will be available for public examination for a period of at least ten (10) days prior to the hearing,
g. The name of the person responsible for giving notice of the public hearing.
h. Any other information requested by the zoning commission.
i. A statement that after the conclusion of such hearing, the matter will be referred to the Board of Township Trustees for further determination.

6.05.03 Notice to Property Owners

If the proposed amendment intends to rezone or redistrict ten (10) or less parcels of land, as listed on the tax duplicate, written notice of such hearing shall be mailed by the Zoning Commission, by first class mail, at least twenty (20) days before the date of the hearing, to all owners of property within 500 feet, contiguous to and directly across the thoroughfare from such area proposed to be rezoned or redistricted. Such notices shall be mailed to the addresses of the owners appearing on the Pickaway County Auditor's current tax list, as provided by the applicant in Section 6.03 (F) above. The failure to deliver such notices shall not invalidate any such amendment. The notices shall contain the same information as required of notices published in newspapers as specified in Section 6.05.02 above.

Section 6.06 Recommendation by Zoning Commission

Within thirty (30) days after the hearing required in Section 6.05 above, 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 be denied.

Section 6.07 Public Hearing by the Board of Township Trustees

Within thirty (30) days from receipt of the recommendation of the Zoning Commission, the Board of Township Trustees shall hold a public hearing. Notice of such hearing shall be as specified in Section 6.05 above.

Section 6.08 Action by the Board of Township Trustees

Within twenty (20) days after the public hearing required in Section 6.07 above, the Board of Township Trustees shall either adopt or deny the recommendation of the Zoning Commission, or it may 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 6.09 Criteria

In reviewing the proposed amendment and arriving at its decision, the Board of Township Trustees shall consider the following factors:

A. Compatibility of the proposed amendment with the zoning and use of adjacent land, and with any land use or comprehensive plans adopted by the Township.

B. The effect of the adoption of the proposed amendment on motor vehicle access, traffic flow, storm drainage, and/or public infrastructure in the area.

C. The effect of the adoption of the proposed amendment upon the public health, safety, and general welfare of the adjacent properties and other residents of the Township.

Section 6.10 Effective Date and Referendum

Such amendment adopted by the Board of Township Trustees shall become effective thirty (30) days after the date of adoption, unless within that thirty (30) days there is presented to the Board of Township Trustees a petition, signed by a number of qualified voters residing in the unincorporated area of the Township or part thereof included in the zoning plan, equal to eight percent (8%) of the total vote cast for all candidates for Governor in such area at the most recent election in which a Governor was elected, requesting the Board of Township Trustees to submit the proposed 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 amendment has been approved by the voters, it shall take effect immediately.

ARTICLE VII

REGIONAL ACCESS CORRIDOR OVERLAY DISTRICT

Section 7.01 OVERLAY ESTABLISHED

The RAC encompasses, includes, overlays and rezones the area shown in cross hatch on the zoning map, which is incorporated herein and is hereby adopted as the official Zoning District Map for the RAC. The zoning regulations and districts in existence at the time of the effective date of the RAC rezoning shall continue to apply to all property within the RAC, unless the Walnut Township Board of Trustees ("the Trustees"), in accordance with Section 7.03.06, approves an application submitted by a property owner and/or their agent ("the Applicant"), to subject their property to the provisions of the RAC. Such an application shall be made in accordance with the provisions of this Article VII and all other applicable Articles of the Walnut Township Zoning Resolution ("the Zoning Resolution").

Section 7.02 SUBAREAS

The following subareas are hereby established as listed below and defined on the below overlay maps.

Section 7.03 PROCEDURE

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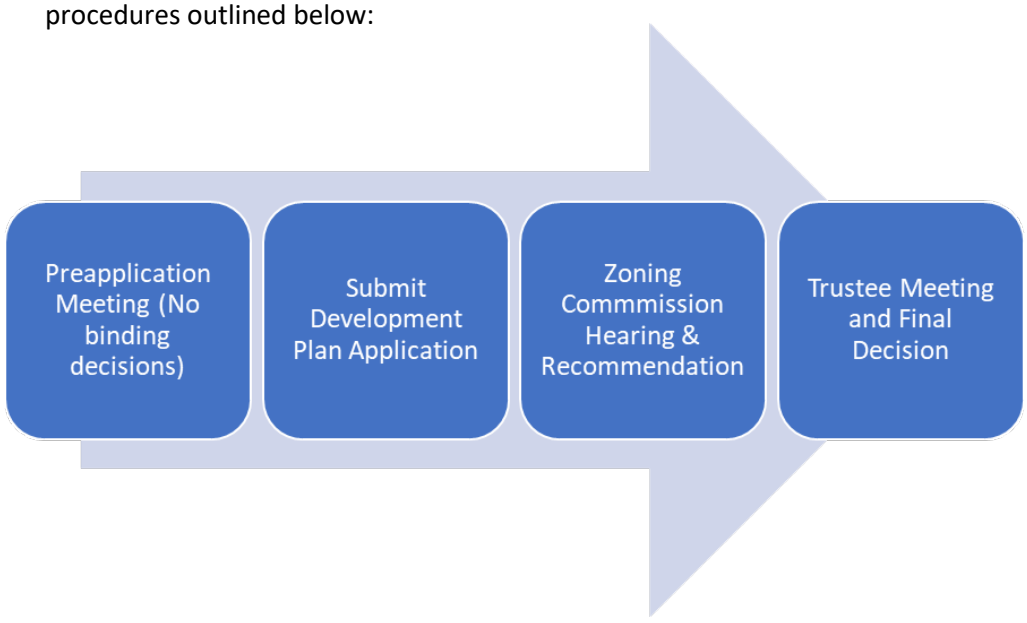
All applications to submit property to the RAC regulations shall follow the procedures outlined below:



Section 7.03.01 Preapplication Meeting

The applicant shall engage in informal consultations with staff from the Township. Such consultations may also include, and are strongly encourage with the Pickaway County Planning Commission, the Pickaway County Engineer, one or two representatives from the Township Zoning Commission, and other departments prior to submission of an application for approval of a Development Plan. No statement or action by Township or County officials in the course of these informal consultations shall be construed to be a waiver of any legal obligation of the applicant or of any procedure of formal approval required by the Township or County statutes or rules. Ohio's Open Meetings Laws (Section 121.22 of the Ohio Revised Code) is required to be observed at all meetings involving a quorum of members of the Zoning Commission or Trustees.

The application should provide a conceptual layout of the proposed development to allow discussion of the existing features of the site, environmental limitations of the site, and any utility and transportation-related matters.

Section 7.03.02 – Application and Development Plan:

The applicant shall prepare and submit a formal application and Development Plan, with a minimum of three (3) hard copies, along with an electronic copy and all applicable fees to the Walnut Township Zoning Inspector. The application shall be signed by the applicant and all owners of the property. The Walnut Township Board of Trustees may request that any County agency and/or any committee of the Pickaway County Planning Commission submit comments for consideration at the meeting.

The application shall include a Development Plan and be accompanied by the following supporting information and documentation in text and map form:

A. A survey plat and legal description signed by a registered Ohio surveyor showing the size and location of the Tract to be developed.
B. A grading plan drawn to scale of 1" = 100', or to another scale acceptable to the Zoning Inspector, showing all information pertaining to surface drainage for the Tract.
C. An explanation of the method/structure and proposed documentation and instruments to be used in order to perpetually own, maintain and preserve the required open space. The location, size, and proposed use(s) of all open space areas shall be detailed.
D. A Traffic Impact Study (TIS) may be required as indicated below:
    1. When the proposed use(s) within the Tract to be developed generate less than one hundred (100) a.m. or p.m. peak hour vehicle trips and/or less than 500 new daily vehicle trips:

No TIS Required.

2. When the proposed use(s) within the Tract to be developed generate one hundred (100) or more a.m. or p.m. peak hour vehicle trips and/or 500 or more new daily vehicle trips, a TIS shall be required but the applicant may delay the TIS until after the Development Plan has been approved by the Township Trustees, provided the following information is submitted to the Zoning Inspector at the time of the Zoning Permit application:
   a) A copy of a letter(s) from the permitting authority(ies) of the applicable roadway(s), indicating that the applicant has completed a TIS and that said permitting authority(ies) has (have) reviewed and approved said TIS.
   b) A copy of an agreement or other acceptable form of commitment between the applicant and the permitting authority(ies) of the roadway(s), binding the applicant to construct the required improvements within the TIS in accordance with the time frames in the approved study.
   c) If an applicant is unable to provide the above information, then the Zoning Permit shall be denied by the Zoning Inspector and a new Development Plan must be approved by the Township Trustees in accordance with Section 14.05.
3. Vehicle trips shall be determined by utilizing the ITE Trip Generator Book (8th Edition or most current publication).
4. A TIS, when required, shall be signed and sealed by a Professional Engineer (preferably a Professional Transportation Operations Engineer) and shall include all information required by the Pickaway County Engineer's office (DECO), the Pickaway County Subdivision Regulations, the Pickaway County Access Management Regulations, the Ohio Department of Transportation (ODOT) or any third-party Engineering firm hired by the Township, as applicable.
5. The recommendations included in a TIS, when required, shall be approved by the permitting authority of the applicable roads to which the recommendations apply. In the case of Township Roads, the Township may utilize a third-party Engineering firm or the County Engineer's office to review and approve the recommendations of the TIS.

Section 7.03.03 – Development Plan Contents:

The Development Plan must be drawn to a scale of at least 1" = 100', or to another scale acceptable to the Zoning Inspector, and include in text and map form the following proposed features:

A. Proposed name of the development and its location.
B. Names and addresses of the applicant, owners, and developers.
C. Date and north arrow.
D. A list, description and location of the precise uses proposed for the development and phases for construction, if any. The list of uses shall be defined by their customary name or identification and must be allowed as permitted uses for the applicable subarea. Any listed uses may be limited to specific areas delineated in the Development Plan. If the proposed timetable for development includes constructing the property in phases, all phases to be developed after the first phase shall be fully described in textual form in a manner calculated to give Township officials definitive guidelines for approval of future phases.
E. Boundary lines of the proposed development and the total acreage of the proposed project.
F. The adjoining lines of adjacent Tracts, Parcels or Lots.
G. Layout, numbering, and dimensions of Lots, if more than one.
H. Labels for the existing zoning districts for the Tract and adjacent Parcels.
I. Existing deed restrictions for the Tract to be developed, if applicable.
J. Sight Line Diagram for adjacent residential districts.
K. Locations, widths and names of all existing and proposed public streets or other public rights-of-way, railroad and utility rights-of-way or easements, parks and other public open spaces, and section and corporation lines within the Tract.
L. Existing sewers, water mains, culverts, and other underground facilities within the Tract, adjacent to the Tract or that will be used or are proposed to be used in developing the Tract, indicating pipe sizing, grades and locations.
M. Existing ground configuration, drainage channels, wooded areas, watercourses and other significant physical features within the Tract. An exhibit demonstrating environmentally-sensitive areas such as the 100-year floodplain, wetlands, and slopes greater than twenty percent (20%).
N. Any stream delineations and mitigation setbacks required by the Army Corps of Engineers.
O. Parcels of land intended to be dedicated or temporarily reserved for public use or reserved by deed covenant with the condition proposed for such covenant, and for the dedications.
P. The proposed provisions for water, fire hydrants, sanitary sewer, all underground utilities, and surface drainage with engineering feasibility

studies or other evidence of reasonableness. Preliminary water, sanitary sewer, and storm sewer line sizes and location, detention basins and drainage structures shall be drawn. Detailed engineering is not required.

Q. A copy of letters from the following entities:
   1. County Engineer or roadway maintaining authority stating that the proposed access and sight distance is adequate
   2. Water and Sewer District stating that water and sanitary sewers are available and have sufficient capacity to serve the proposed land uses.

R. Proposed street grades and preliminary sewer size slope.

S. Building setback lines with dimensions.

T. Layout, location, dimensions of any existing and proposed structures. Any existing structures to be demolished when developing the Tract must be labeled as "to be removed."

U. Building locations depicting the bulk, height and spatial relationships of building masses with adjacent development.

V. Preliminary drawings for buildings to be constructed, including preliminary floor plans, exterior elevations and sections.

W. Color renderings of proposed and existing Structures (except those that are "to be removed"), complete with a listing of all colors referenced by the Pantone Color Reference System (latest edition) or if Pantone is not available, the manufacturer's reference/serial number with samples and materials to be used.

X. Intended measures to screen rooftop mechanical equipment, production areas, service areas, storage areas, trash containers, and loading zones from view.

Y. Detailed Parking and Loading Plan showing layout, location and design of parking and loading areas, number of parking and loading spaces, traffic circulation, curb cuts, pedestrian walks and lane improvements on existing public roads.

Z. Accommodations and access for emergency and fire-fighting apparatus.

AA. A detailed Signage Plan showing the location, type, dimensions and features of all signage.

BB. A detailed Exterior Lighting Plan that includes:
   1. A photometric plan showing:
      a) The proposed intensity levels of the lighting throughout the site indicating footcandle measurements;
      b) The lighting levels for the proposed site and an area extending a minimum of thirty (30) feet onto adjacent properties;
      c) The locations of each of the proposed lighting fixtures (wall mounted and pole);
      d) The minimum, maximum, and average intensity/illumination for the site;

e) Details of all proposed outdoor lighting fixtures indicating manufacturer, model and style of the fixture.
f) A graphic representation of the fixture is required.
g) The fixture lamp type (i.e. low pressure sodium, metal halide, etc.) shall be indicated on the proposed plans;
h) The proposed height of the lighting fixtures; and
i) The hours of use of the lighting fixtures.

CC. A Landscape Plan which depicts and identifies all proposed landscaping features. The Landscape Plan shall identify the caliber, height, and numbers of each plant, shrub, or tree, its name, its size at planning and rendering(s) of how that section of the development would look in elevation.

DD. A letter stating that all necessary restrictive covenants, to ensure the perpetual maintenance of the required open space, will be executed. Executed covenants shall be submitted prior to the Zoning Inspector issuing a Zoning Permit for construction.

EE. A letter stating that all necessary agreements will be executed to ensure access to and maintenance of any proposed shared parking. Executed agreements shall be submitted prior to the Zoning Inspector issuing a Zoning Permit for construction.

GG. The ability of the applicant to carry forth this plan by control of the land and the engineering feasibility of the plan.

HH. The applicant may request a divergence from the development standards set forth in Article XXVII. An applicant making such a request shall specifically and separately list each requested divergence and the justification therefore on the Development Plan submittals, with a request that the proposed divergence be approved as part of and as shown on the Development Plan. Unless specifically supplemented by the standards contained in the Development Plan, the development shall comply with the requirements contained in Article XXVII. A request to approve a use that is not listed as a permitted use in the Subarea shall not be considered a divergence and shall follow the statutory rezoning process to determine if such use should be added to the Subarea text.

II. Any other information, as may be required by the Walnut Township Board of Trustees, in order to determine compliance with this Zoning Code.

JJ. All drawings that are a part of the Development Plan shall respectively bear the seals of the preparing architect, landscape architect, and/or professional engineer. The respective professional attaching his or her seal to the drawings must be licensed to practice in the state of Ohio.

Section 7.03.04 Zoning Inspector

After receipt of completed application materials and required fees, the Zoning Inspector shall forward said materials to both the Zoning Commission.

Section 7.03.05 Zoning Commission

The Zoning Commission shall schedule and hold a public hearing within thirty (30) days receiving an application and shall give the applicant and all owners of property within, contiguous to, and directly across the street from the area subject to the Application written notice of the hearing at least ten (10) days before the date of the Zoning Commission hearing. Notice shall be sent by regular, first-class mail to the addresses of those owners as they appear on the County Auditor's then current tax list. The failure of delivery of that notice shall not invalidate any action the Zoning Commission may take on the Application. The Zoning Commission shall render a recommendation to the Board of Trustees on the Application and Development Plan at the conclusion of the hearing and shall forward the recommendation to the Walnut Township Board of Trustees.

Section 7.03.06 Board of Trustees Action

The Walnut Township Board of Trustees shall, upon receipt of such application and recommendation, set a time for a meeting to consider approval of the application and Development Plan, which date shall not be more than thirty (30) days from the date of the receipt of such recommendation from the Zoning Commission and shall give the applicant and all owners of property within, contiguous to, and directly across the street from the area subject to the Application written notice of the hearing at least ten (10) days before the date of the hearing. Notice shall be sent by regular, first-class mail to the addresses of those owners as they appear on the then County Auditor's current tax list. The failure of delivery of that notice shall not invalidate any action the Board of Trustees may take on the Application. The Board of Trustees shall render a decision on the Application and Development Plan at the conclusion of the hearing unless the applicant requests a delay of action (tabling) for a specific period of time.

Section 7.03.07 – Basis of Approval

In determining whether or not to approve an Application and Development Plan, the reviewing authorities shall consider the following:

A. If the proposed Development Plan is consistent with the purpose, criteria, intent, and standards of this Article and Zoning Code, and/or that proposed divergences provide the benefits, improved arrangement and design of the proposed development and justify the deviation from the development standards or requirements of the Zoning Resolution.

B. If the proposed Development Plan meets the design features and development standards required in this Article and Zoning Code or otherwise are listed and approved as divergences.
C. If the proposed development will be adequately served by essential public facilities and services including, without limitation, roads, sidewalks, and multi-use paths, police and fire protection, drainage structures, potable water and centralized sanitary sewers or other approved sewage disposal systems.
D. If the proposed development can be made accessible through existing Township roadways or roadways and lane improvements actually being constructed and opened prior to the opening of the uses in the Development Plan without creating unreasonable traffic congestion in the immediate vicinity of the proposed development or elsewhere in the Township.
E. Such other considerations which promote public health, safety, and welfare may be deemed relevant by the Board of Trustees.

In approving the Application and Development Plan, the Board of Trustees may impose such conditions, safeguards and restrictions deemed necessary in order to carry out the purpose and intent of the RAC.

Section 7.03.08 Effect of Approval

The Board of Trustees action on a proposed Development Plan under this Article shall not be considered to be an amendment to the Township Zoning Resolution for purposes of Section 519.12 of the Revised Code but is subject to appeal pursuant to Chapter 2506 of the Revised Code. If the Trustees determine that an Application and a proposed Development Plan complies with the requirements of this Article, including any approved divergences, and approve said application, upon such approval the Zoning Map shall be changed so that any other zoning district that applied to the Tract that is subject to the Application no longer applies to that Tract. The removal of the prior zoning district from the Zoning Map is a ministerial act and shall not be considered to be an amendment to the Township Zoning Resolution for the purposes of Section 519.12 of the Revised Code.

Section 7.03.09 Plat

The Development Plan as approved by the Board of Trustees shall be the subject of a subdivision plat to be approved by the Pickaway County Planning Commission, only if required by the Ohio Revised Code or the Pickaway County Planning Commission. When the land will be developed in phases, plats for all phases shall be submitted in accordance with the timetable in the approved Development Plan. If a plat is required by applicable law, no use shall be established or changed, and no structure shall be

constructed or altered until the required subdivision plat has been prepared and recorded in accordance with the Subdivision Regulations for Pickaway County, Ohio, and this Zoning Resolution. The subdivision plan and plat shall be in accordance with the approved Development Plan. No zoning certificate shall be issued for any structure in any portion of the RAC for which a plat is required until such plat for that portion has been approved by the applicable platting authorities and recorded with the Pickaway County Recorder in accordance with the approved Development Plan and the Subdivision Regulations of Pickaway County, Ohio.

7.03.10 Development Plan Approval Period

The approval of the Development Plan shall be effective for a period of five (5) years to allow for the preparation and recording of a subdivision plat (if required under applicable law) and the Commencement of Construction following the issuance of a zoning permit. If no plat has been recorded within this approval period (or if platting is not required, if construction has not commenced), 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 constructed until either an extension has been approved in accordance with Section 7.03.11 or an application accompanied by a new Development Plan has been filed with and approved by the Township using the same procedures and criteria as established for the approval of the initial Development Plan.

Section 7.03.11 Extension of Time

An extension of the time limit for either recording the approved subdivision plat or the Commencement of Construction may be granted by the Board of Trustees upon application of the owner(s), provided the Board of Trustees determines that such an extension is not in conflict with the public interest, that there is a legitimate purpose and necessity for such extension, and that the applicant shows evidence of reasonable effort toward the accomplishment of the recordation of the plat and the completion of the development of the project. The length of time permitted for an extension shall be determined based upon the application submitted and at the discretion of the Board of Trustees. A request for an extension shall be filed prior to the expiration of the established approval period.

Section 7.03.12 Amendment of an Approved Development Plan

After a Development Plan has been approved by the Township Trustees, no changes to said plan shall be permitted without approval as set forth below:

Section 7.03.13 Minor Amendments

Within 30 days of the submittal of a written application specifically detailing the changes requested along with a revised Development Plan, the Zoning Inspector may

administratively approve a minor amendment. Minor amendments are limited to the following:

A. An encroachment of five (5) feet or less into a Side or Rear Setback as shown on the approved development plan, provided such setback abuts property having the same or similar use, as determined by the Zoning Inspector (changes to the front setbacks have more impact to utilities and the overall design intent of this Article and shall be considered a major amendment).

B. An increase of no more than five (5) percent of the lot coverage provided on the approved development plan.

C. An increase of no more than five (5) feet in the maximum building height as shown on the approved development plan.

D. Like for like adjustments to specified building materials.

Anyone aggrieved by the Zoning Inspector's decision on a proposed minor amendment, may appeal said decision to the Board of Trustees within thirty (30) days of said decision by the Zoning Inspector. The Board of Trustees shall hear said appeal within thirty (30) days of receiving the appeal. The Board of Trustee's action is final and is subject to appeal through RC 2506.

Section 7.03.14 Major Amendment

All other proposed amendments, other than the four (4) identified in 7.03.13 above, shall be considered major amendments and must be approved by the Township Trustees after a public hearing.

The Township Trustees shall schedule and hold a public hearing within thirty (30) days of receiving an application for a major amendment and provide notice of the public hearing where said modification will be considered. The purpose of the public hearing is to determine whether the owner(s) has made reasonable and diligent efforts toward the accomplishment of the original Development Plan, and that such amendment is consistent with the intent of Article VII. Notice shall be provided to the applicant and all owners within, contiguous to, and directly across the street from the property for which the amendment is proposed. Said notice shall be given by regular first-class mail sent no less than (10) days prior to the public hearing. The notice shall be mailed to the addresses of those owners as they appear on the County Auditor's current tax list. The failure of delivery of said notice shall not invalidate any action the Township Trustees may take on the request. The Township Trustees shall render a decision on the proposed amendment at the conclusion of the public hearing. The Township Trustee's decision on the amendment is administrative in nature and is subject to appeal in accordance with RC 2506.

Any minor or major modification that is approved shall apply only to the proposed Development Plan for which the amendment application has been submitted and shall not apply to the entire RAC.

A request to approve a use that is not listed as a permitted use in the Subarea, and that is not otherwise permitted in this overlay shall not be considered an amendment and shall follow the statutory rezoning process to determine if such use should be added to the Subarea text.

Section 7.03.15 Fee

A fee established by the Board of Trustees shall accompany an application requesting approval of the Development Plan, as well as any request for extension or amendment.

ARTICLE VIII

APPEALS AND VARIANCES

Section 8.01 Appeals

Any official action of the Zoning Inspector may be appealed by any person aggrieved by the decision of the Zoning Inspector to the Board of Zoning Appeals. The appeal shall follow the procedures outlined in this Article of this Resolution.

Section 8.02 Notice of Appeal

A notice of appeal may be filed with the Clerk of the Township by any person aggrieved including an owner, tenant, a governmental officer, department, board, or bureau. Such appeal shall be taken within twenty (20) days after the date of the decision, and shall be in writing, signed by the appellant, specifying the grounds of the appeal. A copy of the action by the Zoning Inspector shall be attached to the notice of appeal. Within five (5) days from the date of receipt of such appeal, the Clerk of the Township shall transmit said notice to the Board of Zoning Appeals.

An appeal shall stay all proceedings of the action being appealed. If a stay would cause imminent peril to life or property in the Zoning Inspector's opinion, he/she may certify said facts to the Board of Zoning Appeals. In such a case, the proceedings of the application shall not be stayed other than by a restraining order granted by the Board of Zoning Appeals after notice to the Zoning Inspector or by judicial proceedings.

Section 8.03 Action by the Board of Zoning Appeals

Upon receipt of the notice of appeal, the Board of Zoning Appeals shall schedule and hold a hearing on said appeal within sixty (60) days, give ten (10) days notice in writing to interested parties, give notice of such public hearing by one (1) publication in one (1) or more newspapers of general circulation in Pickaway County at least ten (10) days before the date of such hearing, and decide the appeal within thirty (30) days of the closing of the hearing. Interested parties shall include: the appellant, the owner of the property in question, property contiguous to and the property directly across the street from the property in question. At the hearing, any person may appear in person or by attorney.

Section 8.04 Variances

The Board of Zoning Appeals shall have the power to authorize variances from the provisions of this Resolution that will not be contrary to the public interest. Such variances shall be granted only in cases of special conditions, involving physical conditions of the land, whereby strict application of such provisions or requirements would result in *unnecessary hardship* that would deprive the owner of the reasonable use of the land and buildings involved. No variance from strict application of any provision of this Resolution shall be granted by the Board unless it finds that all the following facts and conditions exist:

A. That there are unique physical circumstances or conditions, such as irregularity, narrowness or shallowness of lot size or shape or exceptional topographical or other physical conditions specific to the land or building for which the variance is sought, and such conditions do not apply generally to land or buildings in the neighborhood or district in which the property is located.

B. That, because of such physical conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the Zoning Resolution and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.

C. That such unnecessary hardship has not been created by the applicant.

D. That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public health, safety and/or welfare

E. That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.

Under no circumstance shall the Board of Zoning Appeals grant a 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.

Section 8.05 Application for Variance

Any owner, or his/her agent, may file an application to obtain a variance. Three copies and one electronic copy of a variance application for shall be filed with the Zoning Inspector. The Clerk shall forward such application to the Secretary of the Board of Zoning Appeals within five (5) days from receipt of the completed application.

The application for a variance or an appeal shall contain the following information:

A. Name, address, and phone number of the applicant.
B. Legal description of property as recorded in Pickaway County Recorder's office.
C. A map or drawing to approximate scale, showing the dimensions of the lot and any existing or proposed building.
D. The names and addresses of all property owners within 200 feet, contiguous to, and directly across the street from the property, as appearing on the Pickaway County Auditor's current tax list.
E. Each application for a variance shall refer to the specific provisions of this Resolution which apply.
F. A narrative statement explaining the following:
    1. The use for which variance or appeal is sought.
    2. Details of the variance or appeal that is applied for and the grounds on which it is claimed that the variance or appeal should be granted, as the case may be.
    3. The specific reasons why the variance is justified, according to Section 8.04 A-D above.
G. Fee(s) as established by the Board of Township Trustees.

Section 8.06 Public Hearing by the Board of Zoning Appeals

The Board of Zoning Appeals shall hold a hearing within thirty (30) days after receipt by the Secretary of an application for a variance. A ten (10) days notice shall be given in writing to interested parties. Notice of such public hearing shall also be made by one (1) publication in one (1) or more newspapers of general circulation in Pickaway County at least ten (10) days before the date of such hearing. The notice shall set forth the time and place of the public hearing, and the nature of the proposed variance. Interested parties shall include: the applicant, the owner of the property in question, property contiguous to and the property directly across the street from the property in question. At the hearing, any person may appear in person or by attorney.

Section 8.07 Action by Board of Zoning Appeals

Within thirty (30) days after the closing of the hearing pursuant to Section 8.06, the Board of Zoning Appeals shall either approve, disapprove, or approve with supplementary conditions the request for variance. In granting any variance, the Board of Zoning Appeals may prescribe appropriate and reasonable conditions. Violation of the conditions and/or safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this Resolution under Section 4.10 of this Resolution.

If the application is approved, or approved with conditions, the Board of Zoning Appeals shall make a finding that the reasons set forth in the application justify the granting of the variance and will permit a reasonable use of the land, building or structure. The Board of Zoning Appeals shall transmit a written copy of its decision and findings to the Zoning Inspector, who shall forward such copy to the applicant. If the request for appeal or variance is denied, the applicant may seek relief through the Court of Common Pleas.

ARTICLE IX CONDITIONAL USES

Section 9.01 Authority and Purpose

Most districts contain conditional uses. A conditional use is defined as a desirable use within a zoning district that may more intensely affect the surrounding area than a permitted use in said district. Such uses may require supplementary conditions and safeguards to ensure they blend with the surrounding area.

A conditional use requires a permit from the Board of Zoning Appeals prior to commencing said use on a property. This section outlines the procedures for obtaining a conditional use permit.

Section 9.02 Application for Conditional Use

Any person owning property may file an application for one (1) or more conditional uses listed in the zoning district where the property is located. Five (5) copies and one (1) electronic copy of an application for a conditional use shall be filed with the Zoning Inspector, who shall forward within five (5) days a copy to the Secretary of the Board of Zoning Appeals. At a minimum the application shall contain the following information:

A. Name, address, and phone number of applicant.
B. Legal description of the property as recorded in the Pickaway County Recorder's office.
C. Present zoning district.
D. Description of proposed conditional use.
E. A plan of the proposed site for the conditional use showing the location of all buildings, parking and loading area, traffic circulation, open spaces, landscaping, refuse and service areas, utilities, signs, yards, and such other information as the Board may require to determine if the proposed conditional use meets the intent and requirements of this Resolution.
F. A narrative statement evaluating the effects on adjoining property; the effect of such elements as noise, glare, odor, light, fumes and vibration on adjoining property; and a discussion of the general compatibility with adjacent and other properties in the district.
G. The names and addresses of all property owners within 200 feet, contiguous to, and directly across the street from the

property, as appearing on the Pickaway County Auditor's current tax list. The applicant shall also provide the addresses of all property within the above referenced boundaries.

H. Such other information regarding the property, proposed use, or surrounding area as may be pertinent to the deliberations of the Board.

I. Fee(s) as established by the Board of Township Trustees.

Section 9.03 General Standards for Conditional Uses

In order for the Board of Zoning Appeals to grant approval of a conditional use, the proposed use and development must meet the following general standards:

A. The use is in fact a conditional use as established under the district regulations.

B. The use will be designed, constructed, operated and maintained so as to be harmonious and appropriate with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.

C. The use will not pose a discernible hazard to existing adjacent uses.

D. The use will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewers, and schools.

E. The use will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.

F. Evidence is submitted by the applicant that the proposed use will not impose more significant or substantial adverse impacts on adjacent properties, specifically related to storm water runoff and surface drainage, that the uses permitted in the district, and that measures can and will be employed to alleviate such adverse impacts.

G. The use will be consistent with the objectives of this Zoning Resolution and any adopted comprehensive plan for the area.

In addition to the general standards listed above, additional conditions that are specific to a particular conditional use may be listed in the applicable zoning district. The Board of Zoning Appeals shall not grant approval of a conditional use unless it finds that the proposed use complies with both the general standards above and the specific standards listed in the applicable zoning district for said use.

Section 9.04 Supplementary Conditions

In granting any conditional use, the Board may prescribe appropriate conditions and safeguards in conformance with this Resolution.

Section 9.05 Public Hearing by the Board of Zoning Appeals

The Board shall hold a public hearing within thirty (30) days from the receipt of the application specified in Section 9.02. A ten (10) days notice shall be given in writing to interested parties. Notice of such public hearing shall also be made by one (1) publication in one (1) or more newspapers of general circulation in Pickaway County at least ten (10) days before the date of such hearing. The notice shall set forth the time and place of the public hearing, and the nature of the proposed variance. Interested parties shall include: the applicant, the owner of the property in question, property contiguous to and the property directly across the street from the property in question. At the hearing, any person may appear in person or by attorney.

Section 9.06 Action by the Board of Zoning Appeals

Within thirty (30) days after the closing of the public hearing, the Board shall either approve, approve with supplementary conditions as specified in Section 9.04, or disapprove the application as presented. If the application is approved with supplementary conditions, the Board shall direct the Zoning Inspector to issue a zoning certificate listing the specific conditions listed by the Board for approval. If the application is disapproved, the applicant may seek relief through the Court of Common Pleas.

Section 9.07 Expiration and Revocation of Zoning Certificate Issued Under Conditional Use Provisions.

The approval of the zoning certificate issued in accordance with Section 9.06 shall become null and void if such use is not carried out within one (1) year after date of approval. The Board may revoke the zoning certificate upon written evidence by any resident or official of the Township of violation of the Zoning Resolution and/or written terms and conditions upon which approval was based.

ARTICLE X PROCEDURES FOR AMENDING TO A PLANNED UNIT DEVELOPMENT DISTRICT

Section 10.01 Procedure

A Planned Unit Development (PUD) District may be approved as a district on the Zoning Map in accordance with the procedures set forth in this Section. The PUD standards in Section XVI shall also apply. It is the intent of this Section to incorporate the review and approval of a Development Plan with the zoning amendment process.

Section 10.02 Sketch Plan (Optional)

Prior to submitting an application for amending to a Planned Unit Development (PUD) District, the applicant may submit a sketch plan for an informal review by the Zoning Commission. Three (3) copies and one (1) electronic copy of the said plan shall be submitted.

Section 10.03 Sketch Plan Contents

A. Boundaries of the area proposed to be zoned PUD, dimensions and total acreage;
B. A topographic map at vertical intervals of not more than two (2) feet;
C. Location of wetlands (and potential wetlands), the floodway boundary and floodway elevations as delineated by the Federal Emergency Management Agency, rivers, streams, and their related river or stream bank, ponds, and water courses;
D. All existing rights-of-way and easements;
E. Existing soil classifications;
F. Location of all wooded areas, tree lines, hedgerows and specimen trees;
G. Existing drainage patterns on the property, public sanitary, public storm sewer, and public water;
H. Existing vegetation and agricultural lands by type;
I. Existing buildings, structures, and other significant man–made features on the site and within 200 feet of the project boundary;
J. All structures and areas of known historical significance;
K. Existing view sheds and identification of unique vistas;

L. A summary of the proposed development including the total acreage, the general description of each proposed use, and number and type(s) of residential dwelling units (if any).
M. A sketch layout of proposed lots and building setback lines. If applicable, dwelling unit types and the total number of dwelling units.
N. General location, type, and size of non–residential Uses.
O. The general location of proposed open space, community spaces, and other similar areas.
P. General location of public street rights-of-way;
Q. Natural features to be conserved and natural features that have potential to be altered.

Section 10.04 Site Visit During Sketch Plan Review

Within 30 days of sketch plan submittal, the Zoning Commission may, together with the applicant and the applicant's landscape architect or engineer, visit the site to gain a thorough understanding of the characteristics of the site. The Zoning Commission may invite any applicable representatives of county agencies, the Fire District and the local school district to attend the site visit and sketch plan review.

Section 10.05 Review by the Zoning Commission

Within sixty (60) days of a sketch plan submittal, the Township Zoning Commission shall review the sketch plan during one of its regular meetings or a special meeting called for that purpose. The Zoning Commission may provide informal feedback to the applicant during this meeting. No binding decisions or votes will be made during the sketch plan review.

Section 10.06 Zoning Amendment Application

The applicant shall submit three (3) copies of an application to amend a tract of land to the PUD designation which shall be filed with the Zoning Inspector. The application shall be signed by all owners of parcels within the tract of land for which the PUD District is proposed. The application shall include the same information required in Section 6.03 for a zoning amendment application plus the following additional information:

A. A Development Plan that includes the following information:
    1. All information listed in the sketch plan requirements; and
    2. A site plan drawn at a scale not less than 1" = 100' indicating:

i. Boundaries of the area proposed for development, accurate dimensions and total Acreage.
ii. Layout of proposed Lots and Building setback lines. If applicable, dwelling unit types and the total number of dwelling units shall be indicated on the proposed Development Plan.
iii. Layout, dimensions, and names of existing and proposed streets and rights-of-way.
iv. The location, type, and size of non–residential uses.
v. Proposed utility easements, drainage easements, or any other type of easement
vi. Proposed parks, community spaces, and open spaces and any proposed amenities included within these areas.
vii. Preliminary improvement drawings including any proposed water, sewer, and drainage improvements.
viii. Any proposed Landscaping.
ix. Any proposed signage.
x. The proposed schedule of site development.

B. Name, address, and phone number of registered surveyor, registered engineer, and/or licensed landscape architect who prepared the Development Plan.
C. Verification by at least one owner of the tract of land that all information in the application is true and correct to the best of the owner's knowledge.
D. A written statement from the property owner(s) setting forth the reasons why, in the applicant's opinion, the planned unit development service district would be in the public interest and would be consistent with the stated intent of the applicable requirements.

Section 10.07 PUD Amendment Procedure

The PUD Amendment Procedure to a PUD shall follow the procedures in Article VI.

Section 10.08 Zoning Commission Findings

Prior to making its recommendation to the Board of Trustees, the Zoning Commission shall determine if the facts submitted with the application/Development Plan and presented at the public hearing establish that:

A. The site has been designed in the most efficient manner possible.

B. The proposed roads will be able to carry the traffic generated by the development.
C. The proposed development will not be detrimental to the existing road networks outside of the proposed District.
D. The land has been designed in a manner that protects existing critical resources.
E. Adequate water and waste disposal systems have been provided to accommodate the proposed development.
F. Adequate storm drainage improvements have been proposed.

Section 10.09 Action by Board of Trustees

If the application for rezoning is granted, the area of land included in the application shall be designated as a Planned Unit Development on the Zoning Map upon the effective date of the rezoning. The resolution passed by the Township Board of Trustees approving the rezoning application shall incorporate the Development Plan, including any conditions that may be imposed by the Township Board of Trustees. Any violation of such conditions when made part of the terms under which the Development Plan is approved, shall be deemed a violation of this Zoning Resolution and subject to the provisions of 4.10.03 of this Resolution.

Section 10.10 Zoning Permit

The Zoning Inspector shall not issue a Zoning Permit for any structure in any portion of a PUD District for which a plat is required by the Pickaway County Subdivision Regulations until the plat has been approved by the applicable County agencies and is recorded. Any modifications to a Development Plan approved by the Township Board of Trustees that may be required during the Platting process must be approved in accordance with 4.10.

Section 10.11 Modifications to Approved Development Plan

The Zoning Commission may approve minor modifications to an approved Development Plan without a public hearing. If major modifications are proposed, such as a substantial change in use, density, layout of roads, or access points, the modification shall be considered through the public hearing process followed in the original application for rezoning.

Section 10.12 Expiration

If construction has not commenced within two (2) years of the effective date of the rezoning, the Development Plan shall be void and a new Development Plan must be applied for and may be approved through the process followed in the original application for rezoning, unless an extension is granted by the Township Zoning Commission.

PART THREE ZONING DISTRICTS

ARTICLE XI

STANDARD ZONING DISTRICT REGULATIONS

Section 11.01 Regulations for the Use and Development of Land or Structures

Regulations pertaining to the use of land and/or structures and the physical development thereof within each of the zoning districts as established in Article XII, are hereby established and adopted.

Section 11.02 Rules of Application

A. Identification of Uses

Listed uses are to be defined by their customary name or identification, except as specifically defined or limited in this Resolution.

B. Permitted Uses

1. Only a use designated with a "P" under each district in Table X 1 of Section X 14.01 shall be allowed as a matter of right in said zoning district, and an use not so designated shall be prohibited unless:
   a) A permitted use may be added to a zoning district by formal amendment, in conformance with Article IV of this Resolution.
   b) An unlisted use may be determined by the Board of Zoning Appeals to be a similar use, in accordance with Section 11.02.05 of this Article.

C. In no case shall there be more than one (1) principal building used for residential purposes on any single lot of record in the RR and SR-1 Districts.

D. Accessory Uses

An accessory use or structure is a subordinate use or structure clearly incidental and secondary to the principal permitted building or use, and located on the same lot with such principal building or use. Accessory uses or structures shall

be allowed in accordance with the specific district regulations and the requirements of this Resolution.

E. Conditional Uses

Any use designated with a "C" under each district title in Table 1 shall be treated as a conditional use in said zoning district. The procedures in Article IX of this Resolution must be followed and said use must comply with the criteria in order in for Board of Zoning Appeals to issue a Conditional Use permit.

F. Similar Uses

Determination as to whether a use is similar to uses permitted by right shall be considered as an expansion of use regulations of the district and not as a variance applying to a particular situation. Any use found similar shall thereafter be considered as a permitted use in that district.

Applications for zoning permits for uses not specifically listed in the permitted building or use classifications of the zoning district, which the applicant feels qualify as a similar use under the provisions of this Section, shall be submitted to the Board of Zoning Appeals.

Within thirty (30) days after such submittal, the Board of Zoning Appeals shall determine whether the requested use is similar to those uses permitted in the specific district. In order to find that a use is similar, the Board shall find that all of the following conditions exist:

G. Such use is not listed as a permitted or conditional use in another zoning district.

H. Such use conforms to basic characteristics of the classification to which it is to be added and is more appropriate to it than to any other classification.

I. Such use creates no danger to health and safety, creates no offensive noise, vibration, dust, heat, smoke, odor, glare, or other objectionable influences, and does not create traffic congestion to an extent greater than normally resulting from uses listed in the classification to which it is to added.

J. Development Standards

Development standards set forth shall be the minimum allowed for uses permitted in that district. If development standards are in conflict with requirements of any other lawfully adopted rule, regulation, or law, the most restrictive standard shall govern.

ARTICLE XII

ZONING DISTRICTS AND ZONING DISTRICT MAP

Section 12.01 Zoning Districts Established

The following zoning districts are hereby established for Walnut Township:

RR - ***RURAL RESIDENTIAL DISTRICT***
SR-1 - ***SUBURBAN RESIDENTIAL DISTRICT***
NC- ***NEIGHBORHOOD COMMERCIAL DISTRICT***
RAC - ***REGIONAL ACCESS CORRIDOR DISTRICT***
PUD - ***PLANNED UNIT DEVELOPMENT DISTRICT***

Section 12.02 Official Zoning Map

The districts established above in Section 12.01 of this Resolution are shown on the Official Zoning District Map which, together with all notations, references, data, district boundaries and other explanatory information, is hereby adopted as a part of this Resolution. The Official Zoning District Map shall be identified by the signatures of the Board of Township Trustees and the Clerk and shall be on file in the Township offices.

Section 12.03 Interpretation of Zoning District Boundaries

Except where referenced and noted on the Official Zoning District Map by a designated line and/or dimensions, the district boundary lines are intended to follow property lines, lot lines, center lines of streets, alleys, streams and/or railroads as they existed at the time of passage of this Resolution. The Zoning Inspector shall interpret the boundary lines from the zoning map. When and if the Zoning Inspector's interpretation of such boundary line is disputed, the final interpretation authority shall rest with the Board of Zoning Appeals.

ARTICLE XIII ZONING

DISTRICT PURPOSES

Section 13.01 Purpose

The purpose of each zoning district is outlined in this Section. The Article XXV and the Permitted and Conditional Uses in Table 1 of Section 14.01have been crafted to align each district with its intended purpose. Additionally, the Zoning Commission and Township Trustees shall utilize these purpose sections when making decisions regarding the rezoning of the land.

Section 13.02 Rural Residential

The Rural Residential District is established to promote the continuance of agricultural activity and provide areas for the construction of low-density single-family residences and other nonurban types of development, while preserving the rural environmental character of Walnut Township.

Section 13.03 Suburban Residential (SR-1)

The SR-1 District is established to allow for the development of low-density suburban type growth in selected rural areas. Home sites in the SR-1 District shall be served by central water and sewer.

Section 13.04 Neighborhood Commercial (NC)

The purpose of the NC District is to promote rural business activities that serve the daily needs of the adjacent and nearby residential areas. These development shall smaller in scale and blend with the surrounding agricultures areas.

Section 13.05 Regional Access District

The RAC District is established to provide for larger scale and higher intensity regional oriented commercial and quasi-industrial development along regional access thoroughfares (particularly US 23) along with businesses directly serving such regional projects. Such projects are

characterized by a mixture of large scale uses, large volumes of traffic and increased needs for accessibility and visibility. Any project in the RAC District must be served by central water and sewer facilities, or an on-site system approved by the Ohio Environmental Protection Agency.

The Regional Access Corridor Overlay District ("RAC") is created pursuant to Section 519.021(C) of the Ohio Revised Code to further the purpose of promoting the general welfare, encouraging the efficient use of land and resources, promoting public and utility services, and encouraging innovation in the planning and building of appropriate types of retail, office and commercial development. The overlay encourages flexibility of design to promote and accommodate environmentally sensitive and efficient use of the land, thereby allowing for a unified development that:

- Preserves unique or sensitive natural resources and integrates open space within developments.
- Plans the appropriate amount of infrastructure, including paved surfaces and utility easements necessary for development.
- Reduces erosion and sedimentation by minimizing land disturbance.
- Provides an opportunity for an appropriate mix of uses.
- Enables an extensive review of design characteristics to ensure that projects are properly integrated into surroundings and are compatible with adjacent development.
- Assures combability between proposed land uses through appropriate development controls.
- Preserves the streetscape along the roadways, maintaining the character and promoting safe pedestrian movement.
- Enhances the welfare and economy of Walnut Township by making available a variety of employment opportunities, providers of goods and services as well as providing a variety of housing options for the Township residents.
- 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 public plans for the area and are compatible with surrounding land uses.

Section 13.06 Planned Unit Development (PUD)

The purpose of the PUD District is to support a mixture of uses, promote the general welfare, encourage the efficient use of land and resources, promote public health and utility services, and encourage innovation in the planning and building of appropriate types of retail, office and commercial development integrated with appropriate housing types. This district encourages flexibility of design to promote and accommodate environmentally sensitive and efficient use of land.

ARTICLE XIV PERMITTED, CONDITIONAL AND ACCESSORY USES

Section 14.01 Table 1

Table 1 Provides a summary of all permitted and condition uses for each zoning district. Only those uses denoted with a "P" shall be permitted by right in said district. Only those uses denoted with a "C" shall be permitted as a Conditional Use. Uses not specifically authorized in a district by the express terms of this Zoning Resolution are prohibited. The granting of a conditional use permit on one parcel shall not be construed to automatically permit that conditional use on any other parcel.

Table 1

	Rural Residential	**Suburban Residential (SR-1)**	**Neighborhood Commercial (NC)**	**Regional Access Corridor Overlay District (RAC) (Subarea A)**	**Regional Access Corridor Overlay District (RAC) (Subarea B)**
Agriculture	P	P	P	P	P
Agritourism	C				
Dwelling, One Unit	P	P			
Dwelling, Studio, One or Two Bedroom Units				P	
Dwelling, Two Unit				P	
Dwelling, Row Houses, Townhomes (up to four units per building)				P	
Dwelling, Multi-Family (four or more units per building)				P	
Accessory Dwelling Unit (Subject to standards in Section 25.03).	P	P		P	
Accessory Structures	P	P	P	P	P
Adult Family Home	P	P	P	P	
Adult Group Home			P	P	
Advanced Manufacturing					P
Adult Entertainment Uses in accordance with Section 26.06					P
Animal Service Facilities	C		P	P	P
Automobile Oriented Uses (includes gas stations and quick lube facilities)			C	P	P
Automobile Repair			C	P	P

	Rural Residential	Suburban Residential (SR-1)	Neighborhood Commercial (NC)	Regional Access Corridor Overlay District (RAC) (Subarea A)	Regional Access Corridor Overlay District (RAC) (Subarea B)
Bank, with Automobile Oriented Uses			C	P	P
Bank, without Automobile Oriented Uses			P	P	P
Bed and Breakfast Facilities	C	C		P	
Body Art Establishments			P	P	P
Business, Retail Small (No Automobile Oriented Uses)			P	P	P
Business, Retail Medium			C	P	P
Business, Retail Large					P
Cargo Containers, Accessory Structure, subject to Section 26.09	P	P			
Cargo Containers (Utilized as a Residential Dwelling Unit), subject to Section 26.09	C	C			
Cemetery	C	C	P	P	P
Commercial Recreation Facilities, Small			P	P	P
Commercial Recreation Facilities, Large			C	P	P
Commercial Recreation Facilities, Outdoor			C	P	P
Utility Sub Station	P	P	P	P	P
Contractor Office					P
Data Processing Center					P
Day Care Centers			P	P	P
Equipment Repair, Small			P		P
Equipment Repair, Large			C		P
Flex-Office - Retail			P	P	P
Flex-Office -Warehouse			P	P	P
Food Truck/Trailer, in accordance with Section 26.04	P	P	P	P	P
Funeral Service Facilities			P	P	P
Governmental Services	P	P	P	P	P
Health Care Facilities			P	P	P
Home Day Care Family, Large	C	C		P	

	Rural Residential	Suburban Residential (SR-1)	Neighborhood Commercial (NC)	Regional Access Corridor Overlay District (RAC) (Subarea A)	Regional Access Corridor Overlay District (RAC) (Subarea B)
Home Day Care Family, Small	P	P		P	
Home Occupations, Major	C	C		P	
Home Occupations, Minor	P	P		P	
Hotels/Motels				P	P
Institutional - Art Galleries, Libraries, and other similar uses			P	P	P
Kennel (non-breeding)	C		C	P	P
Landscape and Hardscape Businesses	C				P
Logistics					P
Lumberyard					P
Machine Shop					P
Maker Space, Small			P	P	P
Maker Space, Large					P
Manufacturing					P
Medical Marijuana, provided it's no closer than 450 feet from the RR or SR-1 District and dispensary only operates between 8 a.m. and 9 p.m.				P	P
Mixed-Use Building				P	
Nursery School			P	P	
Offices, Small administration, business medical or professional			P	P	P
Offices, Large administration, business medical or professional			C	P	P
Outdoor Service Facilities			C	P	P
Park, Neighborhood	P	P	P	P	P
Park, Community or Regional	C	C	P	P	P
Permanently Sited Manufactured Homes (on permanent foundation)	P	P		P	
Personal Services			P	P	P

	Rural Residential	Suburban Residential (SR-1)	Neighborhood Commercial (NC)	Regional Access Corridor Overlay District (RAC) (Subarea A)	Regional Access Corridor Overlay District (RAC) (Subarea B)
Places of Assembly, Small	C	C	P	P	P
Places of Assembly, Large	C	C	P	P	P
Private Ponds, subject to the standards in Section 25.04	P	P			
Research and Development					P
Residential Care Facility				P	
Residential Facility, Large			C	P	
Residential Facility, Small	P	P	P	P	
Restaurants with Auto Oriented Uses			C	P	P
Restaurants without Auto Oriented Uses			P	P	P
School, Primary, Intermediate, or Middle	C	C	P	P	P
School, High or Technical	C	C	P	P	P
School, Post Secondary	C	C	P	P	P
Self-Storage Facilities			C		
Short-Term Rentals, Subject to Section 26.08	C	C		C	
Solar Energy Systems, Individual, subject to Section 26.03	P	P	P	P	P
Solar Energy, Small Farm, subject to Section 26.03			C	C	C
Solar Energy – Industrial Farms are exempt from township zoning per ORC 519.213. These facilities are regulated by the Ohio Power Siting Board.					
Telecommunication Towers	C	C	P	P	P
Temporary Structure, Construction Trailer Office, subject to Section 26.06	C	C	C	P	P
Truck and Travel Service Centers					P
Vehicular Sales, New and Used Cars					P
Vehicular Sales, Motorcycles					P

	Rural Residential	Suburban Residential (SR-1)	Neighborhood Commercial (NC)	Regional Access Corridor Overlay District (RAC) (Subarea A)	Regional Access Corridor Overlay District (RAC) (Subarea B)
Vehicular Sales, Recreational Vehicles					P
Vehicular Sales, Equipment					P
Wind Energy Conversion Systems, Individual, Subject to Section 26.07.	P	P	P	P	P
Wind Farm, Small, Subject to Section 26.07	C	C	C	C	C

ARTICLE XV LOT SIZE, LOT WIDTH, SETBACK AND OTHER LOT STANDARDS

Section 15.01 Standards

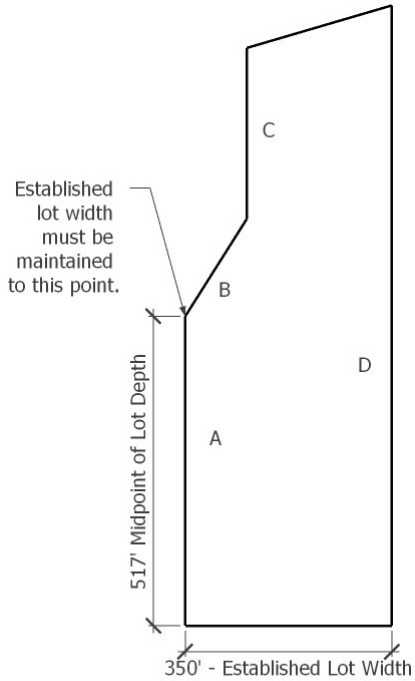
The following standards shall apply as shown for each district in the below table:

Lot and Setback Standards	Rural Residential	Suburban Residential (SR-1)	Neighborhood Commercial (NC)	Regional Access Corridor Overlay District (RAC) (Subarea A)	Regional Access Corridor Overlay District (RAC) (Subarea B)
Lot Area	1.5 Acres	20,000 sq. ft.	N/A	N/A	N/A
Min. Lot Width and Continuous Frontage (Ft.)*	200	150	150	At least 1/2 of the lot depth	At least 1/2 of the lot depth
Max. Depth to Width Ratio for lots that are 5 acres or less**	3:1	3:1	N/A	N/A	N/A
Min. Front Yard Setback (Ft.) (Measured from the centerline of the road)	100	100	125 for buildings 50 feet for paved areas	125 for buildings 50 feet for paved areas	125 feet for buildings 50 feet for paved areas
Min. Side Yard Setback (Ft.)	25	15	When abutting a district that does NOT permits one unit dwellings: 30 for buildings 10 feet for paved areas. When abutting a district that permits one unit dwellings: 50 feet for buildings and 30 feet for paved areas.	When abutting a district that does NOT permit one unit dwellings: 25 buildings and paved areas When abutting a district that permits one unit dwellings: 100 feet for buildings and 50 feet for paved areas.	One lineal foot of setback per one foot of building height, but in no case shall the setback be less than 100 feet for buildings and 50 feet for paved areas when abutting a district that permits one unit dwellings.

Lot and Setback Standards	Rural Residential	Suburban Residential (SR-1)	Neighborhood Commercial (NC)	Regional Access Corridor Overlay District (RAC) (Subarea A)	Regional Access Corridor Overlay District (RAC) (Subarea B)
Min. Rear Yard Setback (Ft.)	25	15	When abutting a district that does NOT permits one unit dwellings: 30 for buildings 10 feet for paved areas. When abutting a district that permits one unit dwellings: 50 feet for buildings and 30 feet for paved areas.	When abutting a district that does NOT permit one unit dwellings: 25 buildings and paved areas When abutting a district that permits one unit dwellings: 100 feet for buildings and 50 feet for paved areas.	One lineal foot of setback per one foot of building height, but in no case shall the setback be less than 100 feet for buildings and 50 feet for paved areas when abutting a district that permits one unit dwellings.
Max. Height of Buildings (Ft.)	35	35	35 (Mechanical and HVAC units may extend above the minimum building height by ten (10) feet provided said units are screened 1' above the height of said mechanical unit.	45 (Mechanical and HVAC units may extend above the minimum building height by ten (10) feet provided said units are screened 1' above the height of said mechanical unit.	60 (Mechanical and HVAC units may extend above the minimum building height by ten (10) feet provided said units are screened 1' above the height of said mechanical unit.

Lot and Setback Standards	Rural Residential	Suburban Residential (SR-1)	Neighborhood Commercial (NC)	Regional Access Corridor Overlay District (RAC) (Subarea A)	Regional Access Corridor Overlay District (RAC) (Subarea B)
Min. Building Area (Sq. Ft.)	1250 single story; 1600 multi-story (Except Permanently Sited Manufactured Homes as defined in Article II shall have a minimum of 900 square feet).	1250 single story; 1600 multi-story (Except Permanently Sited Manufactured Homes as defined in Article II shall have a minimum of 900 square feet).	N/A	N/A	N/A
Maximum Lot Coverage (%)	35	35	70	80	80
Driveway Permit Required by Pickaway County Engineer, ODOT, or other applicable authority prior to a Zoning Permit being issued.	Yes	Yes	Yes	Yes	Yes
Shared Driveway Permitted	No, unless required by the permitting authority.	No, unless required by the permitting authority.	Yes	Yes	Yes
Minimum Distance of Driveway from Side Lot Line (Ft.) unless a shared driveway is required by the Permitting Authority	10, unless otherwise required by the permitting authority.	5, unless otherwise required by the permitting authority.	5	5	5

***The Lot Width (Established), as defined in Article II, shall be maintained to the midpoint of the Lot Depth. See example calculation below.**



Irregular Lot
Greater than 5 acres

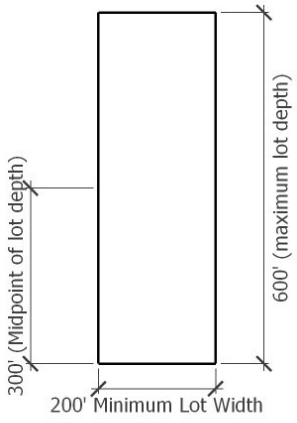
A = 517 feet
B = 210 feet
C = 290 feet
D = 1050 feet

Lot Depth = LD = (A+B+C+D)/2 LD =

1,033.5

Midpoint of the Lot Depth = LD/2 = 516.75 feet → 517 feet.

****See example Maximum Depth to Width Ratio →**



Typical Lot
Less than 5 Acres

ARTICLE XVI PLANNED UNIT DEVELOPMENT (PUD)

Section 16.01 Procedures for Rezoning to a PUD

The procedures for rezoning a tract of land to a PUD District are provided in Article X.

Section 16.02 Conflict

Whenever there is a conflict or difference between Article XVI and those of other sections of the Zoning Resolution, the provisions of Article XVI shall prevail for the development of land within the PUD District. Subjects not addressed within Article XVI shall be governed by the respective provisions found elsewhere in this Zoning Resolution.

Section 16.03 Permitted Uses

The following uses are permitted within the PUD: One Unit Residential Dwellings; Two Unit Residential Dwellings; Accessory Dwelling Units; Multi-Unit Residential Dwellings; Commercial, Office, Personal Services, Public and Semi-Public Open Spaces, Recreational Uses, Advanced Manufacturing, and Logistic Uses, provided that the proposed locations of non-residential uses do not adversely impact adjacent property or the public health and safety, and that the location of said are limited to the specific locations approved by the Board of Trustees on the Final Development Plan.

Section 16.04 Tract Size

The intent of the PUD District is to create large, planned developments. Therefore, a minimum of twenty (20) acres that is under joint or common Ownership or control of the applicant at the time is made shall be required for a PUD District. The Zoning Commission may waive this minimum tract size requirement if it determines that its in the best interest of the community and documents such interest on the record.

Section 16.05 Final Development Plan

A Final Development Plan approved under the procedures of Article X shall be binding upon the applicant(s), successors, and assigns.

Section 16.06 Development Standards

The following standards shall apply to development with the PUD District in addition to any requirements included in an approved Development Plan.

A. Arrangement of Areas:

The location and arrangement of various densities within the PUD shall be distributed so that the more intense Uses are balanced with Open Space and less intense development. Less intense Uses and Open Spaces should be placed around critical resources areas, such as existing water bodies, drainage patterns, Wetlands, wooded areas, and other similar areas.

B. Open Space:

A minimum of twenty (20) percent of the gross acreage of the tract of land shall be set aside as common open space. Required yard setback areas on individual lots, private streets, public street rights-of-way, parking areas, access ways, driveways, utility corridors, private yards, or other small fragmented or isolated land areas that have a dimension less than 50 feet in any direction shall not count towards the open space requirements. Open space shall be placed within a reserve or protected by deed, easements or covenants. Open space shall be maintained by an Association for the development, unless other arrangements for maintenance are made with the Board of Trustees during the rezoning process.

C. Lot Area and Density

Individual lot area and overall density shall be determined by the approved Preliminary Development Plan.

D. Setbacks:

Minimum front, side and rear yard setbacks for individual lots within the PUD shall be determined by the approved Preliminary Development Plan.

E. Height:

No structure within a PUD shall exceed thirty-five (35) feet in height when located along a local road. No structure along a collector or arterial road shall exceed forty-five (45) feet in height.

F. Utilities:

A PUD must be serviced by public sanitary and water systems.

G. Signs:

Only those signs approved with the Final Development Plan shall be permitted within the PUD, except for Temporary Signs, which shall be regulated by Section 26.03M.

H. Parking.

Unless otherwise approved with a Final Development Plan, shall be provided in accordance with Section 10.9.

I. Landscaping:

The development plan shall include landscaping that complies with Section 26.02D.

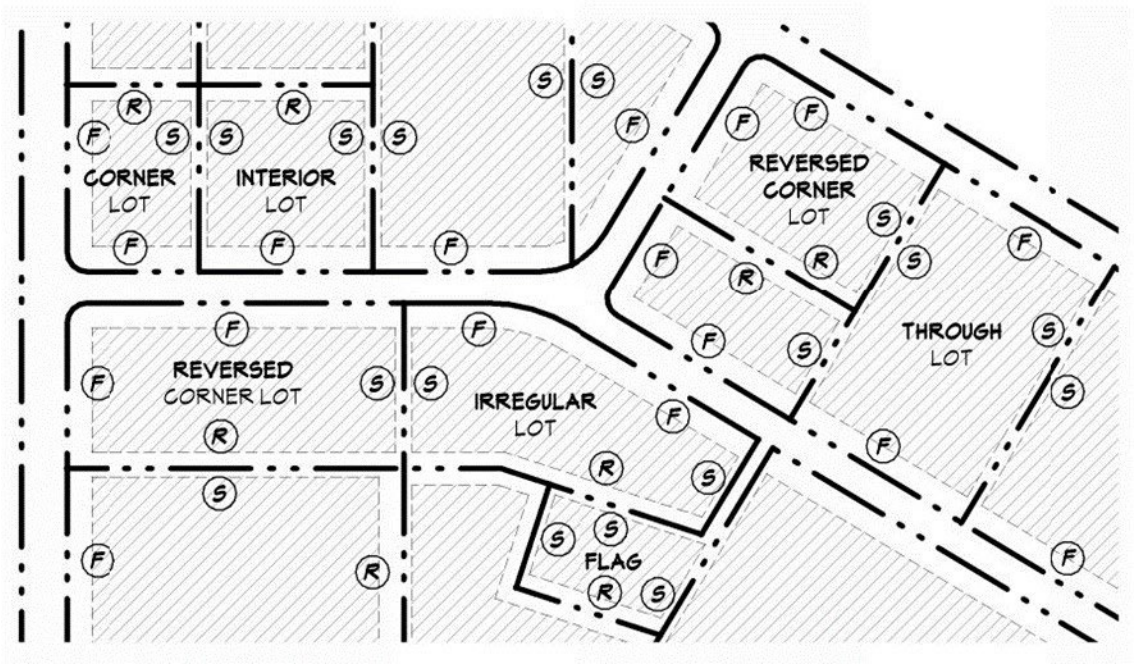
ARTICLES 17 – 23 Reserved for Future Use

PART FOUR ADDITIONAL ZONING REQUIREMENTS

ARTICLE XXIV GENERAL DEVELOPMENT STANDARDS

Section 24.01 Rules of Measurement

A. Types of Lots



F = Front lot line S = Side lot line R = Rear lot line

B. Frontage Required

No building, structure, or improvement shall be constructed or altered nor any new lot be established, unless such lot fronts on a publicly dedicated and improved thoroughfare within the Township.

C. Lot Width

Lot width shall be measured along the front lot line that abuts such thoroughfare as designated in Section 24.01A above and at the minimum front yard setback. Any lot shall have the full required lot width along the entire distance of the front setback.

Notwithstanding the above, if a lot fronts along a thoroughfare with a center line degree of curvature greater than thirty (30) degrees (such as a cul-de-sac) lot width shall be measured at the front yard setback line.

Section 24.02 Front Setback (F)

A. Front Setback Measurements

Front setback shall be measured from the centerline of the adjacent highway or road to the building line, unless otherwise indicated in this Resolution.

Section 24.03 Side Setback (S)

A. Measurement

Side yard width shall be measured from the nearest side lot line to the building line.

B. Accessory Uses or Structures

Accessory uses or structures may be allowed in a side setback, subject to requirements of Section 26.09 of this Resolution.

Section 24.04 Rear Setback (R)

A. Measurement

Rear setbacks shall be measured from the rear lot line to the building line. Where a lot abuts a service street or alley, the rear yard shall be measured from the right-of-way line of the existing street or alley.

B. Accessory Uses or Structures

Accessory uses or structures may be allowed in a rear yard, subject to requirements of Section 26.09 of this Resolution.

Section 24.05 Setback Requirements

All front, side and rear setbacks shall be maintained in a neat and orderly state and be kept free of any trash, junk or debris

Section 24.06 Open Porches and Architectural Features

In a residential district, an open, uncovered porch, deck or terrace and/or cornices, canopies, eaves, pilasters, sills or other similar architectural features may project into a required side or rear yard, as established in the district, not more than ten (10) feet so long as a minimum of three (3) feet is maintained to any adjacent property line.

Section 24.07 Height

Unless otherwise specified in this Resolution, height regulations specified in the various zoning districts shall not apply to chimneys, tanks, cupolas, domes, spires, or similar structures attached to a primary structure, so long as such height does not interfere with the safe landing, takeoff or other operations of any established airport or landing strip. No windmills, aerials, antennae, antennae, flag poles or towers shall be constructed to a height greater than the distance from the center of the base thereof to the nearest property line of said tract.

Section 24.08 Drainage

All construction shall be accomplished in a manner consistent with maintenance of proper drainage. In all improvements, every reasonable effort shall be made to ensure that proper drainage on the subject property and adjacent properties is maintained.

In order to preserve proper drainage and prevent surface flooding, the filling of established roadside ditches is prohibited, unless specific written approval is obtained from the Township Trustees.

ARTICLE XXV ADDITIONAL RESIDENTIAL DISTRICT STANDARDS

Section 25.01 Regulation of Agriculture on Specific Lots

Section 519.21(B) of the Ohio Revised Code allows a township zoning resolution, or an amendment thereof, to regulate agricultural use within any platted subdivision approved under Section 711.05, 711.09, or 711.10 of the Ohio Revised Code, or any area consisting of fifteen (15) or more lots approved under Section 711.131 (711.13.1) of the Ohio Revised Code, that are contiguous to one another and adjacent to one another and adjacent to one side of a dedicated public road, and the balance of which are contiguous to one another and adjacent to the opposite side of the same public road.

A. Pursuant to Section 519.21(B) of the Ohio Revised Code, animal and/or poultry husbandry, including the raising, boarding, housing, or grazing of horses, cattle, sheep, goats, swine, poultry or similar animals shall not be permitted on lots meeting the standards of ORC 519.21(B) above, and which are also one (1) acre or less in size. The processing of any such animals or their products shall also not be permitted.

B. Animal and/or poultry husbandry shall not be permitted on lots greater than one (1) acre but not greater than five (5) acres if such lots meet the standards of ORC 519.21(B) above, and if at least thirty-five percent (35%) of the lots in the subdivision are developed with at least one (1) building, structure, or improvement that is subject to real property taxation or that is subject to the tax on manufactured homes pursuant to Section 4503.06 of the Ohio Revised Code. After thirty-five percent (35%) of the lots are so developed, any existing animal and/or poultry husbandry operation shall be considered a nonconforming use pursuant to Article V of this Resolution.

Section 25.02 Home Occupations

A. A Home Occupation shall be conducted entirely within a dwelling unit and shall be clearly subordinate to the use of the dwelling unit. Home occupations shall not be conducted within Accessory Structures, such as garages or sheds.
   1. The appearance of the dwelling unit in which a home occupation is conducted shall not be altered or the occupation within the dwelling shall not be conducted in a manner which would cause the premises to differ from its surrounding character either by colors, materials, construction, or lighting.
   2. The home occupation shall not generate traffic greater in volume than normal for the subarea.
   3. The home occupation shall not involve delivery trucks other than normal parcel delivery services.
   4. No equipment or processes shall be used in a home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses on the lot. No equipment or processes shall be used which creates visual, audible or electrical interference in any radio or television receiver or computer terminal off the premises or causes fluctuations in voltage off the premises.

B. Minor Home Occupations: In addition to the above requirements, minor home occupations must comply with the following requirements:
   1. There shall be no employees of the minor home occupation other than a person or person(s) who are residents of the dwelling unit in which the home occupation is conducted.
   2. There shall be no signs associated with the minor home occupation.
   3. The minor home occupation shall not occupy more than twenty percent (20%) of the livable floor area of the dwelling unit.
   4. There is no permit required for a minor home occupation.

C. Major Home Occupations: In addition to the requirements in Section 25.02(a) above, a major home occupation must comply with the following requirements:
   1. There may be up to two (2) employees for the major home occupation who are not residents of the dwelling.
   2. The major home occupations may exceed the twenty percent (20%) of the livable floor area of the dwelling unit, but in no case shall it exceed forty percent (40%).
   3. The major home occupation may have one (1) wall sign that does not exceed 6 square feet per sign face and has a maximum height of twelve (12) feet.

4. Major Home Occupations, when permitted by the Board of Zoning Appeals, may be operated within an accessory structure.
5. Major home occupations in all districts that permit residential uses shall be processed as conditional uses in accordance with the procedures in Article IX. The major home occupation must comply with the criteria in Section 25.02C in order for the Board of Zoning Appeals to issue a Conditional Use Permit.

Section 25.03 Attached Accessory Dwelling Units

A. Purpose. The purpose of the Accessory Dwelling Unit (ADU)regulations is to:
   1. To respond to changing demographics by providing alternative living arrangements for aging populations
   2. To support more efficient use of the existing housing stock and associated infrastructure; and

B. Applicability. The standards apply to any residential district where Attached ADUs are listed as a permitted - accessory use.

C. Detached ADU: Detached ADUs shall be prohibited in all zoning districts.

D. Number. Only one (1) Attached ADU shall be permitted on a single lot.

E. General Attached ADU Design Standards: All ADUs shall comply with the following general ADU design standards as part of the conditional use process:

   1. An ADU may be permitted if it is an Attached ADU or is directly attached to the primary structure, sharing a Common Wall.
   2. An ADU may be no larger than 800 square feet of livable space or the size of the primary dwelling unit, whichever is less.
   3. ADU's shall be limited to residential uses including a minor home occupation and shall not be utilized for any other purpose.
   4. The ADU shall not require any additional parking.
   5. An ADU must be approved by the Health Department when on-site water and septic systems are proposed. A copy of the approved Health Department permit for the ADU is required.
   6. Any required fire escapes or exterior stairs for access to an upper level Attached ADU shall not be located along the front façade of the primary dwelling.

Section 25.04 Private Ponds

Private ponds shall be considered as an accessory use where so indicated in the district regulations. A zoning certificate shall be required for the construction and installation of a private pond when the normal high water surface area of the body of water exceeds one hundred (100) square feet. Such zoning certificate shall be required prior to any construction activity on the private pond. In addition, such private ponds shall meet the following requirements:

A. The applicant shall provide a site plan for the property, indicating the location of the private pond, as well as the location of inlets, outlets, subsurface drainage, septic lines, and/or secondary leach field site(s). The site plan shall also include a topography map.

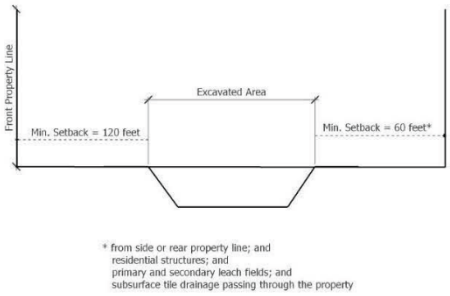
B. The private pond shall comply with the following setback requirements:

a) A minimum of sixty (60) feet from any side or rear property line, residential structures, leach field, secondary leach field, and subsurface tile drainage passing through the property, and

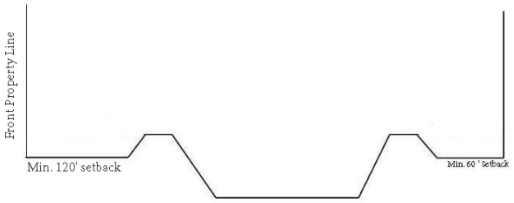
b) A minimum distance of 120 feet from any front property line.

c) These distances shall be measured from the edge of the excavated area or the tow of the dam or embankment (depending upon the type of private pond) to the nearest portion of a property line, residential structure, leach field, or drainage tile. (See Exhibits)

Excavated Pond



Embankment Pond



C. The applicant shall provide specific evidence that the private pond will be constructed in full compliance with adequate and appropriate engineering standards. The Township shall require certification by a Professional Engineer that the private pond meets such standards. At a minimum, the private pond shall meet the standards and specifications of the Natural Resources Conservation Service (NCRS) of the U.S. Department of Agriculture (USDA). These standards and specifications are available through the Pickaway County Soil and Water Conservation District.

D. No private pond shall be divided by a property line. Existing lot lines that divide private ponds existing as the effective date of this resolution are exempt from this requirement.

Section 25.05 Telecommunications Towers

Telecommunications towers, as defined in Article II of this Resolution, may be allowed as a conditional use in the RR and SR-1 Districts, unless otherwise exempted by Section 25.05(K). These regulations do not apply to Telecommunication Towers proposed in Districts where such uses are listed as permitted. Telecommunications towers when subject to a conditional use permit, shall be subject to the following conditions:

A. The maximum height of the tower shall not exceed 150 feet.

B. Any stabilization structures or guide wires shall not be located less than twenty-five (25) feet from any side or rear property line.

C. The tower shall be located not less than 300 feet from any existing residential dwelling or any public roadway.

D. The minimum lot size for the site of the tower shall be one (1) acre.

E. Security fencing at least ten (10) feet in height and affixed with an operable lock shall be provided to prevent uncontrolled access to the tower site.

F. A landscaping plan shall be submitted and approved by the Board of Zoning Appeals.

G. The tower shall not be lighted except to assure safety or as required by the FAA.

H. The applicant or tower provider shall demonstrate that the telecommunication tower must be located where it is proposed in order toto service the applicant's service area, that other sites have been considered, and that location at the proposed site is technically necessary.

I. The applicant shall provide a signed statement indicating that he/shethey agrees to allow for the potential co-location of other similar facilities on the tower, the removal of the tower within 180 days after the site's use is discontinued, and proof of notice has been provided as required in Section 519.211 of the Ohio Revised Code, as may be subsequently amended.

J. The applicant shall demonstrate that the placement and height of the

tower shall comply with the standards of Title 14 of the Code of Federal Regulations, Part 77 (14 CRR Part 77)

If a public telecommunications service provider desires to co-locate its facility either on an existing tower or utility structure, the location of such facility shall be addressed as a permitted use.

K. Exemptions:

In the event, a Telecommunication Tower is proposed within a residential District, the Telecommunication Tower may be exempt from all Telecommunication Tower regulations and may be considered to be a permitted Use, if criteria listed in Sections 25.05(k)1-2 below have been met:

1. The telecommunication provider provides each of the following by certified mail:
    a. Written notice to each Owner of property, as shown on the County Auditor's then current tax list, whose land is contiguous to or directly across a Street or roadway from the property on which the Telecommunication Tower is proposed to be constructed, stating all of the following in clear and concise language:
        i. The Person's intent to construct the tower.
        ii. A description of the property sufficient to identify the proposed location;
        iii. That, no later than fifteen days after the date of mailing of the notice, any such property Owner may give written notice to the Board of Trustees requesting that the telecommunication regulations of the Zoning Resolution apply to the proposed location of the tower.
    b. Written notice to the Board of Trustees of the information specified in 25.05(K)1(a). The notice to the Board of Trustees shall also include verification that the Person has complied with the 25.05(K)1(a) of the Walnut Township Zoning Resolution. Within fifteen (15) days of a telecommunications provider mailing the notices, a Township Trustee may object to the proposed location of the telecommunications tower.
2. If the Board of Trustees does not receive any notice from a notified property Owner nor any objection from a Township Trustee is provided within fifteen (15) days of a provider mailing the notices, then the proposed Telecommunication Tower is exempt from all telecommunication regulations within the Zoning Resolution.
3. If a notice from a notified property Owner or an objection from a Township Trustee is made, then all applicable Telecommunication Tower regulations within the Zoning Resolution shall apply. The Township Fiscal Officer, within five (5) days of receiving the first objection from a property Owner or Trustee, shall notify the telecommunications provider that the telecommunication

regulations within the Township Zoning Resolution apply.

4. If a provider fails to send proper notices, then the regulations within this section shall apply.

Section 25.06 Agritourism

Agritourism operations shall only be permitted when the use is listed as a conditional use in the applicable district and must be compatible with the area in form and function; will not endanger public health or safety; and is designed in such a way to mitigate potential conflicts with adjacent and nearby land uses and when the following standards have been satisfied.

A. Agritourism use is approved through the conditional use process by the Board of Zoning Appeals.
B. A development plans shall be prepared by a registered engineer or licensed surveyor and drawn to an appropriate scale. Plans shall include the following:

1. Location and dimensions, including height, of all existing and proposed buildings and structures; building/structure spacing; setbacks; off-street parking lots and parking areas; drives, common drives and all points of ingress and/or egress; walkways; and any existing or proposed well and/or on-site wastewater disposal system area(s);
2. Use of existing and proposed buildings and structures, other than proposed units on fee simple lots; Location of all public rights-of-way and private streets; and
3. Proposed and existing fences, walls, signs, and lighting.

C. The proposed use is physically suitable for the parcel on which it is proposed.
D. The proposed and existing structures are located to limit the impact to adjoining properties.
E. The size and setback for any structure used primarily for agritourism activities shall be determined by the Board of Zoning Appeals per township regulations.
F. Access by public emergency equipment such as fire, ambulance and police vehicles shall be provided.
G. Adequate pedestrian circulation, vehicular traffic movement and off-street parking shall be provided.
H. Off-street parking lots and all points of ingress and/or egress shall be built and maintained in a manner necessary to protect public safety and shall comply with Chapter Article XXVI General Development Standards Section 26.02 (off-street parking and Loading Regulations) except as required by the Ohio Revised Code and shall comply as required by the Ohio Revised Code.
I. The agritourism provider shall provide evidence the farm on which the agritourism operation is currently enrolled and in good standing with the Current Agricultural Use Value (CAUV) program with Pickaway County.
J. The agritourism provider shall identify the educational, entertainment, historical, cultural and/or recreational relationship of the agritourism operation to the existing agricultural use of the property and the surrounding agricultural community in general.
K. An agritourism provider shall post and maintain signs that contain the warning notice specified in this division. The provider shall place a sign in a clearly visible location at or near each entrance to the agritourism location or at the site of each

agritourism activity. The warning notice shall consist of a sign in black letters with each letter to be a minimum of one inch in height and such signs shall provide liability warnings per the Ohio Revised Code.

L. To ensure the safety of the public who will be attending events at agritourism facilities, the facility shall comply with the Ohio Fire Code.

ARTICLE XXVI General Development Standards

Section 26.01 Purpose

Unless otherwise, noted these General Development Standards apply in all zoning districts.

Section 26.02 Parking

Parking lot areas shall be designed and constructed to minimize the visual impact of the parking area, minimize production of excess heat and prohibit any adverse effects on drainage. Appropriately sized landscaped areas shall be provided within each parking lot area allowing for a variety of shade trees to be planted. In order to accomplish these goals, all off-street parking lot areas shall be designed and constructed using the "Parking Bay" concept, which consists of parking spaces grouped together, with each Parking Bay separated by landscaped tree islands as further defined in the following sections.

A. Parking in Side and Rear Yards: Parking lots may encroach into a required internal Side or Rear Setback but in no case shall the parking be closer than five (5) feet to internal lot lines, except in cases where the parking lots need to straddle internal lot lines in order to comply with the connectivity requirements. In such cases, appropriate cross access easements must be established. The development standards in each individual district may include additional setback standards when abutting noncompatible uses.

B. Parking Bays: No Parking Bay shall contain more than twenty-four (24) parking spaces, with a maximum of twelve (12) spaces in a single row in the NB, GB, SI and AM Districts, In the SI and AM Districts, no Parking Bay shall contain more than forty-eight (48) parking spaces, with a maximum of twenty-four (24) spaces in a single row.

C. Parking Lot Islands: Each landscape island in a single loaded parking stall design shall have a minimum area of one hundred sixty-two (162) square feet with a minimum width of nine (9) feet. Each landscape island in a double loaded parking stall design shall have a minimum of three hundred twenty-four (324) square feet with a minimum width of nine (9) feet and

shall be landscaped with one deciduous tree and otherwise covered with grass or stone.

D. Parking Lot Screening: Any surface parking areas adjacent to an existing or planned public right-of-way shall be screened from the respective right-of-way with a minimum three (3) foot tall decorative wall that blends with the architecture of the building or a contiguous hedge row. A contiguous hedge row consists of planting a three (3) feet shrub (at the time of installation) every three (3) feet for the entire length of the parking area abutting the right-of-way. The height shall be measured from the adjacent parking area.

E. Number of Parking Spaces: All uses within all Districts shall comply with the number of parking spaces requirements specified herein. These standards are being established to encourage efficient use of parking areas by establishing a maximum number of spaces required and permitting sensible shared parking to reduce Impervious Surfaces and increase green space. The Total Number of Required Parking Spaces shall be calculated for each separate use on the lot. In no case shall the total number of parking spaces for a particular use be *less* than the Minimum nor more than the Maximum Number of Required Parking Spaces for said use based upon the below chart. When calculating the required number of spaces, fractional numbers shall be increased to the next whole number.

TABLE 1

Use	Minimum Number of Required Parking Spaces	Maximum Number of Required Parking Spaces
General Retail - Personal Services	1 space per 265 square feet	1 space per 225 square feet
Restaurants, Bars, Coffee and Ice Cream Shops	1 space per 100 square feet	1 space per 75 square feet
Library	1 space per 250 square feet	1 space per 200 square feet
Movie Theater	.25 spaces per seat	.3 spaces per seat
Hospital/Nursing Home/Hospice	1 space for every bed plus 1 space for each employee on largest potential shift	1 space for every bed, 4 spaces for every 1,000 square feet of inpatient treatment area, and 5 parking spaces for every 1,000 square feet of outpatient treatment area
Professional Offices - Open Floor Plan	1 space per 250 square feet	1 space per 150 square feet
Professional Offices - Traditional Floor Plan	1 space per 300 square feet	1 space per 250 square feet
Medical Office	1 per 225 square feet	1 space per 175 square feet
Flex/Advanced Manufacturing	2 spaces per 1,000 square feet	2.5 spaces per 1,000 square feet
Warehouses	1 space per employee on largest shift plus 1 space per vehicle stored on site	1.5 space per employee on largest shift plus 1 space per vehicle stored on site
Daycare	1 space for every 7 children and 1 space for each employee on the largest potential shift	1 space for every 5 children and 1 space for each employee on the largest potential shift

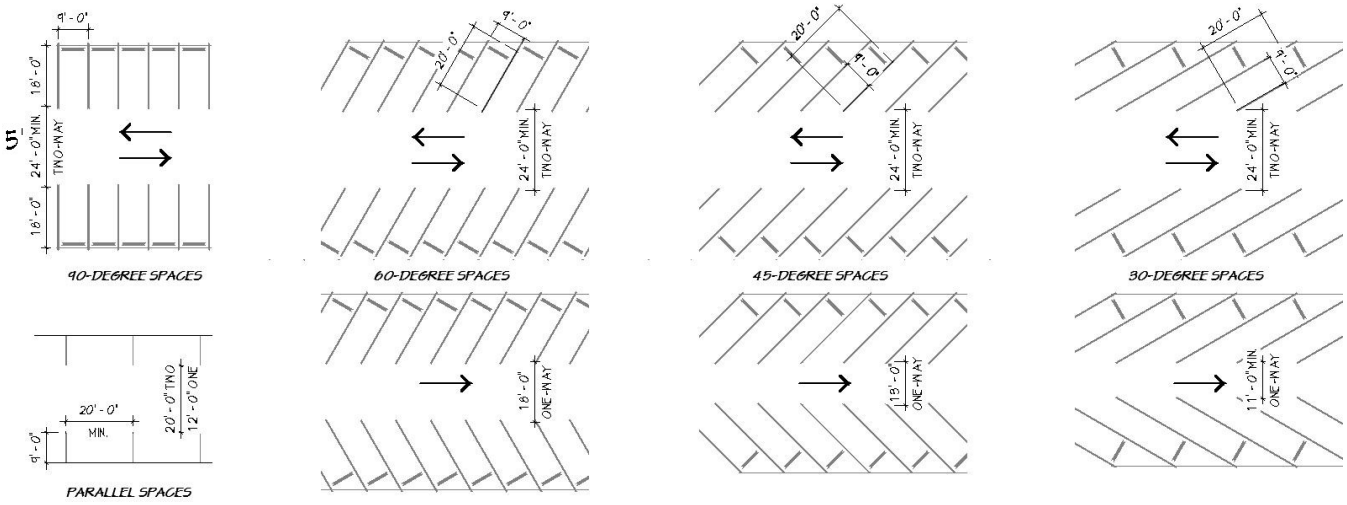
Assisted Living Facilities	1 space for every 2.5 Dwelling Units plus 1 space for every 2 employees	1 space for 2 Dwelling Units plus 1 space for every 2 employees on largest potential shift
Independent Senior Living Facilities	.85 spaces per Dwelling Unit	1 space per Dwelling Unit
Multi-Family Dwelling Units, Townhomes	1 Space per Dwelling Unit	3 spaces per Dwelling Unit
Recreational Uses		
Mini-Golf, Batting Cage	1 per tee or cage	1.5 per tee or cage
Bowling Alley	3 per lane	4 per lane
Recreation/Fitness Centers	7 spaces per 1,000 square feet	8 spaces per 1,000 square feet
Outdoor recreation fields	50 per field	75 per field
Ice or Skating Rink	1 per 200 square feet	1 per 150 square feet
Residential, One- and Two-Family Units	1 space per unit	No maximum
Note: Utilize gross square footage whenever there is a reference to square feet		

F. Handicap accessible parking spaces shall be provided in accordance with the American with Disability Act requirements.

G. All parking spaces shall be designed in accordance with Table 2.

TABLE 2

Angle[3]	Parking Row Depth	Drive Aisle Width		Space Width[2]	Space Length
		One-Way	Two-Way		
	(A)	(B)	(C)	(D)	(E)
Parallel	9'	12'	20'	9'	20'
30°	17'[1]	11'	24'	9'	20'[1]
45°	20'[1]	13'	24'	9'	20'[1]
60°	21'[1]	18'	24'	9'	20'[1]
Perpendicular	18'[1]	24'	24'	9'	18'[1]
Tandem (two spaces)	18'[1]	14'	24'	9'	36'[1]



H. All parking areas, common areas and adjacent driveways shall be paved with asphalt material, cement, cobblestone, or brick pavers and parking spaces shall be striped. The use of gravel or asphalt grindings for parking lots shall be prohibited. All vehicles shall be parked on a paved driveways or parking areas and shall be prohibited from being parked in grass or other unpaved areas of lots.

I. Parking of Inoperable or Disabled Equipment or Vehicles.

The exterior parking or storage of inoperable, unlicensed or disabled pieces of equipment or vehicles for a period of time exceeding thirty (30) consecutive days, outside of an approved junk yard licensed and regulated pursuant to Sections 4737.05 through 4737.12 of the Ohio Revised Code, shall be prohibited. Walnut Township reserves the right to remove junk cars from private property consistent with the standards and procedures cited in ORC Section 4513.65.

J. Parking of Recreational Equipment

The storage of travel trailers, motor homes, pick-up campers, folding tent trailers, boats or boat trailers and similar recreational equipment shall be subject to the following requirements:

1. No more than two (2) pieces of such equipment, or vehicles, shall be permitted to be stored outside on a parcel containing a single family or two-family dwelling. For the purpose of this Section, a boat stored on a boat trailer shall be deemed one piece of recreational equipment.
2. Recreational equipment shall not be used for permanent occupancy.
3. One (1) piece of recreational equipment may be used for temporary occupancy on a parcel with a single family or two family dwelling for a period of time not exceeding three consecutive (3) months provided said equipment is not located forward of the front building plane. After the termination of temporary occupancy within said recreational equipment, there shall be a minimum of three (3) consecutive months before the same or another piece of recreational equipment can be utilized as temporary occupancy on the same property.

K. Loading Spaces:

1. All loading spaces must be located to the side or rear of the principal structure and screened and are prohibited within any Front Setback.
2. A loading space shall consist of a rectangular area adequate for loading and unloading and be accessible from a maneuvering area.

3. All loading spaces and maneuvering areas shall be located on the same Lot as the use they are intended to serve.
4. A required loading space shall have a clearance height of not less than fifteen (15) feet and shall have minimum dimensions of not less than twelve (12) feet in width and fifty (50) feet in length, exclusive of any driveway, aisle, or other circulation area.
5. The number of off-street loading spaces required for various types of uses shall be no less than as set forth in the following:

- Commercial Uses: Each use in these Districts shall provide loading spaces based on gross floor area as follows:

  Less than 5,000 square feet – none required

  5,000 to 250,000 square feet = one space

  Over 250,000 square feet = one space for each 250,000 square feet or portion thereof.

- Advanced Manufacturing and Logistic Uses: Each use in this District shall provide loading spaces based on gross floor area as follows:
  Under 10,000 square feet = none.

  10,000 square feet or more but less than 75,000 square feet = one space.

  75,000 square feet or more but less than 150,000 square feet = two spaces.

  150,000 square feet or more but less than 300,000 square feet = three spaces

  Over 300,000 square feet = one space for each 100,000 square feet or portion thereof.

  The loading space requirements for buildings with multiple uses or tenants shall be determined based on the aggregate total of gross floor area of all uses or tenants.

Section 26.03 Signs

A. Purpose: The purpose of the sign regulations is to:
   - Provide effective and attractive identification for businesses, services, and uses; and
   - Provide a reasonable system of regulations for signs as a part of the township's comprehensive Zoning Resolution consistent with state and federal laws.
   - Promote reasonable sign standards to limit the aesthetic impact of signs on properties within the township to prevent clutter and protect streetscapes thereby preserving property values and protecting traffic safety.
   - Attract and direct the public to available activities, goods, and services.
   - Enhance the economic value of the community through attractive and effective signage.
   - Provide for vehicular and pedestrian safety by prohibiting or restricting distracting signs.

B. Unless otherwise exempted below, a Zoning Permit shall be obtained prior to erecting any sign in any district. The following types of signs are exempt from obtaining a Zoning Permit:
   1. Signs not exceeding two (2) square feet in area that are customarily associated with a residential use and are not of a commercial nature, including the address and/or the name of the occupants.
   2. Signs erected by a governmental entity for a recognized public purpose and duly authorized by any law, statute or code. Such signs include legal notices and traffic control devices, provided such signs carry no supplemental advertising.
   3. Signs that are on the inside of a structure or building that are designated or located so as to not be typically visible from outside the window.
   4. Temporary signs clearly in the nature of decorations customarily associated with a national, local or religious holiday. Such signs shall be of any illumination or animation provided that a safety and/or visibility hazard is not clearly created.
   5. All signage and graphics shall be carefully coordinated with the building and architecture.

C. The following regulations apply to all Signs within the township.
   1. Signs shall not be painted directly on the surface of a fence.
   2. No roof Signs or roof mounted Signs shall be permitted. No part of any Sign shall extend higher than the eave of any building, except when placed on the parapet of a building
   3. The following signs shall be prohibited: portable displays or mobile display (except sandwich board signs), gas or air-filled devices, revolving or rotating signs, exposed neon signs, exposed LED signs, rotating signs,

signs with flashing messages or bare bulbs, signs on backlit awnings, flashing signs, video signs, signs with moving text or pictures, feathered flags, and bench signs.

4. Each building and unit, if applicable, shall have an address number that is clearly visible from the public right-of-way. Such Signs shall not require a permit.

D. Signs in the RR and SR-1 Districts. All permitted uses in the RR and SR-1 districts shall be permitted to have one wall sign that that does not exceed twelve (12)) square feet and eight (8) feet in height. All other signs for permitted uses in the RR and SR-1 Districts are prohibited unless expressly exempted by this Resolution. Signs for conditional uses in the RR and SR-1 Districts shall be as determined and permitted by the Board of Zoning Appeals as part of the conditional use process.

E. Canopy Signs: Canopy signs are permitted in the NC, RAC and PUD Districts as follows:

	NC, RAC	**All PUD Types**
Maximum Number per Building	2	Per Approved Development Plan
Maximum Square Footage	10	Per Approved Development Plan
Maximum Height (Feet)	15	Per Approved Development Plan

F. Ground Signs: All ground signs shall comply with the following requirements:

	RR/SR	NC	RAC	PUD
Maximum Number Permitted Per Public Road Frontage	1	1	1	Per Approved Development Plan
Maximum Square Footage	12	20	50	Per Approved Development Plan
Maximum Height (Feet)	6	8	15	Per Approved Development Plan
Minimum Distance from ROW (Feet)	20	10	29	Per Approved Development Plan

1. The maximum square footage in the above table is per sign face. Each sign face shall count towards the maximum size of the sign and total maximum square footage of all signs. There shall be a maximum of two (2) Sign faces per Sign.
2. All Ground Mounted Signs shall have a solid base consistent with the primary building material and have a minimum of fifty (50) square feet of landscaping around all sides of the Ground Mounted Sign. Sign shall be affixed directly to a base having a width at least equal to that of the sign.
3. Monument Signs shall not be permitted along rear access roads.

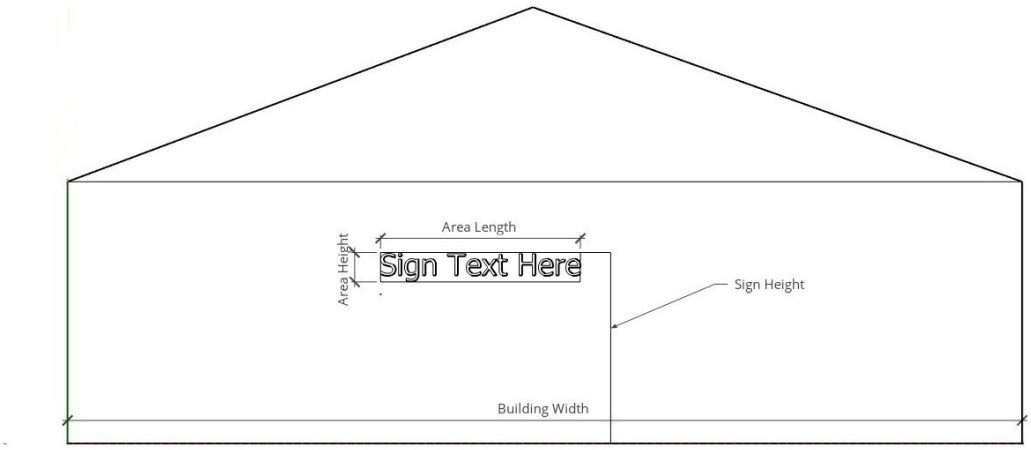
<u>Measurement of Ground Mounted Sign Area and Height:</u>

G. **Wall Signs:** All wall signs shall comply with the following requirements:

Wall Signs

	NC	RAC	PUD
Minimum Number Permitted Per Road Frontage	1	1	1
Maximum Square Footage Per Sign	1 sq. ft. per 1 lineal foot of building width, not to exceed 25 square feet.	1 sq. ft per 1 lineal feet of building width, not to exceed 125 sq. ft.	Per Approved Development Plan
Maximum Height (Ft)	Not to exceed the height of the building	Not to exceed the height of the building	Not to exceed the height of the building

Measurement of Wall Sign Area and Height:



H. Window Signs: All window signs shall comply with the following requirements:

	NC	RAC	PUD
Maximum Number of Signs Permitted Per Lot	1	1	Per Approved Development Plan
Maximum Square Footage	2	10	Per Approved Development Plan
Maximum Height (Feet)	15	15	Per Approved Development Plan

I. Way Finding Signs: In the NC and RAC districts, there may be two way finding signs per access driveway connecting to a public or private street. Way finding signs shall be limited to a maximum height of three (3) feet, a maximum area of six (6) square feet per side and shall be located outside of the right-of-way and on the property of the user(s) of which they are identifying the entry or exit.

J. Entrance Wall Sign: One sign may be placed on an entrance wall or on each parallel entrance wall. Each sign shall not extend above the height of the wall and shall not exceed fifteen (15) square feet in size. Lighting for said sign(s) shall be restricted to external illumination that complies with Section 26.03(L). Internal illumination of said sign(s) is prohibited.

K. Drive Thru Signs: Signs accessory and adjacent to drive-thru food and beverage establishments, car washes, and other similar uses are subject to the following standards:

1. One large drive-thru board shall be permitted per drive thru lane. Said sign shall not exceed fifty (50) square feet, must be located a minimum of one (1) foot from and a maximum of five (5) feet from the edge of pavement of the drive through lane to which it serves and shall not exceed eight (8) feet in height.
2. One medium drive thru board shall be permitted per drive thru lane. Said sign shall not exceed fifteen (15) square feet in area, must be located a minimum of one (1) foot and a maximum of five (5) feet from the edge of pavement of the drive through lane to which is serves and shall not exceed eight (8) feet in height.
3. One small drive-thru sign board shall be permitted per drive through lane shall be permitted. Said sign shall not exceed two and half (2.5) square feet area, must be located on the drive thru speaker and shall not exceed five (5) feet in height.
4. Drive thru board signs shall be permitted to have changeable copy electronic display messages may be permitted provided the graphics and/or words on the sign change no more than once per car service. Video, flashing images or effects, or moving content shall be prohibited.

L. Sign Lighting: Sign lighting shall be consistent, understated, and properly disguised. Unless noted in this code, one (1) of the following methods of lighting may be employed:

1. A white, steady, stationary light that does not glare onto surrounding areas, is directed solely at the Sign, and is otherwise prevented from beaming directly onto adjacent properties or rights-of-way.
2. A white interior light with primary and secondary images lit or silhouetted on an opaque background. The back ground must be opaque. No additional background lighting or illuminated borders or outlines shall be permitted.
    a) The color temperature of the sign lighting shall not exceed 4,000K.
    b) The level of illumination emitted or reflected from a Sign shall not be of an intensity sufficient to constitute a demonstrable

hazard to vehicular traffic on any Right-of-way or parking lot from which the Sign can be viewed.

c) Light fixtures shall be screened from view by site grading or landscaping.

M. Temporary Signs: The following Temporary Sign regulations apply to all uses within all subareas:

1. Temporary Signs shall be prohibited within the right-of-way and shall not obstruct the line of sight.
2. In residential district, three (3) Small Temporary Signs shall be permitted per parcel per street frontage without a permit. In all other zoning districts, up to six (6) Small Temporary Signs shall be permitted per parcel per street frontage without a permit. Each Small Temporary Sign shall be seven (7) square feet in area or less and less than three (3) feet in height.
3. Two (2) Large Temporary Signs shall be permitted per parcel provided a Sign permit is issued in accordance with the following regulations. Large Temporary Signs shall not:
   a) Exceed eight (8) feet in height
   b) Exceed thirty-two (32) square feet in area (per Sign face)
   c) On parcels of five (5) acres or less, such signs shall be displayed for no more than thirty (30) consecutive days and no more than three (3) times per calendar year. A new permit must be obtained for each thirty (30) day or less period. After said permits have been exhausted, the Zoning Inspector may grant one (1) extension for up to ninety (90) days per Sign. No other extensions may be administratively approved and must be approved by the Board of Zoning Appeals. On parcels that are greater than five (5) acres, such signs may be displayed for up to one-hundred eighty (180) consecutive days. Upon the expiration of this permit, the Zoning Inspector may grant one (1) extension up to an additional one-hundred eighty consecutive (180) days. No other extensions may be administratively approved and must be approved by the Board of Zoning Appeals. In no case, shall such signs be erected for more than three hundred sixty-five consecutive (365) days.
4. Small and Large Temporary Signs shall not count toward the total maximum square footage of signs permitted on a lot.
5. The sign permit number for Large Temporary Signs must be printed on the sign in a visible location.

N. Changeable Copy and Electronic Message Displays:

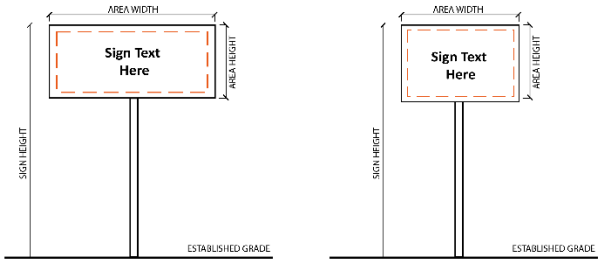
These Changeable Copy and Electronic Message Display standards are applicable to all signs, except billboards, which shall be regulated by Section 26.03 (O) and drive thru boards since the purpose of those boards are to service those utilizing the drive thru lane where cars are typically stopped to view said sign. All other changeable copy and electronic messaging displays shall be considered conditional uses and shall comply at a minimum with these regulations in order for the BZA to grant a conditional use permit:

1. Be limited to fifty (50) percent of the overall sign area.
2. Be static, shall not move, scroll, or flash, and shall not exceed a night time (one hour after sunset) whichever occurs first) maximum luminance (cd/m2) of fifty (40).
3. Be turned off at the latter of 11:30 p.m. or one hour after the close of business and shall remain off until 6:30 a.m. the following morning.

O. Billboards:

Billboards shall be permitted in the NC and RAC Districts, and shall be subject to the following conditions:

1. Billboards shall be allowed only on properties having direct frontage on state or federal highways designated as on the primary system. No more than one (1) billboard shall be allowed on any single property existing as of the effective date of this amendment. The erection of all billboards shall comply with all federal and state requirements as amended from time to time.
2. Any billboard shall maintain a maximum height of forty-five (45) feet. The sign height shall be measured from the established grade to the tallest point of the sign.



3. The maximum square footage of each sign face of a billboard must not exceed six-hundred (600) square feet. The total maximum square footage of all sides of a billboard shall not exceed one-thousand-two-hundred (1,200) square feet per sign.
4. Two sign faces may be permitted at a single location facing the same direction provided that they are immediately adjacent to each other. If there is a border or trim around a sign face, it shall be deemed to be a

separate sign face and the total combined area of both sign faces at a single location may not exceed twelve hundred square feet.

5. The area of a sign face shall be measured by the smallest square, rectangle, triangle, circle or combination thereof which will encompass the entire sign face, including border, trim, cutout and extension.
6. Said billboard structures must be set back from the established right-of-way of any roadway not less than one hundred (100) feet;
7. At any intersection, a billboard shall not be located less than 200 feet from the established right-of way line , or in such other manner as to interfere with, or obstruct clear vision of such intersection in any direction for a distance of 250 feet.
8. No such billboard structure shall be permitted to face the front or side lot line of any lot or parcel of land that abuts the RR and SR-1 Districts and is within 300 feet of such lot line.
9. No billboard shall be erected within five hundred (500) feet from any other billboard, an interchange or proposed interchange, any visible and publicly owned, controlled or maintained safety rest area, parkland, garden, forest preserve, picnic ground, playground, swimming beach, elementary or secondary school, cemetery, or scenic area, that is visible from or whose property boundaries front the main traveled way, as measured in accordance with OAC 5501:2—02(3)(c).
10. The lighting of billboards shall comply with 26.03(L). Additionally, if any billboard contains an electronic or other variable message sign faces, it shall comply with the following requirements:
    a. An electronic message or variable message sign face shall not include animations, video, or be illuminated with flashing, intermittent, or moving lights. No electronic message or variable message sign face may include any illumination which is flashing, intermittent, or moving when in a fixed position;
    b. Each message or advertising copy shall remain fixed for at least eight seconds;
    c. When a message or advertising copy changes by remote control or electronic process, it shall be accomplished in three seconds or less;
    d. Such sign faces shall contain a default design that will freeze the device in one position if a malfunction occurs; and

Only one multiple message or variable message sign face shall be permitted at a single location facing the same direction.

Section 26.04 Solar Energy Systems

A. Individual Roof Mounted Solar Energy Systems. When listed as a permitted use in Table 1 of Section 14.01, these systems are permitted in accordance with the following regulations:

1. Pitched roof-mounted arrays shall be parallel to the roof.
2. The distance between the roof and the uppermost portion of the solar

panels shall not exceed eighteen (18) inches.

3. Pitched roof-mounted panels on a flat roof shall not project vertically more than five (5) feet from the surface of the roof and shall be screened.

Small Ground-Mounted Solar shall be prohibited in all districts.

Section 26.05 Food Trucks

A. The intent of these regulations is to create an entrepreneurial opportunity for the food industry by providing creative opportunities outside of the traditional brick and mortar restaurants while controlling potential impacts such as traffic, food safety and compatibility with the surrounding areas. This township understands the importance of these start up businesses and the economic benefits they provide by creating additional foot traffic to better support surrounding businesses. These regulations have been crafted to ensure that Food Trucks/Trailers are properly integrated into the overall existing or future streetscape designs of the surrounding area. It is further the purpose of these regulations to limit the time frame for food trucks/trailers to allow ample time for business incubation but also discourage them from becoming permanent fixtures.

B. These standards apply to all food trucks/trailers that are located on private property within any district where listed as permitted. Food trucks/trailers shall comply with the requirements of this section.

C. Food trucks/trailers shall be lit with existing and available site lighting. No additional exterior lighting shall be permitted.

D. The food truck/trailer shall have access to water (i.e., water tank, connection to central water line, etc.) and electricity (generator, connection to utility lines, etc.) and such services shall be located in a manner that does not create a safety hazard to employees, patrons, or pedestrians.

Water and wastewater must be disposed of daily and in accordance with local health department requirements and any other applicable governmental agency regulations. It shall be prohibited to dump waste products onto the ground or into the storm and/or sanitary sewer systems.

E. All food truck/trailers may be permitted for up to two consecutive days within any seven calendar day period without a permit, provided the above requirements are met. If a food truck is proposed for a lengthier period of

time it shall be considered as a conditional use and must be approved by the BZA.

Section 26.06 Adult Entertainment Businesses

A. The purpose of this Section is to promote the public health, safety and welfare of the residents of Walnut Township through the regulation of adult entertainment businesses. It is the intent of this Section to regulate businesses, as defined herein, in such a manner as to prevent the erosion of the character of the surrounding neighborhoods and to prohibit the establishment of such businesses within close proximity to schools, churches, residential areas, parks and playgrounds within the Township.

B. Nothing in this Section shall be construed 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 an accredited museum, library, fine art gallery, school or museum 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.

C. Location. Adult Entertainment Facilities shall be allowed as part of an approved Development Plan in Subarea B of the RAC District, subject to the following conditions:

1. No adult entertainment facility shall be established within 1,500 feet of any residence or district where residences are a permitted use.

2. No adult entertainment facility shall be established within a radius of 1,500 feet of any school, library, or teaching facility, whether public or private, when such school, library, or teaching facility is attended by persons under eighteen (18) years of age.

3. No adult entertainment facility shall be established within a radius of 1,500 feet of any park or recreational facility attended by persons under eighteen (18) years of age.

4. No adult entertainment facility shall be established within a radius of 1,500 feet of any church, synagogue, or permanently established place of religious services attended by persons under eighteen (18) years of age.

5. No adult entertainment facility shall be established within a radius of 1,500 feet of any other adult entertainment facility.

6. No advertisements, displays or other promotional materials displaying specified sexual activities or specified anatomical areas shall be shown or exhibited so as to be visible to the public from pedestrian sidewalks or walkways, or from other public or semi-public areas.

7. All building openings, entries, windows, etc. for adult entertainment uses shall be located, covered, or serviced in such a manner as to prevent a view into the interior from any public or semi-public area, sidewalk or street.

8. No screens, loudspeakers or sound equipment shall be used for adult motion picture theaters (enclosed or drive-in) that can be seen or discerned from public or semi-public area.

Section 26.07 Temporary Structures, Construction Trailer Office

A. Temporary Construction Trailers/Offices

Temporary construction trailers/offices may be permitted in any District during the construction of building(s) and site improvements provided the following regulations are met. A Zoning Permit shall be obtained prior to installing and utilizing the temporary construction trailer/office.

1. The temporary trailer/office shall be prohibited from being located in the right-of-way and shall be setback a minimum of ten (10) feet from the right-of-way line.
2. No more than one temporary trailer/office shall be permitted per construction site.
3. The temporary trailer/office shall only be permitted for a period of one (1) year days in any calendar year. If additional time is necessary due to a delay in construction, the applicant shall seek an extension from the Board of Zoning Appeals.

Section 26.08 Wind Energy

A. Walnut Township recognizes the importance of clean, sustainable and renewable energy sources. To that end, Walnut Township permits the use of Individual Wind Energy Conversion Systems and conditionally

permits Small Wind Farms as specified in Table 1 of the Section 14.01, subject to the standards in this section.

B. **Individual Wind Energy Conversion Systems.** When listed as a permitted use in Table 1 of Section 14.01, these systems are permitted in accordance with the following regulations:

1. **Maximum Height.**

The tower height of an Individual Wind Energy Conversion System shall not exceed one hundred (100) feet.

2. **Setback Requirements.**

An Individual Wind Energy Conversion System shall be located in such a manner where its tower will have a "clear fall zone" from all neighboring property lines, structures, as well as any inhabited structures.

3. **Maintenance.**

Individual Wind Energy Conversion Systems must be maintained in good working order. Individual Wind Energy Conversion Systems that become inoperable for more than twenty-four (24) months must be removed within thirty (30) days of the issuance of a zoning violation. Removal includes the removal of all apparatuses, supports, and other hardware associated with the existing Individual Wind Energy Conversion System.

4. **Decibel Levels.**

Individual Wind Energy Conversion Systems shall operate within a decibel range of fifty (50) to seventy (70) decibels. This information shall be obtained from the manufacturer of the turbine and all decibel readings, if necessary, shall be taken from the nearest neighboring property line.

5. **Wiring and electrical apparatuses.**

All wires and electrical apparatuses associated with the operation of an Individual Wind Energy System shall be located underground.

6. **Anti-Climb Devices.**

All towers within an Individual Wind Energy Conversion System must be designed to be unclimbable or protected by anti-climbing devices.

7. **Permit Required.** No person shall construct or install an Individual Wind Energy Conversion System without having received an approved Zoning Permit from the Zoning Inspector (unless otherwise exempted by state or federal laws). In addition to the general submittal requirements for a Zoning Permit listed in Section 4.02, an engineering report that shows the following must be submitted:

a) The number and height of each tower within the Individual Wind Energy Conversion System.
b) The total size and depth of the concrete mounting pad for each tower, as well as soil and bedrock data.
c) A list or depiction of all safety measures that will be on the unit including anti-climbing devices, grounding devices, and lightening protection.
d) Data specifying the kilowatt size and generating capacity of each tower.
e) The maximum decibel level of the Individual Wind Energy Conversion System. This information must be obtained from the manufacturer of the tower(s).
f) A site drawing showing the location of the tower(s) to existing structures on the property, roads, other public rights-of-way and neighboring property.
g) Evidence of a "clear fall zone' with manufacturer's recommendation must attached to the engineering report.
h) A maintenance schedule as well as dismantling plan that outlines how the Individual Wind Energy Conversion System will be dismantled.

C. **Small Wind Farms.** When listed as a conditional use in Table 1 of Section 14.01, these systems are permitted in accordance with the following regulations:

1. In no case shall any tower within a Small Wind Farm be located closer than 1.1 times the tower height to any residential structure, public road/right-of-way, third party transmission lines, or adjacent property lines. New residential structures shall not be permitted within this setback area.
2. Small Wind Farms shall conform to applicable industry standards, including those of the American National Standards Institute (ANSI). Applicants shall submit certificates of design

compliance that equipment manufacturers have obtained from Underwriters Laboratories (UL) or an equivalent third party. Once a Conditional Use permit is granted per the requirements of this Section, a Licensed Ohio Professional Engineer shall certify, as part of the Zoning Permit application, that the foundation and tower design of the Small Wind Farm, including substation, transformer, underground cabling or parts thereof and the access road, is within the accepted professional standards, given local soil and climate conditions.

3. All Small Wind Farm shall be equipped with a redundant braking system. This includes both aerodynamic over speed controls (including variable pitch, tip, and other similar systems) and mechanical brakes. Mechanical brakes shall be operated in a fail–safe mode. Stall regulations shall not be considered a sufficient braking system for over speed protection. The applicant shall provide sufficient information to ensure the Board of Zoning Appeals that this requirement will be met.
4. All electrical components of the Small Wind Farm shall conform to applicable local, state, and national codes, and relevant national and international standards (ANSI).
5. Towers and blades shall be a non–contrasting gray or similar color or a galvanized steel finish, unless these color requirements conflict with any FAA regulation. In such cases, the tower shall comply with those color requirements.
6. All towers within a Small Wind Farm be un–climbable by design or protected by anti–climbing devices.
7. No signage shall be permitted within any portion of a Small Wind Farm except for a Sign, not to exceed six (6) square feet, containing emergency contact information and no trespassing language.
8. One point of access from a public road to the Small Wind Farm shall be provided. The Board of Zoning Appeals may require review by the Township fire department to ensure the proposed drive is suitable for emergency access. The use of existing access points is preferred.
9. The applicant shall be responsible for obtaining all required approvals/permits for transporting on a public road the towers, blades, substation parts, and or equipment for construction, operation, or maintenance of the Small Wind Farm.
10. The applicant shall demonstrate that the noise levels associated with the Small Wind Farm will not be disruptive to any adjacent residential areas.
11. No lighting shall be permitted, except as required by Federal regulations.
12. The Owner or operator of the Small Wind Farm shall be required to submit an annual notice of operation on or before

January 31st of each year. In the event that the Small Wind Farm is no longer being operated or utilized (unless due to documented maintenance or electrical grid issues and written notice has been provided to the township), the Small Wind Farm shall be removed within 180– days after the Use has been discontinued. In addition to removing all towers within the system, the Owner/operator shall restore the site to its original condition prior to the location of such system on said property. Any foundation associated with a Small Wind Farm shall be removed from the site to a depth which is at least forty–eight (48) inches below restored ground level and the site restored to its original state including the planting of any grasses or cover crops. All transmission equipment, Buildings and fences shall also be removed.

13. Submittal Requirements The following information must be submitted with the Conditional Use application (in addition to the items required in Section 9.02.

A Small Wind Farm project summary including to the extent available the following items:

a) A general description of the project, including its approximate name plate generating capacity; the potential equipment manufacturer(s) type(s) of the Small Wind Farm, the number of towers within the proposed Small Wind Farm, and the name plat generating capacity of each tower, and the maximum height proposed for each tower.

b) A description of the applicant, owner and operator, including their respective business structures.

d) The name(s), address(es), and phone number(s) of the applicant(s), Owner and operator, and all property Owner(s), if known.

e) The site plan required in Section 9.02 shall also include: guy lines and anchor bases (if any), primary structure(s), property lines (including identification of adjoining properties), set back lines, public access roads and turnout locations, substation(s), ancillary equipment, third party transmission lines, and layout of all structures within the geographical boundaries of any setback.

f) All required studies, reports, certifications, and approval demonstrating compliance with the provisions of this Zoning Resolution.

Section 26.09 Short Term Rentals

A. Purpose:
   1. To adapt to new rental market trends that include online platforms, such as Airbnb and VRBO, while also protecting residential neighborhoods from disruption that could result from short term rentals.
   2. To create a convenient, safe, and harmonious environment in which short term rentals can be permitted, consistent with neighborhood tranquility.

B. Applicability: Short Term Rentals are considered Conditional Uses in residential districts.

C. Conditional Use Permit: Prior to issuing a Conditional Use Permit, the BZA must determine that the general criteria in Section 9.03 are met in addition to the following regulations:
   1. Short Term Rentals shall be wholly within the principal residential structure. No accessory structure shall be utilized for a Short Term Rental.

   2. The principal residential structure, in which the Short Term Rental is conducted, shall maintain the appearance of a single-family residence and be compatible with surrounding residences, in size and scale.

   3. The Short Term Rental establishment shall be owned and operated by the occupant of the premises.

   4. Exterior signage shall be limited to a single nameplate not more than twelve (12) square feet in size. No signs shall be internally illuminated.

   5. Short term rentals cannot be used for commercial uses such as parties, banquets, weddings, receptions, meetings, or advertising activities.

   6. The applicant must submit proof of compliance with all applicable building and fire codes.

   7. Adequate off-street parking shall be provided as determined by the Board of Zoning Appeals. Off-street parking shall not be allowed in the front yard.

Section 26.10 Accessory Structures

A. Applicability.
    1. These standards shall apply to all Accessory Structures, except Private Swimming Pools, which are regulated by Section 26.11.
B. Location.
    1. All Accessory Structures shall be located to the side or rear of the principal structure. In no case, shall an Accessory Structure be located nearer to the font lot line than the principal structure.
    2. An Accessory Structure may encroach a required side or rear setback but in no case shall an Accessory Structure be closer than ten (10) feet from a lot line.
    3. An Accessory Structure (except decks) shall be located closer than five (5) feet from the principal structure or any other accessory structure.
C. Height.
    1. An Accessory Structure shall not exceed twenty-five (25) feet in height.
D. Size.
    1. The cumulative area of all accessory uses or structures shall not exceed two percent (2%) of the area of the lot on which the structure or use is located. In no case shall the impervious lot coverage exceed 35% in any residential district.
    2. These accessory structure area requirements shall not apply to lakes, ponds, swimming pools and tennis courts.

Section 26.11 Private Swimming Pools

No Private Swimming Pool, except for Temporary Swimming Pools, shall be allowed in the Township unless the following conditions and requirements are met. A Zoning Permit according to Sections 4.01 – 4.02 shall be required for the construction or installation of any Private Swimming Pool. The owner of the property, or their agent, shall certify that the pool will be constructed, installed, and maintained in conformance with the requirements below:

A. It may not be located closer than fifteen (15) feet to any property line and may not encroach upon any required front yard, side yard, or any required on- site wastewater leaching areas;
B. Any inground swimming pool shall be walled or fenced to prevent uncontrolled access by children from any street or adjacent property. Any such fence shall not be less than four (4) feet in height and maintained in good condition with a gate and lock or automatic retractable load-bearing pool cover; and
C. Exterior lighting shall be shaded wherever necessary to avoid casting direct light upon any other property or any public street.

Section 26.12 Cargo Containers

A. Cargo Containers as Accessory Structures on Residential Lots.

Cargo Containers, as defined in Article II of this code, may be used as an Accessory Structure on residential property, only in accordance with the following:

1. Purchasers, owners, or users of Cargo Containers shall obtain a zoning permit from the Township for each Cargo Container prior to placing or moving said container onto their property.
2. The exterior of the Cargo Container shall be painted or altered to cover advertising, lettering or numbers.
3. No stacking of Cargo Containers shall be allowed.
4. All Cargo Containers shall be located on the ground level for safety.

B. Cargo Containers as Residential Dwelling Units.

Any Cargo Container, as defined in Article II, that is utilized as a Residential Dwelling Unit shall be considered a Conditional Use, subject to the general conditional use regulations in Section 9.03, in addition to the following standards:

1. All minimum dwelling unit sizes of the applicable zoning district shall apply.
2. A Cargo Container utilized as a dwelling unit shall be designed by a Professional Architect and the architectural drawings for said Cargo Container to be utilized as a dwelling unit shall be stamped by a Professional Architect in the State of Ohio.
3. A Cargo Container utilized as a dwelling unit shall be located on a permanent foundation and shall comply with all residential building codes in effect for Pickaway County.
4. The color, style and material used for the walls, roof, or other externally viewable parts of the Cargo Container utilized as a dwelling unit shall blend with the architecture of the surrounding neighborhood, as determined by the BZA during the conditional use permit review.

C. Cargo Containers Stored on Commercial or Industrial Lots.

Cargo Containers that are located or stored on commercial or industrial lots shall be considered an Outdoor Service Facility and subject to the regulations for such facilities within the applicable zoning district (see Use Table in Article XIV).

ARTICLE XXVII

Regional Access Corridor District

Section 27.01 Additional Development Standards

The purpose of the design standards is to create a unified development and design approach to the Regional Access Overlay area. Due to the unique nature of the overlay, these standards apply to development in the RAC in addition to the general development standards. The following standards shall apply to all uses and developments within the RAC.

A. **Architectural Requirements.** Unless otherwise noted, the following requirements apply to all uses:

Site Design: The bulk, height, and surface materials of buildings within the proposed development shall be compatible with the surrounding area. Buildings, structures, and parking areas shall be designed and located within the development in ways that conserve environmentally sensitive or unique natural, historic, or cultural features and minimize environmental impacts. An elevation of a building that fronts on US 23 shall be designed to appear as the front façade of the building.

1. Building Design: The intent of the Building Design Requirements is to create an Artisan Design theme that is unique to the RAC by focusing on materials and colors that transcends design fads while simultaneously allowing a unique design approach for individual projects. Buildings and structures shall be designed to enhance both areas within and surrounding the development, giving due regard to building footprints, building orientation, massing, roof shape, pitch, and exterior materials. The following material and design element requirements have been established to achieve the Artisan Design theme.
   a) Building Materials and Design Elements: Buildings for all uses shall be designed to be seen from three hundred sixty degrees (360°) and have the same caliber of finish on all elevations. Building additions and accessory structures, whether attached or detached, shall be of similar design, materials, and construction to that of the existing principal structure. Additionally, the following standards shall apply to the specific uses:

2. Commercial, Office, and Mixed-Use Buildings Materials:

All exterior elevations shall be comprised of eighty (80) percent of wood, fiber cement, and native or cultured stone. Foundations must be clad with the same natural material utilized on the building to blend with the overall architecture of the structure. Exposed cement block or split face block foundations shall be prohibited. Brick or other natural materials may be utilized as an accent material provided it does not exceed twenty percent (20%) of the gross exterior building wall square footage. Vinyl and/or aluminum shall be prohibited except when used for trim details such as downspouts, soffits, gutters and shutters. The use of black, gold, green, silver, opaque or any other reflective or colored glass on a building is prohibited. Frosted glass may be permitted in some cases, subject to review with final approval of the Board of Trustees.

a) Building Colors: Building colors shall consist of earth tones limited to browns, tans, and grays. Leaf greens, gray sky blues, and whites may be utilized as an accent and shall not be the predominant building color.

b) Design Elements: Blank walls shall not be permitted. Where expanses of solid walls are necessary, they may not exceed twenty (20) feet in length. There shall be a minimum of three (3) design elements for every one hundred (100) feet of elevation facing a public right-of-way and a minimum of two (2) design elements for every one hundred (100) feet of each side and rear elevation that does not front on a public right-of-way. Design elements shall be consistent with Artisan Design theme and shall include:

- Wood columns of sufficient width as determined by the Planning Commission.
- A door at least twenty-eight (28) square feet in area with portico/covered entry. A window of at least six (6) square feet in area. Windows closer than ten (10) square feet shall be considered one (1) element.
- Masonry water table
- Patio, deck or other similar features.
- Balconies that project no more than two feet into the minimum setback and have a minimum clearance of ten (10) feet from grade.

- Works of art, fountains and pools, street furniture, landscaping and garden areas that are properly integrated into the streetscape and other similar significant permanent architectural features consistent with the Artisan Design theme may be permitted, subject to a recommendation by the Planning Commission and approved by the Board of Township Trustees.

  Side and rear elevations of an in-line retail development may be exempt from these design elements standards, if such elevations are not visible to customer traffic, a public right-of-way, or if a future phase of the in-line retail development is forthcoming adjacent to the elevation. Such exempt elevations shall use materials complimentary to the primary elevation and screened by the landscaping, mounding, fencing, or combination thereof, as deemed appropriate by the Planning Commission and approved by the Board of Township Trustees.

c) Roofing: For any buildings with a sloped roof, the roof shall have a minimum of six to twelve (6:12) pitch. Pitched roofs must be constructed of dimensional shingles, standing seam metal, slate or simulated slate. Upon the recommendation of the Zoning Commission, the Board of Township Trustees may approve flat roofs when it is determined said roofs will blend with the overall architectural style.

d) Drive Thrus: For commercial buildings only (not applicable to Mixed-Use buildings): A drive thru, if deemed appropriate for the site, shall be designed as an integral part of the structure it serves. Features incorporated with a drive thru including, but not limited to, canopies, awning and support posts shall match the material and color scheme within this Artisan Design theme. Drive thru features shall not have any pickup window, ordering areas, signage or other related items located on the front elevation of a building or located between the building and a street right-of-way.

3. Multi-Unit Dwellings

a) Building Materials: The exterior cladding material for all multi-unit dwellings shall be wood, EIFS, and native or cultured stone to keep consistent with the Artisan Design theme of the RAC. Brick may be utilized as an accent but not as a predominant material. Vinyl and aluminum shall be prohibited except for downspouts, soffits, gutters, shutters. Exposed foundation material shall be stone, stamped

concrete, or a textured concrete block compatible with the structure. Exposed chimneys shall have a brick or stone appearance and shall extend from the ground elevation to elevation above the roof line of the location of the chimney.

b) Design Elements: Each elevation of a Multi-Family Building must include design elements. For all townhome or Common Wall units (i.e. R-4 uses), there shall be a minimum of three (3) design elements for every forty (40) feet of elevation width for an elevation facing a public right-of-way. Each side or rear elevation that does not front on a public right-of-way must contain at least two (2) design elements. Typical design elements are listed below, but this is not an all- inclusive list:

- A door of at least seventeen (17) square feet in area
- A window of at least six (6) square feet in area. Windows with a horizontal separation of less than ten (10) feet shall be considered as one (1) design element. Sets of adjacent windows shall be considered as one (1) design element.
- A chimney
- A Portico
- Dormer
- A gable vent of at least four (4) square feet in area
- Porches, decks or similar structures
- Balconies (may project up to two (2) feet into the minimum setback and must have a minimum clearance of ten (10) feet from grade.
- A similar significant permanent architectural feature consistent with the style of the building may be permitted, subject to a recommendation by the Planning Commission and approved by the Board of Township Trustees.

c) Garages: Rear garages are encouraged. If front garages are provided, they shall not comprise more than thirty percent (30%) of the front elevation of the building, measured from the ground level to the lower edge of the roof. All front facing garages must not extend beyond the front plane of the building. For the purposes of this section, the front plane shall include a covered porch and a garage may be flush with the covered porch. All other off-street parking, including other garages or unenclosed parking spaces must be located behind the building's front façade.

4. Advanced Manufacturing, Logistics and Industrial

a) Any building elevation that is visible from a public right-of-way shall be broken up with architectural design elements, landscaping or a combination thereof.

b) Earth tones, muted hues, and natural tones are permitted as a structure's base color. Brighter hues are permitted only as an accent feature on building elements such as awnings, doors, and trim. A mixed color palette on a single building should be carefully selected so all colors harmonize with each other.

c) The use of black, gold, green, silver, opaque or any other reflective or colored glass on a building is prohibited. Frosted glass may be permitted in some cases, as determined and approved by the Board of Township Trustees.

d) Pole Building Prohibited. All buildings shall be constructed on a continuous, permanent foundation. Pole buildings shall not be permitted.

B. **Ground Coverage:**

No more than seventy five percent (75%) of the total tract coverage of a development, exclusive of the public street rights-of-way, shall be covered by impervious surfaces. Land underneath the overhead high voltage electric transmission lines may be utilized as open space, landscaping, parking, and roads with permission from the electric company.

C. **Open Space:**

1. For All Residential Uses: Not less than twenty-five percent (25%) of the total tract acreage must be set aside as useable common open space. Open spaces may be used for retention, detention, and disposal of storm water drainage. Features which are likely to cause erosion or flooding shall not be permitted. A minimum of twenty-five percent (25%) of the total tract acreage shall be devoted to open space, which shall be broken down as follows:

a) Central Green Space:

i. A minimum of fifteen (15) percent of the total tract acreage shall be devoted to a Central Green Space that shall serve as usable green space and shall not include detention, retention or other stormwater purposes. Decorative and usable ponds are permitted and encouraged within the Central Green

Space. The Central Green Space shall be easily and conveniently accessible by a paved walkway or bikeway from all dwelling units within the tract.

ii. When streets abut the Central Green Space, the front façade of the buildings on the opposite side of the street shall face the Central Green Space rather than the rear building elevations, stormwater basins or parking lots.

b) Other Open Spaces: The remaining ten percent (10%) of required open space may be distributed throughout the tract and may be utilized for retention, detention or other stormwater purposes.

c) All Open Spaces. Open spaces for all uses shall be permanently deed restricted and platted as open space parcel to prevent future subdivision and development.

D. **Perimeter Area:**

No commercial or industrial buildings or parking shall be constructed within two hundred and fifty feet (250') of the lot line of an existing parcel utilized for residential purposes at the time of adoption of this overlay. This buffer shall include a minimum eight (8) foot tall mound running parallel to the lot line abutting the existing residential use and shall be landscaped. The slope of each side of the mound shall be a maximum of 3:1, and the mound shall have a minimum ten (10) foot wide crest. Existing trees, streams, and other significant natural resources shall be preserved and taken into consideration when determining mound placement. The center of the mound crest should generally be within fifty (50) feet from the lot line abutting the existing residential use with the final mound location being determined and controlled by the development plan approved by the Board of Township Trustees.

E. **Lighting.**

1. All Exterior Lighting shall comply with these standards unless specifically exempted.
2. Exemptions:
   a) All exterior lighting fixtures producing light directly by the combustion of fossil fuels, such as kerosene

lanterns or gas lamps are exempt from the requirements of this section.

b) Federal holiday lighting shall be exempt from the requirements of this section.

c) All temporary emergency lighting needed by the police, fire department, other emergency service vehicles, and public service vehicles, as well as all vehicular luminaries, shall be exempt from the requirements of this section including flashing or blinking lights.

d) Street lights shall be exempt from the provisions of this section.

3. Prohibited Lighting:

a) Search lights, beacons, laser source lights, or any similar high-intensity or flashing lights are prohibited, except in emergencies by police and/or fire department personnel.

4. Types of Fixtures: All light fixtures shall be full cut-off type fixtures except for decorative light fixtures.

5. Fixture Height:

a) The fixture height in parking lots for residential uses shall not exceed twelve (12) feet in height.

b) The fixture height for in parking lots for all other uses shall not exceed twenty (20) feet.

c) In no case shall the Fixture Height exceed the height of the proposed building.

d) Lighting located under canopies shall be flush mounted or recessed within the canopy.

e) Fixture Height shall be measured from the finished grade adjacent to the base of the light fixture to the top most point of the fixture.

6. Lumens: The light bulb utilized in residential areas shall not produce more than 1,600 lumens. The light bulb utilized for all other uses shall not produce more than 3,000 lumens. Exterior lighting shall be designed and located to have the following maximum illumination levels. The levels shall be measured at the finished grade at the Lot Line as demonstrated by a lighting plan:

a) The maximum illumination at a Lot Line that abuts a lot zoned or used for residential purposes shall be 0.3 foot-candles.

b) The maximum illumination at a Lot Line that abuts any other use shall be one (1)-foot-candles.

c) The maximum illumination at a Lot Line for properties used for outdoor sports and recreation shall be reviewed for compliance with regard to the intent of these guidelines to minimize the impact of light trespass and glare on all surrounding properties

and public rights-of-way.

d) The illumination across any property shall be designed to not create excessive dark spots that may create safety issues.

7. All lighting shall be directed toward the ground and the interior of the parcel. Uplighting shall be prohibited.
8. All non–essential outdoor lighting fixtures for non-residential uses, including lighting for parking areas, Signs, displays and aesthetic lighting, shall be turned off after business hours. Only lighting needed for safety or security may remain lit after close of business, in which case the lighting shall be reduced to the minimum level necessary. Automatic shut-off fixtures, auto-dimming to adjust lighting based on ambient lighting and the use of as little lighting as necessary without creating safety issues is encouraged.

F. **Sidewalks and Multi-Use Paths**

1. Multi-Use Path (MUP) and Sidewalks: All Arterial and Collector Roads in all subareas including residential shall have a ten (10)-foot multi use path along one side of the road and a minimum five (5)-foot sidewalk on the other side of the road. All local roads shall have a minimum five (5)-foot sidewalk on both sides of the road. All sidewalks, curb ramps and crosswalks shall be installed per the then local, state and federal regulations, including but not limited to the Americans with Disabilities Act requirements. MUPs and sidewalks shall be placed outside of the right-of-way and within an easement designated for such public use. Street trees shall be planted in accordance with these design regulations.
2. Sidewalks shall connect to the building entrances and to existing sidewalks on adjacent abutting Tracts and to nearby pedestrian destination points including any transit stops.

G. **Environmentally Sensitive Areas**

Jurisdictional wetlands, slopes greater than twenty percent (20%) and one hundred (100)-year floodplains shall be preserved to the greatest extent possible. No structures shall be constructed within the one hundred (100)-year floodplain of any stream or river. To the maximum extent possible, all-natural drainage courses, vegetation and contours in excess of six percent (6%) shall be maintained.

H. **Utilities**

1. All utility lines constructed to service the proposed uses shall be located underground.
2. All developments shall be served by central water and sewer systems. Applicant shall indicate feasibility of water supply

and wastewater disposal systems from the appropriate state and/or county agencies with jurisdiction at the time of the Development Plan review.

3. Dry detention basins are prohibited in all subareas. All stormwater basins shall be wet basins and aeration devices may be required. Bioretention basins, or rain gardens, may be used only when approved by Walnut Township. All stormwater requirements must also comply with the Ohio Department of Natural Resources Rainwater and Land Development Handbook and any applicable requirements of the Pickaway County Engineer.

I. **Noise**

There shall be quiet hours between the hours of 10:00 p.m. and 6 a.m. every day of the week.

APPENDIX A

The purpose of this appendix is to provide a quick reference to the types of activities that will require a Zoning Permit. This list is for reference purposes and may not be an all inclusive list. If the language in this Appendix conflicts with the text in the Zoning Resolution, the language in the Zoning Resolution shall prevail.

A Zoning Permit is required for but not limited to the following activities:

1. Construction, structural alteration or enlargement of any building or structure, including accessory buildings; and
2. Change in use of an existing building or accessory building to a use not listed as a permitted use in the zoning district where the building is located; and
3. The installation of new parking lots or expansion of existing parking lots.
4. The construction of a new private pond when the normal high water surface area of the body of water exceeds 100 square feet
5. Agritourism activities
6. Accessory Dwelling Units
7. Home Day Care Facilities (Small and Large)
8. Food Truck
9. Installation of a new sign or replacement of an existing sign
10. Short Term Rentals
11. Major Home Occupations (Minor Home Occupations do not require a permit)
12. Signs (Installation of new or replacement of an existing permanent sign)
13. Solar Energy Systems (Individual and Small Farms)
14. Telecommunications Tower (when required by Section 25.05)
15. Temporary Sign (Large)
16. Temporary Structures, Construction Trailers/Offices
17. Wind Energy Systems (Individual and Small Wind Farms)