



## STAFF REPORT

A new zoning code was adopted April 1, 2024 and became effective a month later. Since adoption, staff has been tracking and evaluating code provisions as we have been implementing the new code on a spectrum of residential and commercial requests. Staff's mission is to continually look for improvements to standards and process to ensure the zoning code meets the ever-evolving needs of the community.

Since the adoption of the code, Gahanna has adopted the Our Gahanna Strategic Plan and Economic Development Strategy. The Plan provides for recommendations to align zoning code with this Plan and the Land Use Plan. As such, changes to the evaluation of projects within the Creekside District are proposed.

The first round of edits was adopted in December 2024. The edits proposed in this report mark the second major effort to update the zoning code. Staff proposes a series of changes that generally fall into one of three categories: Previous or omitted code provisions, revisions to existing code provisions, new code to reflect recommendations from adopted Plans.

### Previous/Omitted Code

During the code rewrite process, some important and valuable language was inadvertently omitted from the new code. This applies to the following code amendments:

- 1109.04 – Buffers and Screening
  - Revise buffer standard “B” to require a continuous six-foot-high screen. Continuous screening is required in the lesser standard “A” and was a requirement in the previous zoning code.
- 1109.06 – Outdoor Lighting
  - Revise illumination values to be .5 foot-candles at property line adjacent to residential. Illumination value is consistent with previous code.
- 1111.05 – General Sign Standards
  - Revise prohibited sign section to include attention-getting devices. Language was inadvertently not carried forward to the new zoning code.
- 1117.04 – Zoning Map or Text Amendments
  - Add requirement for City to post sign on property for rezonings. Language was accidentally not carried forward into the new zoning code. Requirements are the same as the previous code requirements.

### Revised Code

Revised code includes the following:

- 1103.07 – Large Lot Residential (R-1)

- Revise setback language for accessory structures from 10' to 5'.
- A number of variances to the minimum accessory structure setback have been requested and granted. It was recommended that the code be revised to reflect a reduced setback.
- The R-1 zone district did not have an exact match within the previous zoning code. Meaning, the minimum lot size is different than any residential zoning in the old zoning code. The closest matches had either a 10' or 5' accessory setback.
- 1105.01 – Use Table
  - Add Funeral Home/Services to the use table. Use is not currently addressed under existing use categories. Previous zoning code allowed for Funeral Homes/Services in the same/similar zone districts as proposed.
  - Add Electric Vehicle Charging to the accessory use table. Added for clarity as EV charging is already a permitted use.
- 1107.02 – Creekside Mixed Use Standards
  - Building materials revised for consistency between sections.
- 1109.01 – Parking, Access and Circulation
  - Revised parking table to include Funeral Homes/Services. 1 space per 150 square feet is same standard as previous code and consistent with neighboring communities.
  - Revise Electric Vehicle charging to allow for multiple means to comply with the requirement to provide EV spaces. EV ready is simpler to comply with as these spaces have the necessary electrical components but aren't fully functioning. EV supply equipment (EVSE) spaces are fully functioning.
  - Staff proposes this change to address the frequent variance requests to provide EV ready in lieu of EVSE spaces or to eliminate providing any EV spaces.
- 1113.03 – Erosion and Sediment Control
  - Annual review of code compliance with state regulations requires minor revisions. The Ohio Environmental Protection Agency (OEPA) Construction General Permit formula has changed and has been updated to direct users to the official OEPA source to ensure city code aligns with state requirements.
- 1117.01 – Zoning Approval
  - Clarify types of variances. Edits were made to variance regulations as part of the first round of edits in December 2024. Changes to 1117.01 and those proposed to 1117.02 are to further clarify the 2024 variance edits.
- 1117.02 – Variances
  - Clarify variance language. Edits were made in December 2024 that simplified types of variances by treating non-dimensional and dimensional variances similarly. Additional edits are necessary to eliminate these references and to provide clarity.
- 1123.01 – Glossary
  - Revise/add definitions of EV vehicles and funeral home/services.



- Move definition of “portable or modular structure” from section “T” to section “P”.
- Revise definition of trade contractors to allow office uses in commercial/office zone districts. The North American Industry Classification System (NAICS) classifies all activities of a trade contractor, specifically offices, as an industrial use. Code change would treat offices for trade contractors as other general offices.
  - It should be noted that staff have received several inquiries for office use only for trade contractors in recent months.

### New Code

Revisions to the zoning code are proposed in response to the recommendations of the Our Gahanna Strategic Plan and Economic Development Strategy.

- 1103.17 – Creekside Mixed-Use (CMU)
  - Add language to the “Purpose” and “Desired development” sections of the zone district to reflect provisions within the Land Use Plan and Our Gahanna Strategic Plan and Economic Development Strategy.
  - The proposed language provides for a revised way to evaluate projects within CMU that is in line with the Land Use Plan and the newly adopted Our Gahanna Strategic Plan and Economic Development Strategy.
- 1117.07 – Development Plan
  - New language provides for alternative means for evaluating projects within the CMU zone district. Deviations to the strict provisions of the zoning code are evaluated on the project’s consistency and ability to further the goals of the Land Use Plan and the Our Gahanna Strategic Plan and Economic Development Strategy.

Submitted By:

Michael Blackford, AICP

Director of Planning

**1103.07 LARGE LOT RESIDENTIAL (R-1).**

- (a) *Purpose.* The establishment of the Large Lot Residential Zoning district aims to protect existing one-unit residential land uses and allow for future new and infill development of such land uses. Lots in the Large Lot Residential zoning district have lot standards intended to preserve privacy between neighbors yet create a walkable, peaceable neighborhood environment.
- (b) *Existing development.* Land uses within Large Lot Residential zoning district consist primarily of detached houses in residential areas.
- (c) *Desired development.* The Large Lot Residential zoning district aims to preserve the residential neighborhood character of large lots. Lot standards are intended to create open space, peace, greenery and moderate privacy from adjacent users.
- (d) *Uses.* A list of principal and accessory uses applicable to this zoning district can be found in Section 1105.01.
- (e) *Development standards.* All development in the Large Lot Residential zoning district shall comply with the following district-specific standards. Generally applicable standards can be found in Chapter 1107 Design Guidelines and Chapter 1109 Site Elements.

Table 3: Large Lot Residential Standards		
Standard	Min.	Max.
Lot Area	20,000 sq. ft.	-
Ⓐ Lot Frontage	100 ft.	-
Ⓑ Front Setback	35 ft.	-
Ⓒ Side Setback	Principal Structure: 15 ft. Accessory Structure: <del>10</del> <u>5</u> ft.	-
Ⓓ Rear Setback	Principal Structure: 25 ft. Accessory Structure: <del>10</del> <u>5</u> ft.	-
Structure Height	-	Principal Structure: 35 ft. Accessory Structure: 15 ft.
Building Coverage	-	30% of lot area
Building Placement	Accessory structures must be placed to the rear of the principal structure.	

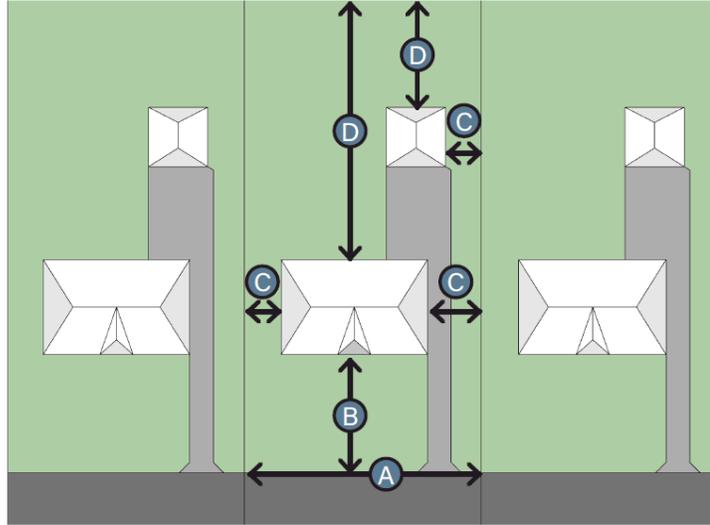


Figure 16: Regulatory graphic showing standards for the R-1 zoning district. For scale, the lots shown are 100 by 200 feet, or 20,000 square feet. The principal structures are 40 by 62 feet, and the detached garages are 25 by 25 feet.

(Ord. No. 0007-2024, § 2(Exh. A), 4-1-24)

### 1103.17 CREEKSIDE MIXED-USE (CMU).

- (a) *Purpose.* The establishment of the Creekside Mixed-Use District aims to promote a mixed-use district in the heart of downtown Gahanna as envisioned in the Gahanna Land Use Plan and the Our Gahanna Strategic Plan and Economic Development Strategy. A vibrant mix of uses that attracts and accommodates businesses, residents and visitors that includes Small-scale shops/retail, offices, restaurants, and residences will define this unique district. Residents and visitors will be welcomed with an old town feel, modern amenities, and access to the natural areas adjacent to Big Walnut Creek.
- (b) *Existing development.* The Creekside Mixed-Use District consists of commercial, residential-style, and institutional structures, some built to the front lot line, with surface parking in the side, rear, and front yard areas. Building height varies, although most structures are one or two stories. Façade materials include brick, stone, metal, wood, stucco, and vinyl. Awnings, glazing, dining patios, overhanging eaves, porches and balconies, and landscaping are also present.
- (c) *Desired development.* The Creekside Mixed-Use District aims to allow for continued use and encourage future development of both commercial and residential uses. The design standards aim to elevate the design of the district, requiring quality façade materials, creating interesting building massing and visual order, and providing a more enjoyable pedestrian experience through the reduction of streetside parking areas, visible building equipment, and curb-cuts.

To accomplish the desired vision of the Gahanna Land Use Plan and the Our Gahanna Strategic Plan and Economic Development Strategy, development requests within the Creekside Mixed-Use District will be evaluated on the project's ability to further the recommendations of these Plans. Development requests within the District that qualify as a Major Development Plan are not required to file a variance application. Deviations from the requirements of the Zoning Code will be evaluated in conjunction with the Major Development Plan. Criteria for evaluating deviations can be found in Section 1117.07(a)(2)(B). A variance application shall be required when a Major Development Plan is not required.

- (d) *Uses.* A list of principal and accessory uses applicable to this district can be found in Section 1105.01.
- (e) *Development standards.* All development in the Creekside Mixed-Use zoning district shall comply with the following district-specific standards. Generally applicable standards can be found in Chapter 1107 Design Guidelines and Chapter 1109 Site Elements.

Standard	Min.	Max.
Lot Area	-	-
Ⓐ Lot Frontage	40 ft.	-
Multi-Unit Dwelling Density	Allowable density shall be limited by the availability of providing on-site parking per Section 1109.01(c).	
Ⓑ Front Setback	10 ft.	-
Ⓒ Side Setback	5 ft.	-
Rear Setback	Adjacent to Residential zone: 10 ft.	-

	Adjacent to Non-Residential zone: 5 ft.	
Ⓢ Structure Height	-	Principal Structure: 60 ft. Accessory Structure: 35 ft.
Impervious Coverage	-	-

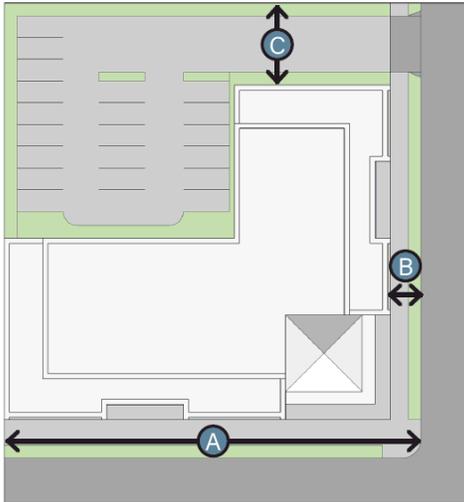


Figure 42: Regulatory graphic showing standards for the CMU zoning district. Note that the parking area is located to the rear of the principal structure.

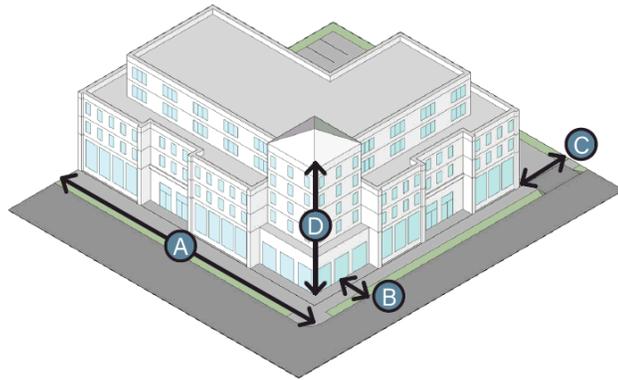


Figure 43: Graphic showing example of a mixed-use building that could be developed in the CMU zoning district.

(Ord. No. 0007-2024, § 2(Exh. A), 4-1-24)

**1105.01 COMPREHENSIVE USE TABLE.**

- (a) Land and structures may be used or intended to be used only for those uses listed as permitted or conditionally permitted on the comprehensive use table for the zoning district in which the land or structure is located. Those uses not listed as permitted or conditionally permitted in a zoning district are prohibited in that zoning district, except that the City's Designee may determine that a use not listed herein is similar in nature, definition, and impact as a listed permitted or conditionally permitted use, and, by similarity, allow such use as permitted or conditionally permitted.
- (b) Additional requirements for specific uses are identified in Section 1105.02 Specific Use Regulations.

Table 15: Comprehensive Use Table															
Use	Key: P - Permitted Use				C - Conditional Use				Blank - Not Permitted						Specific Use Regulations
	ER	R-1	R-2	R-3	R-4	OF	NC	GC	RI	IM	CON	CMU	CR	Zoning District	
<b>AGRICULTURAL</b>															
Agriculture	P														
Neighborhood Agriculture	P	P	P	P	P	P	P	P	P	P	P	P	P	1105.02(h)	
<b>COMMERCIAL</b>															
Air Transport Services										C					
Animal Care	P	C					C	C		P	C			1105.02(d)	
Automotive Sales								C		P					
Automotive Services High Intensity										C					
Automotive Services Light Intensity								C		P					
Bar								P		P	C	P			
Bed and Breakfast	C	C	C	C								C	C		
Commercial Sales								P		P					
Commercial Services								P		P					
Emergency Medical Care						P	C	P	P	P		C			

Family Care Services						P	P	P	C	P		P		
<u>Funeral Homes/Services</u>						<u>C</u>	<u>C</u>	<u>P</u>	<u>P</u>	<u>P</u>				
General Personal Services							P	P	C	P		P		
Ground Transport Services										P				
Hotel or Motel								P	C	P	C	P	C	
Large Scale Retail							C	P	C	P		P		
Professional Services						P	P	P		P		P		
Restaurant						C	P	P	C	P	C	P		
Small Scale Retail							P	P	P	P		P		
Taxi and Car Rental Services								P		P				
<b>DWELLING / RESIDENTIAL</b>														
Live-Work Unit								C	C				P	P
One-Unit Dwelling	P	P	P	P										P
Two-Unit Dwelling					P								P	P
Multi-Unit Dwelling					P			C					P	
Family Care Home	P	P	P	P	P								P	P
Residential Care Services					C								C	
<b>INDUSTRIAL</b>														
Artisanal Manufacturing								P	P		P		P	
Food Manufacturing									C		P		C	1105.02(f)
Heavy Industrial											P			

Large Scale Light Industrial										P				
Public Service Facility									P	P				1105.02(m)
Self-Storage										P				
Small Scale Light Industrial								C		P				
Trade Contactors								C		P				
<b>INSTITUTIONAL</b>														
Arts, Science, and Cultural							C	C	P	P	P	P		
Government Administration						P	P	P	P	P	P	P		
Other School						C	P	P	P	C		C		
Post-Secondary School									P			C		
Public Safety						P	P	P	P	P	P	P		
Primary School									P	C		C		1105.02(l)
Religious Place of Worship									P	C		P		
Secondary School									P	C		C		1105.02(l)
<b>RECREATIONAL</b>														
Conservation Recreation	P	P	P	P	P	P	P	P	P	P	P	P	P	
Indoor Recreation						P	P	P	C	P	C	P		
Large Scale Outdoor Recreation	C	C							P	P	P	P		
Outdoor Entertainment Venue									C	C	C	C		
Recreation with Lodging											C			
Small Scale Outdoor Recreation	P	P	P	P	P	P	P	P	P	P	P	P	P	
<b>OTHER USES</b>														

Adult Use										C				1105.02(c)
Portable or Modular Structure	P	P	P	P	P	P	P	P	P	P	P	P	P	1105.02(j)
Portable Temporary Storage Unit	P	P	P	P	P	P	P	P	P	P	P	P	P	1105.02(k)
Standalone Parking Lot						C	C	C	C	P	C	C	C	
Structured Parking					P	P	P	P	P	P		P	P	
ACCESSORY USES														1105.03(a)
Accessory Dwelling Unit	C	C	C	C									C	1105.02(b)
Drive-Thru							C	P	C	P				1105.02(e)
<u>Electric Vehicle Charging</u>	<u>P</u>	<u>1109.01(j)</u>												
Home Occupation	P	P	P	P	P							P	P	1105.02(g)
Outdoor Storage									P	P	P			1105.02(i)
Renewable Energy Generation System, Building Mounted	P	P	P	P	P	P	P	P	P	P	P	P	P	1105.02(n)
Renewable Energy Generation System, Ground Mounted	P	P	P	P	P	P	P	P	P	P	P	P	P	1105.02(o)

Note: All uses are subject to specific regulations, use-specific regulations, site elements regulations.

(Ord. No. 0007-2024, § 2(Exh. A), 4-1-24; Ord. No. 0079-2024, § 1(Exh. A), 12-2-24)

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## 1107.02 CREEKSIDE MIXED-USE DESIGN STANDARDS

- (a) *Purpose.* The establishment of design standards is intended to improve and elevate the aesthetic quality of Gahanna's Creekside area, for the promotion of property values, sustainability, and pedestrian experience. The standards in this section apply to all lots and structures located in the Creekside Mixed-Use zoning district.
- (b) *Building form and placement.* The following building form and placement regulations apply to all lots except those that contain only a one-unit or two-unit dwelling:
- (1) *Architectural style.* Architectural elements must include: (1) Variations in façade elements on all sides of the principal structure to reduce perceived mass and scale; (2) Variations in height, mass, roof forms, and wall planes to mitigate linear appearance of strip development; (3) Vertical break elements to interrupt the plane of the building frontage every 50 feet; (4) Compositional rhythms using windows, columns, trellises, articulation, arcades, materials, awnings, canopies, clerestories, or other features; and (5) Architectural features, such as columns, pilasters, canopies, porticos, awnings, brackets, or arches.
  - (2) *Roof styles.* Roofs must be predominantly flat and parapeted. Vertically projecting elements and elevated sloped roof forms are allowed at prominent corners. Roofs must be designed to complement the building with features, materials, and design patterns.
  - (3) *Building corners.* Building massing should step back at corners adjacent to street intersections. May increase height by up to ten feet to articulate and celebrate such corners. At building corners and façade segments between buildings, change of materials, projections and delineating features and additional height are allowed.
- (c) *Building elements.* The following building element regulations apply to all lots except those that contain only a one-unit or two-unit dwelling:
- (1) *Materials overall.* Front, side and rear elevations shall be of the same or similar materials and of a similar level of detail; shall be factory finished, stained, integrally colored, or otherwise suitably treated. Vinyl and highly reflective materials such as bright aluminum or metal are not permitted as the primary building material, but may be included on any elevation if not more than 20 percent of the total materials. Smooth faced concrete block and, tilt-up concrete panels, ~~vinyl, and metal siding~~ is prohibited on any elevation in this district.
  - (2) *Front and side elevations.* Upper floor and recessed areas may utilize materials differing from other floors to provide unique expression. Building façade materials shall be high quality and durable. Permitted primary façade materials include: brick, stone veneer (cultured or natural), insulated glazing and framing systems, architectural pre-cast concrete, and preapproved newly developed materials. Finished face concrete masonry may be used at ground level at service areas only. Architectural metal and aluminum may be used as storefront, trim and accent materials only. Buildings may express uniform usage of materials, or may differentiate major building segments toward creating a multiple-building aesthetic by using various materials per segment only when substantial physical breaks and planar offsets are incorporated at segment points to prevent a flat building appearance.
  - (3) *Colors.* Exterior colors should be neutral tones of light brown, tan, beige, white, creams, and gray colors. Not more than a total of four colors are allowed on any elevation. The roof shall be considered a separate elevation.
  - (4) *Windows.* Reflective glass is not permitted. The ground floor of the primary façade shall be not less than 40 percent transparent glass. Upper floor elevations shall be comprised of not less than 25 percent transparent glass.

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- (5) *Walls and fences.* Walls and fences must follow regulations in Chapter 1109. Additionally, no fences are allowed in the front yard; all fence and gate materials shall be of a predominant material found on the primary façade of the building.
  - (6) *Lighting.* All lighting on the façade shall be directed downward. No neon, rope, or parapet lighting is permitted. All light fixtures shall shield the light source to reduce glare and light trespass and should be fully shielded or full cutoff fixtures. Metal halide lighting is prohibited. Light levels at the property line should not exceed 1.0 footcandles adjacent to commercial uses and 0.5 footcandles adjacent to residential uses. All lighting fixtures shall be decorative.
  - (7) *Building entrances.* Entrances shall be along the front elevations and articulated as significant public entrances. Entrances may be emphasized with canopies or similar features which should provide a minimum clearance of nine feet above the sidewalk.
  - (8) *Screening.* Shall adhere to all applicable regulations in Section 1109.04.
  - (9) *Awning and Canopy Materials.* All primary exterior entrances shall have an awning or architectural canopy directly over the doors to aid in identifying the entrance. Awnings shall be canvass, aluminum, glass, or other finished architectural metal.
  - (10) *Gutters.* Flat roofs should drain to internal roof drains and/or to the rear, leaving street-fronting façades free of gutters and downspouts. Roofs may be occupiable and embellished for amenity use. Stair and elevator access to roof shall be integrated into the core architecture. "Green" or planted roofs are encouraged.
- (d) *Parking and service areas.* The following parking and service areas regulations apply to all lots except those that contain only a one-unit or two-unit dwelling:
- (1) *Parking location.* When any lot, other than a through-lot, contains off-street parking, the off-street parking may not be located closer to the right-of-way than any front-facing elevation of a principal structure on the same lot.
  - (2) *Parking.* Parking structures are encouraged for buildings of more than 50,000 square feet of gross floor area, more than 100 dwelling units, or more than 100 hotel rooms. Parking structures may be located within the principal structure. Parking structures may be located below grade. Any parking structure that is visible from the right-of-way must be screened. A parking structure that is detached from the principal structure on the lot may not exceed a height of 20 feet less than the height of the principal structure. Lighting for a parking structure shall be screened from view from other buildings and the street; screening shall be installed to shield adjacent residential units from the glare of vehicle headlights in the parking structure.
  - (3) *Dumpsters.* Shall adhere to all applicable regulations in Section 1109.04.
  - (4) *Outdoor storage.* Outdoor storage is not permitted.
  - (5) *Mechanical equipment.* All mechanical equipment shall be 100 percent screened from view from the public right-of-way and from adjacent properties by using walls, fences, roof elements, penthouse type screening devices or landscaping. All roof-mounted mechanical equipment shall be screened from public view to two feet above the height of the equipment. The design, colors and materials used in screening shall be the same as those of a predominant material found on the primary building façade. Unit exhaust and louvers are not allowed on façades; systems shall route through roof.
  - (6) *Curb-cuts.* No service drive curb cuts are allowed within the building street wall frontage. If more than one street frontage exists, locate curb-cuts on the street with least pedestrian importance.

(Ord. No. 0007-2024, § 2(Exh. A), 4-1-24)

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## **1109.01 PARKING, ACCESS, AND CIRCULATION.**

### *(a) Location of Parking Areas.*

- (1) Except for any parking area on a through-lot or on a lot without principal structures, a parking area may not be closer to the front lot line than any front-facing exterior wall of any principal structure(s) on the same lot; however, driveways may be located closer to the front lot line than any front-facing exterior wall of any principal residential use and may serve as parking areas.
- (2) No parking area may be set back from the front lot line less than the required front setback for principal structures in the zoning district in which it is located, except in the case of driveways, which may serve as parking areas.
- (3) For any parking area on a lot without a principal structure, the parking area may not be closer to the front lot line than any front-facing exterior wall of any principal structure on any side-adjacent lot(s). For this requirement, a side-adjacent lot is a lot that abuts the lot in question and fronts the same street or streets as the lot in question.
- (4) A parking area must be set back from the side and rear lot lines by at least ten feet, except at a location where vehicular access is provided to an adjacent lot.
- (5) In Residential Zones, driveways for residential uses must be setback one foot from side lot lines, except for shared driveways.

### *(b) Parking Area Access.*

- (1) Parking area access drives shall not exceed 35 feet in width.
- (2) Pedestrian walkways. A pedestrian walkway must be provided within the vehicle use space of all parking area facilities. Pedestrian walkways must connect adjacent sidewalks on each frontage with the entrance(s) of the establishment, and pedestrian walkways must connect parking areas for the establishment's employees and visitors with the entrance(s) of the establishment. The pedestrian walkways must be at least four feet wide.

### *(c) Parking Space Requirements.*

- (1) Where two or more uses are located on the same lot, the total number of spaces required shall equal or exceed the sum of their individual requirements. For parking space requirements, fractions shall be rounded up to the nearest whole number.
- (2) Required off-street parking facilities shall be located on the same lot as the structure or use served, except that a parking facility providing the sum of parking spaces required of several uses may be provided contiguous and in common to the several structures and uses served.
- (3) For residential uses, a driveway shall fulfill the requirement of off-street parking spaces at a rate of one off-street parking space per 300 square feet of driveway ground coverage.
- (4) Public on-street parking spaces adjacent to the lot may count toward the minimum required parking requirements for non-residential uses.
- (5) The required number of parking spaces may be reduced through a Development Plan application, Section 1117.07. To evaluate the parking reduction, the application shall provide an assessment of development factors. Factors to be considered include, but are not limited to, available public, permit or shared parking; transit service and pedestrian accessibility; elimination of arterial curb cuts; hours of operation, peak use comparisons, and existing/ proposed land use(s).
- (6) The following table summarizes the minimum parking spaces, based on use, required by this Zoning Ordinance.

Table 16: Minimum Parking Space Requirements

Use	Minimum Parking Spaces Required
<b>AGRICULTURAL USES</b>	
All Agricultural Uses	-
<b>COMMERCIAL USES</b>	
Automotive Sales	1 space per 300 sq. ft. of GFA + 1 space per 1,000 sq. ft. of outdoor display area
Automotive Services	1 space per 300 sq. ft. of GFA
Bar	1 space per 100 sq. ft. of GFA
Emergency Medical Care	1 space per 300 sq. ft. of GFA
Family Care Services	1 space per 400 sq. ft. of GFA
<u>Funeral Homes/Services</u>	<u>1 space per 150 sq. ft. of GFA</u>
General Personal Services	1 space per 300 sq. ft. of GFA
Hotel or Motel	1 space per room
Large Scale Retail	1 space per 400 sq. ft. of GFA
Professional Services	1 space per 350 sq. ft. of GFA
Restaurant	1 space per 100 sq. ft. of GFA
Small Scale Retail	1 space per 300 sq. ft. of GFA
Other Commercial Uses	1 space per 300 sq. ft. of GFA
<b>DWELLING / RESIDENTIAL USES</b>	
Live-Work Unit	Per non-residential use parking requirements
One- or Two-Unit Dwelling	2 spaces per dwelling unit
Multi-Unit Dwelling	1 space per studio or one bedroom dwelling unit + 2 spaces per two or more bedroom dwelling unit
Family Care Home	-
Residential Care Services	1 space per bedroom or dwelling unit, whichever is greater
Other Dwelling / Residential Uses	1 space per bedroom or dwelling unit, whichever is greater
<b>INDUSTRIAL USES</b>	
Industrial/Warehousing	Up to 20,000 square feet: 1 space per 1,000 GFA 20,001 to 120,000 square feet: 1 space per 5,000 GFA

	Over 120,000 square feet: 1 space per 10,000 GFA
Outdoor Storage Yard	1 space per 3,000 sq. ft. of outdoor storage area
Public Service Facility	-
Self Storage	1 space per 100 storage units
Trade Contractors	1 space per 500 sq. ft. of GFA
Other Industrial Uses	1 space per 1,000 sq. ft. of GFA
<b>INSTITUTIONAL USES</b>	
Art, Science, and Cultural	1 space per 300 sq. ft. of GFA
Government Administration	1 space per 300 sq. ft. of GFA
Other School	1 space per 400 sq. ft. of GFA
Post-Secondary School	1 space per 600 sq. ft. of GFA
Public Safety	-
Primary School	1 space per 600 sq. ft. of GFA
Religious Place of Worship	1 space per 300 sq. ft. of GFA
Secondary School	1 space per 400 sq. ft. of GFA
Other Institutional Uses	1 space per 400 sq. ft. of GFA
<b>RECREATIONAL USES</b>	
Conservation Recreation	-
Indoor Recreation	1 space per 300 sq. ft. of GFA
Large Scale Outdoor Recreation	1 space per 400 sq. ft. of GFA
Outdoor Entertainment Venue	1 space per 300 sq. ft. of GFA
Small Scale Outdoor Recreation	-
Other Recreational Uses	1 space per 300 sq. ft. of GFA
<b>OTHER USES</b>	
Adult Use	1 space per 300 sq. ft. of GFA
Portable or Modular Structure	-
Portable Temporary Storage Unit	-
Standalone Parking Lot	-
Structured Parking	-

- (d) *Parking Space and Drive Aisle Dimensions.* Off-street parking spaces and drive aisles shall have the minimum dimensions, as described in the table below. In the case that parking spaces open directly to and are accessed only by a public alley, the width of the alley shall contribute to meeting the minimum drive aisle widths.

Table 17: Parking Space & Aisle Dimensions		
Parking Angle (degrees) Measured from the Direction of Traffic	Minimum Drive Aisle Width (ft.)	Minimum Parking Space Dimensions (ft.)

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90	17 (one-way travel)	10 x 19
90	20 (two-way travel)	9 x 19
60	15 (one-way travel)	9 x 19
60	20 (two-way travel)	9 x 19
45	13 (one-way travel)	9 x 19
45	20 (two-way travel)	9 x 19
0 (Parallel)	13 (one-way travel)	8 x 23
0 (Parallel)	25 (two-way travel)	8 x 23

(e) *Parking Area Screening.*

- (1) Parking area screening may be met through buffering requirements identified in Section 1109.04(c). If no buffering requirements are identified, then parking area screening shall be provided per Section 1109.01(e)(2).
- (2) Parking areas shall be screened from public right-of-way by a continuous three-foot-high screen consisting of opaque evergreen hedges; an opaque fence; an opaque wall; or a combination of screening types.

(f) *Parking Area Landscaping.*

- (1) For parking areas of 1,000 square feet or more or intended for five or more vehicles, interior landscaping is required.
- (2) Any parking area altered to an extent of 25 percent or more of the total square footage of the existing off-street parking area is required to comply with all regulations in 1109.01(f).
- (3) Five percent of the total parking area is required to be landscaped.
- (4) Interior landscaping in parking areas shall be dispersed throughout the parking area in landscaping peninsulas and islands.
- (5) The minimum landscaped peninsula size shall be 50 square feet and a minimum length or width dimension of five feet.
- (6) One tree per 100 square feet of required landscape area or portion thereof is required. The minimum caliper of such trees shall be three inches at planting as measured in accordance with ANSI requirements. When appropriate, the City's Designee may approve requests to plant trees less than three caliper inches.
- (7) Required landscaping shall be maintained within the minimum requirements of this section.

(g) *Parking Area Markings.*

- (1) The surface of any parking area containing ten or more parking spaces shall be striped, and the striping maintained in good condition to be clearly visible with lines four inches wide to indicate parking space limits.
- (2) Any off-street parking area shall be marked or posted with such traffic control devices as may be determined necessary by the City's Designee for the protection of operators and pedestrians, including directional arrows, one-way signs, no parking signs and fire lane signs.

(h) *Parking Area Surfaces.*

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- (1) Parking areas including spaces, driveways, aisles and circulation drives must have surfaces that are improved with all-weather, dustless materials such as concrete, asphalt, or other material as approved by the City's Designee.
  - (2) Stormwater retention requirements shall be provided as required by Sections 1113.02.
- (i) *ADA Parking Requirements.*
- (1) Nothing in this Zoning Ordinance shall be construed to conflict with the regulations set forth by the Americans with Disabilities Act.
  - (2) Parking spaces designated and designed for people with disabilities shall be in compliance with the universal parking space design set forth in the Americans with Disabilities Act Accessibility Standards, Section 208 and Section 502, which can be reviewed at the following website: <https://www.access-board.gov/ada/>.
  - (3) All such spaces shall be designated by free-standing signs pursuant to the Ohio Secretary of State guidelines.
- (j) *Electric Vehicle Charging.*
- (1) ~~For lots that contain 50 parking spaces or more: at least one parking space per 25 parking spaces on a lot must be equipped with an electric vehicle charging station. For the purposes of calculating the number of required electric vehicle charging stations, if the number of parking spaces on a lot is not divisible by 25, then the number of parking spaces on the lot shall be rounded up to the nearest multiple of 25.~~ Lots that contain 50 parking spaces or more are required to install electric vehicle charging stations at a rate of one EV charging space per 25 parking spaces. For the purposes of calculating the number of required electric vehicle charging stations, if the number of parking spaces on a lot is not divisible by 25, then the number of parking spaces on the lot shall be rounded up to the nearest multiple of 25. A combination of EV ready and EVSE installed spaces can be utilized to meet the minimum requirement.
  - (2) EV ready spaces count as one EV charging space for the purposes of this chapter.
  - (3) Parking spaces with EV supply equipment installed count as two EV charging spaces for the purposes of this chapter.
  - (4) Parking lots and garages that serve a multi-family use shall meet the minimum number of EV charging spaces with EVSE installed spaces. EVSE installed spaces count as one space and EV ready spaces cannot be utilized.
- (k) *Parking Area Restrictions in Residential Zoning Districts.*
- (1) *Inoperable vehicles.* Not more than one wrecked motor vehicle, disassembled motor vehicle, or motor vehicle with flat tires, missing plates or expired validation sticker, or with excessive body damage, or a broken or shattered windshield shall be allowed per one dwelling unit. Such vehicles may be parked only for a period not to exceed 72 hours. The vehicle shall be covered with a product specifically designed for vehicles so that the vehicle cannot be seen from an adjacent lot or public right-of-way.
  - (2) *Commercial vehicles.* No commercial vehicle weighing 6,501 pounds or more shall be stored, parked, or allowed. However, one commercial vehicle, weighing 6,500 pounds or less, limited to a two-axle construction which has operating characteristics similar to those of a passenger car and/or does not infringe upon the residential character of the zoning district may be permitted. Infrequent short-term parking of a commercial or commercial-type vehicle for conveying tools and materials to premises where labor using such tools and materials is being performed, delivering goods to a residence, or moving furniture to or from a residence, all only during the time such parking is actually necessary, is hereby excepted from this section. For purposes of this section "commercial vehicle" means any

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vehicle used or designed to be used for business or commercial purposes which infringes on the residential character of a residential district and includes, but is not necessarily limited to: a bus, cement truck, commercial tree trimming equipment, construction equipment, dump truck, garbage truck, panel truck, box truck, semitractor, semitrailer, stage bed truck, step van, tank truck, tar truck, tow truck and/or commercial trailers.

- (3) *Trailer parking.* Only one trailer, utility trailer, camper trailer, recreational trailer, travel trailer, or similar trailer shall be parked on a residential lot. The trailer shall be parked on a sealed surface such as concrete, asphalt, or other material as approved by the City's Designee. Tires on such trailer shall be kept inflated as required by code. Such trailer shall be limited to a two-axle design.

(l) *Bicycle Parking.*

- (1) *Applicability.* Bicycle parking facilities are required for any structure of more than 10,000 square feet of gross floor area (GFA) on a lot.
- (2) *Bicycle Parking Count.* Bicycle parking spaces shall be provided at a rate of one bicycle parking space per 5,000 square feet of GFA. Where the number of square feet of GFA is not evenly divisible by 5,000 square feet, round up to the nearest multiple of 5,000.
- (3) *Bicycle Parking Location.* Bicycle parking spaces shall be located not more than 200 feet from the main entryway into the principal structure. Alternatively, bicycle parking spaces may be located inside the principal structure if information about the structure's hours of public access are clearly posted at the location of the indoor bicycle parking spaces.

(m) *Off-street Loading.*

- (1) The location of areas for loading and unloading of inventory, waste, and other products from all land uses must not require loading/unloading vehicles to back into or maneuver within a street right-of-way or overhang an adjacent property. Maneuvering within a public alleyway is permissible.
- (2) Loading or unloading may not interfere with, block access to, or encroach on fire and emergency vehicle lanes, parking areas, sidewalks, bike lanes, drive aisles or queuing areas.
- (3) Dedicated loading and unloading areas must be screened from view from the street right-of-way but may be visible from public alleyways, see Section 1109.04.
- (4) Loading areas must be located to the side or the rear of the building and may not be placed between the street and the building or any front façade of a building.

(n) *Drive-thrus.* The following standards apply to all new or expanded drive-thru facilities, and the addition of drive-thru facilities on existing properties:

- (1) All establishments with drive-thrus must provide a ten-foot-wide by-pass lane whereby vehicles may exit the lot at any point without proceeding through the drive-through lane.
- (2) Menu boards. All menu boards must be oriented toward the drive-thru aisle that they are serving and must use hoods, shields, or directional lenses to ensure that the illuminated sign elements do not cause glare on adjacent properties.

(Ord. No. 0007-2024, § 2(Exh. A), 4-1-24; Ord. No. 0071-2024, § 1(Exh. A), 12-2-24)

## 1109.04 BUFFERS AND SCREENING.

- (a) *Buffers.* Buffers are areas along the boundary of one property that insulate adjacent properties from the effects of the property's incompatible use, such as noise, dust, light, and unattractive aesthetics. The buffering requirements are set forth in the comprehensive buffer table. Standards are described below:
- (1) Grass or ground cover shall be planted on all portions of the buffer ~~easements~~-not occupied by other landscaping material.
  - (2) Trees required by the comprehensive buffer table do not have to be equally spaced and may be grouped.
- (b) *Screening.* Standards for screening are established below:
- (1) Screening shall have an 80 percent opaqueness or more during all seasons. Opaqueness will be determined by comparing the amount of screening material opening with the total area.
  - (2) Screening shall be at least six feet in height.
  - (3) Screening should be accomplished using vegetation, such as evergreen plants, if practicable. If screening is to be accomplished by vegetation, the vegetative materials shall achieve the standards stated above within a period of five years or less. If vegetative screening is not practicable for the site, structural screening, such as an opaque fence or wall or mound, may be used, but such fence, wall, or mounding may not be more than eight feet in height, ten feet for Innovation & Manufacturing (IM).
  - (4) Outdoor storage areas shall meet the screening requirements of this division up to a combined maximum height of ten feet. Screening can include a wall, fence, mounding, landscaping, or combination thereof.
  - (5) All dumpsters and other refuse storage areas shall meet the screening requirements of this division up to a maximum height of eight feet. Screening can include a wall, fence, mounding, landscaping, or combination thereof.
  - (6) All mechanical equipment shall be completely screened from view from the public right-of-way and from adjacent properties by using walls, fences, roof elements, penthouse type screening devices or landscaping. All roof-mounted mechanical equipment shall be screened from public view to two feet above the height of the equipment. ~~Mechanical equipment exhaust vents and louvers are prohibited on street facing elevations.~~
- (c) *Comprehensive Buffer Table.* The following table summarizes the buffer and screening types, based on use, required by this Zoning Ordinance.

Key: Blank - No buffer or screening required	ADJOINING USE				
	Public Street Right-of- way	Freeway or Railroad Rights-of- way	One-Unit Dwelling	All Other Dwellings	Any Commercial Use
<b>USE CATEGORIES</b>					
Agricultural Uses			Buffer A	Buffer A	
Commercial Uses		Buffer A	Buffer A	Buffer A	
Conditional Uses in ER, R-1, R-2, or R-3		Buffer A	Buffer A	Buffer A	
Dwelling Uses		Buffer A			Buffer A

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Industrial Uses		Buffer A	Buffer B	Buffer B	Buffer A
Institutional Uses		Buffer A	Buffer A	Buffer A	
Other Uses		Buffer A	Buffer A	Buffer A	
<b>SPECIFIC USE</b>					
Automotive Services		Buffer B	Buffer B	Buffer B	
Drive-thrus		Buffer A	Buffer A	Buffer A	
Loading or service area	Buffer B	Buffer B	Buffer B	Buffer B	
Multi-unit Dwelling or Residential Care Services		Buffer A	Buffer A	Buffer A	
Outdoor Storage	See Screening, Section 1109.04(b)(4).				
Dumpsters	See Screening, Section 1109.04(b)(5).				
Parking areas	See Parking Area Screening, Section 1109.01(e).				
Public Service Facility, junkyard, sewage plant, or other similar use	Buffer A	Buffer A	Buffer A	Buffer A	

Buffer A = ten ft. wide buffer ~~easement~~ along shared boundary which consists of one tree per 40 linear ft. of boundary and a continuous six ft. high screen.

Buffer B = 20 ft. wide buffer ~~easement~~ along shared boundary which consists of one tree per ~~450~~ linear ft. of boundary and ~~a continuous six ft. high screen. one low shrub per ten ft. of boundary.~~

(Ord. No. 0007-2024, § 2(Exh. A), 4-1-24)

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## 1109.06 OUTDOOR LIGHTING.

- (a) Holiday light displays are not subject to the standards herein.
- (b) Any nonresidential parking area with ten or more off-street parking spaces and any residential parking area with 20 or more off-street parking spaces shall be illuminated during poor visibility. All outdoor lighting shall be constant intensity, and shall be directed, reflected or shielded so as not to be of excessive brightness or cause glare hazardous to pedestrians or drivers, create a nuisance or unreasonably interfere with a neighboring property owner's right to enjoy their property.
- (c) The following standards shall apply to all development except one-unit dwellings and two-unit dwellings.
  - (1) Exterior building illumination shall be from concealed sources. Strobe lights, flashing light, rope lighting, and metal halide lighting are prohibited.
  - (2) Lighting fixtures shall not exceed 20 feet above grade.
  - (3) In parking lots, lights shall be placed in landscaped parking lot islands or on a solid base to protect both lights and vehicles.
  - (4) The maximum illumination shall be one foot-candle measured at the property line when not adjacent to residential zone districts or uses. When adjacent to residential zone districts or uses, the maximum illumination measured at the property line shall be one-half foot-candle.
  - (5) Security lighting shall be from full cutoff type fixtures, shielded and aimed so that illumination is directed to the designated areas with the lowest possible illumination level to effectively allow surveillance.
  - (6) In the interest of reducing potential conflict with the Port Columbus Regional Airport Authority, all new light fixtures shall be required to have cut off type shielding so that all light is reflected downwards. Visible light emanating from the top of the fixtures shall not be permitted.

(Ord. No. 0007-2024, § 2(Exh. A), 4-1-24; Ord. No. 0074-2024, § 1(Exh. A), 12-2-24)

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## 1111.05 GENERAL SIGN STANDARDS.

(a) *Signs that are Exempt from Regulations.*

- (1) These sign regulations shall not regulate: the copy and message of signs; official traffic signs, or signs mounted in the public right-of-way by government agencies having jurisdiction within such right-of-way; a public art mural designated by the City; flags; scoreboards on athletic fields; gravestones; the display of street numbers; or any display or construction not defined herein as a sign.
- (2) A menu board sign at a drive-thru establishment shall not be considered a sign, provided that it meets the requirements of Section 1109.01(n).
- (3) A sign that is not clearly visible from outside of the property and is used to communicate information of any kind to a person only within the boundaries of the lot shall not be considered a sign for the purposes of this chapter, and shall be exempt from these sign regulations.

(b) *Determining Sign Area.* The maximum permitted sign area shall apply to the entire area enclosing the extreme limits of writing, representation, emblem or figure. Sign area shall consider the entire face of a sign including the advertising surface and any framing, trim or molding, but not including the supporting structure.

- (1) Any frame, material, or color forming an integral part of the display or used to differentiate a sign from the background against which it is placed shall count toward the maximum permitted sign area. For example, if a wall sign is painted with background colors and/or graphics integral to the overall graphic scheme of a sign, the entire wall shall be considered a sign and its measurement computed as such. If a sign is painted on a wall, and the sign can be logically separated and measured separately from the background graphics, the background graphic scheme shall not be computed in the sign area.
- (2) Necessary supports or uprights on which a sign is placed are excluded from the computation of sign area.
- (3) The permitted actual size of a sign shall apply to each facing of a sign structure; however, where signs are double-faced, placed back-to-back, or in a "V-type" construction when the "V" is at a 45-degree angle or less, only one side of the sign shall be counted. Back-to-back signs must be enclosed within the same cabinet or affixed to the same pole and not separated by more than 18 inches to qualify under this section.
- (4) The overall height of a freestanding sign shall be computed as the distance from the base of the sign at average grade to the top of the highest attached component of the sign. Average grade shall be construed to be the lower of:
  - A. Existing grade prior to construction; or,
  - B. The newly established grade after construction, exclusive of any filing, berming, mounding, or excavating solely for the purpose of increasing the height of the sign.

(c) *Aggregate Sign Area.* The maximum aggregate sign area, the combined total area of all permitted signs, for a lot is determined by the lot area.

- (1) Maximum Aggregate Sign Area (sq. ft.) = 0.005a
  - A. Where "a" is the lot area in square feet. For example, a one acre lot (43,560 square feet) multiplied by one-half of one percent (0.005) may have a total of 218 square feet of aggregate sign area.
  - B. For maximum aggregate sign area calculations, fractions shall be rounded up to the nearest whole number.

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- (2) In no case shall the permitted aggregate sign area of a lot be less than 100 square feet or greater than 400 square feet in area.
  - (3) For multi-tenant properties, each tenant shall govern a percent of the aggregate sign area no greater than the percent of gross floor area that such tenant occupies. For example, if the gross floor area of a multi-tenant property is 100,000 square feet, and Tenant A occupies ten percent of the gross floor area, or 10,000 square feet, it shall govern no more than ten percent of the aggregate sign area for the property.
- (d) *Awning or Canopy Sign.*
- (1) An awning or canopy sign may be located on an awning or canopy that extends over the public right-of-way, but only when authorized by a valid permit.
  - (2) The minimum clearance shall be seven feet to the bottom of the awning, and structural components shall be a minimum of eight feet above grade.
- (e) *Directional Sign.*
- (1) A directional sign must be located within ten feet of the street right-of-way and within ten feet of a curb cut or vehicular accessway to a property.
  - (2) Directional signs meeting the requirements of this Zoning Ordinance do not require permits and do not count toward the aggregate sign area.
- (f) *Freestanding Sign.*
- (1) No freestanding sign may be within ten feet of any other freestanding sign.
  - (2) Freestanding signs shall be set on grade, placed on a low masonry base, or located on matching posts. If located on matching posts, the height of the bottom of the sign shall be three feet or less measured from grade. Masonry bases shall use materials that are compatible with the building(s) on the lot and the overall streetscape.
  - (3) A landscaped area, required as follows, shall be provided, and centered around the base of all freestanding signs.
    - A. The landscaped area shall be comprised of a variety of natural materials, such as shrubs, hedges, herbs, trees, earth mounds, flowers, groundcover, and other plants. Plant material should be chosen to maintain 12 months of foliage;
    - B. The landscaped area must be at least 50 square feet in total area; and,
    - C. Ground cover shall be limited to 50 percent of the total landscaped area.
  - (4) Freestanding signs which identify the entrance to a single-unit or two-unit dwelling subdivision or neighborhood are permitted in residential zoning districts (ER, R-1, R-2, R-3, and R-4).
- (g) *Projecting Sign.*
- (1) A projecting sign may only extend over sidewalks with a valid permit. Projecting signs are not permitted to extend over streets or alleys.
  - (2) The minimum clearance shall be nine feet to the bottom of the projecting sign.
  - (3) Projecting signs shall not project more than four feet from the surface of the building.
- (h) *Wall Sign.*
- (1) The City may designate a wall sign as a public art mural, which is exempt from these sign regulations. A public art mural is any mosaic, painting, graphic art, or combination thereof, which is professionally

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applied to a building generally for the purposes of decoration or artistic expression and which does not contain any brand name, product name, letters of the alphabet spelling or abbreviating the name of any product, company, profession, or business, or any logo, trademark, trade name, or other commercial message.

(i) *Window Sign.*

- (1) The area of a window shall include the area of all contiguous transparent panes or panels, including those separated by mullions, grilles, seams and other non-structural elements, and bound by the window casing or other non-transparent elements on the buildings façade.

(j) *Electronic Sign.*

- (1) Electronic signs are only permissible as part of a freestanding sign, but only when authorized by a valid sign permit.
- (2) The electronic portion of the sign is limited to a maximum of one-third (33.3 percent) of the total size of the sign.
- (3) The electronic message displayed may not change more than once a day and is not permitted to scroll, flash, or move in any way.
- (4) Colors for the electronic portion of the sign are limited to amber, white, or a similar neutral color. Only one color shall be permitted. The background for the electronic portion of the sign is limited to black.

(k) *Prohibited Signs.* The following signs are prohibited in all Zoning Districts:

- (1) Abandoned signs;
- (2) Bench signs;
- (3) Flashing signs;
- (4) Hazardous signs;
- (5) Inflatable, lighter-than-air, or kite-type materials containing commercial messages;
- (6) Merchandise, equipment, products, trailers, or other items not themselves for sale and placed for attention-getting, identification or advertising purposes; this prohibition is not intended to prohibit any form of vehicular signage used in the normal day-to-day operations of a business, such as a sign attached to a bus or lettered on a motor vehicle, unless the primary purpose of such vehicle is for advertising;
- (7) Off-premises signs;
- (8) Portable signs;
- (9) Roof signs;
- (10) Street banners;
- (11) Pole signs;
- (12) Signs constructed of non-weatherproof materials such as cardboard, posterboard, or other similar material as determined by the City's Designee;
- (13) Signs within the sight triangle of an intersection;
- (14) Signs within the public right-of-way located on utility or street light poles, utility boxes, or street signs, unless granted permission by the right-of-way authority;

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(15) Signs resembling traffic signs or traffic control devices on a public street or road; (16) Signs which obstruct ingress or egress of a property; and,

(17) Signs with reflective materials, except for those required by the Ohio Department of Transportation (ODOT).

(Ord. No. 0007-2024, § 2(Exh. A), 4-1-24; Ord. No. 0075-2024, § 1(Exh. A), 12-2-24)

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### 1113.03 EROSION AND SEDIMENT CONTROL.

- (a) *Purpose.* This section is adopted for the purpose of controlling the pollution of public waters by sediment from accelerated stormwater runoff caused by earth-disturbing activities and land use changes connected with developing urban areas. Control of such pollution shall promote and maintain the health, safety and general well-being of life and inhabitants within the city.
- (b) *Applicability.* A Stormwater Pollution Prevention Plan (SWPPP) shall be submitted to the City prior to any earth disturbing activity on property of one acre or more for residential development or re-development, and on all land disturbances of one acre or more for commercial, manufacturing, multi-family development or redevelopment and public utility construction. Any Stormwater Pollution Prevention Plan developed for a site with an associated land disturbance of one acre or more shall be prepared in full compliance with the current Ohio EPA General Permit for Construction Activity. For earth disturbing activity on residential property of less than one acre, the need for erosion and sediment control activity shall be determined by the City's Designee.
- (c) *Process.* The Stormwater Pollution Prevention Plan may be submitted as a part of the detailed engineering plans. A copy of the approved Stormwater Pollution Prevention Plan and Notice of Intent (NOI) must be posted on site, submitted to the City for review, and available for review throughout the entire construction process.

The City shall indicate its approval or disapproval (status of compliance or noncompliance) to the person who filed the Stormwater Pollution Prevention Plan. Indication of disapproval (noncompliance) shall include the plan deficiencies and the procedures for filing a revised plan. Pending preparation and approval (determination of compliance) of a revised plan, earth-disturbing activities shall proceed only in accordance with conditions outlined by the City's Designee.

- (d) *Stormwater Pollution Prevention Plan Content.* A Stormwater Pollution Prevention Plan for a proposed development, with maps drawn to a scale of one inch equals 50 feet, shall be submitted to the City containing the following information:
  - (1) Location of the area and its relation to its general surroundings including but not limited to:
    - A. Off-site areas susceptible to sediment deposits or to erosion caused by accelerated runoff; and,
    - B. Off-site areas affecting potential accelerated runoff and erosion control.
  - (2) Existing and proposed topography and drainage of the development area and adjacent land within 100 feet of the boundaries. A topographic map should contain an appropriate contour interval to clearly portray the conformation and drainage pattern of the area:
    - A. Existing and proposed drainage watersheds, including the size of each watershed in acres (entire watershed area, not just the individual site);
    - B. Surface water locations including springs, wetlands, streams, water bodies, etc. on or within 200 feet of the site. This should include the locations of riparian, or wetlands setbacks, floodway, and the 100-year floodplain.
  - (3) The location of existing buildings, structures, utilities, water bodies, drainage facilities, vegetative cover, paved areas (streets, roads, driveways, sidewalks, etc.) and other significant natural or man-made features on the development area and adjacent land within 100 feet of the boundaries;
  - (4) A general description of the predominant soil types, their location and their limitations for the proposed use. Special attention should be given to hydric or highly erodible soils;

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- (5) Proposed use of the development area including present development and ultimate utilization with detail on soil cover, both vegetative and impervious;
  - (6) Section/phasing limits of the development area;
  - (7) All proposed earth disturbance including:
    - A. Areas of excavation, grading and filling;
    - B. The finished grade, stated in feet horizontal to feet vertical, of cut and fill slopes; C. Kinds of utilities and proposed areas of installation;
    - D. Proposed paved and covered areas in square feet or to scale on a plan map;
    - E. Makeup of proposed surface soil (upper six inches) on areas not covered by buildings, structures or pavement. Description shall be in such terms as original surface soil, subsoil, sandy, heavy clay, stony, etc.; and,
    - F. Proposed kind of cover on areas not covered by buildings, structures or pavement. Description shall be in such terms as: Lawn, turf grass, shrubbery, trees, forest cover, rip-rap, mulch, etc.
  - (8) Provisions for temporary and permanent erosion control shall follow the latest edition of the Ohio [Environmental Protection Agency Department of Natural Resources \(OEPADNR\)](#), Rainwater and Land Development Manual and shall be depicted on the plan and shall also comply with OEPA CGP;
  - (9) Provisions for the management of stormwater, derived both on-site and from upper watershed areas, including the control of accelerated on-site runoff, to a stable receiving outlet;
  - (10) Location of designated construction entrances where vehicles will enter/exit site. A detail for this entrance must be included on the plan;
  - (11) Provisions for maintenance of control facilities including easements to ensure short as well as long term erosion and sediment pollution control and stormwater management;
  - (12) Proposed construction sequence and time schedule for all earth disturbing activities and installation of provisions for erosion and stormwater management;
  - (13) Design computations and applicable assumptions for all structural measures for erosion and sediment pollution control and water management. Volume and velocity of flow shall be given for all surface water conveyance. This information shall also be provided for surface water outlets;
  - (14) Seeding mixtures and rates, lime and fertilizer application rates, and kind and quantity of mulching for both temporary and permanent vegetative control measures;
  - (15) Location of any in stream activities, including stream crossings;
  - (16) Location of permanent stormwater management practices to be used to control pollutants after construction operations are complete;
  - (17) Estimate of cost of erosion and sediment control and water management structures and features;
  - (18) Title, scale, direction, legend and date of all plan maps;
  - (19) Names and addresses of the person(s) preparing the plan, the owner and the person responsible for the development area;
  - (20) Certification that all earth disturbance, construction and development shall be done pursuant to the plan;
  - (21) Total area of the site, and the area of the site that is expected to be disturbed, including off-site borrow areas;

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- (22) A calculation of the runoff coefficients for both the pre-construction and post construction site conditions;
  - (23) An estimate of the existing percentage based on the site's predevelopment condition as well as proposed percentage based on the site post-development condition impervious area created by the construction activity; and,
  - (24) Location of stormwater and sediment and erosion control BMP's. A detail specification for each must be included in the plan.

The City may waive specific requirements for plan detail or may require additional information to show that work shall conform to basic requirements of this chapter, solely at their discretion.

- (e) *Erosion and Sediment Control Standards.* All sediment and erosion control best management practices (BMPs) as depicted in the Stormwater Pollution Prevention Plan and construction drawings shall be designed, constructed and maintained in accordance with the current Ohio EPA General Permit for Construction Activity. This includes, but is not limited to, the timing of BMP installations, permanent / temporary stabilization, BMP selection, surface water protection, dewatering operations, etc.
- (f) *Post-Construction Runoff Controls.*
  - (1) All post-construction stormwater management BMPs as depicted in the Stormwater Pollution Prevention Plan and construction drawings shall be designed and constructed in accordance with the current Ohio EPA General Permit for Construction Activity. Owner/developer must also provide detailed maintenance plans for all Post-Construction BMPs. Maintenance plans shall also be provided by the permittee to the post-construction operator of the site (including homeowner associations). The permittee, land owner or other entity with legal control over the property shall be required to develop and implement a maintenance plan to comply with local MS4 requirements. The use of innovative and/or emerging stormwater management post-construction technologies shall be at the discretion of the City's Designee and could require monitoring to ensure compliance with OEPA'S General Permit for Construction Activity.
  - (2) The post-construction portion of the stormwater pollution prevention plan shall include the following:
    - A. Description of post-construction BMPS to be installed during construction, including estimated installation schedule and sequencing plan (including post-construction sediment removal and installation of final outlets);
    - B. Rationale for selection - to address anticipated downstream impacts (on the channel and floodplain, morphology, hydrology and water quality);
    - C. Detailed post-construction BMP drawings and specifications; and,
    - D. MP maintenance plan for all BMPs selected and presented to post-construction operator. This maintenance plan shall include a disposal statement for structural BMPs to ensure pollutants collected with structural BMPs are disposed of in accordance with local, state and federal regulations.
  - (3) Post-Construction Runoff Control Design. Selected structural BMPs shall be sized for protection of watercourses from erosion (quantity) and include water quality volumes for controlling sediment volumes. Water quality volume shall be calculated per the equations listed in the Ohio EPA Construction General Permit OHC000006, or as later revised or reissued. (most recent revision). BMPs shall be designed such that the drain time is long enough to provide settlement treatment, but short enough to provide storage available for successive rain events. An additional volume equal to 20 percent of the WQv shall be incorporated into the BMP for sediment storage and/or reduced infiltration capacity during construction.

WQv = Volume of runoff from A 0.75 inch rain event WQv is determined according to following method:

$$WQv = C * P * A / 12$$

where:

WQv = Channel protection and water quality volume in acre-feet C = Runoff coefficient appropriate for storm less than one inch.

P = 0.75 inch precipitation depth

A = Area, in acres, draining into the BMP

I = Watershed imperviousness ratio (percent total impervious divided by 100)

Land Use	Runoff Coefficient (C)
Industrial, commercial	0.8
Residential of more than 8 dwellings/acre	0.8
Residential of 4-8 dwellings/acre	0.4
Residential of fewer than 4 dwellings/acre	0.3
Open space, recreational	0.2

NOTES:

- Where the land use will be mixed, the runoff coefficient should be calculated using a weighted average.
- ~~An additional volume equal to 20 percent of the WQv shall be incorporated into the BMP for sediment storage and/or reduced infiltration capacity during construction.~~
- BMPs shall be designed such that the drain time is long enough to provide settlement treatment, but short enough to provide storage available for successive rain events.

\* ~~Provide both a permanent pool and an extended detention volume above the permanent pool, each sized for 75 percent WQv.~~

- (4) *Recommended Post-Construction Best Management Practices.* The post-construction best management practice controls, on the following page, are identified in the current Ohio EPA's General Permit for Construction Activity and shall be incorporated in project development and design. The City will also consider non-structural practices in combination with these structural practices in reviewing site plans. Supporting documentation of non-structural BMP estimated pollutant removal information, map of on-site BMP locations, description of BMP type, and frequency with which the BMPs include: Site impervious area sweeping, natural buffers, pervious pavements, etc. All BMPs shall be designed and constructed per the Ohio Department of Natural Resources Rainwater and Land Development Manual.
- (5) *Post Construction Runoff BMP Drawdown Curve.* A drawdown curve (Volume vs. Drawdown Time) shall be calculated and drawn for each BMP and submitted to the City. These calculations shall follow the

<b>Table 23: Drawdown Times for Post Construction BMPs</b>	
<b>Best Management Practice (BMP)</b>	<b>Drawdown Time of WQv (in hours)</b>
<del>Infiltration</del>	<del>24—48</del>
<del>Vegetated swale or filter strip</del>	<del>24</del>
<del>Extended detention basin (dry basin)</del>	<del>48</del>
<del>Retention basin (wet basin)</del>	<del>24</del>
<del>Constructed wetland (above permanent pool)</del>	<del>24</del>
<del>Media filtration, bio-retention</del>	<del>40</del>

- (6) *Ponds.* Ponds are one of the most widely used BMPs for meeting water quantity requirements and providing water quality treatment. A pond improves water quality by detaining stormwater for an extended period of time in a permanent pool to allow pollutants to settle. Pollutants removed include suspended solids, organic matter, dissolved metals, and nutrients. Pond BMPs must specifically follow the guidelines below; BMPs other than ponds shall include consideration for all of the guidelines below and shall address each item to the greatest extent practical.
- A. *Land area.* Land constraints, such as small sites or highly developed areas, may preclude the installation of a pond. The wet pond BMP is most useful for large subdivisions, or development sites. Owners of small properties may cooperatively construct a single large wet pond to serve several sites. Fewer ponds are preferred to numerous individual small ponds. Wet detention ponds are effective in meeting stormwater quantity and water quality (post construction runoff control) goals. Well designed wet ponds can also provide an aesthetic amenity.
  - B. *Soils and minimal water supply.* Wet detention ponds must maintain a permanent pool of water. Wet ponds are recommended for medium to large drainage areas (generally greater than ten acres).
  - C. *Retrofit.* Wet ponds provide opportunities for retrofit coverage for existing development. With minor excavation and/or modification of the outlet, existing dry ponds can be converted to wet ponds. The retrofits can generate greater water quality benefits for the receiving stream, helping the (community) meet water quality goals. Retrofit opportunities are encouraged in the City of Gahanna.
  - D. *Maintenance.* Adequate maintenance access and easements from public or private right-of-way to the basin shall be reserved. The access shall be on a slope of 5:1 (vertical to horizontal) or shallower, stabilized to support heavy construction equipment, and provide direct access to both the forebay and the riser outlet. An adequate area for temporary staging of spoils, prior to ultimate disposal shall be provided. This area shall be protected such that no sediment laden runoff will be directed back into the stormwater management system or onto private property. An easement must be provided over the disposal area.
  - E. *Basin inlet/outlet design.* Velocity dissipation measures shall be incorporated into basin designs to minimize erosion at inlets and outlets, and to minimize the resuspension of pollutants. Inverts for inlet pipes shall discharge at the elevation of the permanent pool and perpendicular to the surface to allow the pool to dissipate the energy of the inflow. Stone riprap shall extend from the

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pipe invert to the pond bottom to prevent erosion. Antiseep collars should be installed on any piping passing through the sides or bottom of the basin to prevent leakage through the embankment. To the extent feasible, the distance between inlet and outlet shall be maximized. The length and depth of the flow path across basins can be maximized by:

1. Increasing the length-to-width ratio of the entire design.
  2. Increasing the dry weather flow path within the system to attain maximum sinuosity.
- F. Dual orifices, or other designs should be used to assure an appropriate detention time for all storm events. Where a pipe outlet or orifice plate is to be used to control discharge, it should have a minimum diameter of six inches. If this minimum orifice size permits release rates greater than those specified in these rules, alternative outlet designs will be utilized that incorporate self-cleaning flow restrictors, such as perforated risers, that provide the required release rate. The outlet should be well-protected from clogging.
- A reverse-slope-submerged orifice or hooded, broad crested weirs are recommended options. If a reverse-slope pipe is used, an adjustable valve may be necessary to regulate flows. Orifices used to maintain a permanent pool level should withdraw water at least one foot below the surface of the water.
- G. Backwater (tailwater) on the outlet structure from the downstream drainage system shall be evaluated when designing the outlet. All outlets shall be designed to be easily accessible for heavy equipment required for maintenance purposes.
- H. All basins shall include provisions for a defined emergency spillway constructed on undisturbed soil.
- I. The emergency spillway should be set at the elevation of the 100-year or more frequent storm. Where feasible, a drain for completely dewatering wet ponds should be installed for sediment removal and other maintenance purposes.
- J. *Riser design.* Hoods or trash racks should be installed on the riser to prevent clogging. Grate openings should be a maximum of three inches. The riser should be placed near or within the embankment, to provide for ready maintenance access. Inlet and outlet barrels and risers should be constructed of materials that will reduce future maintenance requirements. The riser pipe should be a minimum of 24 inches in diameter for riser pipes up to four feet in height. Riser pipes greater than four feet in height should be 48 inches in diameter. Riser pipes shall be constructed with poured-in-place concrete bottoms.
- K. The height of water in detention facilities shall not be excessive and shall comply with the ODNR dams and reservoir safety requirements.
- L. A table of elevations (stage-storage-discharge table with storage volume and discharge rates) shall be provided with the final engineering and construction plans for all basins. Profile view drawings of the outlet structure, with elevations, shall also be included.
- M. Prior to final acceptance of the pond improvements, as-built data shall be submitted to the City verifying that the structure(s) have been built as designed and will function accordingly. The as-built information shall be prepared and stamped by a registered professional Civil Engineer or a registered Landscape Architect.

(g) *Stormwater Management Maintenance and Operation Plans.*

- (1) All stormwater treatment practices shall have an enforceable operation and maintenance agreement to ensure the system functions as designed.

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- (2) This agreement shall include any and all maintenance easements required to access and inspect the stormwater treatment practices, and to perform routine maintenance as necessary to ensure proper functioning of the stormwater treatment practice.
  - (3) A legally binding covenant specifying the parties responsible for the proper maintenance of all stormwater treatment practices shall be secured prior to issuance of any permits for land disturbance activities. An executed copy of the agreement shall be provided to the City of Gahanna, prior to project acceptance.
- (h) *Stormwater Management Enforcement.*
- (1) All development areas may be subject to external inspections by the City of Gahanna, its authorized agents, or the Ohio Environmental Protection Agency to ensure compliance with the approved Stormwater Pollution Prevention Plan.
  - (2) After each external inspection, the City or its authorized agents shall prepare and distribute a status report to the applicant.
  - (3) If an external inspection determines that operations are being conducted in violation of the approved Stormwater Pollution Prevention Plan, the City is authorized to take action as detailed in Section [927.24\(k\)](#)~~1113.03(j)~~.
- (i) *Violations.*
- (1) No person shall violate, cause, or knowingly permit to be violated any of the provisions of Section 1113.03, or fail to comply with any of such provisions or with any lawful requirements of any public authority made pursuant to this regulation. No person shall knowingly use, cause, or permit the use of any lands in violation of this regulation or in violation of any permit granted under this regulation.
  - (2) Upon notice, the City's Designee may suspend any active soil disturbing activity for a period not to exceed 90 days, and may require immediate erosion and sediment control measures when a determination has been made that such activity is not meeting the intent of this regulation. Such notice shall be in writing, shall be given to the applicant, and shall state the conditions under which work may be resumed. In instances where the City's Designee finds that immediate action is necessary for public safety or the public interest, work may be stopped upon verbal order pending issuance of the written notice.

(Ord. No. 0007-2024, § 2(Exh. A), 4-1-24)

## CHAPTER 1117 Administration and Procedures

Sections:

### 1117.01 ZONING APPROVAL.

- (a) Unless otherwise exempted by this Zoning Ordinance, a zoning approval is required for the following:
- (1) A change of use of a property;
  - (2) A new use of a property or a home occupation;
  - (3) The erection of a new sign, or any change to an existing sign;
  - (4) The erection of a new fence, or any change to, including in material, dimensions, or location of an existing fence;
  - (5) The erection of a structure; or,
  - (6) A change in dimensions, location, or design of a structure.
- (b) Zoning approvals shall be reviewed and determined by the application types identified in Table 23: Zoning Ordinance Decision, subject to the specific requirements for each application type. Applications may require fees described by the Building and Zoning Fee Schedule set forth in Section 135.10 in Part One of these Codified Ordinances.

Table 25: Zoning Ordinance Decision					
Key:	City's	Planning	Board of	City	Application
R - Recommendation	Designee	Commission	Zoning	Council	Code Section
D - Decision			and		
A - Appeal			Building		
Blank - No Review			Appeals		
Required					
<b>APPLICATIONS</b>					
Conditional Use	R	D	A		1117.03
Master Sign Plan	R	D	A		1117.06
Major Development Plan	R	D	A		1117.07(a)
Minor Development Plan	D		A		1117.07(a)
Zoning Map and Text Amendment	R	R		D	1117.04
<b>SUBDIVISIONS</b>					
Final Plat	R	R		D	1117.08(a)
Subdivision without Plat	D		A		1117.08(b)
<b>VARIANCES</b>					

De Minimis	D		A		1117.02(c)
<del>Dimensional Non-De Minimis</del>	R	D	A		1117.02(d)/(e)
<del>Non Dimensional</del>	<del>R</del>	<del>D</del>	<del>A</del>		<del>1117.02(d)</del>
PERMITS					
Fence Permit	D		A		1117.10(a)
Floodplain Use Permit	D		A		1117.10(b)
Home Occupation			A		
Sign Permit	D		A		
Zoning Certificate	D		A		1117.01(c)

- (c) If a proposed use, structure, modification, or other improvement does not meet the intent of other application types defined in this Zoning Ordinance, it may apply for a zoning certificate. An application for a zoning certificate shall be made available by the City. The application shall include details on application requirements and procedural timelines.

(Ord. No. 0007-2024, § 2(Exh. A), 4-1-24)

### 1117.02 VARIANCES.

- (a) If a proposed use or structure does not conform to all requirements of this Zoning Ordinance, it may apply for a de minimis variance, a variance, or a floodplain variance.
- (b) An application for a variance shall be made available by the City. The application shall include details on application requirements and procedural timelines.
- (c) *De Minimis Variances.*
  - (1) A de minimis variance is a deviation of ten percent or less of a dimensional or numerical standard. This deviation does not apply to density standards, building and structure height, outdoor lighting in Section 1109.06, electronic signs in Section 1111.05(j), construction standards in Section 1117.10(f), standards in Chapter 1113 Watershed Management, and standards in Chapter 1115 Wireless Service Facilities.
  - (2) The City's Designee shall have the authority to grant de minimis variances. An application for a de minimis variance that does not meet the intent of this Zoning Ordinance may be forwarded to the Planning Commission for action, as determined by the City's Designee.
  - (3) In determining whether a de minimis variance shall be granted, the City's Designee shall find that the strict application of the Zoning Ordinance would create practical difficulties for the property owner.
  - (4) A de minimis variance shall stay with the lot. A de minimis variance shall expire if the variance addresses a dimensional standard for a structure which has been demolished.
- (d) *Variances.*
  - (1) A ~~non-dimensional~~ variance is a relaxation of the standards of Chapter 11 – Zoning Code. any variance that does not seek to alter the dimensional development standards governing buildings or other physical site elements on a lot. A non-dimensional variance shall include changes to permitted uses within a building or lot. A variance may be requested to any specific chapter of the Zoning Code unless otherwise noted.
  - (2) ~~A dimensional variance shall include any variance which seeks to alter the dimensional development standards governing size, location, height, and setback of buildings, or any other dimensional requirements of site elements.~~
  - (3) The Planning Commission shall have jurisdiction to grant variances from the provisions or requirements of this Zoning Ordinance
  - (4) Before granting a variance, the Planning Commission shall find that:
    - A. The variance is not likely to result in substantial change to the essential character of the neighborhood;
    - B. The variance is not likely to result in damage to adjoining properties;
    - C. The variance is not likely to adversely affect the delivery of governmental services (e.g., water, sewer, garbage);
    - D. The variance is not likely to result in environmental impacts greater than what is typical for other lots in the neighborhood.
    - E. The variance is necessary for the economical use of the property, and such economical use of the property is not easily achieved through some method other than a variance; ~~and,~~

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- F. The variance is not likely to undermine the objectives of the land use plan.
  - G. ~~Whether the~~The variance is not substantial and is the minimum necessary to make possible the reasonable use of land or structures; ~~and.~~
  - H. The practical difficulty ~~could~~cannot be eliminated by some other method, even if the solution is less convenient or more costly to achieve.

(54) The Planning Commission may, during the granting of a variance, impose reasonable conditions as deemed necessary to accomplish the purposes of this Zoning Ordinance.

(65) A ~~non-dimensional~~ variance shall stay with ~~a use of a~~the lot. A ~~non-dimensional~~ variance shall expire if the use for which the ~~non-dimensional~~ variance was granted is not conducted on a property for a period of 24 consecutive months or if a variance addresses a standard for a structure which has been demolished.

~~(7) A dimensional variance shall stay with the lot. A dimensional variance shall expire if the dimensional variance addresses a standard for a structure which has been demolished.~~

(e) *Floodplain Variances.*

- (1) A floodplain variance is any variance to Chapter 1113.01 Floodplain Regulations.
- (2) The Planning Commission shall have jurisdiction to grant floodplain variances.
- (3) Before granting a floodplain variance, the Planning Commission shall evaluate:
  - A. The danger that materials may be swept onto other lands to the injury of others;
  - B. The danger to life and property due to flooding or erosion damage;
  - C. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
  - D. The importance of the services provided by the proposed facility to the community;
  - E. The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
  - F. The necessity to the facility of a waterfront location, where applicable;
  - G. The compatibility of the proposed use with existing and anticipated development;
  - H. The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
  - I. The safety of access to the property in times of flood for ordinary and emergency vehicles;
  - J. The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and
  - K. The cost of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, and streets and bridges.
- (4) Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level.
- (5) The Planning Commission may, during the granting of a floodplain variance, impose reasonable conditions as deemed necessary to accomplish the purposes of this Zoning Ordinance.

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- (6) The City Designee shall report any variances to the Federal Insurance Administration upon request.
- (7) Conditions for variance:
- A. Variances may be issued for the repair, rehabilitation or restoration of historic structures listed on the National Register of Historic Places upon a determination that the proposed repair, rehabilitation or restoration will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
  - B. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
  - C. Variances shall only be issued upon a determination that the variances are the minimum necessary, considering the flood hazard, to afford relief.
  - D. Variances shall only be issued upon:
    - 1. A showing of good and sufficient cause;
    - 2. A determination that failure to grant the variance would result in exceptional hardship to the applicant; and
    - 3. A determination that the granting of a variance will not result in increased flood heights beyond that which is allowed, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws and ordinances.

(Ord. No. 0007-2024, § 2(Exh. A), 4-1-24; Ord. No. 0077-2024, § 1(Exh. A), 12-2-24)

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## 1117.04 ZONING MAP OR TEXT AMENDMENTS.

- (a) The official zoning map or the text of this Zoning Ordinance may be amended when approved by the Planning Commission and City Council.
- (b) An application form for zoning map or text amendments shall be made available by the City. The application shall include details on application requirements and procedural timelines.
- (c) The applicant for zoning map or text amendments must be:
  - (1) The City;
  - (2) The Planning Commission;
  - (3) A landowner of a lot affected by the proposed zoning map amendment; or
  - (4) A landowner of a lot affected by the proposed text amendment.
- (d) The Planning Commission shall hold a public hearing where it shall accept public comment on a zoning map or text amendment application and shall recommend or not recommend the zoning map or text amendment to City Council.
- (e) In deciding on the proposed amendment, the Planning Commission shall consider the elements of the application, including, but not limited to:
  - (1) Consistency with the goals, policies and land use plan of the City of Gahanna, including any corridor plans, or subarea plans.
  - (2) Compatibility of the area's physical, geological, hydrological, and other environmental features with the potential uses allowed in the proposed zoning district.
  - (3) The compatibility of all the potential uses allowed in the proposed zoning district with the surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure, and potential influence (a five percent or more material reduction in the value of existing abutting lands or approved developments.
  - ~~(5) percent or more material reduction in the value of existing abutting lands or approved developments.~~
  - (4) The capacity of City infrastructure and services to accommodate the uses permitted in the requested zoning district without compromising the "health, safety, and welfare" of the City's citizens.
  - (5) The apparent demand for the types of uses permitted in the requested zoning district in the City in relation to the amount of land in the City currently zoned to accommodate the demand.
- (f) If the Planning Commission votes down the proposed amendment, nothing further shall be done, unless within 14 days from the date of the decision the applicant files a request with the Clerk of Council to forward the recommendation to Council in the nature of an appeal. In that case, Sections 11.05 and 11.06 of Article XI of the Municipal Charter shall be followed. Any request to Council after the 14-day period shall be considered a new request and shall be referred to the Planning Commission as required by Charter.
- (g) If the Planning Commission is in favor of the proposed amendment, it shall recommend adoption of such amendment to Council.
- (h) Council Action. Before any zoning map or text amendment is adopted, Council shall carry out the requirements set forth in Sections 11.05 and 11.06 of Article XI of the Municipal Charter.
- (i) The City shall be responsible for posting one rezoning sign on each public street frontage for the property or properties subject to the rezoning application. Sign(s) shall be posted a minimum of 14 days prior to the date of the Planning Commission meeting and shall remain in place until the conclusion of final City

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[Council action. Zonings for properties annexed into the City shall not be required to be posted only if the proposed zoning is in accordance with Section 1133.08\(a\).](#)

(Ord. No. 0007-2024, § 2(Exh. A), 4-1-24)

### **1117.07 DEVELOPMENT PLAN**

(a) *Development Plan Procedure.*

- (1) A Development Plan application shall be required prior to the commencement of any construction activities for any new development, redevelopment, addition, alteration, or other improvement under the jurisdiction of this code.
- (2) A Minor Development Plan application may be administratively approved when it has been determined by staff to meet all applicable codes and meets the parameters of Chapter 1117.07. All other requests shall be processed as a Major Development Plan. After completing the staff review process, Major Development Plan applications shall be forwarded to Planning Commission for consideration.

A. *Minor Development Plan.* A Minor Development Plan may be administratively approved if it is determined the proposed development meets any of the following conditions:

1. Addition(s) or accessory building(s) where the total area is 5,000 square feet or less. Accessory buildings that are 200 square feet or less are exempt from the Development Plan process.
2. New or modified structures, meeting the definition of structure but not building such as carport, gazebo, or similar, located on a property with existing building(s) and/or structure(s).
3. Expansion of nonconforming uses less than or equal to 25 percent of the gross floor area.
4. Painting a building 25 percent or more of a new color identified in Chapter 1107, Design Guidelines.
5. New parking lots or modifications to existing parking lots including new access points or modifications to existing access points.
6. Reduction to the total minimum parking requirements of 25 percent or less based assessment of development factors in Section 1109.01(c)(4).
7. New landscaping or modifications to approved landscape plans.
8. Replacement of building materials with a new material identified in Chapter 1107, Design Guidelines.
9. New or modifications to site or building lighting.
10. Changes to building appearance, including but not limited to, doors, windows, roofs, awnings, decks, and other similar building elements.

B. *Major Development Plan.* A Major Development Plan is required if the proposed development meets any of the following conditions:

1. Construction of any new building(s).
2. Addition(s) or accessory building(s) greater than 5,000 square feet.
3. Expansion of nonconforming uses greater than 25 percent of the gross floor area.

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4. New or modified structures, meeting the definition of structure but not building such as carport, gazebo, or similar, located on a property without existing building(s) and/or structure(s).
  5. Painting exterior of building a new color not identified in Chapter 1107, Design Guidelines.
  6. Reduction to the total minimum parking requirements greater than 25 percent.
  7. Replacement of building materials when the new material is not identified in Chapter 1107, Design Guidelines.
  8. Any new construction or exterior modifications located within the Creekside Mixed Use (CMU) zoning district, even if they meet the provisions of a Minor Development Plan.

For projects located within the CMU zoning district, deviations to the standards of Chapter 11 shall be evaluated with the Major Development Plan application. Any deviation shall be specifically addressed within the Major Development Plan application. The application shall contain an explanation of the benefits to the Creekside District compared to the existing requirements. The application shall clearly demonstrate why a deviation is necessary and how granting it furthers the goals of the Land Use Plan and the Our Gahanna Strategic Plan and Economic Development Strategy.

The Planning Commission shall evaluate and may approve, disapprove, or modify any requested deviation. Factors to be considered include but are not limited to the following:

- (a) Vertical mix of uses;
- (b) Structured parking;
- (c) Green infrastructure such as permeable pavers, rain gardens, green roofs, etc;
- (d) Shared access and/or reduction of access points;
- (e) Public amenities and gathering space such as outdoor cafes, plazas and green spaces;
- (f) Enhanced access and engagement with Big Walnut Creek;
- (g) Attract and support businesses that reflect community interests and support downtown residents;
- (h) Use of high quality, natural building materials such as brick, stone, and wood;
- (i) Public art; and
- (j) Diversity of housing

9. Any development which is not expressly enumerated as a Minor Development Plan or exempt shall require a Major Development Plan.
- C. *Exemptions.* The following are exempt from Development Plan review but may require the review and approval of other permits:
1. One- or two-unit dwellings.
  2. Property within the right-of-way is not subject to the standards of this Zoning Ordinance unless expressly stated. Development within the right-of-way may require additional permitting and may be subject to other codes and requirements.
  3. Repainting of existing buildings, regardless of color, when less than 25 percent of the building.

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4. Other similar development proposals as determined by the City's Designee.

- (b) *General Requirements.* The Development Plan shall conform to all applicable requirements of this Zoning Ordinance. Additionally, the following principles and standards shall be observed:
- (1) Encourage the orderly and harmonious development of the area in a manner keeping with the overall character of the community.
  - (2) Every effort should be made to protect any adjacent residential areas from a potential nuisance created by a proposed commercial, industrial, or multi-family development.
  - (3) To the maximum extent practicable, development shall be located to preserve the natural features of the site, to avoid areas of environmental sensitivity, and to minimize negative impacts and alteration of natural features such as:
    - A. Unique and/or fragile areas including wetlands.
    - B. Significant trees or stands of trees.
    - C. Lands within the 100-year floodplain.
    - D. Steep slopes in excess of 20 percent as measured over a ten-foot interval.
    - E. Habitats of endangered plant materials or wildlife.
  - (4) The development shall be laid out to reduce cut and fill; to avoid unnecessary impervious cover; to prevent flooding; and to mitigate adverse effects of shadow, noise, odor, traffic, drainage and utilities on neighboring properties.
  - (5) The City may impose additional requirements regarding design and construction of the proposed development, including but not limited to streets, curbs, gutters, and access.
  - (6) Sidewalks shall be installed for any new proposed development, or redevelopment of a property where sidewalks do not currently exist. Multi-use trail may be required in areas that are identified by the City as areas identified for regional trail systems/connections.
- (c) *Pre-application Meeting.*
- (1) A pre-application meeting is highly encouraged, but not required, prior to submittal of the Development Plan application. A concept of the development, including conceptual site drawings, should be included as part of the pre-application meeting.
  - (2) This conceptual plan need not be full engineered drawings but should include a majority of those requirements as provided in Section 1117.07(d), and shall be presented to staff at the pre-application meeting. The plan will facilitate discussion and understanding and could possibly serve to avoid conflicts with applicable development standards.
- (d) *Development Plan Submittal.* An application for development plan approval shall be made available by the City. The application shall include details on application requirements and procedural timelines.
- (e) *Development Plan Action.*
- (1) *Action by the City's Designee.*
    - A. An application for a Minor Development Plan complying with all applicable requirements and containing all information required under this Zoning Ordinance shall be reviewed by the City's Designee for action.
    - B. An application for a Minor Development Plan approval which is not in compliance with this Zoning Ordinance may be forwarded to the Planning Commission for action, as determined by the City's Designee.

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(2) *Action by the Planning Commission.*

- A. An application for a Major Development Plan complying with all applicable requirements and containing all information required under this Zoning Ordinance shall be forwarded to the Planning Commission for action.
- B. An application for a Major Development Plan approval which is not in compliance with this Zoning Ordinance shall not be forwarded to the Planning Commission until the application meets all requirements or a variance has been requested.
- C. The Planning Commission shall hold a public hearing on an application for a Major Development Plan approval within 30 days of the receipt of the application, and supporting materials.
- D. Before approving or denying the application before it, the Planning Commission shall hold at least one public hearing on such application at which time the applicant shall present and explain the design concept of the proposed development; staff comments and administrative comments shall be made; and the Planning Commission shall receive any comments or concerns pertaining to the proposed development from the general public. Notice of such public hearing shall be published on the City website and posted at the municipal building, in a location accessible to the public, and shall include place, time, date and nature of such applied for during the calendar week prior to the public hearing.
  - 1. Written notice of said hearing shall also be mailed by ordinary mail to the street addresses of contiguous property owners of the property for which said hearing is being held. The failure of delivery of such notice shall not invalidate any such application. The names and addresses of all property owners entitled to notice of the public hearing shall be furnished by the applicant.
  - 2. Where the subject of such public hearing involves 50 or more of the property owners of the City, then written notice to owners of the hearing, as provided in the preceding paragraph, shall not be required.

(f) *Minor Development Plan Approval.*

(1) The City's Designee shall act on a Minor Development Plan in one of the following ways:

- A. *Approval:* The City's Designee shall approve an application for a Minor Development Plan if the following four conditions are met:
  - 1. The proposed development meets the applicable development standards of this Zoning Ordinance.
  - 2. The proposed development is in accord with appropriate plans for the area.
  - 3. The proposed development would not have undesirable effects on the surrounding area.
  - 4. The proposed development would be in keeping with the existing land use character and physical development potential of the area.
- B. *Disapproval:* The City's Designee may disapprove an application for a Minor Development Plan for any one of the following reasons:
  - 1. The proposed development does not meet the applicable development standards of this Zoning Ordinance.
  - 2. The proposed development is not in accord with appropriate plans of the area.
  - 3. The proposed development will have undesirable effects on the surrounding area.

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4. The proposed development is not in keeping with the existing land use character and physical development potential of the area.
- (2) Any approval of a Minor Development Plan shall be valid for a period of 18 months. Construction activities must begin within this period or the plans shall expire.
- (g) *Major Development Plan Approval.*
- (1) The Planning Commission shall hold a public hearing and act on a Major Development Plan in one of the following ways:
    - A. *Approval:* The Planning Commission shall approve an application for a Major Development Plan if the following four conditions are met:
      1. The proposed development meets the applicable development standards of this Zoning Ordinance.
      2. The proposed development is in accord with appropriate plans for the area.
      3. The proposed development would not have undesirable effects on the surrounding area.
      4. The proposed development would be in keeping with the existing land use character and physical development potential of the area.
    - B. *Approval with modification:* The Planning Commission may approve, with modification, an application for a Major Development Plan if the proposed use meets the applicable development standards of the zoning district, but plan modification is required:
      1. To be in accord with the appropriate plans for the area; and
      2. To prevent undesirable effects on adjacent property and the surrounding area. Such modification may include but not be limited to a limitation on the extent or intensity of development, a requirement for additional screening by fence or landscaping, a change in the method or plan for lighting, time limits as to the length of time the use may be permitted to exist, control of access or other conditions of development as may be required to meet the applicable development standards of the zoning district. Requirements regarding the modification of plans or other appropriate actions shall be stated with the reasons for each requirement.
    - C. *Disapproval:* The Planning Commission may disapprove an application for a Major Development Plan for any one of the following reasons:
      1. The proposed development does not meet the applicable development standards of this Zoning Ordinance.
      2. The proposed development is not in accord with appropriate plans of the area.
      3. The proposed development will have undesirable effects on the surrounding area.
      4. The proposed development is not in keeping with the existing land use character and physical development potential of the area.
  - (2) After action by the Planning Commission on the application, the Clerk of Council shall mail to the applicant a Record of Action taken which shall contain the motion as carried by the Planning Commission to include any conditions.
  - (3) Any approval of a Major Development Plan shall be valid for a period of 18 months. Construction activities must begin within this period or the plans shall expire.
- (h) *Development and Construction of Plan.*

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- (1) Absolutely no site work, earth moving or tree removal activities can begin without the following:
    - A. An approved Development Plan.
    - B. An approved Site Plan including a Grading Plan, Sediment and Erosion Control Plan, and Utility Plan. This plan must be reviewed and approved by the City's Designee.
    - C. All applicable Building, Zoning, Development, and Engineering fees paid in full.
    - D. Site inspection of all sediment and erosion control measures, tree save fences, preservation zone fences, or other requirements as determined by the Planning Commission or the City's Designee.
    - E. Parkland dedication or fees in lieu are paid in full if applicable.
    - F. Street Tree Plan submitted to Landscape Board for approval if applicable.
  - (2) Failure to comply with any of the above requirements of Section 1117.07(h) will result in penalties as stated in Chapter 1117(k).
- (i) *Fees for a Development Plan.* The owner shall pay a fee at the time of submission of the Development Plan. The fee shall be as established in the Building and Zoning Fee Schedule set forth in Section 135.10 in Part One of these Codified Ordinances.
  - (j) *Revision of Plan After Approval.* Any modification or revision of any kind, except for the addition of appropriate easements, shall require approval by the City's Designee or the Planning Commission. A new application shall be required and approved prior to commencement of any modification or revision.
  - (k) *Penalty.*
    - (1) Violation of the provisions of Section 1117.07 or failure to comply with any of its requirements shall constitute a misdemeanor of the first degree. Any person, company, or contractor who violates Section 1117.07 or fails to comply with any of its requirements shall pay all costs and expenses involved in the case, including the costs of restoring the area to its original condition prior to the violation. Each day that the violation continues can be considered a separate offense.
    - (2) Any tree in excess of six inches in caliper that is removed from a site prior to Development Plan approval shall be replaced by the identical caliper size that is removed. Multiple trees can replace larger trees that are removed so long as the minimum caliper of the replacement tree is two and one-half inches.
    - (3) Nothing herein contained shall prevent the City of Gahanna from taking such other lawful action as is necessary to prevent or remedy any violation. The City of Gahanna shall prosecute any violation of this chapter in accordance with the penalties stated herein.

(Ord. No. 0007-2024, § 2(Exh. A), 4-1-24; Ord. No. 0081-2024, § 1(Exh. A), 12-2-24)

## CHAPTER 1123 Glossary

Sections:

### 1123.01 TERMS A—Z.

Words not particularly defined herein, shall be defined as found in the most recent edition of The Latest Illustrated Book of Development Definitions, by Harvey S. Moskowitz and Carl G. Lindbloom, published by Rutgers University. Words not particularly defined therein shall be defined as found in the most recent edition of the Dictionary of Architecture and Construction, published by McGraw Hill. Words not particularly defined therein shall be defined as found in Webster's New Universal Unabridged Dictionary.

#### A.

*Abandoned sign* means a sign which is discontinued for a period of 90 consecutive days. Determination that a sign is abandoned shall be self-evident of the intent of the owner to discontinue the use of the sign. Damage, deterioration or condition of disrepair to a sign or its structure, lack of visibility or obstruction of the sign, or advertisement of businesses, uses, or services that no longer exist or have ceased operating on the property shall be considered factors for establishing intent to discontinue a sign.

*Access sign* means a sign which indicates location and access of curb cuts, vehicular entrances, and parking facilities. An access sign may be a freestanding or building sign that is located within ten feet of the street right-of-way and within ten feet of a curb cut or other vehicular accessway to a lot.

*Accessory dwelling unit (ADU)* means a secondary dwelling unit that occupies the same lot as a larger, primary dwelling use and providing complete independent living facilities for one or more persons. An accessory unit may be attached or detached from the primary dwelling. Accessory dwelling units are known as granny flats, carriage houses, mother-in-law units, alley flats, backyard bungalows, basement apartments, coach houses, or guest houses.

*Accessory structure* means a subordinate structure, separate from the main building, which is incidental to that of the main building. An accessory structure shall not include a temporary structure, as defined in this ordinance.

*Accessory use* means a use that is subordinate to the main use of the lot. An accessory use shall not include a portable temporary storage unit, as defined in this ordinance.

*Adult use* means any business classified as sexually oriented under Section 771.03 of the City of Gahanna Codified Ordinances.

*Aesthetics* is a term dealing with form, design, and/or quality of construction of a particular sign, building, site or structure that presents a subjective statement concerning the level of beauty or artistic value.

*Agriculture* means farming, dairying, pasturage, apiculture, plant cultivation, viticulture, animal and poultry husbandry, sod farming, furbearing animal production, and other similar activities. Agriculture includes NAICS code 1114 (greenhouse, nursery, and floriculture production).

*Air transport services* means services involving the use of aircraft to transport goods or persons. Air transport services include airports. However, airport designers and administrators and logistics brokers are defined under professional services.

*Alley* means a public thoroughfare which affords only a secondary means of access to abutting property and is not intended for general circulation.

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*Alternative structure* includes, but is not limited to existing structures that can include clock towers, bell steeples, light poles, street light/traffic poles, power poles, and similar alternative-design mounting structures or other buildings (e.g., church, library, municipal government, hospital, school, utility).

*Alternative tower structure* includes, but is not limited to man-made trees, clock towers, bell steeples, light poles, and other similar alternative design mounting structures that camouflage or conceal antennas or towers.

*Animated sign* means any attention-diverting apparatus, equipment or devices in a sign that uses movement or change of lighting to depict action or create a special effect or scene. Animated signs shall include: blinking, coursing, flashing, moving, racer-type, rotating, revolving, spinning, and other similar types of apparatus, equipment or devices. (See "electronic message" and "flashing" signs.)

*Animal care* means housing, training, exercising, and/or providing a medical service for large and small animals, including any outside runs, kennels, or training areas. This term includes doggy daycare and puppy camp services.

*Antenna* means any transmitting or receiving device used in communications that radiate or capture electromagnetic waves, digital signals, analog signals, radio frequencies, wireless communications signals, or other communication signals.

*Antenna support structure* means any building or structure other than a tower which can be used for the location of wireless communications facilities.

*Applicant* means any person that applies for administrative review, conditional use review, zoning certificate, or other permit or approval.

*Area of special flood hazard* means the land in the floodplain subject to a one percent or greater chance of flooding in any given year. "Areas of special flood hazard" are designated by the Federal Emergency Management Agency as Zone A, AE, AH, AO, A1-30 and A99.

*Artisanal manufacturing* means the preparation, display, and sale of individually crafted products, such as, but not limited to, artwork, jewelry, furniture, sculpture, pottery, leathercraft, hand-woven articles, and related items or handcrafted food products. Heavy truck shipments to the location of artisanal manufacturing uses are infrequent.

*Arts, sciences, and cultural* means the collection, display, preservation, or production of art, science, and cultural capital in a facility that is open to public visitation. Examples include, but are not limited to zoos, conservatories, galleries, libraries, museums, theaters, concert halls, ballets, and operas. These uses must have a central mission of promoting the advancement of art, science, and/or culture and the delivery of art, science, and/or culture to the general public. Arts, sciences, and cultural uses do not have central missions to sell products, produce products to sell, or provide direct for-profit services. Research and development activities, universities, galleries that display art for the primary mission of selling art, and private art studios are not considered arts, sciences, and cultural uses. Arts, sciences, and cultural uses may dedicate up to 25 percent of the principal structure to office uses in association with the management or development of the principal use. Arts, sciences, and cultural uses include NAICS codes 7111 (performing arts companies, when not commercial in nature) and 7121 (museums, historical sites, and similar institutions).

*Automotive sales* means the selling or leasing of personal vehicles, including cars, light trucks and SUVs, motorcycles, RVs, ATVs, and motorized watercraft, new and used.

*Automotive services high intensity* means the commercial care of automobiles, including repair, cleaning, maintenance, and parts wholesalers. This term includes NAICS codes 423110 (automobile and other motor vehicle wholesalers), 423120 (motor vehicle supplies and new parts wholesalers), 423130 (tire and tube wholesalers), 488410 (towing), 8111 (auto repair and maintenance).

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*Automotive services light intensity* means uses that generally serve personal automobiles and light trucks. This term includes NAICS codes 4413 (automotive parts, accessories, and tire retailers), 4571 (gas stations), 5321 (car rental), 812930 (parking lots and garages).

*Awning* is a permanent roof-like cover, often of fabric, metal or glass which projects from a wall or roof of a structure over a window, walk, door or the like and is designed and intended for protection from the weather or as a decorative embellishment. Also called a canopy when the projection extends more than three feet from the face of the building.

*Awning sign* is a sign located on an awning.

## B.

*Backhaul network* means the infrastructure that connects a provider's wireless communications facility sites to one or more cellular telephone switching offices, and/or long-distance providers, or the public switched telephone network via wire, microwave, mesh network or gigabit fiber optics.

*Bar* means a structure in which the principal use is the preparation and/or sale of alcoholic beverages. Bar includes taverns, micro-breweries, and tap rooms, but does not include liquor stores or grocery stores. Bar includes, but is not limited to, all uses categorized under the NAICS code 722410 (drinking places - alcoholic beverages).

*Base flood* means the flood having a one percent chance of being equaled or exceeded in any given year. The base flood may also be referred to as the 100-year flood.

*Basement* means any area of the building having its floor more than one-half of its height below grade on all sides.

*Bed and breakfast* means an owner-occupied, one-unit dwelling in which rooms are rented to paying transients or travelers on an overnight basis, with only breakfast being served. No room may be rented to any person for a period of more than 14 consecutive days or more than 24 days in any calendar year. Bed and breakfast shall include uses that are categorized within NAICS code 721191 (bed-and-breakfast inns).

*Bench sign* is a sign located on the seat or back of a bench placed on or adjacent to a public right-of-way.

*Best Management Practice (BMP)* means a range of management procedures, schedules of activities, prohibitions on practices and other management practices which have been demonstrated to effectively control the quality and/or quantity of water runoff and which are compatible with the planned land use.

*Building* means any structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of any individual, animal, process, equipment, goods, or materials of any kind.

*Building coverage* means the total area occupied by buildings and structures, divided by the total area of the lot.

*Building frontage* means the horizontal linear dimension designed as the primary façade of that side of the building.

*Building identification sign* means a wall sign bearing only the address of the premises.

*Building historical marker sign* means any sign composed of letters, words, or insignia cut into a masonry surface or made of bronze or other permanent material permanently mounted to a building to convey a memorial, the name of a building, address, date of construction, or incidental information.

*Building sign* means any wall sign, awning sign, canopy sign, or projecting sign. Building signs do not include roof signs.

## C.

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*Cable microcell network (CMN)* means a wireless telecommunications facility characterized by small antennas and equipment cabinets, and typically located on a small diameter monopole; on an existing or replacement street light, power pole, sign, or other suitable structure; or on an existing building.

*Canopy* means a permanently roofed shelter projecting over a sidewalk, driveway, entry, window or similar area, which may be wholly supported by a building or partially supported by columns, poles, or braces extending from the ground. Any roof overhang extending more than three feet from the face of a building shall be considered a canopy. Also called an awning when the projection from the face of a building is three feet or less.

*Canopy sign* means any sign that is a part of or attached to a structural protective cover over a door, entrance, window or outdoor service area. A marquee is not a canopy sign.

*Cellular-on-wheels (COW)* means a temporary mobile wireless communications facility that consists of a wireless antenna tower and associated equipment on a truck, trailer, or other mobile structure designed to be part of a wireless network.

*Chain link fence* means a fence usually made of metal consisting of loops of wire interconnected in a series of jointed links. In no case shall a chain link fence be considered a decorative open face fence.

*Changeable copy sign* means any sign designed so that letters or numbers attached to the sign can be periodically changed to indicate a different message.

*Channel* means a natural stream that conveys water; a ditch or channel excavated for the flow of water.

*Chief building official* means the City of Gahanna, Ohio's representative as defined by Section 1307.03 of the City of Gahanna Codified Ordinances.

*City* means the government of the City of Gahanna, Ohio, or any civil servant of the City of Gahanna, Ohio.

*City's designee* means the department, division, staff member, or agent designated by the Mayor to represent the City of Gahanna, Ohio.

*Clearing* means the removal of trees, brush, and other unwanted material in order to develop land for other uses, or to provide access for site work.

*Co-location* means the use of, or ability to use, a wireless communications facility or support structure by more than one wireless communications provider or more than one wireless antenna array.

*Commercial fence erector* means an individual or a company qualified to erect, maintain and repair all types of fences covered by these Codified Ordinances and who erects a fence for hire, or as a part of a sales agreement involving home improvement or the sale of fencing material.

*Commercial message* means any sign wording, logo, or other representation that, directly or indirectly, names, advertises or calls attention to a business, product, service or other commercial activity. Signs which advertise that patrons are "welcome" or that display "help wanted", "for rent", "for sale" and similar messages shall be deemed commercial messages.

*Commercial sales* means the sale or leasing of goods to other businesses rather than directly to household consumers. Examples of commercial sales include, but are not limited to, the selling of raw materials, equipment, office furniture, and commercial vehicles.

*Commercial services* means a use that provides services to other companies rather than directly to household consumers. These services typically involve the arrival and departure of heavy trucks more than once per day. Examples of commercial services include, but are not limited to, farm equipment rental services, machinery repair services, and commercial linen laundering.

*Commercial zone* means any of the following zoning districts: Office (OF), Neighborhood Commercial (NC), General Commercial (GC), Restricted Institutional (RI), or Innovation & Manufacturing (IM).

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*Conditional use* means a use allowed in a zoning district only when the Planning Commission grants a conditional use approval.

*Conservation recreation* means a use that preserves natural habitat or recreates natural communities in outdoor settings. Associated educational interpretation, trails, and shelters are included in conservation recreation uses. Examples of conservation recreation uses include, but are not limited to, arboreta, preserves, scenic river corridors, and hiking areas.

*Council* means the City Council as defined by Article Four of the Charter of the City of Gahanna, Ohio.

**D.**

*Decorative open fence* means a fence constructed for its beauty or decorative effect, and when viewed at right angles and enclosing the outline of all parts of the fence in its vertical plane, has an open face area of at least 30 percent. Decorative open fences shall include, but not be limited to:

*Rail or split rail fence* means a fence constructed of narrow, whole or split, wooden timbers or vinyl placed horizontally between upright supporting posts.

*Picket fence* means a fence made of upright poles or slats that alternate with an open face.

*Iron or steel fence* means a fence constructed of narrow poles that are placed vertically and horizontally to resemble a fence that would be considered to be an antique or historical.

*Hardware cloth*, see *Hardware Cloth* definition, shall be used only in conjunction with any of the above listed decorative open fences, and must be attached to the owner's side of the fence.

*Deteriorated sign* means a sign which has outlived the useful life span of its construction materials and which is likely to lead to production of litter or other aesthetic problems if continued to be posted, as determined by the City's Designee.

*Development* means 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.

*Development area* means any contiguous (abutting) area owned by one person or operated as one development unit and used or being developed for nonfarm commercial, industrial, residential or other nonfarm purposes upon which earth-disturbing activities are planned or underway.

*Development identification sign* means a permanent sign identifying an entrance to a residential subdivision, residential complex, institutional use, commercial shopping area, industrial park, business park or other similar use.

*Distributed antenna system (DAS)* means a network of spatially separated antenna nodes connected to a common source via a transport medium that provides wireless service within a geographic area or structure which also may or may not contain fiber optic transport and/or landline components.

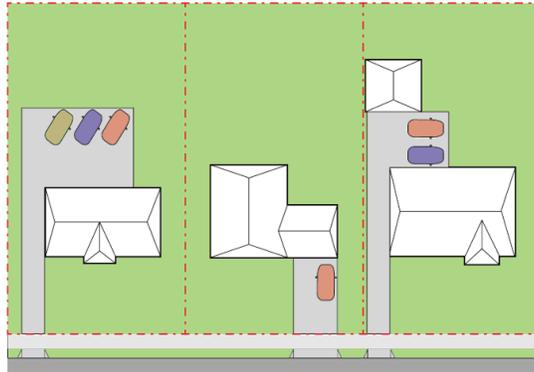
*Ditch* means an excavation either dug or natural for the purpose of drainage or irrigation with intermittent flow.

*Drainageway* means an area of concentrated water flow other than a river, stream, ditch or grassed waterway.

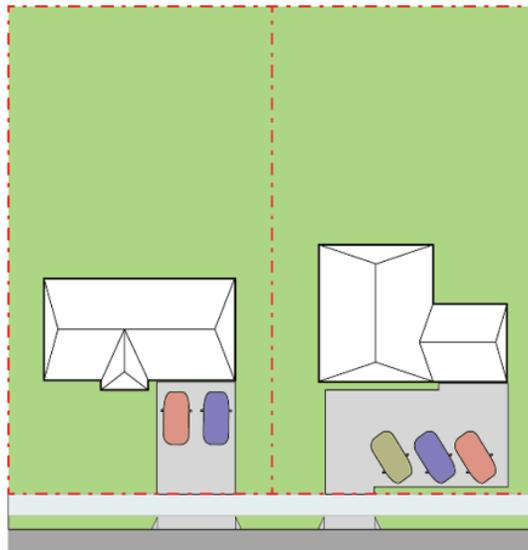
*Drive-thru* means an amenity of an establishment that allows the establishment to dispense products or services to patrons who remain in their private vehicles. Drive-thrus do not include windows or building openings intended to allow an establishment to dispense products or services to pedestrians.

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*Driveway* means any unenclosed motor vehicular pathway that (a) does not exceed 18 feet in width and (b) in the shortest distance practicable, provides a vehicular path from a street right-of-way to a private garage or to an area to the side or rear of the principal structure.



The above image shows driveways. Each path is no more than 18 feet in width and provide a vehicular path from the street to a private garage or to the area to the side or rear of the principal structure. The left and the right lots show driveways that, to the rear of the principal structure, are wider than 18 feet, at which point the vehicle use area is considered a parking area, not a driveway.



The above images show vehicles parked on areas that are not considered driveways. The lot on the left of the image includes vehicles parked on a paved area that does not lead to a private garage or to the side or rear of the principal structure. The other house shows a paved area that, while it leads to a private garage, does not follow the shortest distance path practicable.

*Dumping* means grading, pushing, piling, throwing, unloading or placing.

*Dwelling* means a structure or portion thereof which is used exclusively for human habitation.

*Dwelling unit* means one or more rooms, designed, occupied or intended for occupancy as separate living quarters, with cooking, sleeping and sanitary facilities provided within the dwelling unit, for the exclusive use of a single family maintaining a household.

**E.**

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*Earth-disturbing activity* means actions taken to alter the existing vegetation and/or underlying soil of a site, such as clearing, grading, site preparation (e.g., excavating, cutting, and filling), soil compaction, and movement and stockpiling of top soils.

*Earth material* means soil, sediment, rock, sand, gravel and organic material or residue associated with or attached to the soil.

*Electric vehicle (EV)* means a vehicle that operates, either partially or exclusively, on electrical energy from the electrical grid, or an off-grid source, that is stored on board for motive purposes. This includes battery electric vehicles and plug-in hybrid electric vehicles.

*Electric vehicle (EV) ready space* means parking spaces that provide dedicated electrical panel capacity, conduit, and wiring installed with termination at an outlet to the EV Ready parking space. These spaces do not have all the electric vehicle supply equipment installed and cannot yet be used to charge electric vehicles.

*Electric vehicle supply equipment (EVSE) installed* means parking spaces that provide dedicated panel capacity, conduit, and have all EVSE installed. These spaces are fully usable and can charge electric vehicles.

*Electronic sign* means a sign feature with a fixed or changing display or message, wherein the sequence of message and the rate of change is electronically programmed and can be modified by electronic process.

*Elevation (architectural)* means an orthographic projection of the exterior faces of a building that is a two-dimensional drawing of the building's façades. The roof shall not be considered part of a vertical elevation (e.g., front elevation, rear elevation, side elevation) for the purposes of design guidelines.

*Emergency* means a reasonably unforeseen occurrence with a potential to endanger personal safety or health, or cause substantial damage to property, that calls for immediate action, mitigation, or abatement.

*Emergency medical care* means services provided by medical personnel that include emergency room care, trauma care, or overnight care. Emergency ambulance services may frequently visit emergency medical care uses.

*Engineer* means any engineer currently licensed by the State of Ohio.

*Equipment shelter or equipment cabinet* means the structure in which the electronic receiving and relay equipment or other necessary equipment for a wireless communications facility is located.

*Erosion* means:

- (1) The wearing away of the land surface by running water, wind, ice or other geological agents, including such processes as gravitational creep.
- (2) Detachment and movement of soil or rock fragments by wind, water, ice or gravity.
- (3) Erosion includes:
  - a. Accelerated erosion means erosion much more rapid than normal, natural or geologic erosion, primarily as a result of the influence of the activities of man.
  - b. Floodplain erosion means abrading and wearing away of the nearly level land situated on either side of a channel due to overflow flooding.
  - c. Gully erosion means the erosion process whereby water accumulates in narrow channels during and immediately after rainfall or snow or ice melt and actively removes the soil from this narrow area to considerable depths such that the channel would not be obliterated by normal smoothing or tillage operations.
  - d. Natural erosion (geologic erosion) means wearing away of the earth's surface by water, ice or other natural environmental conditions of climate, vegetation, etc., undisturbed by man.

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- e. Normal erosion means the gradual erosion of land used by man which does not greatly exceed natural erosion.
  - f. Rill erosion means an erosion process in which numerous small channels only several inches deep are formed; occurs mainly on recently disturbed soils.
  - g. Sheet erosion means the removal of a fairly uniform layer of soil from the land surface by wind or runoff water.

*Externally illuminated sign* means a sign illuminated primarily by light directed toward or across it or by backlighting from a source not within it.

#### F.

*FAA* means the U.S. Federal Aviation Administration, and any legally appointed, designated, or elected agent or successor.

*Family care home, family model home, group home, adult family facility or community residence* means a dwelling unit that provides room and board, personal care and habilitation services and supervision for individuals, exclusive of staff, who are cognitively impaired, developmentally disabled, physically handicapped or aged (over 60 years of age) persons, who are able to be integrated into a family type setting and who do not require institutional care or treatment. This category shall be licensed by and/or has accountability to the State of Ohio or any other governmental agency that regulates the type of use involved. This category does not include nursing homes, hospitals, rest homes, boarding or lodging houses, homes with up to three foster children, half-way houses for individuals released from incarceration, or facilities for drug abuse rehabilitation programs.

*Family care services* means uses that provide commercial services such as child day care and adult day care, where customers are not overnight residents of the property. At home family care services that meet the State of Ohio requirements are considered home occupations.

*FCC* means the U.S. Federal Communications Commission and any legally appointed, designated, or elected agent or successor.

*Federal Emergency Management Agency (FEMA)* means the agency with the overall responsibility for administering the National Flood Insurance Program.

*Fence* means an artificially constructed barrier of any material or combination of materials erected to enclose, screen, or separate areas. For the purposes of this code, a fence not include a building or structure.

*Flag* means a fabric, banner, or bunting containing distinctive colors, patterns or symbols, used as a symbol of a recognized government or political subdivision, corporation, lodge, fraternity or sorority, political party, nonprofit organization, charity, club, association or other similar entity.

*Flashing sign* means a sign, the illumination of which is not constant in intensity when in use, and which exhibits sudden or marked changes in lighting effects.

*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.

*Flood Insurance Rate Map (FIRM)* means an official map on which the Federal Emergency Management Agency has delineated the areas of special flood hazards.

*Flood Insurance Study (FIS)* means the official report in which the Federal Emergency Management Agency has provided the flood profiles, floodway boundaries, and the water surface elevations of the base flood.

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*Flood protection elevation* means elevation one foot above the base flood elevation plus any increase to flood heights caused by the proposed development.

*Floodway* means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one-half foot.

*Floodway fringe* means that portion of the regulatory floodplain outside of the floodway.

*Food manufacturing* means the preparation of food products or meals in a facility. Consumers of the food products may not purchase the food products at the small food products manufacturing facility, which differentiates small food manufacturing from carry-out restaurants. Catering kitchens, ghost kitchens, food processing centers, and commercial kitchens are examples of small food manufacturing. This term includes NAICS code 3121 (beverage manufacturing) and 311 (food manufacturing), but this term does not include 3116 (animal slaughtering and processing) nor 3117 (seafood product preparation and packaging).

*Freestanding sign* means a sign that is attached to, erected on, or supported by some structure, such as a post, mast, or frame that is not itself an integral part of or attached to a building or other structure whose principal function is something other than support.

*Funeral homes/services* means establishments primarily engaged in preparing the dead for burial or cremation and conducting funeral services. This term includes NAICS codes 812210 (funeral homes and funeral services) and 812220 (cemeteries and crematories).

#### G.

*Garage* means a building or a portion of a building used or designed to be used for the storage of one or more motor vehicles.

*Garage, private* means a building or portion of a building not more than the specified square footage allowed in each residential zoning district and used for the storage of motor driven vehicles in which no business or industry connected directly or indirectly with the repair or servicing of motor vehicles is carried on.

*Garage, public* means a building or a portion of a building, not a private garage, which is used or designed to be used for the storage, repair, rental, servicing or supplying of gasoline or oil to motor vehicles.

*General personal services* means a use that provides day-to-day services to the general public. These services include, but are not limited to, salons, spas, laundromats, dry cleaners, shoe repair, physical fitness centers, and dance studios, martial arts studios, art education centers, and electronics repair. For these services, customers may stop in and out throughout the day. Heavy truck shipments to the location of general personal services uses are infrequent.

*GFA* means gross floor area; the total number of square feet of floor area within the outside line of walls and including the total of all space on all floors of a building, including porches and garages, but not including space in a basement or cellar when the basement or cellar space is used only for storage or incidental uses, and not including floor space with less than 78 inches of vertical clearance.

*Government administration* means a use that provides office space, hearing chambers, waiting rooms, and other facilities for administering government responsibilities and categorized under NAICS code 92 (public administration), such as legal services, planning services, resource protection administration, education programming administration, and emergency services; but not including police and fire stations.

*Grade* means the average level of the finished surface of the ground adjacent to the exterior walls of the building.

*Grassed waterway* means a broad or shallow natural course or constructed channel covered with erosion-resistant grasses or similar vegetative cover and used to conduct surface water.

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*Ground sign* means a freestanding detached sign whose support structure is imbedded in the ground.

*Ground transport services* means services involving the use of trains, trucks, or busses to transport goods or persons. Ground transport services include truck depots, train stations, and bus stations, but not taxi depots or car rental centers. Ground transport services do not include the storage of goods to be transported and, therefore, do not include warehouses.

#### H.

*Half-story* means a story under a gable, hip or gambrel roof, the wall plates of which on at least two opposite exterior walls are not more than two feet above the floor of such story.

*Hardware cloth* means plain weave square mesh cloth of relatively light wire galvanized after weaving or welding.

*Hazardous sign* means any sign or sign support structure that is structurally or electrically unsafe, as determined by the City's Designee.

*Heavy industrial* means an establishment engaged in manufacturing, assembly, fabrication, packaging or other industrial processing of products primarily from extracted or raw materials or the bulk storage and handling of such products and materials, or an industrial establishment having potential to produce noise, dust, glare, odors or vibration beyond its property line. This term includes but is not limited to: (a) processing and packaging of alcohol beverages; (b) chemical manufacturing; (c) stonework or concrete product manufacturing; (d) fabrication of metal products; (e) manufacturing of agricultural, construction, or mining machinery; (f) motor vehicle manufacturing; (g) lumber milling; (h) ship or boat construction; (i) permanent concrete/batch plant. Heavy industrial includes NAICS codes 313 (textile mills), 314 (textile product mills), 315, apparel manufacturing, 3162 (footwear manufacturing), 3212 (veneer, plywood, and engineered wood product manufacturing), 3219 (other wood product manufacturing), 3222 (converted paper product manufacturing), 3254 (pharmaceutical and medicine manufacturing), 3261 (plastics product manufacturing), 3271 (clay product and refractory manufacturing), 3272 (glass and glass product manufacturing), 3279 (other nonmetallic mineral product manufacturing), 332 (fabricated metal product manufacturing, but not NAICS codes 332992, 332993, and 332995), 333 (machinery manufacturing), 334 (computer and electronic product manufacturing), 335 (electrical equipment, appliance, and component manufacturing), 336 (transportation equipment manufacturing), 337 (furniture and related product manufacturing), and 339 (miscellaneous manufacturing).

*Height or above ground level (AGL)* means, when referring to a tower or other structure, the distance measured from the finished grade at the base of the tower or structure to the highest point on the tower or structure, including the base pad and any antenna, but not including lightning arrest devices.

*Historic structure* means any structure that is:

- (1) Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listings on the National Register;
- (2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (3) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- (4) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:

By an approved state program as determined by the Secretary of the Interior; or Directly by the Secretary of the Interior in states without approved programs.

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*Home occupation* means an accessory use of a dwelling unit for legitimate businesses, professions, trades or vocations conducted within an enclosed dwelling unit, which is clearly incidental and secondary to residential occupancy and does not change the residential character thereof.

*Hospital* means a building used for the diagnosis, treatment or other care of human ailments, unless otherwise specified.

*Hospital, nursing home, rest home, convalescent home, home for substance abusers* means a building or part of a building used for a hospital, the nursing and care of convalescents, aged people, and/or substance abusers, which must meet the provisions for the same found in the Ohio Revised Code and any proper and legal operations promulgated thereunder.

*Hotel or motel* means a building, or a part of a building, in which guest rooms are offered for public hire to any given individual for no more than 35 days in a calendar year, and where a general kitchen and dining room may be provided within the building or in any accessory building. Hotel or motel shall include uses categorized under NAICS code 721110 (hotels—except casino hotels—and motels).

I.

*Illuminated sign* means a sign lighted by, or exposed to, artificial lighting either by lights on or in the sign, or directed towards the sign.

*Impervious coverage* means the total area occupied by impervious, man-made materials, divided by the total area of the lot. Impervious materials include buildings, asphalt, concrete, swimming pools, barns, and carports, but exclude porous pavement, permeable pavers, decks with gaps between decking for drainage, lawn grasses, gardens, stormwater retention and detention basins, and other landscaping.

*Indoor recreation* means uses that include indoor leisure and recreation uses of more than 3,000 square feet but smaller than 50,000 square feet, such as skating rinks, gymnastics studios, dance studios, boxing clubs, bowling alleys, large physical fitness centers, and cinemas. Large scale indoor recreation uses also include organization and membership club centers that are meeting areas for the membership of fraternal organizations, political organizations, and business organizations. Up to 50 percent of the floor area of a large scale indoor recreation use may be used as the offices of administrators. Physical fitness centers smaller than 3,000 square feet are categorized as general personal services uses. Large scale indoor recreation uses include, but are not limited to, uses that are more than 3,000 square feet and smaller than 50,000 square feet and fall within NAICS codes 7111 (performing arts companies, when commercial), 7132 (gambling industries), and 7139 (other amusement and recreation industries, when indoors).

*Institution* means a building occupied by a nonprofit corporation or a nonprofit establishment for public use.

*Interior lot* means a lot other than a corner lot or a through lot. An interior lot has only one front lot line.

*Internally illuminated sign* means a sign whose light source is located either in the interior of the sign so that the rays go through the face of the sign, or which is attached to the face of the sign and is perceived as a design element of the sign.

J.

None.

K.

*Kennel or other animal shelters* means the keeping of more than five animals at least three months of age for pleasure, profit, breeding or exhibiting.

L.

*Landscaping* means bringing the soil surface to a smooth finished grade, installing plant material and other natural materials to produce a pleasing visual effect of the premises.

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*Landslide* means the rapid downward and outward movement of large rock material and/or soil mass in which the movement of the soil mass occurs along an interior surface of sliding.

*Large scale light industrial* means an establishment engaged in the indoor warehousing, manufacturing, assembly, fabrication, packaging or other industrial processing of finished parts or products, primarily from previously prepared materials, or the indoor provision of industrial services, where there are few external effects across property lines. This term includes, but is not limited to, a business engaged in the processing, fabrication, assembly, treatment, or packaging of food, textile, leather, wood, paper, chemical, plastic, or metal products, but does not include basic industrial processing from raw materials. Large scale light industrial uses have principal structures of 25,000 square feet or more per lot. Large scale light industrial includes uses of 25,000 square feet or more for NAICS code 3231 (printing and related support activities), 22112 (electric power transmission, control, and distribution), 3121 (beverage manufacturing), and 311 (food manufacturing), 42 (wholesale trade), 44 and 45 (retail trade), and 48 and 49 (transportation and warehousing). Large light industry specifically does not allow NAICS codes 3116 (animal slaughtering and processing), 3117 (seafood product preparation and packaging), 42314 (motor vehicle parts merchant wholesalers), or 42452 (livestock merchant wholesalers).

*Large scale outdoor recreation* means a use that provides opportunities to play and relax on lots typically larger than two acres. Such uses may include disc golf courses, golf courses, non-professional and non-collegiate sports fields, regional beaches, large pools, sledding hills, and similar uses. Large scale outdoor recreation includes, but is not limited to, uses that fall within NAICS codes 712190 (nature parks and other similar institutions, which is also included in arts, sciences, and cultural uses), and 7139 (other amusement and recreation industries, when outdoors).

*Large scale retail* means the selling or leasing of goods directly to household consumers in retail spaces exceeding 25,000 square feet of GFA per lot. For the purposes of calculating GFA for this definition, retail units in attached structures that straddle lot lines shall be calculated as being located on the same lot. Retail includes, but is not limited to, the selling or leasing of clothing, unprepared food, home goods and furnishings, collectibles and antiques, electronics, non-motorized recreation equipment, art and décor, pets and pet care products, and appliances.

*Live-work unit* means a combination dwelling-commercial unit that allows a person or persons to both reside and operate a commercial enterprise from the same unit. The unit must be equipped with space for cooking, bathing, sleeping, and working.

*Logo* means the graphic or pictorial presentation of a message, including, but not limited to, the use of shapes, designs, decorations, emblems, trademarks, symbols or illustrations.

*Lot* means a portion of a subdivision or other parcel of land intended as a unit for transfer of ownership.

*Lot, corner* means a lot abutting upon two or more streets at their intersections, or upon two parts of the same street, and in either use forming an interior angle of 135 degrees or less as measured at the center line of the road or the interior right-of-way line as applicable.

*Lot width or width of lot* means the mean width measured at the building line and at right angles to its depth.

*Lowest floor* mean the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor; provided that such enclosure is built in accordance with the applicable design requirements specified in this chapter for enclosures below the lowest floor.

## **M.**

*Marquee sign* means a sign designed to have changeable copy which is attached to a roof-like structure that projects from the wall of a building or its supports and may overhang the public right-of-way.

*Mayor* means the Mayor as defined by Article Three of the Charter of the City of Gahanna, Ohio.

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*Menu board sign:*

**Temporary:** A two (2)-sided, erasable-style, portable, freestanding sign displayed only during the hours of operation providing a bill of fare associated with indoor or outdoor dining.

**Permanent:** A ground-mounted sign displaying the bill of fare for a restaurant, drive-in or drive-thru restaurant or instructions or services for other drive-thru establishments.

*Medical office services* means services provided by medical personnel that do not include emergency room care or trauma center care or overnight care but do include psychological treatment and social work, urgent care, dental care and surgery, chiropractic care, and veterinary care. Emergency ambulance services do not frequently visit medical office services.

*Mobile sign* means a sign attached to, mounted to, pasted, painted or drawn on any vehicle, whether motorized or pulled, that is placed, parked or maintained at one particular location for the express purpose and intent of promotion or conveying an advertising message.

*Monopole* means a support structure constructed of a single, self-supporting hollow metal tube securely anchored to a foundation.

*Monument sign* means a ground sign with low overall height and the base of the sign structure on the ground. See Freestanding Sign.

*Multi-unit dwelling* means a use intended for the residence of three or more households in three or more dwelling units per lot.

*Multi-use tower* means a self-supporting, or monopole structure constructed from grade which supports more than one wireless communications facility.

*Municipal separate storm sewer systems (MS4)* refers to a storm sewer system owned and operated by the city in which it is located. These storm sewer systems may discharge into local rivers and streams and are regulated by the Environmental Protection Agency to reduce the amount of pollutants that reach these bodies of water from the storm sewer system.

**N.**

*NAICS* means the North American Industry Classification System, which is a United States governmental system for classifying business establishments. This classification system may be electronically accessed at <http://www.census.gov/naics>.

*Neighborhood agriculture* means the production of plants or their products, including but not limited to gardening and fruit production, that will not be made for sale. Neighborhood agriculture does not include poultry or other livestock husbandry.

*Neon sign* means a sign containing glass tube lighting in which gas and phosphorus are used in combination to create a colored light.

*No Build Zone* means a designated area platted by a developer, either residential or commercial, which generally prohibits the placement of residential or commercial buildings, structures, specific types of fences, and storage buildings. Plat notes must be referenced to obtain specific information regarding any subdivision containing a No Build Zone.

*Nonconforming sign* means a sign lawfully erected and maintained prior to the effective date of this section that does not conform with the requirements of this chapter.

*Nonconforming tower* means any tower or antenna lawfully existing at the effective date of or amendment to this chapter which does not currently conform to the requirements of this chapter.

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*Nonconforming use* means a building, structure or use of land existing at the time of enactment of this Zoning Ordinance, which does not conform to the regulations of the zoning district in which it is situated.

*Non-enclosing fence* means a fence which allows at least 30 percent open perimeter around the area visually defined.

**O.**

*Off-premises sign* means a sign which directs attention to a business, commodity, service, or entertainment conducted, sold or offered at a location other than the lot or premises on which the sign is located.

*On-premises sign* means any sign which relates to or directs attention to a business, commodity, service or entertainment conducted, sold or offered on the premises where the sign is installed and maintained.

*One-unit dwelling* means a dwelling use consisting of no more than one dwelling unit per lot.

*Open space* means the percentage of the lot area that is unoccupied by manmade structures or surfaces. Such open space must be occupied by natural vegetation or other vegetated landscaping, such as turf grass, shrubs, trees, or gardens, or by stormwater detention or retention basins. Open space may include the area required to remain unoccupied when applying minimum setbacks.

*Other school* means a school, other than a primary school, a secondary school, and a post-secondary school, established to provide for the teaching of industrial, clerical, managerial, or artistic skills. This definition applies to schools that are owned and operated privately for profit and that do not offer a complete educational curriculum (e.g., beauty school, modeling school).

*Outdoor entertainment venue* means a use that entertains large volumes of visitors in an outdoor setting, and may induce high volumes of traffic, light, and/ or noise. Examples of outdoor entertainment venues include commercial water parks, regional amusement parks, professional or collegiate sports venues, and outdoor music venues. Outdoor entertainment venue includes, but is not limited to, outdoor uses within NAICS code 71 (arts, entertainment, and recreation), especially outdoor attractions under NAICS code 7111 (performing arts companies, when not defined as arts, sciences, and cultural uses) and 7112 (spectator sports).

*Outdoor storage* means an area that is subordinate to a principal use on a lot used for the display or storage of any goods, equipment, materials, or other items outside of a structure.

*Owner* means any person, corporation, limited liability company, business trust, or partnership who, alone or jointly or severally with others, shall have the legal or equitable title to a property, and shall include executors, administrators, trustees or guardians of the estate of any individual owner, and any purchaser or assignee under a certificate of sale pursuant to a mortgage foreclosure. Any individual owner, regardless of whether he or she shares ownership responsibility with any other person, any general partner of a partnership, and any officer of a corporation or unincorporated association, shall have direct and personal responsibility and liability for compliance with the provisions of this chapter.

**P.**

*Parking area* means any all-weather, dustless surface used or intended to be used for the temporary storage of a motor vehicle. A parking area may be appended to a driveway, but a driveway does not constitute a parking area.

*Parking space* means the area required for parking one automobile, not including passageways.

*Patio house* means a one-family dwelling on a separate lot with open space setbacks on three sides and with a court. Patio homes may be attached to similar houses on adjacent lots and still meet this definition. Also known as zero lot lines.

*Penal institution* means a publicly or privately operated facility housing persons awaiting trial or persons serving a sentence after being found guilty of a criminal offense.

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*Permanent sign* means a sign affixed to a structure or embedded in the ground whose principal supporting structure is intended, by design and construction, to be used on a permanent basis.

*Person* means any individual, corporation, partnership, joint venture, agency, unincorporated association, municipal corporation, County or State agency, the Federal government, or any combination thereof.

*Pick-up window* means an opening in a building, including windows, doors, chutes, or mechanical devices, through which occupants of a motor vehicle or persons on foot are passed or otherwise receive or obtain a product or service.

*Planning Commission* means the Planning Commission as defined by Article Eleven of the Charter of the City of Gahanna, Ohio.

*Plat* means a map of a tract or parcel of land.

*Pole sign* means a permanent freestanding sign that is mounted on one or more poles or other support so that the bottom edge of the sign face is six feet or more above the grade.

*Portable sign* means a temporary sign not permanently attached to the ground or other permanent structure which is designed to be easily moved from one location to another. Portable signs include, but are not limited to, signs made as A-frames or T-frames, a sign designed to be transported on wheels, or balloons or umbrellas used as signs.

*Post-secondary school* means an educational institution authorized by the state to award associate, baccalaureate, or higher degrees.

*Portable or modular structure* means any structure, building, or enclosure, whether or not affixed to the ground, that is not designed or intended for permanent use. Portable or modular structures shall not include vehicles or portable temporary storage units. Portable or modular structures used as construction offices or similar may be permitted for the duration of the construction project and must be removed within 14 days of the completion of construction.

*Portable temporary storage unit* means a transportable unit designed and used primarily for temporary storage of building materials (before they are utilized for building purposes); household goods; construction refuse, and other such materials for use on a limited basis. A portable temporary storage unit includes Portable On-Demand Storage-type units. Such unit shall not be considered an accessory use structure and shall not be considered a temporary structure.

*Pothole* means a depression or void in a pavement surface caused by wear or subsidence.

*Preservation Zone* means a natural area that protects aesthetic appearance and/or environmental significance. These natural areas include, but are not limited to, woodlands, wetlands, ravines, floodplains, streams, lakes, ponds, and/or steep slopes, and can provide effective buffers between different or same land uses. No permanent or temporary structure, building, or fence shall ever be placed upon, in, or under an area designated as a "preservation zone." Plat notes must be referenced to obtain specific information regarding any subdivision containing a preservation zone.

*Primary school* means an institution providing full time instruction for children not more than 15 years of age and including accessory facilities traditionally associated with a program of study.

*Principal structure* means a building or other facility that is designed for or occupied by a principal use.

*Principal use* means a use that is the primary function of land or structures.

*Privacy fence* means a fence made to inhibit public view and provide seclusion and, when viewed at right angles and enclosing the outline of all parts of the fence in its vertical plane, has an open face of less than 30 percent. "Privacy fences" shall include, but not be limited to:

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Basket weave or woven fence means a fence made of interwoven strips or slats of flexible or semi-flexible material in which the pattern has the appearance of a plaited basket.

Louver, ventilating, shadow box or stockade fence means a fence made of a series of slats placed at an angle or positioned so as to provide air but to deflect light perpendicular to its vertical plane.

*Professional services* means services involving office staff, where shipments from heavy trucks are rare. The majority of the persons on site are employees, and work schedules are typically day-time. Professional services do not include the storage, processing, testing, or production of materials that may pose a threat to nearby residential uses, such as materials that are carcinogenic, flammable, explosive, or unstable, other than those in quantities typically found in personal computing equipment and office settings. Professional services include financial services (such as insurance and banking firms), realtors, travel agents, engineers, pet trainers, and medical office services. Professional services include, but are not limited to, NAICS codes 51 (information), 52 (finance and insurance), 53 (real estate rental and leasing), 54 (professional, scientific, and technical services), 55 (management of companies and enterprises), 56 (administrative and support and waste management and remediation services), 61 (educational services, but not NAICS code 6111—elementary and secondary schools), 62 (health care and social assistance, but not NAICS codes 623—nursing and residential care facilities—or 62422—community housing services), 7113 (promoters of performing arts, sports, and similar events), 7114 (agents and managers for artists, athletes, entertainers, and other public figures), and 7115 (independent artists, writers, and performers).

*Projecting sign* means any permanent building sign attached perpendicular to a building wall and extending laterally more than 12 inches but not more than 48 inches from the face of such wall.

*Public art mural* means any mosaic, painting, or graphic art, or combination thereof, which is professionally applied to a building generally for the purposes of decoration or artistic expression and which does not contain any brand name, product name, letters of the alphabet spelling or abbreviating the name of any product, company, profession, or business, or any logo, trademark, trade name, or other commercial message, and which is designated as a public art mural by the City.

*Public information sign* means any sign erected and maintained by public officials or public agencies, or approved and authorized for use by state or local government authorities.

*Public safety* means police, fire, and emergency medical services and their associated garages, offices, grounds, boarding halls, and sleeping facilities.

*Public service facility* means buildings, substations, water treatment plants or pumping stations, sewage lift stations, power plants and other similar public service structures, including the furnishing of electrical, gas, public water and sewage services, whether publicly or privately owned.

*Public waters* means water within rivers, streams, ditches and lakes except private ponds and lakes wholly within single properties, or waters leaving property on which surface water originates.

#### Q.

None.

#### R.

*Reach* means longitudinal segments of a stream or river, which will be affected by the placement of an obstruction in a floodway or floodway fringe.

*Reader board sign.* See Changeable copy sign.

*Reconstructed tower* means a tower which is removed in whole or in part and replaced in whole or in part. For the purposes of this chapter, a reconstructed tower is a tower for which approvals have been granted in accordance with the provisions of this chapter. The term and its use shall not apply to nonconforming towers.

*Record of determination* means the official written record of action by the City's Designee.

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*Recreation with lodging* means a use that allows for the lodging of guests in tents, cabins, or recreation vehicles, where each guest may not stay for not more than 180 consecutive days. Associated sales of camping-related sundries, laundry services, and equipment rental may be offered.

*Recreational vehicle* includes but is not limited to:

*Camper trailer* means a folding or collapsible vehicular structure, mounted on wheels but without its own power, designed as a temporary living quarters for travel, camping, recreation and vacation uses, which is not encompassed in the definition of travel trailer.

*Motor bus* means any motor vehicle having motor power designed and used for carrying more than nine passengers.

*Motor home* means a self-propelled recreational vehicle constructed with permanently installed facilities for cold storage, cooking and consuming of food and for sleeping.

*Recreational trailer* means any form of device, equipment, or machinery on wheels, or a single wheel, that is intended to be pulled by a motor vehicle, whether or not attached to a motor vehicle. This shall include every vehicle designed and utilized for the sole purpose of transporting any boat, auto, snowmobile, recreational habitation, and the like, which does not have motive power, but is designed to be drawn by another vehicle.

*Travel trailer* means a non-self-propelled recreational vehicle, including a tent type fold out camping trailer as defined in R.C. 4517.01(S).

*Truck camper* means a non-self-propelled recreational vehicle, without wheels for road use but with sufficient equipment to render it suitable for use as a temporary dwelling for travel, recreation and vacation use, and designed to be placed upon and attached to a motor vehicle. Truck camper does not include truck covers, which consist of walls and roof, but do not have floors and facilities for using same as a dwelling.

*Watercraft* includes, but is not limited to, any of the following when used or capable of being used for transportation on the water:

- (1) A boat operated by machinery either permanently or temporarily affixed.
- (2) A sailboat other than a sailboard.
- (3) An inflatable, manually propelled boat having a hull identification number meeting the requirements of the United States Coast Guard.
- (4) A canoe or row boat.

*Religious place of worship* means a building, together with its accessory buildings and use, where persons regularly assemble for religious purposes and related social events and which building, together with its accessory buildings and uses, is maintained and controlled by a religious body organized to sustain religious ceremonies and purposes.

*Renewable energy generation* means a solar panel array, wind turbine, or other electricity generation equipment that is roof-mounted or supported by ground-anchored structures.

*Residential care services* means uses that provide services such as nursing care, rehabilitation care, senior assisted living care, homeless day and/or night shelters, and "halfway home" care centers, where customers may remain overnight with on-site supervisory staff. This does not include uses that fall under NAICS codes 6232 (residential intellectual and development disability, mental health, and substance abuse facilities).

*Residential zone* means any of the following zoning districts: Estate Residential (ER), Large Lot Residential (R-1), Medium Lot Residential (R-2), Small Lot Residential (R-3), and Multi-Unit Residential (R-4).

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*Restaurant* means a structure in which the principal use is the preparation and sale of food. Restaurant includes sit-down restaurants, fast food restaurants, carry-out only restaurants, cafes, and ice cream parlors. Restaurant includes, but is not limited to, all uses categorized under the NAICS code 722 (food services and drinking), but does not include NAICS code 722410 (drinking places - alcoholic beverages).

*Retail filling station* means a building or buildings, premises or a portion thereof arranged, intended or designed to be used in the supplying to individual vehicles for their own use only, oil, grease, gasoline or other liquid fuels, with other customary incidental services. A "retail filling station" is the same as a "gasoline service station".

*Right-of-way (ROW)* means a strip of land acquired by reservation, dedication, prescription or condemnation and intended to be occupied by a street, trail, waterline, sanitary sewer, and/or other public utilities or facilities.

*Roof sign* means a sign that is mounted on the roof of a building or that is wholly dependent upon a building for support and projects above the highest point of a building with a flat roof, the eave line of a building with gambrel, gable, or hip roof or the deck line of a building with a mansard roof.

#### S.

*Secondary school* means an institution providing full time instruction for children older than 12 years of age and including accessory facilities traditionally associated with a program of study.

*Sediment* means solid material both mineral and organic, that is in suspension, is being transported, or has been moved from its site of origin by wind, water, gravity or ice, and has come to rest on the earth's surface above or below sea level.

*Sediment basin* means a barrier, dam or other suitable detention facility built across an area of waterflow to settle and retain sediment carried by the runoff waters.

*Sediment control plan* means a compilation of maps and a written description, acceptable to the City's Designee, of methods for controlling sediment pollution from accelerated erosion on a development area of one or more contiguous acres or from erosion caused by accelerated runoff from a development area of one or more contiguous acres.

*Sediment pollution* means failure to use management or conservation practices to abate wind or water erosion of the soil or to abate the degradation of the waters of the State by soil sediment in conjunction with land grading, excavating, filling or other soil-disturbing activities on land used or being developed for nonfarm commercial, industrial, residential or other nonfarm purposes.

*Self-storage* means an establishment primarily engaged in renting or leasing space for the purposes of storing goods in a secure space such as a room, compartment, locker, or container.

*Semi-detached* means a one-family dwelling attached to another one-family dwelling by a common vertical wall, and each dwelling located on a separate lot. The semi-detached dwelling is part of a two-family structure with the dwelling units side-by-side as opposed to one on top of the other. The semi-detached dwelling also could be the end unit of a townhouse row, a patio house, and a duplex. (Also can be considered a "twin single". One unit could be owner-occupied and the other a rental, or both could be rental properties with separate owners).

*Setback* means distance or area specified as an offset from any front, side, or rear lot line. The area created by a setback is a yard.

*Sight triangle* means the horizontal and vertical areas at the intersections of streets and/or driveways which must remain unobstructed in order to ensure that drivers can see traffic and pedestrians around the corner of the intersection, entrance or driveway.

*Sign* means any device, fixture, placard, or structure that uses any color, form, graphic, illumination, symbol or writing to advertise, announce the purpose of, or identify the purpose of a person or entity, or to communicate

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information of any kind to persons beyond the boundary of the lot upon which the device, fixture, placard, or structure is located.

*Sign copy* means any word, letter, number or emblem affixed to the sign surface either permanently or in removable form.

*Sign erector* means any person or entity engaged in the business of erecting, constructing, altering, maintaining, repairing or removing signs.

*Sign face* means the area of a sign on which the copy is placed.

*Sign height* means the vertical distance measured from the lowest adjacent grade to the highest point of the sign or sign structure. The overall height of a freestanding sign shall be computed as the distance from the base of the sign at average grade to the top of the highest attached component of the sign. Average grade shall be construed to be the lower of:

Existing grade prior to construction; or,

The newly established grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating or increasing the height of the sign.

In cases in which the grade cannot reasonably be determined, sign height shall be computed on the assumption that the elevation of the grade at the base of the sign is equal to the elevation of the nearest point of the crown of a public road or the grade of the land at the principal entrance to the principal structure on the zoned lot, whichever is lower.

*Slip* means landslide, as defined in this Zoning Ordinance.

*Sloughing* means a slip or downward movement of an extended layer of soil resulting from the undermining action of water or the earth-disturbing activity of man.

*Small scale light industrial* means an establishment engaged in the indoor warehousing, manufacturing, assembly, fabrication, packaging or other industrial processing of finished parts or products, primarily from previously prepared materials, or the indoor provision of industrial services, where there are few external effects across property lines. This term includes but is not limited to a business engaged in the processing, fabrication, assembly, treatment, or packaging of food, textile, leather, wood, paper, chemical, plastic, or metal products, but does not include basic industrial processing from raw materials. Small scale light industrial uses have principal structures of less than 25,000 square feet per lot. Small scale light industrial includes NAICS code 22112 (electric power transmission, control, and distribution), 3121 (beverage manufacturing), and 311 (food manufacturing), 3231 (printing and related support activities), 42 (wholesale trade), 44 and 45 (retail trade), and 48 and 49 (transportation and warehousing). Small scale light industry specifically does not allow NAICS codes 3116 (animal slaughtering and processing), 3117 (seafood product preparation and packaging), 42314 (motor vehicle parts merchant wholesalers), or 42452 (livestock merchant wholesalers).

*Small scale outdoor recreation* means uses that provide small outdoor parks for play and relaxation within walking distance of residential neighborhoods, on a lot typically under two acres in size, and with minimal off-street parking spaces. This use includes playgrounds, pocket parks, parklets, basketball courts, tennis courts, small pools, promenades, and similar uses. Small scale outdoor recreation includes, but is not limited to, uses that fall within NAICS codes 712190 (nature parks and other similar institutions, which is also included in arts, sciences, and cultural uses).

*Small scale retail* means the selling or leasing of goods directly to household consumers in retail spaces up to 25,000 square feet of GFA per lot. For the purposes of calculating GFA for this definition, retail units in attached structures that straddle lot lines shall be calculated as being located on the same lot. Retail includes, but is not limited to, the selling or leasing of clothing, unprepared food, home goods and furnishings, collectibles and antiques, electronics, non-motorized recreation equipment, art and décor, pets and pet care products, and appliances.

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*Snow fences* are fences that consist of thin upright slats not to exceed 48 inches in height.

*Soil loss* means soil relocated on or removed from a given site by the forces of erosion and the redeposit of the soil at another site on land or in a body of water.

*Standalone parking lot* means a public or private off-street, ground-level area improved for the temporary storage of motor vehicles on an individual lot.

*Stealth* means a wireless communications facility designed to appear as another natural or artificial object that exists in the surrounding environment or which is architecturally integrated into a building or other structure, and designed to be minimally obtrusive and to camouflage or conceal the presence of antennas or towers, at the determination of the required reviewing body.

*Storm frequency* means the average period of time within which a storm of a given duration and intensity can be expected to be equaled or exceeded.

*Storefront* means the part of the building or tenant space on the ground story that faces the street or parking area. A storefront may serve as a public entrance for the building or tenant space.

*Story* means that part of a building between the surface of a floor (whether or not counted for purposes of computing floor area ratios) and the ceiling immediately above.

*Stream* means a body of water running or flowing on the earth's surface or channel in which such flow occurs. Flow may be seasonally intermittent.

*Street* means the entire width between the boundary lines of every way open to the use of the public as a thoroughfare for purposes of vehicular travel.

*Street banner* means any sign applied to cloth, paper, flexible plastic, or lightweight fabric or similar non-rigid material of any kind with only such material for backing that is mounted to a pole, staff, or a building by a string, rope, wire, or frame at one or more edges. This does not include flags as defined in this ordinance.

*Street frontage* means the distance along which a property line of a lot adjoins a public or private street.

*Street right-of-way* means a right-of-way that contains a street. This term differentiates between rights-of-way that contain either no street or contain an alley.

*Structure* means any building or other manmade feature of a lot which generally requires permanent location on the ground or attached to something having permanent location on the ground and which has some portion that exceeds two feet in height above grade and which exceeds 50 square feet in ground coverage, but not including temporary structures or vehicles.

*Structure height* means the distance between a horizontal line at the average grade along the structure's front elevation and the highest point of the structure.

*Structural alteration* means any change in the supporting members of a structure, such as bearing walls, columns, beams or girders.

*Structural alteration of a sign* means any action that changes the height, size or shape of a sign and any action that affects the structural supports of a sign.

*Structured parking* means a structure designed to accommodate vehicular parking spaces that are enclosed or located on the deck surface of a building and are partially or fully above or below grade. This definition includes parking garages, deck parking, and underground or under-building parking areas.

*Substantial damage* means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

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*Substantial improvement* means any reconstruction, rehabilitation, addition or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement.

This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include:

- (1) Any project for improvement of a structure to correct existing violations of State or local health, sanitary or safety code specifications which have been identified by the local Code Enforcement Official and which are the minimum necessary to assure safe living conditions;
- (2) Any alteration of a "historic structure" provided that the alteration will not preclude the structures continued designation as a "historic structure"; or
- (3) Any improvement to a structure which is considered new construction.

*Suspended sign* means a sign that is suspended from the underside of a horizontal plane surface and supported by such surface.

*Swimming pool* means a structure, permanent or portable, filled or capable of being filled with water to a depth of 30 or more inches at any point therein and having a water surface area of 60 square feet or more and used, or designed to be used, for swimming or recreational bathing.

#### T.

*Taxi and car rental services* means a center for the hiring or leasing of a taxi or personal car or light truck for a period as brief as less than one day. A taxi and car rental services use may also conduct cleaning, refueling, and light maintenance on a vehicle fleet, and may provide space for offices, respite, and hiring of drivers and support staff. A taxi and car rental services use may not regularly perform collision or heavy repair. A taxi and car rental services use may not sell vehicles.

*Temporary sign* means a sign that is not permanently affixed to a structure, or permanently embedded in the ground, and is designed to be displayed for a short period of time, specifically, fewer than 180 days in a calendar year.

~~*Portable or modular structure* means any structure, building, or enclosure, whether or not affixed to the ground, that is not designed or intended for permanent use. Portable or modular structures shall not include vehicles or portable temporary storage units. Portable or modular structures used as construction offices or similar may be permitted for the duration of the construction project and must be removed within 14 days of the completion of construction.~~

*Temporary use* means those land uses and structures that are needed or are in place for only short periods of time or which are associated with a holiday or special event. A temporary use shall not exceed 45 continuous days.

*Temporary wireless communications facilities* means a cellular-on-wheels unit; an antenna on a bucket truck, crane, crank-up tower, tower; or another wireless communications facility required to evaluate a site for a temporary placement of a wireless communications facility as permitted by this chapter or for providing communications during an emergency, special event, conference, or other situations for limited periods while the use of a permanent wireless communication facility is temporarily interrupted or overwhelmed.

*Through lot* means a lot, other than a corner lot, having frontage on two parallel, or approximately parallel, streets, where such streets do not intersect at a corner of the lot.

*Topsoil* means surface and upper surface soils which presumably are darker colored, fertile soil materials, ordinarily rich in organic matter or humus debris.

*Tower* means any structure designed and constructed primarily for the purpose of supporting one or more antennas for telephone, radio, and similar communication purposes, including self-supporting, or monopole

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towers. The term includes radio and television transmission towers, microwave towers, common-carrier towers, wireless communications towers, and the like. The term includes the structure and any necessary supports.

*Townhouse* means a one-family dwelling in a row of at least three such units in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one or more common fire-resistant walls. Townhouses usually have separate utilities such as individual hot water and heating systems, separate electric meters, etc. However, in some condominium situations, the condominium association may arrange for bulk purchase of certain utilities and distribute it to individual dwelling units. Consequently, the definition normally would not contain a requirement for separate utility systems.

*Trade contractor* means a professional or business that specializes in the construction, repair, or remodeling of buildings. Trade contractors typically require the onsite storage of commercial vehicles, outdoor storage, and building materials. This definition does not include trade contractor uses that only operate in an office setting and do not require any onsite storage of building materials, equipment, or other associated goods.

*Trailer* means a vehicle used for living or sleeping purposes, which stands on wheels or rigid supports.

*Two-unit dwelling* means a use intended for the residence of two households within two dwelling units on one lot, each of which is totally separated from the other by an unpierced wall extending from ground to roof or an unpierced ceiling and floor extending from exterior wall to exterior wall, except for a common stairwell exterior to both dwelling units. This definition includes duplexes.

#### U.

*Use* means the specific purpose for which land or a building is designed, arranged, intended or for which it is or may be occupied or maintained. The term "permitted use" or its equivalent shall not be deemed to include any nonconforming use.

#### V.

*Variance* means a grant of relief from the standards of this chapter consistent with the variance conditions herein.

#### W.

*Wall sign* means any building sign painted on, attached flush against, or extending not more than 12 inches from an exterior wall in a parallel manner.

*Watercourse* means a channel in which a flow of water occurs either continuously or intermittently in a definite direction. The term applies to either natural or artificially constructed channels.

*Window sign* means a permanent sign that is painted or mounted onto a windowpane, or that is hung directly inside a window for the purpose or effect of identifying any premises from the sidewalk or street; or a temporary sign advertising special sales, events, or products.

*Wireless communications facilities (WCF)* includes, but shall not be limited to, towers, poles, cables, wires, lines, wave guides, antennas, microwave dishes, and/or any other equipment or facilities associated with the transmission or reception of communications as regulated by the FCC (or other unregulated wireless communication facility). The term shall not include:

- (1) Any satellite earth station antenna two meters or less in diameter or diagonal measurement located in a non-residential district.
- (2) Any satellite earth station antenna one meter or less in diameter or diagonal measurement that is designed to receive direct broadband satellite service, including direct-to-home satellite services, or to receive or transmit fixed wireless signals via satellite regardless of zoning category.

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- (3) Any antenna that is one meter or less in diameter or diagonal measurement and is designed to receive video programming service via broadband video services (wireless cable) or to receive or transmit fixed wireless signals other than via satellite.
  - (4) Any antenna that is designed to receive local television broadcast signals and does not use a mast higher than 12 feet above the tallest point of the roof of the tallest principal or accessory structure, excluding chimneys, cupolas, or other architectural elements.
  - (5) Antennas used by amateur radio operators.
  - (6) Towers, structures, antennas, or other equipment used for the purposes of operating a public safety voice or data radio network or an outdoor early warning system within the City limits. This includes directional and omnidirectional antenna equipment, as well as microwave and point-to-point equipment.

**X.**

None.

**Y.**

*Yard* means an the area between a building and any front, rear, or side lot line. The minimum depth of a yard is determined by the setback. A yard is intended to remain as unoccupied space, open to the sky, on the same lot with a building or structure.

*Yard, front* means a yard extending across the full width of the lot and lying between the right-of-way line of the lot and the nearest wall of the building. The depth of a front yard shall be measured at right angles to the right-of-way line of the lot.

*Yard, rear* means a yard extending across the full width of the lot and lying between the rear line of the lot and the nearest wall of the main building. The depth of a rear yard shall be measured at right angles to the rear line of the lot. On both corner lots and interior lots, the rear yard shall in all cases be the opposite end of the lot from the front yard.

*Yard, side* means an open, unoccupied space on the same lot with the building, situated between the building and the side line of the lot and extending from the front yard to the rear yard.

**Z.**

*Zero lot line* means the location of a building on a lot in such a manner that one or more of the building's sides rest directly on a lot line.

*Zoning Ordinance* means Part Eleven of the City of Gahanna, Ohio Codified Ordinances.

**Numbers.**

*100-year floodplain* means land susceptible to being inundated by water from a base flood that has a one percent or greater chance of being equaled or exceeded in any given year.

(Ord. No. 0007-2024, § 2(Exh. A), 4-1-24; Ord. No. 0084-2024, § 1(Exh. A), 12-2-24)