



City of Gahanna

200 South Hamilton
Road
Gahanna, Ohio 43230

Signature

Ordinance: ORD-0079-2024

File Number: ORD-0079-2024

**AN ORDINANCE TO AMEND THE CITY OF GAHANNA CODE PART ELEVEN
ZONING CHAPTER SECTIONS 1105.01 - COMPREHENSIVE USE TABLE AND
1105.02 - SPECIFIC USE REGULATIONS, REVISING USES WITHIN THE
INNOVATION AND MANUFACTURING DISTRICT AND ALLOWING GROUND
MOUNTED RENEWABLE ENERGY SYSTEMS WITHIN ALL ZONE DISTRICTS**

WHEREAS, City Council adopted a new Zoning Code on April 1, 2024 via ORD-0007-2024; and

WHEREAS, the Planning Department has been tracking and evaluating the implementation of the new Zoning Code through a variety of residential and commercial requests; and

WHEREAS, the Zoning Code rewrite produced many new standards and provisions for the City of Gahanna, which upon review, requires additional revisions to ensure code language is as clear and effective as possible; and

WHEREAS, it is recommended that Chapter Sections 1105.01 - Comprehensive Use Table be revised to reflect revised uses within the Innovation and Manufacturing District to be consistent with previously allowed uses of the Office, Commerce, and Technology District and 1105.02 - Specific Use Regulations to allow ground mounted renewable energy systems within all zone districts, allow them within the side yard and up to ten feet maximum height.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GAHANNA, COUNTY OF FRANKLIN, STATE OF OHIO:

Section 1. That Zoning Code Chapter Sections 1105.01 - Comprehensive Use Table and 1105.02 - Specific Use Regulations - are hereby amended as set forth in EXHIBIT A, attached hereto and made a part herein.

Section 2. That this Ordinance shall be in full force and effect after passage by this Council and 30 days after date of signature of approval by the Mayor.

At a regular meeting of the City Council on December 2, 2024, a motion was made by Weaver,
seconded by Jones, that the Ordinance be Adopted. The vote was as follows:

Ms. Bowers, yes; Ms. Jones, yes; Ms. McGregor, yes; Ms. Padova, yes;
Mr. Renner, yes; Mr. Schnetzer, yes; Mr. Weaver, yes.

President Merisa Bowers
Merisa K. Bowers

Date 12/4/24

Attest by

Jeremy A. VanMeter

Jeremy A. VanMeter
Clerk of Council

Date

12/3/2024

Approved by the Mayor

Laurie A. Jadwin

Laurie A. Jadwin

Date

12.3.24

Approved as to Form

PDT

Priya D. Tamilarasan
City Attorney

Date

12/2/24

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														
Key: P - Permitted Use Use	C - Conditional Use					Blank - Not Permitted					Zoning District			
	ER	R-1	R-2	R-3	R-4	OF	NC	GC	RI	IM	CON	CMU	CR	Specific Use Regulations
AGRICULTURAL														
Agriculture	P													
Neighborhood Agriculture	P	P	P	P	P	P	P	P	P	P	P	P	P	1105.02(h)
COMMERCIAL														
Air Transport Services										C				
Animal Care	P	C					C	C		C <u>P</u>	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	€ <u>P</u>		P		
General Personal Services						P	P	C	€ <u>P</u>		P		
Ground Transport Services									P				
Hotel or Motel							P	C	P	C	P	C	
Large Scale Retail						C	P	C	€ <u>P</u>		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				
DWELLING / RESIDENTIAL													
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		
INDUSTRIAL													
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				
INSTITUTIONAL													
Arts, Science, and Cultural							C	C	P	€ <u>P</u>	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)
RECREATIONAL													
Conservation Recreation	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	
OTHER USES														
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)
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	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>C</u> <u>P</u>	P	P	C <u>P</u>	<u>P</u>	<u>P</u>	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)

1105.02 SPECIFIC USE REGULATIONS.

(a) *Accessory Uses.*

- (1) The accessory uses included in the Comprehensive Use Table are permitted only in those districts indicated as permitted. Non-accessory uses permitted in the Comprehensive Use Table may also be permitted as an accessory use within the zoning districts indicated unless otherwise stated.
- (2) All accessory uses must be operated in conjunction with a customarily associated principal use and must be subordinate to that principal use.
- (3) An accessory use must be located on the same lot or an adjacent lot to the principal use with which it is associated.
- (4) An accessory use may not cause a greater impact on surrounding properties than typically associated with other permitted uses in that zoning district.
- (5) An accessory use contributes to and must comply with lot coverage regulations.
- (6) An accessory use must comply with setback and height regulations, unless otherwise noted in this Zoning Ordinance.
- (7) Customarily Associated Accessory Uses
 - A. Customarily associated accessory uses are permitted in all districts.
 - B. Determination of whether a use is "customarily associated" with the principal use of the lot shall be made by the City's Designee.
 - C. Examples of customarily associated accessory uses to one-unit dwellings include private swimming pools, automobile storage, and patios.

(b) *Accessory Dwelling Unit (ADU).*

- (1) The principal dwelling onsite must be owner occupied for as long as the ADU exists.
- (2) An ADU shall be no larger than the footprint of the principal dwelling on the lot or 1,000 square feet, whichever is less.
- (3) A minimum of one off-street parking space must be provided. ADU off-street parking shall be in addition to the parking requirements of the principal structure.
- (4) No more than one ADU shall be located on a lot.
- (5) An ADU can be either attached or detached from the principal dwelling on the lot. Attached ADU's shall be located to the side or rear of the principal dwelling. Detached ADU's shall be located behind the principal dwelling. All other setbacks of the principal dwelling shall apply to the ADU.
- (6) An ADU shall be architecturally consistent with the principal dwelling. Architecturally consistent is defined as having similar:
 - A. Shape and style of exterior doors and windows;
 - B. Building materials and paint color; and,
 - C. Roof style and pitch.

(c) *Adult Use.*

- (1) Adult uses must comply with regulations set forth in Chapter 771 of the City of Gahanna Codified Ordinances. Additionally, adult uses must comply with the following:

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- A. *Building design.* All buildings used for the purpose of a sexually oriented business shall adhere to the same design standards as all other uses within the district.
 - B. *Windows.* The use of spandrel glass for all required window openings shall be required for all such uses.
 - C. *Signage.* Signs that display obscene language, photos, logos, or graphics are prohibited.
- (d) *Animal Care.*
- (1) A dwelling unit may be included on the same lot as the animal care use for the use of an employee or employees of the animal care use.
- (e) *Drive-Thru.*
- (1) Drive-thru facilities must comply with regulations set forth in Section 1109.01(n).
- (f) *Food Manufacturing.*
- (1) Food manufacturing uses in GC and CMU zoning districts shall be limited to a maximum size of 10,000 square feet.
- (g) *Home Occupation.*
- (1) A zoning permit as set forth in Section 1117 shall be obtained for any home occupation.
 - (2) All home occupation activities shall be subordinate to the residential uses of the property in which such activities are located.
 - (3) The area used for said home occupation activities shall not exceed 500 square feet or 25 percent of the combined area of all structures on the lot, whichever is less.
 - (4) No new additions, structures or expansions for the purpose of conducting home occupation activities shall be allowed. No exterior changes to the structure shall be permitted, which include, but are not limited to, the use of signs, lights and banners.
 - (5) There shall be no outdoor storage of equipment or materials used in the home occupation activity.
 - (6) Any and all vehicles that are related to home occupation activities and may be considered "business" or "commercial" vehicles or bearing an advertisement logo within a residential district must meet the parking requirements in Section 1109.01(k).
 - (7) It shall be the home owner's responsibility to ensure compliance with all applicable state and federal laws.
 - (8) Home occupations may be carried out only by a person or persons that is/are residents(s) of the principal structure on the lot.
 - (9) Home occupations must not induce an incompatible increase in traffic. Any home occupation activities shall not produce detrimental impacts, which include but are not limited to, fumes, noise, vibration, glare, odors, or electrical interference that infringes upon the public health, safety and welfare. Such detrimental impacts shall not interfere in any manner with adjacent, neighboring or other properties located in proximity to the home occupation activity.
 - (10) A zoning permit for a home occupation shall terminate upon six months of inactivity, upon the sale or change of ownership of the property, or upon violation of any provisions of this chapter.
- (h) *Neighborhood Agriculture.*
- (1) A neighborhood agriculture use may not be more than two acres in area.
 - (2) A neighborhood agriculture use may not have more than eight parking spaces.

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- (3) A neighborhood agriculture use may not include poultry or livestock husbandry.
 - (4) No products of the neighborhood agriculture use may be sold. Memberships or other fees for use of the land may be charged to users.
- (i) *Outdoor Storage.*
- (1) Outdoor storage areas shall be located to the rear of the main structure on the lot.
 - (2) Materials or goods being stored outdoors shall not exceed a maximum height of ten feet measured from the existing grade to the top of the materials being stored.
 - (3) The outdoor storage of hazardous, dangerous, flammable or chemical materials or any other materials or equipment that could present a hazard to the health, safety and welfare of the public or provide an attractive nuisance shall be stored according to the following:
 - A. Such materials shall be stored in a secure location within a lockable area.
 - B. Chemicals shall be stored in approved containers, kept in good condition, and shall meet all applicable requirements of OSHA, OEPA, and other governmental authorities having jurisdiction over such materials.
- (j) *Portable or Modular Structure.*
- (1) Portable or modular structures shall be subject to all applicable requirements of this Zoning Ordinance.
 - (2) Portable or modular structures are exempt from requirements of Chapter 1107, Design Guidelines, and other architectural regulations in this Zoning Ordinance.
 - (3) 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.
- (k) *Portable Temporary Storage Unit.*
- (1) Portable temporary storage units shall be allowed for a period of 30 consecutive days including the days of delivery and removal. Upon request of the City, the landowner shall provide the exact date of delivery for compliance with this section. Failure to provide this information within the time frame stipulated by the City may result in the removal of the temporary portable storage unit.
 - (2) In the event of fire, tornado, or natural disaster causing substantial damage to the primary residential structure, the landowner may apply to the City for permission to extend the time that a portable temporary storage unit may be located as a temporary structure on the property. Application for such extended duration shall be made in writing and shall give sufficient information to determine whether such extended duration should be granted. The City shall determine whether or not to grant such extended duration and the length of such extension. In the event of an adverse decision by the City, the applicant may appeal such decision to the Board of Zoning and Building Appeals.
 - (3) Portable temporary storage units are prohibited from being placed on a public street, road, alley, or right-of-way, except as approved by the City.
 - (4) Whenever possible, the unit shall be placed on a hard surfaced driveway or parking area.
 - (5) Such unit shall not exceed nine feet in height, ten feet in width, or 20 feet in length.
 - (6) In residential zoning districts, no more than one portable temporary storage unit may be located on a lot at any time. In a residential zoning district, if more than one unit is needed, a written request from the responsible party must be submitted to the City for permission to place an additional unit on a lot.

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- (7) No portable temporary storage unit shall be used as a dwelling unit, or to store solid waste, construction debris, demolition debris, recyclable materials, business inventory, commercial goods, goods for property other than at the lot where the unit is located (i.e. used for retail sales), or any other illegal or hazardous material. Upon reasonable notice to the responsible party, the City may inspect the contents of any portable temporary storage unit at any reasonable time to ensure that it is not being used to store said materials. At no time shall a portable temporary storage unit be used for any of these purposes.
 - (8) The responsible party shall be held accountable for ensuring that the unit is maintained in good condition, free from evidence of deterioration, weathering, discoloration, graffiti, rust, ripping, tearing, or other holes or breaks at all times.
- (l) *Primary and Secondary Schools.*
- (1) Primary and secondary schools within the IM zoning district shall be restricted to properties that have frontage on Tech Center Drive and are located east of I-270 or to properties with frontage on Morrison Road and are located north of Claycraft Road.
 - (2) Primary and secondary schools within the IM zoning district are limited to private and charter schools. Public schools are not permitted.
 - (3) To evaluate the unique impacts of the project, the conditional use application shall provide details as to enrollment, number of employees, and hours of operation, including pick up and drop off times.
 - (4) A site plan shall be included that adequately addresses parking and other traffic circulation elements such as, but not limited to, bus parking, vehicle stacking, and drop off/pick up areas.
- (m) *Public Service Facility.*
- (1) Public service facilities are permitted as an accessory use in residential zoning districts when servicing the subdivision or neighborhood they are located within. The use must be located on a lot that is part of the subdivision or neighborhood, as determined by the City's Designee.
- (n) *Renewable Energy Generation, Building Mounted.*
- (1) A building mounted system shall not extend beyond the roof line in any direction including above and beyond the roof peak.
 - (2) When located on a flat roof, building mounted systems shall not extend beyond ten feet from the surface of the flat roof. For purpose of this subsection, "flat roof" shall mean any roof that is less than 17 degrees or 2/12 pitch.
 - (3) Building mounted systems shall be positioned so as to minimize glare on to adjacent roads, buildings, lots, and rights-of-way.
- (o) *Renewable Energy Generation, Ground Mounted.*
- (1) A ground mounted system shall be located to the side and rear of the principal structure(s) on the lot.
 - (2) The maximum height for any ground mounted system shall be eight-ten feet.
 - (3) Ground mounted systems shall be positioned so as to minimize glare on to adjacent roads, buildings, lots, and rights-of-way.
 - (4) Ground mounted systems shall be subject to the lot coverage requirements in the base zoning district in which the system is located.
 - (5) Ground mounted systems must be appropriately labeled and secured from unauthorized access, in compliance with all state or federal regulations.

~~(6) — Ground mounted systems shall meet the screening requirements of Section 1109.04.~~

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