
1101.09 RULES FOR INTERPRETING REGULATIONS.

(a) *Text and Graphics.*

- (1) Text in this Zoning Ordinance are regulatory.
- (2) Graphics in this Zoning Ordinance are illustrative unless specifically described as regulatory.

(b) *Components of Lots.*

- (1) **Front lot line.** A front lot line is any lot line that abuts a street right-of-way. A front lot line shall not abut an alley.
- (2) **Side lot line.** A side lot line is any lot line that is not a front lot line but shares at least one vertex with a front lot line.
- (3) **Rear lot line.** A rear lot line is any lot line that is not a front lot line or a side lot line.

(c) *Types of Lots.*

- (1) **Corner lot.** A corner lot is any lot that has one or multiple front lot lines that intersect or curve around the property at a 135-degree interior angle or less.
- (2) **Interior lot.** An interior lot is any lot that is not a corner lot or a through lot. In many cases, an interior lot has one front lot line, two side lot lines that abut neighboring lots, and a rear lot line that abuts a neighboring lot or an alleyway.
- (3) **Through lot.** A through lot is any interior lot that has more than one non-adjacent front lot line.
- (4) **Flag lot.** A flag lot is any interior lot so shaped that the main building site area is set back from the street on which it fronts and includes an access strip at any point connecting the main building site area to the frontage street. For this Zoning Ordinance, a flag lot also includes any lot that does not have a front lot line, but rather has ingress and egress through an alleyway or private easement.

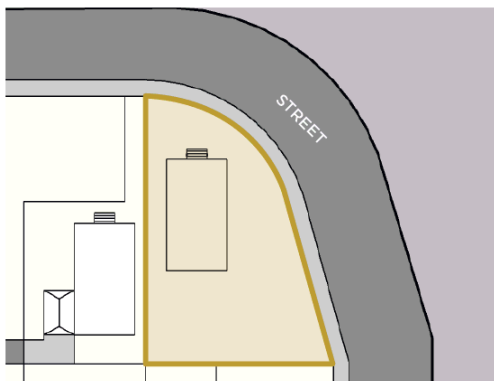


Figure 1: At the center of the above graphic is a corner lot. The street curves around the lot in a way that forms an interior angle of less than 135 degrees.

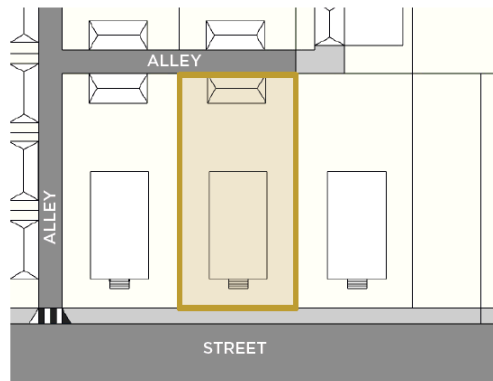


Figure 2: At the center of the above graphic is an interior lot. The lot has only one (1) lot line that abuts a street right-of-way. The rear lot line abuts an alleyway, which does not constitute a street right-of-way for the purposes of this Zoning Ordinance.

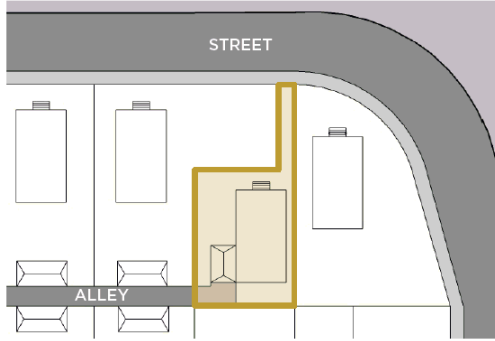


Figure 3: At the center of the above graphic is a flag lot. The lot has a main building site area that is set back from the street on which it fronts and includes an access strip that connects it to the frontage street. This lot also has vehicle access to the garage through an alleyway.

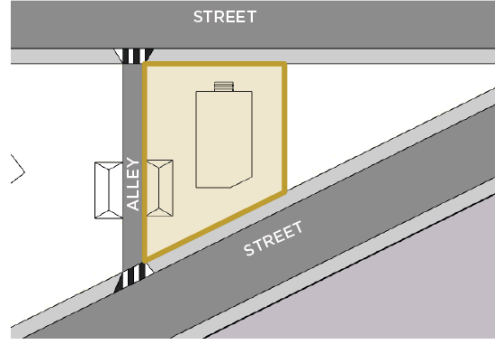


Figure 4: At the center of the above graphic is a double-frontage lot. The lot has two (2) non-adjacent lot lines that each abut a street right-of-way. The alleyway does not constitute a street right-of-way for the purposes of this Code.

(d) *Types of Lot Lines.*

- (1) A lot line is a line dividing one lot from another or from a street or any public place.
- (2) A front lot line is any lot line dividing a lot from a public or private street and from which the required front setback is measured.
- (3) A side lot line is any lot line not considered a front lot line or rear lot line.
- (4) In the case of a regular lot, a rear lot line is the lot line which is most opposite from the front lot line; in the case of a corner lot with more than one front lot line, rear lot lines are all lot lines that are not front lot lines; in the case of an irregular or triangular-shaped lot, a rear lot line is a line ten feet in length within the lot parallel to and at the maximum distance from the front lot line.

(e) *Measuring Lot Dimensions.*

- (1) Lot dimensions are measured in acres, square feet, feet, and inches.
- (2) A lot extends to its lot lines, which form the boundary between the lot and adjacent lots or rights-of-way.
- (3) Area dimensions are measured on a horizontal plane in plan view and do not consider topography or the actual area of the ground's surface.
- (4) Areas of lots occupied by easements, such as access or utility easements, contribute to total lot area and are considered in calculating percent building coverage and other standards.

(f) *Measuring Setbacks.*

- (1) When measuring a required distance, such as a minimum setback, the measurement is made at the closest or shortest distance between a structure and a lot line.
- (2) *Exceptions to setbacks.* Exterior staircases, bay windows, fire escapes, chimneys, awnings, and other appurtenances deemed similar by the City, are exempt from minimum setback requirements.
- (3) *Front setbacks on interior lots.* Where a lot has only one front lot line, the front setback is the shortest distance between any point along the front lot line and any point on a structure on the lot.
- (4) *Front setbacks on through lots.* Where a lot borders two streets that do not intersect at a corner of the lot, such as in a through lot, two front lot lines will exist, one along each right-of-way. The required front setback must be provided for each street frontage that provides vehicular access. Rear yard setbacks shall apply to a front yard without vehicular access, and which clearly serves as a rear yard. In

such a case, alleys do not constitute streets, and lot lines abutting alleys are not considered front lot lines and do not require front setbacks.

- (5) *Front setbacks on corner lots.* When a lot borders two or more streets that intersect at a corner(s) of the lot, such as in a corner lot, the front setback shall be provided for each street frontage. In such a case, alleys do not constitute streets, and lot lines abutting alleys are not considered front lot lines and do not require front setbacks.
- (6) *Front setbacks on corner lots formed by curves.* When a lot borders one street with an acute curve of 55 degrees or more so that the street creates two sides of the lot, the lot line(s) along that street shall be considered a front lot line, and a front setback shall be applied to the entire lot frontage.
- (7) *Side setbacks.* A side setback is the shortest distance between a side lot line and a structure on the lot.
- (8) *Rear setbacks.* A rear setback is the shortest distance between a rear lot line and a structure on the lot.

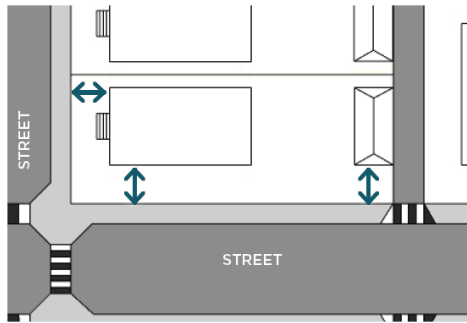


Figure 5: The graphic above shows the front setback as the measure of the length of the blue arrows. The front setbacks are measured from front lot lines to the nearest point on the nearest structure. Note that the rear alleyway does not constitute a street right-of-way for the purposes of this Zoning Ordinance, and, therefore, a front setback is not applied at the alleyway. Also note that the steps leading up to the structure are exempt from minimum setback requirements.

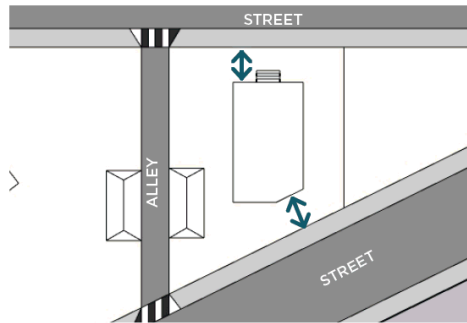


Figure 6: The graphic above shows the front setback as the measure of the length of the blue arrows. The front setbacks are measured from front lot lines to the nearest point on the nearest structure. Note that the alleyway does not constitute a street right-of-way for the purposes of this Zoning Ordinance. The front setback, as shown on the lower street right-of-way, is measured perpendicular to the lot line, measuring the shortest distance between the lot line and a structure. Also note that steps are exempt from setback requirements.

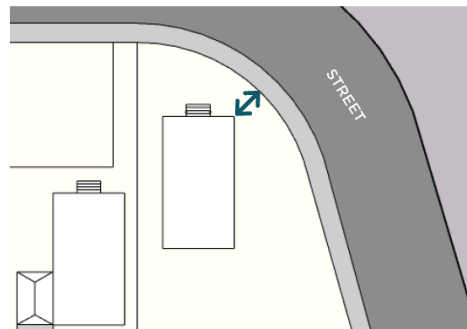


Figure 7: The graphic above shows the front setback as the measure of the length of the blue arrow. Note that the measurement is taken at the location where the front lot line is closest to a structure.

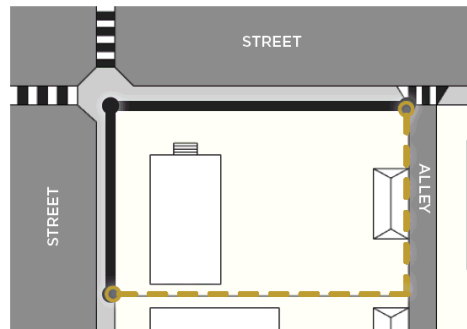


Figure 8: The graphic above shows a lot that does not have a rear setback, as no rear lot line exists. There are two (2) front lot lines (black lines) and two (2) side lot lines (gold dashed lines), which each share at least one (1) vertex with a front lot line. The alleyway does not constitute a street right-of-way for the purposes of this Zoning Ordinance, and, therefore, the lot line that abuts the alleyway is not a front lot line.

(g) *Measuring Other Lot Standards.*

- (1) *Lot Frontage.* Lot frontage is the length of all front lot lines.
- (2) *Impervious coverage.* Impervious coverage is the percent of the lot's horizontal plane that is occupied by impervious, man-made materials, including buildings, asphalt, concrete, swimming pools, barns, and

carports, but excluding porous pavement, permeable pavers, decks with gaps between decking for drainage, lawn grasses, gardens, stormwater retention and detention basins, and other landscaping.

(3) **Structure Height.** Structure height is measured as the distance between:

- a. A horizontal line at the average grade along the structure's front elevation; and,
- b. The highest point of the structure.

Chimneys, elevators, poles, spires, tanks, towers, and other similar projections may exceed the maximum structure height defined for a zoning district, provided that such projections do not exceed 120 percent of the maximum structure height defined in that zoning district. Spires and steeples on structures used for religious assembly shall not be subject to structure height limitations.

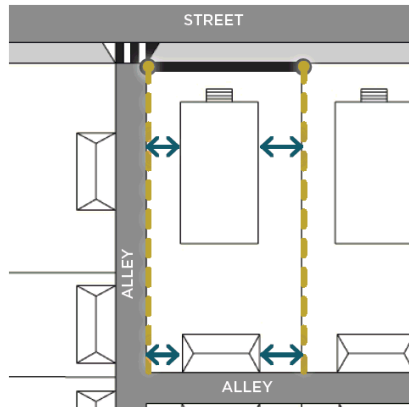


Figure 9: The graphic above shows side setbacks as the measures of the lengths of the blue arrows. The side setbacks are measured from side lot lines (gold dashed lines) that do not abut a street right-of-way but do share at least one (1) vertex with a front lot line that does abut a street right-of-way (black line with vertices emphasized). Note that alleyways do not constitute street rights-of-way for the purposes of this Zoning Ordinance.



Figure 11: The graphic above shows the height of the structure as the length of the blue line. It spans the distance between the horizontal line at the average grade along the structure's front elevation (lower black dashed line) and highest point of the roof (upper black dashed line).

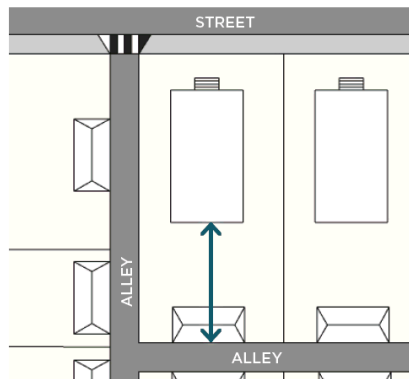


Figure 10: The graphic above shows the rear setback as the measure of the length of the blue arrow. The rear setback is measured from the rear lot line, a lot line that does not share a vertex with a front lot line. Note that alleyways do not constitute street rights-of-way for the purposes of this Zoning Ordinance. Also note that the arrow shows the rear setback for the principal structure; the rear setback for the detached garage is zero feet, as some zoning districts allow for zero-foot setbacks for detached garages that face alleyways.

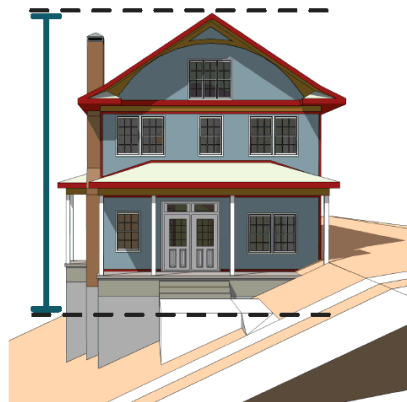


Figure 12: The graphic above shows the height of the structure as the length of the blue line. It spans the distance between the horizontal line at the average grade along the structure's front elevation (lower black dashed line) and the highest point of the roof (upper black dashed line).

- (h) **Residential Zones.** For the purposes of interpreting zoning district regulations, a "residential zone" is a zoning district that limits its permitted uses to only dwelling uses and their customarily associated accessory uses.

Such zoning districts are limited to Estate Residential, Small Lot Residential, Medium Lot Residential, Large Lot Residential, and Multi-Unit Residential.

- (i) *Land Uses Not Listed.* The City shall have the right to determine whether a use not listed herein is similar to a listed use and either permitted or conditionally permitted herein. In order to find that a use is similar to a listed use, the City shall find that such use is (1) similar in definition, (2) similar in impact to surrounding properties, and (3) promotes the objectives of the Gahanna Land Use Plan. The determination that a use not listed is similar to a listed use shall have no bearing on future determinations of similarity.
- (j) *Interpretation of Terms and Words.*
 - (1) Terms are defined in Chapter 1123 Glossary.
 - (2) Words used in the present tense include the future; the plural includes the singular; the word "lot" means the word "plot"; the word "shall" is intended to be mandatory; "occupied" or "used" shall be considered as though followed by the words "or intended, arranged or designed to be used or occupied".
- (k) *Conjunctions.* Where a regulation involves two or more items, conditions, provisions, or events which are connected by a conjunction—"and", "or", or "either... or"—the conjunction shall be interpreted as follows:
 - (1) "And" indicates that all the connected items, conditions, provisions, or events shall apply.
 - (2) "Or" indicates that the connected items, conditions, provisions, or events may apply singly or in any combination.
 - (3) "Either... or" indicates that all the connected items, conditions, provisions, or events shall apply singly but not in combination.

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

1103.08 MEDIUM LOT RESIDENTIAL (R-2).

- (a) *Purpose.* The establishment of the Medium Lot Residential zoning district aims to designate areas of Gahanna for one-unit residential land uses and allow for future new and infill development of such land uses.
- (b) *Existing development.* Existing land uses within Medium Lot Residential zoning district consist primarily of detached, one-unit residential uses.
- (c) *Desired development.* The Medium Lot Residential zoning district aims to preserve the residential neighborhood character. Lot standards are intended to create open space, peace, greenery and privacy from adjacent users while also enhancing walkability. Desired development shall encourage walkable neighborhoods while preserving natural features and open space, objectives that were identified in the Gahanna Land Use Plan.
- (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 Medium 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 4: Medium Lot Residential Standards		
Standard	Min.	Max.
Lot Area	11,000 sq. ft.	-
Ⓐ Lot Frontage	70 ft.	-
Ⓑ Front Setback	30 ft.	-
Ⓒ Side Setback	Principal Structure: 10 ft. Accessory Structure: 5 ft.	-
Ⓓ Rear Setback	Principal Structure: 25 ft. Accessory Structure: 5 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.	

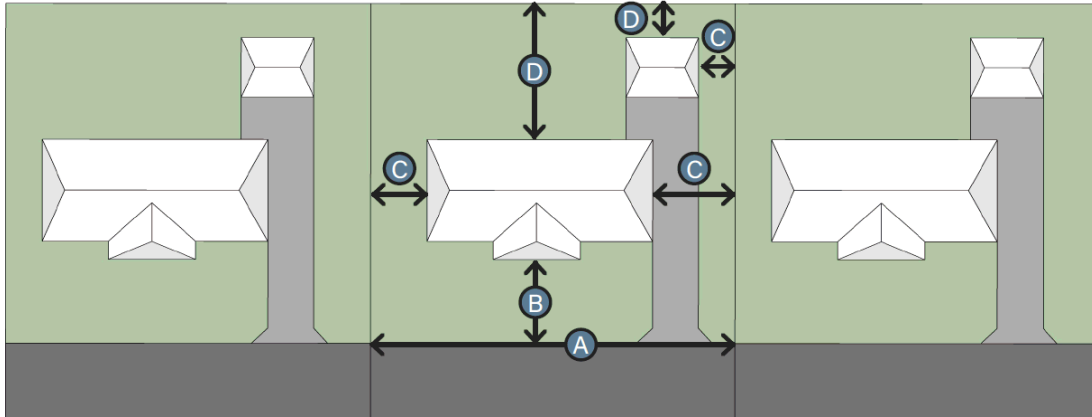


Figure 18: Regulatory graphic showing standards for the R-2 zoning district. For scale, the lots shown are 100 by 100 feet, or 10,000 square feet. The principal structures are 30 by 62 feet, and the detached garages are 18 by 20 feet.

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

R-3: Small Lot Residential



Figure 19: Small Lot Residential includes several distinct geographic areas and may include the area depicted in the image above. For the official zoning map, please visit the City of Gahanna's website.

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									Specific Use Regulations
	Zoning District														
	ER	R-1	R-2	R-3	R-4	OF	NC	GC	RI	IM	CON	CMU	CR		
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		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		
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				
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	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)
RECREATIONAL														
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	
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	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)

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:

-
- 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.

-
- (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.

-
- (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 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.

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

Created: 2024-06-12 09:36:02 [EST]

(Supp. No. 11, Update 2)

1107.01 CITY-WIDE DESIGN STANDARDS.

- (a) *Purpose.* The establishment of design standards is intended to improve the aesthetic and structural quality of Gahanna and its structures, for the promotion of property values, sustainability, and pedestrian experience. This purpose may be accomplished through quality façade materials, interesting building massing and visual order, and a more enjoyable pedestrian experience through the reduction of streetside parking areas, visible building equipment, curb-cuts, and other nuisances.
- (b) *Applicability.*
- (1) The design standards set forth in this section apply to all buildings in all zoning districts, except for those buildings in which the principal use is: (1) one-unit dwelling or (2) two-unit dwelling.
 - (2) If a design regulation is not identified for the Creekside Districts, Sections 1107.02 and 1107.03, then the applicable regulations of Section 1107.01 shall apply.
- (c) *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) Compositional rhythms using windows, columns, trellises, articulation, arcades, materials, awnings, canopies, clerestories, or other features;
 - (4) Architectural features, such as windows, columns, trellises, articulation, arcades, materials, canopies, clerestories, pilasters, porticos, awnings, brackets, arches, or other similar features; and,
 - (5) Entrances along the front elevations that are articulated as significant public entrances; entrances may be emphasized with canopies or similar features.
- (d) *Materials.*
- (1) Side and rear elevations shall be of the same or similar materials as the front elevation.
 - (2) 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.
 - (3) 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, as measured in surface area coverage.
 - (4) Smooth faced concrete block, tilt-up concrete panels, or metal siding is prohibited, except in Innovation & Manufacturing (IM), on any elevation, except that smooth faced concrete block, tilt-up concrete panels, and metal siding are allowable materials on up to 25 percent of the rear elevation. Finished face concrete masonry is permitted when used at ground-level service areas.
- (e) *Colors.*
- (1) Exterior colors should be neutral tones of light brown, tan, beige, white, creams, gray, black, and other similar colors. Other colors can be approved through the Development Plan process, Section 1117.07.
 - (2) Not more than a total of four colors are allowed on any elevation. For the purpose of this regulation, the roof shall be considered its own elevation.

(f) *Roofs.*

- (1) "Green" or planted roofs are encouraged.

(g) *Windows.*

- (1) The ground floor of the primary façade shall be not less than 25 percent transparent glass; however, for all institutional, industrial, and multi-unit uses the primary facade shall not be less than ten percent transparent.
- (2) Reflective glass is not permitted.

(h) *Awnings and Canopies.*

- (1) Awning materials shall be limited to canvas, glass, aluminum, or other finished architectural metal.
- (2) An awning or canopy may extend over the sidewalk but must maintain a two-foot setback from the curb.
- (3) An awning or canopy may not have a clearance above a pedestrian use area, such as a sidewalk, of less than eight feet.

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

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, 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.

-
- (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 of canvas, 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)

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

Key:	
Blank - No minimum parking requirement	
GFA - Gross floor area	
Use	Minimum Parking Spaces Required
AGRICULTURAL USES	
All Agricultural Uses	-
COMMERCIAL USES	
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
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
DWELLING / RESIDENTIAL USES	
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
INDUSTRIAL USES	
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
INSTITUTIONAL USES	
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
RECREATIONAL USES	
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
OTHER USES	
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.)
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.*
- (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.
- (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 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)

1109.02 SETBACKS AND STRUCTURE PLACEMENT.

- (a) No principal structure shall be located from a lot line less than the minimum setback as required for the zoning district in which the principal structure is located, as set forth in Chapter 1103.
- (b) Accessory structures shall be located on the same lot as the principal structure and meet setbacks for the zoning district in which the structure is located, as set forth in Chapter 1103.
- (c) Fences may be installed with a zero-foot setback from all lot lines but must comply with Section 1109.05.
- (d) Any pool must be set back from the side and rear lot lines the minimum distance as required for an accessory structure in that zoning district as set forth in Chapter 1103. A pool may not be located in the front yard.
- (e) All dumpsters and other refuse storage areas must be set back the minimum distance required for parking areas as set forth in Section 1109.01(a) and located to the rear of the principal structure.

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

1109.05 FENCES.

- (a) No fence shall be erected unless such fence conforms with all requirements of this Zoning Ordinance and has been granted a fence permit by the City, except when such fence is an exempt fence.
- (b) An exempt fence is:
 - (1) A fence that is intended for erosion and sediment control at a construction site;
 - (2) A fence that is intended for controlling access to a property during construction, grading, or other temporary use;
 - (3) A fence that is intended to control snow drifts and is under four feet in height; is in use only between December 1 of any year and the following March 31; is not closer to the right-of-way than half of the minimum front setback; is not within the sight triangle; does not hinder access to a residence by vehicles and personnel responding to a fire, police or medical emergency; and does not cause snow to accumulate in a manner which would encroach upon or block any public right-of-way, hinder proper operation of Municipal snow removal equipment, or block access to or cause damage to adjacent properties;
 - (4) A fence that is intended to control pets, livestock, or wildlife and is more than 90 percent transparent, such as an underground electric dog fence or a seasonal vegetable garden deer fence;
 - (5) A fence that is under two feet in height and is not within the sight triangle; or
 - (6) A fence that is a replacement of an existing fence and is of the same height, location, and material as the existing fence and conforms with this Zoning Ordinance.
- (c) A fence permit must be displayed during the erection of a fence, except when such fence is an exempt fence.
- (d) No fence shall exceed six feet in height except:
 - (1) A fence which is an exempt fence;
 - (2) A fence which encloses athletic fields and courts and does not exceed 12 feet in height;
 - (3) A fence used for screening dumpsters and does not exceed eight feet in height;
 - (4) A fence which defines secure areas for the storage of public property and does not exceed 12 feet in height;
 - (5) A fence used for screening outdoor storage and does not exceed ten feet in height; or,
 - (6) A fence which provides a secure area in the Innovation and Manufacturing zoning district and does not exceed ten feet in height.
- (e) *Location.*
 - (1) In residential zoning districts, the following shall apply to all fences except exempt fences:
 - A. No fence shall extend beyond the front elevation of the principal structure. This regulation does not apply to exempt fences.
 - B. Privacy and/or chain link fences shall be prohibited in front yards except for corner lots as outlined below;
 - C. Corner lots are permitted a fence one-half the distance between the required building setback and the right-of-way only for the front yard which functions as a side yard. The height of the fence for the second front yard may be 6'. City staff shall determine which front yard functions as a side yard based on the layout of the lot, address, and design of the house.

D. Single-unit and two-unit fence height shall be subject to the following:

Fence Type	Front Yard	Side Yard	Rear Yard
Decorative Open	42"	6'	6'
Chain Link	Not permitted	6'	6'
Privacy	Not permitted	6'	6'

- (2) A fence may be constructed along common property lines and across any utility easement. A. Fences placed on utility easements shall provide access to manholes, utility boxes, cleanouts or other apparatus that may be used from time to time for maintenance of the utility.
- B. Fences placed on drainage easements shall allow for the proper flow of water.
- C. A fence shall not be located within three feet of a utility box, manhole or other apparatus that may be used for maintenance of the utility. However, a gate and/or removable section of fencing may be placed within this three-foot restriction if such gate and/or removable section provides sufficient access to the utility box, manhole or other apparatus.
- D. When a fence obstructs access to a utility box, manhole or other public apparatus for maintaining utilities, the owner shall be required to remove and replace such fence at their expense without remuneration from the City. This section shall not prohibit the City from removing any fence located in a utility or drainage easement that obstructs a utility box, manhole or other apparatus or obstructs the proper flow of water.
- E. Fences that are being proposed to be placed on utility and/or drainage easements shall require prior approval from the City.
- (3) A decorative open fence, of a height no greater than 48 inches, may be erected in an area designated as a "No Build Zone". A fence may not be constructed within a Preservation Zone, Scenic Area, or any other similarly dedicated areas.

(f) *Material.*

- (1) No fence shall have metal prongs or spikes, or barbed wire, except that barbed wire is permitted on the top of chain link fences in the Innovation and Manufacturing zoning district. No fence other than an invisible fence shall have as part of its design or construction an electrified portion.
- (2) Hardware cloth shall be used only in conjunction with a decorative open fence and must be attached to the owners' side of the fence. Privacy screens and similar materials that alter the opacity of a decorative open fence are not permissible.
- (3) All fencing, regardless of type, location on lot, or what zone district located in, shall have the finished side facing adjacent properties and/or the right-of-way.

(g) *Access.* Any fence constructed between the required building setback line and street public right-of-way shall not prevent or hinder access to the residence by vehicles and personnel responding to a fire, police or medical emergency.

(h) *Swimming Pool Fences.* A private swimming pool constructed on the premises of a detached one- or two-unit dwelling shall be enclosed by a fence erected wholly on said premises. On a case-by-case basis, the City's Designee may approve a fence permit application for a fence not wholly on the pool owner's property. However, if a neighbor's fence, which makes up any portion of the pool enclosure is removed for any reason, the owner of the property on which the pool is located shall be responsible for restoring the pool to an enclosed state. This restoration shall be performed within 30 days of the date that the City is made aware of the situation. All fences surrounding swimming pools shall conform to the following requirements:

-
- (1) In-ground pool fences. For in-ground pools, the top of the fencing shall be at least 48 inches above the grade measured on the side of the fence which faces away from the pool, but not to exceed 72 inches in height as measured from grade along the line of the fence as installed.
- A. The maximum vertical clearance between grade and the bottom of the fence shall be four inches measured on the side of the fence which faces away from the pool.
 - B. Solid fences which do not have openings, such as masonry or stone wall, shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints.
 - C. Spacing between vertical members of a wood or vinyl fence shall not exceed one and three-quarter inches in width.
 - D. Maximum mesh size for chain link fences shall not exceed one and three-quarter inch square unless the fence is provided with slats fastened at the top or bottom which reduce the openings to no more than one and three-quarter inches.
 - E. In a lattice fence the maximum opening formed by the diagonal members shall be no more than one and three-quarter inches.
 - F. Spacing between vertical members of a decorative metal fence shall be no more than four inches and any gate shall have no opening greater than one-half inch within 18 inches of the release mechanism.
 - G. Access gates to the pool shall be equipped with a lock operated by a key, or combination lock, and shall be locked when not in use. Pedestrian access gates shall open outward, away from the pool, and shall be self-closing and have a self-latching device. Where the release mechanism of a self-latching device is located less than 54 inches from the bottom of the gate, (a) the release mechanism shall be located on the pool side of the gate at least three [inches] below the top and (b) the gate and fence shall have no opening greater than one-half inch within 18 inches of the release mechanism.
- (2) *Aboveground pool fences.* For aboveground pools, fencing shall be the same as required by this section for in-ground pools except that, if the sides of the pool are 42 inches or more above the minimum adjacent grade, and the pool is equipped with a removable ladder or a ladder that folds up and locks in an upright position when the pool is not in use, or the steps or ladder is surrounded by a fence as described in this section, then additional fencing will not be required. If an aboveground pool has a fence at the top of the pool, the maximum vertical clearance between the top of the pool and the bottom of the fence shall not exceed four inches. A 36-inch minimum guardrail conforming to the Residential Code of Ohio is required for any porch, balcony or raised floor surface located more than 30 inches above the floor or grade below.

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

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.
 - (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)

CHAPTER 1111 Sign Standards

Sections:

1111.01 PURPOSE.

The purpose of the sign regulations is to establish permissive standards by which signs shall be regulated relative to time, place and manner.

- (a) The City has determined that the individual user's right to convey a message must be balanced with the public's right to be free of signs which unreasonably compete, distract drivers and pedestrians, and produce confusion. It is the City's intent to provide business and industry in the City with equitable sign standards in accordance with fair competition and aesthetic standards acceptable to the community; to provide the public with a safe and effective means of locating businesses, services and points of interest within the City; and to provide for a safe vehicular and pedestrian traffic environment. This chapter is based on the premise that signs are subject to control as much as noise, odor, debris and other similar characteristics of land use, and that if not regulated, can become a nuisance to adjacent properties or the community in general, or depreciate the value of other properties within the community. To mitigate the potential negative consequences, reasonable limitations on signs are appropriate with respect to the size, height and construction of signs, and the time, place and manner of their display.
- (b) Specifically, the City has determined that regulations for signs are desirable in order to:
 - (1) Prevent or limit traffic and pedestrian accidents, injuries, deaths, and property damages resulting from obstructed vision, distraction or confusion to the public due to the undue proliferation of signs;
 - (2) Minimize the risk of damage and injuries from signs that are dilapidated, structurally deficient, wind-blown or electric shock hazards;
 - (3) Achieve a degree of uniformity in the size, height, number, and placement of signs;
 - (4) Enhance the aesthetics of the City by regulating the amount of time which temporary signs may be displayed, regulating the location of signs relative to public rights-of-way, and regulating the manner that signs are displayed;
 - (5) Visually promote and maintain residential, commercial and industrial districts;
 - (6) Maintain and preserve the City's values in residential, commercial and industrial districts;
 - (7) Prevent blight characterized by oversized, overcrowded, abandoned, and/or dilapidated signs;
 - (8) Eliminate nonconforming signs;
 - (9) Facilitate an equitable, regulatory, and administrative process involving signs located within the City; and,
 - (10) Protect the public's right to receive information protected by the First Amendment of the United States Constitution.

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

1111.02 COMPREHENSIVE SIGN TABLE

The following table summarizes the sign types and features permitted by this Zoning Ordinance.

Table 18: Comprehensive Sign Table														
Key:	Zoning District													
P - Permitted	ER	R-	R-	R-	R-	OF	NC	GC	RI	IM	CON	CMU	CR	Sign Type Standards
Blank - Not Permitted		1	2	3	4									
SIGN TYPE														
Awning or Canopy Sign					P	P	P	P	P	P		P	P	1111.05(d)
Directional Sign					P	P	P	P	P	P	P	P		1111.05(e)
Freestanding Sign					P	P	P	P	P	P	P	P		1111.05(f)
Projecting Sign					P	P	P	P	P	P	P	P		1111.05(g)
Temporary Sign	P	P	P	P	P	P	P	P	P	P	P	P	P	1111.04
Wall Sign					P	P	P	P	P	P	P	P	P	1111.05(h)
Window Sign					P	P	P	P	P	P	P	P	P	1111.05(i)
SIGN FEATURE														
External Illumination	P	P	P	P	P	P	P	P	P	P	P	P	P	
Internal Illumination					P	P	P	P	P	P	P	P		
Changeable Copy					P	P	P	P	P	P	P	P		
Electronic Sign							P	P	P	P				1111.05(j)

Note: Before any permanent sign is erected, moved, altered, or enlarged, it must receive a sign permit.

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

1111.03 PERMANENT SIGN STANDARDS.

The following table summarizes permanent sign standards specific to each sign type established by this Zoning Ordinance. Sign standards are based on the zoning district and the permitted sign types identified in Section 1111.02. Permanent signs are not permitted for one- or two-unit dwellings except as outlined under Section 1111.05(f)(4).

Table 19: Permanent Sign Standards

Key: Blank - Not Applicable					
Sign Type	Maximum Number	Maximum Sign Area	Maximum Height	Maximum Width	Minimum Setback from Right-of-Way
NON-RESIDENTIAL ZONING DISTRICTS (OF, NC, GC, RI, IM, & CON)					
Awning or Canopy Sign	1 per public entrance	50% of awning area	See Section 1111.05(d)(2)	80% of storefront width	
Directional Sign		2 sq. ft.	3 ft.		See Section 1111.05(e)(1)
Freestanding Sign	1 per street frontage	80 sq. ft.	8 ft.		15 ft.
Projecting Sign	1 per street frontage	8 sq. ft.	See Section 1111.05(g)(2)		
Wall Sign	1 per street frontage	50 sq. ft. per street frontage			
Window Sign		20% of window			
CREEKSIDE ZONING DISTRICTS (CMU & CR)					
Awning or Canopy Sign	1 per public entrance	50% of awning area	See Section 1111.05(d)(2)	80% of storefront width	
Directional Sign		2 sq. ft.	3 ft.		See Section 1111.05(e)(1)
Freestanding Sign	1 per street frontage	25 sq. ft.	5 ft.		5 ft.
Projecting Sign	1 per public entrance	16 sq. ft.	See Section 1111.05(g)(2)	4 ft.	
Wall Sign	1 per public entrance	40 sq. ft.			
Window Sign		20% of window			
RESIDENTIAL ZONING DISTRICTS (ER, R-1, R-2, R-3, & R-4)					
Freestanding Sign per Section 1111.05(f)(4)	2 per subdivision entrance	32 sq. ft.	8 ft.		15 ft.

1111.04 TEMPORARY SIGN STANDARDS.

The following table summarizes the temporary sign standards established by this Zoning Ordinance. Temporary sign standards are based on the principal use of the lot.

Table 20: Temporary Sign Standards						
Key: Blank - Not Applicable						
Sign Type	Maximum Number	Maximum Sign Area	Maximum Height	Minimum Setback from Right-of-Way	Maximum Duration	Permit Required
ALL USES (EXCEPT ONE- AND TWO-UNIT DWELLINGS)						
Building Sign	See Note #1	40 sq. ft.			60 consecutive days in a 6 month period (see Note #3)	Yes (see note #4)
Freestanding Sign	See Note #1	15 sq. ft.	10 ft.	10 ft.	30 consecutive days in a 6 month period	Yes (see note #4)
Sandwich Board Sign			5 ft.	See Note #2	See Note #2	No
Window Sign	1 per lot	25% of total window area			60 consecutive days in a 6 month period	No
ONE- AND TWO-UNIT DWELLINGS						
Freestanding Sign	1 per lot	32 sq. ft.	8 ft.	10 ft.	30 consecutive days in a 6 month period	No

Note #1 - No more than two building and/or freestanding signs are permissible per street frontage. Window and sandwich board / A-frame / T-frame signs are not included in this calculation.

Note #2 - Sandwich board / A-frame / T-frame signs shall be located within five feet of a public entrance. Signs shall not obstruct the use of public walkways such as sidewalks. Sign may only be displayed during hours of operation.

Note #3 - Temporary building signs for new businesses actively going through the sign permitting process may be granted an additional 30 days at the discretion of the City's Designee.

Note #4 - Permits are not required for sites zoned Restricted Institutional (RI) or Conservation (CON).

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

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.
 - (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 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 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-premise 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;
 - (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)

1111.06 MASTER SIGN PLANS.

- (a) The intent of a master sign plan (MSP) is to establish uniform sign character and quality that enhances the development. This includes but is not limited to defining consistent standards pertaining to the size, location, height, color, and design of signs for a multi-tenant building or multi-building development.
- (b) All approved master sign plans (MSPs) prior to the adoption of this zoning ordinance are considered in compliance. The City's Designee shall administer and enforce the regulations defined in approved master sign plans, as applicable.
- (c) If a sign regulation is not identified in an approved master sign plan (MSP), then the applicable regulations of this zoning ordinance shall apply.
- (d) All master sign plans shall be reviewed under the provisions of Section 1117.06.
- (e) If an approved Master Sign Plan does not exist for a multi-tenant or multi-building development, tenant signage may be approved if it meets the following criteria:
 - (1) Wall signs shall be limited to a maximum length of 50 percent of storefront width. The maximum height of wall signs, including letters, logos, frames, and all other components of the sign shall not exceed 30 inches in height.
 - A. More than one wall sign may be permitted per tenant. When there is more than one wall sign, the total combined length and height of all the signs shall not exceed the requirements listed above.
 - (2) Window signs shall be limited to a cumulative size of eight square feet.
 - (3) Owner's authorization from the landowner/landlord or their designee shall be required for each sign permit application.
 - (4) Signage not specifically allowed in this section shall be prohibited without an approved Master Sign Plan.

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

1113.01 FLOODPLAIN REGULATIONS.

- (a) *Purpose.* The City of Gahanna, State of Ohio, adopts these floodplain regulations, as permitted by Article XVIII, Section 3, of the Ohio Constitution, in order to promote the health, safety, and general welfare of its citizens and to minimize public expenditures and private losses due to flood conditions.
- (b) *Findings of Facts.* The flood hazard areas of the City are subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare. These flood losses are caused by the cumulative effect of obstructions in areas of special flood hazards which increase flood heights and velocities and, when inadequately anchored, damage uses in other areas. Uses that are inadequately flood proofed, elevated, or otherwise protected from flood damage also contribute to the flood loss.
- (c) *Methods.* In order to accomplish its purposes, these floodplain regulations include methods and provisions for:
 - (1) Restricting or prohibiting uses which are dangerous to health, safety and property due to water hazards, or which result in damaging increases in flood heights or velocities;
 - (2) Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
 - (3) Controlling the alteration of natural floodplains, stream channels and natural protective barriers, which help accommodate or channel floodwaters;
 - (4) Controlling filling, grading, dredging and other development which may increase flood damage; and,
 - (5) Preventing or regulating the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards in other areas.
- (d) *Applicability.* These floodplain regulations shall apply to all areas of special flood hazards within the jurisdiction of the City of Gahanna, Ohio, as identified by the Federal Emergency Management Agency, including any additional flood hazard areas annexed by the City of Gahanna that are not identified on the effective Flood Insurance Rate Map.

The areas of special flood hazard have been identified by the Federal Emergency Management Agency in a scientific and engineering report entitled "Flood Insurance Study, Franklin County, Ohio and Incorporated Areas". This study, with accompanying Flood Insurance Rate Maps with an effective date of August 2, 1995, and any revisions thereto, is hereby adopted by reference and declared to be a part of this Zoning Ordinance. The Flood Insurance Study is on file with the City.

- (e) *Exemption from Filing a Floodplain Use Permit.* An application for a floodplain use permit shall not be required for maintenance work such as roofing, painting, and basement sealing, or for small non-structural development activities (except for filling and grading) valued at less than \$1,000.00. Any proposed action exempt from filing for a floodplain use permit is also exempt from the standards of this chapter.
- (f) *Interpretation.* In the interpretation and application of this chapter, all provisions shall be:
 - (1) Considered as minimum requirements;
 - (2) Liberally construed in favor of the governing body; and,
 - (3) Deemed neither to limit nor repeal any other powers granted under State statutes. Where a provision of this chapter is in conflict with State law, such State law shall take precedence over this chapter.
- (g) *Disclaimer of Liability.* The degree of flood protection required by these floodplain regulations is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods

can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. These floodplain regulations do not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damages. These floodplain regulations shall not create liability on the part of the City of Gahanna, any officer or employee thereof, or the Federal Emergency Management Agency, for any flood damage that results from reliance on this chapter or any administrative decision lawfully made thereunder.

- (h) *General Floodplain Standards.* In all areas of special flood hazards the following standards are required:
- (1) *Anchoring.* All new construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
 - (2) *Construction materials and methods.*
 - A. All new construction and substantial improvements shall be constructed with materials resistant to flood damage.
 - B. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage; and
 - C. All new construction and substantial improvements shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
 - D. Where permitted, fill or other materials shall be protected against erosion by vegetative cover, riprap or bulkheading.
 - (3) *Utilities.* The following standards apply to all water supply, sanitary sewerage and waste disposal systems not otherwise regulated by the Ohio Revised Code:
 - A. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system.
 - B. New and replacement sanitary sewerage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharge from the systems into floodwaters; and,
 - C. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.
 - (4) *Subdivision proposals.*
 - A. All subdivision proposals shall be consistent with the need to minimize flood damage.
 - B. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage.
 - C. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage; and,
 - D. All subdivision proposals shall meet the specific standards of Section 1113.01(j), Subdivisions and Large Developments.
- (i) *Standards in Areas of Special Flood Hazard Without Base Flood Elevation Data.* In all areas of special flood hazard identified as Zone A on the Flood Insurance Rate Map where base flood elevation data are not available from any source, the following provisions apply:

The applicant shall be required to supply the following:

-
- (1) Calculation of water surface elevations and flood protection elevations based upon a hydraulic analysis of the portions of the stream channel and other areas inundated by the base flood. Flood protection elevations shall be one foot above the water surface elevations of the base flood plus the increase in flood heights caused by the proposed development.
 - (2) Computation of the floodway required to convey this flood without increasing flood heights to an extent which would cause substantial upstream or downstream damage to existing or reasonably anticipated future development. Computation of increases in flood heights caused by any encroachment shall be based upon the reasonable assumption that there will be an equal degree of encroachment on both sides of the stream within that reach. Any increase in flood stages attributable to encroachments on the floodplain of any river or stream shall not exceed five-tenths foot at any point along the river or stream.
- (j) *Specific Floodplain Standards.* In all areas of special flood hazards where base flood elevation data have been provided as set forth in Chapter 1113, the following provisions are required.
- (1) *Residential Construction.* New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated to the flood protection elevation.
 - (2) *Nonresidential Construction.* New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated to the level of the flood protection elevation; or, together with attendant utility and sanitary facilities, shall:
 - A. Be flood proofed so that the structure is watertight with walls substantially impermeable to the passage of water to the level of the base flood elevation. In order to be eligible for lower flood insurance rates, the structure should be flood proofed at least one foot above the base flood elevation.
 - B. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and,
 - C. Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the standards of this subsection. Such certification shall be provided to the official as set forth in Section 1117.10(d).
 - (3) *Accessory Structures.* A relief to the elevation or dry flood proofing standards may be granted for accessory structures (e.g., sheds, detached garages) containing 576 square feet or less in gross floor area. Such structures shall meet the encroachment provisions of Section 1113.01(k) and the following additional standards:
 - A. They shall not be used for human habitation;
 - B. They shall be designed to have low flood damage potential;
 - C. They shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters;
 - D. They shall be firmly anchored to prevent flotation; and,
 - E. Service facilities such as electrical and heating equipment shall be elevated or flood proofed.
 - (4) *Enclosures Below the Lowest Floor.* The following standards apply to all new and substantially improved residential and nonresidential structures which are elevated to the base flood elevation using pilings, columns, or posts. Fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding

shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must:

- A. Be certified by a registered professional engineer or architect; or B. Shall meet or exceed the following criteria:
 - 1. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area shall be provided;
 - 2. The bottom of all openings shall be no higher than one-foot above grade; and
 - 3. *Openings may be equipped with screens, louvers, valves or other openings provided that they permit the automatic entry and exit of floodwaters.*
- (k) *Subdivisions and Large Developments.* In all areas of special flood hazard where base flood elevation data have not been provided in accordance with this chapter, the following standards apply to all subdivision proposals, including manufactured home subdivisions and other proposed developments containing at least 50 lots or five acres (whichever is less):
 - (1) The applicant shall provide base flood elevation data performed in accordance with standard engineering practices; and,
 - (2) If division (j)(1) above is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of Section 1113.01(g), General Floodplain Standards, and Section 1113.01(i), Specific Floodplain Standards. (l) *Floodways.* The Flood Insurance Study referenced in Section 1113.01(d) identifies a segment within areas of special flood hazard known as a floodway. Floodways may also be delineated in other sources of flood information as specified in Section 1113.01(d). The floodway is an extremely hazardous area due to the velocity of floodwaters which carry debris, potential projectiles, and erosion potential. The following provisions apply within all delineated floodway areas:
 - (1) Prohibit encroachments, including fill, new construction, substantial improvements, and other development unless a hydrologic and hydraulic analysis performed in accordance with standard engineering practices demonstrates that the proposed encroachment would not result in any increase in flood levels during the occurrence of the base flood discharge.
 - (2) If subsection (1) hereof is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of Section 1113.01(i), Specific Floodplain Standards.
 - (3) Any encroachment within the floodway that would result in an increase in base flood elevations can only be granted upon the prior approval by the Federal Emergency Management Agency. Such requests shall be submitted by the City's Designee to the Federal Emergency Management Agency and shall meet the requirements of the National Flood Insurance Program.
- (m) *Floodways—Prohibited Uses.* The following structures and uses are hereby prohibited in the floodway:
 - (1) Structures designed or used for human habitation;
 - (2) The storage or processing of materials that are pollutants, buoyant, flammable, poisonous, explosive or could be injurious to human, animal or plant life in time of flooding, or that have a high flood damage potential;
 - (3) Garbage and waste disposal facilities including any further encroachment upon the floodway at existing sites; and
 - (4) Any use which will adversely affect the efficiency or unduly restrict the capacity of the channels or floodways of any tributary to the main stream, drainage ditch or any other drainage facility or system.

-
- (n) *Floodways—Permitted Uses.* The following uses may be permitted within the floodway provided that they comply with the provisions of this section and other standards established in this Zoning Ordinance, and any conditions attached by the City's Designee to the issuance of the floodplain permit:
- (1) Agricultural uses such as general farming, pasturing, grazing, outdoor plant nurseries, horticulture, viticulture, truck farming, forestry, sod farming and wild crop harvesting;
 - (2) Industrial-commercial uses such as loading areas and parking areas;
 - (3) Recreational uses such as golf courses, tennis court, driving ranges, soccer fields, baseball diamonds, archery ranges, picnic grounds, boat launching ramps, swimming areas, basketball courts, parks, wildlife and nature preserves, game farms, fish hatcheries, shooting preserves, target ranges, hunting and fishing areas and hiking and horseback riding trails;
 - (4) Residential uses such as lawns, gardens, parking areas and play areas;
 - (5) Circuses, carnivals and similar transient amusement enterprises;
 - (6) Roadside stands;
 - (7) Extraction of sand, gravel and other materials;
 - (8) Navigational and drainage aids, marinas, boat rentals, docks, piers, wharves, and water measuring and control devices;
 - (9) Railroads, streets, bridges, utility transmission lines, underground culverts, pipes and pipelines;
 - (10) Stables;
 - (11) Storage of material or equipment other than that prohibited by these floodplain regulations, provided that such material or equipment is not subject to major damage by floods, is firmly anchored to prevent flotation, is readily removable from the area within the time available after flood warning and before flooding, and does not present and ecological quality risk;
 - (12) Public utility facilities and water-oriented industries which must be adjacent to watercourses, provided that the development is located so that it shall not substantially alter flood flows, heights or velocities of the 100-year flood. Whenever necessary, compensating measures shall be required to be undertaken to offset any adverse effects of allowing the use within the floodway and to keep increases in stages of the 100-year flood within the limits specified in these regulations;
 - (13) Structural works for flood control such as dams, levees, dikes and floodwalls, subject to the issuance of a floodplain use permit. In addition, any proposed structural work in the beds of public waters as defined in Ohio R.C. 1521.06, which shall change the course, current or cross section of the waters shall be subject to the provision of Ohio R.C. 1521.06 and 1521.07, and other applicable statutes;
 - (14) Other uses similar in nature to uses described in this subsection which are consistent with the provisions set out in the purpose clause; and
 - (15) Structures, temporary or permanent, accessory to permitted uses, provided that:
 - A. They have a low flood damage potential;
 - B. They are constructed and placed on the building site so as to offer the minimum obstruction to the flow of floodwaters. Whenever possible, structures shall be constructed with the longitudinal axis parallel to the direction of flood flow; and so far as practicable, structures shall be placed approximately on the same flood flow lines as those of adjoining structures;
 - C. They are firmly anchored to prevent flotation which may result in damage to other structures, restriction of bridge openings and other narrow sections of the stream or river; and

D. Service facilities such as electrical and heating equipment are placed at or above the regulatory flood protection elevation for the particular area or adequately flood proofed.

(o) *Nonconforming Uses.* A structure or the use of a structure or premises which was lawful before June 2, 1973, but which is not in conformity with the provisions of this chapter may be continued subject to the following conditions:

- (1) No nonconforming use shall be expanded, extended, replaced, reconstructed, substituted, changed, enlarged, or altered in the floodway.
- (2) If such use is voluntarily discontinued for two years or more, any future use of the building premises shall conform to this chapter.
- (3) If any nonconforming use, created by this chapter, is destroyed by any means, including floods, to an extent of 50 percent or more of its assessed value, it shall not be reconstructed except in conformity with the provisions of this chapter. The City's designee may permit reconstruction if the use is located outside of the floodway and, upon reconstruction, is adequately flood proofed, elevated, or otherwise protected in conformity with this chapter.
- (4) Repairs and maintenance work required to keep a nonconforming use in sound condition may be made.
- (5) Any alteration or addition to any nonconforming use which would result in substantially increasing its flood damage potential shall be protected by measures in accordance with chapter 1117.10(b)(8).
- (6) Whenever a nonconforming use has been changed to a conforming use, such use shall not thereafter be changed to a nonconforming use.
- (7) Uses or adjuncts thereof or accessory uses which are found by a Court of competent jurisdiction as nuisances shall not be entitled to continue as nonconforming uses.
- (8) The provisions in this section are not intended and shall not be construed to permit greater expansion, extension, enlarging or replacement than is permitted under any existing Zoning Code sections relating to nonconforming uses.

(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 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.
 - (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,
 - F. The variance is not likely to undermine the objectives of the land use plan.
 - G. Whether the variance is substantial and is the minimum necessary to make possible the reasonable use of land or structures.

-
- H. The practical difficulty could be eliminated by some other method, even if the solution is less convenient or more costly to achieve.

 - (4) The Planning Commission may, during the granting of a variance, impose reasonable conditions as deemed necessary to accomplish the purposes of this Zoning Ordinance.
 - (5) A non-dimensional variance shall stay with a use of a 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.
 - (6) 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.
 - (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)

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.
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.
 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.
 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.
 - (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.
 - 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*.
- (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)

1121.01 ENFORCEMENT.

- (a) The City's Designee shall enforce this Zoning Ordinance, including any applications, permits, or similar approvals associated with this Ordinance. It shall be the duty of all officials and employees of the City of Gahanna to assist the City's Designee by reporting to them any new construction, reconstruction, land uses, or apparent violations.
- (b) In case any structure is or is proposed to be located, erected, constructed, reconstructed, enlarged, changed, maintained, or used, or any land is or is proposed to be used in violation of this chapter or any amendment or supplement thereto, the City's Designee, the legal representative of the municipality, or any party in interest who would be specially damaged by such violation, in addition to other remedies provided by law, may institute injunction, mandamus, abatement, on any other appropriate action, actions, proceeding, or proceedings to prevent, enjoin, abate, or remove such unlawful location, erection, construction, reconstruction, enlargement, change, maintenance, or use.

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

1121.03 MAINTENANCE STANDARDS.

- (a) *Building and Structures.* All buildings and structures shall be maintained in a safe, clean, attractive, and sound structural condition at all times in compliance with all requirements of the City of Gahanna, Ohio Codified Ordinances.
- (b) *Landscaping.* The following shall apply to grounds and landscaping:
 - (1) For all zoning districts, grounds and landscaped areas are to be maintained in a healthy condition free of excessive rubbish, overgrowth, and weeds. Lawns must be in a mowed condition during all seasons.
 - (2) For all uses, except for one or two-family dwellings, all plants and landscaped areas shall be maintained in a healthy condition. All dead plant material shall be replaced no later than the next planting season and shall be replaced in kind.
- (c) *Signs.* All signs, permanent or temporary, shall be maintained in a safe, clean and attractive, and sound structural condition at all times free from peeling or missing paint, burned out light bulbs, holes, or broken, cracked, bent, warped, rotted, discolored, sagging, worn, torn, rusted, defective, or missing material parts. If the face of the sign is removed, a blank opaque panel must be installed until such time that new graphics are approved and installed.
- (d) *Fences.* Fences shall be maintained in good condition, be structurally sound, safe, and attractively finished at all times. Any repairs or replacement ordered by the City shall be made within 30 days of the date of the order. Grounds between fences and property lines shall be maintained at all times. Any fence shall be designed, constructed and finished so the supporting members face the property of the owner of the fence. If a fence does not meet these standards, the owner of the property with the fence shall be subject to the penalty.
- (e) *Off-Street Parking Areas.* All off-street parking areas including spaces, driveways, aisles and circulation drives shall be graded and maintained so that water does not drain onto adjacent property. All such surfaced areas shall be kept in a proper state of repair and free of potholes, litter, glass, nails or other hazardous or dangerous materials.

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

1121.06 VIOLATION.

- (a) Any use of land or structures found to be non-compliant with any provision of this Zoning Ordinance shall be declared a violation and a public nuisance.
- (b) Any condition attached to the granting of a permit, approval, or any other determination provided for in this Zoning Ordinance, shall be considered compliant.
- (c) Any person who violates any provision of this Zoning Ordinance shall be guilty of an unclassified misdemeanor and will receive a fine of up to \$500 per offense. Each day during which a violation occurs shall constitute a separate offense. Nothing herein shall prevent the City from taking such other lawful action, including civil actions at law or equity, including temporary restraining orders, preliminary injunctions and permanent injunctions, as is necessary to prevent or remedy any violations.

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

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.

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).

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 (0.5) 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.

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).

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.

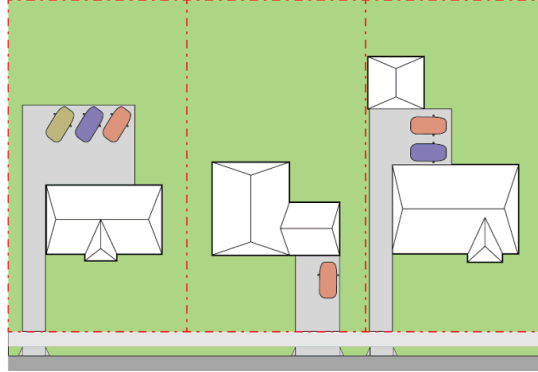
Distributed antenna system (DAS) means a network of spatially separated antenna nodes connected to a common source via a transport medium that provides wireless service within a geographic area or structure which also may or may not contain fiber optic transport and/or landline components.

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

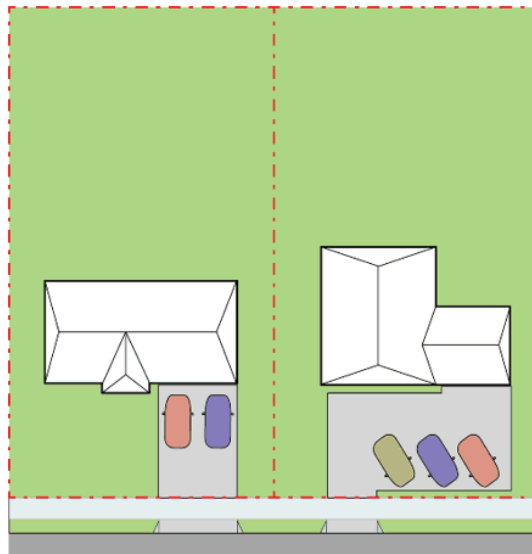
Drainageway means an area of concentrated water flow other than a river, stream, ditch or grassed waterway.

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.

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.

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.

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.
 - 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 shall 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.

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.

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.

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.

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.

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.

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.

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.

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 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:

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.

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).

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 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.

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.

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 most 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 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.

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.
- (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)