Reynoldsburg
OHIO • 1839

Meredith Lawson-Rowe, President
Shanette Strickland, Ward 1
Louis Salvati, Ward 2
Bhuwan Pyakurel, Ward 3
Erin Hill, Ward 4
Barth Cotner, At-Large
Mildred Johnson, At-Large
Stacie A. Baker, At-large

City Council

Council Meeting

7232 East Main Street
Reynoldsburg, OH 43068
www.reynoldsburg.gov

Mollie Prasher, Clerk of Council
614-322-6836

Monday, April 22, 2024	6:30 PM	Council Chambers

1. CALL TO ORDER

2. INVOCATION - Pastor Renee Russell of City Church of Reynoldsburg

3. PLEDGE OF ALLEGIANCE

4. ROLL CALL

5. APPROVAL OF AGENDA

6. APPROVAL OF MINUTES

a. Regular Meeting Minutes of April 8, 2024

7. COMMUNITY COMMENTS

The Community Comments portion of the meeting is an opportunity for citizens to address Council. Citizens may wish to bring matters to the attention of City Council or discuss items on the agenda with the exception of legislation scheduled for a public hearing. Comments related to a public hearing may only be made during the Public Hearing portion of the meeting.

Before addressing City Council, members of the public are asked to complete a speaker's form and give it to the Clerk of Council. The Council President will invite speakers to step to the microphone and give their name and address. All remarks should be addressed to Council as a whole and not exceed three minutes.

a. Parks & Recreation Presentation

8. PROCLAMATIONS

a. A Proclamation Honoring the Reynoldsburg High School Mock Trial Team

b. A Proclamation of Recognition for the Reynoldsburg Raiders Mens' Basketball Team

c. A Proclamation Recognizing Administrative Professional Week & Day by Recognizing City of Reynoldsburg Employees

9. MOTIONS

a. A Motion to Approve the Appointment of Mark Hodge to the Reynoldsburg Tax Board

10. REPORTS

a. Clerk of Court Report

1. Clerk of Court Report for March 2024

b. Development, Parks & Recreation Committee

1. An Ordinance Approving and Authorizing the Execution and Delivery of a Joint Economic Development District Contract by and between Harrison Township and the City of Reynoldsburg, Ohio, and Declaring an Emergency

2. An Ordinance to Amend Ordinance No. 102-18, as Amended by Ordinance No. 174-2021 and Ordinance N0. 124-2023, to Authorize the Use of Service Payments for Public Improvements in Support of Urban Redevelopment

3. An Ordinance to Amend Ordinance No. 137-98, as Amended by Ordinance No. 123-2023, to Authorize the Use of Service Payments for Public Improvements in Support of Urban Redevelopment

4. An Ordinance to Amend Chapter Eleven - Planning and Zoning Code for the City of Reynoldsburg, Ohio

5. An Ordinance Appropriating Funds from the Unappropriated General Fund to the Parks & Recreation Department, and Declaring an Emergency

6. A Resolution Authorizing the Mayor to Sign and Execute a First Amendment for an Assignment and Assumption to the Community Reinvestment Area Agreement Dated December 21, 2022

c. Public Safety, Law & Courts Committee

1. An Ordinance to Amend Chapter 351, Sections 351.01 Police Removal of Vehicles and 351.02 Prohibited Standing or Parking Places of the Codified Ordinances of the City of Reynoldsburg

2. A Resolution Suspending Enforcement of Chapter 723 Tobacco Retail License of the Codified Ordinances of the City of Reynoldsburg

3. A Resolution Suspending Enforcement of Section 302.4 Weeds of Chapter 1711 Property Maintenance Code of the Codified Ordinances of the City of Reynoldsburg, Through the Month of May 2024, Under Certain Conditions

d. There is no Public Service & Transportation Committee meeting.

e. There is no Finance & Administration Committee meeting.

11. RESOLUTIONS - CONSENT AGENDA

a. A Resolution Authorizing the Mayor to Sign and Execute a First Amendment for an

Assignment and Assumption to the Community Reinvestment Area Agreement Dated December 21, 2022

b. A Resolution Suspending Enforcement of Chapter 723 Tobacco Retail License of the Codified Ordinances of the City of Reynoldsburg

c. A Resolution Suspending Enforcement of Section 302.4 Weeds of Chapter 1711 Property Maintenance Code of the Codified Ordinances of the City of Reynoldsburg, Through the Month of May 2024, Under Certain Conditions

12. CONSENT AGENDA FOR FIRST READING

a. An Ordinance to Amend Ordinance No. 102-18, as Amended by Ordinance No. 174-2021 and Ordinance No. 124-2023, to Authorize the Use of Service Payments for Public Improvements in Support of Urban Redevelopment

b. An Ordinance to Amend Ordinance No. 137-98, as Amended by Ordinance No. 123-2023, to Authorize the Use of Service Payments for Public Improvements in Support of Urban Redevelopment

c. An Ordinance to Amend Chapter Eleven - Planning and Zoning Code for the City of Reynoldsburg, Ohio

d. An Ordinance Appropriating Funds from the Unappropriated General Fund to the Parks & Recreation Department

e. An Ordinance Approving and Authorizing the Execution and Delivery of a Joint Economic Development District Contract by and between Harrison Township and the City of Reynoldsburg, Ohio, and Declaring an Emergency

f. An Ordinance to Amend Chapter 351, Sections 351.01 Police Removal of Vehicles and 351.02 Prohibited Standing or Parking Places of the Codified Ordinances of the City of Reynoldsburg

13. OTHER COUNCIL MATTERS

14. UPCOMING MEETINGS

a. May 2, 2024 Planning & Zoning Board
Mary 13, 2024 Council
May 16, 2024 Planning & Zoning Board
May 27, 2024 Memorial Day City Offices Closed
May 28, 2024 Council (**Please note Tuesday meeting.**)

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ADJOURNMENT

Reynoldsburg
OHIO · 1839

MINUTES REGULAR MEETING
REYNOLDSBURG CITY COUNCIL
April 8, 2024

CALL TO ORDER

INVOCATION - Aaron Delong of Simple Church

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT: Cotner, Baker, Johnson, Lawson-Rowe, Strickland, Salvati, Hill
ABSENT: Pyakurel

APPROVAL OF AGENDA

The agenda was approved as submitted.

APPROVAL OF MINUTES

Regular Meeting Minutes of March 25, 2024

The regular meeting minutes of March 25, 2024 were approved as submitted.

COMMUNITY COMMENTS

Mayor Begeny

Mayor Begeny invited The Center for Healthy Families to discuss National Child Abuse Prevention Month.

They greeted the Council by stating that they are members of The Center for Healthy Families' Black Girls' and Young Women's Collective, here on behalf of The Center and the Franklin County Children's Services Malaika and Youth Advisory Board program. They are here today to invite everyone to join in recognizing National Child Abuse Prevention Month. They introduced themselves as Amari Harris, an 11th grade student at Eastland Fairfield Career Center, and Kennedy Wallace, an 11th grade student at Bishop Hartley High School.

Celebrated across the country in April, National Child Abuse Prevention Month is an annual observance to raise awareness about the critical issue of child abuse and neglect in our community and beyond. Child abuse and neglect, also known as child maltreatment, are actions or failures to act by caregivers that cause harm or put children at risk. This can include physical, emotional, or sexual abuse, as well as

neglect, and can occur in a child's home, school, or groups they interact with. They stated that last year Franklin County witnessed nearly 28,000 reports and calls to the Child Abuse Hotline, with over half relating to physical child abuse. When it comes to the topic of child abuse and neglect, it's also important to note that black girls and young women are disproportionately impacted, with many cases going unaddressed or overlooked. In 2021 alone, Franklin County Children Services received reports of more than 7,200 incidents of abuse and/or neglect concerning Black girls - further highlighting the urgent need for targeted support and intervention to protect vulnerable children in our community.

They believe that all Central Ohio community members have an active role to play in ensuring children lead positive, safe, and thriving lives, and that their families and caregivers have the information and support they need to create safe spaces for their children. They stated that we can join them in this mission by displaying a sign and blue pinwheels in the lawn of City Hall to bodily show our support of this important issue. The color blue is inspired by Michael, a 3 year old boy who tragically lost his life due to abuse, represents hope and remembrance for all children affected by these issues.

More than a color, this is a human issue that impacts innocent lives each day. This month is about international action and using our power, our voices, and our networks to advocate for those who can't advocate for themselves. They thanked Council for their time and look forward to working with them in the future on this issue.

Mayor Begeny read the Proclamation.

WHEREAS, Both statewide and nationally, child abuse is considered to be one of our nation's most serious public health problems, with scientific studies documenting the link between the abuse and neglect of children and a wide range of medical, emotional, psychological, and behavioral disorders; and

Whereas, Child abuse prevention and intervention is a community responsibility and finding solutions depends on involvement among all people; and

Whereas, The children of our community are our most precious resource, entitled to be nurtured and protected. These children will grow up to be the next leaders of this community, responsible for the protection of others; and

WHEREAS, Effective child abuse prevention and intervention programs succeed because of partnerships among a variety of entities including but not limited to, schools, faith communities, law enforcement agencies, Child Protective Services, Court Appointed Special Advocates, Children's Advocacy Centers, prosecution agencies, medical professionals, mental health professionals, victim advocates and other community-based non-profit organizations; and

WHEREAS, The only way to combat this great evil is for everyone to take a stand and speak up for those who are unable; and

WHEREAS, We must work together as a community to increase awareness about child abuse and how we can prevent it, because prevention remains the best defense for our children.

NOW, THEREFORE, I, Joe Begeny, Mayor of the City of Reynoldsburg, Ohio proclaim April 2024, as:

CHILD ABUSE AWARENESS AND PREVENTION MONTH
In Reynoldsburg, Ohio and invite all citizens, community agencies, religious organizations, medical facilities, and businesses to increase their participation I efforts to prevent child abuse.

Mayor Begeny stated that along with the school district, there will be a community conversation on safety on April 23rd, from 6pm to 7:30 at Reynoldsburg Community Church.

Mayor Begeny stated that we also have a few events coming up. Saturday, April 13th, will be the Guns and Hoses charity volleyball game between Reynoldsburg Police Department and Truro Township Fire Department at Reynoldsburg Community Church starting at 6pm, doors opening at 5pm. There will also be Earth Day celebrations on April 20th at Pine Quarry and Rodebaugh Park where we will be planting trees. There will also be Arbor Day festivities on April 26th at Rodebaugh Park and Community Clean Up Day on April 26, 2024.

REPORTS

Auditor's Reports

The Auditor’s Office submitted the budget by department and classification for the months of November and December, 2023 and January, 2024.

Auditor's Reports, November, 2023

Auditor's Reports, December, 2023

Auditor's Reports, January, 2024

Development, Parks & Recreation Committee

Reynoldsburg
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This is the Development, Parks & Recreation Committee meeting for April 8, 2024.

Members in attendance are: Councilmember Cotner, Councilmember Hill, Councilmember Johnson, Chair Salvati and President Lawson-Rowe.

An Ordinance Approving and Authorizing the Execution and Delivery of a Joint Economic Development District Contract by and between Harrison Township and the City of Reynoldsburg, Ohio, and Declaring an Emergency

Director Meyer explained that they are requesting to schedule a public hearing that is more than 30 days from now, on May 13. In accordance with the ORC, this Ordinance will be available for public review by the Clerk of Council until then. He stated that we already have five existing JEDDs with Etna Township, but this new JEDD would be with Harrison Township, which is not contiguous to Reynoldsburg. That means that it is unlikely there is a chance to annex or grow into there. What a JEDD does is to allow income tax to be levied in an area that is not within a city. He explained that we are the top choice because we have a 2.5% income tax compared to other communities around us that have lower rates. He stated that the last JEDDs we negotiated, for example JEDD 7, the City received 3% of the gross received for administrative fees and then 15% of the net, but with this proposal we will be getting 5% of the gross and 15% of the net proceeds, which would be more than enough to cover our costs. This is in Southwest Licking School District and the school district is on board with this, and they would receive 30% of the gross. The site is about 190 acres with three parcels, with two parcels that are planning to be industrial with the rest unknown at that time.

Councilmember Baker thanked them for negotiating 5% instead of the standard 3%.

Councilmember Salvati asked about this agreement involving the CRA and if it would make the agreement more complicated. Director Meyer stated that we will not deal with the CRA portion of it since that would go to the County. Attorney Shook stated that of the JEDDs we currently have, only JEDD 7 does not have a 100% CRA exemption and, because there is not a 100% CRA exemption, there is no percentage given to the school out of the gross revenue.

Councilmember Strickland asked about having a representative and the additional meetings. Director Meyer said it would be similar with a JEDD board with a representative from Reynoldsburg, Harrison Township, and the school district.

This item has been included in committee for an introduction, it will be brought back to committee for further discussion at the May 13th meeting.

An Ordinance Assuming Maintenance Responsibility for the Full Width of

Summit Road Between the Southern Most Boundary of Parcel Number 011-026598-00.003 and the Northern Most Boundary of Parcel Number 0011-26598-00.22 upon Annexation of Said Parcels into the City of Reynoldsburg, Agreeing to Cooperate in the Maintenance of Said Roadway, and Indemnifying the Township of Etna and Licking County, and Declaring an Emergency

Director Meyer explained that the greenspace near Summit High School was previously annexed into the City, but the road was not included in that annexation. They are now trying to take responsibility for the entirety of that road. This Ordinance and area are also connected to a sewer grant we received that has a specific deadline, so that is why they are requesting a single read emergency for this legislation.

Councilmember Salvati moved to forward this Ordinance to Council for a first reading and emergency approval. Second by Councilmember Hill. Motion carried.

There is no Public Safety, Law & Courts Committee meeting.

There is no Public Service & Transportation Committee meeting.

There is no Finance & Administration Committee meeting.

CONSENT AGENDA FOR EMERGENCY ADOPTION

RESULT:	**PASSED (UNANIMOUS)**
MOVER:	Salvati
SECONDER:	Strickland
AYES:	Cotner, Baker, Johnson, Lawson-Rowe, Strickland, Salvati, Hill

An Ordinance Authorizing the Transfer and Appropriation of Funds from the General Fund (110) to the Federal Forfeiture Fund (294), and Declaring an Emergency

An Ordinance Assuming Maintenance Responsibility for the Full Width of Summit Road Between the Southern Most Boundary of Parcel Number 011-

026598-00.003 and the Northern Most Boundary of Parcel Number 0011-26598-00.22 upon Annexation of Said Parcels into the City of Reynoldsburg, Agreeing to Cooperate in the Maintenance of Said Roadway, and Indemnifying the Township of Etna and Licking County, and Declaring an Emergency

OTHER COUNCIL MATTERS

Councilmember Baker hoped that everyone enjoyed the eclipse today and noted that his kids were very excited to witness it. He thanked Reynoldsburg Police Department, doctors, nurses, teachers, and those who work in retail. He also congratulated the men's volleyball team on their win.

Councilmember Strickland thanked Franklin County Water and Soil Conservation District along with Reynoldsburg Parks and Rec and everyone else that came out to Civic Park on Saturday for a community clean up.

UPCOMING MEETINGS

As there was no further business, President Lawson-Rowe adjourned the meeting.

_____
Meredith Lawson-Rowe, Council President

_____
Mollie Prasher, Clerk of Council

STAFF REPORT
REYNOLDSBURG CITY COUNCIL

DATE: April 22, 2024

RE: A Proclamation Honoring the Reynoldsburg High School Mock Trial Team

APPROVALS:

Mollie Prasher

EMERGENCY:

REASON FOR EMERGENCY:

STAFF REPORT:

A Proclamation of Recognizing the Reynoldsburg Mock Trial Team

Whereas, the achievements of the Reynoldsburg Mock Trial team highlight the commitment, spirit, and pride of the Reynoldsburg community and should be recognized; and

Whereas, the Mock Trial team is made up of Team Attorneys Senai Alem, Roshan Dhital, Brandon McKay, and Isaiah Nire; Team Witnesses Lauren Johnson, Kaitlyn Lloyd, Nia McLaughlin, and Rolf Talieh; and Team Baliff Danielle Moorman; and

Whereas, this Raider team had an extremely competitive year qualifying for the Ohio regional competition with the following members earning individual awards – Isaiah Nire, Regional and District Outstanding Attorney; Brandon McKay, District Outstanding Attorney; Nia McLaughlin, Regional and District Outstanding Witness; and Rolf Talieh District Outstanding Witness; and

Whereas, this team showed commitment and dedication to the team and to each other, especially as first-time participants; and

Whereas, the Team Advisors also need recognition for their hard work in leading and supporting this successful team – Laura Fischer, Darrin Leist, and Chris Shook; and

Whereas, Ohio Mock Trial offers an innovative approach to learning the law and how our legal system functions. Guided by teachers, volunteers, legal students, students participate in an original, unscripted simulated trial arguing both sides of the case in real courtrooms across the

state; and

Whereas, it is important for the Reynoldsburg City Council to recognize this team's achievement and express our pride in the young people you are.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF REYNOLDSBURG:

That City Council and staff do hereby acknowledge and applaud the Reynoldsburg Mock Trial team on their success and triumph in making the Ohio regional competition.

STAFF REPORT
REYNOLDSBURG CITY COUNCIL

DATE: April 22, 2024

RE: A Proclamation Recognizing Administrative Professional Week & Day by Recognizing City of Reynoldsburg Employees

APPROVALS:

Mollie Prasher

EMERGENCY:

REASON FOR EMERGENCY:

STAFF REPORT:

This proclamation recognizes the City of Reynoldsburg employees for Administrative Professional Week and Day

A PROCLAMATION ADMINISTRATIVE PROFESSIONAL DAY & WEEK BY RECOGNIZING REYNOLDSBURG CITY EMPLOYEES

WHEREAS, administrative professional play an essential role in coordinating the office operations of government institutions and make up one of the largest segment of the world's workforce; and

WHEREAS, the work of administrative professionals today require advanced knowledge and expertise in communications, computer software, office technology, project management, organization, customer service, and other vital office management responsibilities; and

WHEREAS, Administrative Professionals Week is observed annually in workplaces around the world to recognize the important contributions of administrative support staff and is sponsored by the International Association of Administrative Professionals; and

WHEREAS, Administrative Professionals Week and Day focus on honoring the office professionals who make the office work, reflecting the integral and central role that office professionals play in modern government; and

WHEREAS, Administrative Professionals Week is celebrated April 21 – 27, 2024 with Administrative Professional Day celebrated on April 24, 2024 with a theme of Rising Together;

and

WHEREAS, this Council is extremely proud of the talented and highly skilled Administrative Professional staff and officially recognizes and appreciates their hard work for the citizens of the City of Reynoldsburg**; and**

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Reynoldsburg, **we do hereby recognize the week of**

April 21-27 as Administrative Professionals Week and
April 24th as Administrative Professionals Day and

in observance of the City of Reynoldsburg's Administrative Professionals City Council hereby salutes the valuable contributions of our Administrative Professionals in the workplace. City Council calls on all employers to support continued training and development for administrative staff, recognizing that a well-trained workforce is essential for the success of today's business world.

STAFF REPORT
REYNOLDSBURG CITY COUNCIL

DATE: April 22, 2024

RE: Clerk of Court Report

APPROVALS:

Mollie Prasher

EMERGENCY:

REASON FOR EMERGENCY:

STAFF REPORT:

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STAFF REPORT
REYNOLDSBURG CITY COUNCIL

DATE: April 22, 2024

RE: Clerk of Court Report for March 2024

APPROVALS:

Mollie Prasher

EMERGENCY:

REASON FOR EMERGENCY:

STAFF REPORT:

I am submitting monies collected from the courts held on 3/7, 3/14, 3/21 and 3/28/24. I am also submitting monies collected during the same period pursuant to City Ordinance No/s. 146-94 and 104-02.

Fines &Waivers/Bond Costs/OLF Releases/Bond Forfeitures Order In	(#110.4512)	$ 8,705.00
Court Costs & Misc. Costs Assessed	(#110.4510)	$ 8,784.00
Sub-Total (To General Revenue Fund)		$ 17,489.00
Computerization Needs Fund	(#211.4510)	$ 1,296.00
Enforcement & Education Fund	(#293.4616)	$ 0.00
Sub-Total		$ 1,304.00
Total Amount Submitted		**$ 18,785.00**

STAFF REPORT
REYNOLDSBURG CITY COUNCIL

DATE: April 22, 2024

RE: An Ordinance Approving and Authorizing the Execution and Delivery of a Joint Economic Development District Contract by and between Harrison Township and the City of Reynoldsburg, Ohio, and Declaring an Emergency

APPROVALS:

Joe Begeny
Stephen Cicak
Chris Shook
Mollie Prasher

EMERGENCY:

three-read emergency

REASON FOR EMERGENCY:

financial needs of the City

STAFF REPORT:

AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF A JOINT ECONOMIC DEVELOPMENT DISTRICT CONTRACT BY AND BETWEEN HARRISON TOWNSHIP AND THE CITY OF REYNOLDSBURG, OHIO AND DECLARING AN EMERGENCY

WHEREAS, Harrison Township (the "Township") and the City of Reynoldsburg (the "City") desire to facilitate new and expanded growth for commercial and economic development in the State and in the Joint Economic Development District (JEDD) for their mutual benefit and for the benefit of their residents and the State of Ohio; and

WHEREAS, the Township is located in Licking County, Ohio and the City is located in Franklin, Licking, and Fairfield Counties, Ohio, and both are political subdivisions of the State of Ohio; and

WHEREAS, the Township and the City desire to enter into the proposed JEDD Contract to share in the costs of improvements for the JEDD for the purpose of facilitating new and expanded growth for commercial and economic development in the State of Ohio, and to create or preserve jobs and employment opportunities and to improve the economic welfare of

the people located in the Township and the City all in accordance with Ohio Revised Code Section 715.72; and

WHEREAS, the Township and the City wish to provide a mechanism whereby income tax revenue can be generated from the economic activities conducted within the JEDD to be used for the purposes of the JEDD and for the purposes of the Township and the City, all of which the Township and the City hereto acknowledge will operate to facilitate new or expanded growth for commercial and economic development in the State of Ohio, to create or preserve jobs and employment opportunities, to improve the economic welfare of the people of the State of Ohio, the Township and the City, and to preserve and promote the general public welfare of the Township's and the City's residents either directly or indirectly; and

WHEREAS, pursuant to Ohio Revised Code Section 715.72, the Township and the City are authorized to negotiate a Joint Economic Development District Contract (the "JEDD Contract") creating the Harrison-Reynoldsburg Joint Economic Development District encompassing the real property described and depicted in Exhibit A and B to the JEDD Contract; and

WHEREAS, pursuant to Ohio Revised Code Section 715.72, the Township and the City each have published a notice of the time and place of a public hearing regarding the JEDD Contract to be held by the Township and the City respectively; and

WHEREAS, since the publication of those notices, there has been on file with the Township's Fiscal Officer and the City's Clerk of Council available for public inspection: (i) a copy of the proposed JEDD Contract, (ii) a description of the area or areas to be included in the JEDD, including a map in sufficient detail to denote the specific boundaries of the area or areas of the JEDD, and (iii) an economic development plan for the JEDD that includes a schedule for the provision of any new, expanded, or additional services, facilities, or improvements; and

WHEREAS, this day this Council held the City's public hearing regarding the proposed JEDD Contract that allowed public comment and recommendations regarding the JEDD Contract; and

WHEREAS, this Council hereby approves and authorizes the execution and delivery of the JEDD Contract by and between the City and the Township, finding the same to be in the best interests of the City.

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF REYNODLSBURG, COUNTIES OF FRANKLIN, LICKING, AND FAIRFIELD, STATE OF OHIO THAT:

Section 1. The creation of the JEDD pursuant to the JEDD Contract, attached hereto as Exhibit 1 and incorporated herein by reference, will facilitate new and expanded growth for commercial and economic development in the State of Ohio and in the JEDD.

Section 2. The JEDD Contract attached hereto as Exhibit 1 and incorporated herein by reference, is approved and the Mayor is hereby authorized to sign and deliver that JEDD Contract to the Township Fiscal Officer.

Section 3. The economic development plan for the JEDD now on file with the Clerk of Council

is hereby approved.

Section 4. The Mayor, the City Auditor, the City Attorney, and Clerk of Council are authorized to execute and deliver such instruments and certificates, and to take such actions as are necessary to effect the creation of the JEDD or to effect the provisions of the JEDD Contract.

Section 5. The Mayor is hereby authorized to execute the Development and Compensation Agreement by and between the City, the Licking County Board of County Commissioners, the Harrison Township Board of Trustees and S.R. 158, LLC.

Section 6. All formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance, and all deliberations of this Council and of any committees that resulted in formal actions, occurred in meetings open to the public in compliance with the Ohio Revised Code.

Section 7. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and financial needs of the City, wherefore this Ordinance shall take effect immediately upon its passage and the Mayor's signature.

DEVELOPMENT AND COMPENSATION AGREEMENT

This Development and Compensation Agreement (this "Agreement") is made and entered into effective the _____day of _____, 2024, by and among the City of Reynoldsburg (the "City"), a political subdivision of the State of Ohio; Harrison Township, Licking County, a political subdivision of the State of Ohio, through its Board of Trustees (the "Township"); Licking County, a political subdivision of the State of Ohio, through its Board of County Commissioners (the "County"); the Southwest Licking Local School District, a political subdivision of the State of Ohio through its Board of Education (the "School District"); the Career and Technical Centers of Licking County, a political subdivision of the State of Ohio through its Board of Education ("C-Tec"); and S.R. 158, LLC, an Ohio limited liability company, along with its successors, nominees, assigns, and/or affiliates (collectively, the "Developer").

WITNESSETH:

WHEREAS, pursuant to Ohio Revised Code ("R.C.") Section 3735.671, the County has entered into a Community Reinvestment Area Agreement with the Developer (the "CRA Agreement," substantially in the form attached hereto as Exhibit A), under which the County is providing a fifteen (15) year, 100% exemption for the assessed valuation of new structures at the Project Site (as defined in the CRA Agreement); and

WHEREAS, pursuant to R.C. Section 715.72 *et seq.*, the Township and the City have entered into a Joint Economic Development District Contract (collectively with all amendments, the "JEDD Contract", attached hereto as Exhibit B), under which the Township and the City have agreed to share in the costs of improvements for an area that they designate as a joint economic development district (the "JEDD") for the purpose of facilitating new or expanded growth for commercial or economic development in the state; and

WHEREAS, the JEDD includes the entirety of the Project Site, as well as approximately 20.5 additional acres located adjacent to the Project Site and identified as Lots (1) – (6) on Exhibit A to the JEDD Contract (the "Retail Project Site"); and

WHEREAS, the Township has passed or will pass a tax increment financing ("TIF") resolution (with all amendments, the "TIF Resolution", substantially in the form attached hereto as Exhibit C) declaring the increase in assessed value of the parcels of real property comprising the Project Site to be a public purpose and exempt from real property taxation; provided, however, that the exemption provided pursuant to the TIF Resolution shall not apply to the assessed value of any structures exempted under the CRA Agreement for the period and to the extent that the structures are exempt under the CRA Agreement and, provided, further, that the TIF shall be implemented on a non-school basis such that the Township will hold the School District and C-Tec harmless with respect to the TIF (in other words, pursuant to R.C. 5709.75(C)(1), the Township will pay the School District and C-Tec what they would have received in real property taxation from the Project Site, but for the TIF); and

WHEREAS, the Boards of Education of the School District and C-Tec have waived all applicable notice requirements in connection with the CRA Agreement and the TIF Resolution

and have approved the CRA Agreement and the TIF Resolution and the real property tax exemptions provided for therein; and

WHEREAS, in connection with the School District's and C-Tec's waiver of all applicable notice requirements and their approval of the CRA Agreement and the TIF Resolution and the real property tax exemptions provided for therein, the City and the Township have entered into or will enter into the JEDD Contract; and

WHEREAS, pursuant to R.C. Section 5709.82, the County, the Township, the City, the School District, C-Tec and the Developer are entering into this Agreement to provide for compensation for tax revenue foregone as a result of the exemptions set forth in the TIF Resolution and the CRA Agreement; and

WHEREAS, because compensation will be provided to the School District and C-Tec through the JEDD Contract, it is necessary to make the City a party to this Agreement; and

WHEREAS, the parties recognize that the exact legal and financing structure used by the Developer in developing, equipping, and operating the Project (as defined in the CRA Agreement) may include additional legal entities and may evolve prior to and during the development of the Project; and

NOW, THEREFORE, in consideration of the premises and covenants contained herein and the benefit to be derived by the parties from the execution hereof, the receipt and sufficiency of which are hereby acknowledged, the parties herein agree as follows:

1. Approval of Exemption Agreements and Future Good Faith Negotiation

The County hereby affirms its approval of the CRA Agreement, including the fifteen (15) year, 100% real property tax exemptions provided therein.

2. Establishment and Operation of JEDD for the Project Site Only (Not Including the Retail Project Site) and TIF; Other Sources

A. The City and the Township have entered into or will enter into the JEDD Contract in accordance with R.C. 715.72 *et seq*.

B. The parties agree that the purpose of the JEDD Contract is to facilitate economic development to create or preserve jobs and employment opportunities and to improve the economic welfare of the people in the State, the City, the County, the Township, and the JEDD. The City and Township further acknowledge that economic development incentives, such as property tax incentives and tax increment financing, and economic development investments, such as public infrastructure investments and arrangements to fully or partially reimburse developers or end users for certain public infrastructure investments, can play a critical role in competitively positioning the City and Township to attract jobs and economic growth.

C. The JEDD Board of Directors (the "JEDD Board") has adopted or will adopt a resolution to levy an income tax at a rate of two and one half percent (2.50%) within the JEDD, which is the current rate levied by the City. The income tax shall be used for the purposes of the

JEDD and for the purposes of the City and Township pursuant to the JEDD Contract and in accordance with this Agreement. The income tax is levied in the JEDD based on income earned by persons working in the JEDD and on the net profits of businesses located in the JEDD. The rate of the income tax shall remain two percent (2.50%) and shall not change to equal the highest rate of the income tax levied by the City (if said highest rate is increased above 2.50%), or some rate in excess of two and one half percent (2.50%), but less than said highest rate, unless hereafter authorized by a duly approved and executed resolution adopted by the Township Board of Trustees. In the event that that the income tax rate within the JEDD is reduced to below two and one half percent (2.50%), the approvals and consents of the School District and C-Tec hereunder and waiver of statutory rights with respect to the CRA and TIF shall be immediately revoked. The income tax shall be administered, collected, enforced and distributed by the City. The City and the Township agree that the JEDD income tax shall be levied at the rate set forth in this paragraph for no fewer than thirty (30) years after the Project is complete, provided, however, that the City and Township are not prohibited by law from extending the term of the JEDD Contract

D. From the revenue generated by the Project Site only (i.e., not including the Retail Project Site), the City and the Township shall cause the JEDD income tax revenues less refunds (the "Gross Revenue") to be distributed in accordance with this paragraph, beginning on the effective date of the JEDD Contract providing for such distribution, which the City and Township shall cause to be no later than July 31, 2024. The distributions described shall be made at least quarterly, no later than thirty (30) days after the end of each calendar quarter, based on the Gross Revenues collected by the City and deposited into the established City JEDD Fund (the "JEDD Fund") at the end of such calendar quarter. Within the JEDD Fund, the Gross Revenue shall be utilized to (1) pay the City an amount equal to, if any, the Southwest Licking Local School District Payment ("SWLLSD Payment"), described below, for distribution by the City to the School District within thirty (30) days of receipt by the City, (2) pay the City an amount equal to, if any, the Career and Technical Centers of Licking County Payment (the "C-Tec Payment"), described below, for distribution by the City to C-Tec within thirty (30) days of receipt by the City, (3) repay the City and Township the costs incurred to establish or defend the existence of the JEDD, if any, until paid in full, on a pro rata basis based on such costs, (4) pay the JEDD Board in an amount sufficient to pay the outstanding or expected expenses of the operations of the JEDD for that quarter in accordance with the budget and appropriations resolution (as amended from time to time) of the Board, and for the long term maintenance of the JEDD, in an amount not to exceed two percent (2%) of the Gross Revenue, and (5) pay the City an amount not to exceed five percent (5%) of the Gross Revenue to pay the City's expenses to administer the JEDD income tax.

The SWLLSD Payment is in consideration for the School District's approval of the CRA Agreement and TIF Resolution and is an amount equal, for the period during which it is due pursuant to this paragraph, to thirty percent (30%) of the Gross Revenue. The SWLLSD Payment shall be due for a period of not less than thirty (30) years.

The C-Tec Payment is in consideration for C-Tec's approval of the CRA Agreement and TIF Resolution and is an amount equal, for the period during which it is due pursuant to this paragraph, to three percent (3%) of the Gross Revenue. The C-Tec Payment shall be due for a period of not less than thirty (30) years.

The amount of Gross Revenue remaining from the Project Site (i.e., not including the Retail Project Site) following these payments (the "Net Revenue") shall be distributed quarterly in the manner outlined in this paragraph. For the duration of the JEDD Contract, the Net Revenue shall be distributed as follows: (1) to the City, an amount equal to fifteen percent (15%) of the Net Revenue; (2) to the Board Improvement Account (as defined in the JEDD Contract), an amount equal to ten percent (10%) of the Net Revenue; (3) to the County, an amount equal to fifteen percent (15%) of the Net Revenue for fifteen (15) years, and ten percent (10%) of the Net Revenue thereafter; (4) to the Licking County Transportation Improvement District (the "TID"), an amount equal to five percent (5%) of the Net Revenue; and (5) to the Township, an amount equal to the Net Revenue minus the sum of the amount paid to the City, the Board Improvement Account, the County, and the TID pursuant to this paragraph.

For the sake of clarity, the percentages set forth above are percentages of the Net Revenue (i.e., after the payments described in the first paragraph of this Section 2(D)). For example, if the amount of JEDD income taxes collected in a particular year during the first 30 years is $100,000, the distributions would be as follows (assuming no refunds and no outstanding JEDD startup costs):

Payment	**Amount**	**% of Gross Revenue**	**% of Net Revenue**
SWLLSD Payment	$30,000	30%	N/A
C-Tec Payment	$3,000	3%	N/A
JEDD Maintenance	$2,000	2%	N/A
City Admin	$5,000	5%	N/A
City General	$9,000	9%	15%
Board Improvement Account	$6,000	6%	10%
County	$9,000	9%	15%
TID	$3,000	3%	5%
Township	$33,000	33%	55%
Totals	**$100,000**	**100%**	**100%**

The Gross Revenue generated from the Retail Project Site shall be distributed as follows: (1) to repay the City and Township the costs incurred to establish or defend the existence of the JEDD, if any, until paid in full, on a pro rata basis based on such costs, (2) to pay the JEDD Board in an amount sufficient to pay the outstanding or expected expenses of the operations of the JEDD for that quarter in accordance with the budget and appropriations resolution (as amended from time

to time) of the Board, and for the long term maintenance of the JEDD, in an amount not to exceed two percent (2%) of the Gross Revenue, (3) to pay the City an amount not to exceed five percent (5%) of the Gross Revenue to pay the City's expenses to administer the JEDD income tax, and (4) to pay the Township the total amount of Gross Revenues remaining after the distributions in (1) – (3) above. No SWLLSD Payment or C-Tec Payment shall be due with respect to Gross Revenues generated from the Retail Project Site.

The City shall make provision in each annual appropriation measure for the payments from the JEDD Fund required by this Agreement. The City also shall use its best efforts to track JEDD income tax revenue and report such receipts to the JEDD Board on at least a quarterly basis.

In order to facilitate proper distribution of revenue, the Developer agrees to require any contractor working directly or indirectly for the Developer (e.g., including general contractors and subcontractors working on construction contracted for by the Developer) on the Project Site and any tenant who conducts business on the Project Site to report other business activity within the JEDD that is not on the Project Site. If the Developer, contractor, and/or tenant is conducting business that generates income tax revenue on the Project Site and on another parcel located in the JEDD, the Developer, contractor, and/or tenant shall specify on a separate form the amount of income tax, whether from wage withholding or net profit tax, generated specifically from both the Project Site and revenue generated from business activity within the JEDD that is not on the Project Site on a form submitted directly to the City Tax Administrator. This form shall be provided within ten (10) days after the tax reporting date to the Regional Income Tax Agency. In addition, the Developer shall require all tenants operating at the Project Site to report annually the number of employees and amount of payroll at the Project Site to the City upon reasonable request.

The parties recognize the City cannot guarantee the accuracy of reporting under this provision. If the Developer, contractor, and/or tenant should fail to report income tax as set forth in this provision or report such income tax inaccurately, the parties agree the City is not responsible for any discrepancy for which the City did not have notice or opportunity to remedy.

E. The Developer agrees to expend up to $6,800,000 to construct or cause to be constructed, certain public infrastructure improvements, as described and defined in the Tax Increment Financing Agreement (the "TIF Agreement") between the Developer and the Township (collectively, the "Developer Infrastructure Improvements"). The City, the Township, and the County shall cause the JEDD Board and the Board of Trustees of the Township to negotiate in good faith with the Developer and enter into an agreement or agreements that will directly or indirectly reimburse – including, but not limited to, through the issuance of bonds by entities other than the Township contingent upon approval of Township – the Developer for all of the items of "costs of permanent improvements" set forth in R.C. Section 133.15(B) incurred directly or indirectly by the Developer or its designees for the Developer Infrastructure Improvements (the "Costs") that are not reimbursed from any other source up to a maximum reimbursement from all sources of $6,800,000 to the Developer. Prior to constructing any Developer Infrastructure Improvements, the Developer shall submit an engineer's cost estimate setting forth the Costs of each Developer Infrastructure Improvement for which a reimbursement will be sought to the JEDD Board from JEDD funds and the Board of Trustees of Township from TIF funds for approval of reimbursement from JEDD funds or TIF funds, respectively, in accordance with reimbursement agreements with those entities and this Agreement. Notwithstanding the foregoing, if the County,

the Township, and/or any other governmental entity requires the Developer to construct additional "public infrastructure improvements" as defined in R.C. Section 5709.40(A)(8) in connection with the Project not included above, which benefit at least in part other properties or the public in general, or if the anticipated Costs of the Developer Infrastructure Improvements exceeds the engineer's cost estimates that were submitted and approved as set forth below by a material amount as reasonably determined by the Developer, the parties hereto agree to negotiate in good faith for the reimbursement of such additional Costs.

The reimbursement shall be from a combination of Net Revenue deposited into the Board Improvement Account, TIF service payments, and certain other amounts and shall take place in accordance with the following:

a. The Township agrees that the net TIF service payments generated by the parcels comprising the Project Site (after a portion of the TIF service payments are paid to the School District and C-Tec as provided in the TIF Resolution, which portion shall equal the amount the School District and C-Tec would have received, but for the TIF pursuant to R.C. 5709.75(C)(1)) shall be deposited into the Harrison Township Tax Increment Equivalent Account #1 (the "TIF Account") of the Harrison Township Public Improvement Tax Increment Equivalent Fund created in the TIF Resolution. The Township agrees that the net TIF service payments deposited into the TIF Account shall be used to reimburse the Developer for its Costs associated with the Developer Infrastructure Improvements until it is fully reimbursed for such Costs, after which the TIF service payments shall be used by the Township for any lawful purpose. The Township represents to the Developer that the only entities with a right to revenue from the TIF Resolution are those described in this Section 2.E.a. The County represents to the Developer that it has not enacted a tax increment financing resolution with respect to any portion of the Project Site.

b. The parties hereto agree that with respect to the amounts to be paid to the Developer from the JEDD Board from Net Revenue deposited into the Board Improvement Account pursuant to the funding requirements in Section 2.D above for distribution of JEDD income tax revenues to pay Costs (i.e., not including any additional amounts deposited into the Board Improvement Account by the Township from revenue generated by the Retail Project Site or others) (the "Net BIA Deposit"), the reimbursement for Costs paid to the Developer for each year by the JEDD Board shall be as follows: (i) through the end of the fifth calendar year after the first calendar year in which a new building at the Project Site is first occupied by a tenant or end user – 95% of the amount of the Net BIA Deposit, (ii) for the next five (5) calendar years – 75% of the amount of the Net BIA Deposit, and (iii) in all years thereafter until the Developer is fully reimbursed under the agreement or agreements entered into under this Section – 50% of the amount of the Net BIA Deposit. The Developer shall receive a reimbursement from the Township of a sum equal to 75% of the amount deposited into the TIF Account until the Developer is fully reimbursed under the agreement or agreements entered into under this Section. For the sake of clarity, the reimbursement set forth in this section applies to the total balance of the Net BIA Deposit and the TIF Account at the time that reimbursement is requested, and not solely to amounts paid into the Net BIA Deposit or received by the TIF Account in any one reimbursement year.

c. The specific terms associated with the reimbursement of the Developer from TIF revenues and the Net BIA Deposit shall be memorialized in one or more infrastructure reimbursement agreements or other agreements with the Township and the JEDD Board,

including, but not limited to, the TIF Agreement. In addition, the Developer, the City, the County, and the Township shall cooperate with each other to secure other funding sources for the public infrastructure improvements constructed by or on behalf of the Developer, including, but not limited to, 629 Grants, other State grants, and State Infrastructure Bank financing.

F. The term of the JEDD Contract is fifty (50) years, provided, however, that if the City and Township agree in writing, the JEDD Contract may be terminated after thirty (30) years; however, the Township hereby agrees it shall not seek termination for a period prior to thirty (30) years from the date of commencement of the exemption from taxation pursuant to the CRA Agreement for the Project Site. Additionally, the JEDD Contract shall automatically renew for two (2) additional twenty-five (25) year terms, unless the City or Township provides written notice of termination not later than two (2) years prior to the expiration of the original term or each additional term.

G. The JEDD Board shall consist of five members, one member representing the City, one member representing the Township, one member representing the owners of businesses located within the JEDD, one member representing the persons working within the JEDD, and one member selected by the other members to serve as chairperson of the Board.

H. The City and the Township agree not to remove any portion of the Project Site from the JEDD without the prior written consent of the Developer, its successors and/or assigns. In the event that any portion of the Project Site is removed from the JEDD without School District approval, School District consent to the CRA and TIF hereunder and waiver of its statutory rights to notice and compensation with respect to the same shall be immediately deemed revoked for the portion of the Project Site that is removed. In the event that territory is added to the JEDD, the City and the Township agree that the JEDD income tax revenues deposited into the Board Improvement Account with respect to the Project Site shall be segregated from the income tax revenues generated from the added property, and shall remain subject to reimbursement as described in Section 2(E)(b) hereof.

I. The Developer may impose an assessment or similar charge on the Project Site through the recording of a declaration of covenants, imposition of a deed restriction, or imposition of a contractual obligation on owners or lessees of the Project Site. This charge shall be equal to not more than 10 mills multiplied by the assessed value of the applicable portions of the Project Site, and shall remain in place for a minimum of thirty (30) years. The proceeds of the charge shall be used for Developer Public Infrastructure, general maintenance and related costs.

3. <u>Township Compensation Payments</u>

A. The Township agrees that the payments it will receive through the City pursuant to Section 2.D of this Agreement shall be the only compensation it is obligated to receive attributable to tax revenue foregone as a result of the CRA Agreement. The Township agrees not to seek additional payments from the County, the City, or the Developer in connection with the Project (as defined in the CRA Agreement), this Agreement, the CRA Agreement, or the JEDD Contract; provided, however, this section shall not prohibit the Developer from making voluntary payments or voluntary in-kind contributions.

B. Pursuant to R.C. 5709.82(B)(1), the Township expressly consents to the amounts to be received by it under the terms of this Agreement, irrespective of the relationship of the amounts to be received under this Agreement to the tax revenue foregone by it under the CRA Agreement.

C. The Developer agrees that if any portion of the Project Site or a business owner within the Project Site opts out of the JEDD, all sums for taxes previously abated pursuant to the CRA Agreement shall be paid with accrued interest to entities to whom such taxes would have been distributed in proportion to the amount of tax foregone. Further, any attempt by the Developer to opt-out of the JEDD shall be grounds for the Township to terminate the JEDD Contract at its discretion, and for the School District to revoke its consents and approvals hereunder with respect to the Project Site.

D. The Developer agrees to pay the Township an amount equal to $10,000 to offset legal fees incurred by the Township in connection with the negotiation of this Agreement and other related documents (the "Township Legal Fee Payment"). The Township Legal Fee Payment shall be due on the Effective Date and paid by the Developer to the Township no later than thirty (30) days thereafter by means of delivery to the notice address provided in Section 7(I) of this Agreement or such other address as the Township may provide from time to time.

4. School District and C-Tec Compensation Payments.

As consideration for the School District's and C-Tec's approval of the CRA Agreement, the TIF Resolution and this Agreement, the Developer shall provide and account for additional payments to the School District and C-Tec as provided in separate compensation agreements between the Developer, the School District and C-Tec, respectively, dated of even date herewith. Failure of the Developer to pay such additional amounts shall be an event of default hereunder and subject to the remedies provisions set forth in Section 6.

5. Cooperation by Property Owner

The Developer agrees to cooperate with the Township, the City, and the JEDD Board in connection with the administration of the JEDD Contract, including the imposition of the JEDD income tax. The Developer agrees to include one or more provisions in leases or purchase contracts executed for real property within the JEDD to make tenants and other assignees aware of the JEDD income tax, payments to the School District and C-Tec, any required charges/assessments, and to prohibit lessees and assignees from challenging the validity of the School District and C-Tec payments, JEDD Contract, the JEDD income tax, any community development charges or any new community authority. The parties acknowledge that the Developer cannot restrict the political or legal rights of employees of its tenants and assignees. Additionally, Developer agrees to require all tenants to report to the JEDD Board the total sum of taxes paid quarterly, by each separate business, less refunds, including taxes paid on income earned by persons working within the JEDD as well as on net profits of businesses located in the JEDD. Such information shall be kept and utilized solely to track and differentiate the income taxes paid by each business located within the JEDD.

6. Remedies

The parties agree that any of the parties to this Agreement may seek to have a default by any party hereto remedied through an action for monetary damages or an action for specific performance.

7. Miscellaneous

A. This Agreement and the benefits and obligations hereof may be assigned in whole or in part by the Developer to any of its affiliates or to any future tenants in the JEDD or property owners in the JEDD, provided, however, that (i) the School District and C-Tec shall receive written notice of all such assignments no later than fifteen (15) days prior to the effective date of each assignment, and (ii) any assignee must expressly agree to be bound by the terms and conditions of this Agreement. Any purported assignment that does not meet the requirements of (i) and (ii) above shall not be effective. This Agreement and the benefits and obligations hereof are not transferable or assignable, in whole or in part, by the County, the City, the School District, C-Tec or the Township without the express, written approval of all of the other parties to this Agreement, which approval shall not be unreasonably withheld, conditioned or delayed. Following an assignment, the assignee ("Assignee") shall be responsible for the obligations hereunder with respect to the parcel or parcels it acquired, but Assignee shall not be responsible for any other party's failure to perform any obligations hereunder or pursuant to the separate school district agreements, and so long as Assignee performs its obligations hereunder, it may enforce its rights under this Agreement.

B. This Agreement may be executed in two (2) or more counterparts, each of which shall be deemed to be an original, but all of which together shall constitute one and the same Agreement.

C. Except as noted below, the parties and their agents are prohibited from challenging, directly or indirectly, the validity of any of the following agreements and/or legislation or the tax exemptions granted therein provided that they are consistent with the terms hereof (the "Key Agreements"): this Agreement; the JEDD Contract, including the JEDD income tax or any resolution authorizing the JEDD income tax; the TIF Resolution; the CRA Agreement; and any reimbursement agreement executed pursuant to Section 2.E of this Agreement. In that regard, the parties waive any defects in any proceedings related to the Key Agreements. If the validity of any of the Key Agreements is challenged by any entity or individual, whether private or public, the County, the City, the Township, and the Developer, with each bearing its own costs, shall advocate diligently and in good faith in support of the validity of the challenged agreement. The restrictions and requirements of this Section 7.C are not applicable to any party seeking to enforce its rights under one of the Key Agreements against a party that is in default of that Key Agreement, provided that the challenge must be reasonably related to the default.

During the term of this Agreement, if there is a change of law that changes the financial effects of this Agreement on the School District (including changes in law for the State Core Foundation Funding formula) or if a legislative or administrative procedure is substantially modified, replaced, or eliminated, the Parties agree to meet to consider these changes and their effects and possible amendments to this Agreement to take these changes into account to establish a revised compensation amount that will keep the School District in substantially the same financial position as if such formula or procedure was not substantially changed; for the avoidance

of doubt, in no event shall any modification under this Section result in a reduction of payments owed to the School District by the Developer with respect to the Project.

D. The Heath-Newark-Licking County Port Authority may or may not be a party to the CRA Agreement as capital lessor of any buildings on the Project Site; however, all obligations of the Developer under this Agreement, including the obligations to make compensation payments (including the payments to the School District and C-Tec) and to assure payment of the JEDD income tax, will remain obligations of the Developer.

E. This Agreement sets forth the entire agreement and understanding between the parties as to the subject matter hereof and merges and supersedes all prior discussions, agreements, undertakings of every kind and nature between the parties with respect to the subject matter of this Agreement.

F. If any provision of this Agreement or the application of any such provision to any such person or any circumstance shall be determined to be invalid or unenforceable, then such determination shall not affect any other provision of this Agreement or the application of such provision to any other person or circumstance, all of which other provisions shall remain in full force and effect; and, if any provision of this Agreement is capable of two constructions one of which would render the provision invalid, then such provision shall have the meaning which renders it valid.

G. Any amendments to this Agreement must be in writing and be signed by all of the parties to this Agreement or their successors.

H. Any captions and headings in this Agreement are for convenience only and in no way define, limit or describe the scope or intent of any provisions or sections hereof.

I. Any notices, statements, acknowledgements, consents, approvals, certificates or requests required to be given on behalf of any party to this Agreement shall be made in writing addressed as follows and sent by registered or certified mail, return receipt requested, and shall be deemed delivered when the return receipt is signed, refused or unclaimed:

If to the County, to:

President
Licking County Board of County Commissioners
20 South Second Street
Newark, OH 43055

With a copy to:

Assistant Prosecuting Attorney, Chief – Civil Division
Licking County Prosecutor
20 S. Second Street
Newark, OH 43055

If to the Township, to:

President
Harrison Township Board of Trustees
6750 Outville Road
Pataskala, OH 43062

With a copy to:

Pete Griggs
Brosius, Johnson & Griggs
1600 Dublin Road #100
Columbus, Ohio 43215

If to the City, to:

Mayor
City of Reynoldsburg
7232 E. Main Street
Reynoldsburg, OH 43068

With a copy to:

Development Director
City of Reynoldsburg
7232 E. Main Street
Reynoldsburg, OH 43068

If to the School District, to:

Richard Jones
Treasurer
Southwest Licking Local School District
927-A South Street
Pataskala, Ohio 43062

With a copy to:

Rob McCarthy
Bricker Graydon LLP
100 Third Street
Columbus, Ohio 43215

If to C-Tec, to:

Benjamin Streby

Treasurer
Career and Technical Education Centers of Licking County
150 Price Road
Newark, Ohio 43055

With a copy to:

Colin Kalvas
Bricker Graydon LLP
100 Third Street
Columbus, Ohio 43215

If to the Developer, to:

Jim Havens
Principal
S.R. 158, LLC
141 East Town Street
Columbus, OH 43215

With a copy to:

Chris L. Connelly, Esq.
Taft Stettinius & Hollister LLP
41 South High Street, Suite 1800
Columbus, OH 43215

or to any such other persons or addresses as may be specified by any party, from time to time, by prior written notification. The Parties may change their address for receiving notices, designations, certificates, requests, or other communications by giving written notice of such change to the others.

J. This Agreement shall be governed exclusively by and construed in accordance with the laws of the State of Ohio, without regard to its conflict of law provisions that would cause the application of the laws of another jurisdiction. The Parties consent to the jurisdiction of any state court located in Licking County, Ohio, in connection with any matter based upon or arising out of this Agreement, and agree that process may be served upon them in any manner authorized by the laws of the State of Ohio, and, furthermore, waive and covenant not to assert or plead any objection which they might otherwise have under such jurisdiction or such process.

K. This Agreement may be executed in any number of counterparts, all of which taken together shall constitute one and the same instrument, and any Party to this Agreement may execute this Agreement by signing any such counterpart.

[Remainder of page intentionally left blank]

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly authorized representatives.

BOARD OF COUNTY COMMISSIONERS OF LICKING COUNTY, OHIO

By:_____

Print Name:_____

Title:_____

APPROVED AS TO FORM:

_____
Licking County, Ohio Prosecutor

HARRISON TOWNSHIP BOARD OF TRUSTEES

By:_____

Print Name:_____

Title:_____

CITY OF REYNOLDSBURG, OHIO

By:_____

Print Name:_____

Title:_____

APPROVED AS TO FORM:

_____
City Attorney, Reynoldsburg, Ohio

SOUTHWEST LICKING LOCAL SCHOOL DISTRICT

By: _____

Print Name:_____

Title: _____

Date: _____

By: _____

Print Name: _____

Title: _____

Date: _____

By: _____

Print Name: _____

Title: _____

Date: _____

CAREER AND TECHNICAL EDUCATION CENTERS OF LICKING COUNTY

By: _____

Print Name:_____

Title: _____

Date: _____

S.R. 158, LLC

By:_____

Print Name:_____

Title:_____

STATE OF _____,

COUNTY OF _____, SS:

The foregoing instrument was signed and acknowledged before me this _____ day of _____, 2024, by _____, the _____ of the Board of County Commissioners of Licking County, Ohio, a political subdivision of the State of Ohio, on behalf of the political subdivision. The notarial act certified hereby is an acknowledgement. No oath or affirmation was administered to the signer with regard to the notarial act certified to hereby.

_____
Notary Public

STATE OF _____,

COUNTY OF _____, SS:

The foregoing instrument was signed and acknowledged before me this _____ day of _____, 2024, by _____, the _____ of the Harrison Township Trustees, a political subdivision of the State of Ohio, on behalf of the political subdivision. The notarial act certified hereby is an acknowledgement. No oath or affirmation was administered to the signer with regard to the notarial act certified to hereby.

_____
Notary Public

STATE OF _____,

COUNTY OF _____, SS:

The foregoing instrument was signed and acknowledged before me this _____ day of _____, 2024, by _____, the _____ of the City of Reynoldsburg, Ohio, a political subdivision of the State of Ohio, on behalf of the political subdivision. The notarial act certified hereby is an acknowledgement. No oath or affirmation was administered to the signer with regard to the notarial act certified to hereby.

_____
Notary Public

STATE OF _____,

COUNTY OF _____, SS:

The foregoing instrument was signed and acknowledged before me this ____ day of _____, 2024, by [ ], the Board President and [ ], the Treasurer of the Southwest Licking Local School District, a political subdivision of the State of Ohio, on behalf of the political subdivision. The notarial act certified hereby is an acknowledgement. No oath or affirmation was administered to the signer with regard to the notarial act certified to hereby.

_____
Notary Public

STATE OF _____,

COUNTY OF _____, SS:

The foregoing instrument was signed and acknowledged before me this ____ day of _____, 2024, by [ ], the _____ of the Career and Technical Education Centers of Licking County, a political subdivision of the State of Ohio, on behalf of the political subdivision. The notarial act certified hereby is an acknowledgement. No oath or affirmation was administered to the signer with regard to the notarial act certified to hereby.

_____
Notary Public

STATE OF _____,

COUNTY OF _____, SS:

The foregoing instrument was signed and acknowledged before me this _____ day of _____, 2024, by _____, the _____ of S.R. 158, LLC, an Ohio limited liability company, on behalf of the limited liability company. The notarial act certified hereby is an acknowledgement. No oath or affirmation was administered to the signer with regard to the notarial act certified to hereby.

_____
Notary Public

EXHIBIT A

TO DEVELOPMENT AND COMPENSATION AGREEMENT

Copy of CRA Agreement

(attached hereto)

EXHIBIT B

TO DEVELOPMENT AND COMPENSATION AGREEMENT

Copy of JEDD Contract

(attached hereto)

EXHIBIT C

TO DEVELOPMENT AND COMPENSATION AGREEMENT

Copy of TIF Resolution

(attached hereto)

JOINT ECONOMIC DEVELOPMENT DISTRICT CONTRACT

BY AND BETWEEN

CITY OF REYNOLDSBURG, OHIO

AND

HARRISON TOWNSHIP (LICKING COUNTY), OHIO

Dated as of

_____, 2023

76161208v4

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JOINT ECONOMIC DEVELOPMENT DISTRICT CONTRACT

This Joint Economic Development District Contract (this "Contract") dated as of _____, 2023 is entered into by and between the City of Reynoldsburg, Ohio (the "City"), a municipal corporation and political subdivision organized and existing pursuant to the Constitution and laws of the State of Ohio (the "State"); and Harrison Township (Licking County), Ohio (the "Township"), a township and political subdivision organized and existing under the laws of the State. (Capitalized terms and words used, but not otherwise defined, in this Contract have the meanings assigned to them in Article I.)

WITNESSETH:

WHEREAS, the JEDD Statutes authorize one or more municipal corporations and one or more townships to enter into a contract to provide for the creation of a joint economic development district; and

WHEREAS, the City and the Township desire to create a joint economic development district for the purpose of facilitating economic development to create or preserve jobs and employment opportunities and to improve the economic welfare of the people in the State and in the areas of the City and the Township; and

WHEREAS, pursuant to the JEDD Statutes, the Constitution and laws of the State, the Charter and ordinances of City and resolutions of the Township, the City and the Township desire to enter into this Contract to set forth their agreements with respect to the JEDD, including, but not limited to, their contributions to the JEDD, the creation of the Board, the powers and duties of the Board and the distribution of proceeds of the JEDD Income Tax;

NOW, THEREFORE, in consideration of the foregoing recitals and the agreements, representations and covenants set forth in this Contract, the City and the Township agree as follows:

(Remainder of Page Intentionally Left Blank)

ARTICLE I
DEFINITIONS

Section 1.1 **Definitions.** In addition to "Contract", "City", "State" and "Township" defined above, the following capitalized words and terms shall have the following meanings:

"Board" shall mean the Board of Directors of the JEDD established in accordance with the JEDD Statutes and this Contract.

"Board Improvement Account" means the account established in the DC Agreement to be used for improvements within the JEDD Area, as further described in the DC Agreement.

"County" means Licking County, Ohio.

"C-Tec" means the Career and Technical Education Centers of Licking County, a joint vocational school district and political subdivision of the State.

"DC Agreement" means the Development and Compensation Agreement among the County, the Township, the City, the Developer, the School District and C-Tec, providing for the use of the JEDD Income Tax.

"Developer" means S.R. 158, LLC, an Ohio limited liability company.

"Effective Date" means the date immediately succeeding the occurrence of all of the following: (i) the City's and Township's execution of this Contract, (ii) the thirty-second day after the adoption of the Township's resolution authorizing this Contract, and (iii) the expiration of any statutory period permitting a referendum of the Township's resolution or the City's ordinance authorizing this Contract.

"Gross Revenues" means the proceeds of the JEDD Income Tax, less refunds.

"Net Revenues" means Gross Revenues less (a) costs incurred by the City and Township to establish the JEDD, (b) to the extent the funds available to the Board are insufficient for such purposes, any amount required to pay costs of any audits of the JEDD mandated by the State or any liability imposed on the JEDD or the Board by a court of competent jurisdiction, (c) amounts due to the City pursuant to the JEDD Income Tax Agreement, which amount shall not exceed 5% of the Gross Revenues, (d) 2% of the Gross Revenues allocated to the Board pursuant to Section 5.2, (e) 30% of the Gross Revenues payable to the School District pursuant to the DC Agreement, (f) 3% of the Gross Revenues payable to C-Tec pursuant to the DC Agreement, and (g) any amount paid or reimbursed pursuant to Section 6.4.

"JEDD Area" means the real property depicted on Exhibit A attached hereto and incorporated herein by this reference.

"JEDD" means the Harrison Township-Reynoldsburg Joint Economic Development District No. 1 created pursuant to the JEDD Statutes and this Contract and includes the real property described and depicted in Exhibit A to this Contract.

"JEDD Income" means (i) the income earned by persons working in the JEDD and (ii) the net profits of businesses located in the JEDD; provided, however, that JEDD Income only includes income and net profits generated on property that is classified as commercial/industrial (i.e., Class 2) for real property tax purposes.

"JEDD Income Tax" means the tax on JEDD Income levied by the Board in accordance with the provisions of this Contract.

"JEDD Income Tax Agreement" means that agreement to be entered into by and between the Board and the City providing for the City to (i) administer, collect and distribute the JEDD Income Tax in accordance with the Contract and (ii) act as the fiscal agent of the JEDD and the Board.

"JEDD Statutes" means Ohio Revised Code Section 715.72.

"Retail Project Site" means approximately 20.50 acres shown on Exhibit A as Lots (1) – (6).

"School District" means the Southwest Licking Local School District, a local school district and political subdivision of the State.

Section 1.2 **Interpretations.** Any reference herein to the City, the Township or the Board or to any officer or employee of the City, the Township or the Board, includes the entities, officers or employees succeeding to their respective functions, duties or responsibilities pursuant to or by operation of law, or the entities, officers or employees lawfully performing their respective functions, duties or responsibilities.

Any reference herein to a section or provision of the Constitution of the State, the Ohio Revised Code, the Charter of the City or legislation of the City or the Township or any statute of the United States of America, includes that section or provision as amended, modified, revised, supplemented or superseded from time to time; provided, however, that no amendment, modification, revision, supplement or superseding section or provision shall be applicable to this Contract solely by reason of this Section 1.2 if such amendment, modification, revision, supplement or superseding section or provision constitutes an impairment of the rights or obligations of the City, the Township or the Board under this Contract.

Unless the context clearly indicates otherwise, words importing the singular number include the plural number and vice versa. The terms "hereof", "hereby", "herein", "hereto", "hereunder" and similar terms refer to this Contract. The term "hereafter" means after, and the term "heretofore" means before, the date of this Contract. Words of any gender include the correlative word of the other genders unless the context clearly indicates otherwise.

Unless the context clearly indicates otherwise, any reference to a "Section" is a reference to a section of this Contract.

Section 1.3 **Captions and Headings.** The captions and headings in this Contract are solely for convenience of reference and do not define, limit or describe the scope or intent of any Articles, Sections, subsections, paragraphs, subparagraphs or clauses herein.

(End of Article I)

ARTICLE II
JOINT ECONOMIC DEVELOPMENT DISTRICT

Section 2.1 **Creation and Territory.** The City and the Township hereby create the "Harrison Township-Reynoldsburg Joint Economic Development District No. 1" consisting of real property described and depicted in Exhibit A to this Contract (the "JEDD Area"). The provisions set forth in Ohio Revised Code Section 715.72(R) shall apply to the unincorporated territory of the Township located in the JEDD.

Section 2.2 **Purpose.** The City and the Township are creating the JEDD for the purpose of facilitating economic development to create or preserve jobs and employment opportunities and to improve the economic welfare of the people in the State and in the area of the Township.

Section 2.3 **Contributions.**

(a) The Township:

(i) shall furnish or cause to be furnished to the JEDD all usual and customary governmental services furnished by the Township to similarly situated properties located in the unincorporated area of the Township outside of the JEDD, including, but not limited to maintenance of township roads, snow removal and general administration; and

(ii) shall provide accommodations, if requested, for meetings of the Board, maintenance of the records of the JEDD and, if reasonably available, as determined by the Township, any necessary clerical staffing for the Board.

(iii) may furnish to the JEDD such services allowed by law as the Township and the Board deem appropriate and agree.

(b) The City:

(i) shall provide the services set forth in the Income Tax Agreement; and

(ii) may furnish such services allowed by law as the City and the Board agree upon.

Section 2.4 **Economic Development Plan.** The Economic Development Plan for the JEDD shall consist of that Economic Development Plan attached hereto and incorporated herein as Exhibit B to this Contract.

Section 2.5 **Public Utilities Infrastructure**. Pursuant to Ohio Revised Code Section 715.72(F)(8), the Township and the City estimate the total cost of providing public utility services, facilities and improvements to the JEDD to be approximately [$_____], as further described in the estimate prepared by a professional engineer that is attached hereto as Exhibit D and

Commented [CCL1]: NTD – this is required since a portion of the JEDD is within on-half mile of a non-contracting municipality (Kirkersville). Note that Township or City will also need to provide Kirkersville with 30 days' written notice prior to the public hearings.

incorporated herein by this reference (the "Public Utilities Infrastructure"). The costs associated with the Public Utilities Infrastructure are anticipated to be paid through a combination of (i) JEDD Income Tax revenues, (ii) tax increment financing revenues, and (iii) other lawful sources. As noted in Exhibit D, a portion of the Public Utilities Infrastructure is expected to be completed within five years of the Effective Date.

(End of Article II)

ARTICLE III
TERM

Section 3.1 **Term.** The term of this Contract shall commence on the Effective Date and shall terminate fifty (50) years thereafter, provided, however, that if the City and Township agree in writing, this Contract may be terminated after thirty (30) years; however, the Township hereby agrees it shall not seek termination for a period prior to thirty (30) years from the date of commencement of the exemption from taxation pursuant to the CRA Agreement executed between the Developer and the County for a portion of the JEDD Area. Additionally, the JEDD Contract shall automatically renew for two (2) additional twenty-five (25) year terms, unless the City or Township provides written notice of termination not later than two (2) years prior to the expiration of the original term or each additional term.

Section 3.2 **Prior Termination.** Notwithstanding Section 3.1, this Contract may be terminated prior to expiration of the Initial Term or any Renewal Period by the City or the Township by written notice to the other not earlier than 365 days and not later than 180 days prior to the termination date:

(a) if the Board has not adopted a resolution to levy the JEDD Income Tax within one year after the Effective Date; or

(b) if a final order of a court of competent jurisdiction invalidates the levy of the JEDD Income Tax and no appeal of such order has been filed or the period for such appeal has lapsed.

The termination of this Contract pursuant to (a) or (b) above shall be effective on the date stated in the notice of termination.

Section 3.3 **Actions upon Termination.** Upon termination of this Contract:

(a) the Board shall remain in office for six months to provide for an orderly termination of the JEDD; and

(b) the levy of the JEDD Income Tax shall cease, but the JEDD Income Tax levied prior to the termination shall be collected and distributed in accordance with Article V of this Contract; and

(c) 25% of any remaining assets of the JEDD shall be distributed to the City and 75% of such remaining assets shall be distributed to the Township; provided, however, if any such assets cannot be liquidated, the City and the Township must agree on the value of such assets for their distribution; and

(d) the records of the JEDD shall be given into the custody of the Township and shall be available for inspection or audit by the City or the Township.

(End of Article III)

ARTICLE IV
THE BOARD

Section 4.1 Creation, Membership and Appointment of the Board.

(a) Pursuant to the JEDD Statutes, the City and the Township hereby establish the Board to govern the JEDD.

(b) If on the Effective Date there are businesses located and persons working within the JEDD, the Board shall consist of: (i) one member representing the City, (ii) one member representing the Township, (iii) one member representing the owners of businesses located within the JEDD, (iv) one member representing the persons working within the JEDD, and (v) one member selected by the other members. The initial terms of the members described in this paragraph shall be one year, two years, three years, four years, and four years, respectively.

(c) If on the Effective Date there are no businesses located or persons working within the JEDD, the Board shall consist of: (i) one member representing the City, (ii) one member representing the Township, and (iii) one member selected by the remaining members. The initial terms of the members described in (i), (ii) and (iii) above shall be one year, two years and three years, respectively.

(d) If, after the Effective Date, a business locates or persons commence working within the JEDD, the Board shall be expanded to also include, in addition to the three Board members described in paragraph (c) above: (i) a member representing the owners of businesses located within the JEDD, and (ii) a member representing the persons working within the JEDD, and provided further that upon the termination of the member selected by the initial two members of the Board, thereafter that member shall be selected by the four members described in (i) and (ii) of paragraph (b) and in (i) and (ii) of this paragraph. The initial term of the two members selected pursuant to this paragraph shall be four years, commencing on the first day of the same month as the terms of the members described in (i) and (ii) of paragraph (c) above commenced.

(e) The City, through the Mayor, shall appoint the member representing the City. The Township shall appoint the members representing the Township and the persons working within the JEDD. The JEDD Board members shall appoint the member representing the owners of the businesses located within the JEDD, if any. The City and the Township will make their initial appointment of members of the Board within 60 days after the Effective Date, and the terms of those members shall commence on the first day of the first month commencing 57 days after the Effective Date. The Board shall first meet within the first month that commences 57 days after the Effective Date.

After the initial terms of all members expire, the terms of all members shall be for four years; provided, however, each member shall continue to serve until the member's successor is appointed; and provided further that upon termination of this Contract, the

terms of the members then serving shall terminate six months after the termination of this Contract.

(f) The term of any person to fill a vacancy on the Board because of the death, resignation or removal of a member shall terminate when the term of the member removed, resigned or died would have terminated.

(g) The City and the Township covenant to use their best efforts to timely appoint all members of the Board.

(h) The Chairperson shall be the Board member selected by the other Board members as set forth in R.C. 715.78.

(i) The members of the Board shall not receive compensation for such membership or for their attendance at meetings of the Board, but may be reimbursed for expenses incurred in performing their duties.

(j) Any member may be reappointed to the Board.

Section 4.2 **Board Officers and Procedures.** The Board shall enact bylaws or other procedures for the governance of the Board, including procedures for the election from its members of a Vice Chairperson and a Secretary-Treasurer; provided, however, the terms of such officers shall not be for a period longer than one year.

Section 4.3 **Powers and Duties of the Board.**

(a) In addition to the duty to enact bylaws or procedures set forth in Section 4.2, the Board shall:

(i) if it enacts the JEDD Income Tax as authorized by Section 5.1, enter into the JEDD Income Tax Agreement with the City; provided that payments to City for services rendered pursuant to the Income Tax Agreement shall not exceed 5% of Gross Revenues for any calendar year during the term of the Income Tax Agreement; and

(ii) adopt an annual budget for the Board and the JEDD that estimates the revenues and expenses of the Board and the JEDD; and

(iii) establish an appropriations procedure to provide for payment of the expenses of the Board and the JEDD and the distribution of the JEDD Income Tax in accordance with Section 5.2.

(b) In addition to the authorization to levy the JEDD Income Tax set forth in Section 5.1, the Board is authorized to:

(i) take such actions necessary or convenient to carry out the powers granted in this Contract and/or the JEDD Statutes; and

(ii) purchase, receive, hold, lease or otherwise acquire, and sell, convey, transfer, lease, sublease or otherwise dispose of, real and personal property, together with such rights and privileges as may be incidental or appurtenant thereto and the use thereof; and

(iii) acquire, purchase, construct, reconstruct, enlarge, furnish, equip, maintain, repair, sell, exchange, lease or rent from others, or operate, facilities for the JEDD; and

(iv) make available the uses or services of any JEDD facilities to one or more persons or government agencies or any combination thereof; and

(v) apply to the proper authorities of the United States pursuant to appropriate laws for the right to establish, operate and maintain foreign trade zones within the JEDD; and

(vi) establish and maintain such funds or accounts as it deems necessary, either of its own or in conjunction with the City or the Township; and

(vii) promote, advertise and publicize the JEDD and its facilities, provide information relating to the JEDD and promote the interests and economic development of the JEDD, the City, the Township and the State; and

(viii) make and enter into contracts and agreements and authorize one or more officers of the Board to sign instruments necessary or incidental to the performance of its duties and the execution of its powers pursuant to this Contract and the JEDD Statutes; and

(ix) employ managers or other employees and retain or contract with consulting engineers, financial consultants, accounting experts, architects, attorneys and such other consultants and independent contractors as are necessary in its judgment to carry out the purposes of this Contract, and fix the compensation thereof, which shall be payable from any available funds of the JEDD; and

(x) receive and accept from any federal or state agency, the Township, the City or other persons grants for or in aid of the construction, maintenance or repair of any JEDD facility, for research and development with respect to JEDD facilities or for programs or other projects of the JEDD, and receive and accept aid or contributions from any source money, property, labor or other items of value, to be used and applied for the purposes of such grants, aids or contributions and this Contract; and

(xi) purchase fire and extended coverage and liability insurance for any JEDD facility or office, insurance protecting the JEDD and its Board, officers and employees against liability arising from the operations or actions of the Board or the JEDD, and any other insurance the Board may determine to be reasonably necessary.

(End of Article IV)

ARTICLE V
JEDD INCOME TAX

Section 5.1 **Authorization to Levy JEDD Income Tax.** The Board is hereby authorized to enact legislation to (a) levy the JEDD Income Tax at the rate levied by the City on the income of individuals and the net profits of businesses (2.50% as of the Effective Date), and (b) adopt regulations, rules or code for the administration, collection and enforcement of the JEDD Income Tax. The JEDD Income Tax rate shall remain two and one half percent (2.50%) and shall not change to equal the highest rate of the income tax levied by the City (if said highest rate is increased above 2.50%), or some rate in excess of two and one half percent (2.50%), but less than said highest rate, unless hereafter authorized by a duly approved and executed resolution adopted by the Township Board of Trustees. In the event that the income tax rate levied by the City is reduced below 2.50%, the JEDD Income Tax rate shall be adjusted to be equal to the then-maximum rate levied by the City; provided, however, that the approvals of the School District and C-Tec described in the DC Agreement shall immediately be revoked in such an event.

Section 5.2 **Allocation of Proceeds of the JEDD Income Tax; Retail Project Site.** The City shall, on behalf of the JEDD, and pursuant to the JEDD Income Tax Agreement, collect and administer the JEDD Income Tax.

(a) Gross Revenues generated from all portions of the JEDD Area except for the Retail Project Site shall be allocated and paid in the following priority: (i) to the City, the amount then due pursuant to the JEDD Income Tax Agreement (equal to 5%), (ii) to the City and Township, the documented out-of-pocket expenses incurred to establish the JEDD, (iii) to the City and/or the Township, an amount necessary to reimburse the City and/or the Township for amounts expended pursuant to Section 6.4, (iv) to the Board, an amount equal to 2% of the Gross Revenues, (v) to the School District, an amount equal to 30% of the Gross Revenues as provided in the DC Agreement, (vi) to C-Tec, an amount equal to 3% of the Gross Revenues as provided in the DC Agreement, and (vii) to the Board, to the extent the funds then available to the Board are insufficient, an amount sufficient to pay costs of any audit of the JEDD mandated by the State or any amount needed to pay any liability imposed on the Board by a court of competent jurisdiction.

Gross Revenues generated from the Retail Project site shall be allocated and paid in the following priority: (i) to the City, the amount then due pursuant to the JEDD Income Tax Agreement (equal to 5%), (ii) to the City and Township, the documented out-of-pocket expenses incurred to establish the JEDD, (iii) to the City and/or the Township, an amount necessary to reimburse the City and/or the Township for amounts expended pursuant to Section 6.4, (iv) to the Board, an amount equal to 2% of the Gross Revenues, (v) to the Board, to the extent the funds then available to the Board are insufficient, an amount sufficient to pay costs of any audit of the JEDD mandated by the State or any amount needed to pay any liability imposed on the Board by a court of competent jurisdiction, and (vi) to the Township, the Remaining Gross Revenues after the payments in (i) – (v) above.

(b) Any refunds due with respect to JEDD Income Tax shall be managed by the City in the same manner as refunds processed by the City with respect to taxpayers in the City.

(c) Net Revenues generated from all portions of the JEDD Area except for the Retail Project Site shall be allocated and paid as follows: 15% to the City, 10% to the Board Improvement Account, 15% to the County for 15 years and 10% thereafter, 5% to the Licking County Transportation Improvement District, and the remaining Net Revenues to the Township.

(d) Within 30 days of the last day of March, June, September and December of each year (or if any such date is not a business day, on the immediately succeeding business day), the City shall, on behalf of the JEDD (i) pay from the Gross Revenues to the City the amounts then due pursuant to (a) above, (ii) calculate and pay the amounts due from the Net Revenues for the prior three months to the City, the Township, the Board Improvement Account and the County pursuant to (c) above, and (iii) provide an accounting of the receipts and uses of the proceeds of the JEDD Income Tax for the prior three months, including, but not limited to, a summary of the amounts of JEDD Income Tax on individuals withheld by each business. In the event that any amount due from the Net Revenues to the Board, the City, the Board Improvement Account, the Township or the County is a negative amount, then that negative amount shall be set off against the next amount to be paid.

(e) It is expressly understood and agreed that amounts received by the City, the County and the Township may be used by each of the entities for any lawful purpose in each's sole discretion.

(End of Article V)

ARTICLE VI
MISCELLANEOUS

Section 6.1 **Fiscal Year.** The fiscal year of the JEDD shall commence on January 1 of each calendar year and shall terminate on December 31 of the same calendar year.

Section 6.2 **Reports and Records.** Within 30 days of the effective date of this Contract, the Board shall notify the Auditor of State of the State of Ohio of the creation of the JEDD and the Board.

Within three months after the end of each fiscal year of the JEDD, the Board shall compile and distribute to the City and the Township a report setting forth all revenues received by the JEDD during the preceding fiscal year and all disbursements made during that fiscal year.

Within three months prior to the commencement of each fiscal year of the JEDD, the Board shall prepare and distribute to the City and the Township a budget for that fiscal year, stating anticipated revenues and expenses of the JEDD.

All books, records, documentation, and financial information of the JEDD shall, upon request, be made available to the City and the Township and their agents for review and/or audit. The Board and the JEDD shall fully cooperate with the City or the Township in fulfilling such a request.

Section 6.3 **Amendments.** Except for any amendment of this Contract or the JEDD to increase the territory of the JEDD, this Contract may be amended by the City and the Township pursuant to a written amendment authorized by the respective legislative authorities of the City and the Township. Any real property located within the JEDD may be removed from the JEDD pursuant to a written amendment duly authorized by the City and the Township. Following a duly authorized amendment removing real property from the JEDD, such property shall be deleted from the territory of the JEDD and shall then no longer be subject to the terms of the Contract. Any amendment of this Contract or the JEDD to increase the territory of the JEDD shall be subject to the provisions of the JEDD Statutes for adding areas to the JEDD.

Section 6.4 **Support of Contract; Execution of Other Documents.** The City and the Township shall support this Contract and shall defend the same against any lawsuits brought against the JEDD, the Board, the City or the Township in conjunction with the JEDD. The expenses and fees of the Board, the City and the Township, including reasonable attorney fees, incurred in any lawsuit brought against the JEDD, the Board, the City or the Township shall be paid or reimbursed from Gross Revenues.

The engineering and surveying expenses and fees which were incurred by the Township in preparing both a description of the JEDD and a map denoting the boundaries of the JEDD shall be reimbursed from Gross Revenues prior to any distributions to the JEDD parties, up to a maximum recovery of $_____, plus or minus 10%. If the Gross Revenues are insufficient at any time to pay any such expenses and fees, the Township shall be reimbursed when such revenues are available for that reimbursement.

The City and the Township each agree to cooperate with the others in the implementation of this Contract and to execute or cause to be executed, in a timely fashion, all necessary documents in order to effectuate the purposes of this Contract.

Section 6.5 **Binding Effect.** All rights, benefits, and privileges under this Contract shall inure only to the City and the Township, and no third parties shall have any right to claim any rights, benefits, or privileges under this Contract. Each covenant, agreement or obligation of the City or the Township under this Contract is binding on each officer of the City or Township, respectively, who has the authority or duty from time to time under the laws of the State to take any action which may be necessary or advisable to observe or perform the covenant, agreement or obligation.

Section 6.6 **Counterparts.** This Contract may be executed in several counterparts, each of which shall be regarded as an original and all of which shall constitute but one and the same Contract.

Section 6.7 **Severability.** The invalidity or unenforceability of any one or more provision of this Contract shall not affect the validity or enforceability of the remaining provisions of this Contract or any part thereof and the same shall remain in full force and effect.

Section 6.8 **Governing Law and Choice of Forum.** This Contract shall be governed by and construed in accordance with the laws of the State. All claims, counterclaims, disputes and other matters in question regarding this Contract or its breach will be decided in a court of competent jurisdiction within the State.

Section 6.9 **Notices and Payments.** All notices, demands, requests, consents or approvals given, required or permitted hereunder shall be in writing and shall be deemed sufficiently given if received or if hand delivered or sent by recognized overnight delivery service or by certified mail, postage prepaid and return receipt requested, addressed to (i) (A) the City at City of Reynoldsburg, Ohio, 7232 E. Main Street, Reynoldsburg, Ohio 43068, Attention: Mayor, (B) the Township at Harrison Township, 6750 Outville Road, Pataskala, Ohio 43062, Attention: President, Board of Township Trustees, and (C) to the Board, at Chair, Board of Directors, Harrison Township-Reynoldsburg Joint Economic Development District No. 1 at the business address for the JEDD in the rules adopted by the Board, or (ii) such other address as the recipient shall have previously notified the sender in writing as provided in this Section 6.9.

All payments shall be made to (i) (A) the City at City of Reynoldsburg, Ohio, 7232 E. Main Street, Reynoldsburg, Ohio 43068, Attention: Mayor, (B) the Township at Harrison Township, 6750 Outville Road, Pataskala, Ohio 43062, Attention: President, Board of Township Trustees, and (C) to the Board, at Chair, Board of Directors, Harrison Township-Reynoldsburg Joint Economic Development District No. 1 at the business address for the JEDD in the rules adopted by the Board, or (ii) such other address as the recipient shall have previously notified the sender in writing as provided in this Section 6.9. Alternatively, payments may be made electronically using information provided by the JEDD parties.

Section 6.10 **Entire Agreement.** This Contract is the only and entire agreement among the City and the Township regarding the JEDD.

(End of Article VI)

IN TESTIMONY WHEREOF, the City and the Township have subscribed to this JEDD Contract by their duly authorized officers:

HARRISON TOWNSHIP
(LICKING COUNTY), OHIO

Date: _____, 2023

By: _____
President, Board of Trustees

CITY OF REYNOLDSBURG, OHIO

Date: _____, 2023

By: _____
Mayor

Approved as to form:

_____
City Attorney
City of Reynoldsburg, Ohio

[Signature Page of JEDD Contract]

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TOWNSHIP FISCAL OFFICER'S CERTIFICATE

The undersigned fiscal officer of Harrison Township (Licking County), Ohio hereby certifies that the moneys require to meet the obligations of the Township during the calendar year 2023 under the foregoing Joint Economic Development District Contract have been appropriated lawfully for that purpose, and are in the treasury of the Township or in the process of collection to the credit of an appropriate fund, free from encumbrances. This certification is made in compliance with Ohio Revised Code Sections 5705.41 and 5705.44.

_____
Fiscal Officer
Harrison Township (Licking County), Ohio

CITY FISCAL OFFICER'S CERTIFICATE

The undersigned fiscal officer of the City of Reynoldsburg, Ohio hereby certifies that the moneys require to meet the obligations of the City during the calendar year 2023 under the foregoing Joint Economic Development District Contract have been appropriated lawfully for that purpose, and are in the treasury of the City or in the process of collection to the credit of an appropriate fund, free from encumbrances. This certification is made in compliance with Ohio Revised Code Sections 5705.41and 5705.44.

_____
City Auditor
City of Reynoldsburg, Ohio

EXHIBIT A
HARRISON TOWNSHIP-REYNOLDSBURG JOINT ECONOMIC DEVELOPMENT DISTRICT NO. 1

DESCRIPTION OF THE JEDD

The JEDD consists of parcel number 025-080076-00.000 located within Harrison Township, Licking County, Ohio. The map attached as Exhibit A shows the location of the property.

EXHIBIT A (CONTINUED)
HARRISON TOWNSHIP-REYNOLDSBURG JOINT ECONOMIC DEVELOPMENT DISTRICT NO. 1

DESCRIPTION OF THE JEDD

[insert map]

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EXHIBIT A (CONTINUED)
HARRISON TOWNSHIP-REYNOLDSBURG JOINT ECONOMIC DEVELOPMENT DISTRICT NO. 1

[insert legal description if available]

EXHIBIT B
HARRISON TOWNSHIP-REYNOLDSBURG JOINT ECONOMIC DEVELOPMENT DISTRICT NO. 1

ECONOMIC DEVELOPMENT PLAN

The economic development plan for the Harrison Township-Reynoldsburg Joint Economic Development District No. 1 (the "JEDD") to be created pursuant to a Joint Economic Development District Contract (the "JEDD Contract") by and among the City of Reynoldsburg, Ohio (the "City") and Harrison Township (Licking County), Ohio (the "Township") will be the (i) construction of certain commercial improvements in the Township, and (ii) the construction of public infrastructure (the "Public Infrastructure") to facilitate and support the commercial and residential development, including, but not limited to, the construction of roadway improvements; construction and installation of public utility improvements; construction and installation of gas, electric and communication service facilities; construction and installation of stormwater and flood remediation projects and facilities; streetscape and landscaping improvements; acquisition of easements and other interests in real estate; and other public infrastructure located within the City and the Township, together with all necessary or appropriate appurtenances.

The construction of the commercial improvements is expected to occur over the next 15-20 years.

The JEDD Contract provides that the Township shall furnish or cause to be furnished to the JEDD all usual and customary governmental services provided by the Township to similarly situated properties located in the unincorporated area of the Township outside of the JEDD, and provide accommodation, if requested, for meetings of the Board, maintenance of the records of the JEDD and, if reasonably available, as determined by the Township, any necessary clerical staffing for the Board. The JEDD Contract provides that the City shall cooperate and assist the Board in activities that promote, compliment and benefit economic development in the JEDD; shall cooperate and assist the Township on issues affecting the JEDD, such as planning, zoning and building standards and review; administer, collect and distribute the income tax expected to be levied by the Board on the income of persons working in the JEDD and the net profits of businesses located in the JEDD; act as fiscal agent for the JEDD and the Board; and furnish such services allowed by law as the City and the Board agree.

The JEDD Contract authorizes and anticipates the levy by the Board of a tax on the income of persons working or residing in the JEDD and the net profits of businesses located in the JEDD at the same rate currently levied by the City (currently 2.50%) for distribution to the Board, the City and the Township.

EXHIBIT C
g
ENGINEERING ESTIMATE FOR PUBLIC UTILITIES IMPROVEMENTS

(attached hereto)

Reynoldsburg
OHIO · 1839

STAFF REPORT
REYNOLDSBURG CITY COUNCIL

DATE: April 22, 2024

RE: An Ordinance to Amend Ordinance No. 102-18, as Amended by Ordinance No. 174-2021 and Ordinance N0. 124-2023, to Authorize the Use of Service Payments for Public Improvements in Support of Urban Redevelopment

APPROVALS:

Joe Begeny
Chris Shook
Mollie Prasher

EMERGENCY:

REASON FOR EMERGENCY:

STAFF REPORT:

This ordinance would permit service payments generated from this TIF to be spent on public improvements that do not directly benefit the parcels included within this TIF.

AN ORDINANCE TO AMEND ORDINANCE NO. 102-18, AS AMENDED BY ORDINANCE NO. 174-2021 AND ORDINANCE NO. 124-2023, TO AUTHORIZE USE OF SERVICE PAYMENTS FOR PUBLIC IMPROVEMENTS IN SUPPORT OF URBAN REDEVELOPMENT

WHEREAS, pursuant to Ohio Revised Code ("ORC") 5709.40, 5709.42, and 5709.43 (collectively, the "TIF Act") this Council on October 22, 2018, passed Ordinance No. 102-18, as amended by Ordinance 174-2021 passed on December 20, 2021, and by Ordinance No. 124-2023, passed December 18, 2023 (collectively, the "TIF Ordinance") thereby declaring improvements to parcels of certain real property located in the City (as described and depicted in the TIF Ordinance and collectively referred to herein as the "Parcels" and each a "Parcel"), to be a public purpose, exempting those improvements from real property taxation for a period of 30 years, specifying public infrastructure improvements to be made to benefit the Property, providing for the making of service payments in lieu of taxes (the "Service Payments") by the owner(s) thereof, and establishing a municipal public improvement tax increment equivalent fund into which those Service Payments were to be deposited, and providing for payments to the Reynoldsburg City School District and the Eastland-Fairfield Career and Technical Schools (collectively, the "School Districts") out of the Service Payments; and

WHEREAS, Section 757.70 of Am. Sub. H.B. No. 33 of the 135th General Assembly allows the City Council of an “impacted city” under ORC 1728.01 to find and determine that satisfactory provision has been made for the public improvement needs of the Parcels and that the public improvements made, to be made, or in the process of being made within the City as described on Exhibit A to this ordinance that do not directly benefit the Parcels are in support of urban redevelopment within the meaning of ORC 5709.41; and

WHEREAS, this Council desires to amend the TIF Ordinance to permit use of Service Payments collected from the Parcels for such public improvements in support of urban redevelopment; and

WHEREAS, notice of this amendment to the TIF Ordinance has been timely delivered to the School Districts in accordance with ORC Sections 5709.40 and 5709.83;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF REYNOLDSBURG, FAIRFIELD, FRANKLIN, AND LICKING COUNTIES, OHIO, THAT:

SECTION 1. Determinations. This Council finds and determines that (a) the City is an “impacted city” under ORC 1728.01 and (b) as a result of actions that City has taken and will take pursuant to the TIF Ordinance, satisfactory provision has been made for the public improvement needs of the Parcels. This Council further finds and determines that the public improvements made, to be made, or in the process of being made within the City as described on Exhibit A to this ordinance that do not directly benefit the Parcels are in support of urban redevelopment within the meaning of ORC 5709.41.

SECTION 2. Full Force and Effect. Except as provided herein, all other provisions of the TIF Ordinance shall remain in full force and effect. City officials are further authorized to provide such information and to execute, certify or furnish such other documents, and to do all of the things as are necessary for and incidental to carrying out the provisions of this ordinance.

SECTION 3. Delivery of Ordinance. The Clerk of Council is hereby directed to deliver a copy of this Ordinance to the Director of the Department of Development of the State of Ohio within fifteen days after its passage.

SECTION 4. Open Meetings. The Council hereby finds and determines that all formal actions relative to the passage of this ordinance were taken in an open meeting of this Council or its committees, that all deliberations of this Council and of its committees that resulted in formal action were taken in meetings open to the public, in full compliance with the applicable legal requirements, including Revised Code Section 121.22.

SECTION 5. Effective Date. This ordinance is effective on the earliest date permitted by law.

PASSED this __ day of _____, 2024.

_____

–

Meredith Lawson-Rowe, Council President

ATTEST: _____
Mollie Prasher, Clerk of Council

APPROVED: _____ DATE _____
Joe Begeny, Mayor

CERTIFICATE

I, Mollie Prasher, Clerk of Council, City of Reynoldsburg, Ohio, do hereby certify the foregoing to be a true and correct copy of Ordinance No. ___-2024 as passed by Council of said City on the ___ day of _____, 2024 and as recorded in the Record of Proceedings of said Council.

_____
Mollie Prascher, Clerk of Council

Filed with Mayor: _____

EXHIBIT A

PUBLIC INFRASTRUCTURE IMPROVEMENTS

The public improvements designated by this Ordinance as a public purpose consist of any "public infrastructure improvement" defined under ORC 5709.40(A)(8) and specifically include, but are not limited to, any of the following improvements and all related costs of those permanent improvements (including, but not limited to, those costs listed in ORC 133.15(B)), together with such improvements hereafter approved by City Council ordinance:

- **Roadways**. Construction, reconstruction, maintenance, extension, opening, improving, widening, grading, draining, curbing or changing of the lines and traffic patterns of roads, highways, streets, intersections, bridges (both roadway and pedestrian), sidewalks, bikeways, medians and viaducts accessible to and serving the public, and providing signage (including traffic signage and informational/promotional signage), lighting systems, signalization, and traffic controls, and all other appurtenances thereto.

- **Parking Facilities**. The construction or reconstruction of off-street parking facilities.

- **Water/Sewer**. Construction, reconstruction or installation of public utility improvements (including any underground municipally owned utilities), storm and sanitary sewers (including necessary site grading therefore), water and fire protection systems, and all appurtenances thereto.

- **Environmental/Health**. Implementation of environmental remediation measures necessary to enable the construction of private improvements and the construction of public health facilities.
- **Utilities**. Construction, reconstruction, burial or installation of gas, electric and communication service facilities and all appurtenances thereto, including, but not limited to those associated with improvements described in “Roadways” above.
- **Stormwater**. Construction, reconstruction, relocation, modification and installation of stormwater and flood remediation projects and facilities, both for storm water quantity and quality, including the payment and reimbursement for such projects and facilities on private property when determined to be necessary for public health, safety and welfare.

- **Demolition**. Demolition, including demolition on private property when determined to be necessary for public health, safety, welfare and economic development.

- **Parks**. Construction or reconstruction of one or more public parks and park or recreational facilities, including grading, trees and other park plantings, park accessories and related improvements, multi-use trails and bridges, together with all appurtenances thereto.

- **Streetscape/Landscape**. Construction or installation of streetscape and landscape improvements including trees, tree grates, signage, curbs, sidewalks, scenic fencing, street and sidewalk lighting, trash receptacles, benches, newspaper racks, burial of overhead utility lines and related improvements, together with all appurtenances thereto, including, but not limited to streetscape improvements in conjunction with and along the roadway improvements described in “Roadways” above.
- **Real Estate**. Acquisition of real estate or interests in real estate (including easements) (a) necessary to accomplish any of the foregoing improvements or (b) in aid of industry, commerce, distribution or research.

- **Professional Services**. Engineering, consulting, legal, administrative, and other professional services associated with the planning, design, acquisition, construction and installation of the foregoing improvements and real estate.

Reynoldsburg
OHIO · 1839

STAFF REPORT
REYNOLDSBURG CITY COUNCIL

DATE: April 22, 2024

RE: An Ordinance to Amend Ordinance No. 137-98, as Amended by Ordinance No. 123-2023, to Authorize the Use of Service Payments for Public Improvements in Support of Urban Redevelopment

APPROVALS:

Joe Begeny
Chris Shook
Mollie Prasher

EMERGENCY:

REASON FOR EMERGENCY:

STAFF REPORT:

This ordinance would permit service payments generated from this TIF to be spent on public improvements that do not directly benefit the parcels included within this TIF.

AN ORDINANCE TO AMEND ORDINANCE NO. 137-98, AS AMENDED BY ORDINANCE NO. 123-2023, TO AUTHORIZE USE OF SERVICE PAYMENTS FOR PUBLIC IMPROVEMENTS IN SUPPORT OF URBAN REDEVELOPMENT

WHEREAS, pursuant to Ohio Revised Code ("ORC") 5709.40, 5709.42, and 5709.43 (collectively, the "TIF Act") this Council on December 21, 1998, passed Ordinance No. 137-98, as amended by Ordinance No. 123-2023, passed December 18, 2023 (collectively, the "TIF Ordinance") thereby declaring improvements to parcels of certain real property located in the City (as described and depicted in the TIF Ordinance and collectively referred to herein as the "Property"), to be a public purpose, exempting those improvements from real property taxation for a period of 30 years, specifying public infrastructure improvements to be made to benefit the Property, providing for the making of service payments in lieu of taxes (the "Service Payments") by the owner(s) thereof, and establishing a municipal public improvement tax increment equivalent fund into which those Service Payments were to be deposited, and providing for payments to the Reynoldsburg City School District (the "School District") out of the Service Payments; and

WHEREAS, Section 757.70 of Am. Sub. H.B. No. 33 of the 135th General Assembly allows the

City Council of an “impacted city” under ORC 1728.01 to find and determine that satisfactory provision has been made for the public improvement needs of the Property and that the public improvements made, to be made, or in the process of being made within the City as described on Exhibit A to this ordinance that do not directly benefit the Property are in support of urban redevelopment within the meaning of ORC 5709.41; and

WHEREAS, this Council desires to amend the TIF Ordinance to permit use of Service Payments collected from the Property for such public improvements in support of urban redevelopment; and

WHEREAS, notice of this amendment to the TIF Ordinance has been timely delivered to the School District and the Eastland-Fairfield Career and Technical Schools in accordance with ORC Sections 5709.40 and 5709.83;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF REYNOLDSBURG, FAIRFIELD, FRANKLIN, AND LICKING COUNTIES, OHIO, THAT:

SECTION 1. Determinations. This Council finds and determines that (a) the City is an “impacted city” under ORC 1728.01 and (b) as a result of actions that City has taken and will take pursuant to the TIF Ordinance, satisfactory provision has been made for the public improvement needs of the Property. This Council further finds and determines that the public improvements made, to be made, or in the process of being made within the City as described on Exhibit A to this ordinance that do not directly benefit the Property are in support of urban redevelopment within the meaning of ORC 5709.41.

SECTION 2. Full Force and Effect. Except as provided herein, all other provisions of the TIF Ordinance shall remain in full force and effect. City officials are further authorized to provide such information and to execute, certify or furnish such other documents, and to do all of the things as are necessary for and incidental to carrying out the provisions of this ordinance.

SECTION 3. Delivery of Ordinance. The Clerk of Council is hereby directed to deliver a copy of this Ordinance to the Director of the Department of Development of the State of Ohio within fifteen days after its passage.

SECTION 4. Open Meetings. The Council hereby finds and determines that all formal actions relative to the passage of this ordinance were taken in an open meeting of this Council or its committees, that all deliberations of this Council and of its committees that resulted in formal action were taken in meetings open to the public, in full compliance with the applicable legal requirements, including Revised Code Section 121.22.

SECTION 5. Effective Date. This ordinance is effective on the earliest date permitted by law.

PASSED this __ day of _____, 2024.

_____

__

Meredith Lawson-Rowe, Council

President

ATTEST: _____
Mollie Prasher, Clerk of Council

APPROVED: _____ DATE _____
Joe Begeny, Mayor

CERTIFICATE

I, Mollie Prasher, Clerk of Council, City of Reynoldsburg, Ohio, do hereby certify the foregoing to be a true and correct copy of Ordinance No. ___-2024 as passed by Council of said City on the ___ day of _____, 2024 and as recorded in the Record of Proceedings of said Council.

_____
Mollie Prascher, Clerk of Council

Filed with Mayor: _____

EXHIBIT A

PUBLIC INFRASTRUCTURE IMPROVEMENTS

The public improvements designated by this Ordinance as a public purpose consist of any "public infrastructure improvement" defined under ORC 5709.40(A)(8) and specifically include, but are not limited to, any of the following improvements and all related costs of those permanent improvements (including, but not limited to, those costs listed in ORC 133.15(B)), together with such improvements hereafter approved by City Council ordinance:

- **Roadways**. Construction, reconstruction, maintenance, extension, opening, improving, widening, grading, draining, curbing or changing of the lines and traffic patterns of roads, highways, streets, intersections, bridges (both roadway and pedestrian), sidewalks, bikeways, medians and viaducts accessible to and serving the public, and providing signage (including traffic signage and informational/promotional signage), lighting systems, signalization, and traffic controls, and all other appurtenances thereto.
- **Parking Facilities**. The construction or reconstruction of off-street parking facilities.
- **Water/Sewer**. Construction, reconstruction or installation of public utility improvements (including any underground municipally owned utilities), storm and sanitary sewers (including necessary site grading therefore), water and fire protection systems, and all

appurtenances thereto.

- **Environmental/Health**. Implementation of environmental remediation measures necessary to enable the construction of private improvements and the construction of public health facilities.
- **Utilities**. Construction, reconstruction, burial or installation of gas, electric and communication service facilities and all appurtenances thereto, including, but not limited to those associated with improvements described in “Roadways” above.
- **Stormwater**. Construction, reconstruction, relocation, modification and installation of stormwater and flood remediation projects and facilities, both for storm water quantity and quality, including the payment and reimbursement for such projects and facilities on private property when determined to be necessary for public health, safety and welfare.
- **Demolition**. Demolition, including demolition on private property when determined to be necessary for public health, safety, welfare and economic development.
- **Parks**. Construction or reconstruction of one or more public parks and park or recreational facilities, including grading, trees and other park plantings, park accessories and related improvements, multi-use trails and bridges, together with all appurtenances thereto.

- **Streetscape/Landscape**. Construction or installation of streetscape and landscape improvements including trees, tree grates, signage, curbs, sidewalks, scenic fencing, street and sidewalk lighting, trash receptacles, benches, newspaper racks, burial of overhead utility lines and related improvements, together with all appurtenances thereto, including, but not limited to streetscape improvements in conjunction with and along the roadway improvements described in “Roadways” above.
- **Real Estate**. Acquisition of real estate or interests in real estate (including easements) (a) necessary to accomplish any of the foregoing improvements or (b) in aid of industry, commerce, distribution or research.
- **Professional Services**. Engineering, consulting, legal, administrative, and other professional services associated with the planning, design, acquisition, construction and installation of the foregoing improvements and real estate.

STAFF REPORT
REYNOLDSBURG CITY COUNCIL

DATE: April 22, 2024

RE: An Ordinance to Amend Chapter Eleven - Planning and Zoning Code for the City of Reynoldsburg, Ohio

APPROVALS:

Chris Shook
Mollie Prasher

EMERGENCY:

REASON FOR EMERGENCY:

STAFF REPORT:

An Ordinance to Amend Chapter Eleven - Planning and Zoning Code for the City of Reynoldsburg, Ohio

WHEREAS, the City of Reynoldsburg determined that the Zoning Code of the City should be revised to improve efficiency, address concerns of residents in the community, and maintain consistency with the Reynoldsburg Comprehensive Master Plan in 2018; and

WHEREAS, the modifications are to be made to the Code that went into effect on April 23, 2020, and subsequently amended, most recently by Ordinance No. 43-2023; and

WHEREAS, these amendments are to align and re-calibrate the text to better conform to the usefulness of the code; and

WHEREAS, the new Reynoldsburg code should continually change and be revised to better suit new policies and practices within the administration and city planning.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF REYNOLDSBURG, OHIO:

SECTION 1. That Chapter 11 - Planning and Zoning Code will be amended with this updated code-

See Exhibit "A" attached and incorporated herein.

SECTION 2. That upon adoption by Council, this Ordinance shall be in effect thirty days following the signature by the Mayor.

REYNOLDSBURG ZONING CODE

REYNOLDSBURG, OH

~~2023~~2024

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1113 GLOSSARY OF TERMS

1101 INTRODUCTION AND HOW TO USE THIS CODE

1101 INTRODUCTION AND HOW TO USE THIS CODE

Introduction and How to Use this Code

SECTION 1101.01 TITLE

A. This Code shall hereinafter be known and cited as "The City of Reynoldsburg Zoning Code," and hereinafter referred to as the/this "Code" or "these regulations."

SECTION 1101.03 PURPOSE AND INTENT

A. In adopting this Code, Council has given reasonable consideration to, among other things:

i. the comprehensive plan;
ii. current conditions and the character of current structures and uses in each district;
iii. the most desirable use for which the land in each district is adapted;
iv. the conservation of property values throughout the City of Reynoldsburg; and,
v. responsible development and growth of the City of Reynoldsburg and hereby adopts this Code for the following purposes:

1. To promote the achievement of the Comprehensive Land Use Plan for the City;
2. To advance the position of the City as a center of commerce, industry, recreation and culture;
3. To provide for desirable, appropriately located living areas in a variety of dwelling types and at a suitable range of population densities, with adequate provision for sunlight, fresh air and usable open space;
4. To protect residential, commercial, industrial and civic areas from the intrusions of incompatible uses, and to provide opportunities for establishments to concentrate for efficient operation in mutually beneficial relationship to each other and to share services;
5. To ensure preservation of adequate space for commercial, industrial and other activities necessary for a healthy economy;
6. To promote safe, fast and efficient movement of people and goods without sacrifice to the

quality of the City's environment and to provide adequate off-street parking;

7. To stabilize expectations regarding future development of the City, thereby providing a basis for wise decisions with respect to such development;
8. To preserve and enhance the quality of the City's environment;
9. To provide for effective signage that is compatible with the surrounding urban environment; and
10. To maintain the safety and potability of public water supplies located within the City.

SECTION 1101.O5 APPLICABILITY

A. In their interpretation and application, the provisions of this Code shall be held to be minimum requirements (unless a maximum standard is established) adopted for the promotion of the public health, safety, convenience, comfort, prosperity or general welfare. Wherever the requirements of the Code are at variance with the requirements of any other lawfully adopted rules, regulations, codes, deed restrictions or covenants, the provisions of this Code shall control.

B. No building, structure or land shall hereafter be used or occupied, and no building or structure or part thereof shall hereafter be erected, constructed, reconstructed, moved or altered except in conformity with all of the regulations herein specified for the zone or district in which it is located.

SECTION 1101.07 ZONES, DISTRICTS AND OVERLAYS

A. The following zones and districts are hereby established for the corporate limits of the City of Reynoldsburg, and land within said areas shall be designated on the Zoning Map by the following symbols:

DISTRICTS	SYMBOL	REPLACES
	ZONES	
Suburban Residential Zone	SR	R-1; R-2; R-3
Residential Medium Zone	RM	R-4; R-20; AR-1; AR-1; AR-2; AR-3; MH
Community Commercial Zone	CC	CC; CO; NC
Innovation	I	RI; GI
Open Space/Schools	OS	CS

DISTRICTS	SYMBOL	REPLACES
	DISTRICTS	
Olde Reynoldsburg Commercial District	ORD-C	HOD
Olde Reynoldsburg Neighborhood District	ORD-N	HOD
Brice and Main District	BMD	N/A
East Main District	EMD	N/A
	OVERLAYS	
Flood Plain Overlay District	FPO	No change
Historic Overlay District	ORD-C; ORD-N	HOD

*N/A – Not Applicable

B. The Planned Development districts (PNDD and PCDD) are no longer included in the zoning districts applicable to this Code. No new projects or developments shall use the Planned Development district. All projects previously designated PNDD or PCDD shall be assigned a different zoning district with the adoption of this Code; provided, however, they may continue to function under the established PNDD or PCDD regulations previously adopted and specific to that development. Any project within the same geographic boundaries of the existing Planned Development may be redeveloped under the same provisions that were previously adopted. An owner of property greater than two acres in total area, with the approval of the Planning and Zoning Administrator, may instead select to designate the existing Planned Development into applicable zoning districts that most closely relate to the existing uses and building form.

SECTION 1101.09 ZONING MAP

A. The City is divided into zones and districts as shown on the Zoning Map, which, together with all explanatory matter thereon, is adopted by reference and declared to be a part of this Code.

B. The Zoning Map shall be located in the office of the Director of Development of the City of Reynoldsburg, maintained on file in the office of the Clerk of Council, and on the City's official website, and this map shall be the final authority as to the current zoning status of land and water areas, building, and other structures in the City.

C. No changes of any nature shall be made in the Zoning Map or matter shown thereon except in accordance with the procedures set forth in Title Eleven of this Code. Any unauthorized change of whatever kind by any person or persons shall be considered a violation of this Code and punishable as provided under this Code.

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SECTION 1101.11 RULES FOR INTERPRETING DISTRICT BOUNDARIES ON THE ZONING MAP

A. The following rules shall apply to the interpretation of district and zone boundaries on the Zoning Map:

i. Boundaries indicated as approximately following the centerlines of streets, highways, or alleys shall be construed to follow such centerlines;

ii. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines;

iii. Boundaries indicated as approximately following City limits shall be construed as following such City limits;

iv. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks;

v. Boundaries indicated as following shorelines shall be construed as moving with the actual shoreline; boundaries indicated as approximately following the centerlines of streams, rivers, canals, lakes, or other bodies of water shall be construed to follow such centerlines; and

vi. Boundaries indicated as parallel to or extensions of features listed above shall be so construed. Distances not specifically indicated on the Zoning Map shall be determined by the scale of the map.

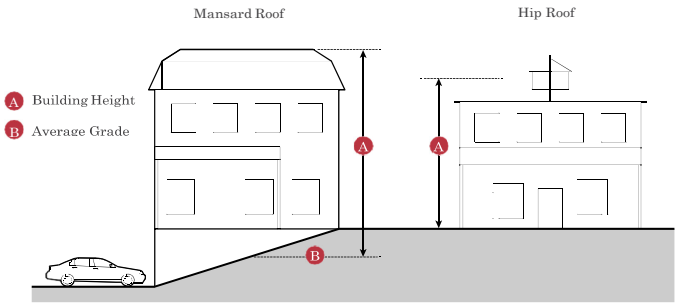
B. Lots Divided by District Boundaries

i. Where a district boundary line divides a lot that was in single ownership at the time of passage of this Code, the Planning and Zoning Board may permit the extension of the regulations for either portion of the lot beyond the district line into the remaining portion of the lot.

SECTION 1101.13 RULES OF MEASUREMENT AND CALCULATION

A. Height Measurement

i. Building height is measured as the distance between a horizontal line at the average existing pre- development grade of the lot directly beside the structure, and the highest point of the coping of a flat roof, the top of a mansard roof, the midpoint of any pitched gable, hip or the upperportion of a gambrel roof, or measured between the top floor ceiling and the peak of the roof on an “A” framed structure. Chimneys, elevators, poles, spires, tanks, towers, and other projections not used for human occupancy are not included in calculating height and may extend above the height limit.



HEIGHT MEASUREMENT

B. Measuring Distance

i. When measuring a required distance, such as the minimum distance between a structure and a lot line, the measurement is made at the closest or shortest distance between them.

iii. When measuring a required distances, such as the minimum distance between a structure and another structure, the measurement is made at the closest or shortest distance between them.

C. Measuring Setbacks

i. The front street setback is measured at a right angle from the private and/or public right-of-way line.

ii. Where a lot extends through the block from street to street, the required front yard must be provided along each street.

iii. The side street setback is measured at a right angle from the side street right-of-way line.

iv. The rear setback is measured at a right angle from the rear lot line or the rear right-of-way or easement line where there is an alley. The rear lot line is the lot line opposite to the front street lot line. Where there is more than one front street, the Planning and Zoning Administrator will determine the rear lot line

v. All lot lines which do not front a street, side street or rear lot lines are considered side interior lot

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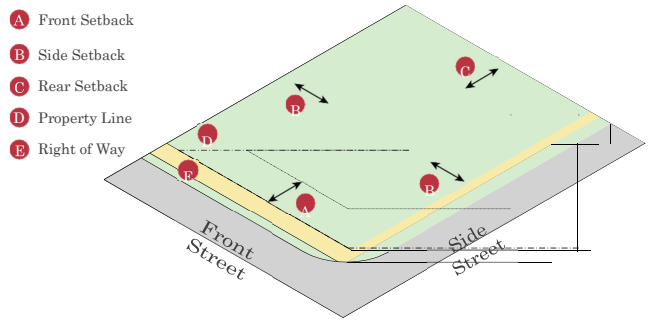


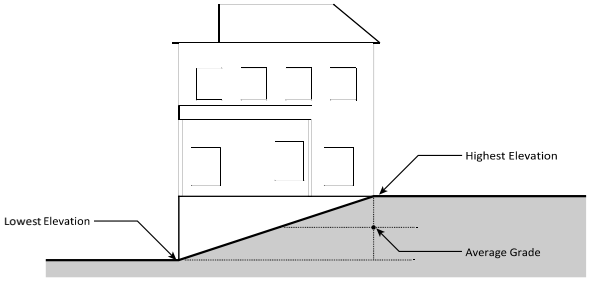
MEASURING SETBACKS

lines.

vi. For the purpose of measuring setbacks, side interior setbacks are measured at a right angle from the side lot line.

D. Determining Average Grade

i. Average grade is determined by calculating the average of the highest and lowest elevation along natural or improved grade (whichever is more restrictive) along the front of the buildingparallel



DETERMINING AVERAGE GRADE

to the front street setback line.

E. Yards, Open Space, and Parking

i. Unless otherwise permitted herein, no part of a yard, or other open space, or off-street parking or loading space required about or in connection with any building for the purpose of complying with this Code shall be included as part of a yard, open space, or off-street parking or loading space similarly required for any other building.

F. Lot or Yard Dimensions

i. No yard or lot existing at the time of passage of this Code shall be reduced in dimension or area below the minimum or above the maximum requirements set forth herein. Yards or lots created after the effective date of this Code shall meet at least the minimum or maximum requirements established by this Code. The Planning and Zoning Administrator will determine setbacks for irregular shaped lots.

G. Permitted Encroachments into Setbacks

i. Fences and walls may encroach into a required setback.
ii. Sidewalks and driveways may encroach into a required front setback.
iii. A required buffer yard may encroach into a required setback.
iv. Landscaping may encroach into a required setback.
v. Building eaves, roof overhangs, gutters, downspouts, light shelves, bay windows and oriels less than ten (10) feet wide, chimneys, flues cornices, belt courses, sills, buttresses or other similar architectural features may encroach up to three (3) feet into a required setback, provided that such extension is at least two (2) feet from the vertical plane of any lot line.
vi. Unenclosed patios, decks, terraces or porte cochere may encroach into a side interior or rear setback, provided that such extension is at least three (3) feet from the vertical plane of any lot line.
vii. An awning, canopy or gallery may encroach into a front or side street setback provided that such extension is at least one (1) foot from the vertical plane of any lot line.
viii. Front porches may encroach into a front setback provided that such encroachment is no greater than six (6) feet from the front building facade, and no closer than 10 feet from the vertical plane of any lot line.

SECTION 1101.15 RULES OF INTERPRETATION

A. Whenever a defined word appears in the Code, its meaning is as set forth in this article. Words not defined in this Code are interpreted in accordance with their usual dictionary meaning and customary usage.

B. All references to other regulations or manuals in this Code refer to the most current version and citation for those regulations or manuals, unless expressly indicated otherwise. When the referenced regulations or documents have been repealed and not replaced by other regulations or manuals, Code requirements

for compliance are no longer in effect.

C. Illustrations, diagrams, and flowcharts are included in this Code to illustrate the intent and requirements of the text. In the case of a conflict between the text and any illustration, diagram, or flowchart, the text controls.

D. Except as otherwise noted, any fraction greater than or equal to 0.5 will be rounded up to the nearest whole number. Any fraction less than 0.5 will be rounded down to the nearest whole number.

E. The language of this Code shall be interpreted in accordance with the following regulations:

i. The word "person" includes a firm, association, organization, partnership, trust, limited liability company, corporation, or other legal entity, as well as an individual.

ii. The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular, in each case, if the context so requires.

iii. The word "shall" is mandatory, the word "may" is permissive.

iv. The words "used" or "occupied" include the words "intended," "designed," "constructed," "altered," or "arranged" to be used or occupied.

v. The word "lot" includes the words "plot," "tract," or "parcel."

vi. The terms "standards," "regulations," and "requirements" are used to mandate a specific course of action or built outcome.

vii. Section headings are provided for ease of use and organization and shall not be interpreted as regulatory.

viii. Where a regulation involves two or more items, conditions, provisions, or events connected by the conjunction "and," " "either ... or," the conjunction shall be interpreted as follows:

ix. "And" indicates that all the connected items, conditions, provisions or events shall apply.

x. "Or" indicates that the connected items, conditions, provisions or events may apply singly or in any combination.

xi. "Either ... or" indicates that all the connected items, conditions, provisions or events shall apply singly but not in combination.

SECTION 1101.17 MINIMUM REQUIREMENTS

A. In their interpretation and application, the provisions of this Code shall be held to be minimum requirements (unless a maximum requirement is expressly provided) adopted for the promotion of the public health, safety, morals, and general welfare. Wherever the requirements of this Code are at variance with the requirements of any other lawfully adopted rules, regulations, codes, deed restrictions, or covenants, the most restrictive or that imposing the higher standards shall govern. Wherever special or unusual conditions or circumstances exist, or wherever there is an apparent safety hazard, the Planning and Zoning Board ~~Commission~~ may prescribe additional requirements in order to promote and protect the health, safety, morals and general welfare of the city. The regulations contained in each district or zone herein shall be minimum regulations and shall apply uniformly to each class or kind of structure or

land, except as hereinafter provided.

SECTION 1101.19 EFFECTS OF ANNEXATION ON ZONING

A. When a lot developed with an agricultural use or one (1) single-family dwelling is annexed into the City, it shall be classified as SR-Suburban Residential zone upon passage of the ordinance accepting the annexation unless otherwise designated by City Council upon acceptance of the annexation.

B. Any land within the City not designated or otherwise included within another zoning district shall be included in the SR-Suburban Residential zone.

C. When a lot owned by any public authority is annexed into the City via annexation, it shall be classified as an OS-Open Space/Schools zone upon adoption of the ordinance accepting the annexation unless otherwise specified by City Council upon acceptance of the annexation.

D. Annexed land may be incorporated into one or more zoning districts provided the applicant files a development plan satisfying the requirements of Chapter 1109.21that depicts the proposed zoning classification(s) for the annexed land.

SECTION 1101.21 PRIVATE PROVISIONS

A. The provisions of this Code are not intended to nullify, abolish or repeal any easement, covenant or other private agreement or restriction.

SECTION 1101.23 CONFLICTING PROVISIONS

A. In the case of any conflict or inconsistency between two or more provisions of this Code (e.g., the restrictions set forth in an overlay district versus the restrictions set forth in a base district) or any other City ordinance, the provision which imposes the greater or higher or more restrictive standard shall control.

SECTION 1101.25 DETERMINATION OF LAND USES NOT LISTED IN THIS CODE

A. It is recognized that this Code may require interpretation to assign all possible uses to individual zones or districts. Therefore, any use which is not specifically set forth in this Code shall be reviewed by the Planning and Zoning Administrator for consistency with the intent set forth in each district and for compatibility with use characteristics typical of uses permitted within those zones or districts. Based upon this review, the Director of Development shall determine the appropriate district or zone for any use which is not specifically set forth herein. In case of disagreement with the determination of the

Director of Development in assigning a use to an appropriate district or zone, any aggrieved party may file an appeal with the Board of Zoning and Building Appeals.

SECTION 1101.27 SAVING PROVISION FOR PENDING ENFORCEMENT ACTIONS

A. Except as shall be expressly provided for in this Code, the adoption of this Code shall not:

i. nullify or make void any action pending under, or by virtue of, any prior zoning code or subdivision code;

ii. discontinue, nullify, void, abate, modify or alter any penalty accruing or about to accrue under, or by virtue of, any prior zoning code or subdivision code;

iii. affect the liability of any person, firm, or corporation under, or by virtue of, any prior zoning code or subdivision code;

iv. waive any right of the City under any section or provision of any prior zoning code or

SECTION 1101.29

HOW TO NAVIGATE THIS CODE:

1. Step One: Locate your property and applicable district or zone on the Zoning Map, which can be found on the City of Reynoldsburg website at: www.reynoldsburg.gov.

2. Step Two: Locate the applicable district, zone or overlay regulations in Chapter 1103 below.

3. Step Three: Determine the use, building placement, parking, landscaping and signage regulations in the applicable district or zone in Chapter 1103 below.

4. Step Four: Determine if any common regulations apply in Chapter 1105.

5. Step Five: Determine if any nonconformities exist and how to address them in Chapter 1107.

6. Step Six: Determine if any approvals are necessary and how to apply for them in Chapter 1109.

7. Step Seven: Determine if any subdivision is necessary and how to address it in Chapter 1111.

8. Step Eight: Reference the Glossary for use and general terms in Chapter 1113 ~~and the summary use and parking tables in the Appendix.~~

1103 DISTRICTS AND ZONES

1103 DISTRICTS AND ZONES

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Districts and Zones

SECTION 1103.01 INTENT

The following districts and zones are hereby established for the regulation of land in the City of Reynoldsburg, Ohio. The districts and zones have been formulated to realize the general purpose as set forth in the preamble of Ordinance No._____and the Comprehensive Plan, as may be amended from time to time. The specific purpose of each district and zone shall serve the regulatory basis for existing and future development within each district and zone.

SECTION 1103.03 COMPLIANCE WITH REGULATIONS

(a) The regulations for each district and zone in this Code shall be minimum regulations and shall apply uniformly to each class or kind of structure or land, except as hereinafter provided or as otherwise granted by the Board of Zoning and Building Appeals.

(b) No building, structure or land shall be used or occupied and no building or structure or part thereof shall be erected, constructed, reconstructed, moved or structurally altered except in conformity with all of the regulations herein specified for the district in which it is located.

(c) No building or other structure shall be erected or altered:

(1) To provide for greater height or bulk;

(2) To accommodate or house a greater number of families;

(3) To occupy a greater percentage of lot area; or

(4) To have narrower or smaller rear yards, front yards, side yards or other open spaces than herein required, or in any other manner be contrary to the provisions of this Code.

(d) No yard or lot existing at the time of passage of this Code shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this Code shall meet at least the minimum requirements set forth herein.

(e) Notwithstanding anything to the contrary contained herein, any single lot of record existing on the effective date of this ordinance shall comply with the yard dimension requirements in effect at the time such lot was platted and/or created.

SECTION 1103.05 OFFICIAL SCHEDULE OF DISTRICT REGULATIONS ADOPTED

A. Development and use regulations and standards are included in each district and zone below.

B. Permitted Uses and Conditional Uses for each district and zone are set forth within each section. Permitted Uses shall include all Accessory Uses, as such term is defined within this Code, except as otherwise expressly set forth herein. Conditional Uses require the grant of a Conditional Use permit.

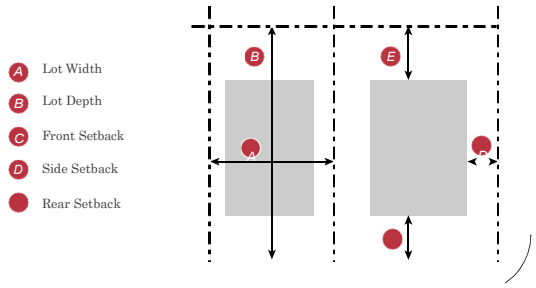
SECTION 1103.07 BUILDING TYPOLOGIES

The Building Typologies included in each district reflect various general forms of development contemplated for all new development within the City. For the alteration of existing structures, the alteration shall comply with the development standards applicable to the development typology that, in the determination of the Planning and Administrator is most similar to the existing structure.

SECTION 1103.09 DEVELOPMENT STANDARDS

Figure 1103.09 A below illustrates the key terms applicable to the development standards included for each development typology. These key terms are illustrated as follows:

FIGURE 1103.09: STANDARDS KEY TERMS



DISTRICTS AND ZONES

This Chapter is divided into four districts (the Olde Reynoldsburg Center, (ORD-C) the Olde Reynoldsburg Neighborhood (ORD-N), the Brice and East Main Street and the East Main Street Insight districts) and
five zones. Districts are specific contiguous geographies with the city that have similar existing or desired development patterns. Districts may include numerous blocks of different uses and building types that form the character of each district. The regulations applied to each district respect the unique development pattern while promoting desired outcomes within. Zones are not all contiguous and are mapped across the city primarily based on existing and desired use patterns and distinguish between disparate uses without respect to a specific geographies.

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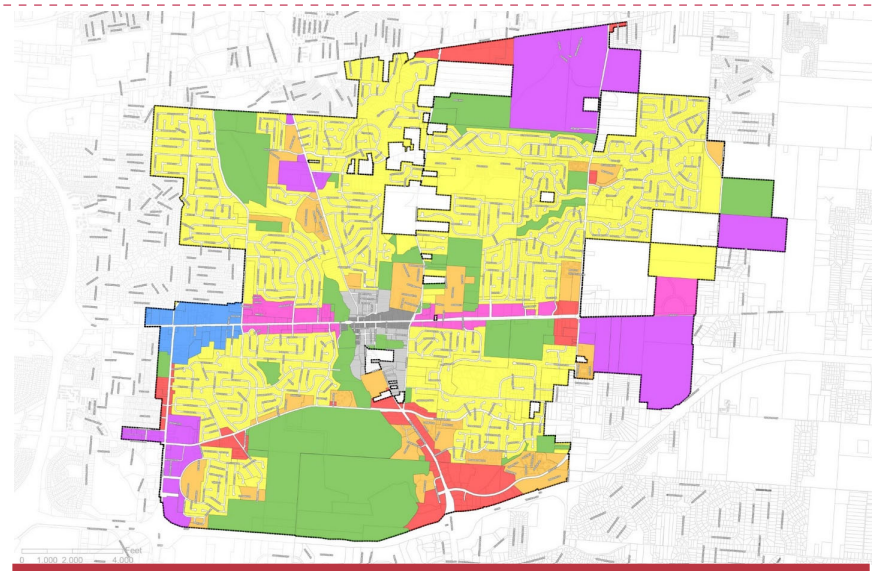


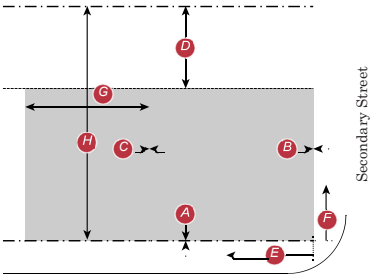
TABLE 1103.10 DISTRICT AND ZONES MAP

LEGEND

SR	Suburban Residential Zone		ORD-C Olde Reynoldsburg Commercial District ORD-
R	Residential Medium Zone		N Olde Reynoldsburg Neighborhood District
M	Community Commercial Zone		EMD East Main Street District
CC	Innovation Zone		
	Open Space / Schools Zone		

SECTION 1103.11 OLDE REYNOLDSBURG COMMERCIAL DISTRICT (ORD-C)

Image: Aerial view of the Old Reynoldsburg Commercial District



Key for Diagrams

Lot Line | Setback Line | Buildable Area

A. INTENT

The primary intent of this district is to strengthen the mixed-use, pedestrian-oriented nature of the existing historic downtown. Historic buildings, facades, and public spaces should be maintained. Interesting and stimulating pedestrian environments should be a primary feature of the District. Sidewalk cafe seating is encouraged, ground-floor retail with large windows should be promoted, and pedestrians should feel safe and comfortable. New residential development is highly encouraged to help bolster and support the vibrancy of the downtown. This District includes properties with frontage on East Main Street and extending west over Blacklick Creek and including the

B. ALLOWED BUILDING TYPES

The building types allowed in the ORD-C are limited to the following, which shall be placed on lots with minimum dimensions sufficient to accommodate the allowed building type and setback dimensions. See this Chapter 1103.27 (Building Typologies) for detailed design standards.

ALLOWED BUILDING TYPES	
Large Flex Retail Building	Bed and Breakfast Building
Medium Flex Retail Building	School and Institutional Building
Small Flex Retail Building	Community Center Building
Detached Single-Family Building	Community Activity Center Building

C. BUILDING PLACEMENT

Build-to-Zone (BTZ)	E Main St Fronting	Commercial District	
Front	0'-15'	NA~~NA~~	A
Side Street, corner lot	0'-10'	NA~~NA~~	B
Setback			
Front	0' min ~~NA~~	0~~5~~' min	A
Side Street, corner lot	0' min ~~NA~~	0~~10~~' min	B
Side	0' min	0~~5~~' min	C
Rear	0' min	~~3~~0' min	D
Lot Coverage	NA	70%	
Building Form			
Primary Street built to BTZ	30% min	NA	E
Side Street, Corner Lot built to BTZ	30% min	NA	F
Lot Width	30' min	~~3~~40' min	G
Lot Depth	NA	NA	H
Lot Frontage	30' min	~~3~~40' min	
Notes			
All floors must have a primary ground-floor entrance			

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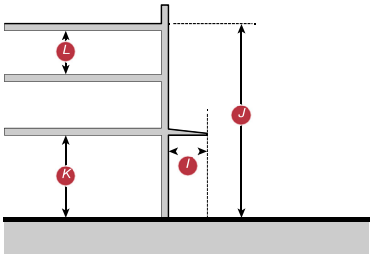

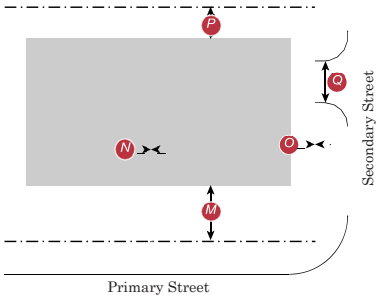

Key for Diagrams

Lot Line Height Line Buildable Area

Rear-facing buildings, loading docks, overhead doors, and other service entries are prohibited on primary street-facing facades.

Any buildings over 75' in width must be articulated with a demising line or designed to read as a series of buildings no wider than 75' each.

D. BUILDING FORM

Each proposed building in the ORD-C District shall comply with the following building form standards.

~~1. Encroachments into Setback~~

~~The following encroachments are allowed within the ORD-C District subject to applicable frontage type standards (See this Chapter).~~

~~Location~~	~~E Main St Fronting~~	~~Commercial Neighborhood~~	
~~Front~~	~~12' max~~	~~10' max~~	
~~Side Street~~	~~8' max~~	~~8' max~~	
~~Rear~~	~~4' max~~	~~0'~~	

~~Notes~~

~~Canopies, Awnings, and Balconies may encroach over the BTZ on the street sides and into the setback on the rear. Only Balconies are allowed within the rear encroachment.~~

2. Height

The height of the buildings shall not exceed the following limits. Minimum and maximum heights are measured from average finished grade at the front setback line.

Height	E Main St Fronting	Commercial Neighborhood	
Building Maximum	5 stories, 60'	2 1/2 stories, 30'	J
Ancillary Building Max.	2 1/2 stories, 35'	2 stories, 24'	
First Floor Ceiling Height	12' min clear	9' min clear	K
Upper Floor(s) Ceiling Height	8' min clear	8' min clear	I

Notes

~~Mansard roofs permitted with administrative approval.~~

~~Any section along the BTZ not defined by a building must be defined by a 2'6" to 4'6" high feature made of stucco or masonry wall material.~~

E. Parking Placement

Off-street parking shall be located in compliance with the following setback standards. See this Chapter (Frontage Typologies) or applicability of frontage types associated with street-side parking.

Location (Distance from Property Line)	E Main St Fronting	Commercial Neighborhood	
Front Setback	20'	20' min	M
Side Setback	0'	0' min	N
Side Street Setback	5'	5' min	
Rear Setback	~~5~~0'	0~~5~~' min	

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Required Spaces ~~(E Main Street)~~	
Ground Floor	
Uses < 3,000 sf	No off-street parking required
Uses =/ > 3,000 sf	1 space/400 sf
Upper Floors	
Residential uses	1 space/unit; .5 space/ studio
Other uses	1 space/450 ft

Notes		
Parking Drive Width	15'~~15'~~	

*Or as required by Fire Department

On corner lots, primary parking drive shall not be located in primary street.

Shared drives are encouraged between adjacent lots to minimize curb cuts along the street.

Parking may be provided off-site within 1,300' or as shared parking. Shared parking may count up to a 30% reduction in total parking required.

Bicycle parking must be provided and in a secure environment and be ground mounted with a clear width of 32 inches and clear length of 84 inches. At least one bicycle space shall be provided for every 1,000 square feet of gross floor area of the principle building.

See Chapter 1105.01 for further parking regulations.

F. Frontage Types

See this Chapter 1103.31 (Frontage Type Standards) for detailed standards for each frontage type.

Frontage Type	Primary Street	Secondary Street	Reference
Shopfront	Allowed	Allowed	1103.31 (A)
Patio	Allowed	Allowed	1103.31 (B)
Yard	Allowed	Allowed	1103.31 (C)
Raised Yard	Allowed	Allowed	1103.31 (D)
Porch	Allowed	Allowed	1103.31(E)
Stoop	Allowed	Allowed	1103.31 (F)
Terrace	Allowed	Allowed	1103.31 (G)
Forecourt	Allowed	Allowed	1103.31 (H)
Streetwall	Allowed	Allowed	1103.31 (I)

~~G. Allowed Open Space Types~~G. Allowed Open Space Types

The open space types allowed in the ORD-C~~N~~ are limited to the following, which shall be placed on lots with minimum dimensions sufficient to accommodate the minimum open space type and setback dimensions. See ~~this~~ Chapter 1103.29 (Open Space Typologies) for detailed illustrative standards.

Allowed Open Space Types	Reference
Greenway and Trail	1103.29 (A)
Park	1103.29 (F)
Nature	1103.29 (J)
Sport Field	1103.29 (G)

H. Allowed Land Uses and Permit Requirements

1. The land uses allowed by this Code are listed in Table 1103 A (Allowed Land Uses and Permit Requirements) below, together with the type of planning permit required for each use. Each land use listed in Table 1103 A (Allowed Land Uses and Permit Requirements) is defined in Chapter 1113 (Glossary of Terms

2. Establishment of an Allowable Use

A. Any one or more land uses allowed in Table 1103 A (Allowed Land Uses and Permit Requirements) may be established on any lot within the district, subject to the planning permit requirement listed in the Table, and in compliance with all applicable requirements of this Code.

b. Where a project on a single lot includes two or more of the land uses listed in the Table, the overall project will be subject to the highest permit level required by the Table for any individual use.

c. A land use that is not listed in Table 1103 A and is determined by the Director to not be included in the definition listed in Chapter 1113 A (Glossary of Terms), is not allowed, unless the Director finds that the proposed use is similar to, compatible with, and will not involve a greater intensity than a listed use and such use is consistent with the purposes of the zone, the

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TABLE 1103 A ALLOWED LAND USES AND PERMIT REQUIREMENTS

Land Use Type	Permit Required by Zone	Specific Use Regulations
	ORD-C	
ANIMAL SERVICES		
Boarding/Kennel	C	
Grooming	P	
Veterinary	P	
COMMUNITY FACILITIES		
Community Facility - Activity Center	P	
Community Facility - Government Administration and Courts	P	
Community Facility - Outdoor Recreation	P	
Community Facility - Park	P	
Community Facility - Public Health Safety	P	
Community Facility - Trail	P	
CONGREGATION		
Event Center - Private Events and Conferences	P	
Event Center - Public Meetings and Conventions	P	
Mortuary	C	
Religious Assembly	P	
CULTURAL		
Library	P	
Live Theater	P	
Movie Theater	P	
Museum	P	
Visual Arts Center	P	

TABLE 1103 A ALLOWED LAND USES AND PERMIT REQUIREMENTS

Land Use Type	Permit Required by Zone	Specific Use Regulations
	ORD-C	
DWELLING		
Dwelling - Assisted	P	
Dwelling - Attached Single-Family	P	
Dwelling - Group	P	
Dwelling - Multi-Unit Building	P	
Dwelling - Multi-Unit Building Complex	P	
Dwelling - Nursing	P	
Dwelling - Two-family	P	
Dwelling - Developmental Disability	P	
FOOD AND BEVERAGE		
Bakery - Retail	P	
Beverage - Brewing and Distilling	P	Produces less than 15,000 barrels.
Beverage Sales - Liquor and Beer Sit Down/Bar Establishment	P	
Beverage Sales and Retail	P	
Food Sales - Small Format Grocery	P	See definition
Food Sales-Farm	P	

TABLE 1103 A ALLOWED LAND USES AND PERMIT REQUIREMENTS

Land Use Type	Permit Required by District	Specific Use Regulations
	ORD-C	
Food Service - Fast Casual Restaurant	P	
Food Service - Full Service Restaurant	P	
EDUCATION		
School - College/ University	P	
School - Primary	P	
School - Secondary	P	
School - Trade	P	
HEALTH / WELLNESS		
Health and Wellness - Clinic	P	
Health and Wellness - Fitness Facility/Gym	P	
Health and Wellness - Massage	P	
Health and Wellness - Physical Therapy	P	
MANUFACTURING / PROCESS / INNOVATION		
Manufacturing - Artisan	P	
MEDICAL		
Medical Office	P	No overnight patients
Medical - Clinic	P	
Medical and/or Recreational ~~Marajuana~~Marijuana - Dispensary	C	

TABLE 1103 A ALLOWED LAND USES AND PERMIT REQUIREMENTS

Land Use Type	Permit Required by Zone	Specific Use Regulations
	ORD-C	
OFFICE		
Office - Corporate	P	
Office - Data Processing/ Call Center	C	
Office - Professional Services	P	
PERSONAL SERVICES		
Clothing Services - Dry Cleaning without drive thru	P	
Financial Services and Banking - without drive thru	P	
Personal Care and Beauty Services	P	
Tattoo/Piercing	P	
RECREATION		
Studio - Art	P	
Studio - Gymnastics/ martial arts	P	

TABLE 1103 A ALLOWED LAND USES AND PERMIT REQUIREMENTS

Allowable Use	P
Conditional Use	C

Land Use Type	Permit Required by Zone	Specific Use Regulations
	ORD-C	
SALES AND EXHIBITION		
Antique Shop	P	80 percent of goods must be 30 years or older or have collectible value.
Auction Facility	P	Excludes livestock and motor vehicle auctions.
Gallery - Art	P	
Garden Center - Indoor and Outdoor	C	
Retail - Convenience without gasoline	P	
Retail - Large Format	P	
Retail - Medium Format	P	
Retail ~~-~~ – Pharmacy without Drive Thru	P	
Retail - Shopping Center - Enclosed	P	
Commercial ~~Retail - Shopping~~ Center - Outdoor - Small	P	
Commercial Center – Outdoor - Large	P	
Retail - Small Format	P	
TOURISM / VISITING		
Overnight Lodging - Bed and Breakfast	P	
Overnight Lodging - Boutique Hotel	P	Fewer than 30 rooms
Overnight Lodging - Hotel	P	
Overnight Lodging - Limited Service	P	
Overnight Lodging - Resort	P	

Allowable Use	P

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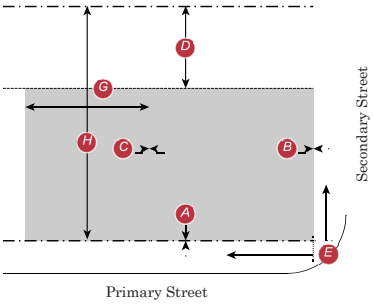
Conditional Use	C

28

SECTION 1103.13 OLDE REYNOLDSBURG NEIGHBORHOOD DISTRICT (ORD-N)

Image: Aerial view of the Old Reynoldsburg Neighborhood District



Key for Diagrams

Lot Line | Setback Line | Buildable Area

A. INTENT

Because of its location adjacent to the in the Olde Reynoldsburg Neighborhood District (ORD-N) future development should support a more diverse range of housing options and should be well integrated with surrounding uses while allowing for more compact development to accommodate smaller household sizes, an aging population, and a growing number of households without children. Multi-unit buildings with common open spaces are encouraged where appropriate, Developments may include a range of housing options with different price points and styles including stacked flats, higher density single-family, row houses, and apartments. Reduced setbacks, improved streetscapes, and smaller blocks all contribute to improved walkabilty.

B. ALLOWED BUILDING TYPES

The building types allowed in the ORD-N are limited to the following, which shall be placed on lots with minimum dimensions sufficient to accommodate the minimum building type and setback dimensions. See Chapter 1103.27 (Building Types) for detailed design standards.

ALLOWED BUILDING TYPES	
Detached Single-Family Building	Small Flex Retail Building
Attached Single-Family Building	Institutional Flex Building
Duplex Building	Community Center Building
Multi-Unit Building	ADU (Accessory Dwelling Unit)

C. BUILDING PLACEMENT

Setback		
Front	5' min	A
Side Street, corner lot	5' min	B
Side	5' min	C
Side Townhome and Condos only	0' min	●
Rear	30' min	D
Lot Coverage	70%	
Building Form		
Lot Width	35' min	●
Lot Width Townhome and Condos only	23' min	●
Lot Depth	NA	
Lot Frontage	35' min	
Lot Frontage Townhome and Condos only	23' min	

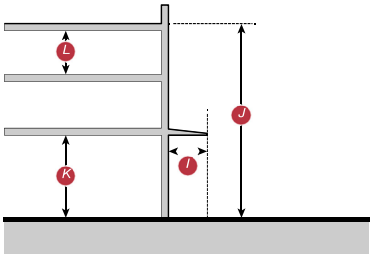
Notes

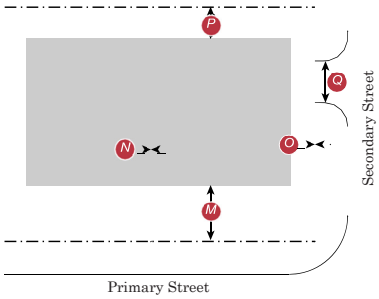
All floors must have a primary ground-floor entrance facing the primary or side street.

Rear-facing buildings, loading docks, overhead doors, and other service entries are prohibited on primary street-facing facades.

Any buildings over 75' in width must be articulated with a demising line or designed to read as a series of buildings no wider than 75' each.

D. BUILDING FORM





Key for Diagrams

Lot Line | Setback Line | Buildable Area

Each proposed building in the ORD-N District shall comply with the following building form standards.

1. Encroachments into Setback		
The following encroachments are allowed within the ORD-N Distict, subject to applicable frontage type standards. See this Chapter 1103.31 (Illustrative Frontage Typologies).		
Location		
Front	~~5~~10' max	
Side	5' max	
Side Street	~~5~~8' max	
Rear	0'	
Notes		
Canopies, Awnings, and balconies may encroach over the setback on the street sides and into the setback on the rear. Only balconies are allowed at the rear encroachment.		

2. Height	
35' max	
2 1/2 stories max	

3. Required Frontage Type*	
Porch	Yard
Stoop	Forecourt
Raised Yard	
Notes	

See this Chapter (Illustrative Frontage Typologies) for descriptions and requirements.

E. Parking Placement		
Off-street parking shall be located in compliance with the following setback standards. See Chapter 1103.31 (Illustrative Frontage Typologies) for applicability of frontage types associated with street-side parking.		
Location (Distance from Property Line)		
Front Setback	20' min	
Side Setback	0' min	
Side Street Setback	5' min	
Rear Setback	5' min	
Notes		
Unless parking space is located in the driveway of a single-family or two-family dwelling.		

F. Frontage Types

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See Chapter 1103.31 (Frontage Type Standards) for detailed standards for each frontage type.

Frontage Type	Primary Street	Secondary Street	Reference
Shopfront	Allowed	Allowed	1103.31 (A)
Patio	Allowed	Allowed	1103.31 (B)
Yard	Allowed	Allowed	1103.31 (C)
Raised Yard	Allowed	Allowed	1103.31 (D)
Porch	Allowed	Allowed	1103.31 (E)
Stoop	Allowed	Allowed	1103.31 (F)
Terrace	Allowed	Allowed	1103.31 (G)
Forecourt	Allowed	Allowed	1103.31 (H)
Streetwall	Allowed	Allowed	1103.31 (I)

G. Allowed Open Space Types

The open space types allowed in the ORD-N are limited to the following, which shall be placed on lots with minimum dimensions sufficient to accommodate the minimum open space type and setback dimensions. See Chapter 1103.29 (Open Space Typologies) for detailed standards

Allowed Open Space Types	Reference
Nature	1103.29 (J)
Greenway and Trail	1103.29 (A)
Square	1103.29 (C)
Green	1103.29 (D)
Passage	1103.29 (E)
Park	1103.29 (F)
Sport Field	1103.29 (G)
Pocket Park	1103.29 (I)
Pocket Plaza	1103.29 (H)

H. Allowed Land Uses and Permit Requirements

1. The land uses allowed by this Code are listed in Table 1103B (Allowed Land Uses and Permit Requirements) below, together with the type of planning permit required for each use. Each land use listed in Table 1103B (Allowed Land Uses and Permit Requirements) is defined in Chapter 1113 (Glossary of Terms).

2. Establishment of an Allowable Use

a Any one or more land uses allowed in Table 1103B (Allowed Land Uses and Permit Requirements) may be established on any lot within the district, subject to the planning permit requirement listed in the Table, and in compliance with all applicable requirements of this Code.

b Where a project on a single lot includes two or more of the land uses listed in the Table, the overall project will be subject to the highest permit level required by the Table for any individual use.

c A land use that is not listed in Table 1103B and is determined by the Director to not be included in the definition listed in Chapter 1113 (Glossary of Terms), is not allowed, unless the Director finds that the proposed use is similar to, compatible with, and will not involve a greater intensity than a listed use and such use is consistent with the purposes of the zone

TABLE 1103B ALLOWED LAND USES AND PERMIT REQUIREMENTS

Land Use Type	Permit Required by Zone	Specific Use Regulations
	ORD-N	
ANIMAL SERVICES		
Veterinary	C	
CONGREGATION		
Event Center - Private Events and Conferences	C	
Religious Assembly	P	
CULTURAL		
Library	P	
Live Theater	C	
Museum	C	
Visual Arts Center	P	
DWELLING		
Dwelling - Assisted	P	
Dwelling - Attached Single-Family	P	
Dwelling - Detached Single-Family	P	
Dwelling - Group	P	
Dwelling - Multi-Unit Building	C	
Dwelling - Multi-Unit Building Complex	C	
Dwelling - Nursing	P	
Dwelling - Two-family	P	
Dwelling - Developmental Disability	P	

TABLE 1103B ALLOWED LAND USES AND PERMIT REQUIREMENTS

Land Use Type	Permit Required by Zone	Specific Use Regulations
	ORD-N	
FOOD AND BEVERAGE		
Bakery - Retail	P	
Beverage - Brewing and Distilling	C	Produces less than 15,000 barrels.
Food Sales - Farm Market	P	
Food Sales - Small Format Grocery	P	See definition
Food Service - Full Service Restaurant	C	
EDUCATION		
School - College/ University	C	
School - Primary	C	
School - Secondary	C	
School - Trade	C	
HEALTH / WELLNESS		
Health and Wellness - Clinic	C	
Health and Wellness - Fitness Facility/Gym	C	
Health and Wellness - Massage	P	
Health and Wellness - Physical Therapy	P	

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TABLE 1103B ALLOWED LAND USES AND PERMIT REQUIREMENTS

Land Use Type	Permit Required by Zone	Specific Use Regulations
	ORD-N	
MANUFACTURING / PROCESS / INNOVATION		
Manufacturing - Artisan	P	
MEDICAL		
Medical - Clinic	C	
Medical - Office	C	
Office - Professional Services	C	
PERSONAL SERVICES		
Personal Care and Beauty Services	C	
RECREATION		
Studio - Art	P	
Studio - Gymnastics/ martial arts	P	
RESIDENT AND CHILD CARE		
Child Day Care - Center	P	See 1105.13(H ~~G~~)
Child Day Care - In Home	P	See 1105.13(I ~~H~~)
SALES AND EXHIBITION		
Antique Shop	C	80 percent of goods must be 30 years or older or have collectible value.
Gallery - Art	P	
Retail - Boutique	P	
Garden Center	C	
TOURISM / VISITING		
Overnight Lodging - Bed and Breakfast	P	
Overnight Lodging - Boutique Hotel	C	Fewer than 30 rooms

Allowable Use	P
Conditional Use	C

X Design Guidelines for Olde Reynoldsburg

Commented [PB5]: All of the Design Guidelines for Olde Reynoldsburg also needs to be placed in the ORD-C standard section after the permitted land use. This section is missing in the ORD-C, and should also be placed there.

A. Purpose

The purpose of this section is to:

(1) protect and enhance the Olde Reynoldsburg Commercial District's (ORD-C) unique aesthetic character;

(2) support high quality streets and public spaces;

(3) encourage architecture that blends harmoniously with the natural surroundings and neighboring development;

(4) safeguard property values and long-term economic assets; and

(5) carefully preserve the character the District's historic character while permitting appropriate growth.

B. Intent and Applicability

These design guidelines shall apply to non□residential development in the ORD□N and ORD□C and are not intended to stifle innovative design or creativity. Instead, these design guidelines are intended to serve as the minimum standards applicable to non□residential development to ensure that new development and redevelopment satisfied the purposes of the Olde Reynoldsburg Districts as described herein. These design guidelines shall be applied by the Planning and Zoning Board in conjunction with its review of applications for Certificates of Appropriateness as described under Chapter 1109.19 hereof.

C. General Standards

(1) **Size, Mass and Scale:** The scale of buildings and accessory structures

(including canopies) shall be appropriate to the scale of structures.

(2) **Proportions of Bays and Openings:** All building bays, including porches, colonnades and porticos as appropriate, shall be square or vertical in proportion, unless the design merits a horizontally- proportioned opening. Wall openings, with the exception of transoms and storefronts, shall be square or vertical in proportion. The facade of a proposed building should draw upon the proportion and number of bays in surrounding buildings, as defined by windows, doors, and column spacing, to establish a compatible scale.

(3) **Building Materials:** Building wall materials shall be combined on each facade only horizontally, unless the building is broken vertically by a change of plane, or a vertical architectural element. Heavier materials, such as masonry and stucco, shall be located below lighter materials, such as cement fiber or wood siding.

(4) **Roof Forms:** Where pitched roofs exist, primary roofs shall have a minimum slope of 4:12, while ancillary roof slopes may be no less than 2:12.

(5) **Garages and Accessory Structures:** Attached garages, detached garages, and other accessory structures shall be subordinate in height, footprint, and proportion to the primary structure on the site, and shall be compatible with the principal structure in terms of roof form, materials, and color. Where a garage contains an accessory dwelling unit above, it may exceed the height of the primary structure.

(6) Trash, Mechanical, Utility and Service Equipment and Areas

i. Loading docks, service areas, and trash disposal facilities (e.g., trash and recycling receptacles,

compactors, dumpsters) shall be hidden or screened from view of streets, parks, squares, or significant pedestrian spaces. Loading areas may be oriented toward adjoining developed properties that are zoned for nonresidential uses, if such loading areas are screened from view.

ii. Mechanical equipment, such as ventilation systems, commercial exhaust fans, rooftop terminations, commercial cooling equipment, heating and air conditioning units, TV antennas, and satellite dishes, shall be hidden or screened from view. Lattice, open brick enclosures, or vegetation can be used to conceal mechanical equipment. Screening material shall be properly maintained. If vegetation is used for screening, the mature size of the vegetation shall be considered so that equipment air flow will not be compromised.

(7) **Colors:** Buildings and additional site elements — e.g., bollards, arbors, drive-thru canopies, sign posts — shall not be painted in a color or pattern that expresses corporate identify, to the extent that the paint color or pattern is not consistent with the design standards of the district. Fluorescent colors, such as ASHTO safety yellow, are also prohibited except where required by a public agency.

D. Specific Standards

(1) Building Materials and Details.

i. Building walls shall be finished in 1 or more (but not more than 3) of the following materials:

(a) Wood;

(b) Fiber cement board siding,

smooth finish;

(c) Concrete masonry units with stucco (CBS);

(d) Reinforced concrete with stucco;

(e) Brick;

(f))Corrugated metal, which may be approved by the Planning and Zoning Administrator based on the surrounding context and location on the site; or

(g) Other materials as approved by the Zoning Administrator, based on visual compatibility with listed approved materials.

ii. Visible foundation walls and chimneys shall be finished in one of the following materials:

(a) Brick; or

(b) Stucco.

iii. Columns may be constructed of the following materials:

(a) Wood;

(b) Wood or fiber cement clad;

(c) Cast iron;

(d) Concrete with smooth stucco finish;

(e) Cast stone with smooth finish;

(f))Brick; or

(g) Perma-cast or other synthetic materials as approved by the Planning and Zoning Administrator, based on visual compatibility with listed approved materials.

iv. Railings and balustrades may be constructed of the following

materials:

(a) Painted wood;

(b) Wrought iron; or

(c) Aluminum, PVC or other synthetic material as approved by the Planning and Zoning Administrator, based on visual compatibility with listed approved materials.

v. Doors shall be made of wood, metal, glass, or fiberglass.

vi. Roofs with visible pitches shall be constructed of the following materials:

(a) 25-year architectural dimension shingles;

(b) Tile (clay, cement, natural or manufactured stone);

(c) Nonreflective pre-finished metal;

(d) Slate;

(e) Reflective metal such as copper; or

(f)) Other similar metals as approved by the Planning and Zoning Administrator.

vii. The following materials are prohibited:

(a) Exposed concrete masonry units;

(b) Vinyl Siding;

(c) Plastic shutters;

(d) Metal panels;

(e) Day-glo, luminescent, iridescent, neon or similar types of color finishes;

(f)) Mirrored glass with a reflectivity of 20% or more; or

(g) Roofing;

1) Plastic or PVC roof tile; or

2) Nontraditional colors such as orange or purple.

(2) **Roof Forms**

~~i.~~ Permitted roof types include gabled, hipped, shed, barrel vaulted, flat, mono-pitch, and domed. Applied and partial (less than 3 sides) mansard roofs are ~~not typically~~ permitted. ~~but may be permitted at the discretion of the Planning and Zoning Administrator based~~

~~i. on compatibility with the surrounding context, size, mass and scale of the structure.~~

ii. Shed, flat, and mono-pitch roofs shall be concealed with parapets along the street frontage, except on porches, balconies, or building extensions.

iii. Downspouts and gutters should be galvanized steel, aluminum, or copper and shall match in materials and finish.

iv. Roof penetrations shall be hidden or painted to match the color of the roof.

v. Skylights must be flat to the pitch of the roof. They shall not be located on any sloped roof facing the primary frontage

(3) **Windows and Doors**

i. Any commercial or mixed-use building elevation facing a street, waterway, or public space shall include a minimum of 40% of transparent fenestration (windows and doors) on the ground floor and 20% on upper floors. Apartment Houses shall conform to these requirements as much as possible, however the minimum percentage of transparent fenestration on the ground floor may be adjusted at the discretion of the Planning and Zoning Administrator. It shall not be reduced to lower than 30%.

ii. **Proportion and Details**

(a) Windows shall not be flush with exterior wall treatments. Windows shall be provided with an architectural surround at the jambs and header, and a projecting sill.

(b) Window openings may be grouped horizontally, but trim between windows shall be at least 3.5 inches wide. This does not apply to storefront windows.

(c) Facades should have several window sizes with smaller ones above. This is particularly important when buildings rise more than 2 stories.

(d) Thin mullions or muntins shall be required on windows larger than 2 feet in any direction, except for shopfronts. The depth of the mullion shall not be less than the width.

(4) **Architectural Details**

i. Shutters: Shutters shall be sized and placed so as to equal the width that would be required to cover the window opening. Operable shutters are preferred.

ii. Column Bays: Columns and piers shall be spaced no farther apart than they are tall. Column bays shall be of equal and precise

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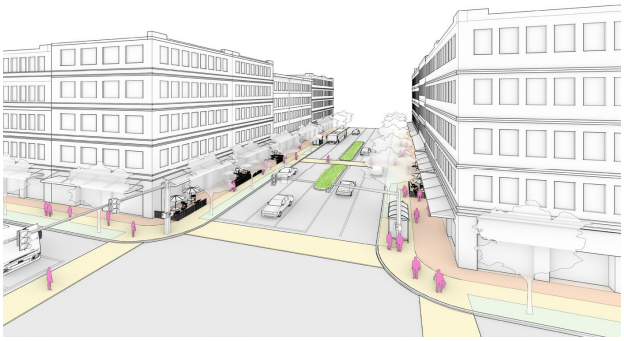
proportions.

SECTION 1103.15 BRICE & EAST MAIN STREET AND EAST MAIN STREET INSIGHT DISTRICTS



Example Development Pattern in Brice & East Main Street District

Example Development Pattern in East Main Street District

I. Purpose and Intent

Brice and East Main Street and the East Main Street Insight Districts are intended to create compact, mixed-use, walkable environments, remove regulatory barriers, and encourage the establishment of local enterprises (e.g. Main Street businesses, start-up makers and other platforms such as shared work spaces, community hubs, and markets). By creating this type of physical environment and reducing regulatory barriers in these two Insight Districts, investors and start-up businesses will be more likely to deploy capital. This will, in turn, enhance community character and allow existing businesses and residents to remain along with newer uses.

The Brice and Main Street Insight District is intended to be more of an urban, mixed-use zone or Transit oriented Development (TOD) that centers around a transportation hub or multi-modal transportation and leverages the area's proximity to major public transportation routes.

The East Main Street Insight District is intended to serve as a transportation corridor lined with compact, mixed-use, development and with standards to address the transition area where each corridor abuts adjoining neighborhoods.

DISTRICTS AND ZONES

Regulations found in the Insight Districts that are unique to both zones include:

- Transit supportive development standards: Walkways connecting streets to buildings and locating buildings or pedestrian plazas close to transit stops can set up development to accommodate future transit.
- On-site facilities for pedestrian, bike, and vehicular travel: Standards for bike parking and pedestrian access, particularly within 1/4 mile or not more than 1/2 mile of a transit stop.
- Adjusted regulations for nonconforming buildings and uses: Leaves the nonconforming section of the zoning code intact on nuisances but more lenient on improvements and adaptive re-use.
- Right-sized application fees: Fees are adjusted to reflect the policies of the community. If infill and suburban retrofit is a priority, fees in those environments should are less.
- Adjust front setback regulations:. Amend front setback regulations to specify setback ranges instead of just minimums.
- Reduced parking requirements for affordable housing: The reduction depends upon the urban/ suburban context and public transportation access.
- Reduced minimum parking requirements: Requiring more parking than is necessary is a financial barrier to development, wastes site area for parking, and increases impervious surface.

II. Insight District Uses

The following uses are either permitted or conditional uses as indicated in the following table:

USES	BRICE AND MAIN DISTRICT (BMD)	EAST MAIN STREET DISTRICT (EMD)	SPECIFIC USE REGULATIONS
ANIMAL SERVICES			
Boarding/Kennel		C	
Shelter		C	
Veterinary	P	P	
COMMUNITY FACILITIES			
Community Facility - Activity Center	P	P	
Community Facility - Outdoor Recreation	P	P	
Community Facility - Park	P	P	
Community Facility - Public Health Safety	P	C	
Community Facility - Trail	P	P	
CONGREGATION			
Event Center - Private Events and Conferences	P	P	
Event Center - Public Meetings and Conventions	P	P	
Religious Assembly	P	P	
CULTURAL			
Library	P	P	
Live Theater	P	P	
Movie Theater	P	P	
Museum	P	P	
Visual Arts Center	P	P	
DWELLING			
Dwelling - Assisted		C	
Dwelling - Attached Single-Family	C	C	
~~Dwelling - Group~~	~~C~~		
Dwelling - Multi-Unit Building	C	C	
Dwelling - Multi-Unit Building Complex	C	C	
~~Dwelling - Developmental Disability~~	~~C~~		

DISTRICTS AND ZONES

USES	BRICE AND MAIN DISTRICT (BMD)	EAST MAIN STREET DISTRICT (EMD)	SPECIFIC USE REGULATIONS
FOOD AND BEVERAGE			
Bakery - Retail	P	P	
Beverage - Brewing and Distilling	P	P	Produces less than 15,000 barrels.
Beverage Sales - Liquor and Beer Sit Down/Bar Establishment	P	P	
Beverage - Retail Sales	P	P	
Food Sales - Farm Market	P	P	
Food Sales - Large Format Grocery	P	P	At least 25,00 sq. ft. of gross floor area with at least 1,000 sq. ft. devoted to fresh produce
Food Sales - Small Format Grocery	P	P	5,000 to 25,00 sq. ft. of gross floor area with at least 500 sq. ft. devoted to fresh produce
Food Service - Commissary/Bakery	P	P	
Food Service - Deli	P	P	
Food Service - Fast Casual Restaurant	P	P	
Food Service - Full Service Restaurant	P	P	
Food Service - Quick Serve/Fast Food With Drive Thru	C	C	See 1105.13(L~~K~~)
Food Service - Quick Serve/Fast Food Without Drive Thru	P	P	
EDUCATION			
School - Child Day Care Center	C	C	
School - College/University	P	P	
School - Secondary	C	C	
School - Trade	C	C	
HEALTH / WELLNESS			
Health and Wellness - Clinic	P	P	
Health and Wellness - Fitness Facility/Gym	P	P	
Health and Wellness - Massage	P	P	

USES	BRICE AND MAIN DISTRICT (BMD)	EAST MAIN STREET DISTRICT (EMD)	SPECIFIC USE REGULATIONS
Health and Wellness - Physical Therapy	P	P	
MANUFACTURING / PROCESS / INNOVATION			
Manufacturing - Artisan	P	P	
Research Facility/Laboratory	P	P	
MEDICAL			
Medical - Clinic	P	P	
Medical - Emergency Services	P	P	
Medical - Full Service Hospital	P	P	
Medical and/or Recreational ~~Marajuana~~Marijuana - Dispensary	C	C	
Medical - Office	P	P	
Medical - Outpatient and Urgent Care	P	P	No overnight visits; ambulance services may not be provided
Medical - Psychiatric Facility - Standalone	C	C	
Medical - Standalone Emergency Services	C	C	
OFFICE			
Office - Corporate	P	P	
Office - Data Processing/Call Center	P	P	
Office - Professional Services	P	P	
PERSONAL SERVICES			
Clothing Services - Tailor	P	P	
Financial Services and Banking - with drive thru	C	C~~P~~	See 1105.13(L~~K~~)
Financial Services and Banking - without drive thru	P	P	
Personal Care and Beauty Services	P	P	
REPAIR SERVICES			
Vehicular Care Services - Minor		C	
RECREATION			
Indoor Recreation Enterprise	C	C	
Outdoor Recreation Enterprise	C		
Private Club	C	C	
Recreational Facility - Commercial	P	P	

DISTRICTS AND ZONES

USES	BRICE AND MAIN DISTRICT (BMD)	EAST MAIN STREET DISTRICT (EMD)	SPECIFIC USE REGULATIONS
Shooting Range - Indoor Only		C	
Studio - Art	P	P	
Studio - Gymnastics/martial arts	P	P	
SALES AND EXHIBITION			
Antique Shop	P	P	80 percent of goods must be 30 years or older or have collectible value.
Auction Facility		C	Excludes livestock and motor vehicle auctions.
Gallery - Art	P	P	
Garden Center - Indoor and Outdoor		C	
Retail - Convenience with gasoline		C~~P~~	
Retail - Convenience without gasoline		P	
Retail - Large Format		P	
Retail - Medium Format	P	P	
Retail ~~-~~ Pharmacy without Drive Thru	P	P	
Retail – Pharmacy with Drive Thru	C	C	See Section 1105.13.L
Retail - Shopping Center - Enclosed	P	P	
~~Retail - Shopping~~ Commercial Center ~~-~~ – Outdoor - Small	P	P	
Commercial Center – Outdoor – Large	P	P	
Retail - Small Format	P	P	
TOURISM / VISITING			
Overnight Lodging - Bed and Breakfast	P	P	
Overnight Lodging - Boutique Hotel	P	P	Fewer than 30 rooms
Overnight Lodging - Hotel	P	P	
Overnight Lodging - Limited Service	P	P	
Overnight Lodging - Resort	P	P	
UTILITY FACILITIES			
Power Substation Facility		C	

Allowable Use	P
Conditional Use	C

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III. Insight District Development Standards

The **Brice and Main District** includes the more urban attached typologies with off-street parking in a garage, driveway, or parking lot, in addition to instances of on-street, parallel parking.

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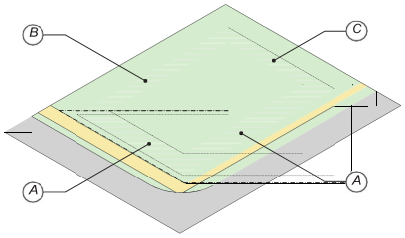
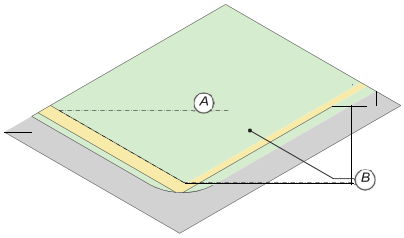
A. Lot Dimensions and Setbacks



LOT DIMENSIONS	LOT SIZE (MIN./MAX SQ. FT.)	NA
	LOT WIDTH (MIN./MAX.)	NA
	LOT DEPTH (MIN. FT.)	NA
	LOT FRONTAGE (MIN. FT.)	NA
SETBACKS	A FRONT YARD SETBACK (MIN. FT.)	5 from ROW
	A FRONT YARD SETBACK (MAX. FT.)	20 feet from ROW
	B SIDE YARD SETBACK (MIN. FT.)	10 from lot line; 10 feet between buildings
	B SIDE YARD SETBACK (MAX. FT.)	NA
	B SIDE YARD SETBACK (MIN./ MAX. AGGREGATE. FT.)	NA
	C *SIDE YARD SETBACK TOWNHOMES & CONDOS ONLY*	0 feet
	C REAR YARD SETBACK (MIN. FT.)	10 feet from lot line; 10 feet between buildings
	REAR YARD SETBACK (MAX. FT.)	NA

B. Lot Coverage



LOT COVERAGE/ OPEN SPACE	A LOT COVERAGE (MIN.)	50%
	LOT COVERAGE (MAX.) - INCLUDING IMPERVIOUS SFC	80%
	CREDIT FOR PERVIOUS OR OTHER COMMON GREEN SPACE UP TO 10% (MAX.)	10%
	LOT COVERAGE (MAX.) - NOT INCLUDING ALL IMPERVIOUS SURFACES	100%
	OPEN SPACE (MIN.)	230%
	OPEN SPACE (MAX.)	350%
LANDSCAPE REVIEW	LANDSCAPE AND NATURAL BUFFERS	NA
DENSITY (MULTI-UNIT RESIDENTIAL)	DENSITY (MIN. UNITS PER ACRE)	12
	DENSITY (MAX. UNITS PER ACRE)	NA

*NP – Not Permitted
*NA – Not Applicable

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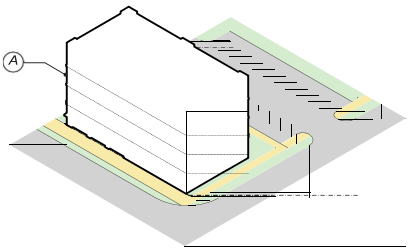
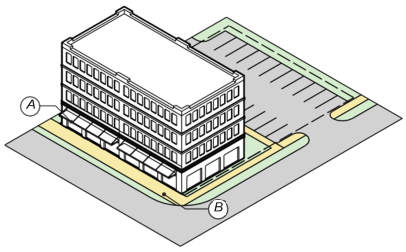
DISTRICTS AND ZONES

C. Height and Parking



D. Frontage



HEIGHT (A)	BUILDING HEIGHT (MIN. FT.)	22
	BUILDING HEIGHT (MAX. FT.)	75; ~~40 townhouse; 60 apartment building~~
ACCESSORY STRUCTURE DIMENSIONS	ACCESSORY BUILDING LOCATION	NP
	ADU HEIGHT (MAX. FT.)	NP
	ACCESSORY BUILDING HEIGHT (MAX. FT.)	NP
PARKING LOCATION	LOCATION	Interior of the development or structured parking
SIGN REGULATIONS	PERMITTED SIGN TYPES	Refer to Section 1105.03 Signs~~Commercial uses only - Any two of the following: Awning, Monument, Projecting, Wall~~
DESIGN	DESIGN STANDARDS	Facade of natural materials similar in design, materials and color to majority of buildings in development.
	SITE PLAN STANDARDS	See Chapter 1109.17 and Supplemental Regulations Below.

ELEMENT	SHOPFRONT	A
	PATIO	B

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III. Insight Zone Development Standards

The **East Main Street District** includes urban and some suburban typologies (Section IV Building Typologies) with off-street parking, driveway, or parking lot, in addition to instances of on-street, parallel parking.

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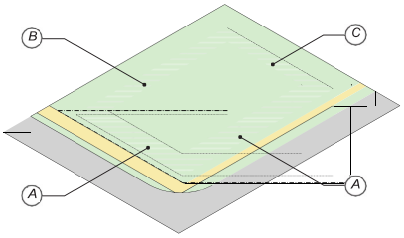
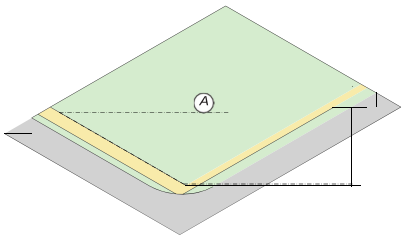
A. Lot Dimensions and Setbacks



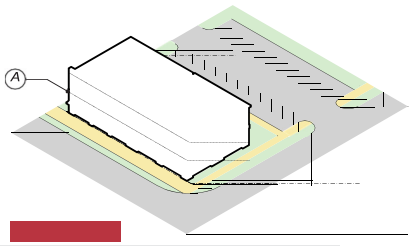
LOT DIMENSIONS	LOT SIZE (MIN./MAX SQ. FT.)	NA
	LOT WIDTH (MIN./MAX.)	NA
	LOT DEPTH (MIN. FT.)	NA
	LOT FRONTAGE (MIN. FT.)	NA
SETBACKS	A FRONT YARD SETBACK (MIN. FT.)	5 ft from ROW
	A FRONT YARD SETBACK (MAX. FT.)	20 ft from ROW
	B SIDE YARD SETBACK (MIN. FT.)	5 ft from lot line; 10 feet between buildings
	B SIDE YARD SETBACK (MAX. FT.)	NA
	B SIDE YARD SETBACK (MIN. AGGREGATE. FT.)	20
	C *SIDE YARD SETBACK TOWNHOMES & CONDOS ONLY*	0 feet
	REAR YARD SETBACK (MIN. FT.)	30
	REAR YARD SETBACK (MAX. FT.)	NA

B. Lot Coverage

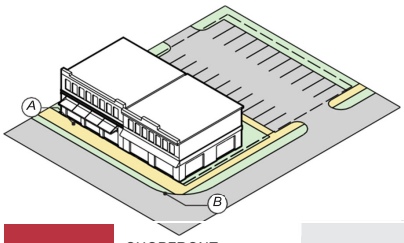


LOT COVERAGE/ OPEN SPACE	A LOT COVERAGE (MIN.)	50%
	LOT COVERAGE (MAX.) - INCLUDING IMPERVIOUS SFC	80%
	CREDIT FOR PERVIOUS OR OTHER COMMON GREEN SPACE UP TO 10% (MAX.)	10%
	LOT COVERAGE (MAX.) - NOT INCLUDING ALL IMPERVIOUS SURFACES	70%
	OPEN SPACE (MIN.)	2~~3~~0%
	OPEN SPACE (MAX.)	~~5~~30%
LANDSCAPE REVIEW	LANDSCAPE AND NATURAL BUFFERS	YES
DENSITY (MULTI-UNIT RESIDENTIAL)	DENSITY (MIN. UNITS PER ACRE)	8
	DENSITY (MAX. UNITS PER ACRE)	24

C. Height and Parking



D. Frontage



ELEMENT	
SHOPFRONT	A
PATIO	B

A	BUILDING HEIGHT (MIN. FT.)	22
	BUILDING HEIGHT (MAX. FT.)	60~~; 40 townhouse~~
ACCESSORY STRUCTURE DIMENSIONS	ACCESSORY BUILDING LOCATION	NP
	ADU HEIGHT (MAX. FT.)	NP
	ACCESSORY BUILDING HEIGHT (MAX. FT.)	NP
PARKING LOCATION	LOCATION	Rear or side yard, well- screened; private garages; structured parking
SIGN REGULATIONS	PERMITTED SIGN TYPES	Refer to Section 1105.03 Signs~~Commercial uses only - Any two of the following: Awning, Monument, Projecting, Wall~~
DESIGN	DESIGN STANDARDS	Facade of natural materials similar in design, materials and color to majority of buildings in development.
	SITE PLAN STANDARDS	See Chapter 1109.19 and Supplemental

*NP – Not Permitted

*NA – Not Applicable

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The following supplemental regulations shall apply to all development in the Brice and Main Street and East Main Street Insight Zones. The intent of these regulations to promote the development of the City's auto- oriented corridors to allow for more residential development and access to employment opportunities. The standards and guidelines set forth herein are not intended to stifle innovative design. Instead, these regulations should serve as minimum standards and guidelines to ensure that new development and redevelopment advances the purposes described under this section.

IV. Transit Supportive Development

A. Enable bus stops, pullouts, shelters, and appropriate road geometry.

B. Retail, office, institutional buildings provide convenient access to transit:

(1) Walkways connecting streets to buildings

(2) Bicycle Storage Requirements:

i. Retail Buildings: Provide storage for 5% of regular building occupants, no fewer than 2 spaces per building.

ii. Office Buildings: Provide storage for 5% of peak visitors, no less than 4 spaces per building.

iii. Institutional Buildings: Provide storage for 5% of peak visitors, no less than 4 spaces per building.

(3) At major transit stops:

i. Buildings located within 20 feet or provide pedestrian plaza;

ii. Reasonably direct connection to buildings;

iii. Accessibility for disabled persons;

iv. Easement or dedication for shelter if transit provider requests;

v. Lighting;

vi. Accommodations for seating or leaning;

vii. Bicycle facilities, including bike racks and areas for storing scooters.

V. Exceptions and Reductions in Parking Standards

A. There is no minimum number of required automobile parking spaces for uses within Brice and Main Street and East Main Street Insight Zones. The applicant may propose a parking standard that is different than the standard under 1105.01; Off-Street Parking and Loading for review and action by the Planning and Zoning Administrator.

(1) Site has a bus stop with frequent transit service located adjacent to it, and
the site's frontage is improved with a bus stop waiting shelter, consistent with the standards of the applicable
transit service provider: Allow up to a 20 percent reduction to the standard number of automobile parking spaces;

(2) Site has dedicated parking spaces for carpool or vanpool vehicles: Allow up to a 10 percent reduction to the standard number of automobile parking spaces;

(3) Site has dedicated parking spaces for motorcycles, scooters, or electric carts:
Allow up to a 5 percent ~~reducation~~reduction to the number of automobile parking spaces.

(4) Site has more than the minimum

number of required bicycle parking spaces: Allow up to a 5 percent reduction to the number of automobile parking spaces

VI. Lot Coverage Bonus

A. The Planning and Zoning Administrator, subject to review, may approve increases to the lot coverage standards as follows:

(1) Lot coverage may increase by up to one- half square foot for every one square foot of proposed automobile parking area to be

contained in a parking structure, either above or below leasable ground floor space (e.g., residential, commercial, or civic use), not
to exceed a 20 percent increase in allowable coverage.

(2) Lot coverage may increase by up to one-half a square foot for every one square foot of
proposed parking area paving that uses a City- approved porous or permeable paving material (i.e., allowing stormwater infiltration).

(3) Lot coverage may increase by up to one-half a square foot for every one square foot of City-approved water quality treatment area (e.g., vegetative swale or bio-filtration) to be provided on the subject site.

(4) In approving increases in lot coverage under subsections i-iii of this section, the City may require additional landscape buffering or screening, above that which is required by other provisions of this code, and may impose reasonable conditions of approval to ensure the ongoing maintenance of parking areas and surface water management facilities.

(2) Notwithstanding the lot coverage increases authorized by this section, all other development standards of this chapter, and other applicable provisions of this Code, must be met.

SECTION 1103.17 SUBURBAN RESIDENTIAL ZONE (SR)

I. Purpose and Intent

A. The Suburban Residential (SR) Zone is intended to regulate all land in the city platted for medium-scale suburban single-unit residential development. The existing development pattern in the SR Zone is traditional single-family residential subdivisions with single-unit residential structures. The desired development pattern in the SR Zone is to accommodate multiple forms of single-family development, including attached single-family dwellings. New development in the SR Zone should also promote pedestrian connectivity and the retention of open space as an amenity. Where possible, new residential development should be connected to trail systems and within a half-mile walk from parks or significant open space.

II. Uses

A. The following uses are either permitted or conditional uses as indicated in the following chart:

DISTRICT USES	
PERMITTED USES:	• Community Facility - Park • Community Facility - Trail • Dwelling - Detached Single-family • Library • Residential Model Home • School - Primary • School - Secondary
CONDITIONAL USES:	• Child Day Care - Center (See 1105.13(H~~G~~) • Child Day Care - In Home* • Community Facility - Activity Center • Community Facility - Outdoor Recreation • Community Facility - Public Health Safety • Dwelling - Assisted • Dwelling - Attached Single-Family • Dwelling - Developmental Disability • Dwelling - Group • Dwelling - Two Family • Golf Course • Private Club • Religious Assembly • Studio - Art • Studio - Gymnastics/martial arts • Visual Arts Center

** Subject to Home Occupation Regulations (see 1103.13(I~~H~~))*

III. Development Standards

The Suburban Residential Zone includes the traditional suburban single-family detached and attached typologies with off-street parking in a garage, driveway, or parking space.

LOT DIMENSIONS	LOT SIZE (MIN. SQ. FT.)	NA
	LOT SIZE (MAX. SQ. FT.)	NA
	LOT WIDTH (MIN. FT.)	50
	LOT WIDTH (MAX. FT.)	NA
	LOT WIDTH TOWNHOMES AND CONDOS ONLY	23
	LOT DEPTH (MIN. FT.)	100
	LOT FRONTAGE (MIN. FT.)	50
	LOT FRONTAGE TOWNHOMES AND CONDOS ONLY (MIN. FT.)	23
DENSITY (MULTI-UNIT RESIDENTIAL)	DENSITY (MIN. UNITS PER ACRE)	NA
	DENSITY (MAX. UNITS PER ACRE)	NA
SETBACKS	FRONT YARD SETBACK (MIN. FT.)	20
	FRONT YARD SETBACK (MAX. FT.)	NA
	SIDE YARD SETBACK (MIN. FT.)	5
	SIDE YARD SETBACK (MAX. FT.)	NA
	SIDE YARD SETBACK TOWNHOMES AND CONDOS ONLY	0
	SIDE YARD SETBACK (MIN. AGGREGATE. FT.)	NA
	SIDE YARD SETBACK (MAX. AGGREGATE FT.)	NA
	REAR YARD SETBACK (MIN. FT.)	30
	REAR YARD SETBACK (MIN. FT.)	NA
HEIGHT	BUILDING HEIGHT (MIN. FT.)	NA
	BUILDING HEIGHT (MAX. FT.)	35
LOT COVERAGE/ OPEN SPACE	LOT COVERAGE (MIN.)	NA
	LOT COVERAGE (MAX.) - INCLUDING IMPERVIOUS SFC	60%
	CREDIT FOR PERVIOUS OR OTHER COMMON GREEN SPACE UP TO 10% (MAX.)*	10%
	LOT COVERAGE (MAX.) - NOT INCLUDING ALL IMPERVIOUS SURFACES	NA
	OPEN SPACE (MIN.)	NA

OPEN SPACE (MAX.)	NA

*DETENTION PONDS INCLUDED IF DESIGNED AS AN AMENITY AND COMMUNITY FEATURE. (I.E. FENCING, LANDSCAPING, NATURAL FEEL)

ACCESSORY STRUCTURE DIMENSIONS	ACCESSORY BUILDING LOCATION	Rear yard, 3 feet from all lot lines; 10 feet from the house
	ADU	See Section 1105.05
	ACCESSORY BUILDING HEIGHT (MAX. FT.)	15
PARKING LOCATION	LOCATION	Driveway leading to private attached or detached garage; no front yard parking
SIGN REGULATIONS	PERMITTED SIGN TYPES	Refer to section 1105.03 Signs~~Temporary signs only~~
DESIGN	DESIGN STANDARDS	Single-family building types; For garage requirements, please see Section 1105.05 & 1105.06~~.~~
	SITE PLAN STANDARDS	For subdivision requirements, see Chapter 1111

*NP – Not Permitted
*NA – Not Applicable

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SECTION 1103.19 RESIDENTIAL MEDIUM ZONE (RM)

I. Purpose and Intent

A. The purpose of the Residential Medium (RM) Zone is to complement single-family residential development through the introduction of a more diverse range of housing options, including two- family buildings, townhomes, row houses, and apartments. Future development in the RM Zones should be well integrated with surrounding uses while allowing for more compact development to accommodate growth.

II. Uses

A. The flowing uses are either permitted or conditional uses as indicated in the following chart:

DISTRICT USES	
PERMITTED USES:	• Community Facility - Activity Center • Community Facility - Outdoor Recreation • Community Facility - Park • Community Facility - Public Health Safety • Community Facility - Trail • Dwelling - Attached Single-Family • Dwelling - Detached Single-family • Dwelling - Multi-Unit Building • Dwelling - Multi-Unit Building Complex • Dwelling - Two-family • Library • Dwelling - Nursing • School - Primary • School - Secondary • ~~Tiny House~~
CONDITIONAL USES:	• Child Day Care - In Home* • Dwelling - Assisted • Dwelling - Development Disability • Dwelling - Group • Overnight Lodging - Bed and Breakfast

** Subject to Home Occupation Regulations (see 1105~~3~~.13(I~~H~~))*

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III. Development Standards

The Residential Medium Zone includes the traditional suburban single-family detached, attached, two-family, townhouse, and apartment building typologies with off-street parking in a garage, driveway, or parking space.

LOT DIMENSIONS	LOT SIZE (MIN. SQ. FT.)	NA
	LOT SIZE (MAX. SQ. FT.)	NA
	LOT WIDTH (MIN. FT.)	50
	LOT WIDTH (MAX. FT.)	NA
	LOT WIDTH TOWNHOMES AND CONDOS ONLY	23
	LOT DEPTH (MIN. FT.)	100
	LOT FRONTAGE (MIN. FT.)	50
	LOT FRONTAGE TOWNHOMES AND CONDOS ONLY (MIN. FT.)	23
DENSITY (MULTI-UNIT RESIDENTIAL)	DENSITY (MIN. UNITS PER ACRE)	NA
	DENSITY (MAX. UNITS PER ACRE)	24
SETBACKS	FRONT YARD SETBACK (MIN. FT.)	20
	FRONT YARD SETBACK (MAX. FT.)	NA
	SIDE YARD SETBACK (MIN. FT.)	8
	SIDE YARD SETBACK TOWNHOMES AND CONDOS ONLY	0
	SIDE YARD SETBACK (MAX. FT.)	NA
	SIDE YARD SETBACK (MIN. AGGREGATE. FT.)	20
	SIDE YARD SETBACK TOWNHOMES AND CONDOS ONLY (MIN. AGGREGATE. FT.)	NA
	SIDE YARD SETBACK (MAX. AGGREGATE FT.)	NA
	SIDE YARD SETBACK TOWNHOMES AND CONDOS ONLY (MAX. AGGREGATE. FT.)	NA
	REAR YARD SETBACK (MIN. FT.)	30
	REAR YARD SETBACK TOWNHOMES AND CONDOS ONLY (MIN. FT.)	20
	REAR YARD SETBACK (MAX~~IN~~. FT.)	NA
	REAR YARD SETBACK (MAX. FT.)	NA
HEIGHT	BUILDING HEIGHT (MIN. FT.)	NA
	BUILDING HEIGHT (MAX. FT.)	50~~35 single-family, two-family, townhouse; 42 apartment building~~
	LOT COVERAGE (MIN.)	NA

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LOT COVERAGE/ OPEN SPACE	LOT COVERAGE (MAX.) - INCLUDING IMPERVIOUS SFC	~~76~~60%
	CREDIT FOR PERVIOUS OR OTHER COMMON GREEN SPACE UP TO 10% (MAX.)*	10%
	LOT COVERAGE (MAX.) - NOT INCLUDING ALL IMPERVIOUS SURFACES	NA
	OPEN SPACE (MIN.)	NA
	OPEN SPACE (MAX.)	NA

*DETENTION PONDS INCLUDED IF DESIGNED AS AN AMENITY AND COMMUNITY FEATURE. (I.E. FENCING, LANDSCAPING, NATURAL FEEL)

DISTRICTS AND ZONES

ACCESSORY STRUCTURE DIMENSIONS	ACCESSORY BUILDING LOCATION	Same as primary
	ADU	See Section 1105.05
	ACCESSORY BUILDING HEIGHT (MAX. FT.)	20
PARKING LOCATION	LOCATION	Driveway leading to private attached or detached garage; rear Yard
SIGN REGULATIONS	PERMITTED SIGN TYPES	Temporary signs only; monument sign for each frontage
DESIGN	DESIGN STANDARDS	Single-unit attached and detached building types; For garage requirements, please see Section 1105.05 & 1105.06
	SITE PLAN STANDARDS	See site plan review, Chapter 1109.19
LANDSCAPE REVIEW	LANDSCAPE AND NATURAL BUFFERS	NA

SECTION 1103.21 COMMUNITY COMMERCIAL ZONE (CC)

I. Purpose and Intent

A. The Community Commercial (CC) Zone is intended to promote development patterns and businesses that are consistent with larger retail and office-users, including companies with a workforce residing throughout the region that is seeking the convenience of access from heavily-traveled corridors. Existing development in the CC Zone is comprised of traditional large lot retail development with surface parking. Future development patterns in the CC Zone should accommodate changes in retail and transportation, including smaller lots and smaller format retail uses.

II. Uses

A. The following uses are either permitted or conditional uses as indicated in the following chart:

	DISTRICT USES
PERMITTED USES:	• Adult Day Care • Adult Oriented Businesses (Subject to Section 795.02 of Codified Ordinances) • Antique Shop (See definition) • Bakery - Retail • Beverage - Brewing and Distilling (See definition) • Boarding/Kennel • Child Day Care - In Home (See 1105.13(~~I~~H)) • Clothing Services - Dry Cleaning with drive thru • Clothing Services - Dry Cleaning without drive thru • Clothing Services - Tailor • Community Facility - Park • Community Facility - Trail • Event Center - Private Events and Conferences • Event Center - Public Meetings and Conventions • Financial Services and Banking - with drive thru (See 1105.13(~~L~~K)) • Financial Services and Banking - without drive thru • Food Sales - Farm Market • Food Sales - Small Format Grocery • Food Sales - Large Format Grocery • Food Service - Commissary/Bakery • Food Service - Deli • Food Service - Fast Casual Restaurant • Food Service - Full Service Restaurant • Food Service - Quick Serve/Fast Food Without Drive Thru • Food Service - Quick Serve/Fast Food With Drive Thru • Gallery - Art • Health and Wellness - Clinic • Health and Wellness - Fitness Facility/Gym • Health and Wellness - Massage • Health and Wellness - Physical Therapy • Indoor Recreation Enterprise • Library • Live Theater • Manufacturing - Artisan • Medical – Clinic • Medical – Emergency Services • Medical – Full Service Hospital • Medical Office • Medical – Outpatient and Urgent Care

DISTRICT USES (CONT.)	
PERMITTED USES:	• Medical - Psychiatric Facility - Standalone • Medical – Standalone Emergency Services • Meeting Facility • Movie Theater • Museum • Office – Corporate • Office - Data Processing/Call Center • Office - Professional Services • Outdoor Recreation Enterprise • Overnight Lodging - Boutique Hotel • Personal Care and Beauty Services • Religious Assembly • Retail - Small Format • Retail - Medium Format • Retail Large Format • Overnight Lodging - Bed and Breakfast (See definition) • Retail - Medium Format • Retail ~~-~~ – Pharmacy without Drive Thru • Retail – Pharmacy with Drive Thru • Commercial ~~Retail - Shopping~~ Center ~~-~~ – Outdoor – Small • Commercial Center – Outdoor - Large • School - Secondary • School - Primary • Shelter • Studio - Art • Studio - Gymnastics/Martial arts • Veterinary • Visual Arts Center
CONDITIONAL USES:	• Auction Facility • Beverage Sales - Liquor and Beer Sit Down/Bar Establishment • Beverage Sales - Liquor Store • Child Day Care - Center (See 1105.13(~~HC~~)) • Community Facility - Activity Center • Community Facility - Outdoor Recreation • Community Facility - Public Health Safety • Dwelling - Assisted • Dwelling Group • Dwelling – Multi-Unit Building

DISTRICT USES (CONT.)	
CONDITIONAL USES:	• Dwelling - Two-Family • Medical Marijuana - Dispensary • Mortuary • Overnight Lodging - Hotel • Private Club • Research Facility and Laboratory • Retail - Convenience with gasoline • Retail - Convenience without gasoline • Shooting Range - Indoor • Storage - Self-Store (See 1105.13 (F)) • Storage - Vehicular and Boat • Vehicular Care Services – Major • Vehicular Care Services – Minor • Vehicle Care Services – Washes • Vehicular Sales - Automobiles • Vehicular Sales - Motorcycles • Vehicular Sales - Boats • Vehicular Sales - Recreational Vehicles

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III. Development Standards

The Community Commercial Zone includes small and medium flex buildings, retail/large format, retail large restaurant building typologies, and off street parking.

LOT DIMENSIONS	LOT SIZE (MIN. SQ. FT.)	NA
	LOT SIZE (MAX. SQ. FT.)	NA
	LOT WIDTH (MIN. FT.)	80
	LOT WIDTH (MAX. FT.)	NA
	LOT DEPTH (MIN. FT.)	NA
	LOT FRONTAGE (MIN. FT.)	80
DENSITY (MULTI-UNIT RESIDENTIAL)	DENSITY (MIN. UNITS PER ACRE)	NA
	DENSITY (MAX. UNITS PER ACRE)	NA
SETBACKS	FRONT YARD SETBACK (MIN. FT.)	10
	FRONT YARD SETBACK (MAX. FT.)	NA
	SIDE YARD SETBACK (MIN. FT.) (EACH SIDE)	10
	SIDE YARD SETBACK (MAX. FT.)	NA
	SIDE YARD SETBACK (MIN. AGGREGATE. FT.)	20
	SIDE YARD SETBACK (MAX. AGGREGATE FT.)	NA
	REAR YARD SETBACK (MIN. FT.)	20
	REAR YARD SETBACK (MAX. FT.)	NA
HEIGHT	BUILDING HEIGHT (MIN. FT.)	NA
	BUILDING HEIGHT (MAX. FT.)	45
LOT COVERAGE/ OPEN SPACE	LOT COVERAGE (MIN.)	NA
	LOT COVERAGE (MAX.) - INCLUDING IMPERVIOUS SFC.	70%
	CREDIT FOR PERVIOUS OR OTHER COMMON GREEN SPACE UP TO 10% (MAX.)*	10%
	LOT COVERAGE (MAX.) - NOT INCLUDING ALL IMPERVIOUS SURFACES	70%
	OPEN SPACE (MIN.)	NA
	OPEN SPACE (MAX.)	NA

*DETENTION PONDS INCLUDED IF DESIGNED AS AN AMENITY AND COMMUNITY FEATURE (I.E. FENCING, LANDSCAPING, NATURAL FEEL)

ACCESSORY STRUCTURE DIMENSIONS	ACCESSORY BUILDING LOCATION	NP
	ADU HEIGHT (MAX. FT.)	NP
	ACCESSORY BUILDING HEIGHT (MAX. FT.)	NP
PARKING LOCATION	LOCATION	Front, side, or rear yard well-screened
SIGN REGULATIONS	PERMITTED SIGN TYPES	Commercial uses only (see Section 1105.03)
DESIGN	DESIGN STANDARDS	Small to Medium Commercial Building Types; Natural Materials or Hardie Panel on front and side facades
	SITE PLAN STANDARDS	NA
LANDSCAPE REVIEW	LANDSCAPE AND NATURAL BUFFERS	NA

SECTION 1103.23 INNOVATION ZONE (I)

I. Purpose and Intent

A. Innovation (I) Zone incorporates a mix of industrial and office uses that will facilitate the creation of economic centers that will serve Reynoldsburg and surrounding communities. The existing development pattern in the I Zone is traditional, auto-oriented retail and commercial development. The desired development pattern includes the construction of signature industrial/flex buildings to facilitate access to I-70 and I-270. New construction should be well-designed and site plans should incorporate attractive landscaping, streetscape elements and signage. Pedestrian crossing should be incorporated throughout the zone.

II. Uses

A. The following uses are either permitted or conditional uses as indicated in the following chart:

	DISTRICT USES
PERMITTED USES:	• Air Transportation Services • Auction Facility(See definition) • Beverage - Brewing and Distilling (See definition) • Beverage - Distribution • Beverage - Non-Alcoholic Production • ~~Boarding/Kennel~~ • Community Facility - Activity Center • Community Facility - Government Administration and Courts • Community Facility - Outdoor Recreation • Community Facility - Park • Community Facility - Public Health Safety • Community Facility - Trail • Event Center - Private Events and Conferences • Event Center - Public Meetings and Conventions • Financial Services and Banking -with drive thru (See 1105.13(L~~K~~)) • Financial Services and Banking without drive thru • Food Service - Commissary/Bakery • Food Service - Processing • Food Service – Production • Forestry • Garden Center - Indoor and Outdoor • Health and Wellness - Clinic • Health and Wellness - Fitness Facility/Gym • Library • Manufacturing - Artisan • Manufacturing - Heavy • Manufacturing - Light • Medical – Clinic • Medical – Emergency Services • Medical – Full Service Hospital • Medical - Office • Medical - Outpatient and Urgent Care • Medical - Psychiatric Facility - Standalone • Medical – Standalone Emergency Services • Museum • Office - Corporate

DISTRICT USES (CONT.)	
PERMITTED USES:	• Office - Professional Services • Plant Cultivation • Printing and Publishing • ~~Religious Assembly~~ • Research Facility/Laboratory • School - College/University • School - Trade • Shelter • ~~Storage - Contractor~~ • ~~Storage - Commercial Gases~~ • Studio - Art • Studio - Gymnastics/martial arts • Vehicle Care Services - Washes • Veterinary • Visual Arts Center • Warehouse - Large Format • Warehouse - Small Format
CONDITIONAL USES:	• Child Day Care - Center • Community Facility - Detention and Corrections • Food Sales - Farm Market • Food Sales - Small Format Grocery • Indoor Recreation Enterprise • Junk Storage and Sales • Medical ~~Marajuana~~and/or Recreational Mariana ~~ana~~ - Dispensary • Medical and/or Recreational Marijuana ~~Marajuana~~ Facility - Cultivation & Processing • Mineral Extraction/Processing • Outdoor Recreation Enterprise • Outdoor Processing - Agriculture • Outdoor Processing - Composting • Outdoor Processing - Concrete and Asphalt • Power Generation Facility • Power Substation Facility • Private Club • School - Primary • School – Secondary • Shooting Range - Indoor • ~~Storage - Self-Store (See 1105.13 (E))~~ • Storage - Commercial Gases • ~~Storage - Vehicular and Boat~~ • ~~Tattoo/Piercing Establishment~~ • ~~Vehicular Sales - Automobiles~~ • ~~Vehicular Sales - Motorcycles~~

DISTRICT USES (CONT.)

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III. Development Standards

The Innovation Zone includes office, industrial, and warehouse typologies with on-street and off-street parking.

LOT DIMENSIONS	LOT SIZE (MIN. SQ. FT.)	NA
	LOT SIZE (MAX. SQ. FT.)	NA
	LOT WIDTH (MIN. FT.)	200
	LOT WIDTH (MAX. FT.)	NA
	LOT DEPTH (MIN. FT.)	150
	LOT FRONTAGE (MIN. FT.)	80
DENSITY (MULTI-UNIT RESIDENTIAL)	DENSITY (MIN. UNITS PER ACRE)	NA
	DENSITY (MAX. UNITS PER ACRE)	NA
SETBACKS	FRONT YARD SETBACK (MIN. FT.)	10
	FRONT YARD SETBACK (MAX. FT.)	20
	SIDE YARD SETBACK (MIN. FT.) (EACH SIDE)	20
	SIDE YARD SETBACK (MAX. FT.)	NA
	SIDE YARD SETBACK (MIN. AGGREGATE. FT.)	40
	SIDE YARD SETBACK (MAX. AGGREGATE FT.)	NA
	REAR YARD SETBACK (MIN. FT.)	40
	REAR YARD SETBACK (MIN. FT.)	NA
HEIGHT	BUILDING HEIGHT (MIN. FT.)	35
	BUILDING HEIGHT (MAX. FT.)	75
LOT COVERAGE/ OPEN SPACE	LOT COVERAGE (MIN.)	NA
	LOT COVERAGE (MAX.) - INCLUDING IMPERVIOUS SFC.	70%
	CREDIT FOR PERVIOUS OR OTHER COMMON GREEN SPACE UP TO 10% (MAX.)*	NA
	LOT COVERAGE (MAX.) - NOT INCLUDING ALL IMPERVIOUS SURFACES	NA
	OPEN SPACE (MIN.)	NA
	OPEN SPACE (MAX.)	NA

*DETENTION PONDS INCLUDED IF DESIGNED AS AN AMENITY AND COMMUNITY FEATURE. (I.E. FENCING, LANDSCAPING, NATURAL FEEL)

ACCESSORY STRUCTURE DIMENSIONS	ACCESSORY BUILDING LOCATION	Side or Rear Yards
	ADU HEIGHT (MAX. FT.)	NA
	ACCESSORY BUILDING HEIGHT (MAX. FT.)	35
PARKING LOCATION	LOCATION	Front or side yards, well-screened
SIGN REGULATIONS	PERMITTED SIGN TYPES	Any two: Wall; Monument, Awning
DESIGN	DESIGN STANDARDS	Natural materials on front facade
	SITE PLAN STANDARDS	NA
LANDSCAPE REVIEW	LANDSCAPE AND NATURAL BUFFERS	NA

SECTION 1103.25 OPEN SPACE/SCHOOLS ZONE (OS)

I. Purpose and Intent

A. The purpose of the Open Space/Schools (OS) Zone is to promote the health and well-being of the city's residents. Desired forms of development and open space preservation in these zones includes golf courses, ball fields, playgrounds, natural passive areas, and neighborhood pocket parks. Trails originating in these zones should serve as gateways to the city's key destinations, including Olde Reynoldsburg and other entertainment and dining epicenters. Institutional uses such as schools are also encouraged in these zones and will help to promote the growth and development of the city's school age population by providing access to adjacent open space opportunities.

II. Uses

A. The following uses are either permitted or conditional uses as indicated in the following chart:

DISTRICT USES	
PERMITTED USES:	• Camping • Community Facility - Activity Center • Community Facility - Government Administration and Courts • Community Facility - Outdoor Recreation • Community Facility - Park • Community Facility - Public Health Safety • Community Facility - Trail • Cultural • Event Center - Public Meetings and Conventions • Golf Course • Health and Wellness - Fitness Facility/Gym • Library • Museum • Plant Cultivation • Religious Assembly • School - College/University • School - Primary • School - Secondary • School - Trade • Visual Arts Center
CONDITIONAL USES:	• Cemetery • Forestry

III. Development Standards

The Open Space/Schools Zone includes primary schools and community activity center typologies with off- street parking.

LOT DIMENSIONS	LOT SIZE (MIN. SQ. FT.)	NA
	LOT SIZE (MAX. SQ. FT.)	NA
	LOT WIDTH (MIN. FT.)	NA
	LOT WIDTH (MAX. FT.)	NA
	LOT DEPTH (MIN. FT.)	NA
	LOT FRONTAGE (MIN. FT.)	NA
DENSITY (MULTI-UNIT RESIDENTIAL)	DENSITY (MIN. UNITS PER ACRE)	NA
	DENSITY (MAX. UNITS PER ACRE)	NA
SETBACKS	FRONT YARD SETBACK (MIN. FT.)	NA
	FRONT YARD SETBACK (MAX. FT.)	NA
	SIDE YARD SETBACK (MIN. FT.)	NA
	SIDE YARD SETBACK (MAX. FT.)	NA
	SIDE YARD SETBACK (MIN. AGGREGATE. FT.)	20 feet from any residential structure
	SIDE YARD SETBACK (MAX. AGGREGATE FT.)	NA
	REAR YARD SETBACK (MIN. FT.)	30 feet from any residential structure
	REAR YARD SETBACK (MIN. FT.)	NA
HEIGHT	BUILDING HEIGHT (MIN. FT.)	NA
	BUILDING HEIGHT (MAX. FT.)	NA
LOT COVERAGE/ OPEN SPACE	LOT COVERAGE (MIN.)	NA
	LOT COVERAGE (MAX.) - INCLUDING IMPERVIOUS SFC	NA
	CREDIT FOR PERVIOUS OR OTHER COMMON GREEN SPACE UP TO 10% (MAX.)*	NA
	LOT COVERAGE (MAX.) - NOT INCLUDING ALL IMPERVIOUS SURFACES	NA
	OPEN SPACE (MIN.)	NA
	OPEN SPACE (MAX.)	NA

*DETENTION PONDS INCLUDED IF DESIGNED AS AN AMENITY AND COMMUNITY FEATURE. (I.E. FENCING, LANDSCAPING, NATURAL FEEL)

ACCESSORY STRUCTURE DIMENSIONS	ACCESSORY BUILDING LOCATION	NA
	ADU HEIGHT (MAX. FT.)	NP
	ACCESSORY BUILDING HEIGHT (MAX. FT.)	NA~~P~~
PARKING LOCATION	LOCATION	Any yard, well-screened
SIGN REGULATIONS	PERMITTED SIGN TYPES	Any two: Wall; Monument; Awning
DESIGN	DESIGN STANDARDS	Single-family building types; Natural materials or Hardie Plank on front and side facades
	SITE PLAN STANDARDS	NA
LANDSCAPE REVIEW	LANDSCAPE AND NATURAL BUFFERS	NA

SECTION 1103.27 BUILDING TYPOLOGIES

The below-listed building typologies are the building typologies contemplated for new development in the districts and zones described below. New buildings and alterations to existing buildings shall be reviewed in accordance with Chapter 1103.07 hereof.

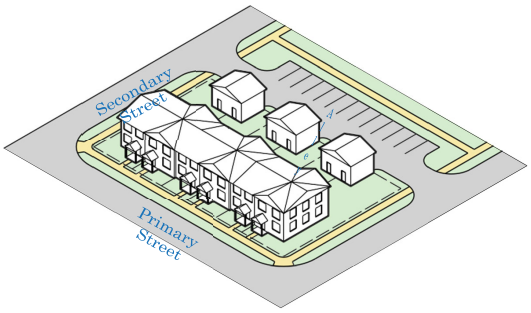
BUILDING TYPOLOGIES	OLDE REYNOLDSBURG COMMERCIAL DISTRICT	OLDE REYNOLDSBURG NEIGHBORHOOD DISTRICT	BRICE AND MAIN DISTRICT (BMD)	EAST MAIN STREET DISTRICT (EMD)
DETACHED SINGLE-FAMILY BUILDING	X	X		
ATTACHED SINGLE-FAMILY BUILDING		X	X	
DUPLEX BUILDING		X		
MULTI-UNIT BUILDING		X		X
MULTI-UNIT COMPLEX			X	X
SMALL FLEX RETAIL BUILDING	X	X	X	X
MEDIUM FLEX RETAIL BUILDING	X		X	X
LARGE FLEX RETAIL BUILDING	X		X	
INSTITUTIONAL FLEX BUILDING		X		X
BED AND BREAKFAST BUILDING	X			
SCHOOL AND INSTITUTIONAL BUILDING	X			
COMMUNITY CENTER BUILDING	X	X		
OFFICE BUILDING			X	X
OFFICE-CORPORATE BUILDING				
RETAIL LARGE FORMAT BUILDING				
INDUSTRIAL BUILDING				
WAREHOUSE BUILDING				
PRIMARY SCHOOL BUILDING				
COMMUNITY ACTIVITY CENTER BUILDING	X			
EVENT CENTER BUILDING				

SUBURBAN RESIDENTIAL ZONE (SR)	RESIDENTIAL MEDIUM ZONE (RM)	COMMUNITY COMMERCIAL ZONE (CC)	INNOVATION ZONE (I)	OPEN SPACE/ SCHOOLS ZONE (OS)
X	X			
X	X			
	X			
		X		
		X		
		X		
	X			X
	X		X	
		X		
		X	X	
		X		
			X	
			X	
				X
				X
		X		X

A. ATTACHED SINGLE-FAMILY BUILDING

The below illustrations of each development typology are for illustrative purposes only and are intended to supplement the regulations applicable to each zone and district.

1. Typical Lot Configuration



Note: image is illustrative, not regulatory.

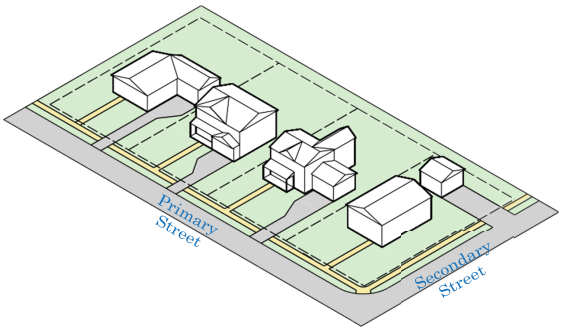
2. Description

A structure with common walls on either side and no units below or above. Garage access is typically from a rear alley or shared parking area. A small side or rear yard is provided for each unit as private open space.

Image: Attached Single-Family Building

B. DETACHED SINGLE-FAMILY BUILDING

1. Typical Lot Configuration



Note: image is illustrative, not regulatory.

2. Description

A small detached structure with small side and street setbacks. Garage access is typically from the street, but garages are clearly subordinate to the principal structure.

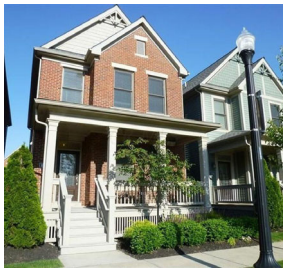
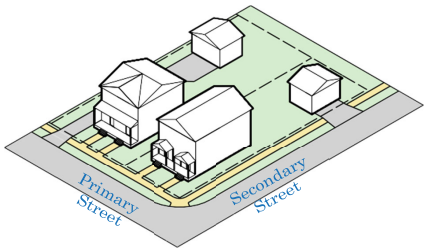


Image: Detached Single-Family Building

C. DUPLEX BUILDING

1.. Typical Lot Configuration



Note: image is illustrative, not regulatory.

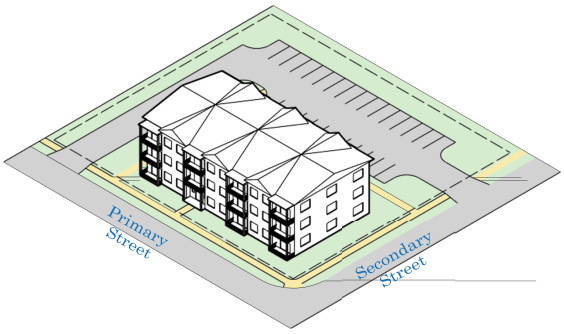
2. Description

A detached structure with two units that is massed as a single structure. Setbacks can range from small to large and units are typically side-by side, but may be stacked.

Image: Duplex Building

D. MULTI-UNIT BUILDING

1. Typical Lot Configuration



Note: image is illustrative, not regulatory.

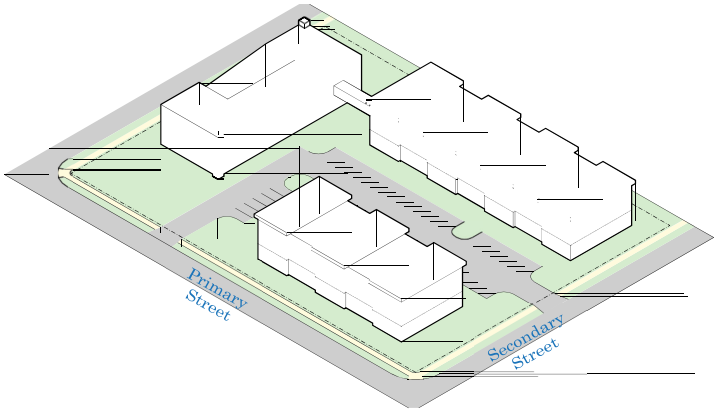
2. Description

A building with multiple residential units that front on an interior corridor and have their main access from the primary street. Units can be next to each other (side- by-side units), or stacked on top of each other (top and bottom units).

Image: Multi-Unit Building

E. MULTI-UNIT COMPLEX

1. Typical Lot Configuration



Note: image is illustrative, not regulatory.

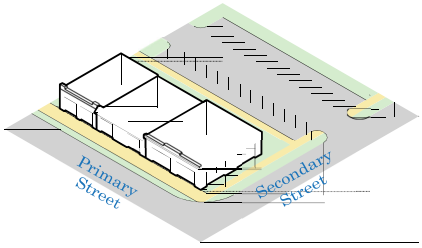
2. Description

A collection of multi-unit buildings on adjoining pieces of land, generally owned by one entity. The buildings often share common grounds and amenities, such as pools, parking areas, and a community clubhouse, used as leasing offices for the community.

Image: Multi-Unit Complex Building

F. SMALL FLEX RETAIL BUILDING

1. Typical Lot Configuration



Note: image is illustrative, not regulatory.

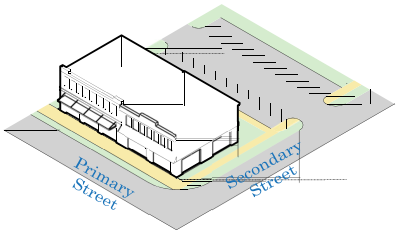
2. Description

Consists of attached or detached structures ranging from one to three stories. Structures can include single or mixed uses. Parking is located in the rear or side of the building and typically accessed from a rear alley when possible.

Image: Small Flex Retail Building

G. MEDIUM FLEX RETAIL BUILDING

1. Typical Lot Configuration



Note: image is illustrative, not regulatory.

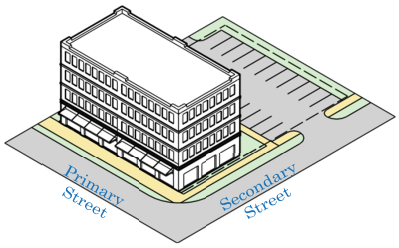
2. Description

Consists of attached or detached structures ranging from one to three stories. Structures can include single or mixed uses. Parking is located in the rear or side of the building and typically accessed from a rear alley when possible.

Image: Medium Flex Retail Building

H. LARGE FLEX RETAIL BUILDING

1. Typical Lot Configuration



Note: image is illustrative, not regulatory.

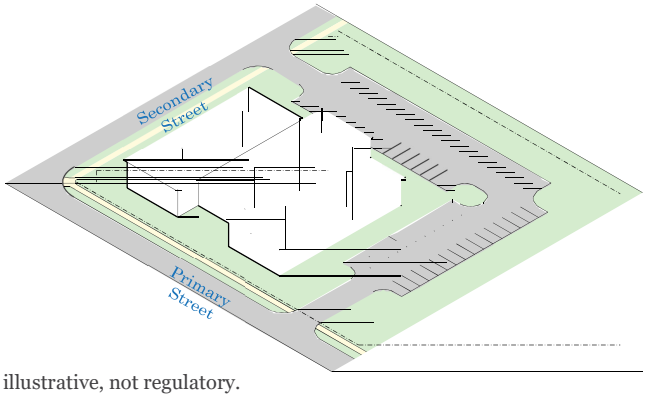
2. Description

Consists of attached or detached structures that can include single or mixed-uses. Parking is located in the rear of the building and, where possible, accessed from a rear alley.

Image: Large Flex Retail Building

I. INSTITUTIONAL FLEX BUILDING

1. Typical Lot Configuration



Note: image is illustrative, not regulatory.

2. Description

A building that can house uses of an institutional nature (i.e. government building, library, post office, etc.) with parking on the same lot and the main access from the primary street.

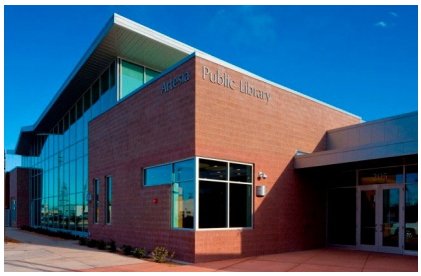
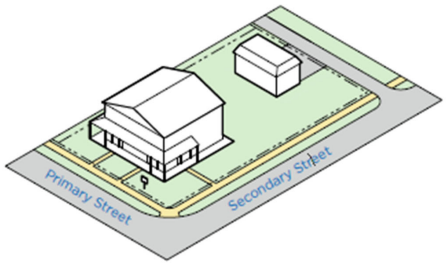


Image: Institutional Flex Building

J. BED AND BREAKFAST BUILDING

1. Typical Lot Configuration



Note: image is illustrative, not regulatory.

2. Description

A residential structure providing limited overnight lodg- ing and meals for guests.

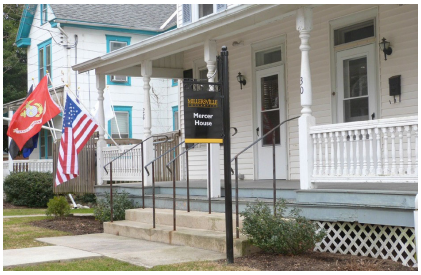
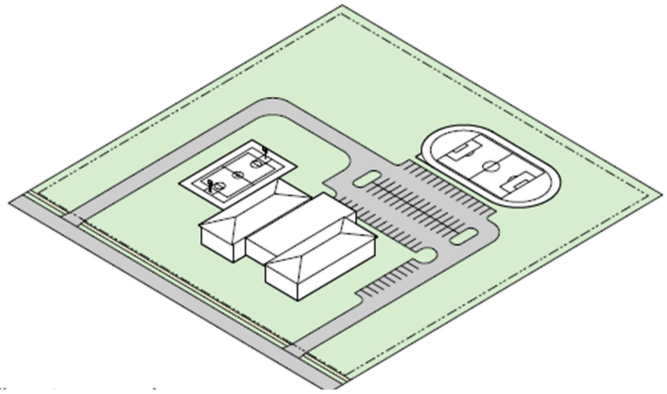


Image: Bed and Breakfast Building

K. SCHOOL AND INSTITUTIONAL BUILDING

1. Typical Lot Configuration



Note: image is illustrative, not regulatory.

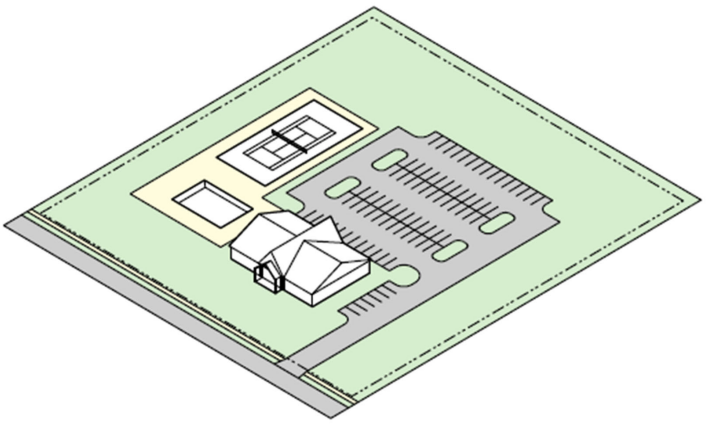
2. Description

An institution or place for instruction or education, such as kindergarten; elementary, middle, or junior high school, and high school.

Image: School and Institutional Building

L. COMMUNITY CENTER BUILDING

1. Typical Lot Configuration



Note: image is illustrative, not regulatory.

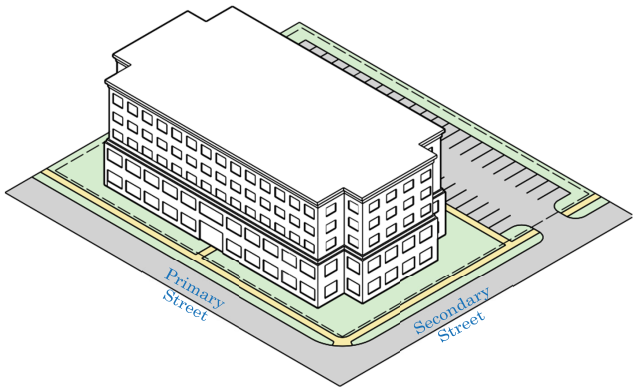
2. Description

Usually a public building where members of a commu- nity tend to gather for group activities, social support, public information, and other purposes. It can be open for the whole community or specialized groups (e.g. senior center) and can include both indoor and outdoor recreational facilities.

Image: Community Center Building

M. OFFICE BUILDING

1. Typical Lot Configuration



Note: image is illustrative, not regulatory.

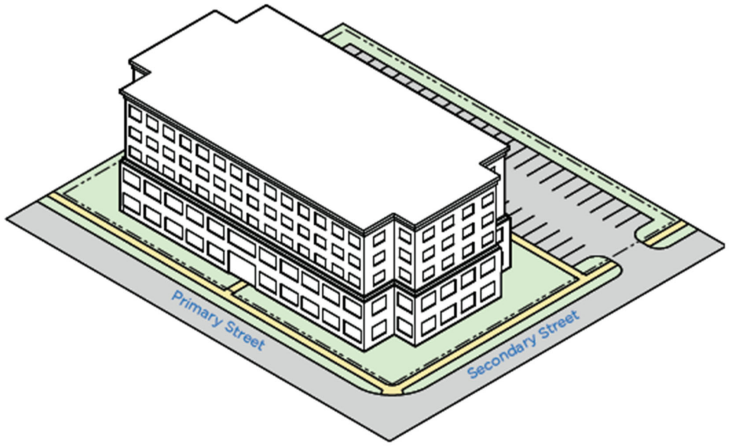
2. Description

A building used primarily for conducting the affairs of multiple business, professional, service, industry, government, or like activity, which may include ancillary services for office workers with parking typically found on the same lot and the main access form the primary street.

Image: Office Building

N. OFFICE-CORPORATE BUILDING

1. Typical Lot Configuration



Note: image is illustrative, not regulatory.

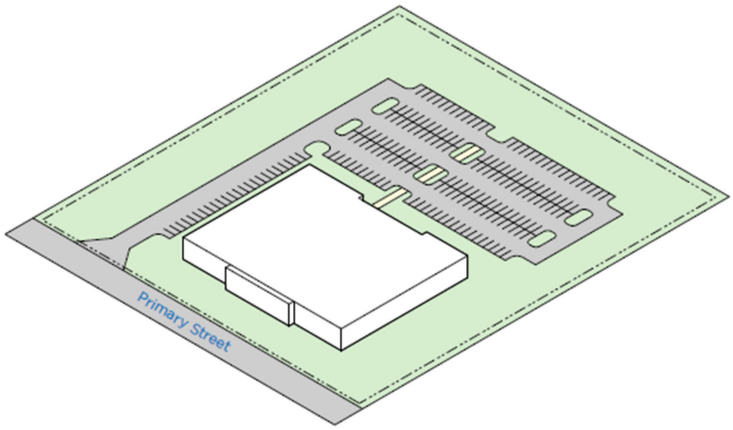
2. Description

A building used primarily for conducting the affairs of a single business, professional, service, industry, gov- ernment, or like activity, which may include ancillary services for office workers with parking typically found on the same lot and the main access form the primary street.

Image: Office-Corporate Building

O. RETAIL LARGE FORMAT BUILDING

1. Typical Lot Configuration



Note: image is illustrative, not regulatory.

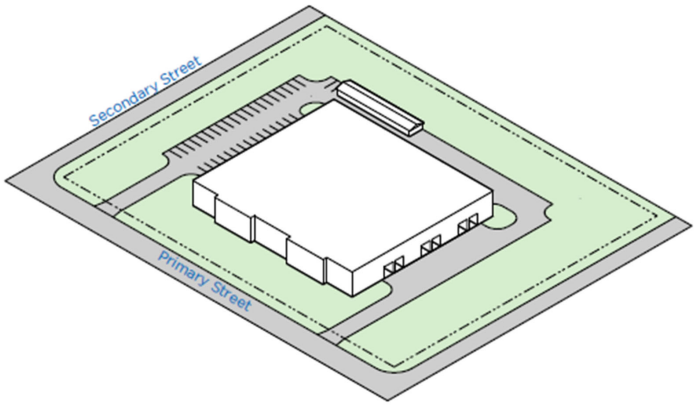
2. Description

A single-use, typically large single-story commercial building primarily accessed by automobile with parking on the same lot with a combination of parking in the front, side, or rear yards.

Image: Retail Large Format Building

P. INDUSTRIAL BUILDING

1. Typical Lot Configuration



Note: image is illustrative, not regulatory.

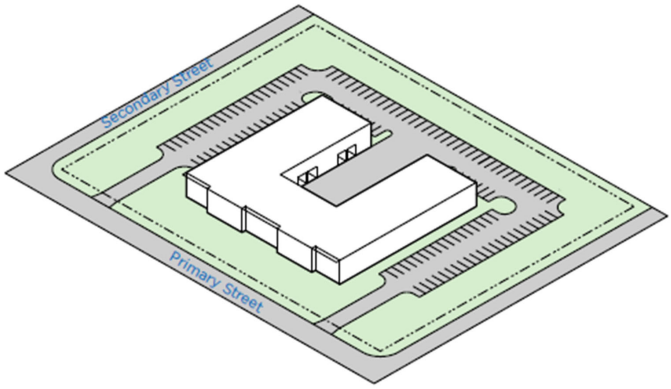
2. Description

A building that houses manufacturing activity that uses moderate amounts of partially processed materials to produce items of relatively high value per unit weight. Facilities for loading and unloading are typically located in the side or rear yard with employee and visitor park- ing in the rear yard.

Image: Industrial Building

Q. WAREHOUSE BUILDING

1. Typical Lot Configuration



ZR

Note: image is illustrative, not regulatory.

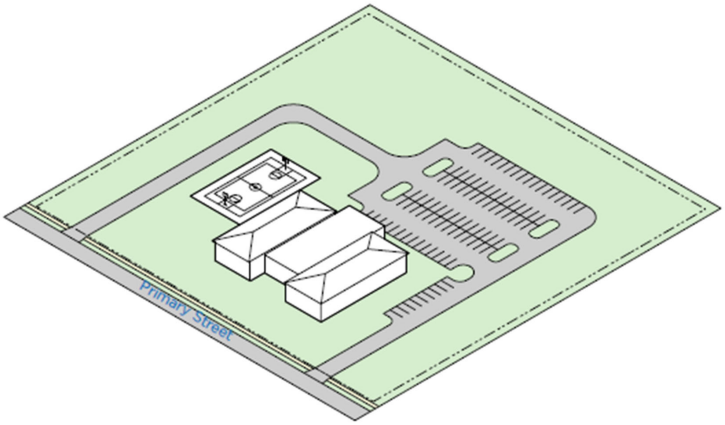
2. Description

A building for storing goods with facilities for loading and unloading that are typically located in the side or rear yard with employee and visitor parking in the rear yard.

Image: Warehouse Building

R. PRIMARY SCHOOL BUILDING

1. Typical Lot Configuration



Note: image is illustrative, not regulatory.

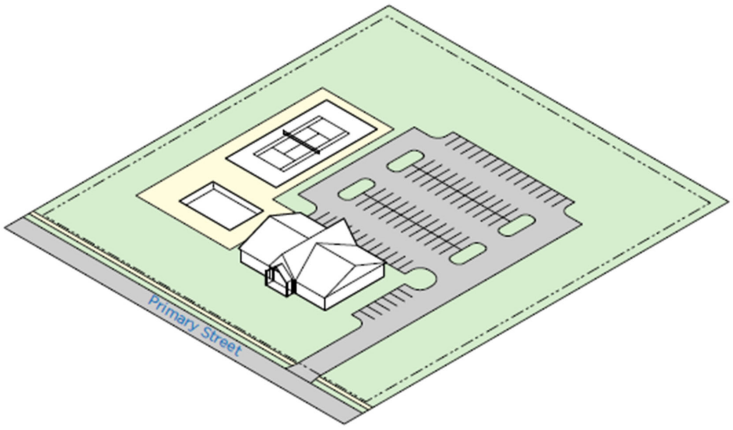
2. Description

A building designed to provide learning spaces and learning environments for the teaching of students from about four to eleven years old under the direction of teachers. The building has limited parking for staff and includes both outdoor and indoor recreational activity.

Image: Primary School Building

S. COMMUNITY ACTIVITY CENTER BUILDING

1. Typical Lot Configuration



Note: image is illustrative, not regulatory.

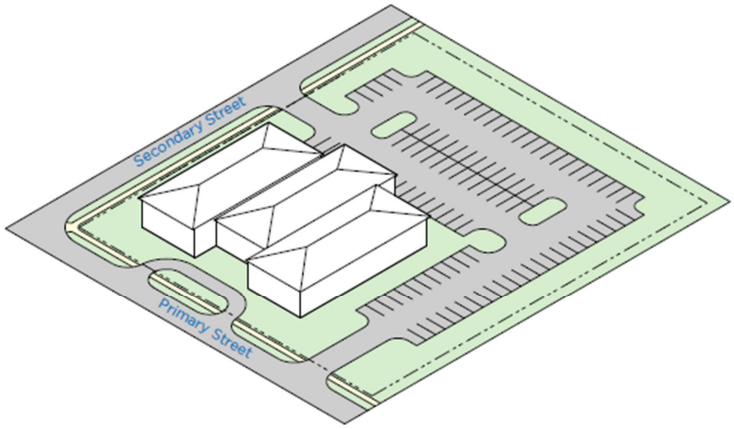
2. Description

Usually a public building housing space for indoor rec- reational activity as well as exterior space for sports and recreation.

Image: Community Activity Center Building

T. EVENT CENTER BUILDING

1. Typical Lot Configuration



Note: image is illustrative, not regulatory.

2. Description

A building designed to house special events, including weddings, private parties, and receptions.

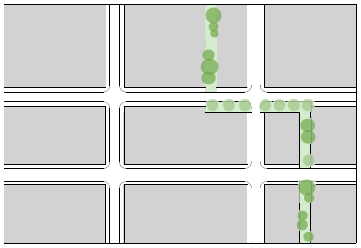
Image: Event Center Building

SECTION 1103.29 OPEN SPACE TYPOLOGIES

The following Open Space Typologies cover land that is intended to be undeveloped within the Olde Reynoldsburg District (ORD Commercial and ORD Neighborhood), consistent with the goals of the Comprehensive Plan.

A. GREENWAY AND TRAIL

1. Typical Lot Configuration

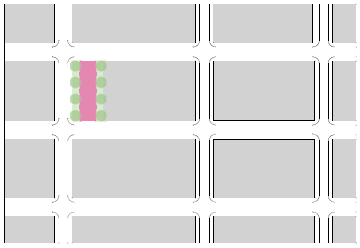


2. Description

Greenways are primarily linear open spaces that connect other types of open spaces as part of a larger open space system. They typically include a path or trail as a primary feature. The greenway and trail open space is most effect when

B. PLAZA

1. Typical Lot Configuration

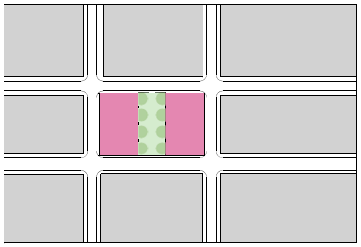


2. Description

Plazas are spaces available for civic purposes and commercial activities intended to add to the vibrancy of streets and neighborhoods. Building frontages typically define the edges of these spaces. The landscape consists of primarily hardscape. If trees are included, they are formally arranged and of

C. SQUARE

1. Typical Lot Configuration

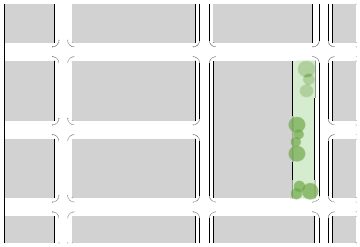


2. Description

Squares are medium scale formal open spaces designed to serve as gathering spaces in prominent commercial, civic and mixed-use settings. Squares are typically rectilinear and framed on all sides by streets. They are typically designed with a combination of both hardscape and landscape areas and contain amenities including, but not limited to benches and seating areas, planting areas, walking paths, gazebos or pavilions, fountains, and

D. GREEN

1. Typical Lot Configuration

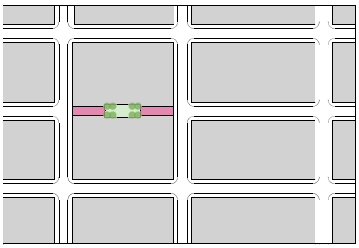


2. Description

Greens are medium-scale, informal open spaces designed to provide for active or passive recreation in neighborhood settings, including some landscape areas and is generally for those who live within walking

E. PASSAGE

1. Typical Lot Configuration

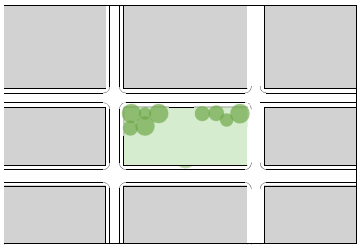


2. Description

A passage is an informal or formal gathering space that serves equally as a pedestrian connector between other gathering places or between streetscapes. Passages are near the middle of a block, providing easy walking access through the block. A passage provides additional frontage
opportunities for the shops and/or houses

F. PARK

1. Typical Lot Configuration

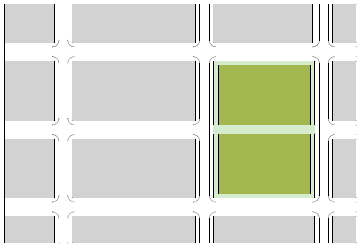


2. Description

Parks are larger-scale, typically informal open spaces designed to provide a variety of active and passive recreational opportunities to the general public. Parks may include natural areas. These open spaces may have a variety of forms, with edges defined by streets, neighborhoods, or natural features. Landscaping may be

G. SPORT FIELD

1. Typical Lot Configuration

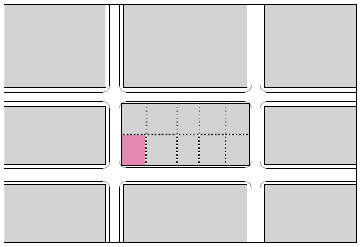


2. Description

A Sports Field typology is a space or series of open spaces designed for sports activities. Sports fields often accommodate several individual sports games at the same time and may feature a concession area and seating for spectators. Due to the larger amounts of people attracted to this type, sports fields are located to maintain compatibility with adjacent neighborhoods. Landscaping may be required as deemed appropriate by the

H. POCKET PLAZA

1. Typical Lot Configuration

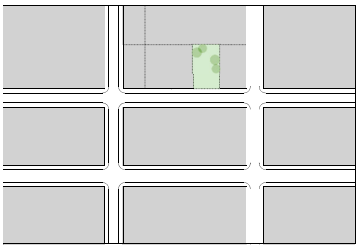


2. Description

Pocket plazas are small-scale, primarily hardscaped open spaces designed to provide opportunities for impromptu gathering and resting areas for passersby and for those who live or work in adjacent buildings or nearby destinations. Pocket plazas are typically designed as an extension from the public sidewalk, but clearly delineated as a separate space using features including, but not limited to landscaping and/or seating walls. Pocket Plazas are typically located along highly trafficked streets and in commercial areas with frequent

I. POCKET PARK

1. Typical Lot Configuration

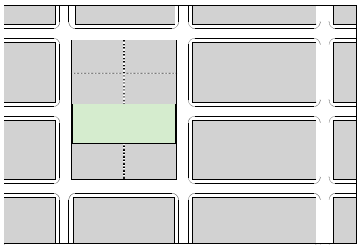


2. Description

Pocket parks are small-scale, primarily landscaped open spaces designed to provide opportunities for neighborhood gathering and typically passive recreation, generally for those who live within walking distance. Pocket parks are typically located in residential neighborhood settings. Landscaping may be required as deemed appropriate by the

J. NATURE

1. Typical Lot Configuration



2. Description

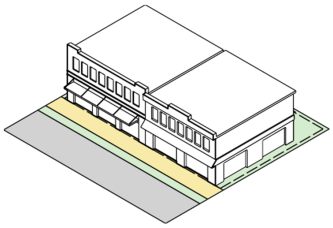
Areas that are to remain undeveloped and that generate their physical character through their natural topography, trees, and plants. This open space type is

SECTION 1103.31 FRONTAGE TYPOLOGIES

The following Frontage Typologies cover the area between the building façade and the front lot line or right- of-way and intended to ensure projects that establish or reinforce the appropriate frontage character within Olde Reynoldsburg District (ORD Commercial and ORD Neighborhood), consistent with the goals of the Comprehensive Plan.

A. SHOPFRONT

1. Typical Lot Configuration

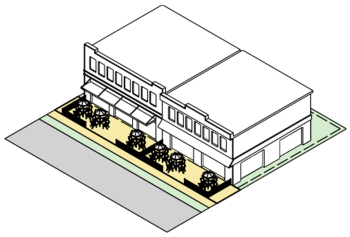


2. Description

The shopfront is a traditional ground floor frontage treatment designed for active commercial uses (typically retail and dining) and a high degree of pedestrian activity between the public sidewalk and commercial spaces. A shopfront treatment includes one or more commercial tenant storefronts consisting of large windows and a direct tenant entrance from the sidewalk, typically at sidewalk grade. Storefront characteristics typically include prominent entrances, primarily composed of glass, and tenant signage. If not located in a zero lot line condition (immediately behind the sidewalk), the intervening front setback may be paved as an extension of the sidewalk streetscape to the building façade. All or portions of the setback may be designated for use as outdoor seating or dining/bar space. The setback may also include landscaping, either at grade with the sidewalk along the building foundation, or in raised beds or

B. PATIO

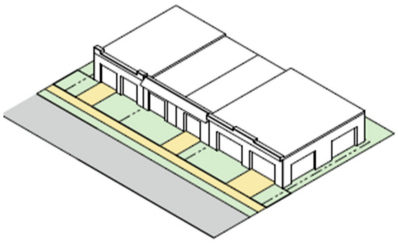
1. Typical Lot Configuration



2. Description

The patio frontage is used primarily to provide outdoor seating associated with ground floor dining uses within a building. The patio is a hardscaped area that may be located to the front or side of a building between the building and sidewalk.

C. YARD

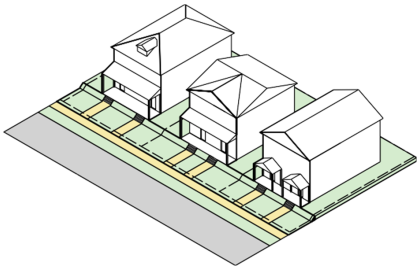


1. Typical Lot Configuration

2. Description

The yard is a typical landscape setback which may consist of open lawn, landscape beds, or some combination of the two. It may contain hardscape elements as a secondary feature and may be edged by a low fence or masonry wall. Yards are typically at the same or similar grade as the adjacent sidewalk and include a front walk connecting
the public sidewalk to the main entrance of a building (see Raised Yard as a variation). This is the common frontage treatment for houses and other neighborhood-scale residential buildings, and is typically combined with other a porch or stoop building frontage. A yard may also be used for flex building types designed for any

D. RAISED YARD

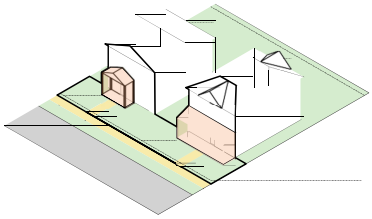


2. Description

The Raised Yard Frontage Type is a variation of the front yard. It generally represents an historic residential lot character in which the front yard is elevated above the sidewalk, often in a sloped
condition and sometimes with a masonry retaining wall (often composed of dry-laid limestone) at the sidewalk edge, or some combination of the two.
The raised yard is often a continuous frontage condition for multiple adjacent lots. Front walks connecting the public sidewalk to the main building entrance are typically terraced with a set of steps at or near the public sidewalk and a second set of steps at the building façade, often at a front porch or stoop (see Porch and Stoop Frontage Types). The raised yard differs from the Terrace Frontage type in

E. PORCH

1. Typical Lot Configuration

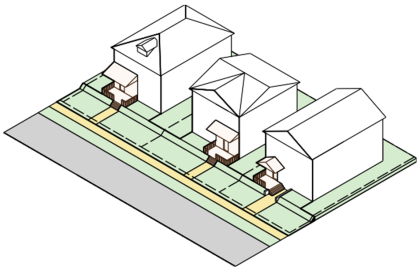


2. Description

Common frontage type for residential building types. Porches should be an extension of the internal living space.

F. STOOP

1. Typical Lot Configuration

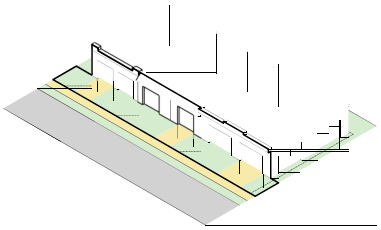


2. Description

Entry landing for buildings that have elevated first floors to secure privacy for first floor windows.
Stoops may have perimeter railings and walls. Stoops can be covered or uncovered and can be

G. TERRACE

1. Typical Lot Configuration

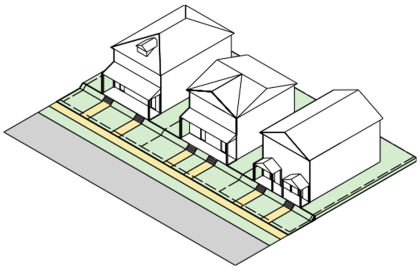


2. Description

In the Terrace Frontage Type, the main facade is at or near the property line with an elevated terrace providing public circulation along the facade. This Type can be used to provide at-grade access while accommodating a grade change and is frequently used together with a shopfront. Frequent steps up to the terrace are necessary to avoid dead walls and maximize access. A terrace treatment differs from the Raised Yard Frontage type in that the building is typically located closer to the sidewalk and the terraced setback is architecturally integrated with the building façade, consisting of more hardscape materials. Raised planters may be incorporated as part of a terrace

H. FORECOURT

1. Typical Lot Configuration

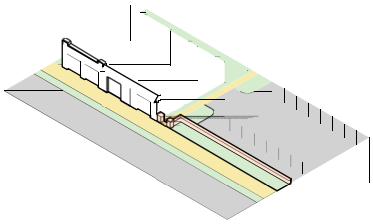


2. Description

The forecourt frontage treatment allows for a portion of a building façade to be set farther back from the street, creating a courtyard condition with street frontage. A forecourt condition may also be created through the composition of three separate buildings, oriented with the central building setback farther from the others. A forecourt may include open access to the public sidewalk with one or more entrances into the building, or may be fenced and elevated as a semi-private space, partially visible from the public realm. The forecourt area typically includes a combination of landscape and hardscape treatments, and may include outdoor amenities

I. STREETWALL

1. Typical Lot Configuration



2. Description

The streetwall frontage is used to create a continuous and defined edge along parking lots where located in close proximity to a street and sidewalk. Streetwalls are typically low (at or below waist height of a passing pedestrian) and may be composed entirely of masonry, a combination of decorative metal fencing with masonry columns, raised planters, a landscape hedge treatment, or some combination of these. Masonry street walls are typically designed to coordinate with the principal building architecture and often are physically connected to the building façade.
Street walls may be interrupted with a pedestrian walk connection to the public sidewalk. For
new projects or redevelopment, street walls are intended for use along any portion of lot frontage in which side or rear parking is located adjacent to or near the public sidewalk, but are secondary to other frontage types associated with the principal building and should not dominate the entire lot frontage. Streetwalls are also an effective design approach to improve existing auto-oriented sites for which all or substantial portions of a primary
frontage consist of parking.

1105

COMMON REGULATION

Common Regulations

SECTION 1105.01 OFF-STREET PARKING AND LOADING

A. **Applicability.** Except as otherwise provided herein, these regulations shall apply under the following circumstances:

   i. The construction of a new building or structure;

   ii. The substantial expansion of an existing building or structure;

   iii. A change in the existing use to be conducted upon land or in a building or structure; and

   iv. Whenever a building or use is changed in floor area, number of employees, number of dwelling units, seating capacity, or in a manner which otherwise creates a need for an increase in the number of parking or loading spaces, such spaces shall be provided for the entire increased use in conformance with the requirements of this article.

B. **Parking Requirements in Olde Reynoldsburg Commercial District (ORD-C), Brice and Main District (BMD) and East Main District (EMD).** Notwithstanding anything to the contrary contained herein, the parking requirements for any use conducted in the ORD-C, BMD, or EMD shall be determined based upon the applicable regulations set forth under Chapter 1105 hereof.

C. **Supplemental Parking Regulations in Residential Districts.** The provision of parking space, either open or enclosed, for the parking or storage of vehicles in a residential zoning district for residential uses shall be subject to the following:

   i. **Commercial Vehicles.** Trucks having dual tires on one (1) or more axles, or having more than two (2) axles, designed for the transportation of cargo and including

tractor-trucks, trailers, and semi-trailers, shall not be permitted on a lot or parked on a street or alley in a residential zoning district.

ii. **Parking of Recreational Equipment.** The parking of recreational equipment and vehicles, including but not limited to travel trailers, motor homes, pickup campers, folding tent trailers, boats or boat trailers, and other similar recreational equipment and vehicles, semi-trailers, travel trailers, or other trailers or motor homes shall not be permitted on any street within the City,

other than for the purpose of loading or unloading such equipment or vehicle. When located on property in a residential district for the purpose of loading or unloading, travel trailers, motor homes, boats or boat trailers, and other similar recreational vehicles shall not exceed a loading or unloading time of 48 consecutive hours. Residents shall be permitted to park a maximum of one (1) recreational vehicle on property located in a residential district if such vehicle is located in an enclosed structure OR all of the following requirements are satisfied for a vehicle parked or store outside of an enclosed structure::

1. Such recreational equipment and vehicles shall be stored or parked at least three (3) feet from any dedicated right-of-way, walkway and/or property line.
2. Not more than one (1) item of recreational equipment shall be permitted to be stored outside on any property used for a residential purpose. All recreational vehicles must be registered and licensed (if applicable) to the resident of the property on which the items are parked or stored. For the purposes of this chapter, a boat stored on a boat trailer shall be deemed one (1) piece of recreational equipment.
3. Under no circumstances shall any recreational vehicle or equipment be occupied or used for living, sleeping, housekeeping, storage or business purposes.
4. No such recreational vehicle shall be parked in any manner in which such vehicle may be deemed, in the professional opinion of the Planning and Zoning Administrator, to obstruct the view of traffic in a manner that endangers the safety of motorists or pedestrian.

D. **Conversion of Use.** No parking or loading space (including a residential garage) which is required by this Zoning Code shall be removed or converted to another use unless the parking or loading requirement is satisfied by the existence or construction of an additional parking or loading space conforming to this Zoning Code.

E. **Required Parking and Loading Spaces.**

i. **Required Parking Spaces.** Except as otherwise provided herein, the number of off-street parking spaces provided for a use shall not be less than set forth in the table identified as "Table 1105.01A: Required Parking Spaces." The number of parking and loading spaces required for a use shall be as determined by the Zoning Administrator in conformance with the provisions of this Zoning Code.

ii. **Requirements for Unlisted Use.** For a use for which off-street parking requirements have not been specifically stated in this Zoning Code, parking and loading facilities shall be provided as determined by the Zoning Administrator to be sufficient for the parking and loading needs of the proposed use and structures, giving consideration to the following criteria:

1. The number of off-street parking spaces required for a use listed in the table that is the most similar to the proposed use in terms of anticipated parking demand;
2. The floor area of the proposed use;
3. The anticipated number of employees and patrons; and
4. Any evidence submitted regarding the parking demand for the same use on similar existing sites.

iii. **Calculation for Certain Uses.** For uses for which required parking is based on number of dwelling units, floor area, seats, or beds, the number of required parking spaces shall be determined from drawings provided by the applicant and may be further confirmed by
measurement of the actual built floor area. When calculation of required parking results in a fraction, then the fraction shall be rounded to the next higher whole number.

iv. **Calculation for Mixed-Uses.** For properties having mixed or multiple uses, the number of required parking spaces shall be the sum of those required for the various uses computed separately, except as otherwise provided.

F. **Minimum Off-Street Parking Space Requirement Reductions.**

i. **Minimum Off-Street Parking Space Reduction Standards.** The minimum number of off-street parking spaces required by Table 1105.01A may be reduced for a land use or land uses upon approval of an application demonstrating one or more of the off-street parking space reduction conditions set forth under Sections (F)(ii), F(v), F(vi), or F(vii) below; provided however, under no circumstances shall the cumulative reduction of minimum parking spaces exceed 30% of the minimum number of off-street parking spaces required for a land use.

ii. **Shared Parking Plan.** Where a mix of land uses on one or more properties or within one or more buildings can demonstrate parking utilization in staggered peak periods, a shared parking plan may be approved by the Planning and Zoning Administrator to the reduce the minimum number of required off-street parking spaces for the applicable land use(s). A shared parking plan for the reduction of off-street parking requirements may be submitted to the Planning and Zoning Administrator subject to the following requirements:

1. Shared parking plans must incorporate parking facilities located within five hundred feet (500 ft.) of the subject property or subject properties; and
2. To the greatest extent practicable, adjacent lots included in a shared parking plan shall be connected for vehicular passage and shall provide safe and efficient pedestrian access to all uses served by the parking facilities.

iii. **Review of Shared Parking Plan.** A decision pertaining to an application for a shared parking plan shall be based on the following factors:

1. The number of parking spaces otherwise required for the land uses that will share the parking facilities designated in the shared parking plan;
2. Documentation that the peak parking utilization for the land uses occurs at different days and/or times;
3. The demonstrated accessibility of the shared parking facilities; and
4. Such other relevant documentation as the applicant(s) may provide to the City in conjunction with a parking reduction application.

iv. **Effect of Approval of Shared Parking Plan.** When a shared parking plan application is approved, the modified number of required off-street parking spaces for the applicable land uses shall be the largest number of parking spaces needed for the applicable land uses during the most intensive time period of parking utilization as demonstrated by the evidence presented with the application.

v. **Auto-Share Parking Spaces.** The required minimum number of off-street parking spaces for a land use may be reduced by up to four (4) off-street parking spaces for each off-street parking space that is reserved for auto-share parking; provided however the satisfaction of this parking reduction condition may not result in an off-street parking space reduction in excess of 10%. Auto-share parking spaces shall be designed in a plan to be submitted for review by the Planning and Zoning Administrator; such plan must propose how the auto-share parking spaces will be reserved for auto-share parking.

vi. **Transit Proximity.** The required minimum number of off-street parking spaces for a land use or land uses may be reduced by up to 10% if more than 50% of the subject property is located
within 1,200 feet of any public transit stop. If an existing transit stop is subsequently eliminated, any previously permitted parking reduction shall remain valid, provided that an active transit route remains within 1,200 feet of the development.

vii. **Bike Lockers and Shower Facilities.** The required minimum number of off-street parking spaces for a non-residential development may be reduced by 5% if such development contains shower and clothing and bike locker facilities for bicycle commuting employees. The required minimum number of off-street parking spaces for a multi-family development may be reduced by 5% if such development contains interior bicycle parking for residents. In each case, the reduction shall apply only to that portion of the minimum off-street parking requirement attributable to the employees or residents that have access to the shower and locker facilities.

viii. **Review and Revocation.** Upon the grant of a reduction in the minimum number of off-street parking spaces hereunder, the Planning and Zoning Administrator shall periodically review the land uses associated with any approval to determine compliance with such approval. If the Planning and Zoning Administrator determines upon review of any approved application that the terms of any approved plan are not being complied with, then the Planning and zoning Administrator may revoke such approval, and the applicable land use shall be required to satisfy the minimum off-street parking requirement otherwise set forth under Table 1105.01A hereof.

G. **Parking and Loading Design Standards**

i. **Location.** A parking space required for a dwelling unit shall be provided on the same lot as the dwelling unit. The standard size for a parking space installed in accordance with these provisions shall be 9' X 18.' A parking space required for a use other than a dwelling unit shall be located on the same lot as the use, except that some or all of such required spaces may be located on another lot within three hundred feet (300') of the use if authorized in the approval of the site plan. Parking or loading facilities shall not be permitted on the right-of-way of any publicly dedicated thoroughfare, except as provided by a public authority.

ii. **Setbacks.** Off-street parking and loading facilities, with the exception of driveways leading from the public right-of-way to aisles or spaces, shall be located as follows:

1. Required unenclosed parking spaces for Attached Single-Family, Detached Single-Family, Two-Family, and Multi-Unit Dwellings may be provided on paved areas within the front yard required for such structure. Parking shall not be permitted on unpaved areas;
2. No part of any parking lot shall be located closer than five feet (5') to a public right-of-way;
3. Parking may be located in the required front yard in any industrial district, but notcloser than twenty feet (20') to a public right-of-way;

4. In any commercial district, parking shall not be located in the area between the frontage and the front setback. The area between the frontage and the front setback shall be improved as a grass and or planting area. Ingress and/or egress through this planting area shall be restricted to a driveway or driveways not to exceed thirty feet (30') in width. Under no circumstances will service roads and or driveways parallel to the right of way be permitted. the grass and/or planting area and driveways are to be made a part of the plot- grade-utility plan and are to be approved by the Service Director and City Engineer.

iii. **Screening.** Any parking lot which contains more than ten (10) parking spaces and which is located closer than fifty feet (50') to the lot line of any lot which is used for a dwelling, school, hospital, or other institution for human care shall be screened by a fence, wall, or hedge of acceptable design installed at each edge of the parking lot which faces the use noted above. Such fence, wall, or hedge shall be no less than four feet (4') nor more than six feet (6') in height and shall be maintained in good condition without any advertising thereon. The space between such fence, wall, or hedge and the lot line of the adjoining premises shall be landscaped with grass, hardy shrubs or evergreen ground cover and maintained in good condition.

iv. **Access.** Adequate ingress and egress from the public right-of-way and within the lot shall be provided for all parking and loading spaces. Access for all parking and loading facilities (except those required for Attached Single-Family, Detached Single-Family and Two-Family dwellings) shall be designed to permit any vehicle entering or leaving the premises to be traveling in a forward motion. Driveways shall be located to minimize conflict with vehicular and pedestrian traffic in the public right-of-way. Driveways and service roads shall not be located parallel to the right-of-way. Driveways for non-residential uses shall not exceed thirty feet (30') in width at the right-of-way line nor more than thirty feet (30') at the curb cut line of the street unless otherwise approved by the individual or administrative body reviewing the site plan for the subject property.

v. **ADA Requirements.** All parking facilities that require accessible parking spaces shall ensure that a portion of the total number of required parking spaces are specifically designated, located, and reserved for use by persons with physical disabilities, in accordance with the standards in the federal Americans with Disabilities Act (ADA). The following standards apply:

1. The closest parking spaces to the main entrance shall be devoted to the required accessible parking spaces; and
2. At least one accessible parking space shall be 12 feet (12') wide to accommodate an

ANGLE OF PARKING	ONE-WAY	TWO-WAY
Parallel	13 ft.	20 ft.
Up to 50 degrees	13 ft.	22 ft.
50 up to 80 degrees	17 ft.	22 ft.
80 degrees or more	N/A	22 ft.

accessible van or paratransit.

vi. **Minimum Aisle Width.** Minimum aisle width to access parking spaces shall be as follows:

1. Minimum Aisle Width (feet)

vii. **Loading Spaces**

1. Every building or lot used for non-residential purposes which customarily receives or distributes materials or services by motor vehicles shall provide sufficient space for all loading and service purposes. A loading space shall be provided as an area exclusive of required parking spaces, driveways, and aisles. Access to loading spaces shall be designed to prevent interference with the public right-of-way.
2. Number of Loading Space
   a. Retail/Food Sales/Food Service and Type Uses: One (1) space in excess of the first ten thousand (10,000) square feet of floor area plus one space for each additional twenty thousand (20,000) square feet thereafter;
   b. Office/Medical/Financial Services Type Uses: No loading space is required for the first ten thousand (10,000) square feet of floor area. One (1) loading space is required for the ten thousand and one (10,001) square feet of floor are to twenty thousand (20,000) square feet of floor area. An additional loading space is required for each additional twenty thousand (20,000) square feet thereafter; ~~At least one (1) loading space shall be provided for every building having a floor area of up to ten thousand (10,000) square feet and one (1) additional loading space shall be provided for each additional ten thousand (10,000) square feet, or major fraction thereof.~~
   ~~2~~c. Other Uses: At the discression of the Planning and Zoning Administrator.
3. Each loading space shall have minimum dimensions of twelve feet (12') in width, fifteen feet (15') in height and forty-five feet (45') in length for tandem trailers, or thirty feet (30') feet in length for two-axle trucks.

viii. **Paving and Improvements**

1. All required parking and loading facilities shall be paved with a durable, dust-free surface such as asphalt or concrete.
2. Parking facilities shall be designed to direct surface water into an adequate storm drainage system. Drainage of surface water onto adjacent properties, walkways, or public streets is prohibited.
3. Paint lines shall be installed and maintained to mark the locations of all parking and loading spaces. Wheel blocks shall be installed for all parking spaces which abut unpaved areas of a lot.

ix. **Lighting.** Lighting may be installed and arranged as to direct the light away from adjoining properties and public rights-of-way.

H. **Maintenance of Parking Lots Required.** All paved areas shall be maintained free of holes, litter, trash, and other debris. Within thirty (30) days of the date on which a non-residential use of a lot is terminated, the owner shall install a barricade at all points of vehicular access in a manner approved by the Zoning Administrator.

I. **Reserved Parking Lot.** In conjunction with the site plan and design review, the applicable reviewing individual or administrative body may approve, upon request of the applicant and review of the site plan, construction of fewer parking spaces than required by Table 1105.01A for a proposed use and site development. In making such determination, the reviewing individual or administrative body shall nevertheless require that the additional area needed to accommodate the required number of parking spaces be reserved as landscaped open areas on the lot. The layout and design of the parking spaces, aisles, and

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drives of such reserved parking lot shall be indicated on the approved site plan and shall comply with provisions of this Zoning Code.

COMMON REGULATIONS

The layout and design of the parking spaces, aisles, and drives of such reserved parking lot shall be indicated on the approved site plan and shall comply with provisions of this Zoning Code.

TABLE 1105.01A - REQUIRED PARKING SPACES

USE	OFF-STREET PARKING SPACES REQUIRED
Dwelling - Attached Single-family	1 enclosed, 1 unenclosed
Dwelling - Detached Single-family	
Dwelling - Two-family	1 enclosed space and 1 unenclosed space per dwelling
Dwelling - Multi-Unit Building	Apartments - 1 per unit plus 1 per each 5 units to accommodate visitors
Dwelling - Multi-Unit Building Complex	
Dwelling - Assisted	1 per 8 beds plus 1 per employee based on the largest staff shift
Dwelling - Group	
Dwelling - Nursing	
Dwelling – Developmental Disability	
Adult Day Care	1 per employee based on largest staff shift plus 10 for visitors
Child Day Care - Center	
Child Day Care - In Home	
Event Center – Private Events and Conferences	1 for each 4 seats in the main space
Event Center Public Meetings and Conventions	
Religious Assembly	
Beverage – Brewing and Distilling	1 for each 200 s.f. of floor area
Beverage – Distribution	
Beverage – Non-Alcoholic Production	
Food Service – Commissary/Bakery	
Food Service - Processing	
Food Service – Production	
Beverage Sales – Liquor and Beer Sit Down/Bar Establishment	1 for each 200 s.f. floor area
Food Service – Deli	
Food Service – Fast Causal Restaurant	
Food Service – Full Service Restaurant	
Food Service – Quick Serve/Fast Food with Drive Thru	
Food Service – Quick Serve/Fast Food Without Drive Thru	

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TABLE 1105.01A - REQUIRED PARKING SPACES

USE	OFF-STREET PARKING SPACES REQUIRED
Adult Oriented Businesses	1 for each 200 s.f. of floor area
Amusement Arcades	
Antique Shop	
Auction Facility	
Bakery – Retail	
Beverage Sales – Liquor Store	
Clothing Services - Dry Cleaning with drive thru	
Clothing Services - Dry Cleaning without drive thru	
Clothing Services - Tailor	
Financial Services and Banking - with drive thru	
Financial Services and Banking - without drive thru	
Food Sales – Farm Market	
Gallery - Art	
Garden Center - Indoor and Outdoor	
Personal Care and Beauty Services	
Retail - Large Format	
Retail - Medium Format	
Retail ~~-~~ – Pharmacy without Drive Thru	
Retail – Pharmacy with Drive Thru	
Retail - Shopping Center - Enclosed	
~~Retail - Shopping Center - Outdoor~~	
Retail - Small Format	
Tattoo/Piercing Establishment	
Food Sales – Large Format Grocery	1 for each 300 s.f. of floor area
Food Sales – Small Format Grocery	
Commercial Center – Outdoor - Small	1 for each 300 s. f. of floor area
Commercial Center – Outdoor - Lage	1 for each 450 s. f. of floor area
Retail - Convenience with gasoline	1 per each two dispensing stations plus 1 per each 200 s.f. retail floor area
Retail - Convenience without gasoline	
School – College/University	Determined by the Board but not less than 1 space per each 5 seats in the main assembly room or 1 space per each classroom
School – Primary	
School – Secondary	
School – Trade	

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TABLE 1105.01A - REQUIRED PARKING SPACES	
USE	OFF-STREET PARKING SPACES REQUIRED
Boarding/Kennel	1 for each 200 sq. ft. of gross floor area
Health and Wellness – Clinic	
Health and Wellness – Fitness Facility/Gym	
Health and Wellness – Massage	
Health and Wellness – Physical Therapy	
Medical – Clinic	
Medical – Emergency Services	
Medical – Office	
Medical – Outpatient and Urgent Care	
Medical – Standalone Emergency Services	
Shelter	
Veterinary	
Medical – Full Service Hospital	1 per bed plus 1 per employee based on the largest staff shift
Medical – Psychiatric Facility - Standalone	
Library	1 for each 200 s.f. floor area
Live Theater	
Movie Theater	
Museum	
Visual Arts Center	
Manufacturing – Artisan	1 for each 200 s.f. of floor area
Manufacturing – Heavy	
Mineral Extraction/Processing	
Outdoor Processing – Agriculture	
Outdoor Processing – Composting	
Outdoor Processing – Concrete and Asphalt	
Research Facility/Laboratory	
Office - Corporate	1 for each 250 s.f. of floor area
Office - Data Processing/Call Center	
Office - Professional Services	
Printing and Publishing	

TABLE 1105.01A - REQUIRED PARKING SPACES	
USE	OFF-STREET PARKING SPACES REQUIRED
Equipment Repair	1 for each 500 s.f. of floor area
Vehicular Care Services - Major	
Vehicular Care Services - Minor	
Camping	1 for each 3 patrons or a plan that is acceptable to the Planning and Zoning Administrator
Community Facility - Outdoor Recreation	
Community Facility - Park	
Community Facility - Golf Course	
Outdoor Enterprise	
Indoor Enterprise	Club - 1 for each 100 s.f. floor area Recreation Facility - 1 for each 200 s.f. floor area
Private Club	
Shooting Range - Indoor Only	
Studio - Art	
Studio - Gymnastics/martial arts	
Community Facility - Activity Center	1 for each 200 sq. ft. of gross floor area
Community Facility - Detention and Corrections	
Community Facility - Government Administration and Courts	
Community Facility - Public Health Safety	
Overnight Lodging - Bed and Breakfast	1 per sleeping room or suite
Overnight Lodging - Boutique Hotel	
Overnight Lodging - Hotel	
Overnight Lodging - Limited Service	
Overnight Lodging - Resort	

TABLE 1105.01A - REQUIRED PARKING SPACES	
USE	OFF-STREET PARKING SPACES REQUIRED
Junk storage and sales	1 per 1,000 sq. ft. of gross building area
Storage - Contractor	
Storage - Commercial Gases	
Storage - Self-Store	
Storage - Vehicular and Boat	
Warehouse - Large Format	
Warehouse - Small Format	
Air Transportation Services	1 for each 1,000 sq. ft. of sales area
Vehicle Care Services - Washes	2 per site~~To be Completed~~
Vehicular Sales - Boats	1 per 1,000 sq. ft. of gross building area
Vehicular Sales - Automobiles	
Vehicular Sales - Motorcycles	
Vehicular Sales - Recreational Vehicles	
Mortuary	1 for each 50 sq. -ft. floor space
Temporary Uses	As determined by the Planning and Zoning Administrator

SECTION 1105.03 SIGNS

TABLE 1105.03A PERMITTED PRINCIPAL SIGNS BY ZONE AND DISTRICT					
DISTRICT/ZONE	MONUMENT SIGN	PROJECTING SIGN	WALL SIGN	AWNING SIGN	ROOF SIGN
Olde Reynoldsburg Neighborhood District (ORD-N)	MU or NR				
Olde Reynoldsburg Commercial District (ORD-C)	X	X	X	X	X
Brice and Main Street District (BMD)	X	X	X	X	
East Main Street District (EMD)	X	X	X	X	
Community Commercial (CC)	X	X	X	X	
Residential Zones (SR and RM)	NE or NR	NR			
Innovation Zone (I)	X	X	X	X	
Sign Key: MU - Multi-Unit Development NR - Non-Residential ~~Develompent~~Development, excluding home occupation NE - Neighborhood Entry Sign					

A. **Purpose and Applicability.** This section regulates the type, number, design, size, time of display, location, maintenance, and other characteristics of signs in order to: protect the public health, safety, and welfare in all zones and districts; promote clarity in sign communications; promote harmony between and among the physical characteristics of signs and the physical characteristics of surrounding land, structures, and other development features; and to promote attractive and orderly appearance in all districts. The provisions of this section shall apply to all existing signs, to all signs erected or installed after the effective date of this Zoning Code, and to any sign which replaces an existing sign or component thereof.

B. **Zoning Sign Permits Required**. Every sign, except those specifically exempted by the provisions of this section, shall only be erected or installed subsequent to and in conformance with the provisions of a zoning sign permit issued by the Planning and Zoning Administrator. The Planning and Zoning Administrator shall not be required to issue a zoning sign permit to any use or business that does not have a valid zoning certificate or that is otherwise not in compliance with the Zoning Code, Building Code or Property Maintenance Code. For the purposes of approving a sign in conformance with the Zoning Code, a zoning sign permit shall have the same effect as a zoning certificate.

C. Signs Requiring Permits

i. **Signs in Zones and Districts.** Signs shall be permitted in the respective districts as established in Table 1105.03A: Permitted Signs and as further provided in this section.

ii. **Signs in Olde Reynoldsburg Districts.** Subject to the approval of the Planning and Zoning Administrator or the Planning and Zoning Board, as applicable, in conjunction with the certificate of appropriateness process required under Section 1109.21, signs shall be permitted in Olde Reynoldsburg Districts as established in Table 1105.03A and in conformity with the following specific provisions:

1. **Residential Signs – Olde Reynoldsburg Commercial District (ORD-C) and Olde Reynoldsburg Neighborhood District (ORD-N).** One (1) monument sign per entrance may be located on a lot or lots within a multi-dwelling unit development within the ORD-C or ORD-N. When located in the public right-of-way, all such signs shall be subject to a perpetual maintenance agreement and shall not be internally illuminated.

2. **Non-Residential Use or Mixed-Use Signs – ORD-C.** The following sign types shall be permitted to be displayed on structures or buildings utilized for non-residential or mixed- use purposes in conformity with the following specific provisions:

iii. **Sign Lighting.** The following types of lighting shall be permitted in the ORD-C: all exterior illuminated lighting types, except ~~, gooseneck lighting, shadow lit, bulb surround – non-flashing or blinking, and~~ bulb surround – flashing or blinking and neon colored sign.

iv. **Changeable Copy Types.** The following changeable copy types shall be permitted in the ORD-C: channel letters.

v. **Principal Signs**. A maximum of three ~~two~~ (~~2~~3) signs of any combination, with the exception of only permitting a monument sign to be one (1) of the three (3) permitted signs, of the following sign types shall be permitted per lot in the ORD-C in accordance with the following provisions:

~~1.~~ **Wall Sign.** A wall sign may be erected on the wall of the building which most nearly parallels a street as determined by the zoning administrator. ~~One (1) wall sign may be erected on the wall of a building which most nearly parallels a street, parking lot or service drive, as determined by the Planning and Zoning Administrator.~~ The total permitted area for any wall sign is two (2) square feet per lineal foot of building front façade or tenant space, as applicable. The total permitted wall sign area may be extended to areas of the building where a public entrance is located only. Any wall sign located in accordance with this subsection shall be attached parallel to the building wall, mounted on a raceway, or painted directly on a wall, provided no wall sign shall extend outward from the building wall more than twelve inches (12”). ~~Where a building is located on a corner lot, one~~

~~(1)~~ ~~additional wall sign may be permitted on both walls which parallel the intersecting streets.~~ Where a building is located on a corner lot, an additional wall sign may be permitted on both front façade walls which parallel the intersecting streets. One front façade for corner lots can be utilized in calculating the maximum allowable sign square footage. Wall signs shall be composed of wood or metal frames with a face of wood, metal, ~~or~~ polycarbonate, vinyl, acrylic or urethane materials. ~~Where a building is located on a corner lot, wall signs may be~~

1. ~~permitted on both walls which parallel the intersecting streets. Wall signs shall~~

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~~be composed of wood or metal frames with a face of wood, metal or polycarbonate materials.~~

2. **Projecting Sign.** P~~One (1) p~~rojecting sign constructed of wood,~~ or~~ metal or urethane,~~,~~ including its mounting structure, may be mounted upon and be perpendicular to the wall of a building at a ninety (90) degree angle. The surface area of each face of such projecting sign shall be a maximum of six (6) square feet. It shall not project more than three feet (3') from the building façade, and shall not use a guy wire or angle iron support structure unless within the plane of the sign. A projecting sign shall be located no less than nine feet (9') above the sidewalk or ground level. Any applicant requesting a permit for a projecting sign which

extends over a public right-of-way shall provide for a hold-harmless agreement with the City.

3. **Roof Sign.** R~~One (1) r~~oof sign constructed of metal with a maximum surface area of eighty (80) square feet may be located on the roof of a principal structure located in the ORD-C. Such roof sign shall be setback a minimum of five feet (5') from the edge of the roof of the principal structure and may be illuminated with a direct light.
4. **Awning Signs.** A maximum of one (1) awning sign may be permitted in accordance with the provisions set forth under this subsection. All new awnings, or changes to awning colors shall be subject to a design and site plan review. Removal and replacement of awning materials that does not involve changes to the awning support structures shall be considered a sign face change. Changes to awning lettering that involve no material or color changes shall not require a zoning sign permit. Awning lettering may not exceed sixteen inches in height (16").
5. **Monument Sign.** One (1) monument sign with a base constructed of brick, stone, brick veneer and stone veneer may be installed in the ORD-C. The monument sign may be a maximum of six feet (6') in height with a maximum surface area of twenty-four (24) square feet. Any monument sign located in accordance with this subsection shall be setback a minimum of ten feet (10') from the front property line or easement line, as applicable.

vi. **Signs in Residential Zones (SR and RM Zoning Districts).** Subject to the approval of the Planning and Zoning Administrator or the Planning and Zoning Board, as applicable, in conjunction with the site plan and design review process required under Section 1109.17, signs shall be permitted in the SR and RM zones as established in Table 1105.03A and in conformity with the following specific provisions:

1. **Sign Lighting.** The following types of lighting shall be permitted in RM zones: exterior illuminated and gooseneck lighting. Sign lighting is not permitted in SR zones.
2. **Changeable Copy Types.** Changeable copy types are not permitted in SR and RM zones.
3. **Principal Sign Types.** The following sign types shall be permitted in the SR and RM zones in accordance with the following provisions:

1. **Neighborhood entry sign.** One (1) or more permanent ground signs may be located on a lot or lots within a subdivision or multi-family dwelling development. Any monument sign located in accordance with this subsection shall be setback a minimum of ten feet (10') from the front property line or easement line, as applicable. ~~When located in the public right-of-way, A~~all such signs shall be subject to a perpetual maintenance agreement and shall not be internally illuminated.
2. **Flags.** Flags are permitted as a supplemental sign type in SR and RM zones.
3. **Real Estate Signs**. One (1) freestanding real estate sign per lot frontage is permitted on premises for individual lots or building until such lots are sold or rented in accordance with the following provisions:
   (a) Maximum Sign Face. Six (6) square feet.
   (b) Maximum Height. Five (5) feet.
   (c) Location Requirements. At least one foot from street right of way and at least five feet from side or rear lot lines.
   (d) Time Restrictions. Sold signs shall be removed within five (5) calendar days from closing on the sale of the subject property.

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4. **Temporary Signs.** Temporary signs are permitted provided that any temporary sign may have a maximum area of two (2) square feet and may be located a maximum of three feet (3') above grade. Any temporary sign located in accordance with these provisions shall be constructed of vinyl with metal supports.

vii. **Signs in Commercial and Mixed-Use Zones. (BMD/EMD Districts, CC Zone, and Innovation Zone).** Subject to the approval of the Planning and Zoning Administrator or the, as applicable, in conjunction with the site plan and design review process required under Section 1109.17, signs shall be permitted in commercial and mixed-use zones as established in Table 1105.03A and in conformity with the following specific provisions:

1. **Wall sign.** Two (2) wall sign may be erected on the wall of the building which most nearly parallels a street as determined by the zoning administrator. The total permitted area for any wall sign is two (2) square feet per lineal foot of building front façade or tenant space, as applicable. The total permitted wall sign area may be extended to areas of the building where a public entrance is located only. Any wall sign located in accordance with this subsection shall be attached parallel to the building wall, mounted on a raceway, or painted directly on a wall, provided no wall sign shall extend outward from the building wall more than twelve inches (12"). Where a building is located on a corner lot, an additional wall sign may be permitted on both front façade walls which parallel the intersecting streets. One front façade for corner lots can be utilized in calculating the maximum allowable sign square footage. Wall signs shall be composed of wood or metal frames with a face of wood, metal, polycarbonate, vinyl, acrylic or urethane materials. ~~One (1) wall sign may be erected on the wall of a building which most nearly parallels a street, parking lot or service drive, as determined by the Planning and Zoning Administrator. The total permitted area for any wall sign is two (2) square feet per lineal foot of building façade or tenant space, as applicable. A wall sign shall be attached parallel to the building wall and shall not extend outward from the building wall more than fourteen inches (14"). A sign may be attached to a canopy, marquee or roof that projects beyond a structure provided that no part of such sign extends more than two feet (2') beyond such roof, canopy or marquee. Where a building is located on a corner lot, wall signs may be permitted on both walls which parallel the intersecting streets. Wall signs shall be composed of wood or metal frames with a face of wood, metal or polycarbonate materials.~~

2. **Projecting Sign.** One (1) projecting sign, including its mounting structure, may be mounted upon and be perpendicular to the wall of a building and shall not extend beyond any other dimension of the wall. It shall not project more than four feet (4') from the wall, and shall not use a guy wire or angle iron support structure unless within the plane of the sign. A projected sign shall be located no less than eight feet (8') above the sidewalk or ground level and no closer than six feet (6') to a street's pavement or curb. Any applicant requesting a permit for a projecting sign which extends over a public right-of-way shall provide for a hold-harmless agreement with the City.

3. **Awnings.** Awnings may be permitted in addition to or in lieu of a wall sign. Where awnings are used as the primary sign identification, the standards for wall signs shall apply. All new awnings, or changes to awning colors in the design review districts shall be subject to a certificate of appropriateness. Removal and replacement of awning materials that does not involve changes to the awning support structures shall be considered a sign face change. Changes to awning lettering that involve no material or color changes shall not require a zoning sign permit. Awning lettering may not exceed twelve inches (12") in height.

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4. **Monument Sign.** One (1) monument sign with a base constructed of stone, ~~or~~ brick, stone veneer or brick veneer may be installed in commercial or mixed-use zones. ~~In the EMD or BMD the base shall be constructed of brick only.~~ The monument sign may be a maximum of six feet (6') in height with a maximum surface area of twenty-four (24) square feet. Any monument sign located in accordance with this subsection shall be setback a minimum of ten feet (10') from the front property line or easement line, as applicable.

viii. **Signs in Open Space/Schools Zone.** Signs in the OS zone shall be subject to review and approval by the Planning and Zoning Administrator or the Planning and Zoning Board as applicable.

D. **Supplemental Signs Non-Residential Districts.** In addition to the above-listed principal sign types the following supplemental sign types are exempt from zoning sign permits and may be permitted in non- residential districts, as specified below, in accordance with the following provisions:

i. **Banner Signs.** In all non-residential districts a maximum of one (1) banner sign may be permitted in accordance with the provisions set forth under this subsection. Banner signs shall be a maximum of thirty-two (32) square feet and shall be located a maximum of eight feet (8') above grade. The display of banners shall be allowed for no more than forty-five (45) days per year.

ii. **Flags.** Flags are permitted as a supplemental sign type in all non-residential districts.

iii. **Sandwich Board Signs.** A maximum of one (1) sandwich board sign may be permitted in accordance with the provisions set forth under this subsection. Sandwich board signs shall have a maximum sign face area of six (6) square feet with a maximum board width of twenty-four inches (24") and a maximum board height of thirty-six inches (36"). Any sandwich board located in accordance with this subsection shall be constructed of wood and shall be displayed for a maximum of twelve (12) hours per day.

iv. **Real Estate Signs.** Any combination of free-standing, wall or window real estate signs may be located upon any non-residential property for a total of three (3) signs, provided that such signs do not exceed the permitted dimensions for the corresponding sign-type in the zoning district that is applicable to the subject property. Notwithstanding anything to the contrary contained herein, if freestanding signs are not permitted in the zoning district applicable to the subject property, then one free-standing sign not exceeding seven (7) feet in height with a maximum sign face of twenty (20) square feet may be located upon the subject property. All real estate signs located in accordance with this subsection shall be removed within five (5) calendar days from closing on the sale of the subject property.

v. **Window Sign.** The total square footage of all ~~Up to two (2)~~ window signs may not exceed ~~no larger than~~more than thirty percent (30%) of the total surface area of the window or windows on which such sign or signs are placed. Any object located within (3) three feet of the window pane that obstructs the interior view of any commercial building will be subject to all applicable window sign regulations. Any window sign located in accordance with this subsection shall be located on a window or windows on the front façade of the principal building.

vi. **Temporary Signs.** Temporary signs are permitted provided that any temporary sign may have a maximum area of two (2) square feet and may be located a maximum of three feet (3') above grade. Any temporary sign located in accordance with these provisions shall be constructed of vinyl with metal supports.

E. **Generally Applicable Regulations for all Signs.**

i. **Sign height.** The height of a sign shall be measured from the finished grade which shall be defined as that point where the grade line intersects the front wall of the building. The height of a sign may not be artificially increased beyond the permitted height by placement of the sign on an earth mound.

ii. **Sign setbacks.** Signs shall be located in conformity with the side and rear yard requirements of the applicable zone or district.

iii. **Sign colors.** No sign requiring a permit under the provisions of this chapter shall contain more than four (4) colors, including black and white. Where a corporate logo is used, the logo shall

count as one of the four (4) colors. Where a multi-tenant sign is present, no individual sign face panel may contain more than four (4) colors.

iv. **Construction.** All signs shall be properly constructed and maintained to ensure that no safety hazard is created. All signs shall be built in conformity with the requirements of the Building Code and the procedures of the Building Division.

v. **Location.** Except as otherwise provided in this Zoning Code, no sign or any part of any sign shall be placed in, over or extend into any public right-of-way.

vi. **Lighting.** The level of illumination emitted or reflected from a sign shall not be so intense as to constitute a safety hazard to vehicular movement on any street from which the sign may be viewed, as determined by an average person. Illuminated signs shall be constructed and maintained so that the source of illumination is shielded or otherwise prevented from beaming directly onto adjacent lots or streets.

vii. **Concealment of Wires and Components.** Irrespective of the sign type permitted under this section, all wiring and components of such sign shall be concealed from public view.

viii. **Contractor Identification.** All signs shall be plainly marked with the name of the person or company that installed the sign.

ix. **Maintenance and Repair Required:**

1. The owner of a sign shall repair, support, clean, repaint, or perform any maintenance service necessary to maintain the reasonable and proper appearance and condition of the sign. Whenever the Planning and Zoning Administrator determines a sign to be in need of repair, support, cleaning, repainting or other maintenance, he/she may issue a notice to the sign owner to complete the needed repairs or maintenance.
2. All sign face panels shall be intact and free from cracks. No sign shall be permitted to exist without an intact face panel. Whenever the Planning and Zoning Administrator determines that a sign face is cracked or not intact, he/she may issue a notice to the sign owner to replace the sign face.
3. If the Planning and Zoning Administrator determines that the existing condition of the sign creates an immediate hazard to the public health, safety or welfare, he/she shall issue a notice to the owner requiring the sign to be removed immediately.

F. **Nonconforming Signs.**

i. An existing sign that does not meet the requirements of this chapter shall be deemed a nonconforming sign.

ii. A nonconforming sign shall exist and be maintained in accordance with the following:

1. The size and shape of the sign structure shall not be altered, except that sign face panels may be replaced.
2. If damage occurs to a sign to the extent of sixty percent (60%) or more of either the structure or its replacement cost at the time of destruction, the sign shall be brought into compliance with the provisions of this Zoning Code.

iii. A nonconforming sign shall not be structurally relocated or replaced, unless the new sign is in compliance with this chapter.

G. **Abandoned Signs and Sign Faces.**

i. A sign or sign face shall be considered abandoned when:

1. The sign or sign face remains after the discontinuance of a use. A use is considered to be discontinued if it is closed to the public for at least ninety (90) consecutive days.
2. The sign or sign face is not maintained in accordance with the provisions of this chapter and the owner of the sign has not complied with notices to maintain the reasonable and proper appearance and condition of the sign.

ii. Whenever the Planning and Zoning Administrator determines that a sign has been abandoned as defined in this chapter, the right to maintain and use such a sign shall terminate immediately. Physical removal of a sign may be accomplished pursuant to the nuisance abatement procedures and ordinances of the City.

iii. Whenever the Planning and Zoning Administrator determines that a sign face is abandoned as defined in this chapter but the existing sign conforms to the Zoning Code, he/she may issue a notice to the sign owner to remove the abandoned panel and replace it with a blank. This shall not apply to signs maintained on lots that do not have any existing structure.

iv. Whenever the Planning and Zoning Administrator determines that a sign face in a multi-tenant sign is abandoned but other panels on the sign are not abandoned, he or she may issue a notice to the sign owner to remove the abandoned panel and replace it with a blank.

H. **Special Sign Regulations for Gasoline Stations.** Gasoline stations present several unique challenges for signage purposes due to industry-wide advertisement of the price of fuels for sale. In order to address these unique challenges, ground signs on lots with gasoline stations shall be permitted to incorporate electronic signage. Exempted ground signs of this type shall be subject to the following special regulations:

i. The electronic signage shall take up no more than one-third (1/3) of the sign area permitted by this chapter.

ii. The electronic signage shall consist of a solid background with only one illuminated color per electronic panel.

iii. Such signs shall be subject to all other sign regulations of this chapter, and of the applicable zone or district.

SECTION 1105.05 ACCESSORY STRUCTURES

A. **Generally Applicable Regulations for Accessory Uses and Accessory Structures.** An accessory use or accessory structure shall be permitted in any district provided that:

i. It is incidental to and customarily found in connection with the main use or main building permitted in the district;

ii. It is subordinate to and serves the main use or building;

iii. It is subordinate to the main use or building in ground area, floor area, extent, and purpose;

iv. It is located on the same lot as the main building or main use which it serves; and

v. It contributes to the comfort, convenience, or necessity of occupants, business, or industry of the main use or main building served.

vi. Except as otherwise provided by this Zoning Code, a use or structure which is interpreted by the Planning and Zoning Administrator or by the Planning and Zoning Board to be an accessory use or accessory structure may only be established or constructed on a lot having a legally existing main use or main building.

vii. Except as otherwise provided in this Zoning Code, an accessory structure:

~~1.~~ Shall not be located closer to any public right-of-way than the main building and shall not be located in the required front yard;

~~2.~~ 2. Shall not be located closer than three feet (3FT) to any rear lot line and not closer than three feet (3FT) to any side lot line;

~~3. Shall not be located closer than ten feet (10FT) to a main building;~~

~~1.~~

2. Shall not be located closer than ten feet (10) to a main building (applies only to sheds);

~~4.~~3. Shall not occupy more than twenty percent (20%) of the required rear yard;

~~5.~~4. In residential districts, the lot coverage of accessory structures shall not be more than fifty percent (50%) of the finished floor area of the main structure;

~~6.~~5. In commercial districts, open-sided accessory structures such as pergolas are permitted in the required front or side yard;

~~7.~~6. Except for accessory dwelling units, where permitted, shall not contain facilities for dwelling purposes; and

~~8.~~7. Shall not exceed fifteen feet (15FT) in height.

viii. For the purposes of this section, a storage building equal to or less than fifty square feet (50SF) in area, not permanently attached to the ground, is not considered a structure. Only one
(1) such storage building may be placed on a lot without a zoning certificate. Any additional buildings shall be considered accessory structures and subject to the provisions of this section. Storage buildings of this type shall be located behind the main structure and shall conform with the minimum lot line setbacks listed in this section.

ix. All accessory structures consistent with applicable floodplain regulations are permitted at the discretion of the Floodplain administrator

B. Accessory Dwelling Units

i. Except as otherwise provided by this Zoning Code, a use or structure which is interpreted by the Planning and Zoning Administrator or by the Planning and Zoning Board ~~of zoning appeals~~ to be an accessory dwelling unit may only be established or constructed on a lot having a legally existing main use or main building.

ii. Except as otherwise provided in this Zoning Code an Accessory Dwelling Unit

1. Shall not be located any closer to any public right of way than the main building and shall not be located in the required front yard;

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2. Shall follow the side yard setbacks set forth in the applicable zoning district for the primary dwelling unit ;
3. Shall be no closer than 8 feet (8FT) from the rear lot line;
4. Shall not be located closer than ten feet (10FT) to a main building;
5. Shall not occupy more than 20% of the required rear yard;
6. The ADU may be no larger than six hundred square feet (600SF) or 50% of the size of the primary dwelling unit whichever is less;
7. ADU's that are attached to the primary dwelling unit are not permitted to be located in a portion of the primary dwelling unit that encroaches a required yard setback;
8. Exterior finish materials must be compatible with existing primary dwelling unit;
9. Only one entrance is allowed and must be located on the primary façade facing the street.

C. Garage Standards

i. All garages in a residential district facing the street shall not be located more than eight (8) feet in front of the front façade of the structure.

ii. **In the Suburban Residential District Only.** No garage door or combination of garage doors facing the street shall occupy more than sixty percent (60%) of the width of the ground level façade.

D. Service Structures

i. Electrical transformers, generators, storage tanks, utility vaults and heating or cooling units which extend beyond the surface may be built in the rear and side yard.

ii. Service structures shall maintain a three (3) foot setback from all lot lines

SECTION 1105.06 RESIDENTIAL DESIGN STANDARDS

A. Purpose and Intent. The following design standards are intended to enhance the character, aesthetics, and architectural consistency of residential development in the Suburban Residential (SR) and Residential Medium (RM) Districts.

B. Entry to Residential Buildings

i. Entries shall be visible from the front of the building and shall connected to a paved driveway or sidewalk by a clearly delineated pedestrian walkway.

ii. At least two building materials should be used for exterior walls (excluding trim and cornices) on all building facades with road frontage.

C. Building Articulation and Openings

i. All dwellings must incorporate design features such as offsets, balconies, projections, recesses or covered entrances, windows, doors, window reveals, or similar elements to create horizontal and

vertical relief and avoid box-life forms.

ii. Incorporate at least three of the following features, consistent in design style, that provide articulation and design interest consistently throughout the project:

1. Decorative trim elements that add detail and articulation, such as door surrounds with at least a two-inch depth, decorative eave detailing, belt courses;
2. Pitched / variegated roof forms;
3. Roof overhangs at least 12 inches deep;
4. Variety in use of materials, especially at ground level stories, for detailing at porches / entry areas, paneling at bays or at special parts of the building;
5. Building base (typically bottom three feet) that is faced with a stone or brick material, or is delineated with a channel or projection; and/or
6. Railings with a design pattern and materials such as wood, metal, or stone which reinforces the architectural style of the building.

D. Garage Standards.

i. Side entry garages shall have windows on the front facing wall.

ii. Garages in a residential district facing the street shall not be located more than eight (8) feet in front of the front façade of the structure.

iii. For detached single-family only: No garage door or combination of garage doors facing the street shall occupy more than sixty percent (60%) of the width of the ground level façade.

E. Driveway Standards

i. Driveways shall be located at least 3 feet away from the property line unless the driveway is extended into the nearest front private or public right-of-way. For detached single-family and detached –two family only.

F. Building Orientation, Height, and Form

i. Divide massing of a structure by limiting building length, or designing buildings with two or more of the following special features to break up building bulk, including:

1. Horizontal and vertical setbacks and stepbacks (instead of a long flat wall);
2. Changes in roof form and height; and/or
3. Major full-height recesses (typically at least 10 feet deep) along the length of the building that successfully break the building into smaller discrete masses.

G. Architectural Design/Materials

i. Avoid combining structural and decorative characteristics from different architectural styles into a single building.

ii. Incorporate the surrounding architecture when building in an established neighborhood.

iii. Utilize durable, high-quality building materials that will last for the life of the building.

iv. Use exterior siding materials such as stucco, wood siding, masonry, tile, wood shingles, metal

panels, and glass panels. Vinyl siding and other plastic materials may be used only in conjunction with other natural materials. Scored plywood (T1-11 or similar), corrugated metal, and cinderblock used for exterior cladding are not permitted.

H. **Windows**

i. Design window recesses, window trim, and other window elements to create architectural interest. Incorporate at least one of the following window features throughout the project:

1. Minimum depth of at least two inches from glass to exterior of trim;
2. Minimum depth of at least six inches from glass to wall edge around windows if there is no trim (this is only appropriate for certain architectural styles such as Spanish Revival or Modern); and/or
3. Decorative trim elements that add detail and articulation, such as window surrounds with at least a two-inch depth.

I. **Remodeling and Additions.**

i. Design remodeling projects and additions such that the exterior appearance of the building demonstrates design integrity in the following ways:

1. Use complementary materials for exterior facades;
2. Use window types that are similar in size, shape, and proportion of the windows on the original building and are characteristic for the architectural style; and/or
3. Use consistent roof materials and roof forms.

ii. Do not remove or cover high-quality original finish materials and ornamentation integral to the design integrity of the building.

SECTION 1105.07 LANDSCAPING AND BUFFERING

A. **Purpose and Intent.** These standards are intended to establish landscaping regulations that:

i. Improve the aesthetic appearance of setback areas, common open space areas, public rights-of- way and off-street vehicular parking areas;

ii. Encourage the preservation of existing trees and natural features;

iii. Promote compatibility among different land uses;

iv. Promote the use of generally accepted landscape design principles; and

v. Protect public health, safety and welfare by minimizing the impact of all forms of physical and visual pollution, controlling soil erosion, screening unsightly areas, preserving the integrity of neighborhoods and enhancing pedestrian and vehicular traffic and safety.

B. **Application.** The Planning and Zoning Administrator may require a landscape plan and/or tree survey to be submitted in conjunction with any application for a zoning certificate, a variance, a conditional use permit, a similar use determination, a subdivision plat, or a site plan and design review approval. Such landscape plan and/or tree survey shall include the following:

i. The present location, size, and description of all existing major trees, with a designation of existing major trees sought to be removed. A major tree is a tree that is 18 inches or greater at DBH (Diameter at Breast Height).

ii. The location, size and description of landscaping materials proposed to be placed on the lot in order to comply with this section.

iii. The location and size of any structures presently on the lot, and those proposed to be placed on the lot.

MINIMUM PLANT SIZE	
PLANT TYPE	PLANT SIZE
Deciduous trees	Two inches (2") caliper, measured one foot (1') above ground
Ornamental trees	One and one half inches (1 1/2") caliper, measured one foot (1') above ground
Evergreen trees	Six feet (6') in height
Shrubs	Eighteen inches (18") in height or eighteen inches (18") spread, depending on growth characteristics

iv. The proposed location and description of screening to be placed on the lot in order to comply with this section.

C. **General Landscape Provisions.**

MAXIMUM USE OF SAME SPECIES	
NUMBER OF TREES ON SITE	MAXIMUM % OF SAME SPECIES
10-19	50%
20-39	33%
40-59	25%
Over 60	15%

i. When required by the Planning and Zoning Administrator, a landscape plan shall be approved in accordance with this chapter prior to granting a zoning certificate, a variance, a conditional use permit, a similar use determination, a subdivision plat, or a site plan and design review. A zoning certificate is not required for the addition of pervious surface including grass, mulched groundcover, other planted areas, and/or permeable or pervious pavers or paving that facilitates the infiltration of water into the soil.

ii. No landscaped area shall be used for display and/or storage purposes.

iii. The species, location and spacing of trees and shrubs planted in all public rights-of-way and on all sites shall be subject to approval by the Planning and Zoning Administrator.

iv. No Certificate of Occupancy shall be granted until all conditions herein have been met; however, in the event landscaping cannot be completed due to weather conditions, or peculiar conditions related to the development of the subject property such as conditions related to phased development, the applicant shall provide financial security, in a form acceptable to the City, in the amount of one hundred twenty-five percent (125%) of the cost of materials and installation of all remaining landscaping to be completed and an estimate of such costs in order to be eligible for a Certificate of Occupancy.

v. When phasing development upon a property, a proportionate share of landscaping acceptable to the City shall be installed and maintained with each phase based on the size of the proposed phase and shall be considered completed for the purposes of these regulations when such proportionate share of landscaping has been installed, unless special circumstances warrant the installation of a greater amount of landscaping with any phase.

vi. The developer and/or property owner shall be responsible for the installation and maintenance of all landscaping, buffering, perimeter treatment and screening improvements in a healthy condition. This provision shall also apply to single-family and two-family dwellings.

vii. Bare earth shall not be considered landscaping or a landscaped area for the purposes of meeting the landscape requirements herein. Land area shall be considered "covered" if it is used for growing grass, shrubs, trees, plants or flowers, or if covered by decorative rock, stone or wood chips, or otherwise landscaped as provided herein. This provision shall also apply to single-family and two-family dwellings.

viii. These landscaping provisions are not intended to require multiple or overlapping setbacks, buffers and perimeter treatments. When more than one (1) such standard applies, that standard which results in the higher landscaping or buffering requirement shall apply. Buffering and perimeter treatments may be located within the required setbacks and may be counted toward required open space except not as usable open space.

ix. Utility easements which conflict with required buffer yards, perimeter treatment, parkway or median standards may require an alternative design approach to address such conflicts.

D. **Tree Preservation.** Unless exempted in accordance with this subsection, all existing major trees shall be preserved. The Building Inspector may approve the cutting down, removal or destruction of a major

tree/trees when the tree or trees interferes with the proper development of the lot, provided that the lot is the subject of an application for approval of a zoning certificate, development plan approval or variance, such application is approved and one of the following applies:

i. The tree or trees will be located within the public right of way.

ii. The subject property cannot be arranged in a manner to avoid removal of the tree or trees at the same time permitting the desirable and logical development of the lot.

iii. The tree/trees are located within the proposed driveway to service a single-family home, and such driveway cannot otherwise be relocated.

iv. The tree is damaged or diseased or can be proven to be of poor quality.

v. The tree/trees are an undesirable species in its present location.

E. Tree Replacement. Each existing major tree removed in accordance with subsection (d) above shall be replaced with one (1) tree, having a minimum caliper of ~~one and three-quarters~~two inch (~~2 3/4~~”) as measured one foot (1’) above ground level.

F. General Landscape Standards.

i. The following standards shall ensure that landscaping is used to improve the aesthetic quality of a development or site in addition to providing a functional purpose and year-round interest and/or screening.

ii. The size of landscape elements and materials shall meet minimum standards and be consistent with the size of the project and any existing streetscape. Minimum plant sizes are as follows:

iii. Landscaping in parking areas, driveway entrances and intersections shall be designed to meet the minimum clear sight triangle as defined in the Zoning Code.

iv. Monoculture, or the extensive use of a single species of trees, shall be limited in order to minimize the potential for disease or pests to strike a particular species resulting in significant same-species loss. The following limits shall apply:

v. Plant materials used in conformance with the provisions of this section shall conform to the specifications of the American Association of Nurserymen (AAN) for number one grade and shall have all wire and twine removed prior to planting. All trees shall be balled and ~~burlapped~~bur lapped or equivalent. Grass sod shall be clean and free of weeds and noxious pests or diseases. Plant materials which are known to be intolerant of the area in which they are proposed to be installed, or whose physical characteristics may be injurious to the public shall not be specified for use.

vi. If any trees or other plant materials die or become diseased and must be removed, the property owner shall be responsible for replacing all materials that were removed. In the event that existing preserved trees die or become diseased and must be removed; the replacement shall be based on the tree credits Table 1105.07A. If trees or shrubs are removed for convenience purposes, the property owner shall be responsible for replacing all removed materials elsewhere on the site. If adequate space is not available on the site, the replacement shall occur at a location approved by the City. Upon issuance of a citation, corrective action shall be completed within sixty (60) days unless the Development Director or designee determines that weather constraints require one additional sixty (60) day period. Failure to meet the requirements of this section shall constitute a violation of this Zoning Code and the penalty requirements shall apply.

vii. Trees and shrubs shall be planted so that at maturity they do not interfere with utility service lines and traffic safety. Trees planted near public sidewalks shall be installed in such a manner as to prevent physical damage to sidewalks, curbs, gutters, pedestrian ways, bike paths and other public improvements. A protective tree grate and vault shall be provided when trees are planted in paved areas such as plazas or sidewalks. This provision shall also apply to single-family and two-family dwellings.

viii. When an applicant presents that the placement of all trees and shrubs as required in this section would create an impractical landscape effect, a portion of the trees and shrubs may be located in alternative locations on the same site, subject to approval by the Development Director or designee.

ix. In no event shall a landscaped setback be less than six feet (6') in width, nor shall the width of the landscaped setback be inadequate to allow for the installation and healthy growing condition for the required amount of trees or shrubs.

x. In order to promote efficient irrigation and maintenance measures, berms shall not exceed a slope of three to one (3:1) and shall be graded to appear as smooth, rounded, naturalistic forms.

xi. To insure that landscape materials do not constitute a driving hazard, a clear "sight triangle" shall be observed at all street and access drive intersections. In the case of a city street intersection, the sight triangle shall consist of the area between points twenty feet (20') along both intersecting streets from their respective edge of pavements. Ground cover, perennials, shrubs and trees shall be permitted within the sight triangle provided that perennials and shrubs do not exceed a maximum height of eighteen inches (18") and tree trunks shall be devoid of limbs to a height of eight feet (8').

G. Street Tree Requirements. It shall be required in all zones and districts that applicants plant trees along public streets of their development. Trees shall be planted in such manner, type, quantity and locations as approved by the Planning and Zoning Administrator or the Planning and Zoning Board in conjunction with the site plan and design review process, as defined by the following conditions, and that any undeveloped street or existing street with undeveloped frontage shall conform to these requirements at the time of the development.

i. Trees planted shall be on the list of approved street trees maintained by the City of Reynoldsburg.

ii. The minimum spacing between this and other trees shall be 35 feet for large trees (mature height of fifty feet (50') or more), twenty-five feet (25') for medium trees (mature height of between thirty and fifty feet (30'-50') and fifteen feet (15') for small trees (range from ten to thirty feet (10'-30') at maturity).

iii. The maximum spacing between trees shall be forty-five feet (45') for large trees, thirty-five feet (35') for medium trees, and twenty-five feet (25') for small trees.

iv. The minimum distance between the tree and the edge of the street shall be two and one-half feet (2 ½') for a large tree, two feet (2') for medium tree and one and on-half feet (1 ½') for a small tree. In areas where a sidewalk exists or is proposed, the minimum distance between the tree trunk and both the edge of the street and the sidewalks shall be two feet (2') for a large tree, two feet (2') for a medium tree and one and one-half feet (1 ½') for a small tree, as defined in approved street tree list.

v. Trees shall be located so that a twenty-foot (20') sight triangle is maintained at street

intersections.

vi. A small tree shall be used when planting under or within ten (10) lateral feet of overhead utility wires. A small or medium tree shall be used when planting within ten to twenty (10-20) lateral feet of overhead utility wires.

vii. At the time of platting, the developer shall develop a street tree plan that establishes the species and size of trees to be planted along the streets of the proposed subdivision.

TABLE 1105.07C - CREDIT FOR EXISTING TREES (IN AGGREGATED INCHES)	
CALIPER AT FOUR AND HALF FEET (4.5') ABOVE GROUND	NUMBER OF TREE CREDITS
20 total inches	4 (equal to 4 trees)
13 - 19 total inches	3 (equal to 3 trees)
8 - 12 total inches	2 (equal to 2 trees)
2 - 7 total inches	1 (equal to 1 trees)

viii. The developers shall be required to maintain all trees for a period of one (1) year after any installation and replace any tree which fails to survive or does not exhibit normal growth characteristics of health and vigor within such one (1) year period. Upon completion of a street tree planting, the landscape contractor shall contact the Department of Development for a preliminary inspection. The one-year guarantee period shall begin after the approval of the Department of Development. A final inspection shall be made at the end of the guarantee period. All trees not exhibiting a healthy, vigorous growing condition, as determined by the city's inspection, shall be promptly replaced at the expense of the developer. Upon replacement, the one-year guarantee period shall recommence for those materials having been replaced.

ix. All street trees along any one street shall be of the same species and variety to promote a continuous landscape treatment. A change in variety will only be permitted at intersections and other logical beginning and ending points.

x. The minimum trunk caliper measured one foot (1') above the ground for all street trees shallbe no less than two inches (2").

H. **Interior Lot Landscaping.**

i. For all new construction or land development for which a building permit and/or a zoning certificate is required, trees shall be provided for within the structure-related property lot lines, equal to or in excess of the following total tree trunk diameters (as measured one foot (1') from the ground level) for the specified building ground coverage square footage or land area square footage, by building and/or land use type, as follows:

1. All residences and residential land uses, per dwelling unit, there must be planted one-half inch (1/2") in trunk diameter for everyone 3,000 square feet of lot size or fraction thereof, with a minimum of two inches (2") of total trunk diameter.

TABLE 1105.05B: SUMMARY OF BUFFER REQUIREMENTS		
ZONE OR DISTRICT REQUIRING BUFFER	ADJACENT ZONE OR DISTRICT TO REQUIRED TO PROVIDE BUFFER	BUFFER REQUIREMENTS
SR or RM	ORD-C, EMD, or BMD	• 10 foot (10') buffer along all common boundaries; • One (1) tree for every forty feet (40') of linear boundary or fraction thereof; • Continuous six foot (6') high planting, hedge, fence, wall, earth mound or combination thereof.
SR or RM	CC	• 15 foot (15') buffer along all common boundaries; • One (1) tree for every forty feet (40') of linear boundary or fraction thereof; • Continuous six foot (6') high planting, hedge, fence, wall, earth mound or combination thereof.
Any residential use in any zoning district	Any non-residential use in SR or RM	• 5 foot (5') buffer along all common boundaries; • One (1) tree for every fifty feet (50') of linear boundary or fraction thereof; • Continuous six foot (6') high planting, hedge, fence, wall, earth mound or combination thereof.
SR, RM, or residential use in other zoning district	I	• 15 foot (15') buffer along all common boundaries; • One (1) tree for every twenty feet (20') of linear boundary or fraction thereof; • Continuous ten foot (10') high planting, hedge, fence, wall, earth mound or combination thereof.
Any zone (except for Innovation)	Adjacent freeway or arterial	• Twenty feet (20') for residential zones and fifteen feet (15') for all other zones adjacent to a freeway or arteria • One (1) tree for each thirty feet (30') of linear boundary, or fraction thereof; • Continuous six foot (6') high planting, hedge, fence, wall, earth mound or combination thereof.
Any zone (except for Innovation) adjoining a railroad	Any property with a railroad	• Twenty feet (20') for residential zones and fifteen feet (15') for all other zones adjacent to railroad boundaries; • One (1) tree for each thirty feet (30') of linear boundary, or fraction thereof; • Continuous six foot (6') high planting, hedge, fence, wall, earth mound or combination thereof.

2. All commercial structures, including commercial-related parking, loading and trash storage areas, and all industrial, warehouse, and storage uses and their associated parking, loading, and trash storage areas:
   (a) Up to twenty thousand (20,000) square feet: one inch (1") trunk diameter for every two thousand (2,000) square feet or fraction thereof with a minimum of two inches (2") of total trunk diameter.
   (b) Twenty thousand and one to fifty thousand (20,001 - 50,000) square feet: a total trunk diameter of ten inches (10"), plus one-half inch (1/2") of trunk diameter for every two thousand (2,000) square feet over twenty thousand (20,000) square feet or fraction thereof.

(c) Over fifty thousand (50,000) square feet: a total trunk diameter of twenty inches (20”), plus one inch (1”) of trunk diameter for every four thousand (4,000) square feet over fifty thousand (50,000) square feet or fraction thereof.

1) All office uses, institutional uses, convalescent and nursing homes and child daycare facilities, including related parking, loading and trash storage areas:

(d) Up to nineteen thousand and five hundred (19,500) square feet: one inch (1”) in trunk diameter for every fifteen hundred (1,500) square feet or fraction thereof, with a minimum of two inches (2”) of total trunk diameter.

(e) Nineteen thousand, five hundred and one to forty-nine thousand and five hundred (19,501 - 49,500) square feet: a total trunk diameter of thirteen inches (13”), plus two inches (2”) of trunk diameter for every two thousand (2,000) square feet over nineteen thousand and five hundred (19,500) square feet or fraction thereof.

(f))Forty-nine thousand, five hundred and one (49,501) square feet and more: a total trunk diameter of twenty-five inches (25”), plus two inches (2”) of trunk diameter for every three thousand (3,000) square feet over forty-nine thousand and five hundred (49,500) square feet or fraction thereof.

ii. Existing healthy trees and shrubs shall be preserved and incorporated into the overall site and landscape design to the maximum extent practical as determined by the City. Existing trees may be credited toward minimum tree planting requirements as follows:

1. Existing trees, which are preserved, may be credited toward the tree planting requirements of this section according to Table 1105.05A - Credit for Existing Trees. Tree credits shall be given as long as all other provisions and the intent of this Zoning Code are met. Fractional caliper measurements shall be attributed to the next lowest category.
2. No credit shall be given for existing preserved trees that are:
   (a) Not located on the actual development site;
   (b) Not properly protected from damage during the construction process;
   (c) Prohibited species under the caliper size of thirteen inches (13”) measured at four and one-half feet (4 ½’) above the ground; or
   (d) Dead, dying, diseased, or infested with harmful insects.

iii. In order to apply for credit, existing trees must be protected during construction. All existing trees shall be protected by the placement of an orange construction fence around the perimeter of the tree/trees. In order to protect the root system of the existing trees, said fence shall be installed at a minimum radius from the trunk. The minimum shall be one foot (1’) of radius per one inch (1”) of caliper of the tree. (ex. On a six inches (6”) diameter tree, the fence shall be placed a minimum of six feet (6’) from the trunk of the tree.)

iv. No new tree plantings shall be required if existing trees to remain on the site after development, and the aggregate trunk sizes of such trees, meet or exceed the requirements as set forth above.

v. Any combination of existing and new trees may be used to meet the requirements of this section.

I. **Property Buffer Requirements.**

i. Grass or Ground Cover Required. Grass or ground cover shall be planted on all portions of the

required buffer not occupied by other landscape material. Trees do not have to be equally spaced but may be grouped. All landscape requirements shall be met by the applicant if his/her property is contiguous to property fully developed prior to the passage of this chapter. A landscape plan meeting the requirements of this section shall be approved by the Planning and Zoning Board
or the Planning and Zoning Administrator in conjunction with the site plan and design review process before the commencement of construction on the subject property.

ii. **Buffer Requirements.** When one zoning classification abuts another zoning classification, a minimum buffer zone shall be required as follows:

1. Any residential zone adjoining the EMD, BMD, or ORD-C; required buffer zone is ten feet (10') adjacent to all common boundaries except street frontage and shall include one
(1) tree for each forty feet (40') of linear boundary, or fraction thereof, and a continuous six foot (6') high planting, hedge, fence, wall, earth mound, or combination thereof.
2. Any residential zone adjoining the CC required buffer zone is fifteen feet (15') adjacent to all common boundaries except street frontage and shall include one (1) tree for each forty feet (40') of linear boundary, or fraction thereof, and a continuous six foot (6') high planting, hedge, fence, wall, earth mound or combination thereof.
3. Any residential use adjoining a property located in a residential zone operating with a conditional use; required buffer zone is fifteen feet (15') adjacent to all common boundaries except street frontage and shall include one (1) tree for each forty feet of linear boundary, or fraction thereof, and a continuous six foot (6') high planting, hedge, fence, wall, earth mound or combination thereof.
4. Any residential zone or any residential use in any zoning classification adjoining an Innovation (I) District required buffer zone is twenty feet (20') adjacent to all common boundaries except street frontage and shall include one (1) tree for each twenty (20) feet of linear boundary, or fraction thereof, and a continuous six foot (6') high planting, hedge, fence, wall, earth mound or combination thereof.
5. Any zone adjoining a freeway or arterial street prohibiting driveways; required buffer zone is twenty feet (20') for residential zones and fifteen feet (15') for all other zones adjacent to a freeway or arterial and shall include one (1) tree for each thirty feet (30') of linear boundary, or fraction thereof, and a continuous six foot (6') high planting, hedge, fence, wall, earth mound or combination thereof.
6. Any zone (except Innovation) adjoining a railroad; required buffer zone is twenty feet (20') for residential zones and fifteen feet (15') for all other zones adjacent to railroad boundaries and shall include one (1) tree for each thirty feet (30') of linear boundary, or fraction thereof, and a continuous six foot (6') high planting, hedge, fence, wall, earth mound or combination thereof.

J. Parking Area Landscaping Standards.

i. Parking lots containing more than six thousand (6,000) square feet of area or twenty (20) or more vehicular parking spaces, whichever is less, shall provide interior landscaping of the
peninsular or island types of uncompacted, well-drained soil that contains a minimum of six inches (6") of top soil mix, as well as perimeter landscaping.

ii. For every ten (10) parking spaces or fraction thereof, the applicant shall provide not less than two

hundred (200) square feet of interior landscaped parking lot areas containing at least one (1) tree with a minimum diameter of two inches (2") and four (4) shrubs.

iii. The minimum landscape area permitted shall be two hundred (200) square feet with a minimum planting width of ten feet (10').

iv. In order to encourage the required landscape areas to be properly dispersed, and to break up large expanses of parking, no individual landscape area shall be larger than five hundred (500) square feet in size in vehicular use areas less than thirty thousand (30,000) square feet and no individual landscape area shall be larger than two thousand (2,000) square feet in vehicular use areas over thirty thousand (30,000) square feet. Individual landscape areas larger than above are permitted as long as the additional area is in excess of the required minimum total.

v. All parking lots shall provide perimeter landscaping. Parking lots shall have perimeter landscaping of a minimum width of ten feet (10') exclusive of vehicle overhang. The perimeter landscaping shall consist of a continuous evergreen hedge, evergreen trees, earthen mound or a combination thereof as required to provide a continuous opaque screen, a minimum of thirty-six inches (36") in height, within one (1) year of installation. The perimeter landscape shall also contain a minimum of one (1) deciduous tree per fifty (50) linear feet of parking perimeter.

vi. Parked vehicles may hang over the interior landscaped area no more than two and one-half feet (2 ½'). Concrete or other wheel stops shall be provided to ensure no greater overhang on the landscaped area. Where parked vehicles will overhang, a four-foot (4') minimum spacing shall be provided from the edge of pavement to all trees.

vii. Grass or ground cover shall be planted on all portions of the required landscaping area not occupied by other landscape material. Such material fulfills required interior or perimeter landscaping.

K. **Screening and Landscaping for Service Structures.**

i. In order to properly screen service structures from the main building and neighboring lots, the following screening requirements shall apply:

ii. Location of screening. Either a solid, opaque fence or wall or earth berm, or with a continuous planting of evergreen plant material shall enclose any service structure on all sides, unless such structure must be frequently accessed, in which case screening on all but one (1) side is required. The average height of the screening fence or wall or evergreen shall be one foot (1') more than the height of the enclosed structure but shall not exceed the maximum permitted height of fences and walls of the District.

iii. Mechanical equipment and service functions associated with a building shall, to the maximum extent feasible, be incorporated into the overall design theme of the building and the landscape so that these functions are out of view from public ways and adjacent properties while allowing convenient access.

iv. Plant material required for screening of service structures shall not count towards the fulfillment of other landscape requirements in this section. No interior landscaping shall be required within an area screened for service structures.

v. Curbs to protect plant material. Whenever plant material is placed around any trash disposal unit or waste collection unit which is emptied or removed mechanically on a regular basis, a curb

to contain the placement of the container shall be provided adjacent to the plant material. The curbing shall be at least one foot (1') from the material and shall be designed to prevent possible damage to the plant material when the container is moved or emptied.

vi. Service structures shall be grouped together whenever possible.

vii. The provisions of this section shall not apply to service structures located on lots with single family and two-family dwellings, except that any generator located within six feet (6') of any lot line shall be screened in accordance with this section.

L. Natural Preservation Zones.

i. Applicability. Natural preservation zones are areas that protect both the aesthetic appearance and environmental significance including, but not limited to, woodlands, wetlands, ravines, flood plains, streams, lakes, ponds, and/or steep slopes and can provide effective buffers between different or same land uses. Such zones should be designated on the concerned property. It is the intent of this section to encourage the use of these preservation zones in new developments including single family subdivisions, multi family, commercial and industrial construction. It is the further intent of this section not to preclude and/or prevent development, but to protect and preserve environmentally significant areas by fostering the use of buffer zones that could be integrated within the development. Preservation zones shall be used in a manner to promote and protect the public safety, convenience, comfort, prosperity, and general welfare of the City.

ii. Determination of Preservation Zones.

1. Environmentally significant areas shall be required to have a preservation zone(s). (The natural resources maps A and B in the Reynoldsburg Planning Guide areguides in determining the environmentally significant areas. These maps shall be a guide in determining areas that shall be required to have preservation zones.)
2. However, this shall not preclude the Planning and Zoning Administrator or the Planning and Zoning Board from recommending and/or approving preservation zones in other areas that are considered to be environmentally significant. In determining preservation zones, the Planning and Zoning Administrator or the Planning and Zoning Board determines that the area needs to be protected from development and which could serve as a buffer between different or same uses.

iii. Approval of Preservation Zones. Preservation Zones shall be approved in accordance with the following procedures:

1. The Planning and Zoning Board shall have the authority to approve a preservation zone for a subdivision and/or a planned district. This approval shall occur during the preliminary plat stage and shall follow the procedures set out in Chapter 1111. The Planning and Zoning Administrator may recommend to the Planning and Zoning Board the location of a preservation zone.
2. Preservation zones shall become part of the final plat or final development plan for subdivisions by the Planning and Zoning Board and approved by Council. Preservation zones shall become part of the site plan that is part of the certificate of appropriateness approval.

iv. Protection of Preservation Zones.

1. Before any activity, clearing, and/or construction begins, the entire preservation zone

shall be enclosed with at least three foot (3') high orange construction fencing to prevent any access to the area. Such fencing shall protect the root systems of vegetation within the preservation zone. The fencing can only be taken down for an individual lot when an
occupancy permit has been issued for the structure on the concerned lot. The fencing shall remain on the undeveloped lots until occupancy permits are granted for each lot.

2. Said preservation zone shall not be disturbed any time before, during, or after said construction except for necessary access as approved by the Planning and Zoning Administrator.
3. No permanent or temporary structure, building, or fence shall ever be placed upon, in, or under said preservation zone.
4. Utilities and roadways in preservation zones may only be installed consistent with an Environmental Plan and/or Mitigation Plan.
5. No development, clearing, thinning, construction, or work shall be performed in the preservation zone except for necessary construction as deemed necessary by the Planning and Zoning Administrator. If a preservation zone is disturbed at any time (including but not limited to utility construction and/or easement, building or grading construction) by the developer, contractor, subcontractor, house builder, property owner, or a representative, such disturbances that occur shall be restored to an approved condition. Diseased trees and/or diseased vegetation may be removed with the approval of the Planning and Zoning Administrator. Obnoxious weeds and/or brush of less than one inch (1") caliper may be removed without destroying the integrity of the preservation zone.

6. No dirt, stones, wood, or debris shall be placed within the preservation zone.
7. Trees located in a preservation zone that have been pushed over, cut apart, blown over, or fallen due to aging and/or deterioration are the property owner's responsibility to remove from the preservation zone.
8. A utility company servicing and/or installing utilities in the designated preservation zone shall also be subject to these restrictions.
9. These restrictions shall be printed on the final plat, the final development plan, and/or site plan.
10. Drainage shall not be changed in a manner that will damage the preservation zone..
11. The developer shall notify all contractors, utility companies, and/or cable companies doing work in the concerned subdivision of the preservation zone requirements.

SECTION 1105.09 EXTERIOR LIGHTING

A. **Purpose and Applicability.** The purpose of this section is to ensure that all exterior site and building lighting shall not affect the reasonable use and enjoyment of adjacent properties but provide minimum levels to enhance safety of individuals and property. Lighting standards shall also protect the safety and operation of vehicles on the public rights-of-way from levels of illumination that are emitted or reflected from light sources of an intensity sufficiently to constitute a safety hazard to vehicular movement. Lighting standards shall apply to all lots except those developed with single family or two- family dwellings.

B. **Exterior Lighting Regulations.** Exterior site lighting shall be designed, located, constructed and maintained to minimize light and reflected light trespass and spill over off the subject property. Glare shall be minimized from all light sources.

i. The average horizontal illumination level on the ground shall not exceed three ~~footeandles~~foot-candles (3FC). The light level along a property line adjacent to a residentially-zoned or used property shall not exceed an average intensity of one-half ~~footeandle~~foot-candles (0.5FC).

ii. The height of parking lot lighting shall not exceed twenty feet (20') above grade and shall direct light downward, i.e. cut-off type fixtures. In conjunction with a major site plan review, the Planning and Zoning Board may require a lower standard based upon specific characteristics of the site.

iii. The color of parking lot lighting poles and other lighting infrastructure shall match or complement the colors of the building's architecture, as approved by the Planning and Zoning Board.

~~iv.~~ For pedestrian areas, decorative low light fixtures shall be used and the height of the fixture shall not exceed fourteen feet (14') above grade.

iv.

v. Exterior building illumination shall be from concealed sources. Strobe or flashing lights and exposed neon lights are not permitted. Lighting fixtures shall not generate excessive light levels, cause glare, or direct light beyond the facades onto neighboring property, streets, or the night sky. The maximum illumination of any vertical surface or angular roof surface shall not exceed four ~~footeandles~~foot-candles (4FC).

vi. Security lighting shall be full, cut-off type fixtures, shielded and aimed so that illumina[illegible] directed to the designated areas with the lowest possible illumination level to effectively [illegible] surveillance.

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vii. Lighting fixtures used to illuminate the area below a freestanding canopy shall be recessed so that the lens cover is recessed or flush with the bottom surface (ceiling) of the canopy. However, indirect lighting may be used where a shielded source of light is beamed upward and then reflected down from the underside of the canopy.

v.

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SECTION 1105.11 FENCES AND SCREENING.

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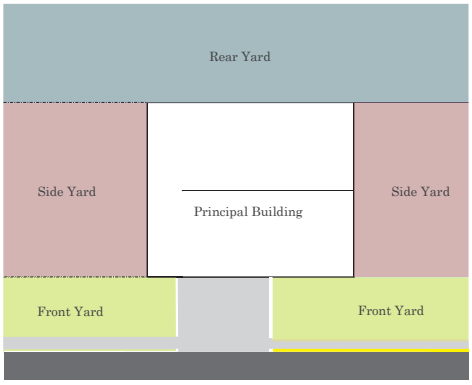
TABLE 1105.11A FENCE MATERIALS									
SUMMARY OF PERMITTED FENCE MATERIALS									
DISTRICT/ZONE	LUMBER	VINYL	WROUGHT-IRON	STONE	PAINTED ALUMINIMUM	BRICK	CHAIN LINK	METAL	BARBED-WIRE
ORD-N	X	X	X	X	X	X			
ORD-C	X	X	X	X	X	X			
BMD	X	X	X	X	X	X			
EMD	X	X	X	X	X	X			
Community Commercial (CC)	X	X	X	X	X	X			
Residential Zones (SR and RM)	X	X	X	X	X	X			
Innovation Zone (I)	X	X	X	X	X	X	~~X~~	X	X[A]
Open Space/Schools Zone (OS)	X	X	X	X	X	X			

INTERIOR LOTS



CORNER LOTS

TABLE 1105.11B FENCE HEIGHT, SETBACKS AND OPACITY						
SUMMARY OF FENCE HEIGHT, SETBACKS AND OPACITY						
	FRONT AND CORNER YARD FENCES			REAR AND SIDE YARD FENCES		
DISTRICT/ZONE	MAX. HEIGHT	MINIMUM SETBACK	MAXIMUM OPACITY	MAX. HEIGHT	MINIMUM SETBACK	MAXIMUM OPACITY
ORD-N	4 ft.	3 ft. from ROW	50%	6 ft.	0 ft. from property line	100%
ORD-C	4 ft.	3 ft. from ROW	50%	6~~4~~ ft.	0 ft. from property line	100%
BMD	4 ft.	3 ft. from ROW	50%	~~4~~8 ft.	0 ft. from property line	100%
EMD	4 ft.	3 ft. from ROW	50%	~~4~~8 ft.	0 ft. from property line	100%
Community Commercial (CC)	4 ft.	3 ft. from ROW	50%	~~4~~8 ft.	0 ft. from property line	100%
Residential Zones (SR and RM)	4 ft.	3 ft. from ROW	50%	6 ft.	0 ft. from property line	100%
Innovation Zone (I)	4ft.	3ft. from ROW	50%	10 ft.	0 ft from property line	100%
Open Space/Schools Zone (OS)	4ft.	5 ft from ROW	50%	10 ft.	0 ft from property line	50~~100~~%

Fences. The following regulations shall apply to the location and appearance of fences in the front, side, and rear yards of properties located in the City of Reynoldsburg.

~~vi.~~viii. **Fences in Olde Reynoldsburg Commercial and Neighborhood District.** The following regulations shall govern fences located upon properties in the Olde Reynoldsburg Commercial District and Olde Reynoldsburg Neighborhood District:

1. **Front and Corner Yard Fences—Height.** Between the front setback line for structures and the front facade of the principal structure, fences shall be no higher than four feet (4FT).
2. **Front and Corner Yard Fences—Setback.** Front and corner yard fences shall be no closer to the right-of-way than three feet (3FT).
3. **Front and Corner Yard Fences—Opacity.** Front and corner yard fences shall be constructed of an open design, which is defined as at least fifty percent (50%) open. For picket fences, the distance between pickets shall be no less than the width of the pickets themselves.

4. **Rear and Side Yard Fences—Height.** Between the rear setback line or side setback line for structures and the rear façade or side of the principal structure, fences shall be no higher than six feet (6FT).
5. **Rear and Side Yard Fences—Setback.** Rear and side yard fences shall be placed on the property line of the subject property unless, at the discretion of the Planning and Zoning Administrator, there is articulable and substantial basis to permit an applicant to deviate.
6. **Rear and Side Yard Fences—Opacity.** Rear and side yard fences may be constructed of materials with a maximum opacity of 100%.
7. **Fence Materials.** Fences in the ORD-C and ORD-N~~residential~~ districts shall be constructed of materials that match or compliment any existing structures on a lot. This includes but is not limited to, painted or treated lumber, vinyl, wrought iron, painted aluminum, brick, and stone. All lumber fences shall be constructed so that the finished boards hide the vertical and horizontal posts when viewed from adjacent lots unless the fence is constructed in such a manner that the finished look of both sides of the fence is the same.

~~vii.~~ix. **Fences in Residential Districts.** The following regulations shall govern fences located upon properties in residential zoning districts:

1. **Front and Corner Yard Fences—Height**. Between the front setback line for structures and the front facade of the principal structure, fences shall be no higher than four feet (4FT).
2. **Front and Corner Yard Fences—Setback.** Front and corner yard fences shall be no closer to the right-of-way than three feet (3FT).
3. **Front and Corner Yard Fences—Opacity.** Front and corner yard fences shall be constructed of an open design, which is defined as at least fifty percent (50%) open. For picket fences, the distance between pickets shall be no less than the width of the pickets themselves.
4. **Rear and Side Yard Fences—Height.** Between the rear setback line or side setback line for structures and the rear façade or side of the principal structure, fences shall be no higher than six feet (6FT).
5. **Rear and Side Yard Fences—Setback**. Rear and side yard fences shall be placed on the property line of the subject property unless, at the discretion of the Planning and Zoning Administrator, there are substantial grounds to deviate.
6. **Rear and Side Yard Fences—Opacity.** Rear and side yard fences may be constructed of materials with a maximum opacity of 100%.
7. **Fence Materials.** Fences in residential districts shall be constructed of materials that match or compliment any existing structures on a lot. This includes but is not limited to, painted or treated lumber, vinyl, wrought iron, painted aluminum, brick, stone All lumber fences shall be constructed so that the finished boards hide the vertical and horizontal posts when viewed from adjacent lots unless the fence is constructed in such a manner that the finished look of both sides of the fence is the same.

~~viii.~~x. **Fences in Commercial and Mixed-Use Zones and Districts.** The following regulations shall govern fences located upon properties in commercial and mixed-use zones and districts:

1. **Front and Corner Yard Fences—Height.** Between the front setback line for structures and the front facade of the principal structure, fences shall be no higher than four feet (4FT).
2. **Front and Corner Yard Fences—Setback.** Front and corner yard fences shall be no closer to the right-of-way than three feet (3FT).
3. **Front and Corner Yard Fences—Opacity.** Front and corner yard fences shall be constructed of an open design, which is defined as at least fifty percent (50%) open. For picket fences, the distance between pickets shall be no less than the width of the pickets themselves.
4. **Rear and Side Yard Fences—Height.** Between the rear setback line or side setback line for structures and the rear façade or side of the principal structure, fences shall be no higher than eight feet (8FT).
5. **Rear and Side Yard Fences—Setback.** Rear and side yard fences shall be placed on the property line of the subject property unless, at the discretion of the Planning and Zoning Administrator, there is articulable and substantial basis to permit an applicant to deviate.
6. **Rear and Side Yard Fences—Opacity.** Rear and side yard fences may be constructed of materials with a maximum opacity of 100%.
7. **Fence Materials.** Fences in mixed-use districts shall be constructed of materials that match or compliment any existing structures on a lot. This includes but is not limited to, painted or treated lumber, vinyl, wrought iron, painted aluminum, brick, and stone. All lumber fences shall be constructed so that the finished boards hide the vertical and horizontal posts when viewed from adjacent lots unless the fence is constructed in such a manner that the finished look of both sides of the fence is the same.

~~ix.~~xi. **Fences in Innovation Zone.** The following regulations shall govern fences located upon properties in the Innovation Zone:

1. **Front and Corner Yard Fences—Height.** Between the front setback line for structures and the front facade of the principal structure, fences shall be no higher than four feet (4FT).
2. **Front and Corner Yard Fences—Setback.** Front and corner yard fences shall be no closer to the right-of-way than three feet (3FT).
3. **Front and Corner Yard Fences—Opacity.** Front and corner yard fences shall be constructed of an open design, which is defined as at least fifty percent (50%) open. For picket fences, the distance between pickets shall be no less than the width of the pickets themselves.
4. **Rear and Side Yard Fences—Height.** Between the rear setback line or side setback line for structures and the rear façade or side of the principal structure, fences shall be no higher than ten feet (10FT).
5. **Rear and Side Yard Fences—Setback.** Rear and side yard fences shall be placed on the property line of the subject property unless, at the discretion of the Planning and Zoning Administrator, there is articulable and substantial basis to permit an applicant to deviate.
6. **Rear and Side Yard Fences—Opacity.** Rear and side yard fences may be constructed of materials with a maximum opacity of 100%.
7. **Fence Materials.** Fences in the Innovation Zone shall be constructed of materials that

match or compliment any existing structures on a lot. This includes but is not limited to, painted or treated lumber, vinyl, wrought iron, painted aluminum, brick, and stone. All lumber fences shall be constructed so that the finished boards hide the vertical and horizontal posts when viewed from adjacent lots unless the fence is constructed in such a manner that the finished look of both sides of the fence is the same. Metal, non-chain-link, fences are permitted in the Innovation Zone.

8. **Barb-Wire Fences—Innovation Zone.** Fences containing barbs may be erected as rear fences to secure properties in the Innovation Zone. The Planning and Zoning Administrator shall only grant a fence permit for a fence of this type after determining that the nature and location of the fence is not a danger to the public or intended to injury persons engaged in lawful activity.

~~x.~~xii. **Fences in the Open Space/Schools Zone**. The following regulations shall govern fences located upon properties in the Open Space/Schools Zone:

1. **Front and Corner Yard Fences—Height.** Between the front setback line for structures and the front facade of the principal structure, fences shall be no higher than four feet (4FT).
2. **Front and Corner Yard Fences—Setback.** Front and corner yard fences shall be no closer to the right-of-way than five feet (5FT).
3. **Front and Corner Yard Fences—Opacity.** Front and corner yard fences shall be constructed of an open design, which is defined as at least fifty percent (50%) open. For picket fences, the distance between pickets shall be no less than the width of the pickets themselves.
4. **Rear and Side Yard Fences—Height.** Between the rear setback line or side setback line for structures and the rear façade or side of the principal structure, fences shall be no higher than ten feet (10FT).
5. **Rear and Side Yard Fences—Setback.** Rear and side yard fences shall be placed on the property line of the subject property unless, at the discretion of the Planning and Zoning Administrator, there is articulable and substantial basis to permit an applicant to deviate.
6. **Rear and Side Yard Fences—Opacity.** Rear and side yard fences may be constructed of materials with a maximum opacity of 50%.
7. **Fence Materials.** Fences in the Open Space/Schools Zone shall be constructed of materials that match or compliment any existing structures on a lot. This includes but is not limited to, painted or treated lumber, vinyl, wrought iron, painted aluminum, brick, and stone. All lumber fences shall be constructed so that the finished boards hide the vertical and horizontal posts when viewed from adjacent lots unless the fence is constructed in such a manner that the finished look of both sides of the fence is the same.

C. **Corner Lots.** In the case of a corner lot, one side will be designated as the primary front yard, i.e the principal front of the building and the second side will be designated as the secondary front yard. Setbacks in primary and secondary front yard shall be placed at least three (3) feet from the Right-of- Way.

D. **Service Fences.** Waste containers, air conditioning units, and electrical generators may be screened with fence materials allowable in the property's district and shall be considered decorative fences and not require a permit.

E. **Temporary Fences.** Temporary fences may be constructed without a permit for the following reasons:

i. As required due to an unsafe building, right-of-way or utility maintenance emergency.

ii. A construction fence in conjunction with a site that has active building permits.

iii. In conjunction with an approved temporary special land use permit or any special event approved through the Parks and Recreation Department. Temporary fences of this nature may only be maintained for the length of the approved permit or through the duration of the special event.

iv. Temporary horticultural fences are permitted as temporary fences within the area designated for rear fences. Temporary horticultural fences shall be of an open design, shall not exceed four feet (4FT) in height, and not enclose an area larger than five hundred square feet (500SF).

v. Temporary fences may be constructed of materials or in a manner not consistent with the provisions of this chapter, but shall not be constructed in a manner designed to cause a hazard to public safety.

vi. In the event a temporary fence exists for a period of thirty (30) days or more, and the Planning and Zoning Administrator determines that it is a hazard to public safety, the Planning and Zoning Administrator may require a fence permit or that the fence comply with any provision of this chapter.

F. Generally Applicable Fence Regulations.

i. All fences, unless specifically exempt by this chapter, shall require a fence permit from the Planning and Zoning Administrator. No fence shall be erected, constructed, altered, relocated or rebuilt prior to obtaining a fence permit. An existing fence that requires new vertical posts to be set shall be considered an altered fence, and subject to a new permit. Existing chainlink fences within the Suburban Residential zoning district may be repaired or replaced in their entirety provided that a zoning certificate is obtained and that the subject fence is placed in the same position and arrangement as the existing fence and otherwise meets the same or smaller
dimensions. For the purposes of this chapter, a fence permit shall have the same effect as a zoning certificate in proving conformance with the Zoning Code.

ii. Fences shall only be constructed in conformance with the provisions of this chapter and of the fence permit issued by the Planning and Zoning Administrator.

iii. No fence shall be installed in a manner or location which obstructs or alters the drainage of the lot on which it is located or of any abutting lot. All fences that are constructed abutting or across drainage easements shall be subject to the following additional regulations:

1. Shadow box fences and fences of an open design, which is defined as at least fifty percent (50%) open will be the preferred fence styles. For picket fences, the distance between pickets shall be no less than the width of the pickets themselves.

2. Privacy fences shall provide a gap between the vertical boards and the ground of no less than two inches (2IN).

iv. Fences may be inspected for compliance with the provisions of this Zoning Code. If any fence is installed, erected, constructed or maintained in violation of any of the provisions of this chapter, the Planning and Zoning Administrator may notify the owner or lessee of the fence in question to repair or replace the fence so as to comply with this chapter or to remove it.

v. No fence shall be constructed of materials such as highway guardrails, corrugated metal, metal wire or plastic mesh, or other such materials that are not designed for use as fencing material or are not sufficiently weather resistant and durable.

vi. No fence shall be constructed which is electrically charged, includes any material which is potentially hazardous such as spikes or barbed wire, or is otherwise designed to injure except as provided for in this chapter.

vii. Chain-link fences may not be utilized as a means of support for wooden privacy fences.

SECTION 1105.13 SUPPLEMENTARY USE CONDITIONS

A. Temporary Land Use. The Planning and Zoning Administrator shall have the power to grant permits authorizing temporary special land uses for the following types of temporary events: tent sales, sidewalk sales, or seasonal sales of produce, plants, firewood, or Christmas trees.

i. **Zoning Districts Where Permitted.** Temporary special land uses for tent sales, sidewalk sales, or seasonal sales of produce, plants, firewood, or Christmas trees shall only be permitted in the Community Commercial Zone (CC), the Brice & East Main Street District (BMD) and the East Main Street District (EMD).

ii. **Application and Fee.** Every person, firm or corporation desiring to obtain a temporary special land use permit, as required by this section, shall file an application with the Planning and Zoning Administrator together with an application fee. The application for a temporary special land use permit shall be accompanied by plans and specifications as required by the Planning and Zoning Administrator. This includes but is not limited to, plans that show the following:

1. The shape, location, and dimensions of the lot, including the shape, size, location, and use of all buildings or other structures already on the lot, and the off-street parking layout.
2. The materials to be utilized in and the shape, size, and location of all buildings and structures to be erected or moved onto the lot, including all tents, tables, stands or display racks.
3. The anticipated automobile traffic flow to and from the lot and any adjacent thoroughfares, loss of off-street parking space, if any, as well as the anticipated flow of pedestrian traffic upon lot sidewalks.

iii. Time Limitations

1. A temporary special use permit for a tent or sidewalk sale shall be effective for no longer than seven (7) days. No more than three (3) temporary special land use permits for tent sales or sidewalk sales shall be issued for a given location within a single calendar year. Temporary special use permits for tent sales or sidewalk sales shall not be issued for any given location for consecutive time periods except in the Olde Reynoldsburg Commercial District, the Brice and East Main Street District, and the East Main Street District.
2. A temporary special land use permit for the sale of Christmas trees shall be effective for no longer than thirty (30) days. No more than one (1) temporary special land use permit for the sale of Christmas trees shall be issued for any given location within a single calendar year.
3. A temporary special use permit for seasonal sales of produce, plants, or firewood shall be effective for a period no longer than ninety (90) days. No more than one (1) temporary

special land use permit for seasonal sales of produce, plants, or firewood shall be issued for any given location within a single calendar year.

4. The Planning and Zoning Administrator or the Planning and Zoning Board shall have the power to vary these periods and add other conditions to an approved permit as deemed necessary by the Planning and Zoning Administrator or the Board in order to further the goals and principles of the Zoning Code.

iv. **Regulations.** A temporary special use permit shall only be granted if the Planning and Zoning Administrator determines that the proposed use, including the erection of any temporary building or structure, will:

1. Provide adequate light and ventilation between buildings and structures.
2. Provide adequate automobile and pedestrian traffic flow.
3. Provide adequate off-street parking.
4. Will meet the intent of the Zoning Code or otherwise not interfere with the protection of public health, safety, and general welfare.
5. Not be incompatible with, or otherwise adversely affect, the physical character of the community and, in particular, the surrounding area within a distance of one thousand feet (1,000FT).
6. No temporary special use shall be permitted if it reduces the parking on a lot by greater than twenty-five percent (25%).

v. **Vacant Lots.** When the proposed temporary special use is to be conducted on an otherwise vacant or unused lot, the use shall comply with all applicable zoning regulations for the district.

vi. **Accessory Structures.** Tents and other temporary structures are subject to building permits and other regulation by the Building Division.

vii. **Variance.** The Planning and Zoning Administrator or the Planning and Zoning Board shall have the power to vary the time periods of and add other conditions to an approved permit as deemed necessary by the Planning and Zoning Administrator or the Planning and Zoning Board in order to further the intent of the Zoning Code or otherwise protect the public health, safety, and general welfare.

B. **Special Events and Community Activities.** The following regulations apply to the approval and operation of special events and community activities.

i. **Exceptions.** A temporary special land use permit shall not be required for special event or community activity permitted or organized through the Parks and Recreation Department or Public Safety Department.

ii. **Exceptions—Open Space Districts.** A temporary special land use permit shall not be required for a special event or community activity associated with a permitted semi-public use in Open Space/Schools District provided that the special event or festival meets the following conditions:

1. The special event or festival takes place entirely on the lot or parcel associated with the existing approved semi-public use.
2. The special event or festival is no longer than three (3) consecutive days and that there are no more than two (2) such events or festivals at a given location within a calendar year.

iii. **Exceptions—Non-Profit or Charitable Organizations.** A temporary special land use permit shall not be required for a special event or community activity conducted on a commercial parcel that is organized by a non-profit or charitable organization. No more than two (2) such events shall be conducted by the same organization at the same location within a calendar year, unless the Planning and Zoning Administrator, consultation with the Director of Parks and Recreation and Director of Public Service finds there's a substantial basis to grant an additional permit.

iv. **Applicability.** Except as otherwise provided herein, the Planning and Zoning Administrator may require temporary special land use permit for any other type of special event.

v. **Accessory Structures.** Tents and other temporary structures for festivals and special events are subject to building permits and other regulation by the Building Division.

C. **Regulations Applicable to Swimming Pools, Fish Ponds, and Water Parks.** A swimming pool, fish pond, or water park shall conform with all yard and setback requirements for accessory structures in the district in which it is located, as well as the following requirements.

i. **Private Swimming Pool.** A private swimming pool, where in-ground or above-ground shall be permitted in any commercial, mixed-use or residential district as an accessory use provided that it complies with the following conditions and requirements:

1. Use. The pool shall be intended and used solely for the enjoyment of the occupants of the main use of the lot on which it is located.
2. The pool, including any walks or paved areas or accessory structures adjacent thereto, shall not be located closer than ten feet (10') to any lot line, shall not be closer than 10' from the principle structure ~~and any accessory structures~~, and shall not be closer to any frontage than a distance ten feet (10') greater than the setback required for a principal building. A pool is not permitted in the front yard or side front yard. ~~.~~
3. The area of the swimming pool, exclusive of decks, walks, and other appurtenances, shall not exceed ten percent (10%) of the area of the lot.
4. No lights, diving board, or other equipment or accessory shall project more than ten feet (10') above the average finished grade of the pool site.
5. In ground pools are required to have a fence around the pool or the property, minimum height of 4 feet with a locking gate. Above ground pools are required to have a fence around the pool or the property, minimum height of 4 feet with a locking gate or a removable ladder that is able to be locked up
6. A swimming pool shall be installed or constructed subsequent to and in conformance with the regulations of the Building Code and a permit issued by the Building Inspector.
   The Building Inspector shall not issue any permit for a swimming pool until he has submitted the application for a swimming pool to the Zoning Officer who shall determine compliance with the Zoning Code and issue a zoning certificate.

ii. **Community or Club Swimming Pool.** A community or club swimming pool means any pool constructed by an association of property owners or by a private club for use and enjoyment by members of the association or club and their families. Community and club swimming pools are permitted in any district, but shall comply with the following conditions and requirements:

1. A community or club swimming pool shall be intended and used solely for the enjoyment

of the members, their families and guests, and guests of the association or club under whose ownership or jurisdiction the pool is operated.

2. A community or club swimming pool and accessory structures thereto, including the areas used by the bathers, shall not be closer than one hundred feet (100') to any lot line.
3. A community or club swimming pool and all of the area used by the bathers, including all adjacent deck areas, shall be so walled or fenced as to prevent uncontrolled access by children.

iii. **Fish Pond, Water Garden.** A body of water designed and used as a fish pond or as a water garden shall conform with all yard and setback requirements for accessory structures in the district in which it is located, as well as the following requirements.

1. Water depth shall not exceed twenty-four inches (24") unless enclosed by a fence forty- eight inches (48") in height with a locking gate.
2. Water surface area shall not exceed one hundred (100) square feet.

D. **Portable Temporary Storage Units.** A zoning certificate shall be obtained from the Zoning Administrator prior to the placement of a portable temporary storage unit on a property when the unit will be on the property for a period of more than seven days. No more than one unit is permitted on
a property at any given time, the duration of which shall not exceed a period of fourteen days total. The unit must be placed on a hard surface (not grass), and must be on the property for which it is being used. The use of these units shall be limited to no more than twice in any twelve month period. Permission to exceed these limitations may be granted by the Planning and Zoning Board. A portable temporary storage units is not permitted as a permanent accessory structure regardless of the proposed location of the unit on a parcel.

i. **Calamity exception**. If the portable temporary storage unit is being used to store personal property as a result of major calamity (e.g. fire, flood, or other event where there is significant property damage), the Planning and Zoning Board or Zoning Administrator may extend these time periods.

ii. **Approved construction project.** If the portable temporary storage unit is being used to store materials as part of an approved construction project, the portable temporary storage unit may remain onsite as long as there is a valid open building permit obtained through the City of Reynoldsburg.

E. **Outdoor Storage. The following regulations shall apply to the approval and operation of outdoor storage as an accessory use:**

i. Outdoor storage shall only be permitted in areas identified on the approved site plan. No such activity shall be located closer than fifty feet (50FT) to a residential zoning district boundary or road right-of-way abutting any residential zoning district or within ten feet (10FT) of any road right-of-way. Such activities shall not occupy any required parking area or driveway;

ii. Any outdoor storage area located closer than one hundred feet (100FT) to a residential district shall, if determined to be visible from such district, be screened by a landscape buffer strip or other means indicated on the approved site plan;

iii. Illumination of outdoor storage areas shall be designed to prevent glare or direct light from the illumination source into residential areas;

iv. Outdoor displays shall be maintained in a neat and orderly fashion. Waste material shall be contained within a storage area completely surrounded by a gated masonry wall six feet (6FT) in height or other screening approved by the Board. Such screening shall be set back from residential districts at least six feet (6FT) and landscaped according to the approved site plan;

v. The site plan submitted with an application for a conditional use permit shall indicate the types of merchandise or materials to be stored, and, if applicable, any seasonal changes of merchandise or materials;

vi. Outdoor repair, preparation, cleaning, assembly, disassembly, or other similar activities shall not be permitted unless the nature and location of such activity is specifically identified in the application and approved by the Planning and Zoning Administrator or the Planning and Zoning Board.

F. **Self-Store.** The following regulations shall apply to the approval and operation of mini-storage facilities:

i. All storage shall be within an enclosed building unless the nature and location of outdoor storage has been specifically approved by the Board in conformance with the supplementary regulations for outdoor sales, storage, or display;

ii. Loading and unloading areas shall be paved and shall be located only as approved by the Board;

iii. A minimum of five (5) parking spaces shall be provided near the leasing office. Sufficient space shall be provided in the paved lanes serving the storage units to accommodate on-site movement of vehicles and the parking and loading/unloading of the trucks, vans, trailers, and automobiles of persons using the units;

iv. An on-site leasing office shall be provided;

v. Fencing of the perimeter shall be provided as determined by the Planning and Zoning Administrator or the Planning and Zoning Board in a manner which promotes security and presents an appropriate appearance to abutting properties;

vi. A landscaped yard of at least twenty-five feet (25FT) in width shall be provided along any lot line of the subject site which abuts a residential area. This area shall not be covered by buildings, parking or drives;

vii. Door openings facing residential areas shall not be permitted unless approved by the Planning and Zoning Administrator or the Planning and Zoning Board;

viii. Activities on the site shall be limited to the storage of property only. Other activities, such as the operation of tools, rummage sales, temporary residency, shall be prohibited unless specifically permitted by the Planning and Zoning Administrator or the Planning and Zoning Board;

ix. Hours of operation shall only be as approved by the Planning and Zoning Administrator or the Planning and Zoning Board after consideration of the impact of the proposed use upon the character, safety, and tranquility of the neighborhood.

G. **Indoor Storage Facilities.** The following regulations apply to the approval and operation of indoor storage facilities:

i. A minimum of twenty percent (20%) of the floor area of any structure proposed to be used as an indoor storage facility shall be used for other uses permitted within the respective zoning district, unless otherwise specifically approved by the Board on the approved site plan.

ii. All storage shall take place within an enclosed individual storage unit that is rented or leased on an individual basis. Storage shall be prohibited outside of the structure or within designated aisle areas with exception of vehicle and recreational vehicle storage areas clearly shown on the plan.

iii. A rental or leasing office shall be required to be located on-site.

iv. No more than one (1) external garage-door entrance shall be provided for each twenty (20) storage units within the structure.

v. A landscaped yard of at least twenty-five feet (25FT) in width shall be provided along any lot line of the subject site which abuts a residentially zoned property. A reduction of this buffer may be approved by the Board if alternate means of screening are provided and specifically approved on the site plan.

vi. Caretaker/residential units are prohibited.

vii. One (1) parking space shall be located on the site for each seventy-five (75) storage units, in addition to other required parking for all other uses on the site.

H. **Childcare Centers.** The following regulations shall apply to conditional use permits for childcare centers:

i. No zoning permit or conditional use permit for a childcare center shall be issued for a lot that is within one hundred fifty feet (150FT) of any lot or parcel with an approved gasoline station use, or which is likely to generate noxious fumes or vapor.

ii. All outdoor play areas shall meet the minimum requirements outlined by the State agency with oversight of childcare centers. No play area shall be located adjacent to a loading space, loading dock or other area where vehicles are likely to idle. No play area shall be constructed in a manner that allows children access to any electrical or telecommunications box/vault.

iii. No childcare center shall be permitted to operate between the hours of 7:00 p.m. and 6:00 a.m. the following morning unless specifically approved by the Planning and Zoning Administrator or the Planning and Zoning Board.

I. **Home Occupations.** The following regulations shall apply to the approval and operation of a home occupation as an accessory use in a dwelling:

i. No person who is not a permanent resident of the dwelling shall be employed in the home occupation;

ii. The home occupation shall be clearly incidental and subordinate to the dwelling use. No more than fifteen percent (15%) of the floor area of all buildings on the lot shall be used in the conduct of the home occupation;

iii. There shall be no change in the outside appearance of the dwelling or lot, or other visible evidence of the conduct of the home occupation. No sign is permitted.

iv. The home occupation shall not generate traffic in greater volumes than would normally be expected in a residential neighborhood.

v. No equipment or process shall be used which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in the line voltage of f the premises.

vi. Prior to establishing a home occupation, the owner or occupant of the dwelling shall apply and receive approval for a zoning certificate from the Planning and Zoning Administrator.

J. **Pawn brokering, Bookmaking, Betting, Adult Oriented Businesses.** The following requirements shall apply to the approval and operation of pawnbrokering, bookmaking, betting, scheme/game of chance, massage establishment, body piercing establishment, tattoo establishment, adult bookstore, adult motion picture theater, adult video store: No such conditional use for these uses shall be conducted within one thousand feet (1,000FT) of the property line of any church, childcare center, public or private school, public library, public park lands, or any premises that sell or distribute alcoholic beverages.

K. **Gasoline Stations.** The following regulations shall apply to the approval and operation of gasoline stations:

i. Parking of employee vehicles, vehicles used in the operation of the business, vehicles awaiting servicing or return to customers after servicing, and vehicles held for disposal shall only be permitted in the locations approved on the site plan. Parking and storage of vehicles not related to the principal use of the site shall not be permitted.

ii. Vehicle sales, service, rental, or leasing shall not be permitted on the site unless specifically approved.

iii. Retail sales of products other than vehicular fuels shall be permitted only within an enclosed structure which shall comply with all provisions of the district, including requirements for parking. Outdoor display, storage, or sale of goods shall not be permitted on the site unless specifically approved in the conditional use permit and in conformance with the supplementary standards for outdoor display, storage, and sale.

iv. Temporary outdoor storage of discarded materials, vehicle parts, scrap and other waste prior to collection shall only be permitted within a storage area completely surrounded by a gated masonry wall six feet (6FT) in height or other screening approved by the Planning and Zoning Administrator or the Planning and Zoning Board. Such screening shall be set back from residential districts at least ten feet (10FT) and landscaped according to the approved site plan.

v. Fuel pumps and canopies shall conform to all requirements of this chapter with regard to height, setbacks, and signs.

vi. Air compressor pumps (e.g., for tire inflation) and other outdoor equipment shall be identified on the site plan and shall be located in a manner which minimizes noise impacts on residential areas.

vii. Curb cuts shall be limited to two (2) per site. On corner lots, curb cuts shall be limited to one (1) per street.

L. **Drive-Thru Service.** The following regulations shall apply to the approval and operation of drive-thru establishments:

i. Loudspeakers shall be located and designed, with volume and hours of operation controlled, in a manner to minimize noise impacts on nearby residential uses.

ii. Lanes required for vehicle access to and waiting for use of a drive-thru facility shall be designed to have sufficient length to accommodate the peak number of vehicles projected to use the facility
at any one (1) time, to provide escape/abort lanes for vehicles desiring to leave the stacking lanes or to avoid disabled vehicles, and to minimize impacts on the use of other required parking or drives or on the use of abutting streets and hazards to pedestrians. The Planning and Zoning Administrator or Planning and Zoning Board, as applicable, may require a traffic study which documents the projected vehicular use of the proposed facilities and evidence of compliance with the provisions of this Zoning Code.

iii. The Planning and Zoning Administrator or Planning and Zoning Board, as applicable, may impose restrictions on the hours of operation in order to reduce inappropriate impacts on abutting uses and on street traffic and to ensure compatibility with normal vehicular activity in the district.

iv. The applicant shall so design the site plan or otherwise provide assurances as to reduce the impacts of lighting, litter, noise, and exhaust resulting from the facility, especially impacts on nearby residential uses.

M. **Solar Panels and Solar Panel Arrays.** The following regulations shall apply to the installation ofsolar panels and solar panel arrays:

i. **Accessory Use.** A solar panel or a solar panel array, in each case, whether freestanding or roof mounted, shall be classified as a permitted accessory use in all zoning districts in the city, subject to the regulations set forth herein. Any solar panel or solar panel array shall be installed in accordance with all applicable building and electrical codes. Except as otherwise, provided herein, solar panels and solar panel arrays shall be installed and located in accordance with the zoning regulations for the base zoning district in which such panels or arrays are to be installed. A zoning certificate is required for freestanding solar panels or solar panel arrays only.

ii. **Roof mounted solar panels and solar panel arrays.** Roof-mounted solar panels or solar arrays shall be located in accordance with the following regulations.

1. **Roof Line.** A roof-mounted solar panel or solar panel array shall not be located so that it extends beyond the roof line in any direction including above and beyond the roof peak.

2. **Roof Height Projection**. When located on a flat roof, solar panels or solar panel arrays shall not be project vertically more than ten feet from the surface of the flat roof. For purpose of this subsection, “flat roof” shall mean any roof that is less than seventeen (17) degrees or 2/12 pitch.

3. **Glare.** Roof mounted solar panels or solar panel arrays shall not be positioned so as to create glare on to adjacent roads, buildings, lots, or rights-of-way.

iii. **Freestanding solar panels and solar panel arrays.** Free-standing solar panels or solar arrays shall be located in accordance with the following regulations.

1. **Location**. Freestanding solar panels or solar panel arrays shall not be located in front of any principal building and shall not project past the width of the principal building.

2. **Height**. The maximum height for any freestanding solar panel or solar panel array shall be the maximum height of an accessory structure in the base zoning district in which the solar panel or solar panel array is located.

3. **Glare.** Freestanding solar panels or freestanding solar panel arrays shall be located so as not to create glare onto adjacent roads, buildings, lots, or rights-of-way.
4. **Lot Coverage.** The maximum lot coverage for any freestanding solar panel or freestanding solar panel array shall be ten percent (10%) of the total lot area with the lot coverage being determined based upon the area of the face of the solar panels.
5. **Screening.** All freestanding solar panels or freestanding solar panels with a ground storage battery shall secure such battery with a secure cover.
6. **Wind Resistance.** All freestanding solar panels and freestanding solar panel arrays shall be able to withstand velocities of no less than one -hundred and ten (110) miles per hour.

iv. **Site Plan.** Any application for a solar panel or solar panel array under this section shall be accompanied with a site plan depicting the following items:

1. The location of the panels or panel array;
2. The height of the panels or panel array;
3. For roof mounted panels and panel arrays, an overhead view of the roof identifying all vents, chimneys, or other appurtenances, including vertical objects (e.g. trees), that may affect the location of panels;
4. For freestanding panels and panel arrays, a calculation of the lot coverage of the panels or panel array;
5. An indication of whether any freestanding panel or panel array has a ground storage battery, and, if so, how such battery will be secured;
6. The manufacturer cut sheet for the model to be installed; and
7. Such other information as the Planning and Zoning Administrator may determined to be necessary to evaluate compliance with this section and with the Zoning Code.

v. **Decommissioning.** The Planning and Zoning Administrator shall be notified in writing by the owner of any previously permitted solar panel or solar panel array upon the permanent discontinuance of energy production, and panels and/or arrays shall be completely removed
within nine (9) months of discontinuance of use and the affected area shall be fully restored to its preconstruction condition or better within three (3) months of the date of such removal.

N. **Licensed Medical and/or Recreational ~~Marajuana~~Marijuana Cultivation, Processing, and ~~Dispensiaries~~Dispensaries.** The following regulations shall apply to conditional use permits for any medical ~~marajuana~~marijuana facility:

i. Any and all medical ~~marajuana~~marijuana facilities in the City shall be licensed by the Department of Commerce and under Chapter 785 of the Codified Ordinances of the City of Reynoldsburg.

ii. No medical ~~marajuana~~marijuana facility shall be located within a five hundred (500) feet radius of another such medical ~~marajuana~~marijuana facility measured from the centerline of the front door of the establishment.

iii. No medical ~~marajuana~~marijuana facility shall be located within a five hundred (500) feet radius of any public park, residential district, or school, as measured from the centerline of the front door of the establishment.

iv. The exterior of any medical ~~marajuana~~marijuana facility shall be properly screened such that activities, with the exception of administrative tasks, occurring within the facility cannot be observed from any

public right of way.

v. Any Medical ~~Marajuana~~Marijuana Cultivation or Processing Facility shall not be permitted with any other use located on the same parcel of land or located within the same building.

SECTION 1105.15 TELECOMMUNICATIONS FACILITIES

A. In recognition of the quasi-public nature of cellular and/or wireless telecommunication systems, it is the purpose of these regulations to: accommodate the need for cellular or wireless telecommunications towers and facilities for the provision of personal wireless/cellular services while regulating their location and number in the City; minimize adverse visual effects of telecommunication towers and support structures through proper siting, design, and screening; to minimize the adverse impacts that telecommunication facilities may have on the health, safety and welfare of the public; to avoid potential damage to adjacent properties from telecommunication tower and support failure; and to encourage the joint use of any new and existing telecommunication towers and support structures to minimize the number of such structures. The following requirements shall apply to conditional use permits for wireless telecommunication facilities:

B. **Special Application Requirements.** A site plan shall include the following:

i. The total area of the lot;

ii. The existing zoning of the site and all adjoining lots;

iii. All public and private right-of-way and easements located on the lot;

iv. The location of all existing buildings and structures on the lot; all buildings or structures and uses within five hundred feet (500FT) of the tower site; and the proposed location of the wireless/cellular communication tower and all wireless/cellular communication support structures including dimensions, heights, and, where applicable, the gross floor areas;

v. The location and dimensions for all curb cuts, driving lanes, off-street parking spaces, grades, surfacing materials, drainage plans, illumination of the facility, and landscaping;

vi. The location of all proposed fences, screening and walls;

vii. Any other information as may be required by the Board.

viii. A report prepared by a licensed professional engineer documenting the height, design, proof of compliance with nationally accepted structural standards, and a description of the tower's capacity, which shall include the number and types of antennae it can accommodate.

ix. For the purpose of demonstrating the necessity for the erection of any new telecommunication tower, any applicant requesting permission to install a new tower shall provide evidence of written communication with all other wireless/cellular service providers who supply service within a one (1) mile radius of the proposed facility requesting use of the other providers' towers for collocation of the applicant's antennae. The contacted provider shall be requested to respond in writing to the inquiry within thirty (30) days. The applicant's letter(s) as well as the responses received shall be presented to the Board to demonstrate the need for a new tower.

x. The applicant shall also provide evidence of written communication with owners of nearby tall structures within a one (1) mile radius of the proposed tower site, asking permission to install the

wireless/cellular antennae on those structures. Tall structures shall include, but not be limited to: smoke stacks, water towers, buildings over fifty feet (50FT) in height, other communication towers, and roadway light poles.

xi. The facility owner/operator shall present a maintenance plan demonstrating responsibility for the site.

xii. The applicant shall provide a copy of a permanent easement or appropriate leasehold estate providing for access to the tower site. The access to the tower sight must be maintained regardless of other development that may take place on the site.

xiii. The communication company must demonstrate proof to the City that the company is licensed by the Federal Communications Commission (FCC).

C. The following additional regulations shall apply to wireless telecommunications facilities:

i. Wireless or cellular telecommunication sites shall be located at least two hundred fifty feet (250FT) from any residential zoning district.

ii. The setback between the base of the tower or any guy wire anchors and any property line shall be located a distance which is at least forty percent (40%) of the tower's height or fifty feet (50FT), whichever is greater.

iii. The maximum height of a telecommunication tower shall be two hundred feet (200FT). The maximum height of the equipment building shall be thirty-five feet (35FT).

iv. Maximum size of an equipment building shall be seven hundred and fifty square feet (750SF).

v. The minimum lot size and area restriction shall be the same as permitted for any other use in the Innovation Zone.

vi. A security fence eight feet (8FT) in height with barbed wire around the top shall completely surround the tower, the equipment building and any guy wires.

vii. Towers and antennae shall be designed to withstand wind gusts of at least one hundred miles per hour (100MPH).

viii. The tower shall be painted in a non-contrasting gray or similar color to minimize its visibility, unless otherwise required by the Federal Communications Commission (FCC) or Federal Aviation Administration (FAA).

ix. No graphics advertising is permitted anywhere on the facility.

x. Buffer planting shall be located around the perimeter of the security fence as follows: An evergreen screen shall be planted that consists of either a hedge or evergreen trees that shall provide a minimum of seventy-five percent (75%) opacity year round.

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

xii. Warning signs shall be posted around the facility with an emergency telephone number of whom to contact in the event of an emergency.

xiii. The owner/operator of any telecommunications facility shall design such facility so that additional service providers may add their antennae, platforms, and associated hardware to the structure at a later date. The owner/operator shall negotiate in good faith with other providers for the collocation of other service providers' antennae at the facility, shall cooperate with the

City in identifying other wireless/cellular service providers for the purpose of negotiating sublease agreements for collocation of other service providers' antennae at the facility, and shall not interfere or hinder service providers from utilizing the facility.

xiv. Where possible, an antenna or tower for use by a wireless/cellular service providers shall be attached to an existing structure or building. A new wireless communication facility shall not be erected if there is a technically suitable space for wireless communication facility available on an existing wireless communication tower or other suitable structure within the applicant's search area. The applicant must demonstrate that a technically suitable location is not reasonably available on an existing structure or that bona fide efforts to negotiate location on structures have been rejected.

xv. Any owner of a tower whose use will be discontinued shall submit a written report to the Planning and Zoning Administrator indicating the date on which such use shall cease. If at any time the use of the facility is discontinued for one hundred eighty (180) days (excluding any dormancy period between construction and the initial use of the facility), the Board may declare the facility abandoned. The tower owner and the owner of the property upon which the tower is located shall receive written instruction from the Board to either reactive the use within one hundred eighty (180) days or dismantle and remove the facility.

xvi. If reactivation does not occur within said period, the City may thereafter proceed to move the facility and assess the costs of removal to the owner, as well as certify those costs to the County Auditor as a lien against the property.

xvii. In addition to the foregoing requirements, the following standards, items A. through D., shall apply to wireless or cellular telecommunications facilities permitted on a property with an existing use:

1. The existing use on the property may be any permitted use or lawful nonconforming use in the Innovation Zone, and said use need not be affiliated with the wireless/cellular telecommunication provider.
2. The telecommunication facility shall be fully automated and unattended on a daily basis.
3. The vehicular access to the equipment building shall, whenever feasible, be provided along the circulation driveways of the existing use.
4. Subsequent to approval of a conditional use permit for a telecommunication tower, the owner shall submit building permit applications to the City for any additional antennae proposed to be placed on the tower. A new zoning certificate will not be required, unless the Planning and Zoning Administrator determines that such additions do not conform with the approved conditional use permit.

SECTION 1105.17 CONVERSION OF DWELLING UNITS

A. In the SR, RM, and ORD-N, a structure may be converted to accommodate an increased number of dwelling units, provided that the proposed dwellings and lot conform with all requirements for new dwellings in the district, including the permitted number of dwellings, all yard and lot dimensions, floor area for each dwelling, and required parking spaces.

SECTION 1105.19 PERFORMANCE STANDARDS

A. Applicability. Every permitted use and conditional use permit shall conform to the performance standards in this chapter and to the laws and regulations of the State of Ohio and of the federal government. Any use permitted by this Zoning Code may be undertaken and maintained if acceptable measures and safeguards are employed to limit dangerous and objectionable elements to acceptable limits as established by the performance standards. Compliance with these standards shall be required during all times of operation of the approved activity or use.

B. Existing Use. An existing use which does not conform with these performance standards shall not be enlarged or remodeled if: the enlargement or remodeling will cause greater noncompliance with the performance standards which exist at the time of the proposed enlargement or remodeling; or if the nonconforming conditions are not brought into compliance as a result of or concurrently with the enlargement or remodeling.

C. Measurement Procedures. Methods and procedures for the determination of compliance with these performance standards shall conform to applicable methodologies prescribed by this Zoning Code or to applicable standard measurement procedures published by the American National Standards Institute, New York, N.Y., the Manufacturing Chemists' Association, Inc., Washington, D.C. and the United States Bureau of Mines, the National Fire Protection Association, the Ohio Environmental Protection Agency, and other recognized organizations whose standards are acceptable to the Zoning Official.

D. Studies to Demonstrate Compliance. When the Planning and Zoning Administrator or the Planning and Zoning Board determines that either the information provided by the property owner is not sufficient to determine compliance with the performance standards without providing additional studies or expert advice, or that the information provided by the owner is of such nature, complexity, or quantity that the Planning and Zoning Administrator or the Board is not able to make a determination of compliance without additional studies or expert advice, then the Planning and Zoning Administrator shall advise the owner that such studies or advice are required. The Planning and Zoning Administrator and the Board may accept the required studies prepared by qualified professionals engaged by the owner or the owner shall deposit funds with the City as required to pay for such studies or expert advice.

E. Control of Objectionable Processes and Operations. The Planning and Zoning Administrator or Planning and Zoning Board, prior to the issuance of a zoning certificate, may require the submission of statements and plans indicating the manner in which dangerous and objectionable elements, including those described in the following performance standards, involved in processing and in equipment operations are to be eliminated or reduced to acceptable limits and tolerances.

F. Performance Standards. The following performance standards shall be applicable to the operation of any use permitted under this Zoning Code.

i. **Fire Hazards.** Any activity involving the use or storage of flammable or explosive materials shall be protected by adequate fire-fighting and fire suppression equipment and by such safety devices as are normally used in the handling of any such material. Such hazards shall be kept removed from adjacent activities to a distance which is compatible with the potential danger involved.

ii. **Radioactivity or Electrical Disturbance.** No activity shall emit dangerous radioactivity at any

point or electrical disturbance adversely affecting the operation at any point of any equipment other than that of the creator of such disturbance.

iii. **Noise and Vibration.** All activities shall comply with the provisions of Section 509.11 of the Code of Ordinances and all other regulations of the City relating to noise and vibration.

iv. **Smoke Emission.** Smoke shall not be emitted with a density greater than No. 1 on the Ringelmann Chart as issued by the U. S. Bureau of Mines except for flow-off periods of ten minutes duration of one per hour when a density of not more than No. 2 is permitted.

v. **Odors.** No malodorous gas or matter which is offensive or produces a public nuisance or hazard on any adjoining lot shall be permitted.

vi. **Air Pollution.** No pollution of air by fly-ash, dust, vapor or other substance which is harmful to health, animals, vegetation or other property, or which can cause excessive soiling shall be permitted.

vii. **Glare.** No direct or reflected glare which is visible from any lot outside any Industrial District or from any public street, road or highway shall be permitted.

viii. **Erosion.** No erosion, by either wind or water carrying objectionable substance onto neighboring properties shall be permitted.

ix. **Water Pollution.** Pollution of water shall be subject to the requirements and regulations established by the State Water Pollution Control Board.

x. **Toxic or Noxious Matter.** No use, operation, or activity shall emit or discharge toxic or noxious matter in any form, particularly as identified on the USEPA Extremely Hazardous Substances List, which may be detrimental to the public health, safety or general welfare or which may endanger the natural environment. Provisions for the proper storage, use, and disposal of hazardous and/or toxic materials shall conform to the standards and requirements for such materials established by the USEPA and OEPA.

1107

NON-CONFORMITIE

Non-Conformities

SECTION 1107.01 ADMINISTRATION OF NON-CONFORMITIES

A. The following sets forth the rights of a property owner to continue, enlarge, repair, alter, replace, or discontinue a non-conforming use or structure.

B. Table 1107.01 A summarizes the decisions relative to nonconformities and the role of each of the administrative, quasi-judicial, quasi-legislative, and legislative reviewing parties.

SECTION 1107.03 APPLICABILITY

A. Non-conforming uses are declared by this Code to be incompatible with permitted uses in the zones and districts involved. A non-conforming use of a structure, a non-conforming use of land, or a non- conforming use of structure and land in combination, shall not be extended or enlarged after passage of this Code by attachment on a building or premises of additional signs intended to be seen from off the premises, or by the addition of other uses, of a nature which would not be permitted generally in the zone or district involved.

SECTION 1107.05 EFFECT OF ACTUAL CONSTRUCTION

A. To avoid undue hardship, nothing in this Code shall be deemed to require a change in the plans, construction or designated use of any building on which actual construction

was lawfully begun prior to the effective date of adoption or amendment of this Code and upon which actual building construction has been carried on diligently. Actual construction is hereby defined to include the placing of construction materials in permanent position and fastened in a permanent manner. Where excavation or demolition or removal of an existing building has been substantially commenced, such substantial excavation, demolition or removal shall be deemed to be actual construction, provided that work is carried on diligently after such excavation, demolition or removal. For the purposes of this Section 1107.05 substantial excavation, demolition or removal shall mean the completion of at least 75% of the scope of applicable work.

TABLE 1107.01 A		
DETERMINATIONS OF:	ZONING ADMINISTRATOR	PLANNING AND ZONING BOARD (PZB)
ENLARGEMENT		
Application Submitted To:	X	
Decision By:		X
Appeal To:		
REPAIR OR ALTERATION		
Application Submitted To:	X	
Decision By:	X	
Appeal To:		QJ
REPLACEMENT		
Application Submitted To:	X	
Decision By:	X	
Appeal To:		QJ
DISCONTINUANCE		
Application Submitted To:	X	
Decision By:	X	
Appeal To:		QJ

KE	
QJ	Quasi-Judicial Decision

SECTION 1107.07 SINGLE-FAMILY DWELLINGS

A. In any zone or district in which single-family dwellings are permitted, a single-family dwelling and customary accessory buildings may be erected on any single lot of record at the effective date of adoption or amendment of this Code notwithstanding limitations imposed by other provisions of this Code. Such lot must be in separate ownership and not of continuous frontage with other lots in the same ownership. This provision shall apply even though such lot fails to meet the requirements for area or width, or both, that are generally applicable in the district or zone, provided that yard dimensions and requirements other than those applying to area or width, or both, of the lot shall conform to the regulations for the district or zone in which such lot is located, except that the minimum side yards may be reduced ten percent (10%) of the width of the lot, provided that no side yard shall be less than the least of the applicable district or zone regulation and three feet (3FT). Variance of yard requirements shall be obtained only through action of the Planning and Zoning Board (PZB).

SECTION 1107.09 CONTIGUOUS LOT

A. If two (2) or more lots or combinations of lots and portions of lots with continuous frontage in single ownership are of record at the time of passage or amendment of this Code, and if all or part of the lots do not meet the requirements established for lot width and area, the lands involved shall be considered to be an undivided parcel for the purpose of this Code, and no portion of such parcel shall be used or sold in a manner which diminishes compliance with lot width and area requirements established by this Code, nor shall any division of any parcel be made which creates a lot width or area below the requirements stated in this Code.

SECTION 1107.11 ALTERATION OF NON-CONFORMING STRUCTURE

A. No such non-conforming structure may be enlarged or altered in a manner which increases its nonconformity, but any structure or portion thereof may be altered to decrease its nonconformity.

B. If lawful use of a structure, or of structure and premises in combination, exists at the effective date of adoption or amendment of this Code that would not be allowed in the district under the terms of this Code, the lawful use may be continued so long as it remains otherwise lawful, subject to the following provisions:

i. No existing structure devoted to a use not permitted by this Code in the zone or district in which it is located shall be enlarged, extended, constructed, reconstructed, moved or structurally altered, except in changing the use of the structure to a use permitted in the zone or district in which it is located.

ii. Any non-conforming use may be extended throughout any of the parts of a building which were manifestly arranged or designated for such use at the time of adoption or amendment of this Code, but no such use shall be extended to occupy any land outside such building.

iii. Any structure, or structure and land in combination, in or on which a non-conforming use is superseded by a permitted use, shall thereafter conform to the regulations for the applicable zone or district, and the non-conforming use may not thereafter be resumed.

iv. Where a non-conforming use has been discontinued, meaning that the structure containing the use has remained vacant, unoccupied, unused or has ceased the daily activities or operations which had occurred, for a period of 3 or more continuous months, the non-conforming use shall be permanently terminated.

v. Any non-conforming structure damaged to an extent of more than 75% of its then fair market value, exclusive of foundations, shall not be restored or reconstructed, used or occupied as a non-conforming use. If such damage amounts to 75% or less of the fair market value, the non- conforming structure may be restored, provided a building permit is obtained and that such restoration shall begin within one year from the time of damage. The PZB may approve the reconstruction of a non-conforming structure damaged to a greater extent than permitted herein upon review of a site and design plan submitted in accordance with the requirements for site and design plan submittal under Chapter 1109.

SECTION 1107.13 CONTINUATION OF NON-CONFORMITY

A. If lawful use of a structure, or of structure and premises in combination, exists at the effective date of adoption or amendment of this Code that would not be allowed in the district under the terms of this Code, the lawful use may be continued so long as it remains otherwise lawful, subject to the following provisions:

i. No existing structure devoted to a use not permitted by this Code in the zone or district in which it is located shall be enlarged, extended, constructed, reconstructed, moved or structurally altered, except in changing the use of the structure to a use permitted in the zone or district in which it is located.

ii. Any non-conforming use may be extended throughout any of the parts of a building which were manifestly arranged or designated for such use at the time of adoption or amendment of this Code, but no such use shall be extended to occupy any land outside such building.

iii. Any structure, or structure and land in combination, in or on which a non-conforming use is superseded by a permitted use, shall thereafter conform to the regulations for the applicable zone or district, and the non-conforming use may not thereafter be resumed.

iv. Where a non-conforming use has been discontinued, meaning that the structure containing the use has remained vacant, unoccupied, unused or has ceased the daily activities or operations
which had occurred, for a period of 3 or more continuous months, the non-conforming use shall be permanently terminated.

v. Any non-conforming structure damaged to an extent of more than 75% of its then fair market value, exclusive of foundations, shall not be restored or reconstructed, used or occupied as a non-conforming use. If such damage amounts to 75% or less of the fair market value, the non- conforming structure may be restored, provided a building permit is obtained and that such restoration shall begin within one year from the time of damage.

vi. The PZB may approve the reconstruction of a non-conforming structure damaged to a greater extent than permitted herein upon review of an application for variance submitted pursuant to

Chapter 1109 of this Code.

SECTION 1107.15 REPAIRS AND ALTERATIONS

A. Repairs, alterations and maintenance work as required to keep said non-conforming structure in sound condition and repair may be made to a non-conforming structure; provided that the total repairs and alterations shall not exceed 50% of the structure's then fair market value.

B. Nothing in this Code shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official.

SECTION 1107.17 EFFECT OF PRIORI REGULATIONS

A. Chapter 1195 of Ordinance 37-69 (passed May 12, 1969) established requirements for certificates for those lawful non-conforming uses which were established prior to the effective date of that ordinance. The adoption of this Code shall not repeal or diminish those requirements or rights which were applicable to the lawful non-conforming uses which were subject to Ordinance 37-69.

B. Uses and structures established subsequent to the effective date of Ordinance 37-69 shall have been established in conformance with the provisions of that ordinance and its subsequent amendments in order to be deemed lawful.

C. Any lawfully existing use or structure existing on the effective date of this Code, which use or structure does not conform with one (1) or more of the provisions of this Code, shall be deemed a non- conforming use or structure under the provisions of this Code. Provided that such non-conforming use or structure was established in conformance with the zoning provisions in effect prior to adoption of this Code, and provided that such use or structure was established under authorization of and in conformance with a permit or other authorization issued by the City, then such use or structure shall be a lawful non-conforming use or structure and shall be permitted to continue under the provisions of this Code.

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1109

ADMINISTRATION AND PROCEDURES

110 ADMINISTRATION AND PROCEDURES

Administration and Procedures

SECTION 1109.01 REVIEW AND APPROVALS SUMMARY

A. This Chapter sets forth the powers and duties of the Planning and Zoning Administrator and the Planning and Zoning Board relative to the administration and enforcement of this Zoning Code.

B. The following table summarizes the applications and role of each of the administrative, quasi-judicial, quasi-legislative, and legislative reviews set forth in this Title and the responsible reviewing party:

TABLE 1109.01A			
APPLICATION TYPE	ZONING ADMINISTRATOR	PLANNING AND ZONING BOARD (PZB)	COUNCIL
ZONING			
Application Submitted To:	X		
Decision By:	A		
Appeal To:		QJ	
VARIANCE			
Application Submitted To:	X		
Decision By:		QJF	
Appeal To:			
CONDITIONAL			
Application Submitted To:	X		
Decision By:	A	QJF (optional)	
Appeal To:			

TABLE 1109.01A			
APPLICATION TYPE	ZONING ADMINISTRATOR	PLANNING AND ZONING BOARD (PZB)	COUNCIL
SIMILAR USE DETERMINATION			
Application Submitted To:	X		
Decision By:		QJ	
Appeal To:			QJ
SITE PLAN REVIEW AND DESIGN REVIEW			
Application Submitted To:	X		
Decision By:	A Standard Plan	QJ Major Plan	
Appeal To:			
ZONING TEXT AND MAP AMENDMENT			
Application Submitted To:	X		X
Decision By:	A	QL	LS
Appeal To:			

KEY	
A	Administrative Decision
QJ	Quasi-Judicial Decision
QJF	Quasi-Judicial Decision-Final Appealable Decision
QL	Quasi-Legislative Decision
LS	Legislative Decision
X	Responsible for Application Intake and Determination of Completeness

SECTION 1109.03 PLANNING AND ZONING ADMINISTRATOR

A. Unless otherwise directed by the Director of Development, the Planning and Zoning Administrator shall have the following responsibilities and powers:

i. Enforce the provisions of this Code and interpret the meaning and application of its provisions;
ii. Receive, review and make determinations on applications for zoning certificates;
iii. Issue zoning certificates as provided by this Code and keep a record of same with notations of special conditions involved;
iv. Review and process standard site and design plans pursuant to the provisions of this Code;
v. Make determinations on whether violations of this Code exist, determine the nature and extent thereof, and notify the owner in writing pursuant to the procedures in this Code;
vi. Conduct inspections of buildings and uses of land to determine compliance or noncompliance with this Code;
vii. Review, process, and approve or deny applications for conditional use permits pursuant to the provisions of this Code.
viii. Maintain permanent and current records required by this Code, including, but not limited to, the Zoning Map, zoning certificates, inspection documents and records of all variances, amendments and Conditional Uses, which shall be made available for use of the Council and Planning and Zoning Board and the public;
ix. Determine the existence of any violations of this Code and enforce this Code;
x. Revoke a Zoning Certificate or approval issued contrary to this Code or based on a false statement or misrepresentation on the application;
xi. Administer the Flood Plain regulations set forth under Chapter 1103 of this Code; and
xii. Such other administrative duties as specifically granted to them from time to time by the Mayor or the Director of Development

SECTION 1109.05 PLANNING AND ZONING BOARD

A. The City of Reynoldsburg Planning and Zoning Board is established and organized in accordance with Section 7.01, Article VII of the Charter.

B. The Planning and Zoning Board shall have the following powers and duties under this Code and in furtherance of the Charter:

i. Initiate advisable Zoning Map changes, or changes to the test of the Code where the same will promote the best interest of the public in general through recommendation to the City Council;
ii. Review all proposed amendments to this Code, whether map amendment or text amendment;
iii. Review plats and subdivision regulations in accordance with Chapter 1111;
iv. Review and approve or deny approval of certificates of appropriateness, as provided in Chapter 1109.19 hereof;

v. Review of site plans in accordance with Chapter 1109.17 hereof;

vi. Establish such reasonable conditions, regulations, and standards in the approval of a district change, site plan and design approval, certificate of appropriateness, or other official action as necessary to ensure a project complies with the purpose and intent of this Code and of the ordinances of the City;

vii. Exercise any powers, duties or functions provided to municipal planning Boards by state law that do not otherwise conflict with City Council's ordinances or resolutions, this Code or the Charter; and

viii. Such other official action consistent with the powers, duties, or authorities of the Board as set forth by the provisions of the Charter, this Code, or assigned by City Council.

ix. To permit exceptions to and variances from the provisions of this Code, as provided in Chapter 1109. thereof;

x. To authorize or deny a conditional use permit where the Planning and Zoning Administrator has forwarded an application to the PZB for review;

xi. To authorize the operation of a similar use through the similar use determination process set forth under Chapter 1109.17 hereof;

xii. To establish such reasonable conditions, regulations, and standards in the approval of a conditional use, variance or exception, or other official action as necessary to ensure that the design, construction, and operation of the use or structures subject to such approval are carried out consistent with the purpose and intent of this Code and of the ordinances of the city;

xiii. To make interpretations, upon request of the Planning and Zoning Administrator or upon appeal from any property owner of the city, of the meaning and application of the provisions and illustrations of this Code and of the Zoning Map of the city including:

1. Determination of the exact boundary lines of districts or zones;
2. Determination of the meanings of the permitted uses and conditional uses as listed in the districts or zones;
3. Determination of the rules applicable to the filing of applications, review procedures, and permit issuances; provided however, the PZB shall not make such interpretations as the City Attorney may determine should be a matter of legislative action by City Council;

xiv. To grant or deny a zoning certificate when the question of the issuance of such certificate is referred to it by the Planning and Zoning Administrator, or when the provisions of this Zoning Code indicate that the Board shall consider such question;

xv. To overrule or amend any official action of the Planning and Zoning Administrator when an applicant makes an appeal for such relief and when the Board determines that such action has been contrary to the intent and spirit of this Code. For such purpose, the Board may make null and void any zoning certificate issued or any action taken by the Planning and Zoning Administrator by notifying the Planning and Zoning Administrator and the principal interested party or parties in writing;

xvi. To hear appeals from the Property Maintenance Code as provided for in that code; and

xvii. Such other official action consistent with the powers, duties, or authorities of the Board as set forth by the provisions of the Charter this Code or assigned by City Council.

C. In furtherance of its duties and powers under this Code and the Charter, the Planning and Zoning

Board shall operate in accordance with the following procedures:

i. Four (4) members present shall constitute a quorum of the Planning Board.
ii. All actions taken by the Planning and Zoning Board shall be initiated by motion and shall be recorded in the minutes.
iii. The Planning and Zoning Board shall keep minutes of its proceedings showing the vote of each member upon each application or questions, or, if a member is absent or fails to vote, the minutes shall indicate such fact.
iv. Four (4) affirmative votes shall be required for the adoption of any motion.

SECTION 1109.07 APPLICATIONS

A. All requests for a decision or approval under this Code begins with the property owner or agent thereof filing an application with the Planning and Zoning Administrator on forms provided from time to time.

B. A complete application shall include all required submissions and the payment in full of all applicable fees, which shall be proposed from time-to-time by the Mayor and approved by Council.

C. The Planning and Zoning Administrator will determine whether an application is complete and is ready to be processed. In some instances, an additional application may be deemed necessary by the Planning and Zoning Administrator and, if so, an application will not be deemed to be complete unless and until the all applications are submitted and reviewed and determined to be in accordance with all submittal requirements. The applicant will be notified in writing of any deficiencies in the completeness of the application and shall have 30 days from the date thereof to complete the application or the application will be deemed null and void.

D. If a decision on the application is to be made by someone other than the Planning and Zoning Administrator, then the complete application shall be forwarded to the appropriate body for review in accordance with this Code.

E. Unless otherwise prescribed by this Code or requested by the applicant, the applicable decision-making body or administrator shall render a decision on all applications within sixty (60) days from the original hearing.

F. The Planning and Zoning Administrator, in consultation with the Director of Development, ~~BZBA,~~Planning and Zoning Board, or any additional City staff shall publish application procedures and additional requirements in a document to be known as the Development Handbook, which shall be incorporated here by reference. The Planning and Zoning Administrator shall make the most current version of this document available to the public in a manner that is easily accessible.

G. In the interest of timely and efficient administration of the provisions of this Code, applicants may submit, and the Board may take action upon, concurrent applications for conditional uses, similar use determinations, variances, and other matters on which the Board is granted authority by this Code. All such concurrent applications shall be submitted in conformance with the applicable provisions of this

Code. The Board shall not take such concurrent action if it determines that such concurrent action is not in the best interest of the city.

H. Unless otherwise prescribed by this code or requested by the applicant, the Board shall render a decision on all applications within sixty (60) days from the original hearing.

SECTION 1109.09 ZONING CERTIFICATE

A. The submission and review of zoning certificates shall be conducted in accordance with the provisions set forth hereunder.

B. No use of land, building or structure and no construction or alteration of an existing use, building, or structure shall commence until a zoning certificate is issued by the Planning and Zoning Administrator certifying that the intended use of the premises has been documented, reviewed, and approved in conformance with the provisions of this Zoning Code. A zoning certificate shall only be issued by the Planning and Zoning Administrator subsequent to completion of all procedures and approvals required by this Code. The Planning and Zoning Administrator shall not be required to issue a zoning certificate where the subject property is not in compliance with the Zoning Code, Building Code, or Property Maintenance Code.

C. An application for a zoning certificate shall be submitted to the Planning and Zoning Administrator and shall include, a plan or plans drawn to scale showing:

i. The dimensions and the shape of the lot to be used or built upon;

ii. The sizes and locations of existing structures and uses on the lot;

iii. The dimensions and locations of proposed structures and uses;

iv. The heights of existing and proposed structures;

v. A statement detailing the proposed use, which shall be signed by the applicant; and

vi. Such other documentation as may be necessary to determine conformance with the provisions of this Code.

E. When the Planning and Zoning Administrator determines that an application for a zoning certificate does not comply with the provisions or intent of this Code, or that an application does not provide sufficient information to determine compliance with this Code, then the Planning and Zoning Administrator shall deny the application and shall not issue a zoning certificate.

F. The Planning and Zoning Administrator may refer zoning certificates to the ~~BZBA~~Planning and Zoning Board for review.

G. Within fourteen (14) days of the Planning and Zoning Administrator's denial of a zoning certificate, the applicant may file a written appeal with the PZB. Any applicant who does not file an appeal

within fourteen (14) days of the date of denial by the Planning and Zoning.

SECTION 1109.11 VARIANCES

A. The provisions set forth hereunder shall apply to the review and grant of variances under this Code.

B. An applicant seeking a variance shall submit a written request for variance on forms provided by the Planning Zoning Administrator together with the applicable fee. In addition to information relating to the subject property and the applicant, the request for a variance shall include the following information:

   i. A description of the nature of the variance requested and a statement demonstrating the extent to which the requested variance conforms to the standards for variance in this Code;
   ii. A statement of hardship; and
   iii. Such other information and exhibits as may be appropriate to establish the facts of the appeal and the grounds for relief.

C. Before approving or denying a request, the PZB shall hold at least one public hearing on the matter. The PZB shall cause notice of the hearing to be made to the public by seven (7) days advance publication, in a newspaper of general circulation in the City, of the place, time, date and the nature of the variance applied for. The PZB shall also cause the subject property to be posted with a notice of hearing at least seven (7) days prior to the day of the hearing. The notice of hearing shall state thereon the nature of the request and the time and place of the public hearing.

D. No variance from the strict application of the provisions of this Code shall be granted unless the PZB makes specific findings of fact, based on the evidence presented to it, which support conclusions that the variance conforms to the following standards:

   i. The variance is in accord with the general purpose and intent of the regulations imposed by this Code in the district in which it is located, and shall not be injurious to the area or otherwise detrimental to the public welfare.
   ii. The variance will not permit the establishment of any use which is not otherwise listed as a permitted use or a conditional use in the zone or district in which the subject property is situated.
   iii. There exist special circumstances or conditions, fully described in the findings, applicable to the land or structures for which the variance is sought, which are peculiar to such land or structures and which do not apply generally to land or structures in the area, and which are such that the strict application of the provisions of this Code would deprive the property owner of the reasonable use of such land or structures. There must be a deprivation of the beneficial use of land, as opposed to mere loss in value as justification for the variance.
   iv. There is proof of hardship or practical difficulty created by the strict application of this Code, beyond simply a showing that greater profit will result if the variance is granted. Economic hardship is not grounds for the variance. Furthermore, the hardship complained of is not self-created nor is it established on this basis by one who purchased with or without knowledge of the restrictions. The hardship results from the application of this Code and is suffered directly by the property in question.
   v. The variance is necessary for the reasonable use of the land or building, and the variance as granted is the minimum variance that will accomplish this purpose.

vi. The variance will not impair an adequate supply of light and air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values of the adjacent area.

vii. The variance will not confer on the property owner any special privilege that is unduly denied by this Code to other land, structures, or buildings in the same district.

viii. No nonconforming use of neighboring land or structures in the same district and no permitted or nonconforming use of land or structures in other districts are considered as grounds for approval of the variance.

ix. The variance is not a matter of convenience when other remedies are available within the provisions of this Code.

E. In granting any variance, the PZB shall establish such conditions as are necessary to secure substantially the objectives of this Code. Any violation of such conditions and safeguards, when they have been made a part of the terms under which the variance has been granted, shall be deemed a violation of this Code.

F. No action of the PZB granting a variance shall be valid for a period longer than twelve (12) months from the date of such action unless the zoning certificate is obtained within such period, and the erection or alteration of a structure is started or the use is commenced within such period, provided however, notwithstanding anything to the contrary herein, such twelve (12) month period may be extended by the Planning and Zoning Administrator upon the demonstration by the applicant that any delay in the commencement of the erection or alteration of a structure is the result of factors beyond the control of the applicant, in which case, the Planning and Zoning Administrator may elect to grant an extension of up to six (6) months.

G. The PZB shall not accept a new application for a variance that has been previously denied within twelve (12) months of denial.

SECTION 1109.13 CONDITIONAL USES

A. Reviews of applications for conditional uses shall be conducted by the Planning and Zoning Administrator in accordance with the provisions set forth under this section; provided however, if, the Planning and Zoning Administrator determines in his or her professional opinion that an application warrants public review, then the Planning and Zoning Administrator shall forward such application to the PZB for review. The intent of the procedure for authorizing a conditional use is to set forth the development standards and criteria for locating and developing conditional uses in harmony with the character of the surrounding area, conditions of development and with regard to appropriate laws.

B. In addition to such standard information regarding the subject property and the applicant, the application for a conditional use shall contain the following:

i. Description of the zoning district and existing uses of adjacent lots;

ii. A statement of the conditional use for which the application is submitted,

iii. Including a description of the activities proposed on the subject property, the goods and services sold or provided, hours of operation, anticipated number of employees, nature and volume of

delivery activity, and other information which will assist the PZB with understanding the nature of the proposed use and its potential impacts;

iv. A plan of the proposed site and improvements showing the proposed location of all structures, parking and loading areas, streets and traffic accesses, open spaces, refuse and service areas, utilities, signs, yards, landscaping, and other relevant features;

v. A narrative statement describing the compatibility of the proposed use with the existing uses of adjacent lots and with the Land Use Plan, including an evaluation of the effects on adjoining lots of such elements as traffic circulation, noise, glare, odor, fumes, vibration, and storm water, and any measures proposed to mitigate such effects;

vi. A narrative addressing each of the applicable criteria set forth in the standards and requirements for all conditional uses set forth below and, as applicable, the supplementary requirements for special uses set forth under the applicable district or zone regulations.

vii. Such other information as the PZB deems necessary to make a determination of the compliance of the proposed use with the applicable standards and regulations. Such additional information may include, but shall not be limited to:

1. Traffic impact analysis;
2. Storm water impact analysis; and/or
3. Utility impact analysis.

C. When review of an application for a conditional use permit is forwarded by the Planning and Zoning Administrator to the PZB, before approving or denying a request for a conditional use, the PZB shall hold at least one public hearing on the matter. The PZB shall cause notice of the hearing to be made in accordance with its standard process for providing notice of a hearing. The notice of hearing shall state thereon the nature of the request and the time and place of the public hearing.

D. Upon reviewing an application for a conditional use, the Planning and Zoning Administrator or the PZB, as applicable, shall consider whether the application provides adequate evidence that the proposed conditional use is consistent with the following standards:

i. The proposed use shall be in harmony with the existing or intended character of the zone or district and nearby affected zones and districts and shall not change the essential character of the zones and districts;

ii. The proposed use shall not adversely affect the use of adjacent property;

iii. The proposed use shall not adversely affect the health, safety, morals, or welfare of persons residing or working in the neighborhood;

iv. The proposed use shall be served adequately by public facilities and services such as, but not limited to, roads, police and fire protection, storm water facilities, water, sanitary sewer, and schools;

v. The proposed use shall not impose a traffic impact upon the public right-of-way significantly different from that anticipated from permitted uses of the zone or district;

vi. The proposed use shall be in accord with the general and specific objectives, and the purpose and intent of this Zoning Code and the Land Use Plan and any other plans and ordinances of the City;

vii. The proposed use complies with the applicable specific provisions and standards of this Code;

viii. The proposed use shall be found to meet the definition and intent of a use specifically listed as a conditional use in the zone or district in which the subject property is situated.

E. After review of the application and any additional information presented by the applicant, the Planning and Zoning Administrator or the PZB, as applicable, shall take action to:

i. Approval the conditional use, based upon findings of compliance with the standards and requirements of this Code and subject to conditions to ensure compliance with this Code; or

ii. Deny the conditional use, upon finding that the application does not comply with the provisions of this Code

F. In approving a conditional use, the Planning and Zoning Administrator or the PZB, as applicable, may impose such conditions as deemed necessary to protect the public welfare, preserve the purpose and intent of this Code, to protect the character of the surrounding properties and neighborhood affected by the proposed use, and to mitigate the special impacts of the use. Such conditions may include, but shall not be limited to:

i. Locations, setbacks, and configurations of structures and of uses of interior and exterior space;

ii. Screening comprised of landscaping, walls, fencing or other materials or construction;

iii. Access points and traffic management provisions, including those impacting vehicular and pedestrian access, and the locations and design of parking facilities;

iv. Noise control measures, including those regulating loudspeakers or irregular vehicular or equipment noise;

v. Other features of construction, including but not limited to paving and parking, signs, and landscaping;

vi. Hours and method of operation;

vii. Maintenance of the site, structures, and landscaping;

viii. Means of controlling glare, vibration, odors, dust, smoke, hazardous materials, refuse matter, water-carried waste, and storm water; and

ix. A time limit for operation of the use, if temporary operation is determined to be a typical characteristic of the proposed use or otherwise appropriate given unique circumstances of the proposed use.

G. Subsequent to approval by the Planning and Zoning Administrator or the PZB, and compliance with all applicable conditions of such approval and of this Zoning Code, the Planning and Zoning Administrator shall issue a zoning certificate stating the conditional use and all conditions of its approval.

H. Approval of a conditional use shall be void upon the occurrence of any or all of the following:

i. The applicant fails to commence construction of the structure in which the approved conditional use is to be conducted within one (1) year of the date of approval;

ii. The applicant fails to commence the operation of the conditional use within six (6) months of the date of the approval, where such use is to be conducted in an existing structure; and/or

iii. The conditional use is operated in a manner which violates any condition of the approval.

I. The Planning and Zoning Administrator shall review all approved conditional use permit applications six (6) months after final action to determine if the approved use is in operation and otherwise in compliance with all conditions of approval. Upon such six (6) month review the Planning Zoning Administrator shall proceed in accordance with the circumstances outlined below:

i. If the Planning and Zoning Administrator finds the conditional use to be in operation and in compliance with the conditions of approval, the Planning and Zoning Administrator shall notify the PZB of such compliance.

ii. If the Planning and Zoning Administrator finds that construction has not begun, the Planning and Zoning Administrator shall record that information for an additional six (6) month review, and shall notify the of such inaction.

iii. If the Planning and Zoning Administrator finds a use in an existing structure or building not to be in operation, the permit and zoning certificate shall be deemed revoked and the Planning and Zoning Administrator shall notify the applicant of such revocation as well as the PZB. Upon such revocation, the applicant shall have the right to appeal that decision of the Planning and Zoning Administrator to the PZB and request the PZB allow up to one (1) additional six (6) month period to begin operation following the administrative appeal procedure.

J. Whenever the Planning and Zoning Administrator determines that a conditional use is being operated in a manner that violates any condition of the use's approved permit, the permit and zoning certificate shall be considered revoked. The Planning and Zoning Administrator shall notify the permit holder as such, who shall immediately discontinue operation of the use:

i. If this determination is made in conjunction with the six (6) month review procedure for an approved permit, the Planning and Zoning Administrator shall also notify the PZB. The applicant shall have the right to appeal this determination of the Planning and Zoning Administrator to the PZB following the administrative appeal procedure. Upon appeal, the PZB shall (a) approve upholding the revocation, (b) overturn the revocation and reapprove the conditional use permit or (c) overturn the revocation and modify of the conditions of approval.

ii. If this determination is made at any other time, the Planning and Zoning Administrator shall notify the PZB. The applicant shall have the right to appeal this determination of the Planning and Zoning Administrator following the normal administrative appeal procedure. Upon appeal, the PZB shall have the power to uphold the revocation or reapprove the permit.

K. If this determination is made in conjunction with the six (6) month review procedure for an approved permit, the Planning and Zoning Administrator shall also notify the PZB The applicant shall have the right to appeal this determination of the Planning and Zoning Administrator to the PZB following the administrative appeal procedure. Upon appeal, the PZB shall (a) approve upholding the revocation, (b) overturn the revocation and reapprove the conditional use permit or (c) overturn the revocation and modify of the conditions of approval.

L. The conditions of an approved conditional use permit may be amended upon request of the permit holder. Any amendment proceeding shall be conducted in accordance with the procedures, requirements, and standards applicable to review of a new conditional use permit.

M. Subsequent to disapproval of an application for a conditional use permit, a period of at least one (1) year shall elapse before another application for the same conditional use at the location may be

considered by the Planning and Zoning Administrator or the PZB.

N. Appeals of decisions of the Planning and Zoning Administrator may be taken to the PZB pursuant to the procedures set forth under Chapter 1109.23 hereof. Appeals of decisions of the PZB may be taken to the Franklin County Court of Common Pleas as allowed by Ohio Revised Code Chapter 2506.

SECTION 1109.15 SIMILAR USE DETERMINATION

A. When an application for a zoning certificate is submitted for a use which, in the opinion of the Planning Administrator, is not listed as a permitted use or a conditional use in any district, then the Planning Administrator shall refuse to issue a zoning certificate.

B. When a particular use is not specifically listed in this Zoning Code and it is unclear whether the use is permitted, the provisions established in this Section allow the Planning and Zoning Administrator, by formal action, to determine whether or not a proposed use is similar to a permitted or conditionally permitted use and whether such proposed use may be permitted in a particular Zoning District.

C. **Approving Authority.** The Planning and Zoning Administrator shall be the designated Approving Authority for Similar Use Determinations.

D. **Approval Findings.** In determining "similarity," the Approving Authority shall make all of the following findings:

i. Such use is not listed in any other zone or district as a permitted use;

ii. Such use has characteristics and impacts consistent with those of one (1) or more of the permitted uses in the district; and such use has characteristics and impacts more consistent with those of the permitted uses of the zone or district than with the permitted uses of any other district;

iii. The establishment of such use in the zone or district will not significantly alter the nature of the district;

iv. Such use does not create dangers to health and safety and does not create offensive noise, vibration, dust, heat, smoke, odor, glare, traffic, or other objectionable impacts or influences to an extent greater than normally resulting from permitted uses listed in the zone or district; and

v. Such use does not typically require site conditions or features, building bulk or mass, parking lots or spaces, or other requirements dissimilar from permitted uses; and the typical development of site and buildings for such use is compatible with those required for permitted uses and can be constructed in conformance with the standard regulations for height, lot dimensions, setbacks, and other provisions of the zone or district.

E. A similar use may be heard by the PZB in accordance with the notice provisions applicable to a conditional use if, in the professional opinion of the Planning and Zoning Administrator, such determination warrants review by the adjudicative body.

F. Based upon the application of the foregoing factors, the PZB shall determine whether a proposed use should be or should not be determined to be a similar use for the district or zone. Appeals of any similar

use determination shall be heard by City Council in accordance with the appeals provisions set forth under Chapter 1109.25 hereof.

G. Following the approval of any similar use determination, the Planning and Zoning Administrator shall conduct the six (6) month review applicable to conditional uses and make such determinations and reports as provided for under Chapter 1109.15(J) hereof.

H. Within fourteen (14) days of the PZB's denial of a similar use determination, the applicant may file a written appeal with City Council. Any applicant who does not file an appeal within fourteen (14) days of the date of denial by the PZB shall have waived such right to appeal, and the decision of the PZB shall become final.

SECTION 1109.17 SITE PLAN AND DESIGN REVIEW

SITE PLAN AND DESIGN REVIEW	WHEN APPLICABLE….
Minor Site Plan and Design Review	Any non-residential development, or site improvement which involves under five thousand square feet (5,000SF) of surface area, structure and/or building, other than a fence or accessory structure.
Major Site Plan and Design Review	Any development, which involves more than five thousand square feet (5,000SF) Of surface area,~~Of~~ structure and/or building; Any development impacting or adjacent to an environmentally sensitive feature; Any development which in the professional opinion of the Planning and Zoning Administrator, warrants public review.

A. **Applicability.** Except as otherwise provided herein or elsewhere in this Zoning Code, minor site plan and design review or major site plan and design review is required in accordance with the provisions contained herein. The Planning and Zoning Administrator shall conduct minor site plan and design review. The Planning and Zoning Administrator shall conduct major site plan and design review for all zoning districts except for ORD-C, Olde Reynoldsburg Commercial District and ORD-N, Olde Reynoldsburg Neighborhood District. ~~and t~~The Planning and Zoning Board shall conduct major site plan and design review, ~~in each case, as provided below.~~for all projects located in the ORD-C, Olde Reynoldsburg Commercial District and ORD-N, Olde Reynoldsburg Neighborhood District.

B. **Minor Site Plan and Design Review.** Minor site plan and design review shall be required for any non- residential development or site improvement which involves under five thousand square feet (5,000 SF) of surface area, structure and/or building other than a fence or accessory structure.

C. **Minor Site Plan and Design Review—Application.** An application for minor site plan and design plan review shall be submitted to the Planning and Zoning Administrator and shall include the

following information:

i. A vicinity map showing the location of the proposed development in relationship to the surrounding area including major thoroughfares.

ii. A site plan illustrating the following:

1. The dimensions of property lines, parcel dimensions and adjoining rights-of-way.
2. The current zoning of the parcel and all adjacent parcels.
3. The location of proposed buildings and structures.
4. The location of existing water bodies, streams, drainage ditches, stands of trees and other pertinent features within one hundred fifty feet (150 ft.) of the proposed development.
5. Setbacks and building separations shall be noted in accordance with zoning requirements.
6. A landscape concept plan, including approximate location of all new landscape material and plantings, that addresses the applicable district requirements.
7. A transportation and parking plan, including location and number of all parking and loading spaces and location of all proposed walkways and bike/pedestrian access points, that addresses the applicable district requirements.

iii. An architectural plan, including exterior building materials, colors, and lighting features, that addresses the applicable district requirements; and

iv. Such other information as the Planning and Zoning Administrator or Planning and Zoning Board may require so as to carry out the full intent of the Zoning Code. Any applicant requesting review of a major site and design plan shall submit to the Planning and Zoning Administrator an application form and as many copies of the required materials as may be required by the Planning and Zoning Administrator or the Planning and Zoning Board. The Board shall act upon the application for major site and design plan review based upon the adopted regulations, standards, and design guidelines of the City.

D. **Minor Site Plan and Design Review—Review and Approval or Denial.** Any applicant requesting minor site plan and design review shall submit to the Planning and Zoning Administrator an application form and as many copies of the required materials as the Planning and Zoning Administrator may require. Within thirty (30) days of filing a complete application, the Planning and Zoning Administrator shall act upon the application for minor site plan and design review based upon the applicable district regulations, and other applicable regulations, standards, and design guidelines of the City. If the Planning and Zoning Administrator determines that the proposed development complies with the applicable standards of the applicable districts, then, the Planning and Zoning Administrator shall issue a zoning certificate. If the Planning and Zoning Administrator determines
that the proposed development does not comply with the applicable standards of the applicable district, then the Planning and Zoning Administrator shall deny the application and state the reasons for such denial in writing.

E. **Major Site Plan and Design Review.** Major site plan review shall be required for the following forms of development in any district:

i. Any development, which involves more than five thousand square feet (5,000SF) of surface area, structure and/or building;

ii. A development impacting or adjacent to an environmentally sensitive feature; or

iii. A development which in the professional opinion of the Planning and Zoning Administrator, warrants public review.

F. **Major Site Plan and Design Review—Application.** An application for major site plan and design review shall be submitted to the Planning and Zoning Administrator and shall include the following information:

i. All materials required for minor site plan and design review as set forth above;

ii. A basic utility plan;

iii. Where applicable an engineers staff report will be conducted by the City Engineer, where further recommendations could be made. The cost for any engineering study or report prepared by and/ or for the City shall be assumed by the Applicant as part of the cost of the application;

iv. Where required a plot-grade utility plan shall be submitted to the Director of Development for PZB review and approval subsequent to and in conformance with an approved site plan;

v. Such other information as the Planning and Zoning Administrator or Planning and Zoning Board may require so as to carry out the full intent of the Zoning Code. Any applicant requesting review of a major site and design plan shall submit to the Planning and Zoning Administrator an application form and as many copies of the required materials as may be required by the Planning and Zoning Administrator or the Planning and Zoning Board. The Board shall act upon the application for major site and design plan review based upon the adopted regulations, standards, and design guidelines of the City.

G. **Site Plan and Design Review—Conditions.** In accordance with the site plan and design review procedures contained in this chapter, the Planning and Zoning Administrator or the Planning and Zoning Board, as applicable, may place such reasonable conditions on the approval of a site plan that may be required to address the standards for review set forth herein or are otherwise consistent with the purpose and intent of this Zoning Code.

H. **Approved Site Plan—Modifications.** The Director of Development or his or her designee, may approve such adjustments to an approved site plan as are required for engineering purposes such as proper function of utilities or to accommodate soil conditions. Such adjustments shall meet the following conditions:

i. The adjustment is required in order to ensure the life-safety, proper function of the site utilities or building, or to comply with the regulations of a State or Federal agency;

ii. The adjustment is as minimal as possible to correct the engineering issue;

iii. The adjustment does not increase the impervious surface on the subject property by more than10% as compared to the impervious surfaces contemplated on the approved site plan or in response to a public safety concern initiated by the fire department or law enforcement agency with jurisdiction.

iv. The adjustment shall not be used to add any ~~additiona~~additional uses or tenants;

v. The adjustment does not increase the number of curb cuts on a public street; and

vi. The adjustment does not violate any specific condition of the approved site plan.

I. **Approved Site Plan—Amendment.** Any amendment to an approved site and design plan shall be considered by the applicable approving body based on the standards applicable to such amendment; provided however, any amendment that in the direction of the Planning and Zoning Administrator constitutes a minor amendment may be reviewed and approved by the Planning and Zoning Administrator even if such amendment pertains to a major site and design plan.

J. **Site Plan—Appeals.** The Planning and Zoning Board shall hear all appeals of individuals who are directly affected by a decision of the Planning Board or Planning and Zoning Administrator when such appeal is properly and timely filed as required by this chapter. An applicant refused such certificate shall appeal in writing to the PZB within thirty (30) days of the date of refusal by the applicable decision-making body. The PZB shall set a date for a hearing on the appeal and render a decision on the appeal within thirty (30) days of the receipt of such written request.

SECTION 1109.19 CERTIFICATE OF APPROPRIATENESS—OLDE REYNOLDSBURG DISTRICTS.

A. **Certificate of Appropriateness (COA).** A certificate of appropriateness must be obtained prior tocommencing new construction or any exterior remodeling, reconstruction or other exterior building modifications of non- residential structures located within the Olde Reynoldsburg Districts. The Planning and Zoning Administrator shall not issue a zoning certificate prior to the Planning and Zoning Board review and approval of a certificate of appropriateness in accordance with the provisions of this chapter. The Planning and Zoning Administrator shall review all zoning certificate applications for projects within the design review districts exempted from a COA by this section or any other section of this Zoning Code, for compliance with the standards of Section design guidelines adopted by the Planning and Zoning Board or City Council. If in the professional opinion of the Planning and Zoning Administrator, the proposed project does not meet those standards or design guidelines, a certificate of appropriateness from the Planning and Zoning Board shall be required.

B. **Application for COA.** All applications and attachments for a COA shall be made to the Planning and Zoning Administrator at least fourteen (21~~14~~) days prior to a regularly scheduled meeting of the Planning Board.

C. **Exception to COA.** A certificate of appropriateness shall not be required in the case of customary building maintenance activities that do not alter the building material types or exterior colors.

D. **COA Review.** The Planning and Zoning Board shall review an application for a COA to determine if proposed new construction or alteration to an existing non-residential structure promotes, preserves and enhances
the overall architectural character and integrity of the Olde Reynoldsburg Neighborhood District or Olde Reynoldsburg Commercial District, as applicable, and to endeavor to assure that the proposed structure or alteration would not be at variance with existing non-residential structures within such district. In considering the new construction or alteration, the Planning and Zoning Board shall evaluate the application based whether the proposal:

i. Enhances the attractiveness and desirability of the district;
ii. Encourages the orderly and harmonious development in a manner in keeping with the overall character of the district.
iii. Improves residential amenities in any adjoining residential neighborhood.

iv. Enhances and protects the public and private investment in the value of all land and improvements within the district.

v. Satisfies the applicable guidelines set forth under Chapter 1103; and

vi. Overall effects of the project or development on the appearance and environment of the district.

E. **Time for Decision on COA.** The Planning and Zoning Board shall render a decision on all applications within sixty (60) days from the original hearing of the Planning Board unless additional time is requested by the applicant. Upon approval by the Planning and Zoning Board, the Planning and Zoning Administrator shall issue a COA to the applicant.

F. **Other Land Use Approvals.** An application for a COA in which the design under consideration would require a variance granted by the Planning and Zoning Board or a site plan and design review by th Planning and Zoning Board prior to construction shall not be considered until a final determination has been made on all required variances or site plan and design reviews. If during the course of a review, the PZB determines that a zoning variance or other approval will be required in order to implement the proposal under consideration, it shall suspend further action on the application until such time as the additional approval has been heard and approved by the or the application has been amended to eliminate the need for such additional approval.

G. **Appeal of COA.** The PZB shall hear all appeals of individuals who are directly affected by a decision of the Planning Board when such appeal is properly and timely filed as required by this chapter. An applicant refused such certificate shall appeal in writing to PZB within thirty (30) days of the date of refusal by the Planning and Zoning Board. The PZB shall set a date for a hearing on the appeal and render a decision on the appeal within thirty (30) days of the receipt of such written request.
A resolution stating the decision of PZB shall be introduced and passed at the next regular meeting following the hearing.

SECTION 1109.21 ZONING MAP (REZONING) AND TEXT AMENDMENTS

A. In conformance with the provisions of the City Charter, ordinances or resolutions establishing, amending, revising, changing, or repealing zoning districts, uses, regulations, or other provisions of this Zoning Code shall be initiated by a member of Council.

B. Any person having an interest in property in the City may petition City Council to initiate such ordinance or resolution by making an application to the Planning and Zoning Administrator. The Planning and Zoning Administrator shall review the application for compliance with the provisions of this chapter and forward it to the Clerk of Council.

C. The PZB may recommend amendments, revisions, changes, or repeals of zoning districts, uses, regulations, or other provisions of this Zoning Code. When the PZB makes an advisory recommendation to City Council, the application requirements and fees shall not apply.

D. When a person or persons having an interest in a lot or lots in the City petitions City Council for an

amendment to the Zoning Code which involves changing the zoning district assigned to the lot(s), then such petition shall be made in the following form which shall be known as the development plan, unless such requirements are waived by City Council:

i. Correct legal description of the lot(s);
ii. The names and addresses of the owners of lot(s) contiguous or directly across the street from the subject lot(s);
iii. Existing topography at two-foot (2 ft.) contour intervals of the subject lot(s) and extending at least three hundred feet (300 ft.) outside of the proposed lot, including lot lines, easements, street rights- of-way, existing structures, trees and landscaping features thereon;
iv. The proposed vehicular and pedestrian trafficpatterns;
v. The location of all existing and all proposed structures;
vi. The proposed assignment of use and subdivision of land including private land and common land;
vii. Preliminary plans of all structure types;
viii. Deed restrictions and protective covenants;
~~ix.~~ A schedule for construction;
~~x.~~ix. ~~Traffic impact study;~~
~~xi.~~x. Utilities impact study;
~~xii.~~xi. Drainage impact study; and
~~xiii.~~xii. Such other relevant information as City Council may require to determine the propriety of initiating the ordinance for district change.

E. In conformance with the Charter, subsequent to initiation by a member of Council of an ordinance or resolution establishing, amending, revising, changing, or repealing zoning districts, uses, regulations, or other provisions of this Zoning Code, the presiding officer of Council shall, immediately after the first reading and initial public hearing of the ordinance or resolution, set a date for a public hearing before the Planning and Zoning Board, to be held not earlier than fifteen (15) days after the first reading.

F. Immediately after the first read and initial public hearing before Council, a copy of the ordinance or resolution establishing, amending, revising, changing, or repealing zoning districts, uses, regulations, or other provisions of this Zoning Code and, if applicable, the development plan, shall be referred to the Planning and Zoning Board. The Planning and Zoning Board shall recommend such conditions or amendments with respect to the ordinance or resolution and, if applicable, the development plan, as it deems reasonable and necessary. Within thirty (30) days of referral, the Planning and Zoning Board shall return to the Clerk of Council the written recommendations of a majority of the members of the Planning and Zoning Board.

G. The Planning and Zoning Board and City Council shall give consideration to the following standards in making recommendations and taking action with regard to proposed district changes:

i. The compatibility of the proposed zoning district and the features of the proposed development plan with the characteristics of the site and of the surrounding areas;

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ii. The potential impacts of the proposed uses of the district in terms of traffic, storm water, utility demand, noise, and other impacts;

iii. The impacts of the proposed district and development plan on the health, safety, welfare, and morals of the community; and

iv. The compatibility of the proposed district and development plan with a comprehensive plan, or any area plans, to surrounding zoning districts, and to existing and planned land uses.

H. At the next meeting of Council subsequent to receiving the recommendations of the Board, the ordinance or resolution shall be given its second reading.

I. Council may adopt, deny, or adopt with modifications the recommendations of the Planning and Zoning Board A development plan, along with any conditions or amendments to the petition, shall, upon adoption by Council, become part of the district change and shall be deemed incorporated by reference into legislation amending the district. The development plan, conditions, and amendments shall bind any future development or use of the subject lots.

J. A concurring vote of at least three fourths (¾) of the membership of Council shall be necessary to pass any zoning ordinance or resolution which differs from the written recommendations of the Planning Board, but in no event shall an ordinance or resolution be considered as having passed unless it receives at least a majority vote of the members of Council. Any petition for zoning ordinance or resolution filed under subsection 1109.21(d) that does not receive the required number of votes for approval shall be deemed to have been denied.

K. After a proposed district change is denied by City Council, at least twelve (12) months shall elapse before another petition for a district change for the same lot(s) to the same district can be considered.

L. The development is intended to show that the proposed use is consistent with the comprehensive plan and the proposed zoning district change and is not intended to replace the major site plan, variance or conditional use process

M. An extension of the time limit may be approved by the Planning and Zoning Board. Such approval shall be given upon a finding of evidence of reasonable effort toward the accomplishment of the original development plan within the time limit, and that such extension is not in conflict with the general health, safety and welfare of the public or the developmen-t standards of this Code.

N. When Council reviews an ordinance proposing one or more zoning district changes, whether initiated by Council or an applicant, notice shall be published pursuant to Section 4.11(a) of the Charter of the City of Reynoldsburg. The Planning and Zoning Board shall also cause the subject property to be posted with a notice of hearing at least seven (7) days prior to the day of the hearing. The notice of hearing shall state thereon the nature of the request and the time and place of the public hearing.

SECTION 1109.23 APPEALS

A. Any person directly affected by the decision of the Planning and Zoning Admistrator or a notice or

order issued under this Zoning Code shall have the right to appeal to the PZB, provided that a written application for appeal is filed within fourteen (14) days after the day the decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted or the provisions of this code do not fully apply.

B. Unless otherwise provided in this Code, an applicant refused such approval, exception, certificate or variance shall appeal in writing to Council within thirty (30) days of the date of refusal by the PZB The Council shall set a date for a hearing on the appeal and render a decision on the appeal within thirty
(30) days of the receipt of such written request. A resolution stating the decision of Council shall be introduced and passed at the next regular meeting following the hearing.

SECTION 1109.25 DURATION OF CERTIFICATES, PERMITS, APPROVALS

A. Unless otherwise provided in Code, all zoning certificates, permits or other approvals granted by the Planning and Zoning Administrator, or the Planning and Zoning Board, ~~Comision or BZBA,~~ shall be valid for a period of one (1) year from date of approval by the Planning and Zoning Board~~BZBA~~ or date of issue by the Planning and Zoning Administrator.

B. Once a building permit is secured, a zoning certificate, permit or other approval shall be considered to ~~experie~~expire when that building permit expires.

C. Within that period, that applicant must complete the following for the proposed improvement:

i. If required, submit a subsequent zoning application;

ii. If required, secure a building permit; and

iii. If no other permits are required, construct the proposed improvement.

D. Any application that is incomplete or otherwise un-issued by the Planning and Zoning Administrator shall expire one(1) year from the date of application.

E. One (1) additional period of six (6) months may be granted by the Planning and Zoning Administrator upon finding that unique circumstances warrant the additional time and that the conditions upon which approval was granted have not changed.

SECTION 1109.27 VIOLATIONS; REMEDIES

A. In the event of a violation of any provision of this code, or imminent threat thereof, the City, or the owner of contiguous or neighboring property who would be ~~especiallly~~especially damaged by such violation, in addition to any other remedies provided by law, may ~~insitiute~~institute a suit for injunction to prevent of terminate such violation. The City may file for a judgment for damages if the violation is deemed to

have caused damages to the City.

B. Notice of Violation.

(1) Whenever the Planning and Zoning Administrator, or her or ~~or~~ his ~~desirnee~~designee, determines there are reasonable grounds to believe that there is a violation of any provisions or requirements set forth in this ~~Zonoing~~Zoning Code, the Administrator or designee may issue a notice setting forth the alleged violations and advising the ~~owqner~~owner or person having a charge that such violations must be corrected.

(2) Content of Notice of Violation

a. All notices of violation shall be in writing and shall be served on the owner, operator, occupant, or any person from whom action, forbearance or compliance is required.

b. All notices of violation shall identify the sections of this Zoning Code to which the order applies.

c. All notices of violation shall provide a description of the property, dwelling, dwelling unit, multiple dwelling, business building or premises where the violations are alleged to exist or to have been committed; and/ or a ~~descripton~~description of the violation. Such description of property may include, but is not limited to, the address where the violation exists.

d. All notices of violation shall specify a reasonable time for compliance with the order. Such reasonable time may vary depending upon the nature of the violation.

e. All notices of violation shall advise the owner or person being~~having~~ charged that if the order is not complied with by the specified date of compliance the administrator may initiate a civil and/or criminal complaint against the owner or person having charge.

(3) **Service of Notice of Violation.** A Notice of ~~VIolation~~Violation shall be served upon the owner, operator, occupant, or any person from whom action, forbearance, or compliance is required. Such notice shall be served by any one (1) of the following methods:
Personal service;

or Certified mail;

or Residence

serviced; or

If the methods prescribed by in (a)-(c) are ineffective, service, may be effectuated by publication in a newspaper of general ~~circuulation~~circulation in the City; or

If service is returned marked as having been refused or unclaimed, ~~sercvice~~service may be effectuated by regular mail service to an address that is reasonably believed to be: effectuated by regular mail service to an address that is reasonably believed to be:

i. A place of residence of the owner or operator, or

ii. A Location at which the owner or ~~operatr~~operator regularly ~~recieves~~receives mail; or

f. For any owner, operator, or occupant that is a business registered with the Ohio Secretary of state, service may, in addition to the above, be effectuated by Certified Mail service on the statutory ~~agennt~~agent of the business.

(4)When the Notice of Violation has been properly serviced, the order shall be effective as to anyone having any intereres in the premises whether ~~recored~~recorded or not at the time the order was issued and shall be effective against any subsequent owner of the premises as long as the violation exists and the remains a city record of the order in a public file maintained by the director.

(5) Written or oral acknowledgement by the owner of a receipt of a notice of violation shall be evidence that the owner ~~recieved~~received the notice of violation. An appeal of the notice of violation to the PZB by the owner pursuant shall constitute evidence of written acknowledgement by the owner of service of notice of violation.

C. Civil Penalties

1. In ~~additon~~addition to any other remedy or penalty provided in the Section, any owner of property who fails to ~~complyy~~comply with a Notice of Violation issued under this Section by the date specified in the ~~n~~eotice shall incur a civil penalty of $1,000.00 for each calendar day thereafter that an owner, operator, or occupant fails to comply with the Notice of Violation.

2. The administrator shall provide notice to the owner prior to the assessment of a civil penalty. Such notice shall state the date on which the assessment of a civil penalty will ~~commencence~~commence and shall be served on the owner as provided in this Section.

3. The administrator must document the noncompliance for each day for which civil penalty is to be assessed against an owner under Section. Such documentation may include periodic, b~~u~~ut not ~~necessesarily~~necessarily daily, photographic evidence of non-compliance ~~demonsrating~~demonstrating the continued existence of the condition of the premises for which the Notice of Violation was issued.

4. The Administrator shall also document that prior to the issuance of the notice of civil penalty that the Administrator ~~personlly~~personally conferred or attempted to confer with the~~e~~ owner of the ~~premisese~~premises is an effort to ~~establisha~~establish a reasonable period of time for the owner to comply.

5. The City, through the ~~Administrtor~~Administrator, may file a civil action in a ~~vourt~~court of ~~competant~~competent jurisdiction seeking a court order to recover any accumulated civil penalties.

6. Any accumulation of civil penalties under this Section shall be stayed pending an appeal of the Notice of

Violation to the PZB until the PZB issues its decision on the appeal.

7. This section shall apply to any Condominium Association organized under Chapter 5311 of the Ohio Revised Code as the ~~ower~~owner and/or operator of common areas under the control of the Condominium Association.

D. Additional Penalties

1. In addition to any other civil penalties provided for by this Code, any owner, operator, or occupant of a premises found in violation of this Chapter who fails to comply with the written Notice of Violation as
provided in this Chapter is guilty of an unclassified misdemeanor, which is punishable by a fine of up to one thousand dollars ($1,000.00) ~~ech~~each calendar day the offender fails to comply with the notice of violation.

2. A separate offense shall be deemed committed for each and every day during or upon which such illegal location, erection, construction, reconstruction, ~~enclargement~~enlargement, change, maintenance, or use occurs or continues. It shall not be necessary for a separate complaint to be filed for each calendar day such violation persists.

3. On a second or subsequent offense occurring ~~withing~~within two (2) years of a prior offense, any owner, operator, or occupant of a premises found in violation of this Chapter who fails to comply with~~s~~ the written notice provided herein is guilty of an unclassified misdemeanor ~~punishabl~~punishable by up to sixty (60) ~~dauys~~days in jail and a fine of up to one thousand dollars ($1.000.00) each calendar day the offender fails to comply with the notice of violation.

111 1

SUBDIVISION REGULATIO

Subdivision Regulations

SECTION 1111.01 VARIANCES

A. In cases where it is deemed that hardships, topography or other factual deterrent condition prevail, variations and exceptions from the dimensional standards and improvement requirements as set forth in the Subdivision Regulations may be recommended by the Planning and Zoning Board, but must be approved by Council

SECTION 1111.03 APPROVAL OF SUBDIVISION WITHOUT PLAT

A. Notwithstanding any other provisions of the Subdivision Regulations, a proposed division of a parcel of land along an existing public street, whether the parcel to be divided fronts on the street or has access to it by private right of way or private driveway, not involving more than five lots after the original tract has been completely subdivided, may be submitted to the Planning and Zoning Board for approval without plat. If the Planning and Zoning Administrator, acting on behalf of the Planning and Zoning Board, is satisfied that the proposed subdivision complies with all applicable platting, subdividing or zoning regulations, they shall approve the proposed subdivision and, on presentation of a conveyance of the parcel, shall stamp the same "approved by the Planning and Zoning Board; no plat required." The Planning and Zoning Administrator may require the submission of a sketch and such other information as is pertinent to determining compliance with this section. No building, structure or land shall be used or occupied and no building or structure or part thereof shall be erected, constructed, reconstructed, moved or structurally altered except in conformity with all of the regulations herein specified for the district in which it is located.

SECTION 1111.05 PRELIMINARY PLAT

A. **Sketch may be Submitted for Suggestions.** The owner of land who desires to subdivide it shall submit a sketch of the plat to the Planning and Zoning Board for its comments and suggestions. The owner can then make such corrections and changes as agreed upon before preparing and submitting his preliminary plat for consideration.

B. **Copies of Preliminary Plat To Be Submitted.** The owner of land who desires to subdivide it shall submit six (6) copies of a preliminary plat along with six (6) copies of a general layout of all site improvements to be installed on the entire tract of land to be developed even if the owner or developer only intends to initially develop only a part of the tract, to the Planning and Zoning Board twenty-one (21) days prior to a regular meeting of the Board. A copy of the general layout of all site improvements attached to a copy of the plat shall be in the possession of eachmember of the Planning and Zoning Board for a minimum period of seven (7) days before consideration for approval.

C. **Fees.** A fee shall be paid at the time of submission of the preliminary plat as stated in this Code.

D. **Contents of Preliminary Plat**

i. The preliminary plat shall contain the following, and be prepared by a licensed professional engineer in the State of Ohio:
   1. The scale, with a minimum of one inch to equal one hundred feet;
   2. The proposed name of the subdivision;
   3. Key map showing location within the City;
   4. Names and addresses of owners, developers and the surveyor who made the plat;
   5. Date;
   6. North point; and
   7. Legal description of parcel being subdivided.

ii. The following existing conditions shall be shown on the plat:
   1. Boundary lines and approximate acreage included matching the provided legal description;
   2. Locations, widths and names of all existing or previously platted streets or alleys, and proposed thoroughfare locations as shown on the official City Thoroughfare Plan, railroad and utility rights of way, parks and public open spaces, permanent buildings and structures, all section and corporation lines within or adjacent to the tract;
   3. Existing sewers, water mains, culverts and other underground facilities within the tract, indicating pipe sizes, elevations and grades, if readily available, and locations, if known or available;
   4. Boundary lines of adjacent tracts of un-subdivided and subdivided land;
   5. Existing zoning restrictions;
   6. Existing contours, with intervals of five feet where the slope is greater than ten percent and not more than two feet where the slope is less than ten percent;
   7. Drainage channels, wooded areas, water courses and other significant physical features;
   8. Existing and proposed easements.

iii. All elevations on the preliminary plat shall be based on NAVD (North American Vertical Datum) 1988 datum.

iv. The following proposed conditions shall be shown:
   1. Layout of streets and right-of-way widths;
   2. Layout, numbers and dimensions of lots including total square footage;
   3. Parcels of land intended to be dedicated or temporarily reserved for public use;
   4. Building setback lines shown graphically with dimensions;
   5. Indication of any lot on which a use other than residential is proposed by the owner;
   6. Names of new streets which shall not duplicate names of any existing dedicated street within the County and/or its incorporated areas;
   7. New streets which are extensions of or in alignment with existing streets which shall bear the names of the existing streets of which they are extensions or with which they are in alignment;
   8. Bearings and dimensions of lot, parcel, and right-of-way boundaries; and
   9. Proposed landscaping, if any.

v. All new streets shall be named in the following manner and shall be subject to the approval of the Planning and Zoning Board:

GENERAL DIRECTION	OVER 1,000 FEET IN LENGTH	UNDER 1,000 FEET IN LENGTH
North and south	Streets	Places
East and west	Avenues	Courts
Diagonal	Roads	Ways
Curving	Drives	Circles

vi. The general layout of all site improvements attached to the preliminary plat shall be for the entire tract of property even if the owner or developer only intends to initially develop a part of the entire tract and such general layout is to provide for the extension of improvements to the boundary of the proposed subdivision to serve adjoining land.

E. **Approval of Preliminary Plat.** When a plat is filed with the Planning and Zoning Board, the Planning and Zoning Administrator shall examine it to determine whether or not it complies with the requirements of Section 1111.01(A) through (D). The Planning and Zoning Administrator shall then
refer the plat to the City Engineer. If the plat does not meet the requirements, the Planning and Zoning Administrator shall return it to the owner who shall revise and refile it, and additional fees may apply. If the plat meets the requirements, the Planning and Zoning Administrator shall lay it before the Planning and Zoning Board at its next meeting. The shall thereupon examine it and approve it or conditionally approve it within thirty (30) days if it is satisfied that it complies, or will comply after minor changes, in all respects with this chapter. The approval or the conditions of approval of the Planning and Zoning Board will be indicated in writing on two (2) copies of the preliminary plat which will be returned to the owner and surveyor. The remaining four (4) copies bearing the notation of approval shall remain on file, available to the public. The approval of a preliminary plat shall be effective for a maximum period of twelve months, unless extended by the Planning and Zoning Board.

SECTION 1111.07 FINAL PLAT

A. The general layout of all site improvements attached to the preliminary plat shall be for the entire tract of property even if the owner or developer only intends to initially develop a part of the entire tract and such general layout is to provide for the extension of improvements to the boundary of the proposed subdivision to serve adjoining land.

~~B. The general layout of all site improvements attached to the preliminary plat shall be for the entire tract of property even if the owner or developer only intends to initially develop a part of the entire tract and such general layout is to provide for the extension of improvements to the boundary of the proposed subdivision to serve adjoining land.~~

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SECTION 1111.09 ADDITIONAL REQUIRED INFORMATION

A. A final plat shall contain the following additional information, and be prepared and sealed by a licensed professional engineer in the State.

i. Boundary of plat based on an accurate traverse with angular and lineal dimensions;
ii. True angle and distance to the nearest street intersection, accurately described on the plat;
iii. Municipal, township, county or section lines accurately tied to the lines of all chord dimensions;
iv. Radii, internal angles, points of curvature, tangent bearings and lengths of all chord dimensions;
v. All lot numbers and lines with accurate dimensions in feet and hundredths and bearings in degrees and minutes;
vi. Accurate location of all monuments, which shall be composed and/or located as follows:
    1. Be composed of a durable material;
    2. Be a minimum length of thirty inches (30IN);
    3. Of a minimum cross-section area of material of two tenths square inches (one inch (1IN) in diameter);
    4. Be identified with a durable marker bearing the Surveyor's Ohio Registration number and/ or name or company name;
    5. Be detectable with conventional instruments for finding ferrous or magnetic objects;
    6. Placed with the top at the existing grade elevation.
    7. One such monument shall be placed at each extreme corner of the subdivision. All lots must be marked with steel pins, and such pins must be in place after a building is completed. The Building Official shall confirm that lot pins are in place on the final occupancy permit.
vii. Exact location, width and name of all streets or other public ways; and

viii. Known easements, accurately located and stating the purpose for which they are intended. Easements may be added or revised on the final plat after final plat approval. Easements added to the final plat or revised on the final plat require the approval of the City Engineer and the Director of Public Service and said approvals are to be entered on the final plat. The owner or developer shall offer an easement for television cable and television cable equipment within the easement(s) shown on the final plat. The easement shall be granted at no expense to the television cable owner/operator, if the cable operator installs the necessary television cable and television cable equipment in the utility trench during the time the trench is open for the installation of other utilities. Otherwise, the owner, developer or City may revoke the offer of an easement.

B. A final plat shall also contain:

i. A certificate by a registered professional land surveyor that the plat represents a completed survey and that the monuments shown exist as located or will be set following construction and that all dimensional and geodetic details are correct.

ii. Notarized certification by the owner or owners of the adoption of the plat and the dedication by them to public use of the streets and other public areas shown on the plat. The signatures of the owner(s) are required prior to the obtaining of any City Official's signature on the plat. No property shall extend to the center of a right of way.

iii. Proper form for the approval of the Planning and Zoning Board with space for the signature of the Chairman.

iv. Space for approval by signature of the City Engineer and Director of Public Service.

v. Proper form for approval and acceptance by Council, showing ordinance number and provisions for signature by the Clerk of Council.

vi. Space for approval, by signature of the City Engineer and Director of Public Service, of easements added to or revised on the final plat.

vii. Space for transfer by the County Auditor and recording by the County Recorder. A statement of the expiration date of the City approval shall be placed just ahead of the space provided for the County Auditor's signature.

viii. A topographic survey prepared by an Ohio registered professional surveyor using the North American Vertical Datum of 1988 (NAVD88) reflecting flood way, floodway fringe, base flood elevations and property lines of the plat under consideration for development.

C. **Copies to be filed with Clerk.** One (1) copy of the final plat showing all approvals and the date and place of recording shall be supplied by the owner to the Clerk of Council.

D. **Copies to be filed with Clerk**. One (1) copy of the final plat showing all approvals and the date and place of recording shall be supplied by the owner to the Clerk of Council.

i. The subdivider shall not transfer any lot, parcel or tract of a proposed subdivision, until approval is received of the final plat.

ii. The subdivider shall not proceed with any construction work on any lot until approval is received of the final plat and compliance is made with all other provisions of the Subdivision Regulations, unless it is for the exact purpose of building model units. The subdivider may be granted a building permit for not more than two units, in the case of single family detached housing
and not more than one building of eight units or less, in the case of townhouse for sale or condominium housing, providing the following conditions have been met:

1. Proof of ownership of that portion of subdivision to be used for models;
2. The proposed models have legal frontage on an existing public roadway, water and sanitary sewer;
3. Insurances have been granted to the City in the form of bond, escrow funds, letters of credit or other assurances the City deems necessary to insure installation of improvements;
4. Occupancy permit shall not be issued until Section 1111.09 has been complied with.

E. **Transfer of Lot Contrary to Plat Prohibited.** The owner of the subdivision shall make no conveyance of any lot smaller in width or area than indicated on the plat, except for the purpose of increasing the area of another lot.

F. **Project Representation by Engineer During Installation of Improvements.** All construction work and materials used in connection with public improvements and storm water management in the area platted shall conform to City specifications and requirements of the City Engineer. The City Engineer shall provide the owner or developer with project representation at the expense of the owner or developer during installation of the improvements.

G. **Bond Letter of Credit for Improvements: Deposit and Insurance**

i. Before approval of the final plat, the owner or developer shall agree in writing that prior to the beginning of construction of any street, private roadway, public improvement and storm water management infrastructure the owner or developer shall provide a bond, certified check or an irrevocable letter of credit from a solvent bank doing business in Franklin, Licking or Fairfield Counties, Ohio, guaranteeing the completion of said improvement(s) within one (1) year from the date of agreement or such time as may be agreed to by Council. The bond, check or irrevocable letter of credit shall be in an amount equal to the estimated cost of constructing said improvement(s), as approved by the City Engineer. A maintenance bond, certified check or an irrevocable letter of credit in the amount of five percent (5%) of the estimated construction costs shall be provided for a maintenance period of one (1) year beginning with the date of acceptance of the said improvement(s) by the Director of Public Service and City Engineer.

ii. The owner or developer shall prior to construction, deposit with the Director of Public Service and with the approval of the City Engineer a sum of money as prescribed by the Director of Public Service and the City Engineer to defray the cost of inspection and the engineering services provided and any expenses incurred by the City due to the installation of the improvements and review of the plat and plans. Fees for the review of plats and plans
shall be calculated by the owner or developer, to be verified by the City using the fee schedules as provided by the Director of Public Service. These and other documents detailing the development process can be obtained from the Public Service Department. For inspections the owner or developer shall deposit with the Public Service Department a sum of money based on

an approved cost of construction schedule, and be approved by the City Engineer. Should the amount of such deposit be insufficient to cover the cost thereof, the owner or developer shall immediately upon request of the City deposit a sum of money acceptable to the City Engineer and the Director of Public Service. Upon completion and acceptance of the improvements, any unexpended balance shall be refunded to the owner or developer.

iii. The subdivider shall hold the City harmless for any claims for damages of every nature arising or growing out of the construction of such improvements, and shall defend at his cost and expense, each suit or action brought against the City by reason thereof, until the improvement has been accepted by the City and the developer notified in writing within thirty days. The subdivider shall furnish proof to the City, prior to the time of commencing construction of possession of Comprehensive General Liability Insurance, naming the City of Reynoldsburg as an additional insured. These Certificates of Insurance shall contain a provision that coverage afforded in the policies will not be canceled unless at least thirty days prior written notice has been given to the City. Limits on bodily injury shall not be less than five hundred thousand dollars ($500,000) for personal injury to any one person and a total of not less than one million dollars ($1,000,000) each accident. Limits on property damage shall be not less than two hundred thousand dollars ($200,000) per occurrence, or five hundred thousand dollars ($500,000) aggregate for each accident. Umbrella Excess Liability Insurance to extend existing policies to the required limits will be accepted.

iv. If any violation of or noncompliance with, any of the provisions and stipulations of this chapter occurs, the City shall have the right to stop the work without delay and utilize the bond, certified check or an irrevocable letter of credit for the completion of the improvement or use the certified check or proceeds thereof for such purpose.

H. **Modification, Alteration, Amendment or Vacation, In Whole or In Part Of Plat After Approval.** No modification, alteration, amendment, or vacation, in whole or in part, of a final plat except for the addition of appropriate easements as approved by the City Engineer shall be made in or to a final plat approved by Council under the provisions of this chapter or another political subdivision prior to annexation unless such modification, alteration, amendment, or vacation, in whole or in part, is first submitted to and accepted by the Service Director, is recommended by the Planning and Zoning Board, and Council approves such modification, alteration, amendment, or vacation, in whole or in part, by ordinance. If the modified, altered, amended, or vacated, in whole or in part, final plat is approved by Council, the owner shall file and record the plat with the County Recorder within sixty days. If the final plat has already been recorded then the owner shall file and record the ordinance and an authenticating affidavit executed by the Clerk of Council with the County Recorder within sixty days, wherein the modified, altered, amended, or vacated, in whole or in part, plat shall be indexed or cross- referenced with the original plat. If the plat is not filed with the County Recorder within sixty days, the modification, alteration, amendment, or vacation, in whole or in part, is void and is of no effect.

SECTION 1111.11 REQUIRED IMPROVEMENTS

A. Improvements to be Paid for By Subdivider

i. The owner of land who desires to subdivide it shall provide and pay the entire cost of improvements to such land as follows:

1. Before the construction of any building, street improvements shall consist of grading the right of way for full width; construction of permanent curbing and roadway; construction of drainage structures and appurtenances. Two roof drain openings shall be provided in the curb for each lot;
2. Sanitary sewers, including manholes, services and all appurtenances;
3. Water distribution system, including mains, services, valves, fire hydrants and all appurtenances;
4. Curbs and sidewalks on existing streets as determined by the City Engineer; Storm sewers, including manholes, inlets and all appurtenances.

ii. All phases of the improvement shall be approved by the City Engineer and shall be constructed in accordance with City specifications.

iii. The City may require other improvements not listed in this section, if they are deemed necessary by the City Engineer for the protection of public health, safety or welfare.

iv. The City shall require a plot-grade-utility-plan approval for all residential subdivisions in accordance with the provisions of Chapter 1109.17.

B. Inspection During Installation

i. The construction of all improvements shall be inspected by the City Engineer at the time of installation. Under no circumstances are such installations to be made without an inspector on the job. The City Engineer shall be notified three days before any construction work is begun.

ii. If any violation of, or noncompliance with, any of the provisions of this chapter occurs, the City shall withhold the issuance of the occupancy permit until the violation or noncompliance is corrected.

C. Construction Drawings; Dimensions; Revision

i. All construction drawings for improvements shall be on a horizontal scale of one inch to fifty feet and vertical scale of one inch to five feet. The sheet size shall be twenty-two inches by thirty-six inches.

ii. Upon approval and acceptance of all improvements, the original construction drawings for the improvements shall be revised to reflect the actual construction. All drawings including the master grade plan or reproductions thereof on tracing cloth shall become the property of the City and shall be on file in the office of the City Engineer.

D. Service Roads

i. Service Roads Authorized. When it is determined by the City Engineer that the roadways provided in the Subdivision Regulations are not satisfactory for the needs of special circumstances, additional roadways, designated "service roads," may be prescribed by the City Engineer. These service roads will be shown on the plat of a subdivision in such locations as are determined by the City Engineer, subject to plat approval as provided by the Subdivision Regulations.

ii. Service Road Right of Way. When it is determined that service roads may be included in a subdivision plat, the right of way for the road shall be no less than thirty-two feet in width and shall be dedicated to public use in the same manner as prescribed in the Subdivision Regulations for all other public roads.

iii. Service Road Specifications. Service roads shall be constructed of materials and to design section as shown on the revised standard construction drawing File R-23A as presently constituted and as hereafter amended on file with the City Engineer.

iv. Sidewalks Not Required. No sidewalks or other provision for traffic, other than motor vehicular traffic, shall be required in conjunction with the construction of any service road.

SECTION 1111.13 STREET LIGHTS

A. **Design and Layout.** The design and layout for the street lighting, the underground wiring and other pertinent equipment to be used shall be designed by a registered engineer, and approved by the City Engineer.

i. All energy lines leading to the light standard shall be underground in new developing subdivisions.

ii. All street lighting designs are to be coordinated with the supplier of electric energy. Two drawings for each street lighting layout shall be submitted to the supplier of electric energy for record purposes.

iii. Street lights using poles and light assemblies as shown on standard drawings R-46 and R-47, respectively, are to be installed with not less than 160 feet spacing nor more than 240 feet spacing. Street lights using the alternate residential luminaire and pedestal pole, as shown on standard drawing R-46A, are to be installed with not less than 125 feet spacing nor more than 160 feet spacing. Street lights shall be installed alternating on opposite sides of the street.

iv. The alternate residential luminaire and pedestal pole detail, as shown on standard drawing R-46A, shall be used in all residential areas. The pole detail and light assembly (commonly referred to as a "cobra light"), as shown on standard drawing R-46 and R-47, respectively, shall be used in all commercial corridors, unless otherwise approved by Council through adoption of streetscape standards or other such action to permit consideration of alternative styles, or as may otherwise be approved by any other Board of Commission having jurisdiction to approve or permit the use of alternative styles as part of its review of an overall design concept.

v. The drawings are specification sheets for street light standards, luminaries, mercury vapor lamps and pedestal termination points and will be available at the Director's office.

vi. All connections to supplier of electric energy secondary service locations shall be made by supplier.

B. **Lights to Be Installed.** Any person, firm or corporation desiring final acceptance of a street, shall, before final acceptance is granted, have the street lights installed and ready for use.

C. **Maintenance of Lighting Is Responsibility of City.** It shall be the responsibility of the City to secure the energy for lighting and to maintain the installations.

D. **Damages to distribution system.** Any contractor or agent for the developer, while in the process of installing street lights, who damages the distribution system of an electric energy supplier shall be liable for such damages and for any other cost as a result of such damages, and the energy supplier may charge and receive payment for such damages from the party responsible.

E. **Completion Bond Required.** If conditions are such that street lights cannot be installed prior to the acceptance of the streets upon which street lights are to be installed as required in Section 1111.13, the person, firm or corporation requesting acceptance of such streets shall deposit with the City Auditor an amount of cash or collectable funds, or a performance bond in form satisfactory to the City Attorney equal to one and one-half times the estimated cost of the installation of street lights as security for the installation of such lights, which installation shall be completed within six months of the date of deposit of such funds or bond. Failure on the part of such person, firm or corporation to complete the installation within six months shall be cause for the Public Service Director to order installation by such other contractor as he may choose and cause the cost of installation to be paid from the funds or bonds so deposited. That portion of such funds not used for the installation shall be returned to the depositor at the completion and acceptance by the City of the street lighting installation.

F. **Easement for Energy Lines to Light Standards.** The developer shall provide the necessary easement for street lighting. The City Engineer will coordinate with the developer, where necessary, the easement leading to the electric lighting standard so that lighting may be properly spaced.

SECTION 1111.15 STANDARDS

A. **Street Standards**

i. Street Design. Streets shall be dedicated to public use by the owner. Minor residential streets shall be so designed as to discourage their use by nonlocal traffic. Except where necessitated by local conditions, dead-end streets and cul-de-sacs will not be approved in residential districts. Dead- end alleys are prohibited in all districts. Easements for utilities must be provided along side or rear lot lines where possible. Street rights of way shall have the following minimum widths:

1. Major arterial, which include Federal, State and County roads which are main arteries of access to the City: one hundred (100FT); an additional width of forty-five feet (45FT) shall be provided to accommodate a service drive wherever lots are to face a primary road;
2. Minor arterial, which are next in importance as avenues of access between sections of the City as opposed to commercial traffic and nonlocal traffic: eighty feet (80FT);
3. Neighborhood collector, which are within a new subdivision: sixty feet (60FT);
4. Minor residential, which are completely residential in nature: fifty feet (50FT);
5. Alleys: twenty feet (20FT);
6. Easements: as required.

ii. Minimum Pavement Widths. Minimum pavement widths shall be as follows:

1. Major arterial: variable as conditions may require;
2. Minor arterial: thirty-six feet (36FT);

3. Neighborhood collector: thirty-two feet (32FT);
4. Minor residential: twenty-six feet (26FT);
5. Alleys: eighteen feet (18FT);
6. Service drives: twenty feet (20FT);
7. Sidewalks: minimum four feet (4FT) along non-arterial and minimum width along arterial streets to be as approved by the City Engineer, in accordance with the provisions of Section 909.02.

iii. Maximum Grades. The maximum grades shall be:

1. Major arterial: four percent (4%);
2. Minor arterial: five percent (5%);
3. Neighborhood collector, minor residential streets and alleys: six percent (6%)

iv. Minimum Grade. The minimum grade for any street shall be one-half of one percent at the gutter, unless otherwise approved by the City Engineer. Street intersections shall be rounded by radii not less than twenty feet (20FT) at the curbline.

v. Standards. All street construction and specifications for materials shall be in conformity with standards required by the City as published by the City Engineer.

vi. Plans. The plans must bear the approval of the City Engineer, Director of Public Service, Superintendent of Water/Wastewater, Superintendent of Streets, and Fire Chief. Places shall be provided for their signatures.

B. Private Roadways

i. As used in this section "private roadway" means any passageway designed for use by motor powered vehicles, upon property owned by one or more persons, firms or corporations where such passageway serves in excess of four dwelling units.

ii. All proposed private roadways and their pavement widths shall be shown on the preliminary and final plats filed in accordance with these Subdivision Regulations. In addition, a document indicating the responsible party for maintenance shall also be provided.

iii. All private roadways shall be improved with a hard surface of concrete, asphalt or other similar products or combination of products. The construction and specification for materials for private roadways shall conform with standards provided by the City standards as published by the City Engineer.

iv. The minimum pavement width for private roadways shall be twenty-six feet (26FT) and the maximum grade shall be six percent (6%), however, the minimum grade for private roadways shall be one- half of one percent at the gutter, unless otherwise approved by the City Engineer.

v. Every private roadway ending in a dead end or at a cul-de-sac circle shall have a minimum pavement width as approved by the Planning and Zoning Board to assure access to the area for fire equipment and to facilitate the turning of vehicular traffic. In approving such minimum pavement widths the Planning and Zoning Board shall consider whether such cul-de-sac or turn- around will be used for parking vehicles.

vi. The plans must bear the approval of the City Engineer, Director of Public Service, Superintendent of Water/Wastewater, Superintendent of Streets, and Fire Chief. Places shall be provided for their signatures.

C. Sanitary Sewers

i. Plans and profiles of sanitary sewers shall be submitted to the Director of Public Service. All grades, pipe sizes, manholes and other appurtenances shall be shown and installation and materials shall be in conformity with City standards as published by the City Engineer.

ii. Sanitary sewer plans must bear the approval of the Director of Public Service and the City Engineer and the Superintendent of Water/Wastewater. Places shall be provided for their signatures.

D. Water Distribution

i. Plans of the proposed water distribution system shall be submitted to the Director of Public Service. All plans must show pipe sizes, locations of valves, fire hydrants and other appurtenances. Installation and materials shall be in conformity with City standards as published by the City Engineer.

ii. Water distribution system plans, if not incorporated as part of the street improvement plans, must bear the approval of the City Engineer, Director of Public Service, Superintendent of Water/Wastewater, Superintendent of Streets, and Fire Chief. Places shall be provided for their signatures.

E. Storm Sewer System

i. Proposed storm sewers, including grades, pipe sizes, manholes, inlets and appurtenances may be shown on the street improvement plans. Installation and materials shall be in conformity with City standards published by the City Engineer.

ii. The owner or developer shall follow the recommendations of the City Engineer with regard to the proper method and direction of drainage and storm water following review of the proposed plan of such drainage as submitted by the subdivider or his engineer. A storm water management report shall be submitted to the City Engineer for review in conjunction with drainage plans.

iii. The storm sewer plans, if not incorporated as part of the street improvement plans, must bear the approval of the City Engineer, Director of Public Service, Superintendent of Water/Wastewater, Superintendent of Streets, and Floodplain Administrator. Place shall be provided for their signature.

F. Lots and Blocks

i. Every lot shall abut on a dedicated street. Double frontage lots shall be avoided. At the intersection of two streets, property line corners shall be rounded by an arc with a minimum radius of ten feet (10FT). Size, shape and orientation of residential lots shall be appropriate to the location of the proposed subdivision and for the types of development contemplated and in conformity with the Zoning Code, with proper regard given yard areas, setback lines, etc.
Excessive depth in relation to length shall be avoided. A proportion of two to one depth to frontage shall be normal and depths in excess of three times the lot width are not recommended.

Side lines of lots shall be approximately at right angles or radial to the street line. Corner lots shall have extra width sufficient to permit maintenance on both front and sides of lot. The maximum length of blocks may not exceed eighteen hundred feet (1,800FT) except where topographic conditions require longer blocks, nor shall they be less than four hundred feet (400FT) in
length. Wherever blocks are longer than nine hundred feet (900FT), crosswalks or crosswalk easements not less than ten feet (10FT) in width may be required near the center of the block, and Council may require that a sidewalk be constructed in accordance with City standards for sidewalk construction. The width of a block shall normally be sufficient to allow two tiers of lots of appropriate depth except where double and reverse frontage lots are allowed. Where frontage on a primary street is involved, the long dimension of the block shall front thereon in order to minimize access intersections.

ii. Where either sanitary sewer or water service is not available, lots shall have a minimum frontage of seventy-five feet (75FT) and a minimum area of ten thousand square feet (10,000SF). Where neither sanitary sewer nor water service is available, lots shall have a minimum frontage of one hundred feet (100FT) and a minimum area of twenty thousand square feet (20,000SF).

G. Drainage

i. The Planning and Zoning Board shall not approve any subdivision having inadequate storm drainage or other physical drainage impairment as determined by the City Engineer. In areas known to be subject to periodic floods, such drainage improvements must be made as to satisfy the Director of Public Service and the City Engineer in order that the health and welfare of the people will be protected.

ii. No natural drainage course shall be altered and no fill, buildings or structures shall be placed in it unless provisions are made for the flow of water in a manner satisfactory to the City Engineer. An easement shall be provided on both sides of any existing important surface drainage course adequate for the purpose of protecting, widening, deepening, enclosing or otherwise improving such stream for drainage purposes.

iii. A master grade plan shall be prepared for all subdivisions and shall be presented to the for review and approval by the City Engineer. The grading plan shall show the existing topography, the proposed street grades and the proposed storm sewers with pipe sizes and grades. It shall also show the proposed elevation at each lot corner, the proposed finish grades at the house and shall delineate the method of rear yard drainage by showing proposed swales and direction of surface slope by arrows. The grading plan shall follow the standards as established for such grading by the City Engineer.

iv. Wherever possible, with exceptions being made where the topography of an area does not permit such grading practice, lots shall be graded from the rear lot line to the street. Where a lot abuts directly on two streets, the grade shall be from the corner of the lot which is diagonally opposite to the corner of the two streets on which the lot abuts. This section is included in order to reduce the amount of water standing in yards to a minimum. Therefore, where it is not possible to grade a lot in the prescribed manner, the owner or developer shall provide for the adequate drainage of any and all low areas and tie such drainage into and make it a part of the storm sewer system of the development and the City as directed by the City Engineer, with approval of such drainage subject to inspection by the City Engineer along with the inspection of other storm sewer installations.

v. The Planning and Zoning Board shall not approve the final plat of any development or subdivision over which it has jurisdiction without certification from the Director of Public Service and the City Engineer that such development or subdivision has been designed to be in full compliance with the design requirements contained in the Stormwater Management Policy and Design Manual.

vi. There is hereby adopted, and incorporated by reference as if set out at length herein, for the purpose of establishing rules and regulations for the design, construction, or alteration, the Stormwater Management Policy and Design Manual as hereafter amended in the most recent edition published by City Engineer.

H. Public Use Areas

i. Ten percent (10%) of the area of each residential subdivision, exclusive of streets, shall be allocated for recreational uses. When a proposed subdivision contains an area described as a proposed public building site, park, playground or other public area, that area shall be dedicated on the plat to the City, another public agency, or reserved for acquisition by the City within a period of five (5) years by purchase or other means.

ii. Where required, the developer and the City shall work out an arrangement for parks and recreational facilities.

iii. Proposed large scale neighborhood unit developments and similar unusual developments may require the reservation or dedication of such additional areas or sites of a character, extent and location suitable for the needs of the community facilities created by such particular developments where deemed necessary by the Planning and Zoning Board.

iv. Natural features of beauty such as trees, brooks, topography and views shall be preserved whenever possible in designing any subdivision.

I. Underground and Electric Telephone Lines

i. The term "subdivision" as used in this section refers only to residential subdivisions of more than eleven (11) lots platted subsequent to July 1, 1967.

ii. Unless the subdivision has been exempted from the requirements of this section, as provided in subsection (e) hereof, all telephone and electric distribution wires, conduits, and cables therein shall be installed underground, except as necessary to bring service to the subdivision, and except for existing overhead facilities and any rearrangement, improvement or addition thereto.

iii. The preliminary plan with respect to the subdivision shall be submitted to the City Engineer and to the electric and telephone utility companies which will provide service to the subdivision for their recommendations with respect to the width and location of easements for electric and telephone distribution cables and related facilities. The recommendations of the City Engineer and such utility companies shall be submitted to the Planning and Zoning Board by the owner of the subdivision together with the plat of the subdivision. Prior to signing the plat of the subdivision, the Planning and Zoning Board shall determine that adequate easements are provided for all utility services, including underground electric and telephone distribution wires, conduits, cables, gas pipelines, sewer and water lines. The owner of the subdivision shall, at the time the plat of the subdivision is submitted for approval, present such evidence as the Planning and Zoning Board deems necessary to ensure that the owner shall makes or has made provision for all utility services, including underground electric and telephone distribution wires, conduits, cables, gas pipelines, sewer and water lines in accordance with this section, adequate for the anticipated needs of the subdivision.

iv. The construction of all underground facilities shall meet the minimum requirements of any code approved by the Public Utilities Commission of Ohio.

v. If, in the opinion of the owner of any subdivision or a portion thereof, or any interested utility company, the installation of underground facilities is economically or physically unfeasible, such owner or utility company may apply to the Planning and Zoning Board for exemption of the subdivision or portion thereof from the requirements of this section, stating in the application for exemption the reasons thereof or, and submitting therewith such exhibits, documents and data as may be necessary to substantiate the request. The Planning and Zoning Board shall hold a hearing, at which the applicant and any other interested person may appear, at its regularly scheduled meeting, after the submission of an application for exemption. Notice of the hearing shall be given by certified mail by the applicant, at the applicant's expense, to each interested utility and owner no less than seven (7) days prior to such hearing. If the Planning and Zoning Board denies the application following the notice and hearing, the applicant may file a written appeal therefrom with the Clerk of Council, stating the reasons therefor, within thirty (30) days following the announcement of such decision by the Planning and Zoning Board. Such appeal shall be placed on the agenda for the next regularly scheduled meeting of Council following the filing thereof with the Clerk and shall be heard at such meeting. Council may, by resolution, reverse or affirm, wholly or in part, or may modify the decision of the Planning and Zoning Board.

J. Separability. If any court of competent jurisdiction determines that any clause, section or portion of Section 1111.15(I) is invalid or unconstitutional, such finding shall in no way affect the validity of unconstitutionality of the balance of Section 1111.15(I).

K. Erosion and Sediment Control

i. An erosion and sediment control plan shall be prepared for all developments covered by this regulation which disturb one or more acres of land.

1. The erosion and sediment control plan shall conform to any and all standards defined in the Ohio Environmental Protection Agency authorization for storm water discharges associated with construction activity under the current National Pollutant Discharge Elimination System (NPDES) permit, and all revisions and amendments thereto. The Notice of Intent, as well as a copy of the Storm Water Pollution Prevent Plan (SWP3) shall be provided to the city as part of the erosion and sediment control plan submittal.

2. The SWP3 shall be prepared by a professional experienced in the design and implementation of erosion and sedimentation controls and shall address all phases of construction. The SWP3 shall incorporate, at a minimum, all of "Part III, Section G" SWP3 requirements of the current NPDES permit, and all revisions and amendments thereto.

L. Utility and Traffic Studies. Utility and traffic studies may be required by the City Engineer to facilitate proper master or large-scale planning of the City's infrastructure prior to the submission of public
or private construction plans. Fees for review of such traffic or utility studies shall be established and updated from time to time.

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GLOSSARY OF TERM

Glossary of Terms

A.

Accessory Dwelling Unit (ADU). An accessory dwelling unit (ADU) is a smaller, secondary home on the same lot as a primary dwelling. ADUs are independently habitable and provide the basic requirements of shelter, heating, cooking, and sanitation. ADUs can be detached structures or attached to the primary structure. One ADU is permitted per lot. ADUs are subject to all applicable regulations in section 1105.05 of this code.

Accessory Structure. A building or structure that is subordinate to the principal building or structure upon the same lot and serving a purpose customarily incidental to the principal structure.

Accessory Use. A use that is subordinate to the principal use of the land and serving a purpose customarily incidental to the principal use or structure.

Adult Booth. Any area of an adult oriented business set off from the remainder of such establishment by one or more walls or other dividers or partitions and used to show, play, or otherwise demonstrate any adult materials or to view any live performance that is distinguished or characterized by an emphasis on the exposure, depiction, or description of

specified anatomical areas or the conduct or simulation of specified sexual activities.

Adult Day Care. A licensed facility for the daytime care of an adult with a mental or cognitive impairment.

Adult Entertainment. See Section 795.02, Codified Ordinances of the City of Reynoldsburg.

Adult material. Any of the following, whether new or used:

A. Books, magazines, periodicals, or other printed matter, or digitally stored materials that are distinguished or characterized by an emphasis on the exposure, depiction, or description of specified anatomical areas or the conduct or simulation of specified sexual activities.

B. Films, motion pictures, video or audio cassettes, slides, computer displays, or other visual representations or recordings of any kind that are distinguished or characterized by an emphasis on the exposure, depiction, or description of specified anatomical areas or the conduct or simulation of specified sexual activities.

C. Instrument, novelties, devices, or paraphernalia that are designed for use in connection with specified sexual activities, or that depict or describe specified anatomical areas.

Advertising structure. Any outdoor display for the purpose of advertisement, notice or announcement located apart from the premises or product referred to in the display.

Agriculture. Farming; ranching; aquaculture; algaculture meaning the farming of algae; apiculture and related apicultural activities, production of honey, beeswax, honeycomb, and other related products; horticulture; viticulture, winemaking, and related activities; animal husbandry, including, but not limited to, the care and raising of livestock, equine, and fur-bearing animals; poultry husbandry and the production of poultry and poultry products; dairy production; the production of field crops, tobacco, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, flowers, sod, or mushrooms; timber; pasturage; any combination of the foregoing; the processing, drying, storage, and marketing of agricultural products when those activities are conducted in conjunction with, but are secondary to, such husbandry or production.

Aisle. That part of an off-street parking or loading area which provides vehicular access to parking or loading spaces, exclusive of driveways.

Alterations, structural. Any change in the supporting members of a building such as bearing walls, columns, beams or girders.

Antique Shop. Any premises used for the sale or trading of articles of which 80 percent (80%) or more are over thirty (30) years old or have collectible value. Antique shop does not include a thrift or second-hand store.

Applicant. Any Person or authorized agent of a Person, that applies for a Zoning Permit, Certificate of Appropriateness, Map Amendment or other land use process or approval pursuant to this chapter.

Application. The process by which an Applicant submits a request to be granted any land use approval or land use approvals under the provisions of this chapter. An Application includes all attachments to the form promulgated by the city from time to time, as well as all verbal statements and representations made by the Applicant throughout the review process.

Auction facility. A building, area, or areas within a building used for the public sale of goods, wares, merchandise, or equipment to the highest bidder. This definition excludes therefrom an auction, the principal purpose of which is the sale of livestock or motor vehicles.

Awning. A shelter projecting from and supported by the exterior wall of a building constructed of non-rigid materials on a supporting framework.

Awning, Back-lit. Any awning, fixed or retractable, which incorporates any transparent or translucent material in its covering and is illuminated by a light source placed behind the covering.

Awning, Fixed. A fixed structure supported by a frame or bracketing extending outward from the wall of a building which does not retract or roll up and is constructed to provide shade or shelter.

Awning, Retractable. A structure fastened to the wall of a building which, in a closed or rolled up position, does not extend beyond 8 inches from the face of the building and, when extended, is constructed to provide shade or shelter.

Awning Sign. A non-illuminated sign affixed flat to the surface of an awning (known as the base material) or which does extend vertically or horizontally beyond the limits of such an awning.

B.

Bakery-Retail. An establishment primarily engaged in the retail sale of baked products for consumption

off site. The products may be prepared either on or off site. Such use may include incidental food service. A bakery shall be considered a general retail use.

Banner. A temporary sign composed of light weight material not enclosed in a rigid frame, secured or mounted so as to allow movement of the sign caused by the movement of the atmosphere. Includes those used to announce open houses, grand openings, make special announcements, or communicate events.

Basement. A story all or partly underground but having at least one-half (1/2) of its height below the average level of the adjoining ground.

Berm. A mound of earth, higher than the surrounding grade, used for screening or buffering, definition of space, noise attenuation and/or decoration in landscaping.

Beverage – Brewing and Distilling. An establishment where beer, malt beverages or spirits are made on the premises and then sold or distributed, and which produces less than 15,000 barrels (~465,000 gallons) per year. The brewer may sell to a retailer or directly to a customer.

Beverage – Distribution. A facility where beverages are received and/or stored for delivery to the ultimate customer at remote locations.

Beverage - Non-Alcoholic Production. A facility that manufactures and distributes non-alcoholic beverages, such as soft drinks, to other distributors or retailers.

Beverage Sales - Liquor and Beer Sit Down/Bar Establishment. An area primarily devoted to the serving of alcoholic beverages and in which the service of food is only incidental to the consumption of such beverages.

Beverage Sales - Liquor Store. Any business selling general alcoholic beverages, also known as sale of distilled spirits or hard liquor, and may include wine and beer sales, for off-premises consumption.

Block. A parcel of land which is bound by other lots, streets, highways, railroad rights-of-way, parks or open space, undeveloped land, water courses or bodies of water, channels or a combination thereof.

Boarding / Kennel. Any structure or premises on which five (5) or more dogs or cats over three (3) months of age are housed, bred, boarded, or trained overnight.

Buffer. The promotion of separation and compatibility between land uses of different intensities within

or adjacent to a development, or along roadways or other public areas through the use of setbacks, natural vegetation, berms, fences, walls or a combination thereof. The term "buffer" may also be used to describe the method(s) used to promote compatibility such as a landscape buffer.

Buffer Yard. Area intended to provide buffering between land uses of different intensities or along public rights-of-way.

Building. A structure enclosed with exterior walls used or intended for the support, enclosure, shelter, or protection of persons, animals, chattels, or property.

Building, Accessory. See "Accessory Structure".

Building Code. Part Thirteen of the Codified Ordinances of the City of Reynoldsburg, Ohio.

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

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

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

Building, Height. The vertical distance measured from the average elevation of the proposed finished grade at the front of the building to the highest point of the coping of a flat roof, to the deck line of mansard roofs, and the mean height between eaves and ridge for gable, hip and gambrel roofs.

Building, Main. A building in which is conducted the main use of the lot on which the building is located.

Building Materials and Hardware (Retail). An establishment for the retailing, wholesaling or rental of building supplies or construction equipment. This use classification includes lumberyards, home improvement sales and services, tool and equipment sales or rental establishments.

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

Build-To-Line. The point from a primary or secondary street where the front of the building is to be located.

Business Sign. A sign containing product advertisements or other detailed information about the operation of a business. Specifically, such sign is one which contains brand names of goods sold or services rendered on the premises, a listing of numerous specific types of goods or services, prices or special sale information, telephone number or other similar information. A business sign may also include items permitted on an identification sign.

Building, Temporary. A building located on a lot for a limited duration.

C.

Camping. Any parcel or tract of land under the control of any person, organization, or governmental entity wherein sites are offered for the use of the public or members of any organization for the establishment of temporary living sites for two or more recreational vehicles, tents or camping units.

Canopy. A permanent or temporary structure other than an awning or marquee, attached to a building over an entrance and carried by a frame supported by the ground or sidewalk, extending from the entrance to or over the public sidewalk for the purpose of providing shade or shelter to pedestrians walking from the sidewalk to the building's entrance.

Cemetery. Land used or intended to be used for the burial of the human dead and dedicated as a cemetery for such purposes.

Certificate of Appropriateness. A certificate issued by the Planning and Zoning Administrator stating that the proposed modification to a structure complies with the provisions of Chapter 1109.19.

Changeable Copy Sign (Automatic). A sign or portion thereof on which the copy changes automatically or animation is displayed through electrical or electronic means (e.g., time and temperature units and message centers); considered a business sign.

Changeable Copy Sign (Manual). A sign or portion thereof on which copy is changed manually through placement of letters or symbols on a sign panel; considered a business sign.

GLOSSARY OF TERMS

Channel. A natural or artificial watercourse of perceptible extent, with bed and banks to confine and conduct continuously or periodically flowing water.

Charter. The charter of the City, the same as may be amended from time to time.

Child Care, Type A. A permanent residence in which child care or publicly funded childcare is provided for seven (7) to twelve (12) children at one time or a permanent residence of the administrator in which childcare is provided to four (4) to twelve (12) children at one time if four (4) or more children at one time are under the age of two (2).

Child Care Center, Type B. A permanent residence of the provider in which child care is provided for one to six (6) children at one time in which no more than three (3) children are under the age of two (2) at one time.

Child care – in home. A private home licensed by the state of Ohio in which more than six (6) but not more than twelve (12) minor children are given are and supervision for periods of less than twenty-four (24) hours a day, unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage, or adoption.

Child day care – center. Any place operated by a person, society, agency, corporation, institution, or any other group that is licensed by the state of Ohio wherein twelve (12) or more children under 17 years of age who are not related to the facility operator and whose parents or guardians are not residents in the same house and with such person, society, agency, corporation, or institution responsible for the control and care of children enrolled therein.

City. The City of Reynoldsburg, Ohio, a municipal corporation, acting by and through its City Council.

City Attorney. The elected Law Director of the City.

City Council. The elected members of the City Council of the City.

City Engineer. The City Engineer of the City.

Clerk of Council. The Clerk of the City Council.

Clothing Services – Dry Cleaning with Drive Thru. An establishment or business maintained for the pickup and delivery of dry cleaning and/or laundry via a counter or drive-through without the maintenance or operation of any laundry or dry-cleaning equipment or machinery on the premises.

Clothing Services - Dry Cleaning without Drive Thru. An establishment or business maintained for the pickup and delivery of dry cleaning and/or laundry via a counter without the maintenance or operation of any laundry or dry-cleaning equipment or machinery on the premises. Drive-through pick-up or delivery is not permitted.

Clothing Services - Tailor. An establishment or place of business primarily engaged in the provision of frequent or recurrent services related to the alteration or hand-made creation of clothing.

Code. The Code of Ordinances of the City.

Commercial Center – Outdoor - Small. A group of commercial establishments planned, constructed, and managed as a total entity shopping center with customer and employee parking provided on-site, provision for goods delivery separated from customer access, aesthetic considerations, whereby access to individual shops requires outdoor access from a shared sidewalk or road. For centers that are 9,500 square feet or less.

Commercial Center – Outdoor - Large. A group of commercial establishments planned, constructed, and managed as a total entity shopping center with customer and employee parking provided on-site, provision for goods delivery separated from customer access, aesthetic considerations, whereby access to individual shops requires outdoor access from a shared sidewalk or road. For centers that are 9,501 square feet or more.

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Common Area. Land in any development held in common or single ownership that is not reserved for the exclusive use or benefit of an individual tenant or owner.

Community Activity. An activity that is open to the general public and sponsored by a public, private, nonprofit or religious organization that is educational, cultural, or recreational in nature.

Community Facility. Existing, planned and proposed parks, playgrounds, schools and other public lands and buildings located within the City.

Community Facility – Activity Center. A building or other enclosed structure open to residents of a subdivision or the general public, which is owned and operated by a private entity, a public agency, or a nonprofit organization, and that is used predominantly for cultural, educational, recreational, or social purposes.

Community Facility - Detention and Corrections. A facility for the detention, confinement, treatment or rehabilitation of per- sons arrested or convicted for the violation of civil or criminal law. Such facilities include an adult detention center, juvenile delinquency center, jail, and prison. These facilities house prisoners who are in the custody of city/county/ law enforcement and the facilities are typically government owned.

Community Facility - Government Administration and Courts. A facility devoted to the operations of the City, County or State, but not including detention and corrections.

Community Facility - Outdoor Recreation. Non-commercial recreation premises consisting of woodlands, water courses, and fields used for active recreational activities that do not require modifying the existing setting, including but not limited to, paintball, laser tag, and orienteering.

Community Facility – Park. A natural or landscaped area, buildings, or structures, provided by a unit of government, to meet the active or passive recreational needs of people.

Community Facility - Public Health Safety. Facilities operated by public agencies including fire stations, other fire prevention and firefighting facilities, police and sheriff substations and headquarters, including interim incarceration facilities.

Community Facility – Trail. A public path exclusively for pedestrians and bicycles, but not including a sidewalk or street.

Comprehensive Plan. A plan, or any portion thereof, adopted by the Planning and Zoning Board ~~Commission~~ and Council of the City showing the general location and extent of present and proposed physical facilities including housing, industrial and commercial uses, major thoroughfares, parks, schools and other community facilities. This plan establishes the goals, objectives and policies of the community.

Conditional Use. A special use that allows the Board of Zoning and Building Appeals to review and place conditions on development standards such as location, design, size, density, operation, intensity of use, generation of traffic and traffic movement, processes and equipment employed, and the amount and kinds of public facilities and services required. These conditions ensure that each proposed use is consistent with the intent and objectives of the particular district in which it is to be located, and protects adjacent properties and the general health, safety and welfare of the public.

Conditional Use Permit. A permit issued by the Planning and Zoning Administrator upon approval by the Planning and Zoning Administrator or the Board of Zoning and Building Appeals, as applicable, to allow a use designated as such in the applicable district or overlay.

Council. The Council of the City.

County. Collectively, as applicable, any of Franklin, Fairfield or Licking Counties in Ohio.

County Recorder. The office of official land records for the County.

Curb Cut. A location, approved by the City, at which vehicular access is permitted from the traveled portion of a public street to or from a private driveway. Such location may involve or require the alteration or cutting of the curb abutting the street pavement to allow for at-grade vehicular movement onto the street pavement.

D.

Deed. A written instrument for the conveyance of real property from one person to another.

Deciduous. A plant with foliage that is shed annually.

Deck. An uncovered platform or floor, supported above the ground and open to the sky. If the deck is attached to the principle structure, the principle structure's side yard setbacks and rear yard setbacks will apply. If the deck is freestanding and not attached to the principle structure, it will be considered an accessory structure and will need to meet all accessory structure standards.

Density. A unit of measurement; the number of dwelling units per acre of land.

A. Gross density. The number of dwelling units per acre of the total land to be developed.

B. Net density. The number of dwelling units per acre of land when the acreage involved includes only the land devoted to residential uses.

Developer. Any person, subdivider, partnership, owner or corporation or duly authorized agent who constructs or contracts to construct improvements on subdivided land.

Development. The improvement of a tract or parcel of land, which results in an alteration of land or vegetation.

Development Agreement. An agreement between a Developer and the City and which contains the following components:

A. Summary and Affidavit;

B. Preliminary Development Plan;

C. Final Development Plan;

D. Restrictive Covenants; and

E. Attachments.

Development Director. The Development Director of the City of Reynoldsburg as defined in the Administrative Code. All references to the Development Director may be construed as referring to the Development Director or his/her designee.

Development Plan. Reports, applications, maps, technical drawings, illustrations, and other matter describing the intended use and construction of improvements of land, particularly relating to a request for amendment of a zoning district or for creation of a planned unit development.

Directional Sign. On-premise sign used to direct vehicles to parking areas or indicate points of entry or exit for a facility or off-street parking lot. Such signs may contain information such as "Lot A", "Green Lot", "in", "enter", "entrance", "out", "exit", "do not enter" or similar directives. Such signs shall not include any business information other than the business logo and/or name.

District. A section of the City for which zoning regulations governing the use of land and buildings, the height of buildings, the sizes of yards and the intensity of uses are uniform. Boundaries of the districts are shown on the Official Zoning Map.

Drainage Features and Improvements. Natural features of land or designed features of land, buildings, and other improvements, including storm sewers, natural and manmade watercourses, swales, yard drains, catch basins, curbs, retention facilities, and other features affecting the flow of storm water or designed to direct or manage the flow of storm water.

Driveway. A paved way providing access from a street or other means of access to the subject premises.

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

Dwelling. Any building or portion thereof designed or used exclusively as the residence or sleeping place of one or more persons, but not including a tent, cabin, trailer or mobile home, boarding or rooming house or hotel.

Dwelling, Assisted. A residential facility for elderly persons (age 60 or older) and their spouses, or for persons having such disabilities as to require assistance with daily living tasks, as suggested by their physician. The facility contains four or more dwelling units and/or rooming units, and provides, through on-site personnel, such exclusive resident services as meal preparation, laundry services and room cleaning.

Dwelling – Attached Single-Family. A dwelling unit that is attached to one or more dwelling units, each with independent exterior access and each with no less than two exterior walls. This type of dwelling includes condominiums and townhouses.

Dwelling – Detached Single-Family. A building designed for or occupied by one family or housekeeping unit.

Dwelling - Developmental Disability. A dwelling devoted to two or more persons who have a physical or mental impairment or handicap, or both, that substantially limits one or more major life activities, such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, learning, breathing, or
working. A physical or mental impairment may include orthopedic, visual, speech, or hearing impairments, Alzheimer's disease, presenile dementia, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, autism, or emotional illness.

Dwelling Floor Area. The sum of the gross horizontal inside dimension areas of the floors of a dwelling, including stairways, halls, and closets, but not including basements, porches, garages, breeze ways, utility rooms, laundry areas, or carports.

Dwelling, Group. A housing unit classified further as one of the following:

A. **Group Home, Class I.** A facility providing 24-hour care in a protected living arrangement for not more than fifteen (15) residents. This classification includes foster homes, homes for the physicallyand mentally impaired, homes for the developmentally disabled, congregate living facilities for persons 60 years of age and older, and maternity homes.

B. **Group Home, Class II.** A facility providing 24-hour care in a protected living arrangement for not more than fifteen (15) residents. This classification includes homes for juvenile delinquents, halfway houses providing residence in lieu of institutional sentencing, halfway houses providing residence to those needing correctional and mental institutionalization. This classification also includes emergency shelter during crisis intervention for not more than fifteen (15) victims of crime, abuse, or neglect, and residential rehabilitation for alcohol and chemical dependence for 15 or fewer individuals."

Dwelling, Mobile Home. Any non-self-propelled vehicle so designed, constructed, reconstructed or added to by means of accessories in such manner as will permit the use and occupancy thereof for human habitation when connected to utilities, whether resting on wheels, jacks, blocks or other temporary foundation and
used or so constructed as to permit its being used as a conveyance upon the public streets and highways and exceeding a gross weight of 4,500 pounds and an overall length of thirty (30) feet.

Dwelling, Multi-Unit Building. A building containing three or more dwelling units.

Dwelling, Multi-Unit Building Complex. A site containing two or more multi-unit buildings situated in relation to one another, which may include common facilities such as a clubhouse and/or swimming pool and common parking areas.

Dwelling, Nursing. A facility operated and dedicated to the care of persons who cannot care for their own needs either partially or totally. This term includes nursing homes, skilled nursing facilities, convalescent homes, special care facilities (e.g., Alzheimer Unit), assisted living facilities, adult day care facilities, independent living units such as patio homes, and other similar facilities.

Dwelling - Two-Family. A building on a single lot containing two dwelling units, 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.

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

E.

Easement. A right granted by a written instrument from one owner of land to another for use of a specified portion of the grantor's real property for a specific purpose or purposes as set forth in an easement agreement.

Easement Area. The particularly described area of exclusive or non-exclusive legal interest in, on, under, over or through a portion of a parcel of land or appurtenance thereto.

Educational/Public Service sign. A sign designed to provide information on school or public events, community recognition and/or promotes information about good health and safety.

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

Engineer. Any engineer licensed by the State of Ohio State Board of Registration for Professional Engineers.

Equipment Repair. Establishments primarily engaged in the provision of repair services to individuals and households, rather than businesses, but excluding automotive and equipment repair use types. Typical uses include appliance, electronic, computer, or bicycle/scooter repair shops.

Essential Public Services and Utilities. The erection, construction, alteration or maintenance, by public utilities or municipal or other governmental agencies, of underground gas, electrical, water transmission or distribution systems, collection, communication, supply or disposal systems or sites, including poles, wires, mains, drains, sewers, pipes, traffic signals, hydrants or other similar equipment and accessories in connection therewith which are reasonably necessary for the furnishing of adequate service by such public utilities or municipal or other governmental agencies or for the public health or safety of general welfare, but not including buildings.

Event Center – Private Events and Conferences. A commercial event center used to host private events and conferences such as weddings and other personal events, but not including funerals, and private business or industry conferences.

Event Center – Public Meetings and Conventions. A public event center used to host events and conferences such as trade shows, conferences, and other public events.

Evergreen. A plant with foliage that persists and remains green year-round.

F.

Façade. A side of the exterior of a building (exclusively of permitted encroachments), especially the front, but also sometimes the sides and rear.

Fee. A charge, as required by this Zoning Code, paid by an applicant or other person, for the purpose of paying some or all of the costs incurred by the City in processing and reviewing requests for zoning amendments, site plans, zoning permits, and other administrative activities relating to zoning.

Fence. A structure, hedge or other landscape material positioned up to or on top of the property line, easement line, right-of-way, or setback line, as applicable for the purpose of separating properties, or for screening, enclosing, and/or protecting the property within its perimeter.

Fence, decorative. A fence, hedge or other landscaping material used for decorative purposes only and not intended for use as an enclosure, barrier, or means of protection or confinement. Decorative fences shall not be site obscuring.

Financial Services and Banking – with Drive Thru. A facility including provisions for the conduct of banking services directly to the occupants of motor vehicles for the custody, loan, or exchange of money; for the extension of credit; and for facilitating the transmission of funds. Does not include stand-alone ATM.

Financial Services and Banking - without Drive Thru. A freestanding building without a drive-up window, for the custody, loan, or exchange of money; for the extension of credit; and for facilitating the transmission of funds.

Finished Grade. The average level of the finished surface of the ground adjacent to the exterior walls of a building.

Fire Pit. An aboveground structure together with a seating area, installed, constructed and designed for the setting of small-scale fires in accordance with the regulations applicable to the subject property upon which such structure and seating area are located.

Flood plain. Land under and along a watercourse which is subject to inundation by a 100-year flood, as determined by the Federal Emergency Management Agency (FEMA) or other source determined acceptable to the city.

Flood, Regional. Large floods which have previously occurred or which may be expected to occur on a particular stream because of like physical characteristics. The regional flood generally has an average frequency of the 100-year recurrence interval flood.

Floodway. That portion of the flood plain, including the channel, which is reasonably required to convey the regional flood waters. Floods of less frequent recurrence are usually contained completely within the floodway.

Floodway Fringe. That portion of the flood plain, excluding the floodway, where development may be allowed under certain restrictions.

Floor. That part of a room or story which forms its lower, horizontal enclosing surface.

Floor area, gross. The total square feet of all main and accessory buildings which are enclosed, measured from the exterior building face or from the centerline of common walls separating building units.

Food Sales - Farm Market. Retail sales of agricultural products and items grown or produced in and around the City.

Food Sales - Large Format Grocery. A retail establishment which primarily sells food, but also may sell other convenience and household goods, and which occupies at least 25,000 square feet of gross floor area. At least 1,000 square feet of a large format grocery shall be devoted to the sale of fresh produce at all times.

Food Sales - Small Format Grocery. A retail establishment which primarily sells food, but also may sell other convenience and household goods, and which occupies at least 500 square feet but not more than 25,000 square feet of gross floor area. At least 10 percent of a small format grocery shall be devoted to the sale of fresh produce at all times.

Food Service - Commissary/Bakery. A facility that produces food and baked goods for distribution or sale to restaurants and retail bakeries. Any on-site, direct-to-consumer sales are only for consumption off the premises.

Food Service – Deli. An establishment where food is sold for consumption off- premises and no counters or tables for on- premises consumption of food are provided, but excludes groceries and supermarkets.

Food Service - Fast Casual Restaurant. An establishment where food is preparing and purveying food on a full-service basis where customers order at the counter and where their prepared food is either delivered to
them or carried by them to a table for on-premises consumption or carried out for off-premises consumption.

Food Service - Full Service Restaurant. An establishment maintained, operated, and/or advertised or held out to the public as a place where food and beverage are served to the public on demand from a menu during stated business hours, served in and on reusable containers and dinner- ware, to be consumed on the premises primarily inside the building at tables, booths, or counters, with chairs, benches, or stools. This use may include incidental delivery service using no more than two delivery vehicles.

Food Service – Processing. Manufacturing establishments processing foods for human consumption and certain related products. Includes: (1) bakery products, sugar and confectionery products (except facilities that produce goods only for on-site sales with no wider distribution; (2) dairy products processing; (3) fats and oil products (not including rendering plants); (4) fruit and vegetable canning, preserving, and related processing; (5) grain mill products and by-products; (6) meat, poultry, and seafood canning, curing, and byproduct processing (not including facilities that also slaughter animals); and (7) miscellaneous food preparation from raw products, including catering services that are independent from food stores or restaurants.

Food Service – Production. Manufacturing establishments producing foods for human consumption and certain related products. Includes rendering plants and animal slaughterhouses.

Food Service - Quick Serve/Fast Food with Drive Thru. An establishment engaged primarily in the business of preparing food and purveying it on a self-serve or semi self-serve basis. Customer orders and/or service may be by means of a walk-up counter or window designed to accommodate vehicular traffic. Consumption may be either on or off the premises.

Food Service - Quick Serve/Fast Food without Drive Thru. An establishment engaged primarily in the business of preparing food and purveying it on a self-serve or semi self-serve basis. Customer orders and/or service may be by means of a walk-up counter. Consumption may be either on or off the premises.

Forestry. Facilities, activities, or equipment used to plant, raise, manage, harvest, and remove trees on private land. The term includes site preparation, fertilization, pest control, and wildlife management.

Freestanding Sign. A sign which is not attached to a building and which is either attached directly to the ground or elevated on a supporting structure attached to the ground.

Freestanding solar panel. A solar panel or an array of solar panels that is not attached to a structure and is mounted on a structure that is attached to the ground.

Frontage. The principal elevation of a building, which is most often the elevation that abuts a street. In the context of the location of any building typology described under the Zoning Code, frontage means the street or right-of-way type that a building is permitted to abut.

G.

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

Gallery – art. An establishment engaged in the sale, loan, or display of art books, paintings, sculpture, or other works of art. This clarification does not include libraries, museums, or non-commercial art galleries.

Garage, Private. An accessory building or part of a principal building used for the storage of motor vehicles as an accessory use and in which no business or industry connected directly or indirectly with the repair or servicing of such motor vehicles is carried on.

Garden center – indoor and outdoor. A place of business where retail and wholesale products and produce are sold to the consumer. These centers, which may include a nursery and/or greenhouse, import most of the items sold, and may include plants, nursery products and stock, potting soil, hardware, power equipment and machinery, hoes, rakes, shovels, and other garden and farm variety tools and utensils.

Golf Course. A tract of land laid out with at least nine holes for playing a game of golf and improved with tees, greens, fairways, and hazards. A golf course includes a clubhouse and shelters as accessory uses.

Gasoline Station. See “Retail – Convenience with gasoline”.

Grade. The elevation of land surrounding a structure or the slope of a road, in each case expressed as a percentage.

Ground Sign. A display sign supported by uprights or braces in or upon the ground surface.

H.

Health and Wellness – Clinic. An establishment where patients who are not lodged overnight are admitted for examination and treatment by a group of physicians practicing medicine together.

Health and Wellness – Fitness Facility/Gym. Any fitness center, gymnasium, health, studio fitness center and athletic club, which may include any of the following: aerobics instruction, exercise machines, sauna, spa or hot tub facilities; indoor tennis, handball, racquetball and other indoor athletic amenities and events.

Health and Wellness – Massage. A private establishment that provides therapeutic or medical massage of a non-sexual nature provided by a licensed practitioner.

Health and Wellness - Physical therapy. An outpatient office establishment that provides physical rehabilitation or occupational therapy for individuals with an injury or disability.

Height or Above Ground Level. When referring to a tower or other structure, the distance measured from the finished grade at the base of the tower/structure to the highest point on the tower or other structure, including the base pad and any antenna.

Home Occupation. An occupation conducted in a dwelling unit, provided that no more than one person other than members of the family residing on the premises shall be engaged in such occupation. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than thirty-five percent (35%) of floor area of the dwelling unit shall be used in the conduct of the home occupation. There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation other than one sign, not exceeding four square feet in area, non-illuminated, and mounted flat against the wall of the principal building. No traffic shall be generated by the conduct of such home occupation and any need for parking generated by the conduct of such home occupation shall meet the off-street parking requirements as specified in this Zoning Ordinance, and shall not be located in a required front yard.

Homeowners Association (HOA) or Property Owners Association (POA). An incorporated, non-profit organization established by a developer, subdivider or an association of property owners whose membership shall consist of individual property owners within a subdivision.

Household. A person living alone or two (2) or more persons living together as a single housekeeping unit as distinguished from two or more persons living together in any congregate or group housing. For purposes of these Regulations, the following shall create a rebuttable presumption that the group is not a single housekeeping unit:

A. Keyed lock(s) on any interior door(s) to prevent access to any area of the dwelling unit with sleeping accommodations;

B. Members of the group have separate leases, or sub-leases and/or make separate rent payments to a landlord; or

C. The group significantly reforms over the course of a twelve (12) month period by losing and/or gaining members.

I.

Identification Sign. A sign identifying or naming a business institution, residential development or other use. Specifically, such sign may indicate the name, owner, or manager and address of an existing building, business or other use, including the general type of goods sold or services rendered, but without a listing of numerous specific goods or services and without reference to brand names, prices, "sales" or telephone numbers.

Illuminated Sign. Any sign illuminated by electricity, gas or other artificial light including reflecting or phosphorescent light.

Improvements. Any additions to the natural state of the land which increases its value or utility, including pavements, curbs, gutters, sidewalks, crosswalks, water mains, sanitary and storm sewers, landscaping and other appropriate facilities or plantings.

A. "Site improvements" means the improvements made to the land outside the exterior limits of a structure or structures.

B. "Public improvements" means all improvements financed entirely or in part by public funds or which have been dedicated to public use by plat, easement or deed of transfer.

C. "Final Plat Improvements" mean those improvements set forth in the final plan submitted to and approved by the City in accordance with these regulations.

D. "Drainage Improvements" means those improvements determined by the City Engineer to be necessary to facilitate satisfactory drainage in accordance with these regulations, including but not limited to

underground pipe, inlets, catch basics, ditches, and/or retention basins.

Independent Living, Age-Restricted. A private development comprised of individual dwelling units designed for occupancy by individuals who are over a threshold age, which is typically fifty-five (55) years old.

Indoor Recreation Enterprise. Any business which is operated as a recreational enterprise, either publicly or privately owned, for profit. Examples include, but are not limited to, arcades, bowling alleys, theaters, etc.

Indoor Storage Facility. Climate-controlled storage within an enclosed structure containing separate, individual, and private storage spaces of varying sizes leased or rented on an individual basis for varying periods of time, with no unit having direct external access, but being served by common indoor access aisles.

Information Window/Wall Sign. Window or wall signage bearing only information about entry and exit, business hours, authorized service representative information and/ or discount, credit systems accepted in that establishment (e.g. American Express, MasterCard, Visa, Golden Buckeye Card, etc.), and business directives (e.g. no soliciting, no firearms, etc.).

Institutional/Government Offices. A building or location that provides for community meetings and/or activities including, but not limited to, City Hall, Township Hall, school administration building, recreation center (public or private), property listed on the National Register of Historic Places, Chamber of Commerce building, Arts Council building, library, or other public buildings owned or operated by the City.

J.

Junk. Old or scrap copper, brass, rope, gas, trash, waste, batteries, paper or rubber, junked, dismantled or wrecked, automobiles or parts thereof, iron, steel and other old or scrap ferrous or nonferrous materials.

Junk Storage and Sales. Any lot, land, or structure, or part thereof, used primarily for the collection, storage and sale of waste paper, rags, scrap metal or discarded material, or for the collecting, dismantling, storage and salvaging of machinery or vehicles not in operating condition, and for the sale of parts thereof.

K.

No definitions.

L.

Landscaped Area. An area with plants, trees, natural turf or other vegetation planted in accordance with a landscape plan.

Landscaping. Physical improvements consisting of plants, shaped earth, walls and fences, rocks, and other related features, typically installed to beautify a premises and/or to screen negative impacts or protect certain uses from one another.

Land Use Plan. The long-range plan for the desirable use of land in an area as adopted by the Planning and Zoning Board ~~Commission~~ and City Council; one purpose of the Plan, among other purposes, is to serve as a guide in future development and zoning for the community.

Library. A public facility for the use, but not sale, of literary, musical, artistic, or reference materials.

Live Plantings. Trees, shrubs and organic ground cover which are in healthy condition.

Live Theater. A structure used for dramatic, operatic, or other live performance, for admission to which entrance money is received.

Loading Space, Off-Street. Space logically and conveniently located for bulk pickups and deliveries, scaled to delivery vehicles expected to be used, and accessible to such vehicles when required off-street parking spaces are filled. Required off-street loading space is not to be included as off-street parking space in computation of required off-street parking space. All off-street loading spaces shall be located totally outside of any street or alley right of way.

Logo (or trademark). A letter or group of letters (usually stylized) or a symbol or symbols that represent a word, group of words, or business name. Usually used as part of a business identification scheme that is meant to identify goods, products, services or a business entity itself.

Lot. A portion of a subdivision or other parcel of land intended as a unit for transfer of ownership and/or for

building purposes or development, having fixed boundaries and designated on a plat or survey together with the required open spaces and having frontage on a public street or a private street.

Lot Coverage. The ratio of enclosed ground floor area of all buildings and structures on a lot to the horizontally projected area of the lot, expressed as a percentage.

Lot Line Adjustment. A process that is used to change property lines of existing parcels for the purpose of combining two (2) or more adjacent parcels into one (1) parcel, alter and/or correct the boundary between two (2) or more parcels, or reconfigure the shape of parcels, without creating any additional parcels.

Lot Measurements. The method of measurement for a lot under this chapter, which shall be conducted as follows:

A. Depth means the distance between the mid-points of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear.

B. Width means the distance between straight lines connecting front and rear lot lines at each side of the lot, measured at the minimum required building setback line.

Lot, Minimum Area of. The area of a lot is computed exclusive of any portion of the right of way of any public or private street.

Lot of Record. A lot which is part of a subdivision recorded in the office of the County Recorder, or a lot or parcel described by metes and bounds, the description of which has been so recorded.

Lot Types. Means, as follows:

A. "Corner lot" means a lot located at the intersection of two or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than 135 degrees.

B. "Interior lot" means a lot with only one frontage on a street.

C. "Through lot" means a lot other than a corner lot with frontage on more than one street. Through lots abutting two streets may be referred to as double frontage lots.

D. "Reversed frontage lot" means a lot on which frontage is at right angles to the general pattern in the area. A reversed frontage lot may also be a corner lot.

M.

Maintenance bond. An agreement by a subdivider or developer with the City, for a percentage of the established construction cost, used as a guarantee against any deficiencies which might develop between commencement of a development by a subdivider or developer and formal acceptance of dedication by City Council.

Major Thoroughfare Plan. The portion of comprehensive plan adopted by the City Planning and Zoning Board~~Commission~~ indicating the general location recommended for arterial, collector and local thoroughfares within the appropriate jurisdiction.

Manufactured Home. Any non-self propelled vehicle transportable in one or more sections which, in the traveling mode, is 8 body feet or more in width or 40 body feet or more in length, or, when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling unit with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein, and which bears a label certifying that it is built in compliance with Federal Manufactured Housing Construction and Safety Standards.

Manufactured Home Park. Any tract of land upon which three or more manufactured homes are located for residential use, either free of charge or for revenue purposes, including any roadway, building, structure, vehicle, or enclosure used or intended to be used as a part of the facilities of such park.

Manufacturing – Artisan. An establishment, not exceeding 3,000 square feet of floor area, for the preparation, display, and sale of individually crafted artwork, jewelry, furniture, sculpture, pottery, leathercraft, hand-woven articles, and related items. Odors, fumes or excess noise may not be produced at the facility.

Manufacturing – Heavy. Any use in which the major activity is the treatment, processing, rebuilding, repairing, or bulk storage of material, products, or items, and where the finished product is not acquired by the ultimate user on the premises and produces any externally perceptible noise, fumes, odors, vibrations, or outdoor storage.

Manufacturing, Light. Manufacturing establishments engaged in and undertaking the assembly, fabrication and conversion of already processed raw materials into products, the production of which does not cause excessive noise, odor or other similar impacts on surrounding land uses

Marquee. A permanent structure fastened entirely to the building and projecting from the wall above an entrance and extending over the street right-of-way to provide shelter for automobile passenger loading and unloading entrance.

Marquee sign. A display sign attached to or hung from and supported by the building and extending beyond the building wall or front facade.

Medical - Clinic. A facility other than a hospital, emergency room or urgent care where medical, mental health, surgical and other personal health services are provided on an outpatient basis. Examples of these uses include: offices for physicians, dentists, chiropractors, or other health care professionals; outpatient care facilities; urgent care facilities; and other allied health services. These facilities may also include incidental medical laboratories. Patients are not provided with room and board and are not kept overnight on the premises. Medical Services and medical clinics include medical and dental laboratories incidental to the medical office use.

Medical – Emergency Services. A 24-hour outpatient facility, operated by a hospital or health organization, and staffed by doctors and nurses that provides immediate emergency care services similar to what would be expected in a hospital. Urgent care facilities are not considered emergency care facilities.

Medical – Full Service Hospital. An institution in which sick or injured persons are provided medical care and assistance and, in the course of same, may be housed overnight, fed and provided nursing and related services. Hospital shall comprise any related, accessory facilities such as laboratories, outpatient departments, training facilities, food service facilities, central service facilities and staff offices which are integral parts of the principal hospital facility.

Medical – Office. A building used exclusively by physicians, dentists, and similar personnel for the treatment and examination of patients solely on an outpatient basis, provided that no overnight patients shall be kept on the premises.

Medical - Outpatient and Urgent Care. Outpatient-only medical services that apply to medical issues whereby a patient requires more immediate attention or care than can be provided by an appointment with a family doctor or general practitioner. Emergency ambulance services may not be provided.

Medical - Psychiatric Facility – Standalone. An establishment where human patients who may or may not be lodged overnight are admitted for examination and treatment by a group of professionals licensed by the state of Ohio to treat mental health issues or addiction.

Medical - Standalone Emergency Services. Stand-alone emergency medical facilities, which provide emergency services, including basic imaging and laboratory services that may be an off-campus emergency center associated with a hospital, or a non-affiliated, licensed medical care provider.

Medical and/or Recreational ~~Marajuana~~Marijuana Facility - Cultivation. Any entity that has been issued a certificate of operation by the Ohio Department of Commerce to grow, harvest, package, and transport medical ~~marajuana~~marijuana as permitted under R.C. Chapter 3796 and/or the appropriate state and local licensing process.

Medical and/or Recreational ~~Marajuana~~Marijuana Facility - Dispensary. Any entity licensed pursuant to R.C. §§ 3796.04 and 3796.10 and any rules promulgated thereunder to sell medical ~~marajuana~~marijuana to qualifying patients and caregivers and/or the appropriate state and local licensing process.

Medical and/or Recreational ~~Marajuana~~Marijuana Facility - Processing. Any entity in the business of obtaining medical ~~marajuana~~marijuana from one or more licensed cultivators, processing medical ~~marajuana~~marijuana from one or more licensed cultivators, delivering and/or selling medical ~~marajuana~~marijuana to one or more licensed retail dispensaries, and licensed under Ohio Revised Code Section 3796.19 and/or the appropriate state and local licensing process.

Meeting Facility. Facilities typically accommodating groups of students in multiple instructional spaces. Examples of these facilities include: individual and group instruction and training in the arts; production rehearsal; photography, and the processing of photographs produced only by users of the studio facilities; martial arts training studios; gymnastics instruction, and aerobics and gymnastics studios with no other fitness facilities or equipment. This definition also includes production studios for individual musicians, painters, sculptors, photographers, and other artists.

Mineral Extraction / Processing. The exploration for or extraction of surface or subterranean compounds and materials; this includes oil and gas exploration and production, and the mining of metallic and nonmetallic minerals, sand, gravel, and rock.

Mini-Storage Facility. A building consisting of individual, self-contained spaces that are leased or owned for the storage of business goods, household goods, or contractor supplies.

Minor Subdivision. A proposed division of a parcel of land along an existing public street, not involving the opening, widening or extension of any street or road, and involving no more than five lots after the original tract has been completely subdivided, that may be submitted to the authority having approving jurisdiction of plats under the provisions of R.C. 711.05, 711.09 or 711.10 for approval without plat.

Mobile Home Park. Any site, or tract of land under single ownership, upon which three or more mobile homes used for habitation are parked, either free of charge or for revenue purposes; including any roadway, building, structure, vehicle or enclosure used or intended for use as a part

Mobile Home. Any non-self-propelled vehicle so designed, constructed, reconstructed, or added to by means of accessories in such manner as will permit the use and occupancy thereof for human habitation, when connected to utilities, whether resting on wheels, jacks, blocks, or other temporary foundation and used or so construed as to permit its being used as a conveyance upon the public streets and highways and exceeding a gross weight of four thousand five hundred (4,500) pounds and an overall length of thirty (30) feet, and not in compliance with the Federal Manufactured Housing Construction and Safety Standards Act of 1974.

Mobile home subdivision. A subdivision as defined in this section in which three or more mobile homes used for habitation are parked, including any roadway, building, structure, vehicle or enclosure used or intended for use therein.

Monuments. Permanent concrete or iron markers used to establish definitely all lines of the plat of a subdivision, including all lot comers, boundary line comers and points of change in street alignment.

Monument Sign. A sign, with one or two (2) sides, attached to a permanent foundation or fastened to a base, and not attached or dependent upon any structure, pole, post or similar

Mortuary. A building or part thereof used for human funeral services. Such building may contain space and facilities for (a) embalming and the performance of other services used in the preparation of the dead for burial; (b) the performance of autopsies and other surgical procedures; (c) the storage of caskets, funeral urns, and other related funeral supplies; (d) the storage of funeral vehicles; and (e) facilities for cremation. Where a mortuary is permitted, a mortuary chapel shall also be permitted.

Motor Vehicle. A vehicle which is designed and manufactured to be self-propelling or self-moving upon the public street or highway. More specifically, as referred to in this ordinance, it includes: automobiles, trucks, tractors and scooters and motorcycles.

Movie Theater. A specialized theater for showing movies or motion pictures. The primary structural difference between a theater and a movie theater is the projection screen. However, many movie theaters can easily be adapted for stage performances and many stages have folding screens for movie projections. Although screen shapes are mostly rectangular, they come in a variety of shapes. Also, some special-purpose multimedia movie

theaters use multiple screens, one on each wall face, or the entire ceiling surface, which are sometimes curved or geodesic in shape.

Multi-Family (2-4 Units). A building designed for two families, or housekeeping units, living independently of each other in separate dwelling units.

Multi-Family. A building or portion thereof designed for or occupied by five (5) or more families, or housekeeping units, living independently of each other in separate dwelling units which are accessible by interior hallways. This type of dwelling unit excludes a hotel.

Multi-Family Rental Office/Management Site. A residential apartment structure, permitted in multi-family residential districts, that is used by an apartment owner, employee or realtor to demonstrate construction and to display built-in amenities to prospective apartment tenants and to promote the rental or lease of apartment units. The rental office may be staffed and furnished.

Museum. A room or building for exhibiting, or an institution in charge of, a collection of books, or artistic, historical, or scientific objects.

N.

New Business. A commercial enterprise that is started for the purpose of making a profit, that also generates a profit from a new product or service. This also applies to non-profits that are organized and operated for a collective public or social benefit. This includes a change of ownership and/or renaming of a businesses.

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Nonconformities. 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 district or zone in which it is situated.

O.

Office – Corporate. An establishment primarily engaged in providing internal office administration services as opposed to customer service in a single building or a campus setting; for example, the headquarters, regional offices or the administrative offices for a corporation. Generally, the majority of the traffic generated from corporate offices comes from employees and not the general public.

Office - Data processing / Call Center. A facility containing equipment for telecommunications or data processing/storage including switches, routers, operation centers,

and other infrastructure critical for

telecommunication companies, internet servers, data firms, fiber-optic cable, and other technology providers.

Office – Professional Services. Professional offices including: accounting, auditing and bookkeeping services; advertising agencies; architectural, engineering, planning, and surveying services; attorneys; counseling services; court reporting services; data processing and computer services; detective agencies and similar services; educational, scientific, and research organizations; employment, stenographic, secretarial, and word processing services; government offices including agency and administrative office facilities; management, public relations, and consulting services; photography and commercial art studios; writers and artists offices outside the home. Does not include medical offices or offices that are incidental and accessory to an- other business or sales activity that is the principal use. Incidental offices that are customarily accessory to another use are allowed as part of an approved principal use.

Official Zoning Map. The Official Zoning Map of the City of Reynoldsburg, as the same may be amended from time to time in accordance with this Zoning Ordinance.

Off-Premises Sign. Any sign unrelated to a business or profession conducted or to a commodity or services sold or offered upon the premises where such sign is located.

On-Premises Sign. Any sign related to a business or profession conducted, or a commodity or service sold or offered upon the premises where such sign is located.

Opacity. The degree or extent that light is obscured. 100% opacity meaning fully obscured, 0% meaning fully transparent.

Open/Closed Sign. A window or wall sign bearing only information indicating if the business is open or closed. This does not include the hours of operation. Signs that include both the open/closed information and the hours of operation shall be deemed to be an information sign.

Open Space. An area of land that is intended and used for environmental, scenic, or recreational purposes and which may include lawns, landscaping, walkways, active and passive recreation areas, playgrounds, fountains, swimming pools, and wooded areas. Open space shall not be deemed to include paved areas such as roads, driveways, or parking lots, and shall not be deemed to include spaces required for minimum yards.That portion of a natural or man-made water body which shall be interpreted as open space shall be determined by the Planning and Zoning Board.~~Commission.~~

Ornamental Tree. A deciduous tree planted primarily for its ornamental value or for screening and which will typically be smaller than a shade tree.

Outdoor Recreation Enterprise. Any business which is operated as a recreational enterprise, either publicly or privately owned, for profit. Examples include but are not limited to horse stables, fisheries, wilderness preserves, golf course, mini-golf courses, amusement parks and campgrounds.

Outdoor Processing – Agriculture. Activities involving a variety of operations on crops or livestock which may generate dust, noise, odors, pollutants, or visual impacts that could adversely affect adjacent properties. These uses include but are not limited to slaughterhouses, mills, canneries, and milk processing plants.

Outdoor Processing – Composting. An establishment for the processing of organic waste in a controlled environment to produce a stable fertilizing product by microbiologically degrading organic matter under aerobic conditions.

Outdoor Processing - Concrete and Asphalt. An industrial facility used for the production of asphalt or concrete, or asphalt or concrete products, used in building or construction, and includes facilities for the administration or management of the business, the stockpiling of bulk materials used in the production process or of finished products manufactured on the premises and the storage and maintenance of required equipment, but does not include the retail sale of finished asphalt or concrete products.

Outdoor Storage. The keeping of property in an open area of a lot for the purpose of sales, storage, or display.

Overnight Lodging – Bed and Breakfast. An owner-occupied residential single-family, detached structure wherein lodging and breakfast only are provided to transient guests for compensation.

Overnight Lodging – Boutique Hotel. A small-scale hotel in a historic structure, or a structure with façade made of a high-quality material such as wood, brick, masonry, tile, stone, granite, limestone, or another natural material, that has fewer than thirty (30) rooms. Rooms must be accessed from an interior hallway.

Overnight Lodging – Hotel. A place of transient occupancy which includes any structure consisting of one or more buildings containing any combination of more than five (5) guestrooms that are each approved by the Chief Building Official and the fire chief as meeting the requirements for transient sleeping rooms, or
as having features of such sleeping rooms and dwelling units within the same room, and such structure is specifically constructed, kept, used, maintained, advertised, and held out to the public to be a place where transient sleeping accommodations are offered for pay to persons. "Hotel" does not include agricultural labor camps, apartment houses, apartments or other similar places of permanent personal residence, lodging houses, rooming houses, or hospital or college dormitories.

Overnight Lodging – Resort. A group or groups of buildings containing more than five dwelling units and/or guest rooms and providing outdoor recreational activities that may include golf, horseback riding, swimming, shuffle- board, tennis and similar activities. A resort may furnish services customarily furnished by a hotel, including a restaurant, cocktail lounge, and convention facilities.

Owner. Any individual, firm, association, syndicate, co-partnership, corporation, trust, or other legal entity having sufficient proprietary interest in real property to commence and maintain proceedings with respect to any land use approval sough hereunder.

Overlay. An area depicted on the official zoning map, within which, through super-imposition of a special designation, certain regulations and requirements apply in addition to those of the base zoning districts to which such designation is added.

P.

Pad. A building site prepared by artificial means, including grading, excavation or filling, or any combination thereof.

Panel Sign. A sign which is mounted, attached, painted, or displayed on a sign panel.

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

Parcel. A division of real property contained in a single legal description that is recorded in the official land records of the Recorder's office.

Park. See "Community Facility - Park".

Parking Area or Structure. An off-street area or structure for required parking or loading spaces, including driveways, access ways, aisles, parking and maneuvering space necessary for the parking or loading areas.

Parking Space, Off-Street. An area adequate for parking an automobile with room for opening doors on

both sides, together with properly related access to a public street or alley and maneuvering room, but shall be located totally outside of any street or alley right of way.

Patio. An outdoor seating area, covered or uncovered, constructed, installed and located upon a property in accordance with all local and state laws and regulations, including this zoning ordinance, applicable to the subject property upon which such seating area is located.

Pedestrian Amenity. Elements of individual developments that directly affect the quality and character of the public domain.

Pedestrian Zone. An area between a main building and a public street utilized for pedestrian access and amenities.

Perimeter Treatment Plan. A plan designed for the installation and perpetual maintenance of improvements intended to provide visual and noise protection for the outer edges of developments which border arterial or major collector streets. Said plan shall include materials, techniques and sizes of buffering treatments such as landscaping, fencing, screen walls, berms, or a combination thereof sufficient to provide adequate buffering. The perimeter treatment plan may be incorporated into the landscape plan.

Performance Bond or Surety Bond. An agreement by a subdivider or developer with the City for the amount of the estimated construction cost guaranteeing the completion of physical improvements according to plans and specifications within the time prescribed by the subdivider's agreement.

Person. Any firm, association, organization, limited partnership, general partnership, trust, company or corporation as well as any natural person.

Personal Care and Beauty Services. Any enterprise conducted for gain which primarily offers services to the general public such as shoe repair, watch repair, barber shops, beauty parlors and similar activities. These uses may also include accessory retail sales of products related to the services provided.

Pet Grooming. An establishment to which owners of domestic pets bring such pets for grooming services, including nail clipping, bathing, haircuts and related services; provided however, such establishment shall not keep animals overnight or offer general veterinary services.

Planned Development or Planned Unit Development. An area of land in which a variety of housing types and subordinate commercial and industrial facilities are accommodated in a preplanned environment under more flexible standards, such as lot sizes and setbacks, then those restrictions that would normally apply under these regulations. The procedure for approval of such development contains requirements in additional to

those of the standard subdivision, such as building design principles and landscaping plans.

Planning and Zoning Administrator. The public official of the City of Reynoldsburg designated to administer and enforce this Zoning Ordinance.

Plant Cultivation. The production of crops, fruit trees, nursery stock, truck garden products, or similar plant materials outside of structures such as greenhouses.

Planting Area. Any area utilized for landscape material installation having a minimum area of fifty (50) square feet.

Plants. Living vegetation. Artificial plants are not included in this definition.

Plat. The map, drawing or chart on which the developer's plan of subdivision is presented to the City Planning and Zoning Board ~~Commission~~ for approval and, after such approval, to the County Recorder for recording.

Plat, final. The final map, drawing or chart made by a surveyor registered in the State of Ohio, and supplementary information, based upon the approved preliminary plat, in which the subdivider's plan is presented to the City Planning ~~Commission~~and Zoning Board for approval and which, if approved, will be certified and submitted to the County Recorder.

Plat, preliminary. The preliminary map, drawing or chart, and supplementary information, on which the layout and design of a proposed subdivision is submitted to the City Planning and Zoning Board~~Commission~~ for consideration and tentative approval.

Plot-Grade-Utility Plan. Drawings and other documents describing the approved grading, drainage features and improvements, vehicular facilities, utilities, and other improvements for a development.

Political Sign. Signs having reference to a political official, candidate, question, issue or opinion.

Portable Sign. A sign which is designed to be moved and is not permanently attached to any part of a building or to the ground.

Power Generation Facility. A facility that converts one or more energy sources, including but not limited to water power, fossil fuels, nuclear power, or solar power, into electrical energy or steam. A power generation plant may also perform either or both of the following: (a) operation of a transmission system that conveys the energy or steam from the generation facility to a power distribution system; (b) operation of a distribution system that conveys energy or steam from the generation facility or the transmission system to final consumers.

Power Substation Facility. An assemblage of equipment for purposes other than generation or utilization, through which electric energy in bulk is passed for the purposes of switching or modifying its characteristics to meet the needs of the general public, provided that in residence districts an electric substation shall not include rotating equipment, storage of materials, trucks or repair facilities, housing of repair crews, or office or place of business.

Primary Street. A primary street as referred to in this section includes Main Street, Brice Road, and Livingston Avenue.

Printing and Publishing. Any business publishing of newspapers, magazines, brochures, business cards and similar activities either for profit or nonprofit.

Private Club. A building or portion thereof or premises owned or operated by a person for a social, literary, political, educational or recreational purpose primarily for the exclusive use of members and their guests.

Private Swimming Pool. Any structure that contains water over 24 inches (610 mm) in depth and which is used, or intended to be used, for swimming or recreational use and which is available only to the family and guests of the property owner. This includes inground, aboveground, portable and inflatable swimming pools, hot tubs and spas.

Professional Office. A building or portion of a building wherein services are performed involving predominately administrative, professional or clerical operations.

Projecting Sign. A display sign which is attached directly to the building wall and which extends more than fifteen (15) inches from the face of the wall.

Public Access Easement. An easement granted to the public for all the purposes for which a public sidewalk may be used, including but not limited to, pedestrian and travel.

Public Service Facility. The erection, construction, alteration, operation or maintenance of buildings, power plants or substations, water treatment plants or pumping station, sewage disposal or pumping plants, and other similar public service structures by a public utility, by a railroad, whether publicly or privately owned, or by a municipal or other governmental agency, including the furnishing of electrical, gas, rail transport, communication, public or private water and sewage service.

Public Street. A public right-of-way used for vehicular traffic that is permanently maintained by the City of Reynoldsburg, by the State of Ohio, or by the federal government.

Public Swimming Pool. Any outdoor structure, chamber, or tank containing a body of water for swimming, diving, recreational use, or sanctioned event that is intended to be used collectively for swimming, diving, recreational use, or sanctioned event and is operated by any person whether as the owner, lessee, operator, licensee, or concessionaire, regardless of whether or not a fee is charged for use.

Public Uses. Public parks, schools, and administrative, cultural, and service buildings, not including public land or buildings devoted solely to the storage or maintenance of equipment and material.

Public Way. An alley, avenue, boulevard, bridge, channel, ditch, easement, expressway, freeway, highway, land, parkway, right of way, road, sidewalk, street, subway, tunnel, viaduct, walk, bicycle path or other ways in which the general public or a public entity have a right, or which are dedicated whether improved or not.

Q.

No definitions.

R.

R.C. The Ohio Revised Code.

Real Estate/Model Home Sign. A temporary sign promoting the development, construction, rental, sale or

lease of property.

Recreation Facility, Commercial. Recreation facilities open to the public, established and operated for a profit, such as commercial golf courses, golf driving ranges, swimming pools, ice skating rinks, riding stables, race tracks, carnivals, and similar commercial enterprises.

Recreation Facility, Institutional. Recreation-type facilities open to the public, established and operated for a profit and offering a learning environment. Such activities may include but are not limited to gymnastics, karate studio, exercise/gym facility, ceramics, photography and similar commercial enterprises.

Recreation Facility, Noncommercial. Any business which is operated as a recreational enterprise, either publicly or privately owned, for nonprofit. Examples include, but are not limited to: fishing areas, parks, archery ranges, etc.

Recreational Vehicle. A vehicle type unit primarily designed as temporary living quarters for recreation, camping, or travel use only, which either has its own motive power or is mounted on or drawn by another vehicle. The basic entities are: boat, travel trailer, camping trailer, truck camper, and motor home.

Redevelopment. The increase of a developed property or building gross floor area or combination thereof by more than fifty percent (50%) over a seven year period.

Religious Assembly. A permanently located church, cathedral, synagogue, temple, mosque, or other place dedicated to religious worship. As part of its functions it may include the following incidental and subordinate uses subject to applicable federal, state and local regulations: offices, residences for clergy, religious instruction, educational institutions, private and special schools, day care centers, emergency shelters, and community and recreational activities.

Research Facility / Laboratory. A facility primarily for medical, optical, orthotic, prosthetic, or dental laboratory services, photographic, analytical, or testing services and/or engaged in the research, development and controlled production of high technology electronic, industrial or scientific products or commodities for sale.

Reservation. Any reservation of public land made by a developer in accordance with the provisions of these regulations.

Residential (Upper Floor). Where permitted, dwelling units located on a floor other than the ground floor.

Residential Care and Congregate Residential. An establishment operated for the purpose of providing special care or rehabilitation to the occupants, as defined in R.C. 5119.341 and 5123.19, including the following:

A. Assisted living;

B. Developmental disability dwelling;

C. Elderly Care;

D. Life Care or Continuing Care Services;

E. Mental Health or Substance Abuse; and

F. Nursing care.

Residential Model Home. A residential structure, permitted in all residential districts that is used by a licensed home builder/developer, real estate workers or realtor to demonstrate construction, display built- in amenities and color selection charts to prospective home buyers and promote the sale or lease of housing units. The model home may be staffed and furnished. (Ord. 25-97. Passed 6-12-97 :)

Restricted Open Space. Open space within any subdivision that is restricted from further development in accordance with a deed restriction or similar restrictive covenant.

Retail – Convenience with gasoline. A facility associated with the sale of gasoline products that also offers for sale prepackaged food items and tangible consumer goods, primarily for self-service by the consumer. Hot beverages, fountain-type beverages, and pastries may be included in the food items offered for sale.

Retail – Convenience without gasoline. A small retail establishment, usually located within or associated with another use, that offers for sale convenience goods, such as prepackaged food items, tobacco, periodicals, and other household goods.

Retail – Large format. A retail establishment containing consumer goods that exceeds 20,000 square feet.

Retail – Medium format. A retail establishment containing consumer goods that is between 5,000 and 20,000 square feet.

Retail – Pharmacy without Drive Thru. A business substantially devoted only to the sale of pharmaceutical items, supplies, and

equipment such as prescription drugs.

Retail – Pharmacy with Drive Thru. A business substantially devoted only to the sale of pharmaceutical items, supplies, and equipment such as prescription drugs. This includes provisions for the conduct of pharmaceutical services served directly to the occupants of motor vehicles.

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Retail – Shopping center – enclosed. A group of commercial establishments planned, constructed, and managed as a total entity shopping center with customer and employee parking provided on-site, provision for goods delivery separated from customer access, aesthetic considerations, and protection from the elements.

~~**Retail – Shopping center – outdoor.** A group of commercial establishments planned, constructed, and managed as a total entity shopping center with customer and employee parking provided on-site, provision for goods delivery separated from customer access, aesthetic considerations, whereby access to individual shops requires outdoor access from a shared sidewalk or road.~~

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Retail – Small format. A retail establishment containing consumer goods that is no greater than 5,000 square feet.

Right-of-Way. A strip of land taken or dedicated for use as a public or private way. In addition to the roadway, it normally incorporates the curbs, lawn strips, sidewalks, lighting and drainage facilities, and may include special features (required by the topography or treatment) such as grade separation, landscaped area, viaducts and bridges.

Road. See "Street".

Routine Maintenance. Work that is planned and performed on a routine basis to maintain and preserve the condition of the building or site including but not limited to painting, addition of awnings, roof repair, parking rehabilitation, and window replacement and treatment.

S.

School – College / University. A post-secondary institution for higher learning that grants associate or bachelor's degrees and may also have research facilities and/or professional schools that grant master and doctoral degrees. This may also include community colleges that grant associate or bachelor's degrees or

certificates of completion in business or technical fields.

School – Primary. A public, private, or parochial school offering instruction at the elementary school level in the branches of learning and study required to be taught in schools within the state.

School – Secondary. A public, private, or parochial school offering instruction at the junior, and/or senior high school levels in the branches of learning and study required to be taught in the public schools within the state.

School – Trade. A 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.

Screening. Improvements such as landscaping and fencing, or the intentional arrangement and location of uses, structures, and open spaces in a manner intended to mitigate or conceal negative impacts of one use upon another or to improve the appearance of the use.

Seat. For purposes of determining the number of off-street parking spaces for certain uses, the number of seats is the number of seating· units installed or indicated, or each twenty-four (24) lineal inches of benches, pews or space for loose chairs.

Semi-Nude. A state of dress or undress in which clothing covers no more than the human genitals, anus, and areolae of the female breast, as well as portions of the body covered by supporting straps or devices or by other minor accessory apparel such as hats, gloves, and socks.

Semi-Public Uses. Places of worship, Sunday schools, parochial schools, colleges, hospitals, and other institutions of an educational, religious, charitable, or philanthropic nature.

Service Director. The Director of Public Service of the City of Reynoldsburg, as defined by the Administrative Code or City Charter.

Setback. A line established by these regulations and/or Zoning Ordinance or resolution, generally parallel

with and measured from the front lot line, defining the limits of a front yard in which no building or structure may be located above ground, except as may be provided in such Codes.

Setback Line. A line established by the Zoning Ordinance generally parallel with and measured from the lot line, defining the limits of a yard in which no building, other than accessory building, or structure may be located above ground, except as may be provided in such Zoning Ordinance.

Sewage and Water Facilities. Sewage collection and/or water distribution systems provided or franchised by a public authority.

Sewage Disposal System, Group. An approved sewage disposal system which provides for the combined collection and disposal of sewage from a group of residential, commercial, or industrial buildings.

Sewage Disposal System, On-Site. A septic tank installation on an individual lot which utilizes an anaerobic bacteriological process for the elimination of solid wastes and provides for the proper and safe disposal of the effluent, subject to approval of health and sanitation officials having jurisdiction.

Sewers, Central or Group. An approved sewage disposal system which provides a collection network and disposal system and central sewage treatment facility for a single development, community or region.

Sewers, On-Site. A septic tank or similar installation on an individual lot which utilizes an aerobic bacteriological process or equally satisfactory process for the elimination of sewage and provides for the proper and safe disposal of the effluent, subject to the approval of health and sanitation officials having jurisdiction.

Shade Tree. A deciduous tree planted primarily for its high crown of foliage or overhead canopy and which typically reaches a height of at least forty (40) feet.

Shed. A storage structure constructed and located upon a property in accordance with the regulations applicable to the subject property the purpose of which is for the storage of yard equipment, recreational equipment or other consumer goods to be utilized by the residents of the subject property upon which such structure is located.

Shelter. A facility used to house or contain stray, homeless, abandoned, or unwanted animals and that is owned, operated, or maintained by an established humane society, animal welfare society, society for the prevention of cruelty to animals, or other nonprofit organization devoted to the welfare, protection, and humane treatment of animals.

Shooting Range – Indoor. A building open to the general public wherein the shooting of firearms is per- mitted for the practice of marksmanship, except indoor shooting galleries maintained or operated by any police department which is not available to the general public.

Shrub. That area which the City requires maintenance in order to preserve the sight distance and safety of motorists, pedestrians and bicyclists by requiring an unobstructed line of sight necessary for most drivers stopped at an intersection to see an approaching vehicle to avoid a collision. Further information is provided in Section 1105.07.

Sidewalk. That portion of the road right of way outside the roadway, which is improved for the use of pedestrian traffic.

Sight triangle. A triangle at an intersection, formed by the two roads or rights-of-way and a third line, which must be kept clear of obstructions such as hedges so that people in one road can see cars approaching on the other.

Sign. Any display, figure, painting, placard, poster, drawing, letter, word, symbol, number, or any combination of these or any other device visible, with or without verbiage, which can be seen from the right-of-way and is designed to inform or attract the attention of persons not on the premises on which the sign or street graphic is located. Used to convey a message, advertise, inform or direct attention to a person, institution, organization, activity, place, object or product.

Sign Area. The entire area within a single continuous perimeter enclosing the extreme limits of writing, representation, emblem, or any figure or similar character together with any frame or other material or color forming an integral part of the display or used to differentiate such sign from the background against which it is placed; excluding the necessary supports or uprights on which such sign is places. The area of a sign having more than one display shall be computed as the total of the exposed exterior display surface area.

Sign, Bulletin Board. A structure containing a surface upon which is displayed the name of a religious institution, school or library, auditorium, stadium, athletic field or area of similar use for the announcement of services or activities to be held therein.

Sign, Construction. A sign indicating the names of architects, engineers, contractors and similar persons involved in the design and construction of a structure or project.

Sign Face. The surface of the sign upon, against or through which the message of the sign is exhibited.

Sign, Flashing. Any illuminated sign on which the artificial light or any part thereof has conspicuous or intermittent variation in intensity or color.

Sign, Governmental. A sign erected at the side of or above roads to give instructions or provide information to road users.

Sign Height. The vertical distance from the uppermost point used in measuring the area of the sign to the crown of the road on which the property fronts.

Sign, Moving. Any sign which in part or total, rotates, revolves or otherwise is in motion.

Sign, Name Plate. A sign designating only the name and address or the name and professional occupation and address of a person or persons residing in or occupying space in such building or premises.

Sign Panel. A structural object or portion of a structural object designed to form a distinct background area or frame for the display of a sign's information.

Sign, Painted Bulletin. An advertising structure on which advertising design is painted and posted, and which may incorporate the use of cutouts and/or other embellishments.

Sign, Poster Panel. An advertising structure measuring not more than twelve (12) feet by twenty-five (25) feet overall on which posters are displayed.

Sign, Promotional. A temporary sign, the function of which is to announce a special event.

Sign, Roof. Any sign which is erected over the roof or parapet above the roofline and/or receives any or all its support from the roof structure.

Sign Structure. The supports, uprights, bracing or framework for signs.

Sign, Warning. Any sign indicating danger or a situation which is potentially dangerous.

Site Plan. A drawing and other documents, subject to review and approval by the City, describing the planned

improvements of a lot. A site plan is one of the following types:

A. **Major Site Plan.** A plan review required for any development that meets the requirements on Section 1109.17, and which is subject to review and approval by the Planning and Zoning Administrator, City staff or the Planning and ~~Commission~~ Zoning Board;

B. **Minor Site Plan.** A plan review required for any development which does not qualify for a major site plan review and consists of an improvement other than a single family dwelling, two-family dwelling, or a dwelling within a planned development, and which is subject to review and approval by the Planning and Zoning Administrator and other City staff; or

C. **Residential Site Plan.** A plan review required for a single family dwelling, two-family dwelling, or a dwelling within a planned development, and which may be approved by the Planning and Zoning Administrator. (Also see Section 1109.17)

Site Obscuring Structure. Opaque or having such qualities as to constitute a complete visual barrier to persons outside the perimeter of the site obscuring object. A fence, which partially obscures a site, shall not be considered site obscuring if it has maintained at least 40% transparency.

Skirting. The rigid physical attachments to a mobile home designed and intended to completely screen, shelter, and protect such mobile home's base and entire area between the floor surface and the ground, which includes, but not limited to, all electrical and plumbing conduits, insulation material, and undercarriage.

Solar Panel. A solar photovoltaic panel, solar hot air or hot water panel collector device, or other type of energy system which relies upon solar radiation as a source for the generation of electricity or transfer of stored heat.

Solar Panel Array. An integrated assembly of solar panels with a support structure or foundation and other components.

Sold Sign. A temporary sign announcing that a property has been sold, leased or is no longer available.

Special Event. A temporary outdoor use of land for the purposes of a gathering, including but not limited to a fair, festival, celebration, or fundraiser.

Specified Sexual Activities. Any of the following activities , the fondling or other intentional touching of human genitals, pubic region, buttocks, anus, or female breasts; or Sex acts, normal or perverted, actual

or simulated, including intercourse, oral copulation, or sodomy; masturbation, actual or simulated; or Human genitals in a state of sexual stimulation, arousal or tumescence; or excretory functions as part of or in connection with any of the activities set forth above.

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

Storage – commercial gases. Any establishment whereby the primary activity is, or necessitates, the storage of compressed gasses.

Storage – Contractor. An unenclosed portion of the lot or parcel upon which a construction contractor maintains its principal office or a permanent business office. Designation of the lot or parcel as a contractor's storage yard would allow this area to be used to store and maintain construction equipment and other materials customarily used in the trade carried on by the construction con- tractor.

Storage – Self-Store. A building or group of buildings designed and used solely for the purpose of leasing interior space for the storage of personal property, household items and the inventory of commercial businesses where storage units are individually leased or rented and where access to storage units is infrequent. Outdoor storage and the storage of junk, explosives, flammable materials and other noxious or dangerous materials are specifically prohibited.

Storage – vehicular and boat. An enclosed or outdoor facility used solely for the storage of land-, air-, or water-based vehicles.

Storm Water Design Manual. The most current copy of the "Storm Water Design Manual", which provides guidelines for developing proper and adequate storm water collection and disposal facilities will be on file in the office of the City Engineer. The Storm Water Design Manual is that manual prepared by the Mid-Ohio Regional Planning Commission.

Story. That portion of a building other than a cellar included between the surface of any floor and the surface of the floor above it or if there is not floor above it, then the space between the floor and the ceiling next above it. A basement shall be counted as a story if it is used for living quarters or if two-thirds of its volume is above the average finished grade of the adjoining ground. See also, "Basement".

GLOSSARY OF TERMS

Street. The full width between property lines bounding every public way of whatever nature, with a part thereof to be used for vehicular traffic and designated as follows:

A. "Alley" means minor ways used primarily for vehicular service access to the back or side of properties abutting on other streets.

B. "Arterial street" means a highway primarily for through traffic, carrying heavy loads and large volume of traffic, usually on a continuous route.

C. "Collector street" means a thoroughfare, whether within a residential, industrial, commercial or other type of development, which carries traffic from local streets to arterial highways, including principal entrance streets of residential developments and primary circulation routes within such development.

D. "Cul-de-sac" means a local street of relatively short length with one end open to traffic and the other end terminating in a vehicular turnaround.

E. "Dead-end street" means a street or a portion of a street with only one vehicular traffic outlet.

F. "Expressway" or "freeway" means a thoroughfare which carries relatively large volumes of traffic at a relatively high speed over long distances. Expressways are usually multi-lane highways for through traffic with all crossroads separated in grade and with full control of access.

G. "Half-street" means a street or a portion of a street with only one-half of the width paved and having proper right of way. Usual access at edge of subdivision where the centerline is also the plat boundary

H. "Local street" means a street primarily for providing access to residential, commercial or other abutting property.

I. "Loop street" means a type of local street, each end of which terminates at an intersection with the same arterial or collector street, and whose principal radius points of the 180 degree system of turns are not more than 1,000 feet from such arterial or collector street, nor normally more than 600 feet from each other.

J. "Major arterial street" or "principal arterial street" means a throughway which carries through traffic, usually intra-city, on a continuous route. Major arterial streets will have no curb parking and will have no curb parking and will use of marginal access roads, including limited access highways.

K. "Marginal access streets" means a local street parallel and adjacent to an arterial highway, providing access to abutting properties and protection from the major street or arterial highway.

L. "Minor arterial street" means a throughway which carries crosstown traffic from several neighborhoods, thereby servicing several residential collector streets.

~~L.~~M. "Service Drive" means a public street generally parallel and contiguous to a main traveled way, primarily designed to promote safety by eliminating promiscuous ingress and egress to the right-of-way, and providing safe and orderly points of access at fairly uniformly spaced intervals. Would not be a Service Drive if parking spaces are directly located off of road.

The comprehensive plan gives additional guidance on street classification and definitions.

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Street Tree. A tree planted in close proximity to a street in order to provide canopy over the street to provide shade and soften the street environment.

Structure. Anything constructed or erected, the use of which requires location on the ground, or attachment to something having a fixed location on the ground.

Structured Parking. Structured parking means a building or structure consisting of one or more levels for parking motor vehicles as the primary use of the building or structure. Where Structured Parking is permitted, the building shall be subject to the height and setback requirements of other buildings in the district.

Studio – Art. Work space for one or more artists or artisans, including the accessory sale of art produced on the premises, or gallery space.

Studio – Gymnastics/martial arts. A space used for physical indoor exercise which is offered in a class or organized format for activities such as gymnastics, martial arts, dance, aerobics, pilates, or circuit training.

Subdivider. Any individual, owner, developer, firm, association, syndicate, co-partnership, corporation, trust or any other legal entity commencing proceedings under these regulations as an applicant to affect a subdivision of land hereunder for himself or for another.

Subdivision.

A. The division of any parcel of land shown as a unit or as contiguous units on or before January 1, 1976 into two or more parcels, sites or lots, any one of which is less than five acres for the purposes, whether immediate or future, of transfer of ownership, provided, however, that the division or partition of
land into parcels of more than five acres not involving any new streets or easement of access, and the sale or exchange of parcels between adjoining lot owners, where such sale or exchange does not create additional building sites, shall be exempted; or

B. "Commercial Subdivision" means the improvement of one or more parcels of land for commercial structures or groups of structures involving the division or allocation of land for the opening, widening or extension of any street or streets, except private streets serving industrial structures; the division or allocation of land as open spaces for common use by owners, occupants or lease holders or as easements for the extension and maintenance of public sewer, water, storm drainage or other public facilities; or

C. "Industrial Subdivision" means the improvement of one or more parcels of land for industrial structures or groups of structures involving the division or allocation of land for the opening, widening or extension of any street or streets, except private streets serving industrial structures; the division or allocation of land as open spaces for common use by owners, occupants or lease holders or as easements for the extension and maintenance of public sewer, water, storm drainage or other public facilities; or

D. "Minor Subdivision". See "Minor Subdivision".

Subdivision Regulations. The Subdivision Regulations of the City of Reynoldsburg, Chapter 1111 of Part Eleven, Land Use and Subdivision Regulations, of the Codified Ordinances of Reynoldsburg.

Swimming Pool. A body of water of artificial construction, used for swimming or recreational bathing, which is over eighteen inches (18") in depth at any point, and has more than one hundred (100) square feet of area on the water surface when filled to capacity, and including the bottom and sides of the pool, and the equipment appurtenances thereof.

T.

Tattoo/Piercing Establishment. A place, as defined by the Ohio Revised Code or the Ohio Administrative Code, where tattoo or body piercing services are provided.

Temporary Sign. A display sign, banner or other advertising device constructed of cloth, canvas, fabric or other light temporary material with or without a structural frame, intended for a limited period of display, including decorative displays for holidays or public demonstrations.

Temporary Special Land Use. A temporary use of land for a set amount of time, permitted in conjunction with the display or the display and sales of merchandise, goods, or materials.

Temporary Use. A temporary use of land for a set amount of time, permitted in conjunction with the display or the display and sales of merchandise, goods, or materials.

Tenants-in-Common. That form of real property ownership described in R.C. 5302.19, as the same may be amended from time to time.

Thoroughfare. See"Street".

Thoroughfare Plan. A plan, adopted by City Council, which shows general locations and extent of existing, planned, and proposed streets and other transportation facilities of the City.

Tract. A continuous expanse of land.

Traditional or Natural Materials. Consists of clay bricks (full or thin set, if thin set, corners must have full brick appearance), stone, cultured stone (samples must be provided), wood or fiber cement board siding.

Tree. A large woody plant having one (1) or several self-supporting stems or trunks and numerous branches and which may be deciduous or evergreen.

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

U.

Unit of a Building or Building Unit. A space occupying a portion of a building, containing an entrance from the building exterior, and separated from other such spaces by a party wall or walls.

Use. The specific purposes for which land or a building is designated, arranged, intended or for which it is or may be occupied or maintained.

Use, Accessory. A use located on the same lot with, and of a nature customarily incidental and subordinate to, the main use. Examples include: a parking lot for a commercial or industrial business; administrative and sales offices for an industrial plant; or a home occupation.

Use, Main. A use which is the dominant or principal activity or use of a lot.

Use, Permitted. A use which is permitted by right in a district, as listed on Table 1103.01A or as otherwise permitted by right in this Code, provided that such use shall comply with all provisions of this Code.

Use, Prohibited. A use which is not identified in this Zoning Code as either a permitted use or a conditional use.

Use, Similar. A use which is not identified in this Code as a permitted use or a conditional use in any district, but which is determined by action of the Planning and Zoning Board ~~of Zoning Appeals~~ and City Council to be a use sufficiently like or compatible with other uses in a district as to be allowed as a conditional use in that district.

V.

Variance. An adjustment to the development standards of the zoning regulations, that does not apply to use or required density that is reviewed and approved, modified, or denied by the Planning and Zoning Board ~~of Zoning Appeals~~ after at least one public hearing.

Vehicular Care Services – Major. General repair, rebuilding, or reconditioning of engines, motor vehicles, or trailers, including body work, framework, welding, and major painting service.

Vehicular Care Services – Minor. The replacement of any part or repair of any part that does not require removal of the engine head or pan, engine transmission or differential; incidental body and fender work, minor painting and upholstering service. Above stated is applied to passenger automobiles and trucks not in excess of 7,000 pounds gross weight.

Vehicle Care Services – Washes. The use of a site for washing and cleaning of passenger vehicles, recreational vehicles, or other light duty equipment.

Vehicular Sales – Automobiles. The use of any building or portion thereof, or other premises or portion thereof, for the display, sale, rental, or lease of new motor vehicles, or used motor vehicles as an ancillary use of a lot, and any warranty repair work and other repair service conducted as an accessory use.

Vehicular Sales – Boats. The use of any building or portion thereof, or other premises or portion thereof, for the display, sale, rental, or lease of new boats or watercraft, or used boats or watercraft as an ancillary use of a lot, and any warranty repair work and other repair service conducted as an accessory use.

Vehicular Sales – Motorcycles. The use of any building or portion thereof, or other premises or portion thereof, for the display, sale, rental, or lease of new motorbikes or motorcycles, or used motorbikes or motorcycles as an ancillary use of a lot, and any warranty repair work and other repair service conducted as an accessory use.

Vehicular Sales - Recreational Vehicles. The use of any building or portion thereof, or other premises or portion thereof, for the display, sale, rental, or lease of new recreational vehicles or campers, or used
recreational vehicles or campers as an ancillary use of a lot, and any warranty repair work and other repair service conducted as an accessory use.

Vehicular Sign. A sign mounted upon, painted upon, or otherwise erected on a trailer, truck, automobile or other vehicle parked or placed so that the signs thereon are visible from a public street or right of way.

Veterinary. A structure or premises utilized for the diagnosis and treatment of ill and injured animals and the short-term boarding incidental to the clinical use. A veterinary clinic cannot be implicitly interpreted as a kennel.

Vicinity Map. A drawing located on the plat which sets forth by dimensions or other means, the relationship of the proposed subdivision or use to other nearby developments or landmarks and community facilities and services within the general area in order to better locate and orient the area in question.

Visual Arts Center. A facility open to the public that is devoted to the visual arts.

W

Walkway. A public or private way, four (4) feet or more in width, for pedestrian use only, whether along the side of a road or not.

Wall, of a building. An external, vertical surface enclosing a portion of a building.

Wall, front. That wall of a building which most nearly parallels the front lot line of the lot on which the building is located or, for the purpose of locating a wall sign on a space within a multi-occupant building, that wall which is declared by the Planning Administrator to be the front wall, generally that wall which faces a common, central parking lot or drive.

Wall Sign. A display sign which is painted on or attached directly to the building wall and which extends not more than fifteen inches from the face of the wall.

Warehouse – large format. An enclosed storage facility which is used to store goods or parts, or for any part of the shipping process, that is greater than 50,000 square feet and includes cross-dock facilities.

Warehouse – small format. An enclosed storage facility which is used to store goods or parts, or for any part of the shipping process, that is under 50,000 square feet and does not include cross-dock facilities.

Warehousing, Public. A person or business whose primary purpose and profit motive is the receiving, storing and shipping of merchandise or commodities for one or more unrelated persons or businesses.

Weed. Any ground cover or shrub which is typically not installed for the purposes of landscaping; which is not typically propagated by the horticultural or nursery trades; or which presents a particularly noxious allergenic or growth characteristic.

Wholesale and Distribution. An establishment that engages in the sale of goods, merchandise and commodities for resale by the purchaser.

Window Sign. A sign painted, attached or affixed to the interior or exterior surface of windows or doors of a building or suspended on the inside or outside of the windows or doors.

Working day. The days occurring Monday through Friday, excluding legal holidays. The time within which an act is required by law to be done shall be computed by excluding the first and including the last day; except that when the last day falls on the weekend or a legal holiday, the act may be done on the next succeeding day that is not the weekend or a legal holiday. ·

Y.

Yard. A required open space other than a court unoccupied and unobstructed by any structure or portion of a structure above the general ground level of the graded lot upward; provided accessories, ornaments and
furniture may be permitted in any yard, subject to height limitations and requirements limiting obstruction of visibility.

Yard, front. A yard extending between side lot lines across the front of a lot and from the front lot line to the front of the principal building.

Yard, rear. A yard extending between side lot lines across the rear of the lot and from the rear lot line to the rear of the principal building.

Yard, side. A yard extending from the principal building to the side lot line on both sides of the principal building between the lines establishing the front and rear yards.

Z.

Zoning Certificate. A document issued by the Zoning Inspector authorizing the occupancy or use of a building or structure or the actual use of lots or lands in accordance with the previously issued zoning permit.

Zoning District or District. An area depicted on the official zoning map comprised of properties and land uses that are otherwise intended to reflect the comprehensive plan.

Zoning Code. The part of the Codified Ordinances of the City of Reynoldsburg known and referred to as the City of Reynoldsburg Planning and Zoning Code, as it may be amended from time to time.

Zoning Permit. A document issued by the Planning and Zoning Administrator authorizing the use of lots, structures, uses of land and structures, and the characteristics of the uses.

GLOSSARY OF TERMS

A. Terms Applicable to Landscape Requirements

Crown Spread. The distance measured across the greatest diameter of the above ground portions of a plant.

Decorative Walls and Fences. Barriers constructed of wood, masonry or other appropriate material.

Developed Area. That a portion of a plot or parcel of land upon which a building, structure, pavement, landscaped material or other improvements, excluding public rights-of-way, have been placed.

Diameter at Breast Height (DBH). The diameter of the tree as measured at four and a half (4½) feet above grade. If a tree splits into multiple trunks below 4½ feet above grade, the trunk is measured at its most narrow point below the split.

Earth Mounds. Earthen physical barriers which block or screen a view, which have vegetation capable of preventing erosion, and have a maximum permitted slope of three feet horizontal to one vertical (3:1) where mounds are to be mowed.

Ground Cover. Landscape materials such as natural mulch or low growing plants installed in such a manner so as to form a continuous cover over the ground.

Interior Landscaping. The use of landscape materials within the boundaries of the parcel, exclusive of the perimeter landscaping.

Landscape Buffer. Landscape materials installed between certain land uses [i.e. (1) between multifamily and single-family uses, (2) between any residential and commercial uses, and (3) between any manufacturing and residential or commercial use], between thoroughfares and land uses, and between thoroughfares and off-street parking in order to reduce glare, unsightly views, and noise.

Landscape Material. Materials such as, but not limited to, living trees, shrubs, vines, lawn grasses, ground cover, landscape water features and non-living, durable material commonly used in landscaping, including, but not limited to, rocks, pebbles, sand, decorative walls and fences, earthen mounds, but excluding pavements or surfaces for

Native Plant Species. A plant species, other than noxious weeds, that are indigenous to the area and usually do not need human intervention to grow or reproduce.

New Structure. Any structure newly constructed or erected, except for fences, decks, signs, trash enclosures, swimming pools, playground equipment and accessory structures under 250 sq. ft., which requires location on the ground. Additions to, alterations to and/or reconstruction of an existing structure or building shall not be considered a new structure.

Opacity. The required percent of visual screening from adjacent properties in a vertical plane extending from the established grade to a required height.

Service Structures. Equipment or elements providing service to a building or a site including but not limited to loading docks, storage tanks, trash containers or receptacles, electrical transformers, utility vaults which extend above the surface, cooling towers, and heating and cooling units.

Shrub. A perennial plant which has persistent multiple woody stems from a common root and differing from a tree by ·its low stature and habit of branching from the base.

Substantial Expansion. When an existing structure or vehicular access area is expanded, altered, or enlarged where such expansion, alteration, or enlargement exceeds twenty-five (25) percent of the area of the existing structure or vehicular access area.

Tree. Any self-supporting, woody perennial plant which normally grows to an overall height of at least fifteen (15) feet.

Tree, Deciduous. Trees which normally shed their leaves in the fall.

Tree, Large. Any tree which normally attains a mature height equal to or greater than forty (40) feet.

Tree Lawn. That part of the street right of way not covered by sidewalk, bike path or other paving, lying between the sidewalk and street.

GLOSSARY OF TERMS

Tree, Major. An existing living tree with a DBH of at least eighteen (18) inches.

Tree, Measurement. The diameter in inches of a tree trunk measured six (6) inches above grade for trees equal to or less than six (6) inches in diameter or measured at DBH for trees larger than six (6) inches in diameter.

Tree, Medium. Any tree which normally attains a mature height greater than twenty-five (25) feet and less than forty (40) feet.

Tree, Small. Any tree which normally attains a mature height greater than fifteen (15) feet and less than twenty-five (25) feet.

Tree, Standard. A tree planted with a trunk caliper (diameter) of at least one and 3/4 (1¾) inches measured 6" above grade.

Vehicle Encroachment. Any protrusion of a vehicle outside of a parking space, display area, storage area, access way, or access aisle into a landscape area.

Vehicular Use Area. Any paved surface area, excepting public rights-of-way, used by any type vehicle, whether moving or at rest for the purpose of (including but not limited to) driving, parking, loading, unloading, or storage.

B. Terms Applicable to Wireless Telecommunication Structures

Antenna. Any exterior transmitting or receiving device mounted on a tower, building or structure and used in communications that radiate or capture electromagnetic waves, digital signals, analog signals, radio frequencies (excluding radar signals), wireless telecommunications signals or other communication signals.

Antenna Support Structure. Any building or other structure other than a Tower which can be used for location of Wireless Telecommunications Facilities.

Co-location. The use of a wireless telecommunications facility by more than one wireless telecommunications provider.

Engineer, Radio Frequency. An engineer who possesses the additional qualifications of holding a FCC General Radiotelephone Operator License and who has successfully completed training in electromagnetic field theory and antenna theory.

Equipment Shelter. The structure in which the electronic receiving and relay equipment for a Wireless Telecommunications Facility is housed.

FAA. The Federal Aviation Administration and any legally appointed, designated or elected agent or successor.

FCC. The Federal Communications Commission and any legally appointed, designated or elected agent or successor.

Height or Above Ground Level. When with respect to Chapter 1105.13, the distance measured from the finished grade at the base of the tower/structure to the highest point on the tower or other structure, including the base pad and any antenna.

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

Open Space. An area substantially open to the sky which may be on the same lot with a building. The area may include, along with the natural environmental features, water areas, swimming pools and tennis courts, any other recreational facilities that the Planning and Zoning Board~~Commission~~ deems permissive. Streets, parking areas, structures for habitation and the like shall not be included.

Tower. Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas for telephone, radio and similar communication purposes, including self-supporting lattice towers, guyed towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, common-carrier towers, wireless telecommunications towers, alternative tower structures, and the like. The term includes the structure and any support thereto.

Towers, Pre-existing and Pre-existing Antennas. Any tower or antenna for which a building permit or special use permit has been properly issued prior to the effective date of this chapter, including permitted towers or antennas that have not yet been constructed so long as such approval is current and not expired.

Viewshed. The area surrounding a Wireless Telecommunications Facility or Antenna Support Structure, within which the Facility or Structure is visible from street level.

Wireless Telecommunications Facilities. Any cables, wires, lines, wave guides, antennas and any other equipment or facilities associated with the transmission or reception of communications as authorized by the FCC which a Person seeks to locate or has installed upon a Tower or Antenna Support Structure. However, the term Wireless Telecommunications Facilities shall not include: (1) Any satellite earth station antenna two meters in diameter or less which are located in an area zoned industrial or commercial; (2) Any satellite earth station antenna one meter or less in diameter, regardless of zoning category; (3) Antennas used by amateur radio operators are excluded from this definition.

REYNOLDSBURG ZONING CODE

REYNOLDSBURG,
OH 2024~~3~~

Reynoldsburg
OHIO · 1839

STAFF REPORT
REYNOLDSBURG CITY COUNCIL

DATE: April 22, 2024

RE: An Ordinance Appropriating Funds from the Unappropriated General Fund to the Parks & Recreation Department, and Declaring an Emergency

APPROVALS:

Joe Begeny
Stephen Cicak
Chris Shook
Mollie Prasher

EMERGENCY:

two-read emergency

REASON FOR EMERGENCY:

to purchase and install these fountains for use this summer

STAFF REPORT:

The Parks and Recreation Department has been awarded two (2) grants, one from the Ohio EPA 2024 Water Bottle Refilling Station and one from the Franklin County Board of Developmental Disabilities Changing Spaces Project.

The Ohio EPA grant is in the amount of $9,373 for the 3 drinking fountains with water bottle refilling stations and one water bottle refilling station. The Franklin County Board of Developmental Disabilities Changing Spaces Project grant is in the amount of $8,410 for the purchase of a height-adjustable changing table to be installed in a family restroom at JFK Park.

Requesting that $17,783.00 be unappropriated from the General Fund (110) and appropriated into account 110.340.5639, Other Equipment, so that equipment can be ordered.

When grant funds are received they will be returned to the General Fund (110).

AN ORDINANCE APPROPRIATING FUNDS FROM THE UNAPPROPRIATED GENERAL FUND TO THE PARKS & RECREATION DEPARTMENT

WHEREAS, the Parks and Recreation Department was awarded two grants, one from the Ohio EPA 2024 Water Bottle Refilling Station and from the Franklin County Board of Developmental Disabilities Changing Spaces Project; and

WHEREAS, the Ohio EPA grant is in the amount of $9,373 for three drinking fountains with water bottle refilling stations and one stand allow water bottle refilling station; and

WHEREAS, the Franklin County Board of Developmental Disabilities Changing Spaces Project grants is in the amount of $8,410 for the purchase of a height-adjustable changing table for the family restroom at JFK Park; and

WHEREAS, both of these grants will reimburse the costs associated with the Project up to the awarded amount; and

WHEREAS, in order to proceed with the project, these funds need to be appropriated from the unappropriated General Fund (110) to the Parks and Recreation Department.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF REYNOLDSBURG, OHIO;

SECTION 1: The City accepts the grant award from the Ohio EPA in the amount of $9,373 and the Franklin County Board of Developmental Disabilities Changing Spaces Project in the amount of $8,410.

SECTION 2. That an amount of $17,783.00 be appropriated from the unappropriated General Fund (110) to account number 110.340.5639 Other Equipment.

SECTION 3. That funds, when received, be deposited into the General Fund (110).

SECTION 4. That the Mayor and City Auditor are hereby authorized and directed to enter into an agreement with the Ohio EPA and the Franklin County Board of Developmental Disabilities Changing Spaces Project to complete these projects.

SECTION 5: That this Ordinance is deemed to be an emergency measure necessary for the financial needs of the City to order and proceed with the installation of this equipment; therefore upon adoption by Council, this Ordinance shall be in effect immediately upon signature by the Mayor.

Ohio Environmental Protection Agency
2024 Water Bottle Refilling Station Grant Agreement

This Agreement is made and entered into by and between the Director of the Ohio Environmental Protection Agency, hereinafter referred to as the **Agency**, and the **City of Reynoldsburg,** hereinafter referred to as the **Grantee**. Agency and Grantee are collectively the "Parties" and each a "Party."

WITNESSETH THAT:

WHEREAS the Grantee, as authorized under Ohio Revised Code (ORC) Chapter 3736, has applied to the Agency for program funding to implement a 2024 Water Bottle Refilling Station Grant, hereinafter referred to as the 2024 WBRSG: and

WHEREAS ORC 3736.05 authorizes the Director, to make grants from the recycling and litter prevention fund created in ORC 3736.03. ORC 3736.05 further authorizes the Director to enter into this agreement; and

WHEREAS the Grantee agrees to perform in compliance with the terms, promises, conditions, and assurances as outlined in the Grantee's 2024 Grant Manual and the 2024 WBRSG Application, a copy of which is attached hereto as Exhibit A and incorporated herein by reference as if fully set forth herein; and

WHEREAS the 2024 WBRSG funds in the amount of **$9,373.00** have been encumbered. Obligations of the State of Ohio are subject to the provisions of ORC Section 126.07.

NOW THEREFORE, in consideration of the mutual covenants by and between the parties hereto, the parties agree as follows:

I. The Agency hereby awards to the Grantee a grant not to exceed **$9,373.00,** for the purpose of implementing the project detailed in the Grantee's application. Costs incurred by the Grantee for items that are not part of the approved budget as contained in the Grantee's application, or costs in excess of amounts specified in the approved budget as contained in the Grantee's application are not eligible expenditures. Any grant-related expenditures made prior to the effective date of the grant agreement are also not eligible.

II. The Agency shall pay to the Grantee, subject to cash availability, one hundred percent (100%) of its total grant award, to be used for project costs according to the Grantee's approved budget as contained in the Grantee's application. The parties understand and agree that all payments made under this grant award are based on actual costs and are made based upon Grantee's satisfactory performance of Grantee's obligations under this grant agreement.

III. The Grantee shall not discriminate against any employee or applicant for employment because of race, color, religion, national origin, ancestry, age, sex, sexual orientation, military status, or any disability as defined in the Americans with Disabilities Act (ADA). The Grantee shall not, in any manner, discriminate, intimidate or retaliate against any employee on account of race, color, religion, sex, sexual orientation, military status, national origin, disability, age or ancestry. The Grantee shall take affirmative action to ensure that employees are treated during employment, without regard to their race,

color, religion, national origin, ancestry, age, sex, sexual orientation, military status, or any disability, as defined in the ADA. Such action shall include, but is not limited to, the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination, including apprenticeship.

IV. The Grantee agrees to comply with all applicable federal, state and local laws regarding smoke-free and drug-free workplaces and shall make a good faith effort to ensure that none of its employees or permitted subcontractors engaged in the work being performed hereunder purchase, transfer, use, or possess illegal drugs or alcohol, or abuse prescription drugs in any way. The Grantee agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Agency setting forth the provisions of this nondiscrimination clause. Furthermore, the Grantee agrees to comply with all pertinent provisions of ORC Section 125.111, 4112.02, and the Drug Free Workplace Act.

V. The Grantee shall, in all solicitations or advertisements for employees placed by or on behalf of the Grantee, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, national origin, ancestry, age, sex, sexual orientation, military status, or any disability, as defined in the ADA.

VI. The Grantee shall comply with the State Equal Employment Opportunity guidelines, and any direction as set forth by officials or agencies of the State or Federal Government that seek to eliminate unlawful employment discrimination, and with all other State and Federal efforts to assure equal employment practices under this Agreement. Before and during performance, the Grantee shall promptly comply with all requests and direction from the State of Ohio or any of its officials and agencies.

VII. Upon the Grantee's noncompliance with the nondiscrimination clauses of this Agreement, this Agreement may be canceled, terminated or suspended in whole or in part, and the Grantee may be ineligible for further state contracts and such other sanctions may be imposed and remedies instituted as otherwise provided by the law.

VIII. It is fully understood and agreed that neither Grantee nor any of its employees or other personnel shall at any time or for any purpose, be considered as agents or employees of the Ohio EPA or the State of Ohio. The Grantee certifies that neither the Grantee nor its employees or other personnel are public employees of the Agency under federal or state law for tax, Workers' Compensation, and retirement deduction purposes.

IX. Compliance Assurance: The Grantee shall carry out and administer the project according to all applicable federal, state, and local laws, rules, regulations, ordinances and the terms of this Agreement, as outlined in the Agency's 2024 WBRSG Application and Grant Manual.

X. The Agency shall at any reasonable time have the right of access to and the right to audit all books and records, financial or otherwise, pertinent to the administration and operation of this project. The Grantee shall keep said books and records in a manner consistent with generally accepted accounting procedures in a common file to facilitate audits and inspections. In the event of a special audit, the Grantee will be responsible for the actual cost of the audit. Said costs shall be determined by the State of Ohio.

XI. The Grantee by signature on this document, certifies that it: (1) has reviewed and understands the Ohio ethics and conflict of interest laws, including the requirements found in Ohio Revised Code Chapter 102 and in Ohio Revised Code Sections 2921.42 and 2921.43, and (2) Grantee is currently in compliance with and will continue to adhere to, the requirements of Ohio ethics laws and conflict of interest laws and will take no action inconsistent with those laws. The Grantee understands that failure to comply with Ohio's ethics and conflict of interest laws is, in itself, grounds for termination of this Agreement and may result in the loss of other contracts or grants with the State of Ohio. No personnel of Contractor or public official, employee or member of the governing body of any locality in which work under this Agreement is being carried out, and who exercises any functions or responsibilities in connection with the review or approval of this Agreement or carrying out of any such work, shall, prior to the completion of the work, voluntarily acquire any personal interest that is incompatible or in conflict with the discharge and fulfillment of his or her functions and responsibilities with respect to the carrying out the work. Any such person who acquires an incompatible or conflicting personal interest on or after the effective date of this Agreement, or who involuntarily acquires any such personal interest, shall immediately disclose his or her interest to Ohio EPA in writing. Thereafter, he or she shall not participate in any action affecting the work under this Agreement, unless Ohio EPA determines in its sole discretion that, in the light of the personal interest disclosed, his or her participation in any such action would not be contrary to public interest.

XII. The Grantee affirms that, as applicable to it, no party listed in Division (I) or (J) of Section 3517.13 of the Ohio Revised Code or spouse of such party has made, as an individual, within the two previous calendar years, one or more contributions in excess of the amounts specified in ORC 3517.13, to the Governor or to his campaign committees.

XIII. The Grantee affirmatively represents and warrants to Agency that it is not subject to a finding for recovery under ORC 9.24 or otherwise qualifies under that section. The Grantee agrees that if this representation or warranty is deemed to be false, the Agreement shall be void *ab initio* as between the parties to this Agreement, and any funds paid by Agency hereunder immediately shall be repaid to Agency, or an action for recovery immediately may be commenced by Agency for recovery of said funds. The Grantee affirmatively represents and warrants to Agency that it is not debarred from consideration for contract awards by the Director of the Department of Administrative Services, pursuant to either ORC 153.02 or ORC 125.25. If this representation and warranty is false, this Agreement is void *ab initio* and Grantee shall immediately repay to the State any funds paid under this Agreement.

XIV. Implementation of the approved 2024 WBRSG project as outlined in the Grantee's 2024 WBRSG Approved Application and this Agreement shall not commence until the Agreement is signed by all parties or **April 1, 2024**, whichever is later. The Agency shall not be responsible for any costs incurred by the Grantee prior to the effective date of this Agreement.

XV. Grantee represents and warrants that:

1. It is not subject to any judgment or decree of a court of competent jurisdiction or governmental agency that would limit or restrict its right to enter and carry out this Agreement.

2. Neither the execution of this Agreement nor the consummation of its transactions will constitute a breach under any contract or agreement to which it is a party or by which it is bound.

3. It has made no false statements to the other party or any of its employees or agents in the process of obtaining this Agreement

4. It has the authority to execute this Agreement and perform their obligations under this Agreement.

5. It has received no written notice that any investigation, action or litigation is pending or threatened, which materially and adversely affects this Agreement.

XVI. This Agreement shall remain in effect until **March 31, 2025**. The Agency reserves the right, at any time after execution of this Agreement, and with or without cause, to terminate, revise, or extend the grant in whole or in part, upon written notification to the Grantee. The Grantee, upon receipt of notice of termination, shall not incur any new obligations and shall take all necessary and appropriate steps to limit disbursements and minimize costs and obligations, including cancelling as many outstanding obligations as possible. In the event of such termination, the Grantee will be paid for approved expenditures incurred prior to termination and for any noncancelable obligations properly incurred by the Grantee prior to termination. If requested by the Agency, the Grantee shall promptly furnish a report that describes the status of all work under this Agreement as of the date of receipt of the termination notice. The Grantee agrees to waive any right to, and shall no claim for, additional compensation against the Agency by reason of such termination.

XVII. The Grantee reserves the right, at any time after execution of this Agreement to terminate the program, in whole or in part, upon a thirty (30) day written notification to the Agency. In the event of such termination by the Grantee, the Grantee shall not incur any new obligations and shall make a good faith effort to cancel as many outstanding obligations as possible.

XVIII. All unspent funds and unallowed expenditures shall be returned to the Agency within forty-five (45) days of receiving notification of any termination of the grant or program. Any payment not received within forty-five days of the due date may be turned over to the Attorney General for collection as a delinquent claim, and the Grantee agrees to pay the Agency all costs the Agency incurs for delinquent collections by the Attorney General's office.

XIX. The Grantee affirms to have read and understands Executive Order 2019-12D and Executive Order 2022-02D and shall abide by those requirements in the performance of this Agreement and shall perform no services required under the Agreement outside of the United States or purchase services from or investment in Russian institutions and companies. Notwithstanding any other terms of this Agreement, the State reserves the right to recover any funds paid for services the Grantee performs outside of the United States for which it did not receive a waiver or funds paid for services from or investments in Russian institutions and companies. The State does not waive any other rights and remedies provided the State in this Agreement. The Executive Orders are available at:

https://governor.ohio.gov/wps/portal/gov/governor/media/executive-orders/2019-12d

https://governor.ohio.gov/media/executive-orders/Executive-Order-2022-02D.gov

The Grantee also affirms, understands, and agrees to immediately notify the State of any change or shift in the location(s) of services performed by the Grantee or its subcontractors under this Agreement, and no services shall be changed or shifted to a location(s) that are outside of the United States.

If the Grantee or any of its subcontractors perform services under this Agreement outside of the United States, or purchase services from or investments in Russian institutions and companies, the performance of such services shall be treated as a material breach of the Agreement. The State is not obligated to pay and shall not pay for such services. If Grantee or any of its subcontractors perform any such services, Grantee shall immediately return to the State all funds paid for those services. The State may also recover from the Grantee all costs associated with any corrective action the State may undertake, including but not limited to an audit or a risk analysis, as a result of the Grantee performing services outside the United States or purchases of services from or investments in Russian institutions and companies.

The State may, at any time after the breach, terminate the Agreement, upon written notice to the Grantee. The State may recover all accounting, administrative, legal and other expenses reasonably necessary for the preparation of the termination of the Agreement and costs associated with the acquisition of substitute services from a third party.

The State, in its sole discretion, may provide written notice to Grantee of a breach and permit the Grantee to cure the breach. Such cure period shall be no longer than 21 calendar days. During the cure period, the State may buy substitute services from a third party and recover from the Grantee any costs associated with acquiring those substitute services.

Notwithstanding the State permitting a period of time to cure the breach or the Grantee's cure of the breach, the State does not waive any of its rights and remedies provided the State in this Agreement, including but not limited to recovery of funds paid for services the Grantee performed outside of the United States, purchases of services from or investments in Russian institutions and companies, costs associated with corrective action, or liquidated damages.

XX. Until termination of this contract (expiration date – see condition XVI) and for a period of three years following termination, the **Agency** may require repayment of any funds, up to the full amount that has been distributed, upon a finding by the Director that **Grantee** has failed to implement the project detailed in the Grantee's application. If the **Agency** terminates this agreement pursuant to this paragraph, any funds already distributed to Grantee, including funds that have already been spent, shall be returned to the **Agency** within forty-five (45) days of receiving notification of termination. Any payment not received within forty-five days of the due date may be referred to the Ohio Attorney General's Office for collection as a delinquent claim, and the Grantee agrees to pay the Agency all costs the Agency incurs for delinquent collections by the Ohio Attorney General's Office. Grantee shall require all contracts with subcontractors to include legal mechanisms (e.g., default judgments or liens) to recover funds pursuant to this paragraph.

XXI. Neither this Agreement, nor any rights, duties, nor obligations hereunder, may be assigned, delegated, or transferred in whole or in part by the Grantee without prior written consent of the State. Any assignment or delegation not consented to may be deemed void by the State. This Agreement represents the complete and final agreement between the Parties and supersedes any previous writing or understanding.

XXII. Each party shall be responsible for its own acts and omissions and will be responsible for any and all damages, costs, and expenses that arise out of the performance of this Agreement and that are due to that party's own negligence, tortious acts, or other conduct or that are due to the negligence, tortious acts, or other conduct of the party's respective agents, officers, or employees.

XXIII. The Grantee represents and warrants that the Grantee shall maintain sufficient insurance on any property for which grant funds have been expended under this Agreement to improve the property site, or to re-establish the physical plant of the operation in the case of fire, theft, or other destructive occurrence, and the Grantee shall maintain sufficient insurance in an amount equal to the replacement value of any equipment for which grant funds have been expended under this Agreement.

Ohio Environmental Protection Agency
2024 Water Bottle Refilling Station Grant Agreement

The effective date of this Agreement is the date when the Director of the Ohio Environmental Protection Agency signs this Agreement, or **April 1, 2024**, whichever date is later.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized officers.

Grantee: **City of Reynoldsburg**
Award: **$9,373.00**

(I, we) have the authority to sign this Agreement and do so in (my/our) respective capacities:

Grantee Signature

E-SIGNED by Joe Begeny
on 2024-03-13 20:39:23 GMT

2024-03-13 20:39:23 UTC

Signed: _____ **Date:** _____

Authorized Official: **Joe Begeny, Mayor**
City of Reynoldsburg

Ohio Environmental Protection Agency Signature

E-SIGNED by Daniel Sowry
on 2024-03-14 12:39:40 GMT

2024-03-14 12:39:40 UTC

Signed: _____ **Date:** _____

Dan Sowry, Assistant Chief
On behalf of Anne M. Vogel, Director, per 5/10/2023 Delegation of Authority
Ohio Environmental Protection Agency

Franklin County Developmental Disabilities

Franklin County Board of Developmental Disabilities

Helping people to live, learn and work in our community

2879 Johnstown Road • Columbus, Ohio 43219 • 614-475-6440 • www.fcbdd.org

Dot Yeager
Superintendent/CEO

March 29, 2024

Donna Bauman
City of Reynoldsburg Parks and Recreation
7232 E. Main St.
Reynoldsburg, OH 43068

Dear Donna:

Thank you for your interest in the changing spaces project, administered by the Franklin County Board of Developmental Disabilities. Our funding is made possible by a grant from the state of Ohio to help make our community more inclusive and accessible for people with disabilities and their families by adding universal changing tables to restrooms in public spaces.

Your application for a grant to support the purchase and installation of a height-adjustable changing table in a family restroom at JFK Park meets our requirements and is approved for $8,410.

After the Franklin County Board of Developmental verifies, through the submission of purchase orders, receipts and other requested documentation, that your organization has incurred the related expenses described in your application, reimbursement will be processed. To facilitate the payment process, please send your organization's form W-9 to the email address shown below.

Please note that, due to state requirements for this grant opportunity, the changing table cost and related expenses must be incurred in 2024. It is preferred that the project is complete – or substantially underway – by the end of the year.

We are happy to support your efforts! Universal changing tables help ensure that people with disabilities and their families can comfortably and safely access civic, cultural, retail and recreational sites in our community.

Please contact Rita Price at rita.price@fcbdd.org or call 614-342-5161 to update us on your project or to request reimbursement. Specialists at Accessible Ohio (ood.ohio.gov/accessible-ohio) also are available for consultations about personal-care and changing-table projects.

Sincerely,

Dorothy V. Yeager

Dot Yeager
Superintendent/CEO

Reynoldsburg
OHIO · 1839

STAFF REPORT
REYNOLDSBURG CITY COUNCIL

DATE: April 22, 2024

RE: A Resolution Authorizing the Mayor to Sign and Execute a First Amendment for an Assignment and Assumption to the Community Reinvestment Area Agreement Dated December 21, 2022

APPROVALS:

Joe Begeny
Stephen Cicak
Chris Shook
Mollie Prasher

EMERGENCY:

REASON FOR EMERGENCY:

STAFF REPORT:

This Resolution would authorize the Mayor to execute an Assignment and Assumption Agreement that transfers the rights and responsibilities of the December 21, 2022 CRA Agreement with Reynoldsburg MOB, LLC to a different entity/purchaser, HPO Columbus, LLC. City staff has reviewed the proposed agreement and has conducted an appropriate review of the finances of the assignee and determined that such assigned is in the best interests of the City.

City staff is confident that the purchaser will comply with the terms of the CRA Agreement. As such, city staff recommends Council grant the Mayor the requested authorization.

A Resolution Authorizing the Mayor to Sign and Execute a First Amendment for an Assignment and Assumption to the Community Reinvestment Area Agreement Dated December 21, 2022

WHEREAS, this Council authorized the City to enter into a Community Reinvestment Area Agreement dated December 21, 2022 (the "CRA Agreement") with Reynoldsburg MOB, LLC for a real property tax abatement of 100% for a period of 15 years, in consideration for the construction of an economic development project under specified terms and conditions; and

WHEREAS, the construction of the building for the economic development project is nearing

completion and the owner of the property, Reynoldsburg MOB, LLC, now seeks to sell the land to a buyer, HPO Columbus, LLC, who will assume the obligation of the CRA Agreement; and

WHEREAS, the City has reviewed and considered the proposed assignment, and recommends to Council to approve such assignment and assumption as presented; and

WHEREAS, the Council finds that such an assignment and assumption to be in the best interests of the City, and authorizes the Mayor to execute the same.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF REYNOLDSBURG:

Section 1. The Mayor is hereby authorized to sign the First Amendment for Assignment and Assumption to the Community Reinvestment Area Agreement dated December 21, 2022, assigning such rights and obligations from Reynoldsburg MOB, LLC to HPO Columbus, LLC.

Section 2. That this Resolution shall take immediate effect upon the signature of the Mayor.

FIRST AMENDMENT FOR ASSIGNMENT AND ASSUMPTION
TO
COMMUNITY REINVESTMENT AREA AGREEMENT

This FIRST AMENDMENT FOR ASSIGNMENT AND ASSUMPTION TO COMMUNITY REINVESTMENT AREA AGREEMENT (the **"AMENDMENT"**) is made and entered into by and between the CITY OF REYNOLDSBURG, OHIO, an Ohio municipal corporation (**"CITY")**, and HPO COLUMBUS, LLC, a Delaware limited liability company, with its office located at 1400 N. Water Street, Suite 500, Milwaukee, Wisconsin 53202 (**"HAMMES"**), as successor-in-interest to REYNOLDSBURG MOB LLC, an Ohio limited liability company (**"MOB"**).

WHEREAS, the Reynoldsburg City Council ("**COUNCIL**") by Ordinance No. 59-2022 authorized the **CITY** to enter into that certain Community Reinvestment Area Agreement dated December 21, 2022 (the "**AGREEMENT**") with **MOB** for a real property tax abatement of 100% for a period of 15 years, in consideration of constructing the Project, as defined in the **AGREEMENT**, and committing to creating, retaining and maintaining jobs so as to meet the Revenue Threshold, as defined in the **AGREEMENT**;

WHEREAS, **HAMMES** has acquired from **MOB** ownership of that certain 5.257-acre parcel bearing Franklin County Parcel Number 060-009613 and having a mailing address of 8050 E. Main Street, Reynoldsburg, Ohio ("**PROJECT SITE**"), upon which the Project, as defined in the **AGREEMENT**, has been constructed; and

WHEREAS, the Director of Development for the **CITY** has determined that **HAMMES** is qualified by financial responsibility and business experience to create and preserve employment and/or housing opportunities in the Reynoldsburg Community Reinvestment Area and improve the economic climate of the **CITY**; and

WHEREAS, the **COUNCIL**, by Resolution No. _____, passed on _____, 2024, authorized the Mayor for the **CITY** to amend the **AGREEMENT** with **MOB** to replace "Reynoldsburg MOB LLC" with "HPO COLUMBUS, LLC, a Delaware limited liability company" as the Company under the **AGREEMENT**.

NOW, THEREFORE, in consideration of the promises and mutual obligations of the parties contained in this **AMENDMENT**, each of them hereby covenants and agrees with the other as follows:

1. That the Director of Development for the **CITY** is hereby authorized to amend the **AGREEMENT** whereby "Reynoldsburg MOB LLC" is hereby removed as "Company" and party to the **AGREEMENT**, and is replaced by "HPO Columbus, LLC, a Delaware limited liability company" as "Company" and party to the **AGREEMENT**, whereby **HAMMES** will assume the terms and commitments of Company under the **AGREEMENT**.

2. Capitalized terms used herein and not otherwise defined shall have the meanings ascribed them in the **AGREEMENT**.

3. Except as specifically modified and amended by this **AMENDMENT**, the **AGREEMENT** shall remain in full force and effect, as amended.

IN WITNESS WHEREOF, CITY, by Joe Begeny, Mayor, and pursuant to Ordinance No. _____, has caused this **AMENDMENT** to be executed this _____ day of _____, 2024, and **HAMMES**, by its duly authorized signor, has caused this **AMENDMENT** to be executed this _____ day of _____, 2024.

HAMMES:

HPO COLUMBUS, LLC,
a Delaware limited liability company

By: _____
Name: _____
Its: _____

CITY:

CITY OF REYNOLDSBURG

By: _____
Joe Begeny, Mayor

Approved as to form:

_____
City Attorney

STAFF REPORT
REYNOLDSBURG CITY COUNCIL

DATE: April 22, 2024

RE: An Ordinance to Amend Chapter 351, Sections 351.01 Police Removal of Vehicles and 351.02 Prohibited Standing or Parking Places of the Codified Ordinances of the City of Reynoldsburg

APPROVALS:

Joe Begeny
Chris Shook
Mollie Prasher

EMERGENCY:

REASON FOR EMERGENCY:

STAFF REPORT:

An Ordinance to Amend Chapter 351, Sections 351.01 Police Removal of Vehicles and 351.02 Prohibited Standing or Parking Places of the Codified Ordinances of the City of Reynoldsburg

WHEREAS, the Council of the City of Reynoldsburg, Ohio has determined that it is in the best interest of the City to amend Chapter 351**,** Sections 351.01 Police Removal of Vehicles and 351.02 Prohibited Standing or Parking Places of the Codified Ordinances of the City of Reynoldsburg.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF REYNOLDSBURG:

Section 1. That Chapter 351**,** Sections 351.01 Police Removal of Vehicles and 351.02 Prohibited Standing or Parking Places of the Codified Ordinances of the City of Reynoldsburg shall be amended as provided in the attached Exhibit A.

Section 2. That upon adoption by Council, this Ordinance shall be in effect thirty days following the signature of the Mayor.

351.01 POLICE REMOVAL OF VEHICLES

(a) Whenever any police officer finds a vehicle standing upon a highway in violation of Ohio R.C. 4511.66 or a substantially similar municipal ordinance, such officer may move such vehicle, or require the driver or other person in charge of the vehicle to move the same, to a position off the paved or improved or main traveled part of such highway.

(b) Whenever any police officer finds a vehicle unattended upon any highway, bridge, or causeway, or in any tunnel, where such vehicles constitutes an obstruction to traffic, such officer may provide for the removal of such vehicle to the nearest garage or other place of safety.

(c) In addition to any other manner provided by law, any police officer may, in her or his discretion, require or authorize the removal of any vehicle under the following circumstances:

(1) Vehicles creating a traffic hazard or safety hazard. A vehicle left unattended and so parked illegally as to constitute a definite hazard or obstruction to the normal movement of traffic.

(2) Vehicles abandoned on public property. Any vehicle which is left on public property for 48 hours or longer without the permission of the Division of Police.

(3) Vehicles blocking fire exits or hydrants. Any vehicle illegally parked in such a manner that it blocks a fire escape ladder, device, or exit or blocks ready access to a fire hydrant.

(4) Any vehicle parked illegally for which a parking citation has previously been issued pursuant to this Chapter if the owner of the vehicle has failed to respond to the citation by payment of the appropriate fine or by appearance in the appropriate court.

(d) Any vehicle removed under this Section shall be stored at the nearest place of safekeeping by the Division of Police and shall be released upon the payment of reasonable storage fees.

(e) The Division of Police shall notify, by ordinary or certified, the registered owner of any vehicle so removed, within seventy-two (72) hours of removal. Such notice shall contain all of the following:

1) The name and address of the registered owner of the vehicle towed, impounded, or immobilized;
2) The license plate number of the vehicle towed, impounded, or immobilized;
3) The reason for the towing, impoundment, or immobilization;
4) The location, date and time where the vehicle was towed, impounded, or immobilized;
5) The contact information for the entity to obtain release of the vehicle; and
6) The time, place, and manner in which a hearing to contest the towing, impoundment, or immobilization can be initiated.

351.03 PROHIBITED STANDING OR PARKING PLACES.

No person shall stand or park a vehicle, except when necessary to avoid conflict with other traffic or to comply with the provisions of this Traffic Code, or while obeying the directions of a police officer or a traffic control device, in any of the following places:

(a) On a sidewalk, except a bicycle;

(b) In front of or less than three feet from the edge of the apron of any public or private driveway;

(c) Within an intersection;

(d) Within ten feet of a fire hydrant;

(e) On a crosswalk;

(f) Within twenty feet of a crosswalk at an intersection or any intersection that does not have a crosswalk;

(g) Within thirty feet of, and upon the approach to, any flashing beacon, stop sign or traffic control device;

(h) Between a safety zone and the adjacent curb or within thirty feet of points on the curb immediately opposite the end of a safety zone, unless a different length is indicated by a traffic control device;

(i) Within fifty feet of the nearest rail or a railroad crossing;

(j) Within twenty feet of a driveway entrance to any fire station and, on the side of the street opposite the entrance to any fire station, within seventy-five feet of the entrance when it is properly posted with signs;

(k) Alongside or opposite any street excavation or obstruction when such standing or parking would obstruct traffic;

(l) Alongside any vehicle stopped or parked at the edge or curb of a street;

(m) Upon any bridge or other elevated structure upon a street, or within a street tunnel;

(n) At any place where signs prohibit stopping, standing or parking, or where the curbing is painted yellow, or at any place in excess of the maximum time limited by signs;

(o) Within one foot of another parked vehicle;

(p) On the roadway portion of a freeway, expressway or thruway.

(q) Within any fire lane on private property, devoted to public use, as so designated, marked and approved by the Chief of the Fire Division and the Police Chief.

(r) In that area known as the street lawn.

(s) On any public roadway where, in the discretion of the Service Director related to traffic safety and convenience, signs have been placed prohibiting stopping, standing, or parking.

(t) In a manner that obstructs vehicular access to a mail box for mail delivery, which shall include, but is not limited, to any vehicle parked within five (5) feet of a mailbox.

(Ord. 9-80. Passed 2-11-80.)

351.01 POLICE REMOVAL OF VEHICLES

(a) Whenever any police officer finds a vehicle standing upon a highway in violation of Ohio R.C. 4511.66 or a substantially similar municipal ordinance, such officer may move such vehicle, or require the driver or other person in charge of the vehicle to move the same, to a position off the paved or improved or main traveled part of such highway.

(b) Whenever any police officer finds a vehicle unattended upon any highway, bridge, or causeway, or in any tunnel, where such vehicles constitutes an obstruction to traffic, such officer may provide for the removal of such vehicle to the nearest garage or other place of safety.

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3) The reason for the towing, impoundment, or immobilization;
4) The location, date and time where the vehicle was towed, impounded, or immobilized;
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(c) Within an intersection;

(d) Within ten feet of a fire hydrant;

(e) On a crosswalk;

(f) Within twenty feet of a crosswalk at an intersection or any intersection that does not have a crosswalk;

(g) Within thirty feet of, and upon the approach to, any flashing beacon, stop sign or traffic control device;

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(i) Within fifty feet of the nearest rail or a railroad crossing;

(j) Within twenty feet of a driveway entrance to any fire station and, on the side of the street opposite the entrance to any fire station, within seventy-five feet of the entrance when it is properly posted with signs;

(k) Alongside or opposite any street excavation or obstruction when such standing or parking would obstruct traffic;

(l) Alongside any vehicle stopped or parked at the edge or curb of a street;

(m) Upon any bridge or other elevated structure upon a street, or within a street tunnel;

(n) At any place where signs prohibit stopping, standing or parking, or where the curbing is painted yellow, or at any place in excess of the maximum time limited by signs;

(o) Within one foot of another parked vehicle;

(p) On the roadway portion of a freeway, expressway or thruway.

(q) Within any fire lane on private property, devoted to public use, as so designated, marked and approved by the Chief of the Fire Division and the Police Chief.

(r) In that area known as the street lawn.

(s) On any public roadway where, in the discretion of the Service Director related to traffic safety and convenience, signs have been placed prohibiting stopping, standing, or parking.

(t) In a manner that obstructs vehicular access to a mail box for mail delivery, which shall include, but is not limited, to any vehicle parked within five (5) feet of a mailbox.

(Ord. 9-80. Passed 2-11-80.)

Reynoldsburg
OHIO · 1839

STAFF REPORT
REYNOLDSBURG CITY COUNCIL

DATE: April 22, 2024

RE: A Resolution Suspending Enforcement of Chapter 723 Tobacco Retail License of the Codified Ordinances of the City of Reynoldsburg

APPROVALS:

Joe Begeny
Chris Shook
Mollie Prasher

EMERGENCY:

REASON FOR EMERGENCY:

STAFF REPORT:

A Resolution Suspending Enforcement of Chapter 723 Tobacco Retail License of the Codified Ordinances of the City of Reynoldsburg

WHEREAS, Council passed Ordinance No. 04-2023, establishing Chapter 723Toabcco Retail License (the "TRL Ordinance") of the Codified Ordinances of the City of Reynoldsburg; and

WHEREAS, on January 24, 2024, the General Assembly of the state of Ohio passed a veto override enacting Ohio Revised Code Section ("R.C.") 9.681, which seeks to prohibit any political subdivision, including home-rule municipalities, from regulating the use or sale of tobacco products or alternative nicotine products, with an effective date of April 24, 2024; and

WHEREAS, R.C. 9.681 provides that any person, group, or entity that prevails in a legal challenge to a regulation by a political subdivision shall be awarded costs and reasonable attorney fees; and

WHEREAS, by authorization of this Council through Resolution No. 2024-26, the City of Reynoldsburg has filed a Complaint in the Franklin County Court of Common Pleas (the "Tobacco Lawsuit"), joining the cities of Bexley, Cincinnati, Cleveland, Columbus, Dublin, Gahanna, Grandview Heights, Heath, Hilliard, Oxford, Upper Arlington, Whitehall, and Worthington, alleging that R.C. 9.681 infringes upon the rights of municipalities set forth in

Article XVIII, Section 7 of the Ohio Constitution; and

WHEREAS, this Council stands firm in its belief that the TRL Ordinance is a proper exercise of its home rule authority; and

WHEREAS, the boundaries of the City of Reynoldsburg are within Fairfield, Franklin, and Licking counties, with tobacco retailers located in each of the three counties, exposing the City to the threat of costly litigation in any one of those three counties; and

WHEREAS, this Council finds it is in the best interests of the City to suspend enforcement of the TRL Ordinance pending the final outcome of the Tobacco Lawsuit, by which time any uncertainty regarding enforcement will have been resolved by the courts of the state of Ohio.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF REYNOLDSBURG:

Section 1. Any and all enforcement of the provisions of Chapter 723 Tobacco Retail License of the Codified Ordinances of the City of Reynoldsburg shall be suspended until such time as there is a final determination regarding the constitutionality of Ohio Revised Code Section 9.681 as it relates to Ohio municipalities.

Section 2. That this Resolution shall take effect immediately upon the signature of the Mayor.

Reynoldsburg
OHIO · 1839

STAFF REPORT
REYNOLDSBURG CITY COUNCIL

DATE: April 22, 2024

RE: A Resolution Suspending Enforcement of Section 302.4 Weeds of Chapter 1711 Property Maintenance Code of the Codified Ordinances of the City of Reynoldsburg, Through the Month of May 2024, Under Certain Conditions

APPROVALS:

Joe Begeny
Chris Shook
Mollie Prasher

EMERGENCY:

REASON FOR EMERGENCY:

STAFF REPORT:

A Resolution Suspending Enforcement of Section 302.4 Weeds of Chapter 1711 Property Maintenance Code of the Codified Ordinances of the City of Reynoldsburg, through the Month of May 2024, Under Certain Conditions

WHEREAS, the City of Reynoldsburg finds that the month of May is a critical time for spring flowers to bloom, which nurtures pollinators; and

WHEREAS, the City of Reynoldsburg finds that strict enforcement of weed and grass regulations during the month of May decreases pollinator-friendly habitats; and

WHEREAS, the City of Reynoldsburg is in a position to promote pollinator-friendly habitats by suspending the enforcement of the City's property maintenance regulations on the growth of weeds and grass under certain specified conditions.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF REYNOLDSBURG:

Section 1. The City of Reynoldsburg hereby declares the month of May 2024 as "No Mow May," to actively promote and educate the community about the critical period of pollinator

emergence, generating crucial pollinator-supporting habitats and early spring foraging opportunities.

Section 2. That for the duration of the month of May 2024, the City of Reynoldsburg suspends the enforcement of Section 302.4 Weeds of Chapter 1711 Property Maintenance Code of the Codified Ordinances of the City of Reynoldsburg if a property owner meets all the following conditions:

1. Pollinator Garden: For a planned, intentional, and maintained planting of native or non-invasive plants of any origin that is free from noxious weeds.
2. All plantings will be in accordance with non-invasive species as defined by the Ohio Wildlife Management Agency.
3. No pollinator gardens are permitted in the traffic line of sight or in the City of Reynoldsburg right of way in excess of six (6) inches.
4. The perimeter of the pollinator garden must be maintained and shall not encroach on public rights-of-way, drainage easements, or within three (3) feet of neighboring properties.
5. Property owners shall notify the City of Reynoldsburg, in writing, of their intent to cultivate a pollinator garden and provide a site plan of the property listing non-invasive plantings included.

Section 3. That this suspension of enforcement shall not apply with respect to non-residential property and any premises defined as vacant pursuant to Chapter 1399 of the Codified Ordinances.

Section 4. That this Resolution shall take immediate effect upon the signature of the Mayor.

Reynoldsburg
OHIO · 1839

STAFF REPORT
REYNOLDSBURG CITY COUNCIL

DATE: April 22, 2024

RE: A Resolution Authorizing the Mayor to Sign and Execute a First Amendment for an Assignment and Assumption to the Community Reinvestment Area Agreement Dated December 21, 2022

APPROVALS:

Joe Begeny
Stephen Cicak
Chris Shook
Mollie Prasher

EMERGENCY:

REASON FOR EMERGENCY:

STAFF REPORT:

This Resolution would authorize the Mayor to execute an Assignment and Assumption Agreement that transfers the rights and responsibilities of the December 21, 2022 CRA Agreement with Reynoldsburg MOB, LLC to a different entity/purchaser, HPO Columbus, LLC. City staff has reviewed the proposed agreement and has conducted an appropriate review of the finances of the assignee and determined that such assigned is in the best interests of the City.

City staff is confident that the purchaser will comply with the terms of the CRA Agreement. As such, city staff recommends Council grant the Mayor the requested authorization.

A Resolution Authorizing the Mayor to Sign and Execute a First Amendment for an Assignment and Assumption to the Community Reinvestment Area Agreement Dated December 21, 2022

WHEREAS, this Council authorized the City to enter into a Community Reinvestment Area Agreement dated December 21, 2022 (the "CRA Agreement") with Reynoldsburg MOB, LLC for a real property tax abatement of 100% for a period of 15 years, in consideration for the construction of an economic development project under specified terms and conditions; and

WHEREAS, the construction of the building for the economic development project is nearing

completion and the owner of the property, Reynoldsburg MOB, LLC, now seeks to sell the land to a buyer, HPO Columbus, LLC, who will assume the obligation of the CRA Agreement; and

WHEREAS, the City has reviewed and considered the proposed assignment, and recommends to Council to approve such assignment and assumption as presented; and

WHEREAS, the Council finds that such an assignment and assumption to be in the best interests of the City, and authorizes the Mayor to execute the same.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF REYNOLDSBURG:

Section 1. The Mayor is hereby authorized to sign the First Amendment for Assignment and Assumption to the Community Reinvestment Area Agreement dated December 21, 2022, assigning such rights and obligations from Reynoldsburg MOB, LLC to HPO Columbus, LLC.

Section 2. That this Resolution shall take immediate effect upon the signature of the Mayor.

Reynoldsburg
OHIO · 1839

STAFF REPORT
REYNOLDSBURG CITY COUNCIL

DATE: April 22, 2024

RE: A Resolution Suspending Enforcement of Chapter 723 Tobacco Retail License of the Codified Ordinances of the City of Reynoldsburg

APPROVALS:

Joe Begeny
Chris Shook
Mollie Prasher

EMERGENCY:

REASON FOR EMERGENCY:

STAFF REPORT:

A Resolution Suspending Enforcement of Chapter 723 Tobacco Retail License of the Codified Ordinances of the City of Reynoldsburg

WHEREAS, Council passed Ordinance No. 04-2023, establishing Chapter 723Toabcco Retail License (the "TRL Ordinance") of the Codified Ordinances of the City of Reynoldsburg; and

WHEREAS, on January 24, 2024, the General Assembly of the state of Ohio passed a veto override enacting Ohio Revised Code Section ("R.C.") 9.681, which seeks to prohibit any political subdivision, including home-rule municipalities, from regulating the use or sale of tobacco products or alternative nicotine products, with an effective date of April 24, 2024; and

WHEREAS, R.C. 9.681 provides that any person, group, or entity that prevails in a legal challenge to a regulation by a political subdivision shall be awarded costs and reasonable attorney fees; and

WHEREAS, by authorization of this Council through Resolution No. 2024-26, the City of Reynoldsburg has filed a Complaint in the Franklin County Court of Common Pleas (the "Tobacco Lawsuit"), joining the cities of Bexley, Cincinnati, Cleveland, Columbus, Dublin, Gahanna, Granview Heights, Heath, Hilliard, Oxford, Upper Arlington, Whitehall, and Worthington, alleging that R.C. 9.681 infringes upon the rights of municipalities set forth in

Article XVIII, Section 7 of the Ohio Constitution; and

WHEREAS, this Council stands firm in its belief that the TRL Ordinance is a proper exercise of its home rule authority; and

WHEREAS, the boundaries of the City of Reynoldsburg are within Fairfield, Franklin, and Licking counties, with tobacco retailers located in each of the three counties, exposing the City to the threat of costly litigation in any one of those three counties; and

WHEREAS, this Council finds it is in the best interests of the City to suspend enforcement of the TRL Ordinance pending the final outcome of the Tobacco Lawsuit, by which time any uncertainty regarding enforcement will have been resolved by the courts of the state of Ohio.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF REYNOLDSBURG:

Section 1. Any and all enforcement of the provisions of Chapter 723 Tobacco Retail License of the Codified Ordinances of the City of Reynoldsburg shall be suspended until such time as there is a final determination regarding the constitutionality of Ohio Revised Code Section 9.681 as it relates to Ohio municipalities.

Section 2. That this Resolution shall take effect immediately upon the signature of the Mayor.

Reynoldsburg
OHIO · 1839

STAFF REPORT
REYNOLDSBURG CITY COUNCIL

DATE: April 22, 2024

RE: A Resolution Suspending Enforcement of Section 302.4 Weeds of Chapter 1711 Property Maintenance Code of the Codified Ordinances of the City of Reynoldsburg, Through the Month of May 2024, Under Certain Conditions

APPROVALS:

Joe Begeny
Chris Shook
Mollie Prasher

EMERGENCY:

REASON FOR EMERGENCY:

STAFF REPORT:

A Resolution Suspending Enforcement of Section 302.4 Weeds of Chapter 1711 Property Maintenance Code of the Codified Ordinances of the City of Reynoldsburg, through the Month of May 2024, Under Certain Conditions

WHEREAS, the City of Reynoldsburg finds that the month of May is a critical time for spring flowers to bloom, which nurtures pollinators; and

WHEREAS, the City of Reynoldsburg finds that strict enforcement of weed and grass regulations during the month of May decreases pollinator-friendly habitats; and

WHEREAS, the City of Reynoldsburg is in a position to promote pollinator-friendly habitats by suspending the enforcement of the City's property maintenance regulations on the growth of weeds and grass under certain specified conditions.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF REYNOLDSBURG:

Section 1. The City of Reynoldsburg hereby declares the month of May 2024 as "No Mow May," to actively promote and educate the community about the critical period of pollinator

emergence, generating crucial pollinator-supporting habitats and early spring foraging opportunities.

Section 2. That for the duration of the month of May 2024, the City of Reynoldsburg suspends the enforcement of Section 302.4 Weeds of Chapter 1711 Property Maintenance Code of the Codified Ordinances of the City of Reynoldsburg if a property owner meets all the following conditions:

1. Pollinator Garden: For a planned, intentional, and maintained planting of native or non-invasive plants of any origin that is free from noxious weeds.
2. All plantings will be in accordance with non-invasive species as defined by the Ohio Wildlife Management Agency.
3. No pollinator gardens are permitted in the traffic line of sight or in the City of Reynoldsburg right of way in excess of six (6) inches.
4. The perimeter of the pollinator garden must be maintained and shall not encroach on public rights-of-way, drainage easements, or within three (3) feet of neighboring properties.
5. Property owners shall notify the City of Reynoldsburg, in writing, of their intent to cultivate a pollinator garden and provide a site plan of the property listing non-invasive plantings included.

Section 3. That this suspension of enforcement shall not apply with respect to non-residential property and any premises defined as vacant pursuant to Chapter 1399 of the Codified Ordinances.

Section 4. That this Resolution shall take immediate effect upon the signature of the Mayor.

Reynoldsburg
OHIO · 1839

STAFF REPORT
REYNOLDSBURG CITY COUNCIL

DATE: April 22, 2024

RE: An Ordinance to Amend Ordinance No. 102-18, as Amended by Ordinance No. 174-2021 and Ordinance No. 124-2023, to Authorize the Use of Service Payments for Public Improvements in Support of Urban Redevelopment

APPROVALS:

Joe Begeny
Chris Shook
Mollie Prasher

EMERGENCY:

REASON FOR EMERGENCY:

STAFF REPORT:

This ordinance would permit service payments generated from this TIF to be spent on public improvements that do not directly benefit the parcels included within this TIF.

AN ORDINANCE TO AMEND ORDINANCE NO. 102-18, AS AMENDED BY ORDINANCE NO. 174-2021 AND ORDINANCE NO. 124-2023, TO AUTHORIZE USE OF SERVICE PAYMENTS FOR PUBLIC IMPROVEMENTS IN SUPPORT OF URBAN REDEVELOPMENT

WHEREAS, pursuant to Ohio Revised Code ("ORC") 5709.40, 5709.42, and 5709.43 (collectively, the "TIF Act") this Council on October 22, 2018, passed Ordinance No. 102-18, as amended by Ordinance 174-2021 passed on December 20, 2021, and by Ordinance No. 124-2023, passed December 18, 2023 (collectively, the "TIF Ordinance") thereby declaring improvements to parcels of certain real property located in the City (as described and depicted in the TIF Ordinance and collectively referred to herein as the "Parcels" and each a "Parcel"), to be a public purpose, exempting those improvements from real property taxation for a period of 30 years, specifying public infrastructure improvements to be made to benefit the Property, providing for the making of service payments in lieu of taxes (the "Service Payments") by the owner(s) thereof, and establishing a municipal public improvement tax increment equivalent fund into which those Service Payments were to be deposited, and providing for payments to the Reynoldsburg City School District and the Eastland-Fairfield Career and Technical Schools (collectively, the "School Districts") out of the Service Payments; and

WHEREAS, Section 757.70 of Am. Sub. H.B. No. 33 of the 135th General Assembly allows the City Council of an “impacted city” under ORC 1728.01 to find and determine that satisfactory provision has been made for the public improvement needs of the Parcels and that the public improvements made, to be made, or in the process of being made within the City as described on Exhibit A to this ordinance that do not directly benefit the Parcels are in support of urban redevelopment within the meaning of ORC 5709.41; and

WHEREAS, this Council desires to amend the TIF Ordinance to permit use of Service Payments collected from the Parcels for such public improvements in support of urban redevelopment; and

WHEREAS, notice of this amendment to the TIF Ordinance has been timely delivered to the School Districts in accordance with ORC Sections 5709.40 and 5709.83;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF REYNOLDSBURG, FAIRFIELD, FRANKLIN, AND LICKING COUNTIES, OHIO, THAT:

SECTION 1. Determinations. This Council finds and determines that (a) the City is an “impacted city” under ORC 1728.01 and (b) as a result of actions that City has taken and will take pursuant to the TIF Ordinance, satisfactory provision has been made for the public improvement needs of the Parcels. This Council further finds and determines that the public improvements made, to be made, or in the process of being made within the City as described on Exhibit A to this ordinance that do not directly benefit the Parcels are in support of urban redevelopment within the meaning of ORC 5709.41.

SECTION 2. Full Force and Effect. Except as provided herein, all other provisions of the TIF Ordinance shall remain in full force and effect. City officials are further authorized to provide such information and to execute, certify or furnish such other documents, and to do all of the things as are necessary for and incidental to carrying out the provisions of this ordinance.

SECTION 3. Delivery of Ordinance. The Clerk of Council is hereby directed to deliver a copy of this Ordinance to the Director of the Department of Development of the State of Ohio within fifteen days after its passage.

SECTION 4. Open Meetings. The Council hereby finds and determines that all formal actions relative to the passage of this ordinance were taken in an open meeting of this Council or its committees, that all deliberations of this Council and of its committees that resulted in formal action were taken in meetings open to the public, in full compliance with the applicable legal requirements, including Revised Code Section 121.22.

SECTION 5. Effective Date. This ordinance is effective on the earliest date permitted by law.

PASSED this __ day of _____, 2024.

_____

–

Meredith Lawson-Rowe, Council President

ATTEST: _____
Mollie Prasher, Clerk of Council

APPROVED: _____ DATE _____
Joe Begeny, Mayor

CERTIFICATE

I, Mollie Prasher, Clerk of Council, City of Reynoldsburg, Ohio, do hereby certify the foregoing to be a true and correct copy of Ordinance No. ___-2024 as passed by Council of said City on the ___ day of _____, 2024 and as recorded in the Record of Proceedings of said Council.

_____
Mollie Prascher, Clerk of Council

Filed with Mayor: _____

EXHIBIT A

PUBLIC INFRASTRUCTURE IMPROVEMENTS

The public improvements designated by this Ordinance as a public purpose consist of any "public infrastructure improvement" defined under ORC 5709.40(A)(8) and specifically include, but are not limited to, any of the following improvements and all related costs of those permanent improvements (including, but not limited to, those costs listed in ORC 133.15(B)), together with such improvements hereafter approved by City Council ordinance:

- **Roadways**. Construction, reconstruction, maintenance, extension, opening, improving, widening, grading, draining, curbing or changing of the lines and traffic patterns of roads, highways, streets, intersections, bridges (both roadway and pedestrian), sidewalks, bikeways, medians and viaducts accessible to and serving the public, and providing signage (including traffic signage and informational/promotional signage), lighting systems, signalization, and traffic controls, and all other appurtenances thereto.

- **Parking Facilities**. The construction or reconstruction of off-street parking facilities.

- **Water/Sewer**. Construction, reconstruction or installation of public utility improvements (including any underground municipally owned utilities), storm and sanitary sewers (including necessary site grading therefore), water and fire protection systems, and all appurtenances thereto.

- **Environmental/Health**. Implementation of environmental remediation measures necessary to enable the construction of private improvements and the construction of public health facilities.
- **Utilities**. Construction, reconstruction, burial or installation of gas, electric and communication service facilities and all appurtenances thereto, including, but not limited to those associated with improvements described in “Roadways” above.
- **Stormwater**. Construction, reconstruction, relocation, modification and installation of stormwater and flood remediation projects and facilities, both for storm water quantity and quality, including the payment and reimbursement for such projects and facilities on private property when determined to be necessary for public health, safety and welfare.

- **Demolition**. Demolition, including demolition on private property when determined to be necessary for public health, safety, welfare and economic development.

- **Parks**. Construction or reconstruction of one or more public parks and park or recreational facilities, including grading, trees and other park plantings, park accessories and related improvements, multi-use trails and bridges, together with all appurtenances thereto.

- **Streetscape/Landscape**. Construction or installation of streetscape and landscape improvements including trees, tree grates, signage, curbs, sidewalks, scenic fencing, street and sidewalk lighting, trash receptacles, benches, newspaper racks, burial of overhead utility lines and related improvements, together with all appurtenances thereto, including, but not limited to streetscape improvements in conjunction with and along the roadway improvements described in “Roadways” above.
- **Real Estate**. Acquisition of real estate or interests in real estate (including easements) (a) necessary to accomplish any of the foregoing improvements or (b) in aid of industry, commerce, distribution or research.

- **Professional Services**. Engineering, consulting, legal, administrative, and other professional services associated with the planning, design, acquisition, construction and installation of the foregoing improvements and real estate.

Reynoldsburg
OHIO · 1839

STAFF REPORT
REYNOLDSBURG CITY COUNCIL

DATE: April 22, 2024

RE: An Ordinance to Amend Ordinance No. 137-98, as Amended by Ordinance No. 123-2023, to Authorize the Use of Service Payments for Public Improvements in Support of Urban Redevelopment

APPROVALS:

Joe Begeny
Chris Shook
Mollie Prasher

EMERGENCY:

REASON FOR EMERGENCY:

STAFF REPORT:

This ordinance would permit service payments generated from this TIF to be spent on public improvements that do not directly benefit the parcels included within this TIF.

AN ORDINANCE TO AMEND ORDINANCE NO. 137-98, AS AMENDED BY ORDINANCE NO. 123-2023, TO AUTHORIZE USE OF SERVICE PAYMENTS FOR PUBLIC IMPROVEMENTS IN SUPPORT OF URBAN REDEVELOPMENT

WHEREAS, pursuant to Ohio Revised Code ("ORC") 5709.40, 5709.42, and 5709.43 (collectively, the "TIF Act") this Council on December 21, 1998, passed Ordinance No. 137-98, as amended by Ordinance No. 123-2023, passed December 18, 2023 (collectively, the "TIF Ordinance") thereby declaring improvements to parcels of certain real property located in the City (as described and depicted in the TIF Ordinance and collectively referred to herein as the "Property"), to be a public purpose, exempting those improvements from real property taxation for a period of 30 years, specifying public infrastructure improvements to be made to benefit the Property, providing for the making of service payments in lieu of taxes (the "Service Payments") by the owner(s) thereof, and establishing a municipal public improvement tax increment equivalent fund into which those Service Payments were to be deposited, and providing for payments to the Reynoldsburg City School District (the "School District") out of the Service Payments; and

WHEREAS, Section 757.70 of Am. Sub. H.B. No. 33 of the 135th General Assembly allows the

City Council of an “impacted city” under ORC 1728.01 to find and determine that satisfactory provision has been made for the public improvement needs of the Property and that the public improvements made, to be made, or in the process of being made within the City as described on Exhibit A to this ordinance that do not directly benefit the Property are in support of urban redevelopment within the meaning of ORC 5709.41; and

WHEREAS, this Council desires to amend the TIF Ordinance to permit use of Service Payments collected from the Property for such public improvements in support of urban redevelopment; and

WHEREAS, notice of this amendment to the TIF Ordinance has been timely delivered to the School District and the Eastland-Fairfield Career and Technical Schools in accordance with ORC Sections 5709.40 and 5709.83;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF REYNOLDSBURG, FAIRFIELD, FRANKLIN, AND LICKING COUNTIES, OHIO, THAT:

SECTION 1. Determinations. This Council finds and determines that (a) the City is an “impacted city” under ORC 1728.01 and (b) as a result of actions that City has taken and will take pursuant to the TIF Ordinance, satisfactory provision has been made for the public improvement needs of the Property. This Council further finds and determines that the public improvements made, to be made, or in the process of being made within the City as described on Exhibit A to this ordinance that do not directly benefit the Property are in support of urban redevelopment within the meaning of ORC 5709.41.

SECTION 2. Full Force and Effect. Except as provided herein, all other provisions of the TIF Ordinance shall remain in full force and effect. City officials are further authorized to provide such information and to execute, certify or furnish such other documents, and to do all of the things as are necessary for and incidental to carrying out the provisions of this ordinance.

SECTION 3. Delivery of Ordinance. The Clerk of Council is hereby directed to deliver a copy of this Ordinance to the Director of the Department of Development of the State of Ohio within fifteen days after its passage.

SECTION 4. Open Meetings. The Council hereby finds and determines that all formal actions relative to the passage of this ordinance were taken in an open meeting of this Council or its committees, that all deliberations of this Council and of its committees that resulted in formal action were taken in meetings open to the public, in full compliance with the applicable legal requirements, including Revised Code Section 121.22.

SECTION 5. Effective Date. This ordinance is effective on the earliest date permitted by law.

PASSED this __ day of _____, 2024.

_____

__

Meredith Lawson-Rowe, Council

President

ATTEST: _____
Mollie Prasher, Clerk of Council

APPROVED: _____ DATE _____
Joe Begeny, Mayor

CERTIFICATE

I, Mollie Prasher, Clerk of Council, City of Reynoldsburg, Ohio, do hereby certify the foregoing to be a true and correct copy of Ordinance No. ___-2024 as passed by Council of said City on the ___ day of _____, 2024 and as recorded in the Record of Proceedings of said Council.

_____
Mollie Prascher, Clerk of Council

Filed with Mayor: _____

EXHIBIT A

PUBLIC INFRASTRUCTURE IMPROVEMENTS

The public improvements designated by this Ordinance as a public purpose consist of any "public infrastructure improvement" defined under ORC 5709.40(A)(8) and specifically include, but are not limited to, any of the following improvements and all related costs of those permanent improvements (including, but not limited to, those costs listed in ORC 133.15(B)), together with such improvements hereafter approved by City Council ordinance:

- **Roadways**. Construction, reconstruction, maintenance, extension, opening, improving, widening, grading, draining, curbing or changing of the lines and traffic patterns of roads, highways, streets, intersections, bridges (both roadway and pedestrian), sidewalks, bikeways, medians and viaducts accessible to and serving the public, and providing signage (including traffic signage and informational/promotional signage), lighting systems, signalization, and traffic controls, and all other appurtenances thereto.
- **Parking Facilities**. The construction or reconstruction of off-street parking facilities.
- **Water/Sewer**. Construction, reconstruction or installation of public utility improvements (including any underground municipally owned utilities), storm and sanitary sewers (including necessary site grading therefore), water and fire protection systems, and all

appurtenances thereto.

- **Environmental/Health**. Implementation of environmental remediation measures necessary to enable the construction of private improvements and the construction of public health facilities.
- **Utilities**. Construction, reconstruction, burial or installation of gas, electric and communication service facilities and all appurtenances thereto, including, but not limited to those associated with improvements described in “Roadways” above.
- **Stormwater**. Construction, reconstruction, relocation, modification and installation of stormwater and flood remediation projects and facilities, both for storm water quantity and quality, including the payment and reimbursement for such projects and facilities on private property when determined to be necessary for public health, safety and welfare.
- **Demolition**. Demolition, including demolition on private property when determined to be necessary for public health, safety, welfare and economic development.
- **Parks**. Construction or reconstruction of one or more public parks and park or recreational facilities, including grading, trees and other park plantings, park accessories and related improvements, multi-use trails and bridges, together with all appurtenances thereto.

- **Streetscape/Landscape**. Construction or installation of streetscape and landscape improvements including trees, tree grates, signage, curbs, sidewalks, scenic fencing, street and sidewalk lighting, trash receptacles, benches, newspaper racks, burial of overhead utility lines and related improvements, together with all appurtenances thereto, including, but not limited to streetscape improvements in conjunction with and along the roadway improvements described in “Roadways” above.
- **Real Estate**. Acquisition of real estate or interests in real estate (including easements) (a) necessary to accomplish any of the foregoing improvements or (b) in aid of industry, commerce, distribution or research.
- **Professional Services**. Engineering, consulting, legal, administrative, and other professional services associated with the planning, design, acquisition, construction and installation of the foregoing improvements and real estate.

STAFF REPORT
REYNOLDSBURG CITY COUNCIL

DATE: April 22, 2024

RE: An Ordinance to Amend Chapter Eleven - Planning and Zoning Code for the City of Reynoldsburg, Ohio

APPROVALS:

Chris Shook
Mollie Prasher

EMERGENCY:

REASON FOR EMERGENCY:

STAFF REPORT:

An Ordinance to Amend Chapter Eleven - Planning and Zoning Code for the City of Reynoldsburg, Ohio

WHEREAS, the City of Reynoldsburg determined that the Zoning Code of the City should be revised to improve efficiency, address concerns of residents in the community, and maintain consistency with the Reynoldsburg Comprehensive Master Plan in 2018; and

WHEREAS, the modifications are to be made to the Code that went into effect on April 23, 2020, and subsequently amended, most recently by Ordinance No. 43-2023; and

WHEREAS, these amendments are to align and re-calibrate the text to better conform to the usefulness of the code; and

WHEREAS, the new Reynoldsburg code should continually change and be revised to better suit new policies and practices within the administration and city planning.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF REYNOLDSBURG, OHIO:

SECTION 1. That Chapter 11 - Planning and Zoning Code will be amended with this updated code-

See Exhibit "A" attached and incorporated herein.

SECTION 2. That upon adoption by Council, this Ordinance shall be in effect thirty days following the signature by the Mayor.

Reynoldsburg
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STAFF REPORT
REYNOLDSBURG CITY COUNCIL

DATE: April 22, 2024

RE: An Ordinance Appropriating Funds from the Unappropriated General Fund to the Parks & Recreation Department

APPROVALS:

Joe Begeny
Stephen Cicak
Chris Shook
Mollie Prasher

EMERGENCY:

REASON FOR EMERGENCY:

STAFF REPORT:

The Parks and Recreation Department has been awarded two (2) grants, one from the Ohio EPA 2024 Water Bottle Refilling Station and one from the Franklin County Board of Developmental Disabilities Changing Spaces Project.

The Ohio EPA grant is in the amount of $9,373 for the 3 drinking fountains with water bottle refilling stations and one water bottle refilling station. The Franklin County Board of Developmental Disabilities Changing Spaces Project grant is in the amount of $8,410 for the purchase of a height-adjustable changing table to be installed in a family restroom at JFK Park.

Requesting that $17,783.00 be unappropriated from the General Fund (110) and appropriated into account 110.340.5639, Other Equipment, so that equipment can be ordered.

When grant funds are received they will be returned to the General Fund (110).

AN ORDINANCE APPROPRIATING Funds from the Unappropriated GENERAL FUND to THE PARKS & RECREATION DEPARTMENT

WHEREAS, the Parks and Recreation Department was awarded two grants, one from the Ohio EPA 2024 Water Bottle Refilling Station and from the Franklin County Board of Developmental Disabilities Changing Spaces Project; and

WHEREAS, the Ohio EPA grant is in the amount of $9,373 for three drinking fountains with water bottle refilling stations and one stand allow water bottle refilling station; and

WHEREAS, the Franklin County Board of Developmental Disabilities Changing Spaces Project grants is in the amount of $8,410 for the purchase of a height-adjustable changing table for the family restroom at JFK Park; and

WHEREAS, both of these grants will reimburse the costs associated with the Project up to the awarded amount; and

WHEREAS, in order to proceed with the project, these funds need to be appropriated from the unappropriated General Fund (110) to the Parks and Recreation Department.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF REYNOLDSBURG, OHIO;

SECTION 1: The City accepts the grant award from the Ohio EPA in the amount of $9,373 and the Franklin County Board of Developmental Disabilities Changing Spaces Project in the amount of $8,410.

SECTION 2. That an amount of $17,783.00 be appropriated from the unappropriated General Fund (110) to account number 110.340.5639 Other Equipment.

SECTION 3. That funds, when received, be deposited to the General Fund (110).

SECTION 4. That the Mayor and City Auditor are hereby authorized and directed to enter into an agreement with the Ohio EPA and the Franklin County Board of Developmental Disabilities Changing Spaces Project to complete these projects.

SECTION 5: That this Ordinance shall be effective thirty days following approval by Council and the signature of the Mayor.

Reynoldsburg
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STAFF REPORT
REYNOLDSBURG CITY COUNCIL

DATE: April 22, 2024

RE: An Ordinance Approving and Authorizing the Execution and Delivery of a Joint Economic Development District Contract by and between Harrison Township and the City of Reynoldsburg, Ohio, and Declaring an Emergency

APPROVALS:

Joe Begeny
Stephen Cicak
Chris Shook
Mollie Prasher

EMERGENCY:

three-read emergency

REASON FOR EMERGENCY:

financial needs of the City

STAFF REPORT:

AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF A JOINT ECONOMIC DEVELOPMENT DISTRICT CONTRACT BY AND BETWEEN HARRISON TOWNSHIP AND THE CITY OF REYNOLDSBURG, OHIO AND DECLARING AN EMERGENCY

WHEREAS, Harrison Township (the "Township") and the City of Reynoldsburg (the "City") desire to facilitate new and expanded growth for commercial and economic development in the State and in the Joint Economic Development District (JEDD) for their mutual benefit and for the benefit of their residents and the State of Ohio; and

WHEREAS, the Township is located in Licking County, Ohio and the City is located in Franklin, Licking, and Fairfield Counties, Ohio, and both are political subdivisions of the State of Ohio; and

WHEREAS, the Township and the City desire to enter into the proposed JEDD Contract to share in the costs of improvements for the JEDD for the purpose of facilitating new and expanded growth for commercial and economic development in the State of Ohio, and to create or preserve jobs and employment opportunities and to improve the economic welfare of

the people located in the Township and the City all in accordance with Ohio Revised Code Section 715.72; and

WHEREAS, the Township and the City wish to provide a mechanism whereby income tax revenue can be generated from the economic activities conducted within the JEDD to be used for the purposes of the JEDD and for the purposes of the Township and the City, all of which the Township and the City hereto acknowledge will operate to facilitate new or expanded growth for commercial and economic development in the State of Ohio, to create or preserve jobs and employment opportunities, to improve the economic welfare of the people of the State of Ohio, the Township and the City, and to preserve and promote the general public welfare of the Township's and the City's residents either directly or indirectly; and

WHEREAS, pursuant to Ohio Revised Code Section 715.72, the Township and the City are authorized to negotiate a Joint Economic Development District Contract (the "JEDD Contract") creating the Harrison-Reynoldsburg Joint Economic Development District encompassing the real property described and depicted in Exhibit A and B to the JEDD Contract; and

WHEREAS, pursuant to Ohio Revised Code Section 715.72, the Township and the City each have published a notice of the time and place of a public hearing regarding the JEDD Contract to be held by the Township and the City respectively; and

WHEREAS, since the publication of those notices, there has been on file with the Township's Fiscal Officer and the City's Clerk of Council available for public inspection: (i) a copy of the proposed JEDD Contract, (ii) a description of the area or areas to be included in the JEDD, including a map in sufficient detail to denote the specific boundaries of the area or areas of the JEDD, and (iii) an economic development plan for the JEDD that includes a schedule for the provision of any new, expanded, or additional services, facilities, or improvements; and

WHEREAS, this day this Council held the City's public hearing regarding the proposed JEDD Contract that allowed public comment and recommendations regarding the JEDD Contract; and

WHEREAS, this Council hereby approves and authorizes the execution and delivery of the JEDD Contract by and between the City and the Township, finding the same to be in the best interests of the City.

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF REYNODLSBURG, COUNTIES OF FRANKLIN, LICKING, AND FAIRFIELD, STATE OF OHIO THAT:

Section 1. The creation of the JEDD pursuant to the JEDD Contract, attached hereto as Exhibit 1 and incorporated herein by reference, will facilitate new and expanded growth for commercial and economic development in the State of Ohio and in the JEDD.

Section 2. The JEDD Contract attached hereto as Exhibit 1 and incorporated herein by reference, is approved and the Mayor is hereby authorized to sign and deliver that JEDD Contract to the Township Fiscal Officer.

Section 3. The economic development plan for the JEDD now on file with the Clerk of Council

is hereby approved.

Section 4. The Mayor, the City Auditor, the City Attorney, and Clerk of Council are authorized to execute and deliver such instruments and certificates, and to take such actions as are necessary to effect the creation of the JEDD or to effect the provisions of the JEDD Contract.

Section 5. The Mayor is hereby authorized to execute the Development and Compensation Agreement by and between the City, the Licking County Board of County Commissioners, the Harrison Township Board of Trustees and S.R. 158, LLC.

Section 6. All formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance, and all deliberations of this Council and of any committees that resulted in formal actions, occurred in meetings open to the public in compliance with the Ohio Revised Code.

Section 7. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and financial needs of the City, wherefore this Ordinance shall take effect immediately upon its passage and the Mayor's signature.

STAFF REPORT
REYNOLDSBURG CITY COUNCIL

DATE: April 22, 2024

RE: An Ordinance to Amend Chapter 351, Sections 351.01 Police Removal of Vehicles and 351.02 Prohibited Standing or Parking Places of the Codified Ordinances of the City of Reynoldsburg

APPROVALS:

Joe Begeny
Chris Shook
Mollie Prasher

EMERGENCY:

REASON FOR EMERGENCY:

STAFF REPORT:

An Ordinance to Amend Chapter 351, Sections 351.01 Police Removal of Vehicles and 351.02 Prohibited Standing or Parking Places of the Codified Ordinances of the City of Reynoldsburg

WHEREAS, the Council of the City of Reynoldsburg, Ohio has determined that it is in the best interest of the City to amend Chapter 351**,** Sections 351.01 Police Removal of Vehicles and 351.02 Prohibited Standing or Parking Places of the Codified Ordinances of the City of Reynoldsburg.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF REYNOLDSBURG:

Section 1. That Chapter 351**,** Sections 351.01 Police Removal of Vehicles and 351.02 Prohibited Standing or Parking Places of the Codified Ordinances of the City of Reynoldsburg shall be amended as provided in the attached Exhibit A.

Section 2. That upon adoption by Council, this Ordinance shall be in effect thirty days following the signature of the Mayor.