

CODIFIED ORDINANCES OF THE VILLAGE OF HEBRON, OHIO

PART ELEVEN – PLANNING AND ZONING CODE

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TITLE ONE

ZONING ADMINISTRATION

CHAPTER 1101 General Provisions

1101.01 TITLE.

These regulations shall be known and may be cited as “The Planning and Zoning Code of the Village of Hebron, Ohio.”

Unless otherwise provided herein or by the law or implication required, the same rules of construction, definition, and application shall govern the interpretation of this Planning and Zoning Code as those governing the interpretation of the Ohio Revised Code.

1101.02 AUTHORITY.

This chapter is adopted pursuant to the authority contained in the Ohio Revised Code Chapter 713 *et seq.*

1101.03 SCOPE.

The provisions of this Code shall apply to all land within the corporate boundaries of the Village of Hebron, Ohio.

1101.04 PURPOSE AND INTERPRETATION.

This Planning and Zoning Code is adopted to promote and protect the public health, safety, convenience, comfort, prosperity and general welfare by regulating and limiting the use of land areas and buildings to be used for residential, business, and industrial purposes; by regulating and limiting the erection, restoration, and alteration of buildings and the use thereof; by regulating the bulk, height, design, percent of lot occupancy and the location of buildings; and for the purpose of dividing the Village into various districts.

In their interpretation and application, the provisions of this Zoning Ordinance shall be held to be minimum requirements. Whenever the requirements of this Zoning Code conflict with the requirements of any other lawfully adopted rules, regulations, ordinances, or resolutions, the most restrictive, or that imposing the higher standards, shall govern. Whenever the requirements of this Planning and Zoning Code conflict with the Ohio Revised Code, the Ohio Revised Code shall govern.

1101.05 SEVERABILITY.

Should any section or provision of this Code be declared by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the Code as a whole, or any part thereof other than the part so declared to be unconstitutional or invalid.

1101.06 CONFLICTING ORDINANCES; EFFECTIVE DATE.

All ordinances or parts of ordinances in conflict with this Planning and Zoning Code or inconsistent with the provisions of this Code are hereby repealed to the extent necessary to give this Code full force and effect. This Code shall become effective from and after the date of its approval and adoption, as provided by the Ohio Revised Code.

CHAPTER 1103

Definitions

1103.01 USE OF TERMS.

Words and terms not specifically defined in Section 1103.02 below carry their normal dictionary meanings as found in Webster's New Universal Unabridged Dictionary, latest edition.

- Words used in the present tense include the future tense; the reverse is also true.
- Words used in the singular include the plural; the reverse is also true.
- The words "must," "will" and "shall" are mandatory requirements, the word "may" is a permissive requirement, and the word "should" is a preferred requirement.
- The words "used" and "occupied" include the words "intended, designed, or arranged to be used or occupied."
- The word "person" includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual.

1103.02 DEFINITIONS.

ACCESS DRIVE: A way or means of approach to provide physical entrance to a property, as in driveway or curb cut.

ACCESSORY USE OR STRUCTURE: A use or structure subordinate to the principal use or structure on the lot or tract and serving a purpose customarily incidental to the use of the principal building. Included in this definition are detached residential garages, storage sheds and barns, carports and picnic shelters.

ADULT ENTERTAINMENT FACILITIES: Definitions are located in Chapter 1145 (Adult Entertainment Business).

AGRICULTURE: Carries the same definition as provided by Sec. 1.61 of the Ohio Revised Code.

ALLEY or LANE: A public right-of-way not less than twenty (20) feet or more than thirty (30) feet wide which affords only a secondary means of access to property abutting thereon.

ALTERATION: Any change, rearrangement, or modification in the construction or in the exit facilities of a building, and/or the moving of partitions from one location to another within a structure.

ALTERATION, STRUCTURAL: Any change or rearrangement in the supporting members of an existing building, such as bearing walls, columns, beams, girders or interior partitions, as well as any change in doors or windows, or any enlargement to or diminution of a building or structure, whether horizontally or vertically, or the moving of a building or structure from one location to another.

AUTOMOBILE WASH and AUTOMATIC CAR WASH: Any building or premises or portions thereof where mechanical devices are used for washing automobiles.

AUTOMOTIVE REPAIR SERVICES AND GARAGES: Establishments primarily engaged in furnishing automotive repair, rental, leasing, and parking services to the general public.

AUTOMOTIVE: Motor vehicle dealers (new and used, and used only), truck dealers (new and used, and used only), motorcycle dealers (new and used, and used only) tire, battery and accessory dealers, miscellaneous aircraft, marine and recreational vehicle dealers, automotive rentals, automobile services except repair.

BASEMENT: A space having one-half or more of its floor-to ceiling height below the average level of the adjoining ground and with a floor-to-ceiling height of not less than six and one-half (6 and ½) feet.

BEDROOM: A private room planned and intended for sleeping, separable from other rooms by a door, and accessible to a bathroom without crossing another bedroom or living room.

BOARDING HOME FOR SHELTERED CARE: A profit or nonprofit boarding home, rest home, or other home for the sheltered care of adult persons which, in addition to providing food and shelter to four or more persons unrelated to the proprietor, also provides any personal care or service beyond orphans, foster children, the elderly, and battered persons.

BUFFER STRIP: A land area used to visibly separate one use from another or to shield or block noise, lights, or other nuisances.

BUILDABLE AREA: The area of a lot remaining after the minimum yard and open space requirements of the zoning ordinance has been met.

BUILDING: Any structure having a roof supported by columns or walls and intended for the shelter, housing or enclosure of any individual, animal, process, equipment, goods or materials of any kind or nature.

BUILDING, ACCESSORY: A subordinate structure on the same lot as the principal or main building or use occupied or devoted to a use incidental to the principal use.

BUILDING COVERAGE: The horizontal area measured within the outside of the exterior walls of the ground floor of all principal and accessory buildings on a lot.

BUILDING HEIGHT: The vertical distance of a building measured from the average elevation of the finished grade within twenty feet of the structure to the highest point of the roof.

BUILDING LINE: The line within the property defining the required minimum distance between any structure and the property line.

BUILDING, PRINCIPAL: A building in which is conducted the main or principal use of the lot on which it is situated.

CALIPER (TREE): The diameter of a tree as measured approximately 4 feet above the ground.

CARPORT: A roofed structure providing space for the parking or storage of motor vehicles and enclosed on not more than three sides.

CARRY-OUT RESTAURANT: An establishment which by design of physical facilities or by service or packaging procedures permits or encourages the purchase of prepared ready-to-eat foods intended primarily to be consumed off the premises, and where the consumption of food in motor vehicles on the premises is not permitted.

CEMETERY: Land used or intended to be used for the burial of the human or animal dead and dedicated for cemetery purposes, including crematories, mausoleums, and mortuaries if operated in connection with and within the boundaries of such cemetery.

CENSUS TRACT: Areas into which communities are divided by the U.S. Department of Commerce, Bureau of the Census, for statistical purposes.

CERTIFIED ARBORIST: Any individual certified by the National Arborist Association.

CHIMNEY: A structure lesser in function than a smokestack and containing one or more flues for drawing off emissions from stationary sources of combustion.

CLUSTER: A development design technique that concentrates buildings in specific areas on the site to allow the remaining land to be used for recreation, common open space, and preservation of environmentally sensitive features.

COMMERCIAL USE: Any activity carried out for pecuniary gain.

COMMUNITY ASSOCIATION or HOMEOWNERS ASSOCIATION: An association organized to own, maintain, and operate common facilities and to enhance and protect their common interests.

CONDITIONAL USE: An uncommon or infrequent use permitted within a zoning district other than a principally permitted use, subject to compliance with certain standards or explicit conditions, following guidelines established by the Planning and Zoning Board.

CONDOMINIUM: A building or group of buildings in which units are owned individually and the structure, common areas, and facilities are owned by all the owners on a proportional, undivided basis.

CONDOMINIUM ASSOCIATION: The community association which administers and maintains the common property and common elements of a condominium.

CONGREGATE HOUSING: A dwelling providing shelter and services for the elderly which may include meals, housekeeping, and personal care assistance.

CONVENIENCE FOOD MARKET: A retail establishment offering for sale limited food, beverage and related consumer products with or without on premises preparation of food and beverages.

CRAWL SPACE: A space with more than one-half ($\frac{1}{2}$) of its floor-to-ceiling height below the average level of the adjoining ground and with a floor-to-ceiling height of less than six and one-half ($6 \frac{1}{2}$) feet.

CUSTOMARY AGRICULTURAL OPERATIONS: See "Agriculture."

DAY CARE CENTER: A private establishment enrolling children and where tuition, fees, or other forms of compensation for the care of the children is charged, and which is licensed or approved to operate as a day care center.

DENSITY: A unit of measurement; and number of dwelling units per acre of land.

DRIVE-IN USE: An establishment which by design, physical facilities, service, or by packaging procedures encourages or permits customers to receive services, obtain goods, or be entertained while remaining in their motor vehicles.

DWELLING: A structure or portion thereof in which person or persons reside.

DWELLING, ATTACHED: A one-family dwelling attached to two (2) or more one-family dwellings by common vertical walls.

DWELLING, DETACHED: A dwelling which is not attached to any other dwelling by any means.

DWELLING, MULTI-FAMILY: A dwelling containing more than two dwelling units.

DWELLING, SEMI-DETACHED: A one-family dwelling attached to one (1) other one-family dwelling by a common vertical wall, and each dwelling located on a separate lot.

DWELLING, TOWNHOUSE: A one-family dwelling in a row of at least three (3) such units in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one (1) or more common fire resistant walls.

DWELLING, TWO-FAMILY: A structure on a single lot containing two (2) 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 (1) or more rooms, designed, occupied or intended for occupancy as separate living quarters, with cooking, sleeping, and sanitary facilities provided within the dwelling unit for the exclusive use of a single family maintaining a household.

DWELLING UNIT, EFFICIENCY: A dwelling unit consisting of not more than one habitable room together with kitchen or kitchenette and sanitary facilities.

EASEMENT: A grant of one (1) or more of the property rights by the property owner to and/or for the use by the public, a corporation, or another person or entity.

EXCAVATION: The removal or recovery by any means whatsoever of soil, rock, mineral substances, or organic substances other than vegetation, from water or land on or beneath the surface thereof, or beneath the land surface, whether exposed or submerged.

EXTENSION: A physical expansion of an existing structure.

FAMILY: One or more individuals occupying a dwelling unit and living as a single household unit.

FARM: A parcel of land used for agricultural activities.

FARM ANIMALS: Those animals or livestock typically associated with a farm or agricultural operation.

FARM STAND: A booth or stall located on a farm from which produce and farm products are sold to the general public.

FENCE: An artificially constructed barrier of any material or combination of materials erected to enclose or screen areas of land.

FLOOR AREA, FINISHED: The sum of the gross horizontal area of all interior floors of a residential building that are finished and heated, excluding basements, breezeways, carports, garages, and storage areas with only outside access, porches, and other unheated and/or unfinished areas attached to the dwelling.

FLOOR AREA, GROSS: The sum of the gross horizontal areas of the several floors of a building measured from the exterior face of exterior walls, or from the centerline of a wall separating two buildings, but not including interior parking spaces, loading space for motor vehicles, or any space where the floor-to-ceiling height is less than six feet.

FLOOR AREA, GROUND: The sum of the gross horizontal area of the ground floor of a residential building, excluding basements, breezeways, carports, garages, and storage areas with only outside access, porches, and other unheated and/or unfinished areas attached to the dwelling.

FLOOR AREA, NET: The total of all floor areas of a building, excluding stairwells and elevator shafts, equipment rooms, interior vehicular parking or loading; and all floors below the first or ground floor, except when used or intended to be used for human habitation or service to the public.

FRONTAGE: That portion of a lot abutting on a dedicated right-of-way.

GARAGE: A building or wing of a building, with a footing or foundation, used or intended to be used for the parking and storage of motor vehicles.

GLARE: The effect produced by brightness sufficient to cause annoyance, discomfort, or loss in visual performance and visibility.

GROUP CARE FACILITY: A facility or dwelling unit housing persons unrelated by blood or marriage and operating as a group family household.

HOTEL: Any structure consisting of one or more buildings, with more than five sleeping rooms kept, used, maintained, advertised, or held out to the public to be a place where sleeping accommodations are offered for pay to transient guests for a period of thirty days or less.

HOME OCCUPATION: Any activity carried out for gain by a resident conducted as an accessory use in the resident's dwelling unit.

IN-LIEU FEES: Fees paid by a private individual or party to the Village of Hebron to compensate for the mandatory land dedication provisions of the Zoning Code when said land dedication is waived by Village Council.

INDUSTRIAL PARK: A large tract of land that has been planned, developed, and operated as an integrated facility for a number of individual uses, with special attention to circulation, parking, utility needs, aesthetics, and compatibility.

INOPERABLE VEHICLE: A vehicle that is not mechanically operable.

INSTITUTIONAL USE: A nonprofit or quasi-public use or institution such as a church or similar house of worship, library, public or private school, hospital, or publicly-owned or operated building, structure or land used for public purpose.

JUNK: Worn-out articles fit to be discarded. Something worthless or shoddy. Clutter: stuff.

JUNK MOTOR VEHICLE: A motor vehicle that is three (3) years old or older, and is apparently inoperable, and is extensively damaged, including but not limited to missing wheels, tires, engine, or transmission.

JUNKYARD: Any area, lot, land, parcel, building, or structure or part thereof used for the storage, collection, processing, purchase, sale, or abandonment of wastepaper, rags, scrap metal, or other scrap or discarded goods, materials, machinery, or two (2) or more unregistered, inoperable motor vehicles or other type of junk.

KENNEL, COMMERCIAL: Any building or buildings and/or land used, designed or arranged to facilitate the raising, breeding, boarding and grooming of such domesticated animals as dogs and cats for profit.

KENNEL, PRIVATE: Any building or buildings and/or land used, designed or arranged for the care of three (3) or more dogs and/or cats belonging to the owner of the principal use, kept for purposes of show, hunting, or as pets.

LANDSCAPING: Any portion of a parcel of land that includes trees, shrubs, bushes, planting beds, hedges, and earth mounds or other natural or decorative material or feature.

LOT: A designated parcel, tract or area of land established by plat, subdivision or as otherwise permitted by law, to be used, developed or built upon as a unit.

LOT, BUILDABLE: A lot having the required street frontage and yard spaces that would allow for the construction of a structure as permitted by the zoning classification of that lot.

LOT, CORNER: A lot or parcel of land abutting upon two or more streets at their intersection, or upon two parts of the same street forming an interior angle of less than one hundred thirty-five (135) degrees.

LOT COVERAGE: The portion of the lot that is covered by buildings and structures.

LOT, DOUBLE FRONTAGE: A lot, other than a corner lot, with frontage on more than one (1) street.

LOT OF RECORD: A lot that has been platted and recorded at the Licking County Recorder's office before the effective date of this Ordinance or amendments thereof.

LOT SPLIT: The division of a parcel of land into one or more smaller parcels.

MANDATORY LAND DEDICATION: The required dedication of private land to the Village of Hebron for the purpose of providing space for park recreation, open space and other public uses.

MANUFACTURED HOME: Dwellings manufactured off-site in advance, usually in standard sections that can be easily shipped and assembled.

MANUFACTURING: Establishments engaged in the mechanical or chemical transformation of materials or substances into new products, including the assembling of component parts, the creation of products, and the blending of materials, such as lubricating oils, plastics, resins, or liquors.

MOBILE HOME: A house trailer serving as a permanent home and connected to required utilities.

MOTEL: See Hotel.

MOTOR VEHICLE: Carries the same definition as provided by Sec. 4501.01 of the Ohio Revised Code.

MOTOR VEHICLE SALES or TRAILER SALES: The use of any building, land area or other premises for the display, sale, and rental of new or used automobiles, panel trucks or vans, trailers, or recreation vehicles and where no warranty repair work and other repair service is conducted.

MOTOR VEHICLE SERVICE STATION: Any building, land area or premises, or portion thereof, used or intended to be used for the retail dispensing or sales of vehicular fuels; and including as an accessory use, the sale and installation of lubricants, tires, batteries, and similar services.

NET DEVELOPABLE SITE: The remainder of a parcel(s) of land following the subtraction of all areas designated for public and private streets and alleys, open bodies of water excluding streams, creeks and ditches, and all other dedicated rights-of-way.

NO-BUILD ZONE: An area or portion of a lot that is designated by deed not to contain any buildings, structures or other built improvement on a permanent basis.

NONCONFORMITIES: A building, structure, use of land, or parcel of real estate existing at the time of enactment of this Planning and Zoning Code, and which does not conform to the regulations of the zoning district in which it is situated.

NONCONFORMING LOT: A lot, the area, dimensions or location of which was lawful prior to the adoption, revision or amendment of the zoning ordinance, but which fails by reason of such adoption, revision or amendment to conform to the present requirements of the zoning district.

NONCONFORMING STRUCTURE OR BUILDING: A structure or building the size, dimensions or location of which was lawful prior to the adoption, revision or amendment to the zoning ordinance, but which fails by reason of such adoption, revision or amendment, to conform to the present requirements of the zoning district.

NONCONFORMING USE: A use or activity which was lawful prior to the adoption, revision or amendment of the zoning ordinance, but which fails, by reason of such adoption, revision or amendment, to conform to the present requirements of the zoning district.

NURSING HOME: An extended or intermediate care facility licensed or approved to provide full-time convalescent or long term care to individuals who, by reason of advanced age, chronic illness or infirmity, are unable to care for themselves.

OFF-STREET PARKING SPACE: A temporary storage area for a motor vehicle that is directly accessible to an access aisle, and which is not located on a dedicated street right-of-way.

ON-STREET PARKING SPACE: A temporary storage area for a motor vehicle which is located on a dedicated street right-of-way.

ONE-AND-A-HALF-STORY: A residential dwelling having a ground floor and a second floor equal to less than one hundred (100) percent of the finished floor area of the first floor, under a gable, hip or gambrel roof, the wall plates of which on at least two opposite exterior walls (also known as "knee wall") are not more than five (5) feet above the floor of such story.

OPEN SPACE: Any parcel or area of land or water essentially unimproved and set aside, dedicated, designated or reserved for public or private use or enjoyment, or for the use and enjoyment of owners and occupants of land adjoining or neighboring such open space.

OPEN SPACE, COMMON: Land within or related to a development, not individually owned or dedicated for public use, which is designed and intended for the common use or enjoyment of the residents of the development and may include such complementary structures and improvements as are necessary and appropriate.

OUTDOOR DISPLAY: The temporary outdoor display of material and or merchandise for the purposes of retail sales.

OUTDOOR STORAGE: The keeping in an unroofed area, of any goods, junk, material, merchandise, or vehicles in the same place.

PARK: A tract of land designated and designed for the use by members of the public for active and passive recreation.

PERSON: Any person, corporation, partnership, company, contracting firm or other entity, including those employed by the Village or under a contract with the Village.

PERSONAL SERVICES: Establishments primarily engaging in providing services involving the care of a person or his or her apparel.

PLAT: A map representing a tract of land, showing the boundaries and location of individual properties and streets. A portable structure map of a subdivision or site plan.

PRETREATMENT: The private onsite treatment of wastewater before discharge into public wastewater system.

PRINCIPAL USE: The primary or predominant use of any lot.

PUBLIC USE: A land use that is owned and/or operated by the public and is accessible to the public.

RECONSTRUCTION: The rebuilding or substantial remodeling of an existing structure.

RECREATIONAL AND CAMPING EQUIPMENT: Boats, boat trailers, snowmobiles, snowmobile trailers, utility trailers, recreational and camping vehicles, horse trailers, and other similar equipment.

RECREATIONAL AND CAMPING VEHICLES: Vehicular-type structures primarily designed as temporary living quarters for recreation, camping or travel use which either has its own motive power or is mounted on or drawn by another vehicle which is self-powered.

REFUSE: Something rejected or discarded as worthless or useless.

RESIDENTIAL DISTRICT: Any of the following zoning districts: Low Density Residential District (R1); Medium Density Residential District (R2); High Density Residential District (R3); Single Family Dwelling – Zero Lot Line (R4); and Multi-Family Residential District (R5).

RESTRICTIVE COVENANT: A restriction on the use of land usually set forth in the deed.

RETAIL SERVICES: Establishments providing services or entertainment as opposed to products.

RUBBISH: Worthless material: trash.

SATELLITE DISH: A dish used to receive or transmit radio, television or data.

SATELLITE GROUND STATION: A ground station or other antenna, including dish antennas, designed to transmit or receive radio or television signals to or from earth satellites.

SCHOOL: Any building or portion thereof which is designed, constructed or used for educational or instruction in any branch of knowledge.

SELF-STORAGE FACILITY: A structure containing separate storage spaces of varying sizes leased or rented on an individual basis.

SETBACK: The distance between the street right-of-way line and the front line of a building or any projection thereof, excluding uncovered steps.

SETBACK LINE: That line that is required minimum distance from the street right-of-way line or any other lot line that establishes the area within which the principal structure must be erected or placed.

SIGN: See definitions included in Chapter 1153 (Signs).

SPLIT LEVEL: A residential dwelling containing finished floor area on two (2) or more levels with not less than three (3) feet nor more than six (6) feet vertical distance between the plane of one floor level and the plane of the next higher level.

SPOT ZONING: The re-zoning of a lot or parcel of land to benefit an owner for a use incompatible with surrounding uses and not for the purpose or effect of furthering the comprehensive zoning plan.

STORAGE BUILDING: The design and construction of approved units to be used as and for the storage of personal property for a monthly fee or other form of compensation.

STORY: That portion of a building, including between the surface of any floor and the surface of the floor next above it, or, if there is no floor above it, then the space between the floor and the ceiling next above it.

STREET: Any vehicular way which: (1) Is an existing state, county, municipal or village roadway; or (2) is shown upon a plat approved pursuant to law; or (3) is approved by other official action; or (4) is shown on a plat duly filed and recorded in the office of the Licking County Recorder prior to the appointment of the Planning Commission and the grant to such board of the power to review plats; and includes the land between the street lines, whether improved or unimproved.

STREET, COLLECTOR: A street which collects traffic from local streets and connects with minor and major arterial.

STREET, LOCAL: A street designed to provide vehicular access to abutting property and to discourage through traffic.

STREET, MAJOR ARTERIAL: A street with access control, channelized intersections, restricted parking, and which collects and distributes traffic to and from minor arterial.

STREET, MINOR ARTERIAL: A street with access controls, signals at important intersections and stop signs on the side streets, and which collects and distributes traffic to and from collector streets.

STRUCTURE: A combination of materials to form a construction for use, occupancy or ornamentation whether installed on, above or below the surface of land or water.

SUBDIVISION: The division or re-division of land into two or more parts, lots, parcels, sites, units, tracts, or interests for the purpose of transfer of ownership; lease or building developments, immediate or in the future. See Village of Hebron Subdivision Regulations.

SWIMMING POOL: A public or private in-ground or above-ground pool, pond, or open tank containing at least two (2) cubic feet of water at any point and having an area greater than twenty-five (25) square feet, and maintained by a property owner or manager.

TRAILER: A structure standing on wheels, towed or hauled by another vehicle and used for carrying materials, goods or objects, or as a temporary office.

TRAVEL TRAILER: A recreation vehicle that is towed by a car or truck and used for short term human occupancy.

TREE: Any tree, shrub, or other woody plant.

TREE, LARGE: Any tree species which normally attains a full grown height equal to or greater than forty-five (45) feet.

TREE LAWN: That part of a street right-of-way not covered by sidewalk or other paving, lying between the property line and that portion of the street right-of-way that is paved and usually used for vehicular traffic.

TREE, MEDIUM: Any tree species which normally attains a full grown height of between twenty-five (25) and forty-five (45) feet.

TREE, SMALL: Any tree species which normally attains a full grown height of under twenty-five (25) feet.

TWO-STORY: A residential dwelling having a ground floor and a second floor having a finished square footage equal to or exceeding one hundred (100) percent of the required minimum ground floor finished square footage.

USE: The purpose or activity, for which land or buildings are designed, arranged or intended, or for which land or buildings are occupied or maintained.

VARIANCE: A minor departure or exception from the strict rule or literal enforcement of the Planning and Zoning Code.

VEHICULAR USE AREA: Any area used by vehicles.

VETERINARY ANIMAL HOSPITAL OR CLINIC: A place used for the care of animals in need of medical or surgical attention. The boarding of animals is limited to short-term care incidental to the hospital or use.

YARD: A required open space that lies between the principal or accessory building or buildings and the nearest lot line. Such yard is unoccupied and unobstructed from the ground upward except as may be specifically provided in the zoning ordinance.

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 a lot and from the rear lot line to the rear of the principal building. For corner lots the rear yard shall constitute that area of the lot that is adjacent to the rear portion of the principle structure.

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.

ZERO LOT LINE: The reduction, by official act, of the required setbacks and buildings lines established.

CHAPTER 1105
Administration, Enforcement, and Penalty

1105.01 ENFORCEMENT BY COMMUNITY DEVELOPMENT COORDINATOR.

There is hereby established the Office of Community Development Coordinator, who shall be an employee of the Village of Hebron recommended by the Planning and Zoning Board with advice and consent of Village Council. The Community Development Coordinator shall report to the Village Administrator. It shall be the duty of the Community Development Coordinator to enforce the Planning and Zoning Code of the Village of Hebron, Ohio. All departments, officials, public employees, and representatives of the Village, vested with the duty or authority to issue permits or licenses, shall conform to the provisions of the Planning and Zoning Code and shall issue no permit or license for any use, building or purpose in conflict with the provisions of the Planning and Zoning Code. Any permit or license issued in conflict with the provisions of this Planning and Zoning Code shall be null and void.

1105.02 CERTIFICATE OF ZONING COMPLIANCE.

No occupied or vacant land shall be changed in its use in whole or part until the Certificate of Zoning Compliance shall have been issued by the Community Development Coordinator. The Community Development Coordinator shall issue a Certificate of Zoning Compliance once he/she is satisfied that the structure, building and/or premises, the proposed use thereof, and the proposed methods of water supply and disposal of sanitary waste, conform with all requirements of the Planning and Zoning Code, subject to approval of the Planning and Zoning Board and/or Village Council, when required. This Section shall not be construed as requiring a certificate in the event of a change in ownership or tenancy only, without a change in use or intended use, provided that no alterations or additions are proposed.

(a) Use Prohibited Without Certificate. No owner, lessee or tenant shall use or permit the use of any structure, building or land, or part thereof, hereafter created, erected, changed, converted or enlarged, wholly or partly, until a Certificate of Zoning Compliance shows that such building or premises or a part thereof, and the proposed use thereof, are in conformity with the provisions of the Planning and Zoning Code.

(b) Building Permit. It is the responsibility of the owner to contact Licking County Building Code Department to ascertain whether a building permit is necessary. The applicant shall comply with all Licking County Building Code Department requirements and shall provide the Office of the Community Development Coordinator with a copy of such documentation. Building permits and all construction inspections are controlled through the Licking County Building Code Department. No Building Permit for the extension, erection, or alteration of any building shall be issued before an application has been made and a Certificate of Zoning Compliance issued and no building shall be occupied until such certificate is approved.

(c) Approval of Health Officer. In every case where the lot is not serviced with public water supply and/or the public sanitary sewer system, the application shall be accompanied by written evidence of approval by the responsible Health Officer as to the proposed method of water supply and/or treatment and disposal of sanitary waste.

(d) Water and Sewer. Water taps and sewer capacity fees shall be paid before a Certificate of Zoning Compliance is issued.

(e) Preliminary Review. The Village of Hebron encourages a preliminary meeting with the Community Development Coordinator to review all proposed projects.

1105.03 APPLICATION PROCEDURE.

(a) Application to Be Made. Written application for a Certificate of Zoning Compliance shall be made by the property owner(s) or lessee(s) to the Community Development Coordinator.

(b) Application Fee. Village Council shall, by separate ordinance, establish a schedule of fees, charges, and expenses and a collection procedure for zoning permits, amendments, appeals, variances, conditional use permits, plan approvals, and other matters pertaining to the administration and enforcement of the Planning and Zoning Code requiring investigations, inspections, legal advertising, postage, and other expenses. The schedule of fees shall be posted in the Office of the Community Development Coordinator and may be altered or amended by Council from time to time. Until said fees are paid, no action shall be taken on any application.

(c) Site Plan Review Expenses. Site review expenses incurred by the Village shall be repaid to the Village by the applicant based on the fee schedule. All such amounts shall be paid no later than thirty (30) days after billing to the applicant.

(d) Contents of Application. The application for a Certificate of Zoning Compliance shall contain as a minimum:

(1) Name, address, and phone number of the applicant(s) and representative(s) if any, and the signature of the property owner(s).

(2) The Community Development Coordinator may require a current survey of the property prepared by a licensed surveyor.

(3) If any new development, construction or change in use is proposed, a plan drawn to scale showing:

A. Actual dimensions of the lot, including easements.

B. Exact size and location of all buildings and structures on the subject lot.

C. Any proposed new construction and/or alterations.

D. Existing and intended use of all parts of the land or buildings.

E. Proposed provisions of water, sanitary sewer facilities, surface drainage features, and underground storm drainage facilities.

F. As applicable, proposed landscaping and other site design treatment shall be indicated where required under Chapter 1155 (Landscaping and Screening).

(4) Applications for projects requiring site plans shall submit seven (7) sets of drawings.

(5) Such other information to be determined by the Community Development Coordinator and/or Planning and Zoning Board as may be necessary to determine and provide for the enforcement of this Zoning Ordinance.

1105.04 ISSUANCE AND EXPIRATION.

An approved Certificate of Zoning Compliance shall be issued within ten (10) days of approval. One (1) copy of the plans submitted by the Applicant shall be returned. All Certificate of Zoning Compliances shall be conditional upon the commencement of work within six (6) months of issuance. If the work has not been substantially completed, or an extension granted by the Community Development Coordinator within eighteen (18) months of issuance, the Certificate of Zoning Compliance shall expire and shall be revoked by the Community Development Coordinator. Written notice shall be provided to the applicant and any other affected party together with notice that further work as described in the canceled certificate shall not proceed unless a new certificate is issued, or an extension granted. If the applicant does not apply for an extension or new permit within one year of expiration and revocation of the initial certificate, all alterations and any other work done to affected land, buildings, and structures shall be returned to the status prior to such alteration at the applicant's expense.

1105.05 CERTIFICATE OF OCCUPANCY.

No land or building or part thereof hereafter erected or changed in its use or structure shall be used until a Certificate of Occupancy has been issued indicating that such land, building, or part thereof, and the proposed use thereof are found to be in conformity with the provisions of the Planning and Zoning Code.

(a) Change of Ownership. Any change of ownership of a commercial, manufacturing, or multi-family (3 or more family) building shall require an application for a Certificate of Occupancy.

(b) Change of Occupant. Any change of occupant in a conforming or nonconforming commercial or manufacturing building shall require an application for a Certificate of Occupancy.

(c) Application Required. Application for a Certificate of Occupancy shall be made to the Community Development Coordinator on a form provided by his/her office. Upon determination that all provisions of the Planning and Zoning Code and other applicable ordinances, rules, and regulations have been complied with, a Certificate of Occupancy shall be issued. Temporary occupancy may be authorized by the Community Development Coordinator for a specified period not to exceed six (6) months upon receipt of a performance bond equal to the cost of the remaining improvements, during which period any remaining work shall be completed.

(d) Occupying Without a Permit. Any person or business entity who occupies or permits to be occupied, or who sells, leases, or rents a building, building unit or structure for which a Certificate of Occupancy has not been issued, or in the case of alterations, additions or repairs, whoever occupies, or permits to be occupied or utilized or sells, leases or rents that portion of a building, building unit or structure added, altered or repaired for which a Certificate of Occupancy has not been issued, shall be guilty of violating this section and shall be subject to the penalties set forth in Section 1105.12.

(e) Site Plan Review Expenses, Easement Approval. A Certificate of Occupancy shall not be issued until all site plan review expenses have been paid and all easements have been approved.

(f) Fee. A fee, as established by Village Council, shall be paid by the applicant at the time of application to cover the costs of reviewing and reporting of the application. See Section 1105.03(b).

1105.06 VIOLATIONS AND REMEDIES.

If any building is or is proposed to be located, erected, constructed, reconstructed, enlarged, changed, demolished, maintained or used, or any land is or is proposed to be used in violation of the Planning and Zoning Code or any amendment or supplement thereto, Village Council, the Solicitor and/or any adjacent or neighboring property owner who would be specifically damaged by such violation may, in addition to other remedies provided by law, institute appropriate action or proceedings to prevent such unlawful location, erection, construction, reconstruction, alteration, demolition, conversion, maintenance, or use; to restrain, correct or abate such violation; to prevent the occupancy of such building, structure or land; or to prevent any illegal act, conduct, business or use in or about such premises.

1105.07 COMPLAINTS.

Whenever a violation of the Planning and Zoning Code occurs, or is alleged to have occurred, any person may file a written complaint. Such complaint should state fully the causes and basis thereof and shall be filed with the Office of the Community Development Coordinator. The Community Development Coordinator shall record said complaint, timely investigate the allegations, and take appropriate action as provided by this Planning and Zoning Code.

1105.08 TECHNICAL REVIEW GROUP.

A Technical Review Group may be established for special projects, as a technical review body for the Village and may consist of, but not be limited to, the Mayor, Community Development Coordinator, Village Engineer, Village Administrator, Chief of Police, Fire Chief, and any other necessary Village staff member.

1105.09 RECORD KEEPING.

The Community Development Coordinator shall make and keep all records necessary and appropriate to the office, including record of the issuance and denial of all Certificate of Zoning Compliances, Zoning District Map amendments, variances, conditional use permits, building permits, receipts, investigation and enforcement of complaints of violations, and any other permit or certificate required herein. The Community Development Coordinator shall prepare an annual summary of all records.

1105.10 INSPECTION AND COMPLAINTS.

The Community Development Coordinator shall inspect, or cause to be inspected, all buildings or land within the Village to determine whether any violation(s) of the Planning and Zoning Code and/or other related ordinances, rules, and regulations have been committed or exist, and to receive and investigate complaints and notices of alleged violations. Written complaints of alleged violations shall be filed with the Office of the Community Development Coordinator, who shall investigate said complaints and prepare a report to be submitted to the Planning and Zoning Board and Solicitor.

The Community Development Coordinator shall monitor, or cause to be monitored, regularly all buildings and land within the Village to identify potential violations, situations of non-compliance, and any potentially illegal zoning situations. The Community Development Coordinator shall take all necessary and needed action to help gain compliance with the Planning and Zoning Code.

1105.11 CONSTRUCTION STANDARDS.

The specifications, rules, and regulations governing the repair, construction, or reconstruction of sidewalks, driveways, curbs, and gutters in streets, alleys, and public rights-of-way in the Village shall be found in the Village of Hebron Construction Standards.

1105.12 PENALTY.

(a) Unless another Section of the Planning and Zoning Code contains its own specific penalty provision, this Section applies. The first violation of the provisions of the Planning and Zoning Code or failure to comply with any of its requirement shall constitute a minor misdemeanor. Upon conviction thereof, any person may be fined not more than \$150.00, and in addition shall pay all costs and expenses involved in the case.

(b) If the same violation occurs a second time within one year of the first violation, the offense shall constitute a misdemeanor of the Fourth Degree and upon conviction the fine shall be not more than \$250.00 and/or imprisonment for not more than thirty (30) days, and in addition the offender shall pay all costs and expenses involved in the case.

(c) Each day any such violation continues after receipt of a violation notice shall constitute a separate offense. The owner of any building, structure, premises, or part thereof, and any agent or other person who commits, participates in, assists, in, or maintains, such violation, may each be found guilty of a separate offense and suffer the penalties herein provided. Nothing herein contained shall prevent the Village from taking such other lawful action as is necessary to prevent or remedy any violations.

CHAPTER 1107
Planning and Zoning Board and Village Council

1107.01 GENERAL.

A Planning and Zoning Board is hereby created under authority of Ohio Revised Code Chapter 713 *et seq.*, which shall serve dual functions as both a Planning Commission and Board of Zoning Appeals. The Planning and Zoning Board shall consist of five (5) members: the Mayor, one (1) member of Village Council to be elected thereby for the remainder of his/her term on Village Council, and three (3) residents of the Village to be appointed by the Mayor for terms of six (6) years each. All members shall serve without compensation. A vacancy occurring during the appointed term of any of the three (3) resident members shall be appointed by the Mayor for the remainder of the vacated term. The Planning and Zoning Board shall adopt rules necessary to the conduct of its affairs in keeping with the provisions of this Planning and Zoning Code.

1107.02 MEETINGS.

Meetings of the Planning and Zoning Board shall be held at the call of the chairman or at such other times as the Board may determine. A minimum of four (4) meetings shall be held annually, with one meeting to be scheduled during each calendar quarter. All meetings shall be open to the public. A record of all proceedings, hearings, examinations and all other official actions of the Board, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, shall be kept, all of which shall be public records and made available to Village Council upon request.

1107.03 PROCEDURE; QUORUM.

The Board shall organize and elect a Chairperson, Vice Chairperson, and Secretary from its membership at its first meeting in each calendar year. The Chairperson, or in his/her absence, the Vice Chairperson, may administer oaths and compel the attendance of witnesses. The Secretary shall keep minutes of all Board proceedings. The Community Development Coordinator shall keep records of the Board's examinations and other official actions, all of which shall be public record and filed in the Village Municipal Building.

Three (3) members of the Board shall constitute a quorum. The affirmative vote of three (3) members of the Board shall be necessary to decide any matter over which the board has original jurisdiction.

1107.04 DUTIES.

For the purpose of the Planning and Zoning Code, the Planning and Zoning Board has the following specific responsibilities:

(1) To review and initiate proposed amendments to this Planning and Zoning Code in accordance with Chapter 1111 and make recommendations to Village Council.

(2) To hear and decide appeals where it is alleged there is an error in any order, requirement, decision, interpretation, or determination made by the Community Development Coordinator.

(3) Conditional Uses. To review and act upon applications for conditional use permits in accordance with Chapter 1113 with such additional safeguards as will uphold the intent of this Zoning Code.

(4) To authorize the substitution or extension of nonconforming uses in accordance with Chapter 1117.

(5) To make plans which show the Board's recommendations for the character, design, location, and extension of both public and private streets, street fixtures, public art, bridges, parks, open spaces, waterways, and utilities.

(6) To review and implement development and landscape standards in accordance with Chapter 1155.

(7) To administer and make recommendations for the application of the Comprehensive Community Plan.

(8) To act on all proposed planned developments in accordance with Chapter 1143, and to make recommendations to Village Council.

(9) To review and implement performance standards in accordance with Section 1147.03.

(10) To administer the Subdivision Regulations and Construction Standards.

(11) To authorize such variances from the terms of the Planning and Zoning Code in accordance with Chapter 1115.

(12) To maintain and interpret a current Zoning District Map.

1107.05 APPEALS.

Appeals to the Planning and Zoning Board concerning interpretation or administration of this Planning and Zoning Code may be taken by any person aggrieved, including a tenant, governmental officer, department, board, or bureau.. Such appeals shall be taken within thirty (30) days after the date of the decision, by filing with the Community Development Coordinator a notice of appeal specifying the grounds thereof.

(a) The Community Development Coordinator shall transmit to the Planning and Zoning Board all the papers constituting the record upon which the action appealed from was taken.

(b) Public Hearing and Notices. The Planning and Zoning Board shall hold a public hearing within thirty (30) days after receipt of an application for an appeal. At least ten (10) days before the hearing date, written notice of the hearing shall be given to the appellant, parties in interest, and all property owners within two hundred (200) feet of the property in question.

(c) Decision. Within thirty (30) days of the public hearing, the Planning and Zoning Board shall review the appeal and render one of the following:

(1) Rule on the appeal on an appeal of a decision of the Community Development Coordinator.

(2) Approval of a conditional use or variance(s) as requested.

(3) Approval of a conditional use or variance(s) with conditions.

(4) Disapproval of the conditional use or variance(s).

(d) Decision Transmitted. A certified copy of the Board's decision shall be transmitted to the appellant.

(e) Stay of Proceedings. An appeal shall stay all proceedings in furtherance of the action appealed from, unless the Community Development Coordinator certifies to

the Board, after notice of appeal shall have been filed with him/her, that by reason of facts stated in the application, a stay would, in his/her opinion, cause imminent peril to life or property.

1107.06 APPEALS FROM DECISIONS OF THE PLANNING AND ZONING BOARD.

Appeals from decisions of the Planning and Zoning Board shall be pursuant to Chapter 2506 of the Ohio Revised Code.

CHAPTER 1109 Site Development Plans

1109.01 PURPOSE AND INTENT.

Site development plans are intended to ensure the efficient use of land and to promote high standards in the layout, design, landscaping and construction of subdivision and non-subdivision developments.

The purpose of this Chapter is to state specific requirements applicable to the development of land in certain zoning districts, and to prescribe the standards for the preparation and submission of site development plan drawings and for the design and construction of required improvements.

1109.02 SITE DEVELOPMENT PLANS REQUIRED.

A site development plan is required and shall be submitted for the following:

(a) Any use or development, involving new construction, reconstruction or expansion except for single family detached dwelling units, duplexes, or unattached accessory buildings in residential districts.

(b) Any development in which automobile parking spaces are to be used by more than one (1) establishment.

(c) Whenever a change is proposed in the exterior design of a previously approved site development plan.

(d) Whenever an existing residential use is proposed for change to a commercial, industrial, or multifamily residential use.

(e) All public buildings.

(f) Any Major Subdivision.

(g) All Planned Developments (PRD, PCD, PID, and PUD) which shall adhere to the application and review procedures set forth in Chapter 1141.

(h) Any use or development requiring the extension or the installation of municipal utilities.

(i) Any Floodplain, Floodway or Flood Fringe development as administered by the Licking County Planning Commission.

(j) Any public access drive and/or parking lot construction.

1109.03 PREPARATION.

Site development plans shall be prepared and signed by persons professionally qualified to do such work. Final site plans shall be certified by an engineer duly registered by the State of Ohio, and include a boundary survey certified by a land surveyor duly registered by the State of Ohio.

11109.04 APPROVAL PROCESS.

The following procedures shall be used to secure approval of site development plans:

- (a) A Preliminary Site Plan together with an application and application fee shall be filed with the Community Development Coordinator. Copies of the Preliminary Site Plan and application will be forwarded to the Planning and Zoning Board and Village Engineer for review.

- (b) Within thirty (30) days of submission, the Planning and Zoning Board shall hold a public hearing to consider the Preliminary Site Plan and to report its recommendations to the Community Development Coordinator. At least ten (10) days' advance notice of the hearing shall be given to the applicant and all contiguous property owners. The Planning and Zoning Board shall review the Preliminary Site Plan, authorize any conditions for approval, and make a recommendation for action to the Community Development Coordinator. The Community Development Coordinator shall thereafter act on the Preliminary Site Plan and notify the applicant in writing of his/her decision, along with any requested changes and/or conditions to the Preliminary Site Plan noted thereto.
- (c) Within six (6) months of notice of approval of the Preliminary Site Plan, unless otherwise extended by the Planning and Zoning Board for good cause shown, the applicant shall submit a Final Site Plan to the Community Development Coordinator. Copies of the Final Site Plan will be forwarded to the Planning and Zoning Board and Village Engineer for review. Copies of the Final Site Plan shall also be forwarded to such officials and agencies as may be necessary for the purpose of study and recommendation. These include, but are not limited to, Village Fire, Police and Street Departments, ODOT, and/or the Ohio EPA.
- (d) Within forty-five (45) days of submission, the Planning and Zoning Board shall hold a public hearing to consider the Final Site Plan and to report its recommendations to the Community Development Coordinator. At least ten (10) days' advance notice of the hearing shall be given to the applicant and all contiguous property owners. The Planning and Zoning Board shall review the Final Site Plan, authorize any conditions for approval, and make a recommendation for action to the Community Development Coordinator. The Community Development Coordinator shall thereafter act on the Final Site Plan and notify the applicant in writing of his/her decision.
- (e) Final approval shall be designated by the written signature of the Community Development Coordinator on the Final Site Plan, in addition to issuance of a Certificate of Zoning Compliance upon approval by the Village Engineer. Prior to final approval, the applicant shall post any required bonds and applicable fees. Approval of a Final Site Plan shall expire within twelve (12) months, unless building permits have been obtained for construction in accordance therewith. A single extension, not to exceed six (6) months, may be given by the Planning and Zoning Board upon written request. No construction or site improvements shall be initiated until the Final Site Plan has been approved.
- (f) Upon satisfactory completion of all work described under this Planning and Zoning Code, Village Council shall release all remaining bonds submitted by applicants in accordance with Chapter 1177.

1109.05 PRELIMINARY SITE PLANS.

Preliminary Site Plans submitted in accordance with this chapter shall adhere to the following requirements and contain the following information:

- (a) Seven (7) copies of the Preliminary Site Plan shall be submitted.
- (b) Location and acreage of various types of land use.

(c) Location, names, and dimensions of proposed and existing streets, buildings, easements and drainage ways and a survey showing boundary information, existing and proposed development, location of existing water bodies, streams, drainage ditches, stands of trees and trees with a caliper of more than six (6) inches in diameter.

(d) Preliminary plans for the provision of utilities, including but not limited to, the methods for handling drainage, water supply, and sewage disposal.

(e) Proposed parking and loading layout including ingress and egress.

(f) All driveways and curb cuts shall be indicated, including major aisle ways and service routes. Pedestrian circulation shall also be indicated.

(g) Handling of all waste and refuse materials shall be indicated.

(h) Proposed landscaping shall be shown in accordance with Chapter 1155.

(i) Signage may be required to be shown in accordance with Chapter 1153.

(j) All exterior lighting shall be shown, including parking lot, pedestrian, and building accent lighting. Lighting intensity and installation height shall be indicated.

(k) Any portion of site in 100 year floodplain, along with firm panel number and date.

(l) Name, address, and phone number of the Development, Developer, and property owner.

(m) Building elevations depicting the proposed composition and architectural style for all proposed structures.

1109.06 FINAL SITE PLAN.

Final Site Plans submitted in accordance with this chapter shall adhere to the following requirements and contain the following information:

(a) Items Common to All Plans.

- (1) Plan sheets shall be a minimum of 24 inches by 36 inches mylar material.
- (2) North arrow, horizontal scale, and vertical scale (engineering scales only).
- (3) Engineering design firm name, address, and telephone number.
- (4) Phasing lines (or future phasing lines) with description.
- (5) Proposed and existing rights-of-way and easements.
- (6) Distinct separation between proposed and existing elements of the plan.
- (7) Centerline and edges of pavement of all abutting streets.
- (8) Street names, municipal corporate boundaries, and site boundaries.
- (9) Identification of adjacent parcels, property lines, and property owners.
- (10) Building and parking setbacks and no build zones.
- (11) 100 year floodplain elevation, along with firm panel number and date.

(b) Cover Sheet.

- (1) Project name, address, and location map.
- (2) Index of sheets and benchmark list (referenced to NAWD 88 datum).
- (3) Index map at a 1" = 200' scale showing adjoining properties, owners, streets, bearing and distance of the project boundaries, and general site layout.
- (4) Summary of quantities containing at minimum water services length and size; sidewalk and bike path within right-of-way and public easements, driveway pavement, street trees, sanitary services length and size.
- (5) Signature lines for the Mayor, Village Administrator, Village Engineer, Fire Chief and Community Development Coordinator.

- (6) Drawing block with revision dates, project title and code table.
- (c) Site Dimension Plan.
 - (1) Paved surfaces, curbs, landscape islands, mounding limits, and street tree locations.
 - (2) Parking spaces, drive aisles, driveways and radii, sidewalks and bike paths.
 - (3) Edges of existing and proposed street pavement.
 - (4) Handicap access and parking.
 - (5) Impermeable surface area.
 - (6) Interior landscaping area of parking lot.
 - (7) Signage for traffic flow control.
- (d) Site Utility Plan.
 - (1) All existing and proposed utilities.
 - (2) Size, slope, and type of proposed and existing utility services and mains.
 - (3) Existing and proposed storm sewers in dashed lines.
 - (4) Invert and tap elevations of sanitary services.
 - (5) Proposed pad and finished floor elevations.
 - (6) Provisions to comply with Hebron's Pretreatment Program.
- (e) Site Grading Plan.
 - (1) Existing contours hatched or dashed.
 - (2) Proposed elevations.
 - (3) Benchmark elevations, designations and locations.
 - (4) Storm sewer and sanitary sewer top of casting & invert elevations.
 - (5) Proposed landscape mounding contours.
 - (6) Major flood routing.
 - (7) Ponding limits, elevation, and provisions to detain or retain surface water runoff, along with water quality requirements.
 - (8) Ditch direction of flow and slope.
 - (9) Size, type, and slope of existing and proposed storm sewers.
 - (10) Ponding tabulations.
 - (11) Orifice plate details.
 - (12) Critical year storm.
 - (13) Proposed pad and finished floor elevations. (100 year flood level: 1st floor shall be in accordance with the Village of Hebron Flood Damage Reduction Plan, Ordinance 04-07.
 - (14) Driveway slope(s) from building lines to right-of-way lines (not to exceed 10%).
 - (15) Head wall standards identification.
 - (16) Typical cross-section of parking lot pavement, sidewalks, and curbs.
 - (17) Cross-sections of ditches in right-of-way (at 50 foot spacing).
- (f) Site Erosion and Sedimentation Plan.
 - (1) Inlet protection locations, silt fence locations, and ditch check locations.
 - (2) Erosion control standards details including during construction.
 - (3) Construction entrance location and detail (if applicable).
 - (4) Tree preservation and location of all trees (if applicable).
 - (5) Major flood routing.
- (g) Elevation Plan.

- (1) Building elevations depicting actual composition and architectural style for all proposed structures.
- (2) Number of floors, floor area, height and location of each building, and proposed general use for each building.
- (3) In a multi-family residential building, the number, size, and type of dwelling units shall be shown.
- (4) Exterior lighting, showing location, size, and height of all lights including provisions for the elimination of glare to adjoining properties.
- (5) Maximum height requirement.
- (6) Landscape design plan, to include signage and building numbers.

1109.07 REQUIRED IMPROVEMENTS AND SPECIFICATIONS.

All improvements required by this chapter, and as included in any Preliminary and Final Site Plans, shall be installed at the cost of the developer and in accordance with the following specifications:

(a) Bonds. Prior to approval of any site plan, there shall be executed by the owner or developer and submitted with the site plan an agreement to construct such required physical improvement as are located within public rights-of-way or easements or as are connected to any public facility in form and substance as approved by the Village, together with a bond with surety, cashier's check or escrow account in the amount of the estimated cost of the required improvements as submitted by the developer and approved by the Village Engineer. The aforesaid agreement and bond or condition shall be provided for completion of all work covered thereby within the time to be determined by the Community Development Coordinator, which time may be extended upon written application by the owner or developer, signed by all parties (including sureties) to the original agreement. The Village Engineer may also require a restoration bond. Said bond shall be to insure repair of any damage done to existing curb, gutter, sidewalk, street pavement, landscaping, or other items within the right-of-way adjacent to a project. The amount of said bond shall be as determined by the Village Engineer based on his estimate of potential damage.

(b) Construction Standards. All street construction standards and geometric design standards shall be in accordance with those specified by the Village Engineer. All street signs and striping will be provided by the developer.

(c) Access. Private vehicular travel lanes or driveways designed to permit vehicular travel on the site and to and from adjacent property and parking areas shall be constructed not less than twenty (20) feet in width. All access points shall comply with the Village Thoroughfare Plan.

(d) Easements. No permanent structure shall be located less than five (5) feet from any easement. All easements shall be approved by the Village Engineer and recorded prior to occupancy.

(e) Surface Water. Adequate drainage, flow control, detention/retention, and ponding provisions for the disposition of storm and natural waters both on and off-site shall be provided. The Mid-Ohio Regional Planning Commission Storm Water Design Manual shall be used as a guide for surface water control. The extent of both on-site and off-site treatment shall be approved by the Village Engineer.

(f) Landscaping. Landscape planting, screening, buffering, fences and other physical improvements shall be provided in accordance with Chapter 1155.

(g) Water Service and Waste Water. Water service and sanitary sewer facilities shall be constructed in accordance with the requirements of the EPA, Village Water and Waste Water Superintendent, and Village Engineer. All requirements of the Village's Pretreatment Program shall be complied with. All EPA Permits shall be presented before construction begins.

(h) Open Space, Parks. In the preparation of site development plans, consideration will be given to provide suitable areas for parks, schools, open space, and other areas of public recreational use, especially when such facilities are proposed in the area under consideration of the Community Plan of the Village.

(i) Fire Hydrants. Fire hydrants shall be located within three hundred (300) feet of any proposed structure as approved by the Village Engineer and Fire Department.

(j) Sidewalks. Provision shall be made for sidewalks and pedestrian walkways which will enable patrons, residents and/or tenants to walk safely and conveniently from one building to another within the site and to adjacent sites as well. Sidewalks shall be constructed per approval by the Street Superintendent.

(k) Dedicated Improvements. All improvements that will ultimately be dedicated and become a part of the Village-owned infrastructure system shall be inspected full-time during construction by a designated representative of the Village. The costs of such inspection shall be paid by the developer. The developer will provide the Village with a one (1) year warranty covering all dedicated improvements and public utilities installed.

CHAPTER 1111 Amendments

1111.01 INITIATION.

Unless specifically governed by Chapter 1141, the following general requirements apply to all requests to amend, supplement, change or repeal the regulations, zoning district boundaries, or zoning district classifications of property established by this Planning and Zoning Code and/or Zoning District Map. Changes to existing zoning may be initiated in one of three (3) ways:

- (a) By adoption of a motion by the Planning and Zoning Board.
- (b) By adoption of a resolution by Village Council.
- (c) By filing of an application by one or more owners or lessees of property within the area proposed to be changed or affected by amendments to this Planning and Zoning Code.

1111.02 APPLICATION PROCEDURE.

(a) Application. If initiated by application, two (2) copies of a completed application form and fee for proposed change or amendment to this Planning and Zoning Code and Zoning District Map shall be submitted to the Community Development Coordinator, who shall review the application and determine whether such application is complete and meets the requirements set forth in this Section.

(b) Application Fee. A fee, as established by Village Council, shall be paid by the applicant at the time of application to cover the costs of reviewing and reporting of the application. See Section 1105.03(b).

(b) Application Contents. The application must contain the following:

(1) Name, address, and phone number of the applicant(s) and representative(s) if any, and signatures of the property owner(s) or designee.

(2) A current and accurate legal description of the property in question.

(3) The proposed amendment to the Planning and Zoning Code, the proposed use and the proposed zoning district of the property.

(4) The present use and present zoning district of the property.

(5) A list of all property owners within, contiguous to, and directly across the street from the property in question, taken from a current County Auditor's tax list or the County Treasurer's mailing list.

(6) A statement of the relation of the proposed change or amendment to the general welfare of the community, to appropriate plans for the area, and to the changed or changing conditions behind the request to rezone.

(7) A map drawn to scale which shows property lines, lot sizes, structures, streets, parking, lighting, landscaping, signs, existing and proposed utility service, and existing and proposed zoning. The Planning and Zoning Board may request the applicant to supplement this information.

(8) Any deed restrictions, easements, covenants and encumbrances to be used to control the use, development and maintenance of land, and proposed uses, shall be fully denoted by text and map.

(9) At the discretion of the Planning and Zoning Board, an engineer's estimate of utility needs of the proposed use of the area being considered for rezoning, to include sewer, water, storm water, refuse, and electricity demand may be required. In addition, an engineer's estimate of potential traffic generation for the proposed uses may also be required.

(10) Any such additional information as may be required by this Planning and Zoning Code and/or requested by the Planning and Zoning Board.

1111.03 CRITERIA FOR REVIEW.

The following general standards may be considered as criteria for approval of all proposed changes or amendments to this Planning and Zoning Code and Zoning District Map:

(a) Compatibility of the proposed amendment to adjacent land use, adjacent zoning and to appropriate plans for the area.

(b) Relationship of the proposed amendment to access and traffic flow and utility services including sanitary sewer, water, and storm drainage.

(c) Relationship of the proposed amendment to the public health, safety, and general welfare.

(d) Relationship of the proposed use to the adequacy of available services and to general expansion plans and planned capital improvements.

(e) A report by the Technical Review Group, if requested.

1111.04 REVIEW PROCEDURE.

(a) Transmittal of Resolution or Application. Upon referral of the proposed resolution by Village Council, or the filing of an application by at least one (1) owner or lessee of the property, said proposed resolution or application shall be transmitted to the Planning and Zoning Board.

(b) Public Hearing by Planning and Zoning Board. A public hearing of the Planning and Zoning Board shall be scheduled within sixty (60) days from the date of the acceptance of a resolution, motion or complete application to amend this Planning and Zoning Code and/or Zoning District Map. The Planning and Zoning Board may continue a public hearing by a majority vote of those members in attendance.

(c) Public Notice of Hearing by Planning and Zoning Board. Notice of the date set for hearing shall be published in one (1) or more newspapers of general circulation in the Village, at least ten (10) days prior to the scheduled hearing. Such notice shall include the time, date and place of the hearing and the nature of the proposed amendment.

(d) Notice to Property Owners. If the proposed amendment intends to rezone or redistrict parcels of land, as listed on the tax duplicate, written notice of the hearing shall be sent by the Village, by certified mail, at least ten (10) days prior to the date of a scheduled public hearing to all property owners described in Section 1111.02(c)(5). The notice shall correspond to Section 1111.04(c) above.

(e) Action by Planning and Zoning Board. Within thirty (30) days of the public hearing, the Planning and Zoning Board shall review the application and make one of the following recommendations to Village Council:

(1) Recommend that the amendment be granted as requested.

(2) Recommend a modification of the amendment.

(3) Recommend that the amendment not be granted.

(f) Public Hearing by Council. Upon receipt of such recommendation, Village Council shall schedule a public hearing within forty-five (45) days. Village Council may continue a public hearing by a majority vote of those members in attendance.

(g) Public Notice of Hearing by Council. Notice of the date set for hearing shall be published in one (1) or more newspapers of general circulation in the Village, at least thirty (30) days prior to the scheduled hearing. Such notice shall include the time, date and place of the hearing, nature of the proposed amendment, and a summary of the Planning and Zoning Board's recommendation. During such thirty (30) days, a copy of the proposed amendment, together with maps, plans, and reports submitted by the Planning and Zoning Board, shall be on file, for public examination, in the Office of the Community Development Coordinator.

(h) Notice to Property Owners. If the proposed amendment intends to rezone or redistrict parcels of land, as listed on the tax duplicate, written notice of the hearing shall be sent by the Village, by first class mail, at least twenty (20) days prior to the date of the public hearing to all property owners described in 1111.02(c)(5). Notice shall correspond to Section 1111.04(c) above.

(i) Action by Village Council. Within thirty (30) days of the public hearing, Council shall adopt or deny the recommendation of the Planning and Zoning Board. Amendments to this Planning and Zoning Code shall be by Ordinance. The recommendation of the Planning and Zoning Board shall be determined to be passed and take effect only upon the concurrence of at least a majority of the members elected to Village Council. No Ordinance which violates, differs from, or departs from the recommendations of the Planning and Zoning Board shall take effect unless approved by not less than three-fourths (3/4) of the members elected to Village Council.

CHAPTER 1113 Conditional Uses

1113.01 PURPOSE.

Certain uses more intensely affect the surrounding area in which they are located than permitted uses in the same zoning district and, if properly controlled and regulated, these uses can be compatible within the zoning district. To provide this necessary control such uses shall be designated as conditional uses and allowable only upon review and approval by the Planning and Zoning Board. Because of the uniqueness or special nature of a conditional use with respect to location, design, size, and method of operation, each such use that comes before the review of the Board shall be considered individually.

1113.02 APPLICATION FOR A CONDITIONAL USE; PROCEDURE.

(a) Written Application. Any person owning or having an interest in property may file an application to use such property for one of the conditional uses provided for by this Code in the Zoning District in which the property is located.

(b) Fee. A fee, as established by Village Council, shall be paid by the applicant at the time of application to cover the costs of reviewing and reporting of the application. See Section 1105.03(b).

(c) Application Contents. The application for a conditional use shall contain the following items, unless additional or different information is requested by the Community Development Coordinator:

(1) Name, address and phone number of the applicant(s) and representative(s) if any, and the signature of the property owner(s).

(2) A legal description of the property.

(3) A description of the existing use, current zoning district, and proposed conditional use.

(4) A list of all property owners and their addresses within two-hundred (200) feet of the property. The list of addresses may be taken from the County Auditor's current tax list.

(5) A statement of the relationship of the proposed use to the general welfare of the community, to appropriate plans for the area, and to the changed or changing conditions behind the request.

(6) A statement of the relationship of the proposed use to adjacent land use in terms of traffic, parking, noise, and other potential nuisances and general compatibility.

(7) A plot plan to show:

A. Boundaries and dimensions of the lot and the size and location of all proposed and existing structures.

B. The size and location of existing and proposed structures.

C. The use of land and location of structures on adjacent property.

D. Traffic access, traffic circulation, existing and proposed utilities, parking, lighting and illumination, landscaping, signs, and other such information relevant to the proposed use.

(8) Such additional information as may be required by this Zoning Ordinance and/or requested by the Board and/or Community Development Coordinator to review the application.

1113.03 REVIEW PROCEDURE FOR APPLICATION.

(a) Filing of Application. Two (2) copies of a completed application shall be filed with the Community Development Coordinator at least fifteen (15) days prior to a regularly scheduled meeting of the Planning and Zoning Board. Prior to accepting such application, the Community Development Coordinator shall review the submittal and determine whether such application is complete and meets all submittal requirements. Failure to submit a complete application and application fee, as determined by the Community Development Coordinator, shall result in a refusal of acceptance.

(b) Planning and Zoning Meeting. The Planning and Zoning Board shall hold a public hearing on a Conditional Use Application. The applicant must attend this hearing. At least ten (10) days before the hearing date, written notice of the meeting shall be given to the applicant and all property owners within 200 feet of the property in question.

(c) Approval. The Planning and Zoning Board shall approve an application for a Conditional Use if the following conditions are met:

1. Is in fact a conditional use as established under the provisions of this Code for the specific zoning district of the parcel(s) listed on the application.
2. Will be harmonious with and in accordance with the general objectives, or with any specific objective of the Village and/or this Code.
3. Will be designed, constructed, operated, and maintained so as to be harmonious in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.
4. Will not be hazardous or disturbing to existing or future neighboring uses.
5. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.
6. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.
7. Will not involve uses, activities, processes, materials, equipment and conditions of operations that will be detrimental to any persons, property, or the general welfare, including but not limited to excessive production of traffic, noise, smoke, fumes, glare, odor, potential for explosion, and air or water pollution.
8. Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares.
9. Will not result in destruction, loss, or damage of a natural, scenic, or historic feature of major importance.

(d) Approval with conditions. The Planning and Zoning Board may approve with conditions an application for a Conditional Use, if the proposed use is a Conditional Use of the Zoning District and the applicable Development Standards are met, but the Board believes, in its sole discretion, conditions are necessary and required:

1. To be in accord with appropriate plan for the area.
2. To prevent undesirable effects on adjacent property and the surrounding area.

(e) Findings of Fact. The Board's determination in acting on a requested conditional use shall be accompanied by findings of fact and a statement of the reasons for the decision reached.

1113.04 ISSUANCE OF PERMIT/EXPIRATION.

Upon approval and with such conditions attached by the Planning and Zoning Board, the Community Development Coordinator shall issue a conditional use permit to the applicant within ten (10) days. Such permit shall authorize one particular conditional use and such permit shall automatically expire if, for any reason, the conditional use shall not be commenced within six (6) months after date of approval.

If the conditional use is not carried out within six (6) months after the date of approval, the Planning and Zoning Board may grant one extension of a conditional use permit for an additional period of six (6) months, upon good cause shown for the extension.

CHAPTER 1115 Variances

1115.01 PURPOSE.

The issuance of a variance from the strict interpretation of the applicable regulations in this Planning and Zoning Code shall be under the authority of the Planning and Zoning Board. Except however, in those limited instances specified by the Planning and Zoning Code. In no case shall a variance be granted to allow a use not permitted under the applicable district regulations.

1115.02 APPLICATION FOR VARIANCE.

(a) Application. Written application for a variance shall be made by any person owning or having an interest in the property to the Planning and Zoning Board.

(b) Fee. A fee, as established by Village Council, shall be paid by the applicant at the time of application to cover the costs of reviewing and reporting of the application. See Section 1105.03(b).

(c) Application Contents. The application shall contain the following items, unless additional or different information is requested by the Community Development Coordinator:

(1) Name, address, and telephone number of the applicant(s) and representative(s) if any, and the signature of the property owner(s).

(2) The legal description of the property(s) .

(3) The nature of the variance being requested and what provisions of the Zoning Code are affected.

(4) The specific reasons why the variance is justified according to this chapter.

(5) A list of all property owners and their addresses within two-hundred (200) feet of the property in question. The list of addresses may correspond to the County Auditor's current tax list.

(6) A plot plan to show:

A. Boundaries and dimensions of the property and the size and location of all proposed and existing structures.

B. The nature of the special conditions or circumstances giving rise to the variance application.

C. The proposed use of all parts of the lot and structures.

D. The use of land and location of structures on adjacent properties.

1115.03 REVIEW PROCEDURE.

(a) Filing of Application. Two (2) copies of a completed application shall be filed with the Community Development Coordinator at least forty-five (45) days prior to a regularly scheduled meeting of the Planning and Zoning Board. Prior to accepting such application, the Community Development Coordinator shall review the submittal and determine whether such application is complete and meets all submittal requirements. Failure to submit a complete application and application fee, as determined by the Community Development Coordinator, shall result in a refusal of acceptance.

(b) Planning and Zoning Meeting. The Planning and Zoning Board shall hold a public hearing on a Variance Application. The applicant must attend this hearing. At least ten (10) days before the hearing date, written notice of the meeting shall be given to the applicant and all property owners within 200 feet of the property in question.

(c) Actions of the Board. Within thirty (30) days after the public hearing, the Planning and Zoning Board shall either approve, approve with conditions, or disapprove the request for variance. The Planning and Zoning Board shall approve a variance or approve a variance with supplementary conditions only if the Board determines the applicant would have practical difficulty in meeting the Code requirements if a variance was not granted. Factors that should be considered when determining whether practical difficulties exist include, but are not limited to:

1. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance;
2. Whether the variance is substantial;
3. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer substantial detriment as a result of the variance;
4. Whether the variance would adversely affect the delivery of governmental services (e.g. water, sewer, garbage, etc.);
5. Whether the property owner purchased the property with knowledge of the zoning restrictions;
6. Whether the property owner's predicament feasibly can be obviated through some method other than a variance, and
7. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting a variance.

(d) Findings of Fact. The Board's determination in taking action on a requested variance shall be accompanied by findings of fact and a statement of the reasons for the decision reached.

1115.04 ISSUANCE OF PERMIT.

Upon approval and with such conditions attached by the Planning and Zoning Board, the Community Development Coordinator shall issue and attach to the Zoning Certificate a Certificate of Variance for all approved variances within ten (10) days of approval.

CHAPTER 1117
Nonconforming Lots, Uses, and Structures

1117.01 GENERAL.

The lawful use of any dwelling, building, structure, or lot, as existing and lawful at the time of adoption or amendment of this Planning and Zoning Code, may be continued, although such use does not conform with the provisions of this Planning and Zoning Code, but if any such nonconforming use is voluntarily discontinued for a period of two (2) years or more, any future use shall be in conformity with this Planning and Zoning Code. It is the intent of this Planning and Zoning Code that such nonconformities shall not be enlarged, expanded, or extended, nor be used as grounds for adding other structures or uses prohibited elsewhere in the same zoning district, except as provided for herein.

1117.02 NONCONFORMING LOTS.

A principal and/or accessory structure may be permitted on any nonconforming lot of record, notwithstanding limitations imposed by other requirements of that zoning district. This provision shall apply even though such lot fails to meet the requirements for area and/or width for the zoning district in which such lot is located. Such nonconforming lots must be in separate ownership and not of continuous frontage with other land in the same ownership.

1117.03 NONCONFORMING STRUCTURES.

A principal and/or accessory structure, which, by reason of size, type, or location on the lot, is nonconforming with the Zoning District in which it is located may be altered, reconstructed or expanded on application to the Planning and Zoning Board, in the manner prescribed by the Board, provided the applicant shows the following:

- (a) The nonconforming structure and development was lawful at the time of adoption or amendment of this Planning and Zoning Code;
- (b) Such alteration, reconstruction or expansion is necessary and incidental to such existing lawful nonconforming use as demonstrated by the applicant; and,
- (c) Such alteration, reconstruction or expansion shall not increase the total floor area of the structure by more than fifty (50) percent.
- (d) No such alteration, reconstruction or expansion shall be requested within two (2) years of the last previous alteration, reconstruction or expansion as approved by the Planning and Zoning Board.

1117.04 NONCONFORMING USES.

The lawful nonconforming use of a dwelling, building, structure, or lot may be continued, expanded, substituted, changed, or re-established subject to the following provisions:

- (a) Continuation. A lawful nonconforming use shall only be continued, expanded, substituted, changed, or re-established within the same zoning district in which it is located.

(b) Expansion. A lawful nonconforming use may be expanded within an existing structure manifestly arranged or developed for such use on application to the Planning and Zoning Board, in the manner prescribed by the Board,, provided the applicant shows that:

- (1) The nonconforming use was lawful at the time of adoption or amendment of this Planning and Zoning Code;
- (2) Such expansion is necessary and incidental to such existing lawful nonconforming use as demonstrated by the applicant; and,
- (3) No expansion shall be requested within two (2) years of the last previous expansion as approved by the Planning and Zoning Board.

(c) Substitution. On application to the Planning and Zoning Board, in the manner prescribed by the Board, a lawful nonconforming use may be changed to another lawful nonconforming use of the same or more restricted classification, provided the applicant shows that:

- (1) The nonconforming use was lawful at the time of adoption or amendment of this Planning and Zoning Code;
- (2) The nonconforming use occurs on a lot that has been under the same ownership for at least the previous two (2) years;
- (3) Such substitution is harmonious with the general objectives of this Planning and Zoning Code; and,
- (4) No substitution shall be requested within two (2) years of the last previous substitution as approved by the Planning and Zoning Board.

(d) Re-establishment. A lawful nonconforming use of any structure damaged by fire, explosion, flood, riot, or act of God may be continued and re-established, provided that the restoration or reconstruction of the structure is commenced within twelve (12) months of the time of damage, and that such restoration or reconstruction would not extend or expand the existing use.

TITLE THREE

ZONING DISTRICTS

CHAPTER 1119
Districts Established

1119.01 DIVISION INTO DISTRICTS.

All land in the Village subject to this Planning and Zoning Code is hereby placed into Zoning Districts. Such Zoning Districts are designated as follows:

RESIDENTIAL DISTRICTS:

- Low Density Residential District (R1)
- Medium Density Residential District (R2)
- High Density Residential District (R3)
- Single Family Zero Lot Line (R4)
- Multi-Family Residential District (R5)

COMMERCIAL DISTRICTS:

- Neighborhood Commercial District (NC)
- General Commercial District (GC)

MANUFACTURING DISTRICTS:

- Manufacturing District (M1)
- Light Manufacturing and Office District (M2)

PLANNED UNIT DEVELOPMENTS:

- Planned Residential Development (PRD)
- Planned Commercial Development (PCD)
- Planned Industrial Development (PID)
- Planned Unit Development (PUD)

SUPPLEMENTAL DISTRICTS:

- Conservation District (C1)

1119.02 ZONING DISTRICT MAP ADOPTED.

(a) Zoning Districts Established. The Zoning Districts of the Village shall be designated as shown on the Zoning District Map of the Village of Hebron, Ohio, which is hereby adopted and declared to be a part of this Planning and Zoning Code.

(b) Zoning District Boundaries. Except when otherwise referenced on the Zoning District Map, the Zoning District boundary lines follow property lot lines, the center lines of watercourses, or the center lines of rights-of-way, both streets and alleys, as they existed at the adoption of this Planning and Zoning Code.

(c) Final Authority. The Zoning District Map, as amended from time to time, shall be the final authority for the current Zoning District status of land under the jurisdiction of this Planning and Zoning Code, and shall be identified by the signatures of the Mayor and Community Development Coordinator of the Village.

1119.03 VACATED STREET OR ALLEY.

Whenever any street, alley or other public right-of-way is vacated by official action of Village Council as provided by law, the Zoning District adjoining the side of such public right-of-way shall be extended automatically, depending on the side or sides to which such lands revert, to include the right-of-way that has been vacated.

CHAPTER 1121 General Zoning Regulations

1121.01 COMPLIANCE WITH REGULATIONS.

No building shall be erected, converted or altered, nor shall any building or land be used except for a purpose permitted in the Zoning District in which the building or land is located, except as hereinafter provided. No building shall be erected, enlarged or altered except in conformity with the area regulations, minimum yard requirements and all other applicable requirements of this Planning and Zoning Code for the Zoning District in which such building is located.

1121.02 PROHIBITED USES.

Uses are considered to be prohibited unless specifically permitted as outlined in this Planning and Zoning Code. In addition to all other prohibited uses included within the Zoning District regulations or other provisions of this Planning and Zoning Code, the following uses are generally prohibited within the Village of Hebron:

(a) Soil Treatment, Hazardous Substances, and Landfills. The construction and/or operation of landfills, waste transfer stations, medical waste facilities, toxic material disposal facilities, and facilities for the treatment of soil contaminated by regulated or non-regulated petroleum products or hazardous substances.

(b) Mineral Extraction. The extraction of oil, natural gas, coal, limestone, gravel, sand, clay and other similar minerals, excluding water.

(c) Junkyards. Junkyards as defined in Chapter 1103.

(d) Dangerous Element or Condition. No land, building or structure in any Zoning District shall be used or occupied in any manner so as to create any dangerous, injurious, noxious or otherwise objectionable element or condition so as to adversely affect the surrounding area or adjoining premises.

1121.03 CORNER LOT VISIBILITY.

On a corner lot in any Zoning District, no fence, structure or planting shall be erected or maintained within twenty-five (25) feet of the corner (the point of intersection of the right-of-way lines), which interferes with traffic visibility across the corner.

1121.04 CORNER LOT SETBACKS.

(a) In any Zoning District, the front of a corner lot shall be deemed to be the shorter of the two (2) sides fronting on streets.

(b) The minimum setback on the side facing the street shall be thirty-five (35) feet.

1121.05 STORAGE OF CONSTRUCTION MATERIALS.

In any R1, R2, R3, R4, R5, or PRD District, the storage of construction materials on any one (1) lot shall be limited to the quantity of material required for the construction, renovation or enlargement of the dwelling unit or units proposed for said lot, provided the plans for such dwelling unit or units have been previously reviewed by the Community Development Coordinator and approved by the Building Inspector.

1121.06 PLATTING REQUIRED.

No use shall be established or altered and no structure shall be constructed or altered except upon a lot that has been platted in accordance with or which otherwise meets the requirements of the Subdivision Regulations of the Village of Hebron. Development standards of the Village of Hebron Planning and Zoning Code are minimum requirements, unless otherwise stated, for the arrangement of lots and spaces to be achieved in all developments.

1121.07 LOT SPLITS.

See Chapter 1173 (Minor Subdivisions (Lot Splits) – Application / Approval).

1121.08 SETBACKS ESTABLISHED.

(a) Required Setback Defined. The required setback is governed by applicable regulations for each Zoning District and is measured as the distance between the street right-of-way line and the front line of a building or any projection thereof, excluding uncovered steps. Unless otherwise stated in this Planning and Zoning Code, no structure or other use of land, shall be located in the required setback.

(1) Increased Setbacks Required. The Village of Hebron has adopted the Licking County Thoroughfare Plan. Setbacks on applicable streets and highways within the Village shall conform to the setback requirements outlined in the Licking County Thoroughfare Plan.

(2) Varied Setbacks. To enhance the aesthetic appearance of a proposed subdivision or Planned Development, the use of varied setbacks may be allowed upon approval of the Planning and Zoning Board.

(b) Parking Within the Required Setback. Open parking or loading spaces shall be permitted to extend toward the street right-of-way from the established building line a distance equal to forty (40) percent of the required setback distance as measured from the actual or proposed right-of-way. In no case shall any part of a parking area be closer than fifteen (15) feet to any established or proposed right-of-way.

(c) Platted Setback. No structure or other use, including parking, shall be located between the street right-of-way and the platted building line as shown on an approved and recorded subdivision plat.

(d) Display in Front Set Back Prohibited. Within the front building setback and side building setbacks adjacent to public right-of-way, there shall be no storage or display of any materials, equipment, inventory, merchandise or wares.

1121.09 LOT OF RECORD.

In any Zoning District where dwellings are permitted, a permitted one-family dwelling(s) may be erected on any lot of official record at the effective date of this Planning and Zoning Code, even though such lot does not comply with the minimum lot area and minimum width requirements of such District, provided the following conditions are met:

- (a) The lot has a minimum of fifty (50) feet of frontage on an improved public street;
- (b) In no case shall the depth of the required side yard be less than four (4) feet; and,
- (c) In no case shall the depth of the required rear yard be less than twenty-five percent (25%) of the lot depth, or fifteen (15) feet, whichever is greater; and,

- (d) If the owner of such lot owns adjoining property in the same District, owned such property at the effective date of this Planning and Zoning Code, and the combination of both lots into a single combined parcel would satisfy District requirements, such lots shall be so combined.

1121.10 PRETREATMENT ORDINANCE.

The Village of Hebron has a sewage pretreatment policy in effect, ordinance number 02-03. The Village will monitor all discharges to determine potential pollutants introduced into the sanitary sewer system. Occupants will bear expenses necessary to monitor effluent streams to meet guidelines set forth by the Village of Hebron, The Ohio EPA, and the U.S. EPA. Occupants will also bear costs to prevent pollutants from entering the sanitary sewer system.

CHAPTER 1123
Low Density Residential District (R1)

1123.01 PURPOSE.

The Low Density Residential District (R1) is established as a low density, detached, single-family residential district serviced by public water and sanitary sewer.

1123.02 PERMITTED USES.

- (a) Single-family dwelling.
- (b) Accessory structures to single family dwellings.
- (c) Home occupations in accordance with Chapter 1151.

1123.03 CONDITIONAL USES.

The following conditional uses are allowed in the Low Density Residential District (R1), subject to approval in accordance with Chapter 1113:

- (a) Churches and other places of worship.
- (b) Parks, playgrounds, recreation and community center buildings and grounds, golf courses, tennis courts and similar recreational uses, provided that any principal building used therefore shall be located not less than one hundred fifty (150) feet from the property line of all residentially zoned parcels.

1123.04 DEVELOPMENT STANDARDS.

(a) Lot and Building Requirements. The following lot and building requirements are minimum standards, except where noted, and shall apply in the Low Density Residential District (R1):

- (1) Lot area: fourteen thousand (14,000) square feet.
- (2) Lot coverage, maximum: thirty-five percent (35%).
- (3) Lot width: one hundred (100) feet of frontage on an improved public right-of-way.
- (4) Lot width on a curving street or cul-de-sac: sixty (60) feet of frontage on an improved public right-of-way and lot width shall be one hundred (100) feet at the minimum building line.
- (5) Front yard setback: thirty-five (35) feet as measured between the street right-of-way line and the building setback line.
- (6) Side yard setback: a minimum of thirteen (13) feet on any one side; for a Conditional Use, the side yard setback shall be twenty-five (25) feet.
- (7) Rear yard setback: forty-five (45) feet as measured from the rear property line.
- (8) Dwelling dimensions: the following dwelling dimensions measured in terms of square footage apply to all (R1) residential structures; one thousand, four hundred (1,400) square feet living area minimum, excluding basement.
- (9) Garage required: all (R1) residential structures shall have an attached two (2) car garage, 576 square feet minimum.
- (10) Corner Lots: corner lots shall meet the following requirements:
 - A. In any district the front of a corner lot shall be deemed to be the shorter of the two (2) sides fronting on streets.

B. The minimum setback on the side facing the side street shall be thirty-five (35) feet.

(b) Supplemental Standards. The following supplemental standards shall apply within the Low Density Residential District (R1):

(1) No building shall exceed thirty-five (35) feet in height, or more than two (2) stories in height.

(2) A one (1) foot overhang shall be required on the roof lines of all new primary residential structures.

CHAPTER 1125
Medium Density Residential District (R2)

1125.01 PURPOSE.

The Medium Density Residential District (R2) is established as a moderate density, detached, single-family residential district serviced by public water and sanitary sewer.

1125.02 PERMITTED USES.

- (a) Single-family dwelling.
- (b) Accessory structures to single family.
- (c) Home occupation in accordance with Chapter 1153.

1125.03 CONDITIONAL USES.

The following conditional uses are allowed in the Medium Density Residential District (R2), subject to approval in accordance with Chapter 1113:

- (a) Churches and other places of worship.
- (b) Parks, playgrounds, recreation and community center buildings and grounds, golf courses, tennis courts and similar recreational uses, provided that any principal building used therefore shall be located not less than one hundred fifty (150) feet from the property line of all residentially zoned parcels.
- (c) Public and private schools.

1125.04 DEVELOPMENT STANDARDS.

(a) Lot and Building Requirements. The following requirements are minimum standards, except where noted, and shall apply in the Medium Density Residential District (R2):

- (1) Lot area: eleven thousand, two hundred (11,200) square feet.
- (2) Lot coverage, maximum: thirty-five percent (35%).
- (3) Lot width: eighty (80) feet of frontage on an improved public right-of-way.
- (4) Lot width on a curving street or cul-de-sac: sixty (60) feet of frontage on an improved public right-of-way and lot width shall be eighty (80) feet at the minimum building line.
- (5) Front yard setback: thirty-five (35) feet as measured between the street right-of-way line and the building setback line.
- (6) Side Yard Setback: a minimum of ten (10) feet on any one side. Conditional Use - a minimum side yard of twenty-five (25) feet.
- (7) Rear yard setback: thirty-five (35) feet as measured from the rear property line.
- (8) Dwelling dimensions: the following dwelling dimensions measured in terms of square footage shall apply to all residential dwellings in the R2 district: one thousand, one hundred fifty (1,150) square feet of living area minimum, excluding basement.
- (9) Garage Required: all R2 residential structures shall have an attached two (2) car garage, 576 square feet minimum.
- (10) Corner Lots: corner lots shall meet the following requirements:
 - A. In any district the front of a corner lot shall be deemed to be the shorter of the two (2) sides fronting on streets.

B. The minimum setback on the side facing the side street shall be thirty-five (35) feet.

(b) Supplemental Standards. The following supplemental standards shall apply within the Medium Density Residential District (R2):

(1) No building shall exceed thirty-five (35) feet in height, or more than two (2) stories high.

(2) A one (1) foot overhang shall be required on the roof lines of all primary residential structures.

CHAPTER 1127
High Density Residential District (R3)

1127.01 PURPOSE.

The High Density Residential District (R3) is established as a high density, detached, single-family residential district served by public water and sanitary sewer.

1127.02 PERMITTED USES.

- (a) Single-family dwelling.
- (b) Accessory structures to single family dwellings.
- (c) Mobile Homes.
- (c) Home occupations in accordance with Chapter 1151.

1127.03 CONDITIONAL USES.

The following conditional uses are allowed in the High Density Residential District (R3), subject to approval in accordance with Chapter 1113:

- (a) Churches and other places of worship.
- (b) Parks, playgrounds, recreation and community center buildings and grounds, golf courses, tennis courts and similar recreational uses, provided that any principal building used therefore shall be located not less than one-hundred fifty (150) feet from the property line of all residentially zoned parcels.
- (c) Public and private schools.
- (d) In those areas of the Village which have a zoning classification of R3, the conversion of a single family dwelling into a duplex or triplex may be permitted only under the following conditions:
 - (1) The provisions of Chapter 1113 (Conditional Uses) are complied with.
 - (2) The conversion results in square footage of living area per unit as noted in Section 1131.04.
 - (3) Paved off-street parking is provided as set forth in Chapter 1149. Such off-street parking shall be located in the rear setback and screened completely from adjacent lots.

1127.04 DEVELOPMENT STANDARDS.

(a) Lot and Building Requirements. The following lot and building requirements are minimum standards, except where noted, and shall apply in the High Density Residential District (R3):

- (1) Lot area: the minimum lot size shall be six thousand, seven hundred (6,700) square feet.
- (2) Lot coverage, maximum: thirty-five percent (35%).
- (3) Lot width: sixty (60) feet of frontage on an improved public right-of-way, except as noted in Section 1127.04(a)(4).
- (4) Lot width on a curving street or cul-de-sac: sixty (60) feet of frontage on an improved public right-of-way and lot width shall be sixty (60) feet at the minimum building line. Note: Cul-de-sac and corner lots shall be so designed to provide the required setbacks when overlain with a thirty (30) by fifty-four (54) foot template.

(5) Front yard setback: twenty (20) feet as measured between the street right-of-way line and the building setback line.

(6) Side yard setback: a minimum of ten (10) feet on any one side; for a Conditional Use, the side yard setback shall be twenty-five (25) feet.

(7) Rear yard setback: thirty-five (35) feet as measured from the rear property line.

(8) Dwelling dimensions: all R3 residential structures shall have nine hundred (900) square feet of living area, excluding basement.

(9) Garage Required: all R3 residential structures shall have an attached two (2) car garage, 400 square feet minimum.

(10) Corner Lots: corner lots shall meet the following requirements:

A. A corner lot shall be deemed to be the shorter of the two (2) sides fronting on streets.

B. The minimum setback on the side facing the side street shall be thirty-five (35) feet.

(b) Supplemental Standards. The following supplemental standards shall apply within the High Density Residential District (R3):

(1) No building shall exceed thirty-five (35) feet in height, or more than two (2) stories in height.

(2) A one (1) foot overhang shall be required on the roof lines of all primary residential structures.

CHAPTER 1129
Single Family Dwelling Zone – Zero Lot Line (R4)

1129.01 PURPOSE.

The Single Family Dwelling - Zero Lot Line District (R4) is established as a moderate density single-family residential area where, as a part of the common design criteria, there is a reduction of one or more of the side and/or rear yard setbacks to zero. This district shall be served by public water and sanitary sewer.

1129.02 PERMITTED USES.

- (a) Single-family dwelling.
- (b) Accessory structures to single-family dwellings

1129.03 CONDITIONAL USES.

The following conditional uses are allowed in the Single Family Dwelling District (R4) subject to approval in accordance with Chapter 1113:

- (a) Churches and other places of worship.
- (b) Parks, playgrounds, recreation and community center buildings and grounds, golf courses, tennis courts, provided that any principal building used therefore shall be located not less than one hundred-fifty (150) feet from the property line of all residentially zoned parcels.

1129.04 DEVELOPMENT STANDARDS.

(a) Lot and Building Requirements. The following lot and building requirements are minimum standards, except where noted, and shall apply in the Single Family Dwelling-Zero Lot Line District (R4):

- (1) Lot area: the minimum lot size shall be eleven thousand, two hundred (11,200) total square feet, or three thousand, five hundred (3,500) square feet per dwelling, whichever is greater.
- (2) Lot coverage, maximum: thirty-five percent (35%).
- (3) Lot width: eighty (80) feet of frontage on an improved public right-of-way.
- (4) Lot width on a curving street or cul-de-sac: sixty (60) feet of frontage on an improved public right-of-way and lot width shall be one hundred (100) feet at the minimum building line. Note: For the purpose of checking for adequate setbacks on corner and cul-de-sac lots, a thirty (30) ft. by sixty (60) ft. template shall be used.
- (5) Front yard setback: each dwelling shall have a twenty (20) foot front setback as measured from the street right-of-way line.
- (6) Side yard setback: except as noted in (8) below, for each dwelling or combination of dwellings a minimum of ten feet (10') on any one exterior side that has no main entrance. For a Conditional Use, the side yard setback shall be twenty-five (25) feet.
- (7) Rear yard setback: except as noted in (8) below, for each dwelling or combination of dwellings, ten (10) feet as measured from the rear property line.

(8) Reduced setbacks permitted: for a dwelling there shall be permitted a reduction to zero for the required side yard setbacks or a reduction to zero of one (1) side yard and the rear yard setback so no more than four single-family dwellings may be grouped together into one (1) building, provided that the resulting structure has a thirty-five (35) foot front and rear set back. The resulting structure may have thirteen (13) foot side yard setbacks, provided that those exterior walls have no main or garage entrance.

(9) Dwelling dimensions: each residential unit shall have a minimum of one thousand one hundred (1,150) square feet of living area, excluding basement.

(10) Garage required: each unit in the Single Family Dwelling-Zero Lot Line District (R4) shall have an attached two (2) car garage, four hundred (400) square feet minimum.

(11) Parking: all provisions of Chapter 1149 (Off-Street Parking, Loading, and Access Drives) shall be complied with. Where there are multiple buildings, such as in a Single Family Dwelling, Zero Lot Line complex, adequate overflow parking areas shall be provided for visitors.

(12) Corner lots: corner lots shall meet the following requirements:

A. The front of a corner lot shall be deemed to be the shorter of the two (2) sides fronting on streets.

B. The minimum setback on the side facing the side street shall be thirty- five (35) feet.

(b) Supplemental Standards: The following supplemental standards shall apply within the Single Family Dwelling - Zero Lot Line Districts (R4):

(1) No structure shall exceed thirty-five (35) feet in height, or more than two (2) stories in height.

(2) A one (1) foot overhang shall be required on the roof lines of all primary residential structures.

(3) Consideration should be given for the provision of adequate playground areas for children.

(4) Home occupations are prohibited.

1129.05 REZONING AFTER EFFECTIVE DATE.

Any property owner seeking a zoning change to the Single Family Dwelling - Zero Lot Line District (R4) after the effective date of this Planning and Zoning Code shall adhere to the design standards, application and review requirements for a PRD as set forth in Chapter 1141.

CHAPTER 1131
Multi-Family Residential District (R5)

1131.01 PURPOSE.

The Multi-Family Residential District (R5) is established as a medium density multi-family district intended to allow duplex, triplex, or multi-unit residential configurations with on-site amenities, such as recreational facilities and off-street parking. This district shall be served by public water and sanitary sewer.

1131.02 PERMITTED USES.

- (a) Multi-unit residential dwellings, not exceeding twelve (12) units per dwelling.
- (b) Accessory structures to multi-unit residential dwellings.

1131.03 CONDITIONAL USES.

The following conditional uses are allowed in the Multi-Family Residential District (R5) subject to approval in accordance with Chapter 1113:

- (a) Churches and other places of worship.
- (b) Nursing homes.
- (c) Parks, playgrounds, recreation and community center buildings and grounds, golf courses, swimming pools, and tennis courts, provided that any principal building or swimming pool used therefore shall be located not less than one-hundred-fifty (150) feet from the property line of all residentially zoned parcels.

1131.04 DEVELOPMENT STANDARDS.

(a) Lot and Building Requirements. The following lot and building requirements are minimum standards, except where noted, and shall apply in the Multi-Family Residential District (R5):

(1) Lot area: the minimum lot size shall be eleven thousand, two hundred (11,200) total square feet, or three thousand, five hundred (3,500) square feet per dwelling, whichever is greater.

(2) Lot coverage, maximum: thirty-five percent (35 %).

(3) Lot width: eighty (80) feet of frontage on an improved public right-of-way.

(4) Lot width on a curving street or cul-de-sac: fifty (50) feet of frontage on an improved public right-of-way and lot width shall be eighty (80) feet at the minimum building line. Note: for the purpose of checking for adequate setbacks on a corner and cul-de-sac lots, a thirty (30) feet by fifty-four (54) template shall be used.

(5) Front yard setback: thirty-five (35) feet as measured between the street right-of-way line and the building setback line.

(6) Side yard setback: a minimum of thirteen (13) feet on any one side, plus one (1) foot for every unit per building over four (4) units. For a Conditional Use, the side yard setback shall be twenty-five (25) feet.

(7) Rear yard setback: thirty-five (35) feet as measured from the rear property line.

(8) Dwelling dimensions: the following minimum dwelling dimensions measured in terms of square footage of living area shall apply to all multi-family residential dwellings in the R5 District:

DWELLING TYPE	GROUND FLOOR AREA (square feet)	FINISHED TOTAL FLOOR AREA (square feet)
One Bedroom	400	700
Two Bedroom	450	850
Three Bedroom	500	975
Each Additional Bedroom	225	

(9) Garage required: for multi-family dwellings there shall be two and one-half (2 ½) parking spaces provided per dwelling unit, one of which shall be in a completely enclosed garage. Carports may be allowed in lieu of a completely enclosed garage with the approval of the Planning and Zoning Board.

(10) Parking: All multi-family dwellings shall comply with the provisions of Chapter 1149 (Off-Street Parking, Loading, and Access Drives). Where there are multiple apartment buildings, such as in an apartment complex, adequate overflow parking areas shall be provided for visitors.

(11) Corner lots: corner lots shall meet the following requirements:

A. The front of a corner lot shall be deemed to be the shorter of the two (2) sides fronting on streets.

B. The minimum setback on the side facing the side street shall be thirty-five (35) feet.

(b) Supplemental Standards. The following supplemental standards shall apply within the Multi-Family Residential District (R5):

(1) No structure shall exceed thirty-five (35) feet in height, or more than two and one-half (2 ½) stories in height.

(2) A one (1) foot overhang shall be required on the roof lines of all primary residential structures.

(3) Two (2) or more multiple-unit structures located on the same lot shall be located no closer than twenty (20) feet to each structure.

(4) One (1) covered parking space may be provided per dwelling unit in clusters not to exceed six (6) spaces.

(5) Multi-unit apartment complex developments shall include adequate playground areas for children.

(6) Home occupations are prohibited.

CHAPTER 1133
Neighborhood Commercial District (NC)

1133.01 PURPOSE.

The Neighborhood Commercial District (NC) is intended to encourage the clustering of small individual retail and personal service establishments to promote convenience in serving the daily staple needs of the surrounding residential areas.

1133.02 PERMITTED USES.

(a) Structure Size. The floor area of any one single use shall not exceed five-thousand (5,000) square feet.

(b) Retail Stores. Retail stores primarily engaged in selling merchandise for personal or household consumption and rendering services incidental to the sale of the goods (including the buying or processing of goods for resale) including:

- (1) Hardware Stores
- (2) Grocery Stores
- (3) Meat and Fish (Seafood) Markets
- (4) Fruit Stores and Vegetable Markets
- (5) Candy, Nut and Confectionery Stores
- (6) Dairy Products Stores
- (7) Retail Bakeries
- (8) Drug Stores and Proprietary Stores
- (9) Florists
- (10) Antique Shops, Gift Stores

(c) Personal Services. Personal services generally involving the care of the person or his/her personal effects including:

- (1) Beauty Shops
- (2) Barber Shops
- (3) Shoe Repair Shops
- (4) Pressing, Dry-Cleaning, Alteration and Garment and Repair

(d) Business and Professional Offices. Business offices carrying on no retail trade with the general public and having no stock of goods maintained for sale to customers and professional offices engaged in providing tangible and intangible services to the general public, involving both persons and their possessions including:

- (1) Commercial and Stock Savings Banks
- (2) Credit Agencies Other than Banks
- (3) Personal Credit Institutions
- (4) Insurance Agents, Brokers and Service
- (5) Real Estate Agents, Brokers and Managers
- (6) Combinations of Real Estate, Insurance, Loan and Law Offices
- (7) Health and medical services
- (8) Legal Services
- (9) Veterinarians
- (e) Children's Nurseries and Day Care Centers.

1133.03 CONDITIONAL USES.

The following uses may be allowed in the Neighborhood Commercial District (NC) subject to approval in accordance with Chapter 1113:

- (a) Automotive Service Stations. Gasoline service stations provided no portion of a structure or its appurtenances, including ancillary, associated or auxiliary equipment shall be located in front of the established building line.
- (b) Drive-in Facility. Drive-in or outdoor service facility developed in association with and subordinate to a permitted use.
- (c) Schools. Public or private schools.

1133.04 PROHIBITED USES.

(a) Any business or establishment which caters to or provides for the parking of commercial vehicles, trucks, semi-trucks, or commercial trailers shall be prohibited in the Neighborhood Commercial District (NC).

1133.05 DEVELOPMENT STANDARDS.

(a) Lot and Building Requirements. The following lot and building requirements are minimum standards, except where noted, and shall apply in the Neighborhood Commercial District (NC):

- (1) Lot area: No minimum lot area is required, however, all lots shall abut an improved public right-of-way and lot area shall be adequate to provide the required yard space.
- (2) Lot coverage, maximum: No maximum lot coverage is required; however, the lot coverage shall be adequate to provide the yard space required.
- (3) Lot width: No minimum lot width is required, however, all lots shall abut an improved public right-of-way and have adequate width to provide the required yard space and meet minimum access requirements.
- (4) Front yard setback: The minimum front yard setback shall be the average of the existing adjacent commercial structures on the same side of the street and facing thereon within the same block. Where there are no adjacent commercial structures, the building line shall not be less than fifty (50) feet measured from the street right-of-way.
- (5) Side yard setback: For main and accessory structures, including open service and loading areas, the required side yard shall be not less than twenty (20) feet, unless adjacent to any residential zoning district, Planned Residential District, and Planned Unit District whereby the side yard shall be no less than fifty (50) feet.
- (6) Rear yard setback: For main and accessory structures, the required rear yard shall be not less than twenty-five (25) feet, unless adjacent to any residential zoning district, Planned Residential District, and Planned Unit District whereby the side yard shall be no less than fifty (50) feet.
- (7) Corner Lots: corner lots shall meet the following requirements:
 - A. In any district the front of a corner lot shall be deemed to be the shorter of the two (2) sides fronting on streets.
 - B. The minimum setback on the side facing the side street shall be thirty-five (35) feet.

(b) Supplemental Standards. The following supplemental standards shall apply within the Neighborhood Commercial District (NC):

(1) No building shall exceed thirty-five (35) feet in height, or more than two (2) stories in height.

(2) Applicable standards shall be met in corresponding chapters of this Ordinance.

CHAPTER 1135
General Commercial District (GC)

1135.01 PURPOSE.

The General Commercial District (GC) is intended to encourage and provide suitable areas for the development of traffic-oriented business service facilities and restricted types of retail stores, operations, and community service facilities.

1135.02 PERMITTED USES.

(a) Retail Stores. Retail stores primarily engaged in selling merchandise for personal or household consumption and rendering services incidental to the sale of the goods (including the buying or processing of goods for resale) including:

(1) General Merchandise: Hardware stores, department stores, mail-order houses, limited price variety stores, and miscellaneous general merchandise stores.

(2) Food: Grocery stores, meat and fish (seafood) markets, fruit stores and vegetable markets, candy, nut and confectionery stores, dairy products stores, retail bakeries, and miscellaneous food stores.

(3) Building Materials, Retail: Lumber and other building materials, heating and plumbing equipment, electrical supply equipment, and hardware and farm equipment.

(4) Apparel: Clothing, accessories and personal furnishing stores, shoe stores, custom tailors, furriers and fur shops, and miscellaneous apparel and accessory stores.

(5) Home Furnishings: Furniture, home furnishings, and equipment stores, household appliance stores, and radio, television and music stores.

(6) Restaurants.

(7) Miscellaneous Retail: Drug stores and proprietary stores, liquor stores, antique stores and secondhand stores, stationery stores, sporting goods stores and bicycle shops, jewelry stores, florists, cigar stores, news dealers, camera and photographic supply stores, gift, novelty and souvenir shops, optical goods stores, and miscellaneous retail stores not otherwise classified.

(8) Business Services: Advertising, duplicating, addressing, blueprinting, photocopying, mailing, stenography, and business services not otherwise classified.

(9) New Vehicle Sales: The business of selling new motorized vehicles and recreational vehicles.

(10) Automotive Repair Services and Garages: provided that no structure or equipment shall be located in front of the established building line.

(b) Business and Professional Offices. Business offices engaged in providing tangible and intangible services to the general public, involving both persons and their possessions, including:

(1) Administrative, Business and Professional Offices: Administrative offices primarily engaged in general administration, supervision, purchasing, accounting and other management functions, and professional offices engaged in providing tangible and intangible services to the general public, involving both persons and possessions, including the following:

A. Commercial and Stock Savings Banks

B. Credit Agencies, other than banks

C. Personal Credit Institutions

D. Insurance Agents, Brokers, and Managers

E. Loan and Law Offices

(2) Professional: Health and medical services, health and allied sciences not elsewhere classified, legal services, design services including engineering, architecture, landscape architecture, urban planning, graphic arts and interior design, and accounting, auditing and bookkeeping services.

(c) Personal and Consumer Services. Personal services generally involving the care of the person or his/her personal effects and consumer services generally involving the care and maintenance of tangible property or the provision of intangible services for personal consumption, including:

(1) Personal: Photographic studios, including commercial photography, beauty shops, barber shops, therapeutic massage clinics, laundromats, funeral services, shoe repair shops, dry cleaning, pressing, alteration and garment repair, and miscellaneous personal service.

(2) Repair Services: Electrical repair shops, watch, clock and jewelry repair, re-upholstery and furniture repair, and similar household item repair shops and related services.

(3) Offices of Veterinarians and Animal Hospitals. Limited overnight boarding of pets, dogs, cats, etc., may be permitted if for medical reasons and such boarding is located inside of the primary structure.

(4) Children's Nurseries and Day Care Centers.

1135.03 CONDITIONAL USES.

The following conditional uses are allowed in the General Commercial District (GC) subject to approval in accordance with Chapter 1113:

(a) Drive-In Facility or Open Display. Drive-in, outdoor service, or open display facility, developed in association with a principal permitted use.

(b) Residential. Living quarters as an integral part of and subordinate to a principal permitted use.

(c) Gasoline Stations.

(d) Used Vehicle Sales. The business of selling used or previously owned motorized vehicles and recreational vehicles.

(e) Recreation. Theaters, dance halls, dance studios, dance schools, bowling, swimming pools, and skating rinks.

(f) Hotels and Motels. Lodging facilities and subordinate eating and drinking facilities and recreational facilities, provided that the minimum lot area is two (2) acres.

(g) Automobile Parking Lots.

(h) Private Assembly Halls.

(i) Significant Developments. Any proposed structure in the General Commercial District (GC) that contains at least fifty thousand (50,000) square feet of gross floor area shall be considered a Significant Development and may be allowed as a conditional use subject to approval in accordance with Chapter 1113.

(j) Establishments Providing Commercial Vehicle Parking. Any business or establishment which provides for the parking of commercial vehicles, trucks, semi-trucks, or commercial trailers shall be a conditional use and only permitted upon approval of the Planning and Zoning Board and upon meeting the provisions of Chapter 1113.

(k) Truck Stops. Any establishment which provides service, fueling, restaurant, personal services, overnight sleeping in vehicles, lodging facilities, or repairing of commercial vehicles, commonly known as a truck stop.

(l) Self-storage facilities.

(m) Retail Stores not falling under any category specified by Section 1135.02.

1135.04 DEVELOPMENT STANDARDS.

(a) Lot and Building Requirements. The following lot and building requirements are minimum standards, except where noted, and shall apply in the General Commercial District (GC):

(1) Lot area: No minimum lot area is required; however, all lots shall abut an improved public right-of-way and lot area shall be adequate to provide the required yard space.

(2) Lot coverage, maximum: No maximum lot coverage is required; however, the lot coverage shall be adequate to provide the yard space required.

(3) Lot width: No minimum lot width is required, however, all lots shall abut an improved public right-of-way and have adequate width to provide the required yard space and meet minimum access requirements.

(4) Front yard setback: The minimum front yard setback shall be the average of the existing adjacent commercial structures on the same side of the street and facing thereon within the same block. Where there are no adjacent commercial structures, the building line shall not be less than fifty (50) feet measured from the street right-of-way.

(5) Side yard setback: For main and accessory structures, including open service and loading areas, the required side yard shall be not less than twenty (20) feet, unless adjacent to any residential zoning district, Planned Residential District, and Planned Unit District whereby the side yard shall be no less than fifty (50) feet.

(6) Rear yard setback: For main and accessory structures, the required side yard shall be not less than twenty-five (25) feet, unless adjacent to any residential zoning district, Planned Residential District, and Planned Unit District whereby the side yard shall be no less than fifty (50) feet. A use to be serviced from the rear shall have a service court, alleyway or combination thereof not less than forty (40) feet in width.

(7) Corner Lots. Corner lots shall meet the following requirements:

A. The front of a corner lot shall be deemed to be the shorter of the two (2) sides fronting on streets.

B. The minimum setback on the side facing the side street shall be thirty-five (35) feet.

(b) Supplemental Standards. The following supplemental standards shall apply within the General Commercial District (GC):

(1) No structure shall exceed forty (40) feet in height, or more than three (3) stories in height.

CHAPTER 1137 Manufacturing District (M1)

1137.01 PURPOSE.

The Manufacturing District (M1) is established for the purpose of promoting the responsible development of an industrial corridor in the Village without compromising or interfering with adjacent land. The M1 District shall include a mixture of services, facilities, and commercial uses typically operating within enclosed structures. The intent of the district is to encourage industrial development that is architecturally sensitive, incorporating landscaping, generous setbacks, and minimal signage.

1137.02 PERMITTED USES.

- (a) Manufacturing.
 - (1) Canning and preserving fruits, vegetables and seafood.
 - (2) Bakery products; candy and other confectionery products.
 - (3) Clothing, apparel and accessories.
 - (4) Fabricated textile products; broad and narrow woven fabric mills, including cotton, man-made fiber and silk, and dyeing and finishing, floor covering mills, and yarn and thread mills.
 - (5) Publishing and printing of newspapers, magazines, books and other publications, and commercial printing; manifold business forms, greeting cards, bookbinding and related industries, and service industries for the printing trade.
 - (6) Pharmaceuticals.
 - (7) Footwear, gloves and mittens, luggage, handbags and other personal leather goods; boot and shoe cut stock and findings.
 - (8) Glass products, plastic products and processing, farm equipment, metal stamping and shaping, industrial and household cleaners.
 - (9) Communication equipment, electronic components and accessories, engineering, laboratory, scientific and research instruments and associated equipment, and instruments for measuring, controlling and indicating physical characteristics.
 - (10) Optical instruments and lenses, surgical, medical and dental instruments and supplies, and ophthalmic goods; photographic equipment and supplies.
 - (11) Watches, clocks, clockwork operated devices and parts; jewelry, silverware and plated ware.
 - (12) Automobile accessories and electronic components.
 - (13) Sausages and other prepared meat products, dairy products, grain mill products, and beverage industries.
 - (14) Household and office furniture, partitions, shelves, lockers and office and store fixtures.
 - (15) Nonferrous foundries, sheet metal work, and machine shops, jobbing and repair.
 - (16) Household appliances, electrical lighting and wiring equipment, and electrical machinery, equipment and supplies.
 - (17) Musical instruments and parts, toys, amusements, sporting and athletic goods.

(18) Pens, pencils and other office and artists' materials, costume jewelry, costume novelties, buttons and sewing supplies.

(b) Wholesaling.

(1) Pharmaceuticals, chemicals and allied products.

(2) Dry goods and apparel.

(3) Groceries and related products.

(4) Electrical goods.

(5) Hardware, plumbing and heating equipment and supplies.

(6) Machinery equipment and supplies.

(7) Tobacco and related products.

(8) Beer, wine and distilled alcoholic beverages.

(9) Paper and related products.

(10) Furniture and home furnishings.

(c) Warehousing and Transportation Services.

(1) Trucking, local and long distance.

(2) Public warehousing and freight forwarding.

(3) Terminal and joint terminal maintenance facilities for motor freight transportation and services incidental to transportation.

(4) Motor vehicles and automotive equipment.

(5) Pharmaceuticals, chemicals and allied products, dry goods, apparel, groceries and related products.

(6) Farm products and raw materials, electrical goods, hardware, plumbing and heating equipment and supplies.

(7) Machinery, equipment, and supplies.

(8) Miscellaneous wholesalers except scrap and waste materials.

(9) Self-storage facilities and vehicle storage, to include motor homes, motor vehicles, campers, trailers, boats, watercraft and recreation vehicles.

(d) Service Industries.

(1) General construction contractors.

(2) Plumbing, heating and air conditioning, painting, paperhanging and decorating.

(3) Electrical work, masonry, stonework, tile setting, and plastering, carpentering and wood flooring, roofing and sheet metal work, concrete work, and water well drilling.

(4) Special trade contractors.

(5) Bulk product sales, mulch plants, coal yards

(e) Commercial Retail. Commercial retail uses associated with and subordinate to another permitted use and limited to no more than twenty-five percent (25 %) of the total gross floor area of all structures on the subject lot(s).

(f) Research, Development and Testing Laboratories.

(g) Commercial and Office Uses. :

(1) Commercial and stock savings banks, savings and loan associations, personal credit institutions, and business credit institutions.

(2) Health and medical services.

(3) Design services include engineering, architecture, landscape architecture, urban planning, graphic arts and interior design.

(4) Accounting, auditing and bookkeeping services.

(h) Administrative Offices. Administrative offices primarily engaged in general administrative supervision, purchasing, accounting and other management functions.

(i) Personal and Consumer Services.

(1) Personal: beauty shops, barber shops, therapeutic massage clinics , shoe repair shops, dry cleaning, pressing, alteration and garment repair.

(2) Business: advertising, consumer credit reporting agencies, mercantile reporting agencies, adjustment and collecting agencies, business services including duplicating, addressing, blueprinting, photocopying, mailing, mailing list, and stenographic, private employment agencies, and business services not otherwise classified

1137.03 CONDITIONAL USES.

The following conditional uses are allowed in the Manufacturing District (M1) subject to approval in accordance with Chapter 1113:

(a) Uses Not Listed. Any other lawful industrial use compatible with the permitted uses, fulfilling the intent of this district, and developed in accordance with the development standards and performance standards of this district, such as agriculture.

(b) Height. Buildings or accessory structures higher than fifty (50) feet.

(c) Antennas. Commercial antennas, provided that they are not located within one thousand (1,000) feet from any residential district or neighborhood district.

(d) Adult Entertainment Businesses, subject to the requirements of Chapter 1145.

(e) Commercial Kennels. Commercial Kennels, provided that Commercial Kennels are not located within two hundred (200) feet of any residential zoning district, including PUD and PRD.

(f) Truck Stops. Any establishment which provides service, fueling, restaurant, personal services, overnight sleeping in vehicles, lodging facilities, or repairing of commercial vehicles, commonly known as a truck stop.

1137.04 DEVELOPMENT STANDARDS.

All development standards regulating the General Commercial (GC) District as included in Section 1135.04 shall apply to the Manufacturing District (M1).

CHAPTER 1139
Light Manufacturing and Office District (M2)

1139.01 PURPOSE.

The Light Manufacturing and Office District (M2) is established for the purpose of promoting responsible small-scale industrial and office development in the Village.

1139.02 PERMITTED USES.

(a) Any Manufacturing use permitted in the Manufacturing District (M1), Section 1137.02(a)(1)-(18).

(b) Any Wholesaling use permitted in the Manufacturing District (M1), Section 1137.02(b), with the exception of tobacco and related products, beer, wine and distilled alcoholic beverages which shall not be permitted.

(c) Research, Development and Testing Laboratories.

(d) Any General Office and Administrative Office use permitted in the Manufacturing District (M1), Section 1137.02(g) and (h).

(e) Personal and Consumer Services:

(1) Business: Advertising, consumer credit reporting agencies, mercantile reporting agencies, adjustment and collecting agencies.

(2) Business Services: duplicating, addressing, blueprinting, photocopying, mailing, mailing list, and stenographic.

1139.03 CONDITIONAL USES.

The following conditional uses are allowed in the Light Manufacturing District (M2) subject to approval in accordance with Chapter 1113:

(a) Uses Not Listed. Any other lawful industrial use compatible with the permitted uses, fulfilling the intent of this district, and developed in accordance with the development standards and performance standards of this district.

(b) Height. Buildings or accessory structures higher than fifty (50) feet.

(c) Warehousing, and Transportation Services.

(1) Trucking, local and long distance.

(2) Warehousing and freight forwarding.

(3) Terminal and joint terminal maintenance facilities for motor freight transportation and services incidental to transportation.

(d) Commercial Kennels: Commercial Kennels, provided that Commercial Kennels are not located within two hundred (200) feet of any residential zoning district, including PUD and PRD.

(e) Truck Stops. Any establishment which provides service, fueling, restaurant, personal services, overnight sleeping in vehicles, lodging facilities, or repairing of commercial vehicles, commonly known as a truck stop.

1139.04 DEVELOPMENT STANDARDS.

(a) Lot and Building Requirements. The following lot and building requirements are minimum standards, except where noted, and shall apply in the Light Manufacturing and Office District (M2):

(1) Lot area: No minimum lot area is required: however, all lots shall abut an improved public right-of-way and lot area shall be adequate to provide the required yard space and parking areas.

(2) Lot coverage, maximum: No maximum lot coverage is required: however, the lot coverage shall be adequate to provide the yard space required.

(3) Lot width: All lots will abut an improved public right-of-way and have adequate width to provide the required yard space and meet minimum access requirements. Except as outlined in line 4 below, the minimum lot width will be one hundred twenty (120) feet.

(4) Lot width on curving street: Upon the approval of the Planning and Zoning Board and Village Engineer, the minimum lot width may be reduced to fifty (50) feet for one lot which abuts a portion of a public street that has a maximum radius of three hundred (300) feet and an included angle of no less than 70 degrees. The total number of lot width reductions made under this provision should be kept to a minimum in any one development.

(5) Front yard setback: The minimum front yard setback shall be not less than fifty (50) feet.

(6) Side yard setback: For main and accessory structures the required side yards shall not be less than fifty (50) feet.

(7) Rear yard setback: For main and accessory structures the required rear yard shall be not less than fifty (50) feet, unless adjacent to any residential zoning district, Planned Residential District, and Planned Unit District whereby the rear yard shall be no less than one hundred (100) feet. A use to be serviced from the rear shall have a service court, alleyway or combination thereof not less than forty (40) feet in width.

(8) Corner Lots: corner lots shall meet the following requirements:

A. The front of a corner lot shall be deemed to be the shorter of the two (2) sides fronting on streets.

B. The minimum setback on the side facing the side street shall be thirty-five (35) feet.

(b) Supplemental Standards. The following supplemental standards shall apply within the Light Manufacturing and Office District (M2):

(1) Applicable standards shall be set in corresponding chapters of this Ordinance.

(2) All areas will be served by municipal fire hydrants, spaced at three hundred (300) feet intervals. Hydrants to be installed by the developer.

(3) All buildings and structures will be designed so that all industrial type adjunct or auxiliary equipment, tanks, framework, and support structures will be enclosed. Such enclosures will have wall surfaces that are of the same color and architecture style of the primary and other structures of the facility.

(4) The exterior lighting plan of all facilities will be so designed to prevent glare and the trespass of unnecessary offsite light. All exterior lighting will be high-pressure-sodium.

(5) The developer will install such street, road, or main thoroughfare signage as required by the Village of Hebron, or ODOT. The developer will install street lighting as required by the Village.

(6) All access lanes or roads and all parking shall be hard surface with concrete or asphalt. Such lanes, roads, and areas will be constructed in accordance with Village standards.

(7) Developments creating major increases in traffic may be required to improve thoroughfare access points, i.e. traffic signaling, left and right turn lanes, etc.

(8) All site plans will be approved by the Village Engineer before any construction begins.

(9) No outside storage will be permitted.

CHAPTER 1141 Planned Developments

1141.01 PURPOSE AND INTENT.

Planned Developments shall include the following: Planned Residential Developments (PRD), Planned Commercial Developments (PCD), Planned Industrial Developments (PID), and Planned Unit Developments (PUD).

It is the intent of the Planned Developments to promote the progressive development of land and to encourage innovative architectural design and layout, flexibility in building styles and types, and sensitivity to the natural environment.

The Planned Developments are designed to guide development in an orderly, coordinated and comprehensive manner that preserves natural quality and beauty and provides supporting community facilities in the development of diverse, sound urban environments particularly suited to residents. Such developments should:

- (a) Provide a useful pattern of open space and recreation areas.
- (b) Preserve and utilize natural topography and geologic features, scenic vistas, trees and other vegetation, while preventing disruption of normal drainage patterns.
- (c) Provide a more efficient pattern of development that reduces investments in utility lines, streets, and similar infrastructure.
- (d) Promote a development pattern in harmony with the Village's land use objectives and priorities.

1141.02 PERMITTED USES.

- (a) Planned Residential Developments (PRD).
 - (1) Residential Dwellings: single family, two family and multi-family dwellings and accessory uses and buildings in association with a permitted dwelling.
 - (2) Public uses: parks, playgrounds, recreation and community center buildings and grounds, golf courses, public swimming pools, tennis courts, and similar recreational uses.
 - (3) Home occupations in accordance with Chapter 1151.
- (b) Planned Commercial Developments (PCD).
 - (1) Uses permitted under the Neighborhood Commercial (NC) and General Commercial (GC) Districts.
- (c) Planned Industrial Development (PID).
 - (1) Uses permitted under the Manufacturing District (M-1).
- (d) Planned Unit Development (PUD).
 - (1) Uses permitted under the Planned Residential Development (PRD)
 - (2) Uses permitted under the Planned Commercial Development (PCD), but limited to no more than thirty percent (30%) of the net developable site.

1141.03 CONDITIONAL USES.

The following conditional uses are allowed in the Planned Developments (PRD, PCD, PID, and PUD) subject to approval in accordance with Chapter 1113 and as indicated under each specific development:

- (a) Planned Industrial Development (PID).

(1) Uses permitted under the Neighborhood Commercial District (NC) or General Commercial Development (GC), but limited to no more than twenty-five percent (25%) percent of the new developable site.

(2) Churches and other places of worship.

1141.04 DEVELOPMENT STANDARDS.

(a) Minimum Size Requirements. The following table establishes threshold standards for all Planned Developments. The Planning and Zoning Board reserves the right to allow Planned Developments to deviate from these standards, given the unique sizes of certain parcels, on a case-by-case basis.

DEVELOPMENT STANDARD	PRD	PCD	PID	PUD
Minimum Area (acres)	5	None	10	20
Minimum Area Depth (feet)	350	350	500	750
Minimum Frontage (feet)	250	250	400	600
Coverage	N/A	45%	50%	N/A
Maximum Building Height (feet)	35	40	40	40

(1) For each use, the lot and building requirements of the applicable Zoning District shall govern unless superseded herein.

(2) Parking areas shall be no closer to the main structure(s) than ten (10) feet.

(3) Under PRD and PUD, individual home sites or clusters must be designated under one of the Village’s single family Zoning Districts and the development standards therein shall apply unless superseded herein. A PRD or PUD may contain more than one classification of single family Zoning District.

(4) Upon approval of the Planning and Zoning Board, PRD and PUD lot size per dwelling unit may be reduced by not more than twenty-five percent (25%) of the minimum lot area of the designated Zoning District. The developer must provide sufficient evidence that the overall development demonstrates excellence in design by properly considering: significant natural and historic features, topography, natural drainage patterns, roadway access and circulation, surrounding land uses, the enhancement of the general welfare of the public, and aesthetically desirable land development.

(5) Lot widths may be varied to allow for a variety of structural designs. Varied setbacks may also be considered.

(6) Under PRD and PUD, adjacent single family and two-family homes shall not have identical facades relative to style and color, and all residential building front yard setbacks shall meet the applicable development requirement and be staggered.

(b) Site Development Standards. The following site development standards shall apply in all Planned Developments (PRD, PCD, PID, and PUD):

(1) The applicable sections of the Subdivision Regulations and the off-street parking, sign and landscaping regulations of this Zoning Code shall apply.

(2) The traffic and parking system shall meet the requirements relative to access as indicated in Chapter 1149. Access points shall be kept to a minimum to reduce traffic congestion and mitigate potential conflict points. Vehicular and pedestrian conflict points shall also be minimized.

(3) Under PCD and PUD, where applicable, the parking system shall be so designed as to discourage single large unbroken paved lots for off-street parking and shall encourage smaller defined parking areas within the total parking system. Such defined parking areas should be delineated and accented by landscaped areas. Parking aisles, whenever possible, shall be oriented perpendicular to the building fronts.

(4) The PRD and PUD density shall be compatible with the public health, safety, convenience, comfort, prosperity, and general welfare of the general public.

(5) Under PRD and PUD, the Planning and Zoning Board may require that a minimum of twenty percent (20%) of the net site (gross site minus publicly dedicated streets and alleys) shall be set aside as public open space. Such open space shall be used for such public purposes as a natural area, recreational area, or the site of a community or school facility. A facility, constructed by the developer, designed to provide the occupants of the ORD or PUD with an all-season multiple use or recreational use building may be considered in lieu of all, or part of, the required set aside open space. The lands set aside as public open space, or facilities provided in lieu of, shall be held in corporate ownership by owners of the project for the use of each owner, renter, or lessee within the development and retained as common open space, or facilities provided in lieu of, for parks, recreation and related uses. The responsibility for the maintenance of all set aside open space, or facilities provided in lieu of, shall be specified by the developer before approval of the Final Development Plan.

(6) Under PCD and PUD, where applicable, all service and delivery areas shall be made to the rear of the structure(s) or use unless special design treatment or circumstances warrant an alternative, but only with the approval of the Planning and Zoning Board. Landscaping and screening requirements of Chapter 1155 shall apply.

(7) Under PRD and PUD, the location and arrangement of areas of various densities shall be so designed as to balance higher density areas adjacent to open space. Residential densities within PRD and PUD shall equal to or be less than the residential density in adjacent and abutting residential zoning developments.

(8) Under PRD and PUD, private roads as a common easement may be used to provide access to clustered lots and/or structures serving residential uses in accordance with the following:

A. The easement shall not be counted as required open space.

B. The easement does not serve an area larger than two (2) acres, except that such area will contain six (6) dwellings or less.

C. Approved as a part of the Subdivision Plat as the most appropriate form of access to the lots and/or structures.

D. Private roads and private public accesses are subject to the provisions of the Hebron Subdivision Regulations.

(9) Under PRD and PUD, off-street parking shall be provided in accordance with Chapter 1149, except residential parking may be provided in group garages or parking lots within one hundred fifty (150) feet of the dwellings served.

(10) Under PCD, PID, and PUD, where appropriate, whenever multiple structures are to be located on the site and the site abuts a collector or arterial street, access onto the collector or arterial street shall be via interior local streets or marginal access (frontage) roads. All uses within the PCD, PID, and PUD shall derive their access from the interior street in the development, unless specific exemptions are made as a part of the approved Final Development Plan.

(11) Drainage and runoff from the proposed development shall not cause property damage. All drainage improvements shall be designed in conformance with the requirements of the Village's Subdivision Regulations and shall be approved by the Village Engineer prior to the Final Development Plan approval.

(12) Details regarding sanitary sewage collection and disposal and water supply techniques to be utilized shall be addressed in the Final Development Plan, together with letters of approval from the pertinent local, state and, if applicable, private agencies, and approved by the Village Engineer prior to Final Development Plan approval.

(13) Under PCD and PUD, no unscreened outside storage shall be permitted and no rubbish or debris of any kind shall be placed or permitted to accumulate on any portion of the parcel or lot so as to render any portion of the property unsanitary, unsightly, or detrimental to the public health, safety or welfare.

(14) All utilities shall be placed underground.

1141.05 APPLICATION PROCEDURE.

(a) Application. Written applications and fees for proposed Planned Developments shall adhere to the form prescribed by Section 1113.02, in addition to the requirements included in this Section.

(b) Concept Plan. A Concept Plan drawn to scale shall be prepared by a registered architect, registered engineer and/or registered landscape architect. Such Concept Plan shall be in map form with accompanying text and shall contain the following information as a minimum:

(1) Selected uses by area or specific building location, allocation of land use by type as measured in acres, adjacent existing land use, right-of-way, and relationship to adjacent land use.

(2) General location of thoroughfares, including type, as well as location and size measured in number of parking spaces for all off-street parking areas, including curb cuts.

(3) Open space and the intended uses therein and acreage provided.

(4) Residential land uses shall be summarized by lot size, dwelling type and density.

(5) Topographical contours with two (2) foot intervals.

(6) Existing roads, buildings and permanent facilities, easements, right-of-way and abutting property boundaries, and existing and proposed utilities.

(7) Jurisdictional boundaries.

(8) Physical features and natural conditions of the site, including the locations of vegetation meeting the size requirements of Chapter 1155 and existing tree lines.

(9) Surface drainage and areas subject to flooding.

(c) Final Development Plan. A Final Development Plan drawn to scale shall be prepared by a registered architect, registered engineer and/or a registered landscape architect. Such Final Development Plan shall be in map form with accompanying text and must contain the following information:

(1) Selected uses shall be specified by area or specific building location, and an explanation regarding specific compatibility of each proposed use with the immediate area shall be attached.

(2) Survey map of the boundary of the area being requested for zoning map amendment.

(3) A preliminary drainage plan, showing topographical contours in two (2) foot intervals, and general locations of proposed improvements.

(4) Stands of existing vegetation meeting the size requirements of Chapter 1155 and any existing tree lines.

(5) Soil types found on the subject tract(s) based upon the applicable county soil survey.

(6) Existing roads, streets and easements within the subject tract(s). Off-site contour and easement locations shall be provided where necessary to determine special off-site circumstances as they relate to the development or off-site features affected by the development.

(7) Names and firms of the professionals that prepared the Final Development Plan.

(8) Proposed features, including:

A. Information that the development concept conforms to all applicable standards of the Planned Development.

B. Proposed location and approximate size of all structures and ancillary uses, except for single family residential structures and related accessory structures.

C. The traffic and parking system shall be shown in detail indicating points of ingress and egress into the property, public and private drives, parking areas and pedestrian walkways. The system shall be responsive to the Village's access controls as addressed in Chapter 1149.

D. A detailed parking layout, where applicable, shall be provided that includes the number of spaces provided by total number on-site and summed by row, and access points and expected movement through and between separate parking lot areas. Dimensions of the above shall also be provided. For PCD, and all commercial uses in another planned development, expected pedestrian access routes from parking areas to stores shall be indicated.

E. An Ohio Department of Transportation Traffic Impact Study shall be performed to analyze potential traffic impacts that will result from the proposed development following standard traffic assessment techniques and references, with an estimate of street and other traffic improvements necessitated by the development.

F. A list of specific restrictions applicable to the area which are designed to fulfill the concept proposed, including prohibited uses, any additional limiting text, and proposed deed restrictions.

G. Screening, landscaping and other provisions required under Chapter 1155.

H. The proposed provision of all utilities, storm drainage collection, trash collection systems, and street lighting systems.

I. Architectural renderings and accompanying narrative to discuss in detail the design treatment of all buildings and structures except single family and two-family structures. Conceptual renderings as an example of single family and two-family structures shall be provided.

J. Under PID, a narrative shall be provided indicating the nature of all activities to be carried on and expected levels of noise, dust, smoke, glare, odor or vibration to result from the normal operation of the specific industrial activity. Future uses that are a change from approved uses and any internal expansion shall require the approval of the Planning and Zoning Board.

K. Proposed signage treatment in accordance with Chapter 1153.

L. Proposed schedule of site development indicating all phases of the Final Development Plan, indicating a summary of land use and dwelling units by time frame.

M. All deed restrictions and covenants.

(9) Any additional information requested by the Planning and Zoning Board or Village Council.

1141.06 CRITERIA FOR REVIEW.

The following general standards may be considered as criteria for approval of all proposed Planned Developments:

(a) Compatibility of the proposed Planned Development to adjacent land use, adjacent zoning and the appropriate plans for the area.

(b) Relationship of the proposed Planned Development to access and traffic flow.

(c) Relationship of the proposed Planned Development to the public health, safety, and general welfare.

(d) Relationship of the proposed use to the adequacy of available services and to general expansion plans and planned capital improvements.

(e) A report by the Technical Review Group, if requested.

1141.07 REVIEW PROCEDURE.

The following procedures shall be used to secure approval of a Planned Development and the appropriate changes of zoning resulting therefrom.

(a) A Concept Plan together with an application and application fee shall be filed with the Community Development Coordinator. Within thirty (30) days of submission, the Concept Plan and accompanying documents shall be forwarded to the Solicitor and an ordinance shall be drawn concerning the requested zoning change. Copies of the Concept Plan and application will then be forwarded to the Planning and Zoning Board, Village Engineer, Village Water and Water Reclamation Superintendents, Village Public Works Superintendent, and the Village Fire Department for review.

- (b) Within thirty (30) days of receipt, the Planning and Zoning Board shall hold a public hearing to consider the ordinance and Concept Plan and to report its recommendations to Village Council. At least ten (10) days' advance notice of the date, time, place and purpose for the hearing shall be given to the applicant and all contiguous property owners. Notice shall also be published in accordance with Section 1111.04(c). The Planning and Zoning Board shall review the ordinance and Concept Plan, authorize any conditions for approval, and make a recommendation for action to Council.
- (c) When the ordinance and recommendations of the Planning and Zoning board are received by Council, Council shall establish a date for public hearing on the ordinance and the Concept Plan, giving notice in accordance with the provisions of Section 1111.04. Such public hearing shall be held within forty-five days of receipt of the ordinance and recommendation, unless such time period is extended by mutual agreement of the parties. The ordinance, Concept Plan, and recommendations of the Planning and Zoning Board shall be on file, available for public inspection, in the Office of the Community Development Coordinator for the period of thirty (30) days immediately preceding the public hearing.
- (d) At the conclusion of the public hearing, Council shall adopt or deny the ordinance including the Concept Plan. Adoption of the ordinance including the Concept Plan shall constitute a rezoning of the property included in the Concept Plan subject to the applicant's compliance with the remaining provisions of this Section prior to the development or the construction of improvements contained in the Concept Plan.
- (e) Within twelve (12) months of notice of approval of the Concept Plan, unless otherwise extended by the Planning and Zoning Board for good cause shown, the applicant shall submit a Final Development Plan to the Community Development Coordinator. The failure to submit a Final Development Plan within such twelve-month period (or any such extended period) shall invalidate any prior zoning approval given, forfeit fee payments, and the property shall revert to its previous zoning classification. Within thirty (30) days of acceptance, copies of the Final Development Plan will be forwarded to the Planning and Zoning Board, Village Engineer, Village Water and Water Reclamation Superintendents, Village Public Works Superintendent, and the Village Fire Department for review.
- (f) If the Final Development Plan necessitates amendments to or revisions of any portion of the previously approved Concept Plan, subsections (b) through (d) above shall be repeated before approval is granted to the Final Development Plan.
- (g) Final Development Plans are intended to be detailed representations of and in conformance with all aspects of the approved Concept Plan. Following receipt of a Final Development Plan and accompanying documents, the Planning and Zoning Board shall review such plan and determine whether it complies with regulations of this chapter, that it represents a detailed and precise expansion and delineation of the previously approved Concept Plan, that it complies with all conditions which may have been given at the time of approval of the Concept Plan, or that before it can be considered, it requires an amendment of the previously approved Concept Plan.

- (h) Within thirty (30) days of receipt, the Planning and Zoning Board shall hold a public hearing to consider the Final Development Plan. At least ten (10) days' advance notice of the date, time, place and purpose for the hearing shall be given to the applicant and all contiguous property owners.
- (i) If the Planning and Zoning Board finds that the Final Development Plan complies in all respects with the regulations of this chapter and the previously approved Concept Plan, the Board shall approve the plan and the Board chair, vice chair or designee shall affix his/her signature and approval date thereto attesting to such approval. Following approval of the Final Development Plan, the Village shall maintain a copy of all approved plans and accompanying documents.
- (j) A final subdivision plat in accordance with the applicable requirements of the Village of Hebron Subdivision Regulations for the area covered by the Final Development Plan shall be prepared for Council approval prior to appropriate recording.

CHAPTER 1143
Conservation District (C1)

1143.01 INTENT.

The Conservation District (C1) is established for the purpose of preserving and protecting areas of the Village for public use and recreation, the preservation of historical lands or buildings, the preservation of archaeologically significant areas, and the preservation and protection of areas with distinctive geologic, hydrologic, botanic, agricultural, wildlife habitat, and scenic/ecological value to the Village and region.

1143.02 PERMITTED USES.

- (a) Any customary agricultural or forestry use.
- (b) Public uses: parks, playgrounds, recreation and community center buildings and grounds, public swimming pools, tennis courts, fishing lakes, and similar recreational uses, public and private golf courses. Any principal building or swimming pool shall be located not less than one hundred- and fifty (150) feet from the property line of all residentially zoned parcels.
- (c) Water conservation works, including water supply works, flood control and watershed production, fish and game hatcheries, and game preserves.

1143.03 DISTRICT STANDARDS.

Buildings or structures in the Conservation District (C1) shall be subject to all regulations and requirements of the Hebron Floodplain Ordinance, 04-07. See Appendix C. Equipment, materials, and wastes stored in areas subject to flooding shall have a specific gravity substantially heavier than water, or shall be otherwise secured against floating away and shall not become a source of water pollution or contamination.

Any private development, structures, or buildings in the Conservation District (C1) shall be limited to thirty-five (35) feet in height, or two (2) stories, and shall only be permitted as a conditional use subject to approval in accordance with Chapter 1113.

CHAPTER 1145
Adult Entertainment Business

1145.01 PURPOSE.

The Village of Hebron, Ohio has determined that adult entertainment businesses require special regulation in order to protect and preserve the health, safety, morals, and welfare of the patrons and employees of neighboring businesses as well as the residents of the Village. Therefore, in order to protect the overall public health, safety and welfare, adult entertainment businesses shall only be permitted as a conditional use in the Manufacturing District (M1), subject to the requirements of this chapter.

1145.02 DEFINITIONS.

(a) As used in this chapter, "Adult Entertainment Businesses" shall include the following:

(1) Adult Bookstore or Adult Video Store: Any commercial establishment that has as a significant or substantial portion of its stock in trade or inventory in, derives a significant or substantial portion of its interior business or advertising to, or maintains a substantial section of its sales or display space for the sale or rental, for any form of consideration, of books, magazines, periodicals, or other printed matter, or photographs, films, motion pictures, video cassettes, compact discs, slides, or other visual representations, that are characterized by their emphasis upon the exhibition or description of specified sexual activities or specified anatomical areas.

(2) Adult Motion Picture Theatre: Any commercial establishment where films, motion pictures, videocassettes, slides, or similar photographic reproductions that are characterized by their emphasis upon the display of specified sexual activities or specified anatomical areas are regularly shown to more than five (5) individuals for any form of consideration.

(3) Adult Cabaret: Any commercial establishment that as a substantial or significant portion of its business features or provides any of the following:

- A. Persons who appear nude or semi-nude.
- B. Live performances that are distinguished or characterized by an emphasis on the exposure, depiction, or description of specific anatomical areas of the conduct or simulation of specified sexual activities.
- C. Films, motion pictures, video or audio cassettes, slides, computer displays, or other visual 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.

(b) To further determine whether a use is an adult entertainment business, the following definitions shall apply:

(1) Adult Material: Any book, magazine, newspaper, pamphlet, poster, print, picture, slide, transparency, figure, image, description, video cassette, motion picture film, record, tape, or any other tangible thing, or any service capable of creating sexual interest through sight, sound or touch, and:

A. Which material is distinguished or characterized by an emphasis on matter displaying, describing, or representing sexual activity, masturbation, sexual excitement, nudity, bestiality, or human bodily functions of elimination; or

B. Which service is distinguished or characterized by an emphasis on sexual activity, masturbation, sexual excitement, nudity, or bestiality, or human bodily functions of elimination.

(2) Bottomless: Less than full opaque covering of male or female genitals, pubic area or buttocks.

(3) Nude or Nudity: The showing, representation, or depiction of human male or female genitals, pubic area, or buttocks with less than full, opaque covering of any portion thereof, or female breast(s) with less than a full, opaque covering of any portion thereof below the top of the nipple, or of covered male genitals in a discernibly turgid state.

(4) Topless: The showing of a female breast with less than a full opaque covering of any portion thereof below the top of the nipple.

(5) Specified Sexual Activity: Any of the following:

A. Fondling or other erotic touching of human genitals, pubic region, buttocks, anus, or female breasts.

B. Sex acts, actual or simulated, including intercourse, oral copulation, or sodomy.

C. Masturbation, actual or simulated.

D. Human genitals in a state of sexual stimulation, arousal or tumescence.

E. Excretory functions as part of or in connection with any of the activities set forth in subsections (1) through (5) of this definition.

1145.03 LOCATION REQUIREMENTS.

Adult entertainment businesses shall be permitted as follows:

(a) Adult entertainment businesses shall only be permitted as conditional uses in the Manufacturing District (M1), subject to approval in accordance with Chapter 1113, and shall comply with all district regulations in addition to the requirements of this chapter.

(b) Adult entertainment businesses shall be located a minimum of one thousand (1,000) feet from the boundaries of any lot containing a church, library, public park or playground, day care center, school or any other institution where children are kept day or night.

(c) Adult entertainment businesses shall be located a minimum of one thousand (1,000) feet from the property line of any residentially zoned parcel in the Village of Hebron or from any municipal corporate boundaries.

(d) Adult entertainment businesses shall be located a minimum of one thousand (1,000) feet from any other adult entertainment business.

1145.04 DISPLAY AND ADVERTISEMENT REQUIREMENTS.

All adult entertainment businesses shall conform to the following advertisement and display requirements, in addition to those set forth in Chapter 1153:

(a) No advertisements, displays or other promotional materials displaying sexually oriented activities or anatomical areas shall be shown or exhibited so as to be visible to the public from a pedestrian sidewalk or walkway, or from any public or private street or thoroughfare.

TITLE FIVE

ADDITIONAL ZONING STANDARDS

CHAPTER 1147 Special Provisions

1147.01 SWIMMING POOLS.

(a) A private swimming pool is permitted in any residential district as an accessory use. The pool shall not be located in the front yard of the property and shall conform to all required setback lines.

(b) A public swimming pool is permitted in those districts which permit outdoor recreational facilities and similar uses, subject to applicable district regulations.

(c) All swimming pools shall be completely enclosed by a fence, which shall be a minimum of forty-eight (48) inches in height. Openings in the fence shall not allow passage of a four (4) inch diameter sphere.

(d) Any lighting used to illuminate swimming pool areas shall be so arranged as to deflect the light away from adjacent properties.

(e) No person, firm or corporation shall construct or install a swimming pool or make any alteration thereto without first obtaining a zoning certificate.

1147.02 OPEN STORAGE AND DISPLAY OF MATERIAL AND EQUIPMENT.

The open storage and display of material and equipment incidental to permitted or conditional uses in commercial and manufacturing districts shall be permitted, provided the area used for open storage and display shall be effectively screened from all adjoining properties in any residential district by means of walls, fences, or plantings. Walls or fences shall be one hundred percent (100%) percent opaque and located behind the building line. Walls or fences shall be a minimum of six (6) feet in height without advertising thereon and shall not include chain link fences.

1147.03 PUBLIC NUISANCE REGULATIONS.

Every structure or use subject to the provisions of this Planning and Zoning Code shall be located, arranged and operated in accordance with the following provisions so that it will not interfere with the development and enjoyment of adjacent property:

(a) Fire Hazards: Any activity involving the use or storage of flammable or explosive materials shall be protected by adequate fire protection and prevention equipment, compliant with applicable regulations for safe storage and handling, and stored in such manner and at such distance as to not pose any immediate threat to adjacent properties.

(b) Radioactivity or Electrical Disturbance: All activities involving emissions of radioactivity or electrical disturbances adversely affecting the operation of any equipment are strictly prohibited within the Village.

(c) Toxic and Hazardous Substances: No toxic substance shall be emitted or otherwise discharged into the atmosphere, ground, surface waters or ground waters. No storage, use or transport of toxic or hazardous substances shall be permitted unless such activity is in full compliance with applicable state and federal environmental protection regulations and the expressed prior written approval of the Fire Chief.

(d) Air Pollution: No pollution of air by fly ash, dust, vapors, odors, smoke or other substances shall be permitted which are harmful to health, animals, vegetation or other property, or which can cause excessive soiling.

(e) Glare: No direct or reflected glare shall be permitted which is visible from any property or from any public street. In residential districts, no exterior light which is used as a yard light, decorative light, security light, or other light left continually on during darkness shall exceed one hundred (100) watts.

(f) Erosion: No erosion, by either wind or water, shall be permitted which will carry objectionable substances onto neighboring properties.

(g) Refuse: The storage of trash and waste materials, including, but not limited to, discarded household goods, discarded commercial products, industrial byproducts, and other similar materials shall not be visible from the property line, excepting trash that is properly placed in an appropriate enclosed container at an assigned location for regularly scheduled trash pickup. All such materials shall be housed in an appropriate opaque container or enclosure. All containers shall be removed from the public right-of-way and returned to the side or rear setbacks of the property within twenty-four (24) hours from the date of the scheduled refuse pickup.

(h) Junk: The accumulation or storage of junk at any place except in a wholly enclosed building or structure shall be prohibited, provided, however, that this shall not apply to a junkyard or scrap metal processing facility.

(i) Junk Motor Vehicles: The accumulation or storage of a junk motor vehicle or vehicles shall be prohibited, except in a wholly enclosed building or structure, and further excepting that this subsection shall not apply to a junkyard or scrap metal processing facility.

(j) Lawns: All lawns shall be maintained as frequently as necessary to maintain a height not greater than eight (8) inches.

(k) Enforcement: All violations of this section may be corrected by the Village at the property owner's cost. Any such charges which remain unpaid by the property owner for thirty (30) days after the nuisance is abated may be collected in any manner provided by law and shall be certified by the Village to the Licking County auditor to be charged as a lien against the property. Violations occurring on construction sites may result in the issuance of a stop-work order until the site is brought into compliance.

(l) Penalty: Whoever violates any provision of this section is guilty of a minor misdemeanor. Each day that such violation continues shall constitute a separate offense.

1147.04 LAND DEDICATIONS AND IN-LIEU FEES.

(a) Land Dedication: The Planning and Zoning Board may dedicate private land in any platted subdivision for the provision of public areas. Such public areas shall be used for the purpose of providing space for parks, open space, public services, recreational areas, and other public uses. The amount of acreage to be set aside shall comply with the following schedule:

PERCENT OF	
ZONING DISTRICT	NET DEVELOPABLE SITE
R-1	2.5%
R-2 and R-3	5.0%
PRD PUD	20.0%

Dedicated lands may be deeded to the Village and thereby developed and managed by the Village or held, developed and maintained by a private association, the bylaws and creation of which shall be by approval of the Village Council as an element of the subdivision platting process. Title to dedicated land shall be transferred to the Village within sixty (60) days of final plat approval.

(b) Review and Approval Process: Land dedication shall serve as a component of the subdivision review process of the Village of Hebron. The Planning and Zoning Board may review and reject the proposed acreage if such site(s) is not appropriate for the intended use given environmental, technical or land use considerations.

(c) In-Lieu Fees: The Applicant may request the payment of fees in lieu of the total or a portion of the land dedication to the Planning and Zoning Board. Village Council shall make a final decision on such request following the recommendation of the Planning and Zoning Board. The amount of fees to be paid shall be equal to the assessed value of the acreage that would have been otherwise dedicated to the Village.

(d) Payment, Deposit and Use of Fees: In-lieu fees shall be paid to the Village within sixty (60) days following final plat approval. Such fees shall be placed in a special fund, and, such funds shall only be used for the acquisition and development of public parks, recreation facilities, and open space.

(e) Additional Reservation of Public Land: Where adopted planning documents recommend sites for public schools, parks or other public facilities, including open space, such lands shall be set in reserve by the owner for a period not to exceed five (5) years. The school district in the case of a recommended school site may purchase said reserve(s) by the end of the five (5) year period for the fair market value as calculated by a current appraisal prepared by a certified appraiser. The Village may purchase the balance of said reserve(s) by the end of the five (5) year period following transfer of the dedicated land. The fair market value of the balance shall be calculated by a current appraisal prepared by a certified appraiser. Failure to purchase any reserve(s) within the five (5) year period shall revert use of the property to the owner.

1147.05 FENCES, HEDGES, DECKS AND CARPORTS.

(a) Electrically-Charged Fences Prohibited: Electrically-charged fences shall be forbidden in all districts except on sites of more than ten (10) acres used to confine livestock.

(b) Use of Barbed Wire: Barbed wire may be used only to top standard security fences in commercial and manufacturing districts at a height of six (6) feet or greater, the supports for such barbed wire shall be either vertical or lean inward above the property of the owner of the fence. No barbed wire fence shall be permitted which abuts or is adjacent to any public street or sidewalk.

(c) Chain Link Prohibited: Chain link fences shall not be permitted within front setbacks or side setbacks abutting streets in any district.

(d) Location in Front Setbacks: Fences and hedges are prohibited in front setbacks.

(e) Split Rail Fences: Split rail corner accent fences may be permitted on approval of the Community Development Coordinator.

(f) Height Restriction in Rear and Side Yards; Street Right-of-Way: Fences in rear setbacks and side setbacks not abutting streets shall not exceed six (6) feet in height

in residential districts, and twelve (12) feet in height in commercial or manufacturing districts. Such fences may be erected between the building setback line and a line three (3) feet toward the building setback line from the street right-of-way line. Such fences may be so erected in any area of the rear setback. No fence may be erected within three (3) feet of the street right-of-way line.

(g) Permit Required: No fence shall be erected, constructed, altered, relocated or rebuilt until an application has been filed with and a permit issued by the Community Development Coordinator.

(h) Exemptions for Temporary Fences: The following temporary fences shall be exempt from the provisions of this section:

(1) Temporary construction fences when such fence is indicated on an approved site plan.

(2) Temporary fences used for Special Events and shown on an approved plot plan for said event.

(3) Temporary snow fence installed by any Government agency.

(4) Temporary fences installed for the protection of the public from any obvious danger.

(i) Decks: No deck shall be erected, constructed, altered, relocated or rebuilt until an application has been filed with and a permit issued by the Community Development Coordinator. Decks shall conform to the required front and side yard setbacks, and may protrude into the rear yard setback.

(j) Carports: Carports may be allowed in residential districts in the side yard setback or rear setback provided that all other applicable district regulations are complied with.

CHAPTER 1149
Off-Street Parking, Loading, and Access Drives

1149.01 OFF-STREET PARKING GENERALLY.

The purpose of these requirements for off-street parking, loading facilities, and access drives is to encourage the orderly development of land within the Village and to promote the safety of residents and visitors by ensuring the efficient handling of vehicular traffic.

The following general requirements shall apply for off-street parking and loading areas:

- (a) No building, structure, or use shall be established, developed, erected or substantially altered, unless permanently maintained off-street parking and loading spaces have been provided in accordance with the provisions of this Planning and Zoning Code.
- (b) Off-street loading and vehicle storage space shall be provided for the handling of materials and products of commercial and industrial uses.
- (c) Such off-street parking, loading and vehicle storage spaces shall be provided with vehicular access to a publicly dedicated street or alley. (Example: a home with a one car garage and single lane driveway shall be considered to have only one parking space.)
- (d) Such required facilities, additional space provided, and access drives thereto, including required curb cuts, shall be sloped and constructed to provide adequate drainage of the area, a, and maintained in such a manner that no dust will be produced by continuous use. The design and construction of all such facilities shall be subject to approval by the Village Engineer.

1149.02 DIMENSIONS.

(a) Parking Spaces. All parking spaces subject to the provisions of this Planning and Zoning Code, exclusive of driveways and aisles, shall meet the following minimum area and space dimensions:

TYPE OF PARKING SPACE	MINIMUM WIDTH (feet)	MINIMUM LENGTH (feet)	MINIMUM AREA (square feet)
90-degree parking	10	20	200
Parallel parking	10	23	230
60-degree parking	10	20	200
45-degree parking	10	20	200

(b) Parking Aisles. Minimum widths as follows:

TYPE OF PARKING	MINIMUM AISLE WIDTH (Feet)
90-degree parking	22
Angle parking	18
Parallel parking on one-way drive	14

1149.03 SCHEDULE OF PARKING SPACES.

The following are the minimum number of off-street parking spaces required for each type of use:

- (a) Residential:
 - (1) Single-Family, Two-Family, and Multi-Family Dwelling: 2 spaces per dwelling unit.
 - (2) Bed and Breakfast Inns: 2 spaces, plus 1 space per guest room.
 - (3) Residential Care Facility: 1 space per 2 beds.
- (b) Commercial:
 - (1) Motor Vehicle Service Stations, Automotive Repair Services and Garages: 2 spaces per each gasoline pump and 4 spaces per each service bay.
 - (2) Hotels, Motels: 1 space per guest room, plus 1 space per every two employees.
 - (3) Funeral Homes, Mortuaries and similar type uses: 1 space for each 100 square feet of floor area in viewing rooms, parlors, or service rooms.
 - (4) Retail Stores: 1 space for each 400 square feet of floor area.
 - (5) Banks, Financial Institutions and similar uses: 1 space for each 400 square feet of floor area.
 - (6) Offices, public or professional administration or service buildings: 1 space for each 400 square feet of floor area.
 - (7) Shopping Centers: 5 spaces for each 1,000 square feet of floor area.
 - (8) Beauty Parlors and Barber Shops: 3 spaces for each chair.
 - (9) Laundromats: 1 space for every two washing machines.
- (c) Community, Recreation, Entertainment:
 - (1) Dining Rooms, Restaurants, Taverns: 1 space for each 100 square feet of dining floor area.
 - (2) Restaurants – Fast Food, Drive-In, or Take-Out: 1 space for each 100 square feet of dining floor area.
 - (3) Bowling Alleys: 2 spaces for each alley or lane.
 - (4) Outdoor Swimming Pools: 1 space for every five (5) persons within capacity.
 - (5) Auditoriums, Sports Arenas, Theaters: 1 space for every four (4) seats.
 - (6) Libraries and Museums: 1 space for each five hundred (500) square feet of floor area.
- (d) All Other Uses, or Any Combination of Uses: Subject to determination by the Planning and Zoning Board.

1149.04 DEVELOPMENT STANDARDS.

The following requirements are minimum standards, except where noted, and shall apply to all public or private off-street parking areas, including commercial parking lots and automobile or trailer sales lots:

(a) Minimum Distance. No part of any parking area for more than five (5) vehicles shall be closer than twenty (20) feet to any dwelling unit, school, hospital or other institution for human care located on an abutting or adjoining lot, unless separated by a solid wood privacy fence or other approved screening of between four (4) and six (6) feet in height.

(b) Location Relative to Use. Off-street parking facilities shall be located on the same lot as the structure or use served, except that a parking facility providing the sum of parking space required of several uses may be provided contiguous and in common to the several structures and uses served. Parking spaces may be located on a lot other than that containing the principal use provided it is within three hundred (300) feet of the principal use, with the approval of the Planning and Zoning Board, and subject to meeting all applicable requirements of this Ordinance.

(c) Parking Lot Layout. All parking areas shall be subject to approval by the Community Development Coordinator. Whenever a parking lot extends to a property line or where the extension of a vehicle beyond the front line of the parking space would interfere with drive or aisle access, wheel blocks or other devices shall be used to restrict such extension.

(d) Surfacing. All off-street parking areas shall be graded for proper drainage and surfaced with concrete, asphaltic concrete, premixed asphalt pavement, blacktop, or brick so as to provide a durable and dustless surface. Off-street parking area designs shall be reviewed and approved by the Village Engineer prior to issuance of a Certificate of Zoning Compliance.

(e) Illumination. All off-street parking areas intended to be used during periods of darkness shall be properly illuminated so as to reflect light away from adjacent properties, with an average intensity of two and one-half (2 ½) foot candles as measured at the parking surface area.

(f) Vehicular Access. All off-street parking areas shall be provided with direct vehicular access to a street or alley abutting the property upon which the off-street parking area is provided or to an adjacent off-street parking area.

(g) Conversion of Dwelling or Other Structure. Whenever a structure which is located in a commercial or manufacturing district is converted from a residence, or residential accessory building, to a commercial use, all or in part, provisions for parking shall be located in the rear set back.

(h) Building Line Setbacks. (Reference Section 1121.04)

1149.05 ACCESS DRIVES.

The frequency of access points along thoroughfares in the Village of Hebron is to be minimized to reduce vehicle and pedestrian conflict and improve traffic flow. The Thoroughfare plan for the Village of Hebron and the Thoroughfare plan for Licking County shall be reviewed to determine access drive spacing. Access drives (driveways) leading to and from Village streets shall be developed according to the following standards:

(a) Residential Access Drives. Access drives shall be designed to serve one per residence. Access drives less than one-hundred-twenty (120) ft. in length (property line to garage door) serving a single family residence shall be a minimum of eighteen (18) feet in width. Access drive entrances at a street shall be a minimum of eighteen (18) feet in width. All access drives shall not exceed twenty-five (25) feet in width, except at curb returns.

(b) Commercial Access Drives.

(1) An access drive serving a property located in a commercial or manufacturing district, which is expected to have a traffic frequency of more than five (5) trucks in a twenty-four (24) hour period, shall be so designed to allow a maximum length semi-type truck and trailer to make a right turn without crossing the centerline of the street being accessed.

(2) Access drives serving flag lots shall have a minimum right-of-way of thirty-five (35) feet and a minimum pavement width of twenty (20) feet. Upon approval of the Planning and Zoning Board and issuance of a Variance, the access drive for a flag lot may be located within three (3) feet of a side lot line.

(3) Access drives serving as frontage roads to limited access thoroughfares shall be constructed with a minimum pavement width of twenty-four (24) feet. Upon approval of the Planning and Zoning Board, the minimum sixty (60) feet right-of-way required for minor collector streets may be reduced, provided adequate width of right-of-way is allowed for one (1) sidewalk, curbs and gutters are included, and provisions made for present and future utilities.

(c) Spacing. Spacing of access drives shall conform to the recommendations of the Licking County Thoroughfare Plan and the Village of Hebron Subdivision Regulations.

(d) Side Lot Lines. An access drive, exclusive of curb returns, shall be located no less than ten (10) feet from the side lot line, except that an access drive for a residential use may be within three (3) feet of a side lot line. Access drives for any uses utilizing a common drive may be adjacent to and coterminous with a side lot line.

(e) Quantity Permitted. The number of access drives shall be kept to a minimum to promote safe and reasonable access, improve the convenience and ease of movement of travelers, and permit reasonable speeds and economy of travel while maintaining roadway capacity. For lots with less than two hundred (200) feet of frontage on public right(s) of way and with less than five (5) acres in total area, no more than two (2) access drives shall be permitted. For lots with more than two hundred (200) feet of road frontage on public right(s) of way and greater than five (5) acres in total area, additional access drives may be permitted by the Planning and Zoning Board.

(f) Surfacing. All access driveways shall be graded for proper drainage and surfaced with concrete, asphaltic concrete, premixed asphalt pavement, blacktop, or brick so as to provide a durable and dustless surface. All access driveway aprons shall be graded for proper drainage and surfaced with concrete. Access driveway and apron designs shall be reviewed and approved by the Village Engineer prior to construction.

(g) Maintenance. Private access driveways serving a PRD, PCD, PID, PUD, multi-family developments, or commercial developments shall be maintained reasonably free of potholes and surface irregularities that would inhibit or prevent access by emergency vehicles.

(h) Repair Notice. When the Community Development Coordinator finds that an access driveway has not been maintained as set forth in Section 1149.05(g), the Community Development Coordinator shall notify the owner of the access driveway. Such notice shall advise that repairs be made within sixty (60) days, weather permitting. Failure to complete repairs within the required time period constitutes a violation of this Planning and Zoning Code, subject to the penalties provided in Section 1105.12.

1149.06 OFF-STREET LOADING.

(a) Classification. The loading space shall consist of a rectangular area of one (1) of the following classes:

(1) Class A: An area at least fourteen (14) feet by fifty-five (55) feet having a vertical clearance of fifteen (15) feet or more, plus adequate area for ingress and egress.

(2) Class B: An area at least twelve (12) feet by thirty (30) feet having a vertical distance of fifteen (15) feet or more, plus adequate area for ingress and egress.

(b) Schedule of Loading Spaces. Loading space shall be provided for retailing, wholesaling, warehousing, processing, hotel, hospital, goods display, and similar uses requiring the receipt or distribution by vehicles of material or merchandise in accordance with the following schedule:

BUILDING AREA (square feet)	REQUIRED CLASS
Less than 750	None required
750 to 1,499	(1) Class B
1,500 to 2,499	(1) Class A or (2) Class B
2,500 to 9,999	(1) Class A and (1) Class B or (3) Class B
10,000 to 49,999	(1) Class A and (1) Class B or (3) Class B, plus (1) Class A for each 10,000 sq. ft. over the first 10,000 sq. ft. of area
More than 50,000	(1) Class A for each 10,000 sq. ft. over the first 10,000 sq. ft. of area, plus (1)a Class A for each 25,000 sq. ft. over the first 50,000 sq. ft.

1149.07 LIMITATION OF PARKING IN RESIDENTIAL AND COMMERCIAL DISTRICTS.

The provision of open or enclosed storage of vehicles or trailers in a residential, commercial, planned residential, or planned commercial zoning district shall be subject to the following:

(a) Definitions. As used in this chapter:

(1) "Commercial Vehicle" means any vehicle designed to be used for business or commercial purposes including but not limited to buses, cement trucks, commercial tree trimming equipment, construction equipment, dump trucks, garbage trucks, panel trucks, semi tractors, semi-trailers, or other commercial trailers, stake bed trucks, step vans, tank trucks, tow trucks, or other commercial vehicles eligible to be licensed by the State Bureau of Motor Vehicles as a commercial vehicle or truck.

(2) "Residential Vehicle" means any vehicle or equipment designed for or primarily used for recreational purposes including but not limited to travel trailers, motor homes, truck campers, tent trailers, boats, boat trailers, snowmobiles, snowmobile trailers, utility trailers, recreational trailers, or other trailers designed for the purpose of carrying recreational vehicles.

(b) Commercial Vehicles.

(1) No Commercial Vehicle shall be parked on any street, alley, lot, highway or right-of-way, except for loading and unloading.

(2) No motor vehicle shall be parked with its engine running for more than twenty (20) consecutive minutes.

(3) Trucks having more than two (2) axles, or weighing more than three (3) tons, designed for the transportation of cargo or commercial use and including tractor-trucks, school buses, trailers, or semitrailers shall not be permitted to be parked on a street, alley, or lot in a residential area, except for loading and unloading.

(4) In Neighborhood Commercial (NC) and General Commercial (GC) Districts, overnight parking of Commercial Vehicles weighing over five (5) tons is prohibited. A screened parking area or garage shall be provided in the rear set back and the vehicles shall be owned or leased by the establishment on which premises they are parked. Such parking requires prior approval by the Planning and Zoning Board.

(5) No motor vehicle shall be parked on a sidewalk or within twenty (20) feet of an intersection is prohibited.

(c) Travel Trailers, or Other Trailer or Motor Home. Travel trailers, or other trailers or motor homes shall not be permitted to be parked on any street, alley, or highway or right-of-way, except for loading and unloading.

(d) Recreational Vehicle Parking. Recreational Vehicles shall be parked in the rear setback in any Zoning District. Not more than three (3) Recreational Vehicles shall be parked on any Residential (R-1 through R-5) lot. Parking of all Recreational Vehicles in commercial zoning districts is prohibited unless a screened parking area is provided and such parking is approved by the Planning and Zoning Board. Recreational Vehicles may be parked in driveways and side setbacks during the months of April through October with appropriate permit application. (e) Inoperable Vehicles. Requirements regarding inoperable vehicles are found in the Codified Ordinances of Hebron.

(f) Garages Required. Garages shall be required in all residential districts subject to the following minimum standards:

(1) All single-family dwellings shall have a 2 car enclosed garage. (400 sq. ft. min.)

(2) For multi-family dwellings, at least one (1) space shall be provided in a completely enclosed garage for each dwelling unit provided, however, that carports may be provided in lieu of completely enclosed garages with the approval of the Planning and Zoning Board.

1149.08 COMMERCIAL PARKING ON RESIDENTIAL PROPERTY.

Employee/client parking to serve commercial, office or industrial enterprises may be permitted as a conditional use in residential districts with the approval of the Planning and Zoning Board, provided that:

(a) The area to be used for parking shall directly abut the land zoned for commercial, office or industrial uses; and

(b) The residentially zoned land used for such parking shall not contain any dwellings; and

(c) Such parking is for passenger vehicles only. This does not include buses, semi-trucks, or other commercial vehicles or trailers.

In granting such approval the Planning and Zoning Board shall require a site plan of the proposed parking area including required landscaping, buffering and screening, landscaping, or buffering as it deems necessary to minimize the impact on adjoining properties. The Board shall review all such requests subject to Chapter 1113, Conditional Uses.

The owner of a parcel of land, or combined parcels of land, zoned residential (R-1 through R-5) may stop, park, or leave standing only one Commercial Vehicle in the driveway of his or her residential parcel if the property owner uses the Commercial Vehicle as the primary and daily source of transportation. The length of the Commercial Vehicle shall not exceed twenty (20) feet and shall not have more than two axles. No other Commercial Vehicles may be stopped, parked, or left standing on any parcel of land, or combined parcels of land, zoned residential.

CHAPTER 1151 Home Occupations

1151.01 PURPOSE.

The purpose of these provisions is to allow limited home occupations that are accessory to residential uses and compatible with surrounding neighborhoods. The standards provided are intended to ensure that the accessory home occupation remains subordinate to the residential use, and to maintain the residential character of the surrounding neighborhood.

1151.02 PROCEDURE AND STANDARDS.

(a) Application. Written applications for home occupations shall be submitted to the Community Development Coordinator and subject to review and approval by the Planning and Zoning Board. If granted, a home occupation permit will be issued by the Community Development Director for a four-year period. It is the responsibility of the applicant to obtain the permit every four years. Any change in ownership or type of business shall also result in the need for a new permit.

(b) Requirements. The following requirements shall apply to home occupations:

(1) The home occupation shall only be conducted within a principal structure, and the primary use of the principal structure must continue as a residence.

(2) The external appearance of the principal structure shall not be materially altered as a result of the home occupation.

(3) No more than one (1) non-resident employee shall be engaged in such home occupation.

(4) No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors or electrical interference, including radio and television interference, to any neighboring properties. No collection/storage of hazardous materials associated with the business is permitted.

(5) External signage shall be limited to one (1) sign, subject to the regulations of Chapter 1153.

(6) Outside storage of any materials is prohibited.

(7) No traffic shall be generated by such home occupation in greater volume than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall meet the off-street parking requirements specified under Chapter 1149, and shall not be located in front of the building line. No excess trash, refuse, or waste shall be generated in greater volume than would normally be expected in a residential neighborhood.

(8) Home occupations must satisfy all applicable operational licensing and regulatory requirements in order to receive approval and maintain operation in the Village.

1151.03 YARD SALES.

Yard sales are considered temporary home occupations for purposes of this Planning and Zoning Code, permitted in residential areas with an approved permit (no fee), provided that such yard sale lasts no longer than three (3) calendar days. There shall be no more than three (3) yard sales per year per residential lot containing a dwelling unit.

1151.04 PROHIBITED USES.

The following uses are specifically prohibited as home occupations:

- (a) The servicing of or performing mechanical work on, from which an income is derived, automobiles, motorcycles, boats, or other motorized vehicles.
- (b) Bed and breakfast inns are exempt from the regulations of this chapter. The regulations for bed and breakfast inns are stated in Chapter 1161.
- (c) New or Used Vehicle Sales.

CHAPTER 1153

Signs

1153.01 PURPOSE.

The purpose of this Chapter is to provide standards for signs to safeguard life, health, property, safety, and public welfare, while encouraging creativity, variety and compatibility, and enhancement of the Village's image. The provisions of this chapter are intended to:

- (a) Encourage creative and well-designed signs that contribute in a positive way to the Village's visual environment, express local character, and help develop a distinctive image for the Village;
- (b) Encourage signs that are responsive to the aesthetics and character of their particular location, adjacent buildings and uses, and the surrounding neighborhood. Signs should be compatible and integrated with the building's architectural design and with other signs on the property;
- (c) Prevent signs from becoming a distraction or obstruction to the safe flow of pedestrian and vehicular traffic;
- (d) Encourage a healthful economic and business environment in the community;
- (e) Limit the height and size of signs to those that are appropriate in scale to the community;
- (f) Provide adequate way finding signage for motorists and pedestrians, and
- (g) Reduce visual clutter.

In order to protect the general health, safety, and welfare of the Village, its residents, and the business located in the Village, all signs located within the Village are subject to the rules and regulations of this Chapter.

1153.02 APPLICABILITY.

- (a) Generally. Except as otherwise provided in this section, all signs placed, erected, installed, painted, modified or altered in the Village of Hebron shall conform to the standards set forth in this chapter and shall require a permit in accordance with Section 1153.09 of this chapter. Erection, modification, alteration, placement, replacement or other action involving a sign that is in any way inconsistent with this chapter shall be a violation of the Zoning Code.
- (b) Sign Standards. The sign standards provided in this Chapter are intended to apply to signs in each zoning district in the Village. Only signs authorized by this Chapter shall be allowed.
- (c) Existing Signs; Continuance. Except as otherwise specifically provided, nothing in this Chapter shall require removal or discontinuance of an existing on-premises or existing off-premises sign. No existing signs shall be enlarged or extended without a permit. Nonconforming signs shall not be enlarged or extended and these signs shall be deemed a nonconforming sign under the terms of the Zoning Code
- (d) Nonconforming Signs.
 - (1) Any legal nonconforming sign may be continued in use if maintained in accordance with this subsection Chapter.

- (2) All pre-existing illegal nonconforming signs must be removed in accordance with this sub-section. The Community Development Coordinator shall issue an order, to the owner of the sign and/or the owner of the real estate, for the sign to be removed within 20 days. If the sign is not removed timely, the Village may remove the pre-existing illegal nonconforming sign, and the cost of removal shall be paid by the property owner. If the property owner refuses to pay for removal of the sign, the cost of such removal shall be assessed to, and a lien placed upon, the property owner's tax records.
- (3) Any illegal nonconforming sign displayed on the premises shall be removed or brought into conformance with the provision of this Chapter before a permit for a new sign may be issued
- (4) A legal nonconforming sign is allowed to remain. However, a legal nonconforming sign shall immediately lose its legal nonconforming designation and shall be immediately brought into compliance with this chapter (after application has been made and a sign permit has been issued) or shall be removed when any of the following occurs:
 - (A.) The nonconforming sign is structurally altered, enlarged, relocated, or replaced.
 - (B.) The nonconforming sign is determined by the Community Development Coordinator to be in a dangerous or defective condition; fails to conform to health and fire codes; is a public nuisance; or has been abandoned, deteriorated; or is in need of repair or replacement.
 - (C.) The nonconforming sign face and/or supportive structure is destroyed or damaged in excess of 50 percent of the combined replacement value of the sign and supportive structure, by any cause.
 - (D.) It has been abandoned, as described in Section 1153.12.
- (5) A nonconforming sign shall not be moved in whole or in part to any other location unless such sign is made to conform to this chapter. If an owner is forced to move a nonconforming sign by Municipal, state, or federal officials for any reason other than enforcement, such sign shall maintain its nonconforming status, but must still adhere to the setback requirements.
- (6) Nothing in this section shall prevent the ordinary repair, maintenance, and non-structural alteration of nonconforming signs. Maintaining the nonconforming sign to the exact legal nonconforming design shall be allowed; however, any proposed changes to a nonconforming sign, except for re-facing an existing sign, shall require that the sign be made to conform to the requirements of this chapter. Re-facing an existing nonconforming sign shall not be considered an alteration as long as the re-facing constitutes an exact replica of the existing sign face. The design, color scheme, translucency, graphics and text must exactly match those existing. No structural alterations shall be made in, to, or upon such nonconforming sign, except those required by law to make the sign conform to the requirements of this chapter.

1153.03 DEFINITIONS.

The following are definitions of specialized terms and phrases used in this chapter and not previously defined elsewhere in the Zoning Code.

Abandoned sign means any sign that advertises a business, leaser, owner, product, service or activity that is no longer located on the premises where the sign is displayed.

Alteration means any change of copy, sign face, color, size, shape, illumination, position, location, construction, or supporting structure of any sign.

Animated or moving sign means a sign that uses movement, lighting, or special materials to depict action or create a special effect to imitate movement.

Awnings and canopies means roof-like covers that project from the wall of a building for the purpose of shielding a doorway or window from the elements.

Awning sign means any sign copy or logo attached to or painted on an awning.

Banner or pennant means any non-rigid cloth, canvas, bunting, plastic, paper, or similar material that is mounted to any structure, staff, pole, line, or framing. National, State or municipal flags shall not be considered a banner or pennant.

Blade sign means a small, pedestrian-oriented sign mounted so that the sign face is perpendicular to the face of the building. A blade sign may be hung beneath a canopy or awning.

Building frontage, primary means that portion of the building frontage that faces the street. In cases where a building has more than one street frontage, the longest of the street frontages shall be considered the primary building frontage. In cases where a business has no building frontage facing a street, the building frontage with the primary business entrance shall be considered the primary building frontage. A single multi-tenant building has one primary frontage, the allowable sign area for which may be distributed at the discretion of the owner; however, in no event shall the combined sign area for all tenants exceed the allowable sign area for the building.

Changeable copy sign means a sign which displays words, lines, logos, or symbols that can change to provide different information. Changeable copy signs include computer signs, reader boards with changeable letters, and time and temperature signs.

Channel letters means three-dimensional individually cut letters or figures whether or not illuminated, affixed to a structure.

Copy means words, letters, numbers, figures, designs, or other symbolic representations incorporated into a sign.

Double-faced sign means a sign constructed to display its message on the outer surfaces of two identical and opposite parallel planes.

Edge of roof means on a pitched roof, the lowest portion of the fascia board covering the roof rafters, or if no fascia board exists, the lowest point of the roof rafters. On a flat roof, the top of the parapet wall or three feet above the roof deck, whichever is less.

Electronic reader board sign or electronic graphics sign means a sign with a fixed or changing display/message composed of a series of lights that may be changed through electronic means.

Electronic Sign means any sign that is externally powered to omit light and bring attention to the sign. This sign can utilize any form of technology to function, not including neon. This type of sign would be placed internal to a structure and would be viewable from the street, usually within a window.

External illumination means the lighting of an object from a light source located a distance from the object.

Flashing sign means a sign that contains an intermittent or sequential flashing light source.

Freestanding sign means any sign not affixed to a building. Freestanding signs may be permanent or temporary.

Inflatable device means an object that is blown up with air or gas.

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

Joint identification sign means a sign which serves as a common or collective identification for two or more uses located within the same building, or which share a common wall, or for two or more buildings located within a jointly used area, provided the buildings are in close proximity to one another.

Monument sign means a permanent, freestanding sign where the entire bottom of the sign is affixed to the ground, not to a building.

Multiple user building means a development consisting of four or more separate uses or tenancies that share either the same parcel or structure and use common access and parking facilities.

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

Nonconforming sign means any sign lawfully erected and maintained prior to the effective date of this Chapter, constructed in conformance with the ordinances and other applicable laws in effect on the date of its construction, but by reason of its size, height, location, design, or construction is no longer in conformance with the regulations of this Chapter.

Nonresidential district means any of the following zoning districts: Neighborhood Commercial (NC); General Commercial (GC); Manufacturing District (M1); and Light Manufacturing and Office District (M2);

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

On-premise sign means a sign which directs attention to a business, commodity, service, or entertainment conducted, sold, or offered on the lot or premises on which the sign is located.

Permanent sign means a sign constructed of durable materials and intended to exist for the duration of time that the use or occupant is located on the premises.

Pole sign means a sign mounted on a free-standing pole or other support so that the bottom edge of the sign face is ten feet or more above finished grade.

Portable sign means a sign that is not affixed to a structure or the ground (e.g., A-frame or sandwich board sign).

Projecting sign means a sign that protrudes in a V-shape from the top of the ground floor over the sidewalk, like a traditional theater marquee.

Residential district means any of the following zoning districts: Low Density Residential District (R1); Medium Density Residential District (R2); High Density Residential District (R3); Single Family Dwelling – Zero Lot Line (R4); and Multi-family Residential District (R5).

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

Sign means an object, device display or structure, or part thereof, situated outdoors or indoors, which is used to identify, display, or direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, design symbols, fixtures, colors, illumination, or projected image. Unless otherwise noted, the term "sign" includes both on-premises and off-premises signs.

Sign area means the entire area within a perimeter defined by a continuous line composed of right angles which enclose the extreme limits of lettering, logo, trademark, or other graphic representation, together with any frame or structural trim forming an integral part of the display used to differentiate the sign from the background against which it is placed.

Sign height means the vertical distance from the uppermost point of the sign to the finished grade immediately below the base of the sign, including all base and/or other mounting material.

Sidewalk sign means a sign with two faces that are adjoined at the top and displayed at an angle, which is not permanently anchored or secured, or similar design. These are also known as "A-Frame" signs and are intended to be seen by a pedestrian on a sidewalk rather than by a driver or passenger in a vehicle. Sidewalk Sign may also mean a sign with two faces that are adjoined at some point along the sign frame and the support legs are parallel to the sign (This looks like the letter "T", hence these are also known as "T-Frame" signs).

Stick sign means any type of temporary signs that are placed in the ground and consist of a paper or non-paper corrugated or similar temporary material placed over thin metal or wooden supports.

Temporary sign means any sign intended to be displayed for a limited period of time and capable of being viewed from any public right-of-way, parking area or neighboring property.

Three-dimensional signs means signs that have a depth or relief on their surface greater than six inches.

Vehicle sign means a sign that is attached to or painted on a vehicle that is parked on or adjacent to any property, the principal purpose of which is to attract attention to a product sold or business located on the property.

Wall sign means a sign that is attached to or painted on the exterior wall of a structure with the display surface of the sign approximately parallel to the building wall.

Window area means the area shall be computed by calculating each window pane or panel. The area shall be separate for each building face, and for each window. A group of windowpanes or panels may be considered one window if they are adjoining on the building face and are less than six inches apart.

Window sign means a sign (temporary or permanent), poster, symbol, numerals, or letters, posted, painted, placed, or affixed in or on a window exposed to public view. An interior sign that faces a window exposed to public view that is located within three feet of the window is considered a window sign for the purpose of calculating the total area of all window signs.

1153.04 GENERAL REQUIREMENTS FOR ALL SIGNS AND DISTRICTS.

(a) *Signs in Public Rights-of-Way.* Except as provided herein, no sign shall be erected, constructed, or placed within any public right-of-way or on any tree, pole, post, meter, or similar object located within the public right-of-way. Under no circumstance may any sign that is permitted in the right-of-way interfere with vehicular or pedestrian visibility. Signs interfering with visibility will be removed.

(1) The following signs may be installed in the public rights-of-way without a permit:

- (A) Signs conforming to the Manual of Uniform Traffic Control Devices;
- (B) Signs installed by employees or officials of a municipal, state or federal agency in the course of their governmental duties;
- (C) Signs required by a state or federal statute;
- (D) Signs required by an order of a court of competent jurisdiction;
- (E) Public directional and safety signs.

The Community Development Coordinator may remove any sign illegally placed within the right-of-way. The Community Development Coordinator may attempt to contact the owner of the sign and may retain the sign for 5 days. If the owner fails to contact the Community Development Coordinator or claim the sign within 5 days, it will be destroyed

(2) Blade signs attached to a building may project a maximum of 40 inches over a public right-of-way provided the lowest part of the sign is at least eight feet but no more than 15 feet above the pedestrian thoroughfare and provided said sign has received a permit from the Community Development Coordinator. Blade signs shall not project over any curb line or street.

(b) *Colors.* Not more than five colors may be used per sign. For purposes of this Section, black or white shall be considered a color.

(c) *Lettering Styles and Sign Coverage.* No more than two letter styles or more than three sizes of letters are permitted per sign. Letters may not occupy more than 75 percent of any sign panel.

(d) *Measurement of Sign Area.*

(1) The surface area of a sign shall be calculated by enclosing the extreme limits of all lettering, background, emblem, logo, representation, or other display within a single continuous perimeter composed of squares or rectangles with no more than eight lines drawn at right angles.

(2) Supporting framework or bracing that is clearly incidental to the display itself shall not be computed as sign area.

(3) Double-faced (back-to-back) signs shall be regarded as a single sign only if mounted on a single structure, and the distance between each sign face does not exceed two feet at any point. Only one face of an identical double-faced sign shall be measured when determining maximum allowable area.

The aggregate sign area or display surface of all exterior signs not otherwise described in this chapter, shall not exceed two (2) square feet for each lineal foot of the street frontage of a one (1) story building, or three (3) square feet per lineal foot of street frontage, if more than a one (1) story building. Street frontage is defined as the total width of the side of the building which faces the street, excluding any extension of a building wall beyond the building itself. In the case of a building which does not front a public street, as in shopping centers, the signage shall be determined by the lineal footage of the store front in lieu of street frontage.

- (e) *Measurement of Sign Height.* The height of a sign shall be computed as the distance from the base of the sign at a computed grade to the top of the highest attached component of the sign (including the sign face, sign structure, or any other appurtenance). The computed grade shall be the elevation of the nearest point to the proposed sign location of the crown of the nearest public street providing access; or the grade of the land at the principal entrance to the principal structure on the lot, whichever is higher.
- (f) *Alterations.* No sign shall hereafter be altered, rebuilt, enlarged, extended or relocated except in conformity with the provisions of this chapter. The repainting of signs shall not be deemed to be an alteration within the meaning of this chapter.
- (g) *Sign Maintenance.* Signs and supporting hardware shall be structurally safe, clean, free of visible defects, and functioning properly at all times. Visible rot or rust, exposed lighting sources or wires, falling parts, or broken and missing parts are prima facie evidence that a sign is in a state of disrepair. A sign shall be maintained such that its condition does not, directly or indirectly, represent a threat to the health or safety of the general public or to persons living on adjoining property or in the area; constitute an unsanitary condition; lend itself to habitation or infestation by rodents, termites or other vermin; represent a threat to property values or to the residential or commercial desirability of adjoining property or other property within the area; or unreasonably interfere with the reasonable and lawful use and enjoyment of other premises within the area. Repairs to signs shall be equal to or better in quality of materials and design than the original sign.
- (h) *Notice to Repair.* When the Community Development Coordinator determines that a sign exists in a state of disrepair, the he/she shall issue, via regular mail and certified mail, to the owner of the sign and/or the owner of the real estate a notice of such disrepair and the need for corrective action. The repair work shall be accomplished within 30 days of the date of the notice, unless the person undertaking the work files a request with the Community Development Coordinator for an extension. If such request shows diligence and good faith such as ordering materials or signing a contract with a licensed contractor, the Community Development Coordinator may grant an extension for completion of the work. If the Community Development Coordinator believes the lack of repair constitutes a danger to persons or to property other than that of those persons receiving the notice, he/she shall so state in the notice and the Village may seek immediate relief under the Zoning Code or under the laws of public nuisance.

- (i) *Sign Removal or Replacement.* When a sign is removed or replaced, all brackets, poles, and other structural elements that supported the sign shall also be removed. Affected building surfaces shall be restored to match the adjacent portion of the structure.

1153.05 PERMANENT SIGNS.

- (a) *Residential Districts.* Permanent signs in residential districts shall conform to the following standards as well as the other applicable standards of the Codified Ordinances:
 - (1) *Number.* No more than one permanent sign may be located on a parcel.
 - (2) *Type.* Unless otherwise stated, a wall sign is the only type of Permanent Sign allowed. No sign shall project above the roof line or the cap of parapets of such building, whichever is higher.
 - (3) Permanent subdivision signs within entrance features are permitted and shall be reviewed and approved as part of a comprehensive sign plan.
 - (4) Off-premises signs are prohibited.
 - (5) *Maximum area and height.* Permanent signs may not exceed four square feet in area or be more than two feet in height.
 - (6) *Illumination.* Permanent signs shall not be separately illuminated, unless the sign is installed near a porch light or yard light, which may incidentally illuminate the sign. Permanent subdivision identification signs within entrance features may be lighted by an external source, but such illumination shall be in a manner which avoids glare or reflection which in any way interferes with traffic safety
- (b) *Non-Residential Districts.* Permanent signs in non-residential districts shall conform to the following standards and all other applicable standards of the Codified Ordinances:
 - (1) *Number.*
 - (A) *Wall signs.* No more than one wall sign shall be permitted per business. A secondary wall sign, no more than seventy-five percent of the size of the primary wall sign, may allowed if the parcel fronts two or more public streets. No more than one secondary wall sign shall be permitted. No wall sign shall project above the roof line or the cap of parapets of such building, whichever is higher. Blade, awning, and canopy signs shall be considered wall signs.
 - (B) *Freestanding signs.* No more than one freestanding sign shall be permitted per parcel.
 - (C) Pole signs are allowed in all Non-Residential Districts.
 - (D) *Joint identification signs.* No more than one primary joint identification sign shall be permitted. A secondary joint identification sign may be permitted if the parcel fronts two or more public streets. No more than one secondary joint identification sign shall be permitted per development.
 - (2) *Maximum area, height, and location.*

- (A) *Wall signs.* The total area shall not exceed one square foot per one lineal foot of the length of the wall on which the sign is to be attached up to a maximum of 36 square feet.
 - (B) *Freestanding signs.* The total area shall not exceed twenty square feet when located ten feet from the street right-of-way line. For each additional one-foot setback from the street right-of-way line, an additional ten square feet of display area may be permitted up to a maximum of one-hundred-twenty square feet. All sides of the freestanding sign will be considered when calculating the allowable square footage.
 - (C) *Freestanding signs.* The maximum height shall be fifteen feet in any district.
 - (D) *Freestanding signs.* No part of a freestanding sign may be located within ten feet of a street right-of-way or within ten feet of the property line. If the adjacent parcel is in a residential district, the freestanding sign must be located within the applicable building setback line.
 - (E) *Joint identification signs.* The primary joint identification sign shall not exceed one hundred square feet in sign area, a maximum of twenty feet in height, and a minimum setback of fifteen feet from all rights-of-way. A secondary joint identification sign shall not be more than seventy-five percent of the size and height of the primary joint identification sign. Primary joint identification signs may not exceed 56 square feet in area. Secondary joint identification signs shall not exceed 36 square feet in area.
- (3) *Illumination.*
- (A) Unless otherwise stated herein, signs may be illuminated from within or from an external source, but such illumination shall be in a manner which avoids glare or reflection which in any way interferes with traffic safety or in a manner so as to be confused or construed as traffic control devices.
 - (B) External lighting fixtures shall be installed, maintained, and operated in such a manner as to minimize or substantially reduce glare at any location on or off the property, minimize or substantially reduce light trespass beyond the property lot line, minimize sky illumination, and present an overall appearance that is compatible with the Village's character.
 - (C) Rotating, traveling, pulsing, flashing, blinking, or oscillating light sources, lasers, beacons, search lights, or strobe lighting are prohibited.
- (c) *Sign Permit Required.* Unless otherwise allowed, all permanent signs in residential and nonresidential districts require a Sign Permit.

1153.06 TEMPORARY SIGNS.

(a) *All Districts.*

(1) *Non-Commercial Speech Temporary Signs:* Temporary signs that portray a message which is not commercial in nature (that do not advertise a business, commodity, product or service) shall be allowed without a permit. No more than one sign per statement is permissible per lot per frontage. Signs may not exceed six square feet in area or be more than four feet in height Any non-commercial sign may remain on a lot for no more than 45 consecutive days, unless said sign is maintained in good condition as determined by the Community Development Coordinator.

(b) *Residential Districts.* Temporary signs in residential districts shall conform to the following standards as well as any other applicable standards of the Codified Ordinances:

(1) *Number.* No more than one sign is permissible per lot per frontage.

(2) *Maximum area and height.* Signs may not exceed six square feet in area or be more than four feet in height.

(3) *Display period.* Each temporary sign may not be displayed for more than 45 consecutive days, unless said sign is maintained in good condition as determined by the Community Development Coordinator.

(4) *Off-premises signs.* Off-premises temporary signs are prohibited.

(5) *Illumination.* Signs shall not be separately illuminated. This standard is not intended to prohibit the installation of such a sign near a porch light or yard light, which may incidentally illuminate the sign.

(6) *Sign Permit Requirements.* Temporary signs in residential districts do not require a Sign Permit.

1153.07 STANDARDS FOR SPECIFIC SIGN TYPES.

(a) *Awning and Canopy Signs.* Awning and canopy signs may be permitted only as an integral part of the awning or canopy to which they are attached or applied and shall meet the following conditions:

(1) *Location.* Signs may be placed only on awnings that are located on first- and second story building frontages, including those fronting a parking lot or pedestrian way.

(2) *Extension.* Such signs shall not extend more than three feet from the face of the building to which they are attached.

(3) *Minimum clearance.* A minimum clearance of ten feet shall be maintained above sidewalks.

(4) *Copy.* The copy on an awning sign shall not exceed 50 percent of the sign's total area.

(5) *Illumination.* Internal illumination of the awning is prohibited.

(b) *Banner Signs.* Banner signs may be installed subject to the following requirements:

(1) The banner sign shall not exceed that allowed for a permanent wall sign.

(2) The banner sign may be displayed only for a period not to exceed thirty (30) days in any calendar quarter, and no more than four (4) times per calendar year.

- (3) A banner sign shall not be displayed above the roof line of any structure.
 - (4) All banner signs must have wind relief and shall not be supported by any public utility pole or structure.
- (c) *Blade signs.*
- (1) *Location.* Blade signs shall be placed only on a ground floor facade, except for businesses located above the ground level with direct exterior pedestrian access.
 - (2) *Height above finished grade.* The lowest point of a blade signs shall be at least eight feet but no more than 15 feet above finished grade. Blade signs shall not extend beyond the roof line in a vertical direction.
 - (3) *Sign structure.* Sign supports and brackets shall be compatible with the design and scale of the sign. Brackets and/or hardware for the sign may not extend more than four inches from the outside face of the sign.
 - (4) *Square footage.* A maximum of eight square feet will be allowed.
 - (5) *Illumination.* Internal illumination is prohibited.
- (d) *Freestanding Signs.*
- (1) The maximum height cannot exceed fifteen (15) feet above grade. Not more than one (1) free standing sign may be for one (1) business establishment. No part of any Freestanding Sign may be located closer than ten feet to any street right-of-way and/or closer to any other property line than the building setback line, if the adjoining property is located in a residential district.
 - (2) The maximum display surface area shall not exceed twenty (20) square feet when located ten (10) feet from the street right-of-way. For each additional one (1) foot setback from the street right-of-way, an additional ten (10) square feet of display surface area may be permitted, up to a maximum of one-hundred-twenty (120) square feet. However, the display area of any one surface shall not exceed sixty (60) square feet. All sides of the sign will be considered part of the allowable square footage.
 - (3) *Base material of monument signs.* The base of monument signs shall be brick, stone, stucco, or other more permanent material not subject to water damage. The exposed base of a monument sign shall not exceed two feet in height. The height of the base will be included when calculating the height of the sign.
- (e) *Joint Identification Signs.*
- (1) *Type.* Primary and secondary freestanding joint identification signs must be monument signs.
 - (2) One (1) Joint Identification Sign may be authorized by the Planning and Zoning Board to identify a complex or mix of uses as opposed to a single use, provided that such identification sign shall not exceed the following requirements: one hundred (100) square feet in sign area, a maximum of twenty (20) feet in height, and a minimum setback of fifteen (15) feet from all public right(s)-of-way. A Joint identification Sign may be permitted in lieu of Wall Signs.

(f) *Wall Signs.*

- (1) *Location.* A Wall Sign shall be mounted on the building where the establishment advertised by such sign is located. It must be located on or along a wall of such a building which faces a street, parking lot, or service drive, and shall not project above the roof line or the cap of parapets of such building, whichever is higher.
 - (2) *Projection from wall.* A Wall Sign shall be parallel to the wall on which it is installed. The sign shall not project from the surface upon which it is attached more than 12 inches in a non-residential district. In a residential district, a Wall Sign shall not project more than three inches.
- (g) *Portable Sign.* Portable signs shall be permitted, provided that Portable Signs shall not obstruct the view of motorists and/or pedestrians.
- (h) *Single Family Subdivision or Multi-Family Development Signs.* Major permanent entrance features locating the entrance(s) to a single-family subdivision must be authorized by the Planning and Zoning Board prior to the Community Development Coordinator issuing a sign permit.. Only one (1) entrance feature is permitted at each subdivision entrance. Such feature should include a Freestanding Sign. Signs shall not exceed forty (40) square feet, be a maximum six (6) feet in height and shall not be located closer than twenty (20) feet from any right-of-way or property line.

1153.08 PROHIBITED SIGNS.

- (a) *Prohibited Signs.* The following signs and types of signs are inconsistent with the purposes and standards of this Chapter and are prohibited in all zoning districts:
- (1) Signs within any public right-of-way unless specifically authorized under Section 1153.04(a).
 - (2) Flashing, moving, rotating, intermittently lighted signs or other mechanical devices which creates the appearance of movement.
 - (3) Roof signs.
 - (4) Electronic variable message signs, reader boards, and changeable copy signs except as authorized under 1153.04(a)(1) or 1153.04(k).
- (b) *Prohibited Sign Attachments.* No sign shall be attached to any sign already existing within the Village.

1153.09 ADMINISTRATION.

To ensure compliance with the regulations of this Chapter, a Sign Permit is required in order to apply, erect, move, alter, reconstruct, or repair any sign, except signs that do not require a sign permit, as allowed in this Chapter. A sign permit also is required for the lighting of new or the relighting of existing signs. Granting of a sign permit does not constitute, and will not be interpreted to constitute, a building permit.

- (a) *Community Development Coordinator.* Community Development Coordinator shall regulate and enforce the requirements of this Chapter and shall responsible for issuing all sign permits.
- (b) *Application and Permit Procedure.* Applications for sign permits shall contain the following information:

- (1) Plans and/or blueprints to scale of signage, including details of fastening, lighting, and any lettering, symbols or other identification which will be on the sign.
- (2) Color rendering of the sign
- (3) A site plan, drawn to scale, depicting the proposed sign's location showing the distance from a public right-of-way and relationship to access drives, parking area and buildings or a façade elevation of proposed wall or window signs showing the height and proportions of the signs.
- (4) Any information specific to a particular sign application which is necessary to uphold the provisions of this chapter, including but not limited to the construction and mounting materials
- (5) Landscape plan for area around Freestanding Sign
- (6) All applications for sign permits must be submitted to the Community Development Coordinator. The Community Development Coordinator shall have the right to approve, approve with modifications, or disapprove the application. The Community Development Coordinator shall act on the application within thirty (30) days of receipt of the completed application. If the Community Development Coordinator issues a sign permit with conditions, the conditions must be set forth in writing, and the applicant shall sign a statement acknowledging, and agreeing to follow, the conditions. If the Community Development Coordinator denies a sign permit, the reasons for the denial shall be in writing.

1153.10 SIGNS NOT REQUIRING A PERMIT.

- (a) Signs Exempt from Regulations. Any sign located entirely inside a building and not visible from the public right-of-way or from private property other than the property on which such sign is located is exempt from regulation under this chapter.
- (b) A sign permit is not required for the signs listed below. These signs shall not be included in the determination of the total allowable number of signs or total allowable sign area for a site.
 - (1) Signs conforming to the Ohio Manual of Uniform Traffic Control Devices.
 - (2) Signs installed by employees or officials of a state or federal agency or of the Village or County in the course of their governmental duties.
 - (3) Signs required by a state or federal statute or agency.
 - (4) Signs required by an order of a court of competent jurisdiction.
 - (5) Signs installed by public utilities to demarcate their rights-of-way.
 - (6) Signs installed by a transit company.
 - (7) On-site traffic and other directional signs indicating points of entry or exit to off-street parking, identifying specific parking areas and directions to buildings and other services, provided that such signs are not larger than two square feet in area and bear no commercial message. Such signs shall not obstruct the view of motorists for the purposes of ingress and egress.
 - (8) Official and legal notices required by a court or governmental agency.
 - (9) Temporary signs in residential areas.
 - (10) Window Signs. However, all window signs shall meet the following conditions:

- (A) Number. No more than 20 percent of the windows in any structure may be covered with permanent or temporary window signs.
- (B) Surface coverage. Window signs may not be larger than 20 percent of the aggregate window area.
- (C) Neon Signs. Neon, or neon simulating, signs are allowed.
- (11) The flag, pennants or insignia of any nation, state, city or other political unit or jurisdiction
- (12) Cornerstones, commemorative tablets and historical signs, not to exceed ten (10) square feet in area
- (13) Signs for the civic promotion of schools, church, or community service activities
- (14) Portable Signs
- (15) One Sign-Sidewalk for each business location. This sign cannot exceed four (4) feet in height, as measured from the sidewalk, and , three (3) feet in width per side. This sign shall be displayed only during the hours of operation of the business and must be located on near where the business is located. No flags, banner, balloons, or other material may be placed and/or attached to a Sign-Sidewalk. These signs shall be placed in such a way as to assure a minimum of 4' of passage on any sidewalk.

1153.11 COMPREHENSIVE DEVELOPMENT SIGNAGE.

- (a) Purpose. A Comprehensive Sign Plan is intended to integrate the design of the signs proposed for a new development project, or an existing commercial property, with the design of the structures, into a unified architectural statement. A Comprehensive Sign Plan provides a means for defining common sign regulations for multi-user projects, to encourage maximum incentive and latitude in the design and display of multiple signs.
- (b) Applicability. The approval of a Comprehensive Sign Plan shall be required when two or more signs requiring a sign permit are proposed for a new development or existing site, or when a Joint Identification Sign is proposed.
- (c) Approval Authority. The Planning and Zoning Board must approve a Comprehensive Sign Plan prior to the Community Development Coordinator issuing a sign permit.
- (d) Application Requirements. An application for a Comprehensive Sign Plan shall include all information and materials required in Section 1153.09 and the filing fee.
- (e) Standards. A Comprehensive Sign Plan shall comply with the following standards:
 - (1) The plan shall comply with the standards and purpose of this chapter and the overall intent of this section;
 - (2) The signs shall enhance the overall development, be in harmony with, and relate visually to other signs included in the comprehensive sign plan, to the structures and/or developments they identify, and to surrounding development;
 - (3) Only one (1) Joint Identification Sign as defined in Section 1153.05.

- (4) Only one (1) Wall Sign for each individual use not to exceed one (1) square foot for every lineal foot of the building width of each individual use that fronts any shopping center drive or parking area, not to exceed thirty (30) square feet. Where any such drive or parking abuts a residential district, the frontage of the building on such drive or parking area shall not be considered as frontage for location of a wall sign if the distance from the building to the nearest private property is less than one hundred fifty (150) feet.
- (f) Revisions to Comprehensive Sign Plans. The Community Development Coordinator may approve the substitution of signs provided these signs meet the all the requirements of this Chapter and the adopted Comprehensive Sign Plan. If additional signage is proposed or if proposed signs are changed in any aspect to the intent of the original Comprehensive Sign Plan, approval from the Planning and Zoning Board is required.

1153.12 ABANDONED SIGNS.

- (a) Abandonment Defined. An abandoned sign shall be any sign that meets any of the following conditions:
 - (1) Any sign associated with the abandoned nonconforming use.
 - (2) Any sign that remains after the termination of a business. A business shall be considered terminated if it has ceased operations for sixty (60) days.
 - (3) Any sign that is not maintained in accordance with this Chapter.
- (b) Determination of Abandonment. When the Community Development Coordinator finds, upon investigation, that a sign has been abandoned, he/she shall notify the owner of the sign and the owner of the realty upon which such sign is located, of such findings, in accordance with Section 1105.10. Such notice shall advise the owner of the sign that the sign has been declared abandoned and must be removed within thirty (30) days from the date of certified mailing. The owner of the sign or the owner of the realty may appeal such decision to the Planning and Zoning Board.
- (c) Village Right to Remove. If the sign is not removed as ordered, the sign may be removed by the Village at the expense of the lessee or owner. If the Village is not reimbursed for the cost of removal within thirty (30) days, the cost associated shall be certified to the County Auditor for collection as a special assessment against the realty upon which the sign is located.

1153.13 SEVERABILITY.

- (a) Generally. If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Chapter is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term or word of this chapter. It is intended that if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term or word of this chapter is severed, the remaining parts, sections, subsections, paragraphs, subparagraphs, sentences, phrases, clauses, terms or words shall be considered independent, valid, and enforceable.

- (b) Severability Where less Speech Results. Without diminishing or limiting in any way the declaration of severability set forth herein, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term or word of this chapter is declared unconstitutional shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term or word of this chapter, even if such severability would result in a situation where there would be less speech, whether by subjecting previously exempt signs to zoning certificates or otherwise. It is intended that if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term or word of this chapter is severed, the remaining parts, sections, subsections, paragraphs, subparagraphs, sentences, phrases, clauses, terms or words shall be considered independent, valid, and enforceable.
- (c) Severability of Provisions Pertaining to Prohibited Signs. Without diminishing or limiting in any way the declaration of severability set forth herein, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term or word of this article or any other laws declared unconstitutional by valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term or word of this chapter that pertains to prohibited signs, including specifically those signs and sign types prohibited and not allowed under Section 1153.08 of this chapter. Furthermore, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term or word of this Chapter is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term or word of this Chapter. It is intended that if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term or word of this chapter is severed, the remaining parts, sections, subsections, paragraphs, subparagraphs, sentences, phrases, clauses, terms or words shall be considered independent, valid, and enforceable.
- (d) Severability of Prohibition on Signs Bearing Off-premise Commercial Messages. If any part section, subsection, paragraph, subparagraph, sentence, phrase, clause, term or word of this Chapter are declared invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect the prohibition on signs bearing off-premises commercial messages as contained herein. It is intended that if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term or word of this chapter is severed, the remaining parts, sections, subsections, paragraphs, subparagraphs, sentences, phrases, clauses, terms or words shall be considered independent, valid, and enforceable.

**CHAPTER 1155
Landscaping and Screening**

1155.01 PURPOSE.

The purpose of these landscaping regulations shall be to promote the public health, safety and welfare through the preservation and protection of the environment by recognizing the vital importance of tree growth to the ecological system. It is further the purpose of this chapter to promote the preservation and replacement of trees and major vegetation removed in the course of land development, and to promote the proper utilization of landscaping as a buffer between certain land uses to minimize the possibility of nuisances.

1155.02 LANDSCAPING AND SCREENING STANDARDS.

(a) Non-residential Uses. All trees with a caliper of six (6) inches or more shall be maintained and preserved as part of all non-residential development. All such existing trees shall be preserved unless such trees are exempted as follows:

(1) An existing tree will be located within a public right-of-way or easement.

(2) An existing tree is located within the area to be covered by a proposed structure or within twelve (12) feet from the perimeter of such structure(s) and relocation of such structure would not permit desirable, logical, and appropriate development of the lot.

(3) An existing tree will be located within a proposed driveway, off-street parking area or other improvement, and relocation of such improvement would not permit desirable, logical, and appropriate development of the lot.

(4) An existing tree is damaged or diseased.

(b) Tree Planting and Landscaping Requirements. For all new development, the following tree planting and landscaping requirements shall apply:

USE	REQUIREMENTS
NC, GC, MI, M2 Districts; PCD and PID	There must be tree plantings equal to one (1) inch or more in caliper for every 1,000 sq. ft. in ground coverage by any non-residential building. All areas of a lot not covered by buildings, structures, or paving shall be covered by approved landscaping.
R5 AND PRD	A minimum fifteen (15) feet approved landscaped perimeter shall be provided where such development is adjacent to or abuts a residential zoning district or public right-of-way, excluding on-site access drives.
Off-Street Parking Areas: five (5) or more parking spaces	There must be tree plantings equal to two (2) inches or more in caliper, measured at four (4) feet from the ground, for every six (6) parking spaces.

Tree planting requirements may be waived by the Planning and Zoning Board if the quantity of existing trees and their aggregate trunk sizes meet or exceed these requirements and are evenly distributed throughout the subject site.

(c) Screening Requirements.

- (1) Off-street Parking Areas. All off-street parking areas for more than five (5) vehicles shall be effectively screened on each side which abuts a residential zoning district or public right-of-way. Such screening can consist of a masonry wall or solid wood fence which shall be no less than four (4) feet in height.. Such screening can also consist of approved landscaping which shall consist of a strip of land not less than fifteen (15) feet in width planted with an evergreen hedge or dense planting of evergreen shrubs not less than four (4) feet in height.
- (2) Screening of Service Courts and Loading Dock Areas. All areas used for service, loading and unloading activities shall be screened along the entire lot line if adjacent to or abutting a residential zoning district or public right-of-way. The requirements of Section 1155.02(d) shall apply.
- (3) Screening of Trash Containers. Trash containers designed to service more than one (1) residential unit or to service any non-residential structure shall be sufficiently screened or enclosed by walls, fences, landscaping, or an acceptable combination of these elements. Screening walls or fences shall have an opacity of one hundred (100) percent and a minimum height of six (6) feet. Landscaping shall include shrubs and hedges with opacity of seventy-five percent (75%). Trash containers shall be located behind the building line and conform to side and rear yard setback requirements. .

(d) Additional Landscaping and Screening Requirements.

- (1) Deciduous Trees. Deciduous trees shall be species having an average mature crown spread of greater than fifteen (15) feet in central Ohio and having trunk(s) which can be maintained with over five (5) feet of clear wood in areas which have visibility requirements, except at vehicular use area intersections where eight (8) foot clear wood requirements will control. Trees having an average mature spread of crown less than fifteen (15) feet may be substituted by grouping of the same so as to create the equivalent of fifteen (15) foot crown spread. The deciduous trees are recommended as appropriate are found in Appendix D.
- (2) Evergreen Trees. Evergreen trees shall be a minimum of five (5) feet in height with a minimum caliper of one and one-half (1 ½) inches at planting.
- (3) Shrubs and Hedges. Shrubs and Hedges shall be at least two (2) feet in height when planted.
- (4) Earth Mounds. Earth mounds shall be physical barriers which when planted, block or screen the view. Mounds shall be constructed of clean fill, top soil and similar materials, and shall be designed with proper plant material to prevent erosion and facilitate drainage. Earth mounds shall not exceed four (4) feet in height.

- (5) Dead or Diseased Trees. It shall be unlawful for any property owner to maintain or permit stand on his or her property any dead, diseased, or damaged trees, or any living trees, shrubs, evergreens or other plants deemed by the Community Development Coordinator deemed to be a threat to the public peace, health, and safety.

1155.03 APPLICATION PROCEDURE.

(a) Procedure. All applications for subdivisions, Certificates of Occupancy, zoning permits, conditional use permits, variances or in other such cases where a site plan or development plan is to be filed, must include a landscaping plan. The landscaping plan shall be prepared by a licensed design professional or landscaping professional.

(b) Plan Contents. The landscaping plan shall show all proposed landscaping features and proof of preserving major vegetation. For new development or construction, if new tree plantings are required under the requirements of this chapter, the applicant or owner shall indicate on the landscaping plan the location and size of such tree plantings. If trees are to be removed as part of any site development, the plan shall indicate the location and size of such tree removals.

1155.04 PUBLIC SPACES.

Within the public right-of-way and on public properties, no person or entity other than the Village shall plant or place trees, shrubs, evergreens, or other obstruction or vegetation, unless a Street Tree Permit is obtained.

(a) Requirements for Trees Located on Village Owned Public Property. In addition to the requirements identified in this chapter, in every development requiring a site or development plan, there shall be planted a species of tree appropriate to the specific location on the site being developed, with a caliper measured six (6) inches above the ground of not less than two (2) inches, for every thirty (30) feet of public street frontage. The following additional requirements shall apply:

(1) The tree to be planted shall be of a recommended tree species, as those listed in Appendix D, Recommended Street Trees for the Village of Hebron.

(2) The minimum distance between the tree and the edge of the street shall be two and one half (2½) feet.

(3) The location of the tree shall be at least twenty (20) feet from any street intersection and ten (10) feet from fire hydrants or utility poles.

(4) Developers shall be required to maintain the trees planted by them for one (1) year after the trees are planted and to replace any tree which fails to survive or does not exhibit normal growth characteristics of health and vigor within such one (1) year period. A one (1) year guarantee period shall begin at each planting and shall recommence as trees are replaced. Upon completion of the planting of street trees, the landscape contractor shall contact the Community Development Coordinator who will schedule a preliminary site inspection. The one year guarantee period shall begin on the date of the approval by the Community Development Coordinator. 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 inspection of the Community Development Coordinator, shall be promptly replaced at the expense of the developer.

(b) Tree Topping. No person shall top any tree within the public right-of-way.

(c) Height of Limbs over Sidewalks and Streets. Tree limbs, whether situated on private or public property, extending over a public sidewalk shall be trimmed to such an extent that no portion of the same shall be less than seven (7) feet above the sidewalks. Tree limbs extending over streets shall be trimmed to such an extent that no portion of the same shall interfere with the normal flow of traffic.

(d) Village Rights. The Village shall have the right to plant, prune, maintain and remove trees, plants and shrubs within the lines of all public streets, alleys, avenues, lanes and other public grounds as may be necessary to promote public safety or to preserve or enhance the environmental quality and beauty of such public grounds.

(e) Reducing Tree Lawn. No person shall by any type of construction reduce the size of the tree lawn without first securing permission from the Planning and Zoning Board.

(f) Permit Requirements.

(1) No person, contractor or Village Department shall plant, remove, prune, or treat with growth inhibiting measures, any tree or shrub upon any public way, street, alley, park, or other property owned by the Village without first obtaining a Street Tree Permit, except in the case of an emergency as determined in the discretion of the Community Development Coordinator in collaboration with the Mayor. A Street Tree Permit shall specify the number, size, type, species, and the location of all trees or shrubs to be planted, pruned, or removed. The Community Development Coordinator has exclusive authority to deny a Street Tree Permit based on the requirements of this Planning and Zoning Code.

(2) Applications for Street Tree Permits shall be made on forms prescribed by the Community Development Coordinator.

(3) Street Tree Permits shall be valid for a maximum period of sixty (60) days, unless otherwise specified. All work approved by the permit shall be completed in the time specified by the permit and in the manner described. Permits shall be considered void if any terms are violated.

(g) Public Tree Care.

(1) Unless issued a written permit by the Community Development Coordinator, no person shall attach any rope, wire, nails, advertising poster, or other contrivance to any tree on Village owned property. Without a permit, no person shall use herbicides or other chemicals on any trees, shrubs or evergreens on Village owned property.

(2) No person shall hinder, prevent, or interfere with the agents or employees of the Village while the agents or employees are engaged in planting, maintaining, or removing any tree, shrub, evergreen, or other plant material on Village owned property.

(3) No person shall excavate any ditch, tunnel, trench, or lay any drive within a radius of ten (10) feet from any tree, shrub, evergreen, or other plant material standing on any Village owned property without first obtaining a permit from the Community Development Coordinator.

(4) It shall be unlawful for any person to break, deface, injure, mutilate, kill, or destroy any tree, shrub, or evergreen on any Village owned property.

(h) Removal of Stumps. All stumps of street trees shall be removed twelve (12) inches below the surface of the ground. Stumps shall be removed or shall be ground at the site. All residual material shall be removed from the site at the time the tree is removed and the site shall be restored as approved in the Street Tree Permit.

CHAPTER 1157
Satellites, Ground Stations, and Antennas

1157.01 PERMIT REQUIRED.

Construction of any satellite ground station or satellite dish within the Village shall require a permit issued by the Community Development Coordinator, except for on a lot used solely as a single-family residence and in accordance with all applicable federal laws. In all cases, construction and installation of any satellite ground station or satellite dish shall comply with all other requirements of this chapter.

1157.02 SIZE HEIGHT, LOCATION, INSTALLATION.

(a) The maximum size of any satellite ground station constructed and installed on any property within the Village shall not exceed three (3) feet in length or diameter.

(b) The maximum height above ground level for any free-standing satellite ground station shall be six (6) feet.

(c) No satellite ground station or satellite dish may be located in any front or side yard.

(d) A satellite ground station located in a rear yard, whether free-standing or attached to any building or structure, shall meet the setback requirements of the applicable zoning district as established for primary structures.

CHAPTER 1159
Accessory Uses and Structures

1159.01 PERMIT REQUIRED.

All accessory buildings and structures shall require issuance of a permit by the Community Development Coordinator prior to their placement, construction, addition or alteration on any lot.

1159.02 RESIDENTIAL DISTRICTS: LOCATION, EXTERIOR, SIZE AND MAINTENANCE.

The following requirements apply to all accessory uses and structures located in any residential zoning district:

(a) Location: Accessory buildings and structures shall be located completely to the rear of the principal structure and shall be no closer than ten (10) feet from any part of the principal structure. Accessory buildings and structures shall be located no closer than eight (8) feet of the side or rear property line, provided the provisions of Section 1121.03 are met, with the exception that storage sheds two-hundred (200) square feet or smaller may be located within two (2) feet of the side and rear property lines upon approval of the Community Development Coordinator. Accessory uses and structures shall not be located within a recorded easement.

(b) Exterior: Accessory structures shall have an exterior which is aesthetically compatible in appearance to the principal building or structure on the parcel or lot.

(c) Size: The maximum permitted size of an accessory structure shall be based on the following lot categories on which the accessory structure is to be located:

(1) Lot Size One (1) Acre or Less: An accessory building or structure shall be no larger than fourteen-hundred (1400) square feet, shall contain no more than one (1) story, side walls shall be no higher than ten (10) feet, shall not exceed a total height of eighteen (18) feet as measured from the floor to the top of the roof, and no door serving the accessory building or structure shall exceed ten (10) feet in height.

(2) Lot Size over One (1) Acre: Any proposed accessory building or structure over fourteen-hundred (1400) square feet or larger than 1 story shall be submitted to the Planning and Zoning Board for review. Criteria for approval shall include, but is not limited to, the compatibility with surrounding residential structures, compatibility with the aesthetic appearance of the general neighborhood, and any possible detrimental impact on the surrounding neighborhood.

(d) Maintenance: Accessory buildings and structures shall be maintained in good condition and kept secure from the deteriorating effect of natural elements.

(e) Quantity: If more than one accessory building or structure is proposed on a single residential lot, prior approval of the Planning and Zoning Board shall be required.

1159.03 COMMERCIAL/INDUSTRIAL: LOCATION, EXTERIOR, AND SITE DEVELOPMENT PLANS.

The following requirements apply to all accessory uses and structures located in any commercial or manufacturing district, or planned unit development:

(a) Location: Accessory buildings and structures shall be located completely to the rear of the principal structure and shall be no closer than ten (10) feet from any part of the principal structure. Accessory buildings and structures shall meet the rear and side yard setback requirements of the applicable zoning district, provided the requirements of Section 1121.03 are met. Accessory buildings and structures shall not be located within a recorded easement.

(b) Exterior: Accessory structures shall have an exterior which is aesthetically compatible in appearance to the principal building or structure on the parcel or lot.

(c) Site Plan Required: Accessory uses and structures shall be indicated on an approved site development plan in conformance with the requirements of Chapter 1109.

CHAPTER 1161 Bed and Breakfast Inns

1161.01 PURPOSE.

This chapter provides standards for the establishment of bed and breakfast inns. These regulations are intended to provide a systematic set of requirements to ensure that such unique operations will preserve the primarily residential use of a structure and not adversely impact adjacent uses as a result of the commercial aspects of the facility. Bed and breakfast inns shall be subordinate to the principal use of a single family dwelling.

1161.02 DEFINITION.

For the purposes of this Planning and Zoning Code, a bed and breakfast inn shall be defined as a private residence where lodging and breakfast is provided by a resident family for compensation. Such facility is generally used by transients.

1161.03 APPLICATION.

The regulations of this chapter apply to bed and breakfast inns in any zoning district where a residential use is permitted or conditionally permitted. All bed and breakfast inns require a conditional use permit approved and issued in accordance with Chapter 1113. In addition to the requirements contained in Chapter 1113, conditional use applications for a bed and breakfast inn shall include a site plan showing existing improvements, floor plan illustrating the proposed operation, a site plan indicating all new improvements, and any additional information as required by the Planning and Zoning Board. Residential structures may be remodeled for the development of a bed and breakfast facility. However, structural alterations may not be made which would prevent the structure from being used as a residence in the future. Internal or external changes which will make the dwelling appear less residential in function are not permitted. Examples of such alterations include installation of more than five parking spaces, paving of required setbacks, and commercial-type exterior lighting.

1161.04 DEVELOPMENT STANDARDS.

(a) Single Family, Detached Dwelling: Bed and breakfast inns shall only be permitted as a conditional use in single family, detached dwellings.

(b) Development Standards: Bed and breakfast inns must comply with the development standards of the base zone, overlay zone, and plan district, if applicable.

(c) Guest Rooms: There shall be no more than four (4) separate guest rooms within a single family dwelling used as a bed and breakfast inn. Bed and breakfast inns shall be limited to a maximum of eight (8) guests per night. Bed and breakfast inns shall allow paying guests to stay for not more than thirty (30) consecutive nights at any single visit, nor more than a total of forty-five (45) nights in any calendar year.

(d) Employees: Bed and breakfast inns may have a limited number of nonresident employees, if approved as part of the conditional use review. Hired service for normal maintenance, repair and care of the residence may also be approved. The number of employees and the frequency of employee trips to the facility may be limited or monitored as part of a conditional use approval.

(e) Owner/operator: The owner/operator of the bed and breakfast inn must occupy the dwelling as their primary residence.

(f) Guest Register: A guest register listing the name, address, phone number, and dates of stay of all paying guests shall be maintained by the owner/operator and shall be made available for inspection by Village officials upon request.

CHAPTER 1163

Exterior Property Maintenance Code

1163.01 SCOPE.

This Exterior Property Maintenance Code is limited to the establishment of minimum standards for the maintenance of exterior surfaces and exterior functioning units of all structures, buildings, and uses within the Village, including lot and yard areas within the Village. No provisions of this Code shall, in any way, directly or indirectly, be interpreted to interfere with, or to limit the right of, any owner or resident to inhabit real property owned or leased by them in such a manner and form as they may determine appropriate; consistent with other applicable provisions of law. This Code is directed to obvious exterior visual conditions which may lead to the violation of this Code within the Village.

1163.02 PURPOSE.

The purpose of this Code is to protect the public health, safety, and welfare by establishing a minimum standard governing the maintenance, appearance, and exterior condition of all premises and uses throughout the Village; to fix certain responsibilities and duties upon owners, residents, and managers of the same as to both separate and correlative responsibilities and duties; to authorize and establish procedures for the exterior inspection of such premises and uses; to affix penalties for the violations of this Code; and to provide a process for the repair, demolition, or vacation of premises unfit for human habitation, occupancy, or use. This Code is hereby declared to be remedial and essential for the public interest, and it is intended that this Code be construed and interpreted to effectuate the purposes as stated herein.

1163.03 SEVERABILITY.

Each chapter, section, paragraph, sentence, clause, phrase, or other divisible part of this Exterior Property Maintenance Code is hereby declared to be severable and if any such chapter, section, paragraph, sentence, clause, phrase, or other divisible part is declared unconstitutional or otherwise invalid by any court of competent jurisdiction in a valid judgment or decree, such unconstitutionality or invalidity shall not affect any of the remaining chapters, sections, paragraphs, sentences, clauses, phrases, or other divisible part of this chapter since the same would have been enacted without the incorporation into this chapter of such unconstitutional or invalid chapter, section, paragraph, sentence, clause, phrase, or other divisible part.

1163.04 APPLICABILITY.

(a) Every building, residential structure, lot, and yard owner shall comply with the provisions of this Code, whether or not such building, lot, yard or use shall have been constructed, altered, or repaired before or after the enactment of this Code, and without regard to any permits or licenses which shall have been issued for the use or occupancy of the building premises, for the construction or repair of the building or use, or for the installation or repair of equipment or facilities prior to the effective date of the Code.

(b) This Code establishes minimum standards for the initial and continued occupancy and use of all such structures and properties and does not replace or modify standards otherwise established for the construction, repair, alteration, or use of the building. Where there is mixed occupancy, residential or nonresidential use shall be regulated by and subject to the provisions of this Code.

(c) Historic Buildings: An owner of a building or structure, which has been designated by a governmental body as having historical significance, may use that designation as a basis for an appeal from application of the provisions of this Code.

1163.05 CONFLICT OF LAWS.

In any case where a provision of the Exterior Property Maintenance Code is found to be in conflict with a provision of any zoning, building, fire, safety, health, or other regulation, the provision of which establishes a higher standard for the promotion and protection of the safety and health, the conflicting provision shall prevail.

1163.06 DEFINITIONS.

For the purpose of this Code, certain terms and words are hereby defined. Words used in the present tense shall include the future; the singular number shall include the plural, and the plural shall include the singular; the word "building" shall include the word "structure", and the word "shall" is mandatory and not directory.

(a) "Animal waste" means feces, waste eliminated from the bowels; excrement. See also "garbage", "refuse", "rubbish" and "waste".

(b) "Deterioration" means the condition or appearance of the exterior of the building, or part thereof, characterized by holes, breaks, rot, crumbling, cracking, peeling, rusting, or other evidence of physical decay, neglect, or lack of maintenance.

(c) "Dilapidated" means having fallen into a state of disrepair or deterioration, as through neglect; broken-down and shabby.

(d) "Exterior of the premises" means those portions of a building which are exposed to public view and the open space of any premises outside of any building.

(e) "Final notice" means that a Notice of Violation has been served according to this Code, and the persons named have failed to comply within the time allowed.

(f) "Garbage" means food wastes, as from a kitchen. See also "animal waste", "refuse", "rubbish" and "waste".

(g) "Infestation" means the presence of insects, rodents, vermin, or other pests on the premises which constitute a health hazard as defined by the local health authority.

(h) "Nuisance" means that which is defined by the statutes of the State of Ohio, Ohio R.C. 3767.41(2)(a). "Public nuisance" means a building that is a menace to the public health, welfare, or safety; that is structurally unsafe, unsanitary, or not provided with adequate safe egress; that constitutes a fire hazard, is otherwise dangerous to human life, or is otherwise no longer fit and habitable; or that, in relation to its existing use, constitutes a hazard to the public health, welfare, or safety by reason of inadequate maintenance, dilapidation, obsolescence, or abandonment.

(i) "Occupancy" means any person living and/or sleeping in a dwelling unit or having an actual possession of said dwelling unit or any person who leases or rents a non-residential building, structure, or any portion thereof.

(j) "Owner" means any person who, alone or jointly or severally with others, shall have legal or equitable title to any premises, with or without the accompanying actual possession thereof; or shall have charge, care, or control as owner or agent of the owner; or as executor, administrator, trustee, receiver, or guardian of the estate, or as a mortgagee in possession.

(k) "Person" includes any individual, corporation, association, partnership, trustee, lessee, agent, or assignee.

(l) "Pests" means fungus, insect, nematode, rodent, weed or other form of terrestrial or aquatic life form that is injurious to human or farm animal health, or interferes with economic activities.

(m) "Premises" means a lot, plot, or parcel of land, including the buildings or structures thereon.

(n) "Refuse" means all solid wastes (except body wastes) including, but not limited to garbage, rubbish, ashes, dead animals, pet and animal wastes, industrial wastes, or the accumulation of brush, broken glass, stumps, and roots that present a safety hazard which present an objectionable odor, unsanitary and/or safety hazard. See also "animal waste", "garbage" "refuse" and "waste".

(o) "Rubbish" means solid waste consisting of both combustible and non-combustible wastes such as, but not limited to paper, wrappings, tin cans, rubber, wood, glass, crockery, plastics, and similar materials. See also "animal waste", "garbage", "refuse" and "waste".

(p) "Undergrowth" means the brush (small trees and bushes and ferns etc.) growing beneath taller trees in a wood or forest; low plants, saplings, and shrubs growing beneath the trees in a forest.

(q) "Waste" means comprised mainly of vegetable matter, which is capable of being decomposed by microorganisms. See also "animal waste", "garbage", "refuse" and "rubbish".

1163.07 ENFORCEMENT.

The enforcement of any and all provisions of this Code is placed with the Community Development Coordinator, as he/she believes may be required to carry out and effectuate all of the provisions herein.

1163.08 INSPECTION.

Upon written complaint filed with the Village of Hebron, or upon initiative of the Community Development Coordinator, all buildings, premises, and uses within the Village are subject to exterior inspections.

1163.09 MAINTENANCE RESPONSIBILITY.

(a) The owner and/or manager of every structure or use within the Village shall be responsible for maintaining the exterior surfaces of the same in conformance with the provisions of this Code.

(b) The owner and/or manager of every structure or use within the Village shall be responsible for maintaining the yard area contiguous thereto in conformance with the provisions of this Code.

(c) The owner and/or manager of every yard or lot within the Village shall be responsible for maintaining their yard and/or lot area in conformance with the provisions of this Code.

(d) No owner and/or manager shall be relieved from the obligations of, nor be entitled to defend, any violation by reason of any contract or agreement between them and any other person.

1163.10 GENERAL EXTERIOR MAINTENANCE REQUIREMENTS.

(a) The exterior surfaces of all structures or uses within the Village, whether functional or decorative, shall be maintained in good repair and structurally sound. Any exterior part or feature thereof having functional use shall be capable of performing the use for which such part or feature was designed.

(b) The entire yard area extending up to and including the lot line in all directions shall be in compliance with the definitions of this chapter.

1163.11 EXTERIOR SURFACES.

(a) All exterior surfaces of every structure or use within the Village shall be maintained so as to resist decay or deterioration from any naturally-occurring cause. Green moss covered or moldy exteriors shall be cause for cleaning. All exterior surfaces shall be covered with paint, finish, or other surface-coating so as to prevent such decay and deterioration. An exterior wall segment(s), facing, or other distinguishable surface area determined by the Community Development Coordinator to have bare, peeling, flaking, pitted, or corroded areas, or otherwise showing deterioration, will require the wall segment(s), facing, or other distinguishable surface area to be surface-coated in its entirety. If the surface to be coated is a portion of a larger structure, such surface coating shall be compatible in color, texture, and design with the entire structure.

(b) Any deteriorated or decayed exterior walls, doors, porches, floors, step railing, or parts or features thereof, shall be repaired or replaced.

(c) Any damaged or broken windows, screens, or shutters and deteriorated or decayed sill, sash, molding, lintel, frame, or trim thereof, shall be repaired or replaced.

1163.12 FOUNDATIONS.

The foundation of every structure or use within the Village shall be maintained in such condition and repair as to prevent damage to the structural integrity of the same.

1163.13 ROOFS, GUTTERS, DOWNSPOUTS, AND CHIMNEYS.

(a) The roof of every structure or use within the Village shall be maintained weather-tight. All missing shingles, or other roofing materials, shall be replaced with materials of similar kind, nature, design, and color as the original thereof. If any roof segment(s), or distinguishable portion thereof, is determined by the Community Development Coordinator to have missing or deteriorated shingles, or other roofing material, then the roof segment(s) or distinguishable portion thereof shall be replaced or repaired with materials of similar kind, nature, design, and color as the original thereof.

(b) Any structure or use within the Village having gutters and/or downspouts in place shall be maintained in such a manner as to keep such gutters and/or downspouts free of exterior rust, corrosion, and debris. Such rust, corrosion, and debris as may develop in the course of ordinary use of the same, shall be removed, painted, or otherwise surface-coated as to keep such gutters and/or downspouts free of visible rust or corrosion.

1163.14 YARD AREA MAINTENANCE.

(a) Refuse.

(1) No furniture, mattresses, household furnishings, rugs, appliances, dilapidated vehicles or vehicle parts, machinery and construction equipment or construction equipment parts shall be placed or stored in any yard area or use within the Village over a period in excess of ten (10) days. Said ten (10) day period begins on the day of written notification from the Community Development Coordinator and may be extended as a result of extenuating circumstances if approved by the Community Development Coordinator.

(2) Exterior property areas of all premises or uses shall be kept free of debris, objects, materials, rubbish, garbage, refuse, and infestations, or conditions that create a health, accident, or fire hazard, or are a public nuisance, or constitute a blighting or deteriorating influence on the neighborhood. All debris, objects, materials, or conditions shall be removed within ten (10) days. Said ten (10) day period begins on the day of written notification from the Community Development Coordinator and may be extended as a result of extenuating circumstances if approved by the Community Development Coordinator.

(3) The open storage and display of material and equipment incidental to a nonresidential use adjacent to a residential zoning district, Planned Residential District, Planned Unit District, or visible from a public right-of-way shall only be permitted provided the area used for open storage and display shall be effectively screened on adjoining sides and public rights-of-way by means of walls or fences with a one hundred percent (100%) opaqueness and is located behind the building line and not in a required yard. Walls or fences shall be a minimum of six (6) feet in height without advertising thereon and shall not include chain link fences. Walls and fences may be further screened with plantings comprised of evergreen hedges six (6) feet in height. See Chapter 1155.

(b) Grass and Weed Control (Not to Include Ornamental Grass), Surface Condition.

(1) Removal of noxious and excessively high grass and weeds constituting a public nuisance.

A. It is hereby deemed that weeds or grass growing at a height of eight (8) inches or higher upon any property within the Village are a public nuisance. See Chapter 1155. All lots shall be provided with grass or other appropriate ground cover, as approved or landscaping material so as to assure absorption of rainfall and prevent erosion and rapid runoff of surface water. The Village Administrator shall cause an annual notice to be published in a newspaper of general circulation in the Village notifying the residents of the requirement of this section. This publication shall constitute a first notice.

B. When the Community Development Coordinator determines that such violation of subsection (b)(1)(A) exists, there shall be served a written notice upon the owner or occupant, or any other person, firm or corporation, having care of such lot or land, ordering the cutting and removal of such weeds and noxious grasses.

C. Only one final notice per calendar year under subsections (b)(1)(A) or (B) hereof will be required for a lot or parcel. If, after a notice has been served in a period of time not more than 10 days, the Community Development Coordinator can have lots or parcels cut and removed at the owner's expense and the cost, together with an administrative fee of twenty percent (20%) shall be assessed against the lot or land. Such administrative fee shall not exceed two hundred dollars (\$200.00).

(c) Accessory Structures.

(1) All structures or uses located in the yard areas within the Village, such as sheds, barns, garages, bins, and the like, shall be maintained in good repair, structurally sound and in conformance with other provisions of this Code having regard to foundations, roofs, and exterior surfaces.

(2) Any broken, rusted, deteriorated, or decayed fence, yard enclosure, or other device or structure located in the yard area contiguous to any structure or use within the Village shall be maintained in the condition as intended. This includes but is not limited to leaning or damaged fences, fences missing slats, missing sections, broken supports or blocks or any other materials that are otherwise broken or damaged in such a way as to present a deteriorated or blighted appearance. All materials shall be uniform, compatible, and consistent with the design thereof.

(d) Ground Surface Hazards. Holes, cracks, excavations, breaks, projections, and obstructions at any place on the premises which are a hazard to persons using the premises shall not be permitted.

(e) Motor Vehicles.

(1) A nuisance is hereby declared to exist when a person, firm, or corporation keeps, stores, places, or allows to remain, unlicensed motor vehicles, motor vehicles in an inoperable condition, motor vehicles unfit for further use, automobile or motor vehicle parts on any parcel of land, street, or alley, within the corporate limits of the Village of Hebron.

(2) Per Ohio R.C. 505.173, junk motor vehicle is defined as a motor vehicle that meets all of the following criteria:

A. Three model years old, or older;

B. Apparently inoperable;

C. Extensively damaged, including, but not limited to, any of the following: missing wheels, tires, engine, or transmission.

1163.15 INFESTATION.

All structures, and the premises thereof, shall be maintained free of vermin, rodents, and other pests, and free of sources of breeding, harborage, and infestation by such vermin, rodents, and other pests.

Insect and Rodent Control:

(a) Grounds, building and structures shall be maintained free of insect and rodent harborage and infestation. Extermination methods and other measures to control insects and rodents shall conform to the requirements of the local health authority.

(b) Grounds shall be maintained free of accumulations of debris which may provide rodent harborage or breeding places for flies, mosquitoes and other pests.

(c) Storage areas shall be maintained as to prevent rodent harborage; lumber, pipe and other building material shall be stored at least eighteen (18) inches above the ground.

(d) Where the potential for insect and rodent infestation exists, all exterior openings in or beneath any structure shall be appropriately screened with wire mesh or other suitable materials.

(e) The growth of brush, weeds and grass shall be controlled to prevent harborage of ticks, chiggers and other noxious insects. Grounds shall be so maintained as to prevent the growth of ragweed, poison ivy, poison oak, poison sumac and other noxious weeds considered to be detrimental to health. Open areas shall be maintained free of heavy undergrowth of any description.

1163.16 NOTICE OF VIOLATION.

(a) Where a violation of any provision of this Code is found to exist, the Village, through its Community Development Coordinator, shall cause a written notice of such violation to be served upon the owner, manager, occupant, or other person responsible for the correction thereof. The Notice shall specify the violation committed, and shall provide a reasonable period of time, at least ten (10) days but not more than thirty (30) days, to address, correct or abate the violation. There are two notices that are served upon the owner, manager, occupant, or other person responsible for the correction thereof; a first notice which shall be affected by publication as described in Section 1163.14(b)(1)(A) and a final notice.

(b) Service: A Notice of Violation shall be deemed to be properly served if one or more of the following methods are used:

(1) By personal delivery to the owner or occupant of the premises or by leaving the notice at the premises with a person of suitable age and discretion; or

(2) By certified mail deposited in the United States Post Office addressed to the person or persons responsible at his/their last known address, with return receipt requested. If a certified mail envelope is returned with the endorsement showing that the envelope is unclaimed, then service shall be sent by ordinary mail and the mailing shall be evidenced by a certificate of mailing which shall be filed by the Community Development Coordinator.

(3) By posting a copy of the Notice of Violation in a conspicuous place on the premises found in violation and publishing a legal notice in a newspaper of general circulation in the Village. The legal notice shall identify the owner of the property, the last address, if known, of the owners, the parcel identification, the location and nature of the violation.

(c) When the violation involves a motor vehicle, a period of ten (10) days is considered a reasonable period of time to correct or abate the violation. The Notice shall state that, if the violation is not corrected or abated within the time allowed, the Community Development Coordinator may cause to have a motor vehicle impounded and all charges associated with the impound will be the owner's responsibility. (Refer to Section 1163.19).

(d) When the violation involves a motor vehicle, a copy of the Notice shall also be conspicuously affixed to the motor vehicle if the surrounding facts and circumstances make it practicable to do so.

(e) In the absence of an appeal, as provided below, the completion of the notice of violation and the execution of the failure to comply notice shall constitute a Final Notice as to administrative proceedings.

1163.17 APPEAL.

Appeals of any notice and/or determination made by the Community Development Coordinator under this Chapter may be taken in accordance with Section 1107.05 of the Planning and Zoning Code.

1163.18 PROSECUTION.

Any person failing to comply with a notice of violation or order served in accordance with the Notice of Violation section shall be deemed guilty of a minor misdemeanor. If the notice of violation is not complied with, the Community Development Coordinator or his/her designee shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to prosecute.

1163.19 PENALTIES.

Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state and local laws. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

1163.20 ABATEMENT.

The imposition of the penalties herein prescribed shall not preclude the Community Development Coordinator of the jurisdiction from instituting appropriate action to restrain, correct or abate a violation, or to prevent illegal occupancy of a building, structure or premises, or to stop an illegal act, conduct, business or utilization of the building, structure or premises.

ABATEMENT PROCEDURE FOR NON-MOTOR VEHICLE NUISANCE:

The Village Administrator shall direct the necessary machinery and labor to perform the required task. Expenses incurred shall, when approved by Council, be paid out of the money in the Treasury not otherwise appropriated.

ABATEMENT PROCEDURE FOR MOTOR VEHICLE NUISANCE:

(a) Upon information that a Final Notice involving a motor vehicle nuisance has not been complied with, the Community Development Coordinator will advise the Village Administrator. The Village Administrator will authorize the Community Development Coordinator to remove or direct the removal of the motor vehicle for purposes of impounding the motor vehicle.

(b) Whenever the Community Development Coordinator impounds a motor vehicle, as authorized herein, the Community Development Coordinator shall, in a timely manner, give or cause to be given notice in writing to the owner of the fact of such impoundment and the reasons therefore and the place to which the vehicle has been removed. The Community Development Coordinator may request the assistance from the Hebron Police Department.

1163.21 CERTIFICATION TO COUNTY AUDITOR.

If the bill for abatement or correction is not paid within thirty (30) days after submission, the Legislative Officials of the Village of Hebron shall certify said costs, together with a fifteen percent (15%) penalty, to the Licking County Auditor for placement on a tax duplicate to be collected as other taxes for return to the Village, as per this chapter and a lien shall be assessed upon the property from the date of certification.

CHAPTER 1165
Vacant Building Registration

1165.01 DEFINITIONS.

(a) As used in this chapter:

- (1) "Owner" means any person, in whose name the property is titled, and any person, agent, servicing company, firm, third party, financial institution or bank that has an interest in the property as a result of an assignment, sale, mortgage, transfer of a mortgage, or similar instrument or having an agreement with any one of the above for the purpose of securing and/or managing the property.
- (2) "Secured by other than normal means" means a building secured by means other than those used in the design of the building.
- (3) "Unoccupied" means a building, or any portion of a building, which is not being used for the occupancy authorized by the owner.
- (4) "Unsecured" means a building, or any portion of a building, which is open to entry by unauthorized persons without the use of tools or ladders.
- (5) "Vacant building" means a building (excluding government-owned buildings) which is:
 - (A) Unoccupied and unsecured; or
 - (B) Unoccupied and secured by other than normal means; or
 - (C) Unoccupied and an unsafe building as determined by the Community Development Department; or
 - (D) Unoccupied and having utilities disconnected; or
 - (E) Unoccupied and having housing or building code violations; or
 - (F) Illegally occupied, which shall include loitering and vagrancy; or
 - (G) Unoccupied for a period of time over 90 days and having an existing code violation issued by the Community Development Coordinator; or
 - (H) Unoccupied with a mortgage status of abandonment (i.e. deceased or foreclosed); or
 - (I) Unoccupied and abandoned by the property owner.
- (6) "Evidence of vacancy" means any condition that on its own or combined with other conditions present would lead a reasonable person to believe the building is vacant. Such conditions include, but are not limited to: significantly below standard utility usage, overgrown and/or dead vegetation, accumulation of newspapers, circulars, flyers and/or mail, accumulation of trash, junk, and/or debris, broken or boarded up windows, abandoned vehicles, auto parts or materials, the absence of window coverings, such as curtains, blinds, and/or shutters, the absence of furnishings and/or personal items consistent with habitation or occupation, statement(s) by Village employee(s) that the building is vacant.

1165.02 PURPOSE.

The purpose of this chapter is to establish a program for identifying and registering vacant residential and commercial buildings as a tool to protect and preserve Village neighborhoods from becoming blighted, to determine the responsibilities of owners of vacant buildings, to speed the rehabilitation of vacant buildings, and to shift the cost burden from the Village and its surrounding residents to the owners of vacant buildings.

1165.03 VACANT BUILDING REGISTRATION.

- (a) The owner shall register with the Community Development Coordinator not later than ninety (90) days after any building located in an area zoned for, or abutting an area zoned for, residential or commercial use in the Village becomes a vacant building or not later than thirty (30) days of being notified by the Community Development Coordinator of the requirement to register based on evidence of vacancy, whichever event occurs first.
- (b) The registration shall be submitted on forms provided by the Community Development Coordinator and shall include the following information supplied by the owner:
 - (1) The name and address of the owner;
 - (2) If the owner does not reside in Licking County, Ohio or within twenty miles of Village limits, the name and address of any third party who the owner has entered into a contract or agreement for property management. By designating an authorized agent under the provisions of this section, the owner is consenting that the third party is authorized to receive any and all notices relating to the property and conformance to all requirements under this chapter;
 - (3) The names and addresses of all known lien holders and all other parties with an ownership interest in the building;
 - (4) A telephone number where a responsible party can be reached at all times during business and non-business hours; and
 - (5) A vacant building plan as described in division (c) below.
- (c) The owner shall submit a vacant building plan which must meet the approval of the Community Development Coordinator. The plan, at a minimum, must contain information from one of the following three choices:
 - (1) If the building is to be demolished, a demolition plan indicating the proposed time frame for demolition which includes starting within thirty (30) days of acceptance of the proposed demolition timeline and does not exceed one year in accordance with the Ohio Building Code; or
 - (2) If the building is to remain vacant, a plan for ensuring the building is secured along with the procedure that will be used to maintain the property, and a statement of the reasons why the building will be left vacant (e.g., building is for sale, etc.); or

- (3) If the building is to be returned to appropriate occupancy or use, a rehabilitation plan for the building and grounds. The rehabilitation plan shall not exceed twelve (12) months from the time the owner obtains permits, unless the Community Development Coordinator grants an extension upon receipt of a written statement from the owner detailing the reasons for the extension. Any repairs, improvements or alterations to the property must comply with any applicable zoning, housing, historic preservation, or building codes and the property must be secured during the rehabilitation.
- (d) All applicable laws and codes shall be complied with by the owner. The owner shall notify the Community Development Coordinator of any changes in information of their vacant building registration within thirty (30) days of the change. If the plan or timetable for the vacant building is revised in any way, the revision(s) must be in writing and must be approved in writing by the Community Development Coordinator.
- (e) The owner and subsequent owner shall keep the building secured and safe and the building and grounds properly maintained in accordance with all applicable property maintenance codes.
- (f) Any new owner shall register or re-register the vacant building with the Community Development Coordinator within thirty (30) days of any transfer of an ownership interest in the vacant building if the building continues to remain vacant after transfer. The new owner shall comply with the approved plan and timetable submitted by the previous owner until any proposed changes are submitted and are approved by the Community Development Coordinator.
- (g) The failure of the owner of the vacant building to obtain a deed for the property or to file the deed with the County Recorder shall not excuse the property owner from registering the vacant building under this section.
- (h) The registration process under this section must be completed annually for every vacant building for as long as the building remains vacant.

1165.04 ESCROW.

Each demolition of a vacant residential building requires that the owner hold in escrow with the Village a deposit of ten thousand dollars (\$10,000) for a residential building and seventy-five thousand dollars (\$75,000) for a commercial building. If the amount to be set up in escrow cannot be paid in full, the Village will place a lien on the property for the amount previously specified. The Village will use these funds to demolish the building/dwelling if it is not completed by the property owner. Escrow funds will be released upon completion of the work or transfer of ownership, provided that all fees have been paid in full. New owners must sign a form accepting responsibility for completing the demolition.

1165.05 INSPECTIONS.

The Community Development Coordinator shall inspect any premises in the Village for the purpose of enforcing and assuring compliance with the provisions of this chapter. Upon the request of the Community Development Coordinator, an owner may provide access to all interior portions of an unoccupied building in order to permit a complete inspection. Nothing contained herein, however, shall diminish the owner's right to insist upon the procurement of a search warrant from a court of competent jurisdiction by the Community Development Coordinator in order to enable such inspection. The Community Development Coordinator shall be required to obtain a search warrant whenever an owner refuses to permit a warrantless inspection of the premises. The following shall apply:

- (a) Vacant properties will be externally inspected by the Community Development Coordinator a minimum of twice per year to ensure compliance with property maintenance codes;
- (b) Vacant properties will be both internally and externally inspected at the start of each registration period (new and renewal) and when the registration is terminated by the property owner;
- (c) Vacant properties will be both internally and externally inspected upon acquisition of the property by a new owner;
- (d) The timing and frequency of inspections in addition to those listed under this chapter shall be conducted at the sole discretion of the Community Development Coordinator.

1165.06 VACANT BUILDING FEES.

The fees established herein shall be reasonably related to the administrative costs for registering and processing the vacant building owner registration form and for the costs incurred by the Village in monitoring the vacant building site. The annually increased fee amounts shall be reasonably related to the costs incurred by the Village for demolition and hazard abatement of or repairs to vacant buildings, as well as the continued normal administrative costs stated above.

- (a) The owner of a vacant residential building shall pay an annual fee of two hundred dollars (\$200.00) for the first year the building remains vacant. For every consecutive year that the building remains vacant, the annual fee will be assessed at double the previous year's fee amount for a maximum annual fee equaling the five-year fee of three thousand two hundred dollars (\$3,200.00) to be used for the fifth and for all consecutive, subsequent years of vacancy.
- (b) The owner of a vacant commercial building shall pay an annual fee of four hundred dollars (\$400.00) for the first year the building remains vacant. For every consecutive year that the building remains vacant, the annual fee will be assessed at double the previous year's fee amount for a maximum annual fee equaling the five-year fee of six thousand four hundred dollars (\$6,400.00) to be used for the fifth and for all consecutive, subsequent years of vacancy.
- (c) The first annual fee shall be paid at the time the building is registered. If the fee is not paid, the owner shall be subject to late fees assessed under this section and applicable penalties under this chapter.

- (d) The fee shall be paid in full prior to the issuance of any building permits unless the property is granted an exemption by the Community Development Coordinator. The fee shall be prorated and a refund may be issued if the building is no longer deemed vacant under the provisions of this section within 180 days of its registration.
- (e) All delinquent fees shall be paid by the owner prior to any transfer of an ownership interest in the vacant building. A lien may be placed on the property to collect delinquent fees.
- (f) Late fees shall be paid in addition to the annual registration fee and shall be equal to one-fourth of the applicable annual fee amount.

1165.07 EXEMPTIONS.

- (a) A building under active construction/renovation and having a valid building permit(s) shall be exempt from registration under this chapter until the expiration of the longest running, currently active building permit.
- (b) A building which has suffered fire damage or damage caused by extreme weather conditions shall be exempt from the registration requirement under this chapter for a period of ninety (90) days after the date of the fire or extreme weather event if the property owner submits a request for exemption in writing to the Community Development Coordinator. This request shall include the name and address of the owner, and a statement of intent to repair and reoccupy the building in an expedient manner or intent to demolish the building.
- (c) A building that is for sale and listed with a licensed State of Ohio realtor shall be exempted from registration under this chapter for a period of seven (7) months from the start of vacancy, provided that the owner submits proof to the Community Development Coordinator of such listing and “for sale” status.
- (d) Any owner of a vacant building may request an exemption from the provisions of this chapter by filing a written application with the Community Development Coordinator who shall timely consider the same. In determining whether a request for exemption should be granted, the Community Development Coordinator shall consider the following: the applicant’s prior record as it pertains to any violations of the Village’s Building Code or Planning and Zoning Code; the amount of vacant property the applicant currently has within the Village; and the length of time that the building for which the exemption is sought has been vacant.

1165.08 APPEALS.

Any owner who is served a notice requiring vacant building registration may, within ten (10) calendar days of receipt of such notice, apply for an exemption under this chapter or appeal the findings of the Community Development Coordinator as set forth under Section 1107.05.

TITLE SEVEN

**SUBDIVISION REGULATIONS AND
DEVELOPMENT STANDARDS**

CHAPTER 1167
General Provisions

1167.01 TITLE.

These regulations will be known and may be designated and cited as "The Village of Hebron, Ohio, Subdivision Regulations," and shall hereinafter be referred to as the "Subdivision Regulations", or "these regulations."

Unless otherwise provided herein or by law or implication required, the same rules of construction, definition and application will govern the interpretation of these regulations as those governing the interpretation of the Ohio Revised Code.

1167.02 ADMINISTRATION.

These regulations shall be administered by the Village of Hebron Community Development Coordinator and Planning and Zoning Board.

1167.03 JURISDICTION.

These regulations will be applicable to all subdivisions of land within the Village of Hebron.

1167.04 PURPOSE AND INTENT.

The purpose of these regulations is to guide and facilitate the orderly, beneficial growth of the community by assuring the orderly subdivision of land and its development, and to promote the public health, safety, convenience, comfort, prosperity and general welfare within the Village of Hebron.

1167.05 APPLICATION REQUIRED.

Any person or entity desiring to subdivide land within the Village of Hebron shall submit an application to the Community Development Coordinator that complies with all applicable provisions of these regulations. Applications approved under these regulations shall automatically expire after one (1) year, unless extended by the Community Development Coordinator with Planning and Zoning Board approval, or as otherwise provided by these regulations.

1167.06 ISSUANCE AND EXPIRATION.

A Lot Split Approval Certificate, Zoning Certificate, or any other permit issued under these regulations will be issued within ten (10) days of approval of the application. One (1) copy of the plan submitted by the Applicant will be returned.

For all Lot Split Approval Certificates, the deed and survey drawing shall be placed on record at the Licking County Recorder's Office within six (6) months from the date of approval, or the Lot Split Approval Certificate will be null and void.

All Certificates of Zoning Compliance shall be conditional in accordance with Section 1105.04 of the Village of Hebron Planning and Zoning Code.

1167.07 RELATION TO OTHER LAWS.

The provisions of these regulations shall supplement any and all laws of the State of Ohio, ordinances of the Village, or any and all rules and regulations promulgated by authority of such law or ordinance relating to the purpose and scope of these regulations. Whenever the requirements of these regulations are at variance with the requirements of any other lawfully adopted rules, regulations, ordinances, or resolution, the most restrictive or that imposing the high standards shall govern.

1167.08 RELATION TO COMPREHENSIVE PLANNING.

The provisions of these regulations shall supplement any and all planning documents relating to the purpose and scope of these regulations, including a comprehensive plan, land use plan, and all other planning documents adopted by the Village of Hebron. If the requirements of these regulations are at variance with the requirements of any planning document adopted by the Village of Hebron, the provisions of these regulations shall control.

1167.09 SEVERABILITY.

If for any reason, any clause, sentence, paragraph, section or other part of these regulations should be decided by a court of competent jurisdiction to be invalid, such judgment shall not affect the validity of these regulations as a whole, or any part thereof, other than the part so held to be invalid.

1167.10 DEDICATION OF IMPROVEMENTS.

No street, utility, or other improvement may be used or service turned on until the Village Engineer has completed the final inspection. No maintenance will be performed on any street, utility, or other improvement by Village personnel unless the street, utility, or other improvement has been dedicated to, and accepted by the Village in accordance with this section.

(a) Dedication Plat. Unless an extension has been granted by the Planning and Zoning Board, a Dedication Plat will be presented to the Village Engineer within ninety (90) days of the opening of the newly constructed or renovated street for public usage or within ninety (90) days of the Village Engineer's final inspection of a utility or other improvement. The Dedication Plat will be on mylar and be the "as built plan" showing the location of the streets, utilities, and other improvements as constructed and identify appropriate depths of all utilities as installed.

The Dedication Plat will contain a signature block for the Mayor, Village Administrator, Village Engineer, Fire Chief, and Community Development Coordinator. The Plat will include a note granting the Village a one (1) year warranty on the street, utilities, or other improvements shown.

The Village Engineer will review and, upon his/her approval, sign and transmit the Dedication Plat to the Village Administrator.

(b) Ordinance of Acceptance. Upon receipt of the Dedication Plat, the Village Administrator will instruct the Village Solicitor to draft an ordinance of acceptance for the street, utility, or other improvements. Upon approval of the ordinance by the Village Council, the Fiscal Officer will transmit a copy of the approved ordinance to the applicant or developer.

Upon Village acceptance of the Dedication Plat, a copy will be transmitted to the appropriate department heads.

(c) Warranty. Acceptance of a dedication plat by the Village Council will provide the applicant or developer with a one (1) year warranty on all dedicated streets, utilities, or other improvements.

(d) Release of Bonds. Bonds, deposits, or insurance policies required for, or related to, the construction will be released thirty (30) days after the acceptance ordinance has been approved and all fees have been paid. Bonds, deposits, or insurance policies required for, or related to, the warranty will be released thirty (30) days after the warranty period has expired. (See Chapter 1177).

1167.11 AMENDMENTS.

Procedures for the amendment of these Regulations will be the same as set forth in Chapter 1111 of the Hebron Planning and Zoning Code.

CHAPTER 1169 DEFINITIONS

1169.01 INTERPRETATION OF TERMS OR WORDS.

Except where specifically defined herein, all words used in these regulations will carry customary meanings. Words used in the present tense include the future tense; the plural includes the singular and the singular includes the plural; the word "lot" includes the word "parcel" and "plot"; the word "building" includes the word "structure"; the words "will" and "shall" are mandatory, the word "may" is permissive, and the word "should" is preferred; the words "used" or "occupied" include the words "intended, designed or arranged to be used or occupied"; and the word "person" includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual. Words denoting the masculine gender will be deemed to include the feminine and neutral genders. A general term following specific enumeration of terms is not to be limited to the class enumerated unless expressly so limited.

1169.02 DEFINITIONS.

AGENT - The representative of the applicant. The authority of the representative will be established to the satisfaction of the Community Development Coordinator.

ALLEY - A public right-of-way not less than twenty (20) feet or more than thirty (30) feet wide which affords only a secondary means of access to property abutting thereon.

APPLICANT - The owner or authorized representative of land proposed to be subdivided. Consent to subdivide will be required from the legal owner of the premises.

ARCHITECT - An architect registered by the State of Ohio.

ARTERIAL STREET - See "Streets".

AS-BUILT PLANS - Plans that have been revised to incorporate all changes that occurred during construction of the project, on matte mylar material.

AVERAGE DAILY TRAFFIC (ADT): The total traffic volume during a given time period in whole days greater than one (1) day and less than one (1) year divided by the number of days in that time period.

BLOCK - All that part of one (1) side of a street between two (2) intersecting streets.

BOND - Any form of security including cash deposit, surety bond, collateral, property, or instrument of credit in an amount and form satisfactory to the Village Council.

BUFFER - Any combination of mounds, fencing, plantings, etc., intended to separate one (1) land use from another.

BUFFER STRIP means a land area used to visibly separate one use from another or to shield or block noise, lights, or other nuisances.

BUILDABLE AREA means the area of a lot remaining after the minimum yard and open space requirements of the zoning ordinance have been met.

BUILDING - Any structure having a roof supported by columns or walls and intended for the shelter, housing or enclosure of any individual, animal, process, equipment, goods or materials of any kind or nature.

BUILDING LINE - The line within the property defining the required minimum distance between any structure and the property line.

CALIPER - The diameter of a tree as measured approximately 4 feet above the ground.

CERTIFICATE OF DEPOSIT - A certificate held on deposit by a financial institution for the Village of Hebron until such time as the subdivider has fulfilled his obligation to install the required improvements.

CHANNEL - A natural stream that conveys water; a ditch or channel excavated for the flow of water.

CLERK - The Fiscal Officer of the Village of Hebron, Ohio.

COLLECTOR STREET- See "Streets".

COMMISSION - The Mid-Ohio Regional Planning Commission (MORPC) or its designated representative, or the Licking County Regional Planning Commission, or its designated representative.

COMPREHENSIVE PLAN - The plan or plans made and adopted by the Village of Hebron as may be amended, indicating the general locations recommended for the principal streets, parks, public buildings, zoning districts, character and extent of community development and other physical aspects of urban and rural planning.

CONSTRUCTION PLANS - The maps or drawings accompanying an applicable construction of development as identified in Section 1181.07 of this Planning and Zoning Code, including but not limited to a Major Subdivision plat, and showing the specific location and design of improvements to be installed.

COUNCIL - The Village Council of the Village of Hebron, Ohio.

COUNTY - Licking County, Ohio, as applicable.

CUL-DE-SAC - see "Streets".

CULVERT - A transverse drain that channels water under a bridge, street, driveway, or path.

CUT SHEETS - Tabular survey information used for file purpose of construction layout staking.

DEDICATION - An act of transmitting property or interest thereto.

DENSITY - The number of dwelling units per unit of land. To determine density, divide the total number of dwelling units by the net developable site as measured in acres. (See definition of "net developable site").

DEVELOPER - See "Applicant."

DEVELOPMENT - Any man-made change to improved or unimproved real estate.

DITCH - An excavation either dug or natural for the purpose of drainage or irrigation with intermittent flow.

DITCH PETITION - The process, governed by the Ohio Revised Code Section 6131.63, and amendments, that details the method for permitting public maintenance of drainage facilities.

DRAINAGE - The removal of surface or subsurface water from a given area either by gravity or by pumping.

DRAINAGEWAY - An area of concentrated water flow other than a river, stream, ditch, or grassed waterway.

DRIVEWAY - A privately owned and maintained way to one lot of record used to provide vehicular and pedestrian access.

EASEMENT - A grant of one (1) or more of the property rights by the property owner to and/or for the use by the public, a corporation, or another person or entity.

ENGINEER, PROJECT - See "Engineer, Registered".

ENGINEER, REGISTERED - An engineer registered by the State of Ohio.

ENGINEER, VILLAGE - The Village Engineer of the Village of Hebron. (1179.03)

EROSION - The wearing away of the land surface by running water, wind, ice, or other geological agents, including such processes as gravitational creep and/or detachment and movement of soil or rock fragments by wind, water, ice, or gravity.

ESCROW - A deposit of cash with the Village of Hebron in lieu of an amount required and still in force on a performance or maintenance bond.

ESCROW FUND - Cash placed by the subdivider in an account to be held by a financial institution in favor of the Village to guarantee the installation of improvements according to the provisions of this Ordinance.

EXCAVATION - The removal or recovery by any means whatsoever of soil, rock, mineral substances, or organic substances other than vegetation, from water or land on or beneath the surface thereof, or beneath the land surface, whether exposed or submerged, whether by mechanical or manual means.

FIRE CHIEF - The Fire Chief of the appropriate Village Fire Department.

FLOOD FRINGE - That portion of the flood plain, excluding the floodway, where development may be allowed under certain restrictions.

FLOODING - A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland waters, or the unusual and rapid accumulation or runoff of surface waters from any source.

FLOODING, BASE - A flood having a 1 percent chance of being equaled or exceeded in any given year. Commonly referred to as the 100 year flood.

FLOOD INSURANCE RATE MAP - Maps produced by the Federal Emergency Management Agency which highlight existing 100 year floodplain.

FLOODPLAIN - The areas adjoining a watercourse which are expected to be flooded as a result of a severe combination of meteorological and hydrological conditions (100 year flood), as identified by the Hebron Flood Plain Ordinance or its successor.

FLOODWAY - The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot.

FLOODWAY FRINGE - That portion of the floodplain outside of the floodway as identified in The Hebron Flood Plain Ordinance or its successor.

FRONTAGE - That portion of a lot abutting on a dedicated right-of-way.

GRADE - The slope of any surface specified in percentage terms.

GRADE, ESTABLISHED STREET - The elevation of the street, established by the Village Engineer, measured at the center line of the street.

GRADE, FINISHED - The elevation of the surface of the ground of any parcel of land after construction of buildings, parking, driveways, streets, the completion of all landscaping, and any other improvements.

GRADE, NATURAL - The elevation of the undisturbed surface of any land.

HILLSIDE - An area with an average slope of more than fifteen (15) percent.

IMPROVEMENT, PUBLIC - Any drainage ditch, roadway, parkway, sidewalks, pedestrian way, tree lawn, off-street parking area, lot improvement, utility, or other facility for which the Village of Hebron may ultimately assume the responsibility for operation and maintenance or which may affect an improvement for which the Village of Hebron is responsible.

IMPROVEMENTS - Street pavements or resurfacing, curbs, gutters, sidewalks, water lines, sewer lines, storm drains, street lights, flood control and drainage facilities, utility lines, landscaping, grading, and other related matters normally associated with development of raw land into building sites.

IN-LIEU FEES - Fees paid by a private individual or party to the Village of Hebron to compensate for the mandatory dedication provisions of the Hebron Planning and Zoning Code when said land dedication is waived by Village Council.

INSPECTION FEE - Cost to the Village of supervising construction, to be paid by the developer.

LANDSCAPE ARCHITECT - A landscape architect registered by the State of Ohio.

LAW DIRECTOR - The Law Director or Village Solicitor of the Village of Hebron, Ohio.

LETTER OF CREDIT - An irrevocable letter of credit issued by a bank in the Central Ohio area, subject to the provisions of Chapter 1305 of the Ohio Revised Code.

LOT - A designated parcel, tract or area of land established by plat, subdivision or as otherwise permitted by law, to be used or sold or developed or built upon as a unit.

LOT, BUILDABLE - A lot having the required street frontage and yard spaces that would allow for the construction of a structure as permitted by the zoning classification of that lot.

LOT, CORNER - A lot or parcel of land abutting upon two or more streets at their intersection, or upon two parts of the same street forming an interior angle of less than one hundred thirty-five (135) degrees.

LOT COVERAGE - The portion of the lot that is covered by buildings and structures.

LOT, DOUBLE FRONTAGE - A lot, other than a corner lot, with frontage on more than one (1) street.

LOT IMPROVEMENT - Any building, structure, place, work of art, or other object or improvement of the land on which they are situated constituting a physical betterment of real property, or any part of such betterment.

LOT, INTERIOR - A lot with only one (1) frontage on a street.

LOT, IRREGULAR - A lot that is neither square nor rectangular.

LOT MEASUREMENT - A lot will be measured as follows:

(a) The depth of a lot will be considered to be the distance between the mid-points of straight lines connecting the foremost points of the side lot lines in the front to the rearmost points of the side lot lines in the rear. However, the straight line connecting the rearmost side lot lines will not be less than one half of the length of the straight line connecting the foremost points of the side lot lines.

(b) The width of a lot will be considered to be the distance between straight lines connecting front and rear lot lines at each side of the lot, measured at the building setback line.

LOT, MINIMUM AREA - 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 recorded. Also refers to a lot as defined in Chapter 1103 of the Hebron Planning and Zoning Code.

LOT, REVERSE FRONTAGE - A double frontage lot located along a collector or arterial that derives access from an interior local street.

LOT SPLIT - See "Subdivision".

MANDATORY LAND DEDICATION - The required dedication of private land to the Village of Hebron for the purpose of providing space for park recreation, open space and other public uses.

MAP INDEX - A map supplied with street improvement plans showing the street and storm system at a scale of 1" = 200'.

MAP LOCATION - A map supplied with the plat that shows legibly, by dimension and/or other means, the proposed subdivision and enough area beyond the bounds of the proposed subdivision to locate and orient the subdivision and show the relationship of the site to the community facilities that serve or influence the property, at a scale of 1" = 1,000'.

MAYOR - The Mayor of the Village of Hebron, Ohio.

MINOR LOT SPLIT - See "Subdivision".

MORPC - Mid-Ohio Regional Planning Commission.

NET DEVELOPABLE SITE - The remainder of a parcel(s) of land following the subtraction of all areas designated for public and private streets and alleys, open bodies of water excluding streams, creeks and ditches, and all other dedicated rights-of-way.

NO-BUILD ZONE - An area or portion of a lot that is designated by deed not to contain any buildings, structures or other built improvement on a permanent basis.

O.D.O.T. or ODOT - Ohio Department of Transportation.

OEPA - Ohio Environmental Protection Agency.

OFF-SITE - Any premises not located within the area of the property to be subdivided or improved, whether or not in the same ownership of the applicant for subdivision.

PARCEL - A contiguous quantity of land in single ownership or under single control, or parcels described on one deed reference.

PERFORMANCE AND INDEMNITY BOND OR SURETY BOND - An agreement by and between a subdivider and a bonding company in favor of the Village of Hebron for the amount of the estimated construction cost guaranteeing the completion of physical improvements according to plans and specifications within the time prescribed by subdivider's agreement.

PLAN, IMPROVEMENT - Detailed construction drawings, maps, and other materials depicting a proposed subdivision meeting the requirements of this document.

PLANNING AND ZONING BOARD - The Planning and Zoning Board of the Village of Hebron, Ohio.

PLAN, SKETCH - A drawing of a proposed subdivision intended to be used as a general indicator of how the proposed area may be subdivided.

PLAT, FINAL - The plat of a proposed subdivision, drawn on durable material as specified in these regulations and intended for recording, meeting all the requirements as herein enumerated.

PLAT, PRELIMINARY - The plat of a proposed subdivision that meets all of the requirements of these regulations.

PRETREATMENT - The private onsite treatment of wastewater before discharge into public wastewater system.

PRETREATMENT PROGRAM - The guidelines set forth by a community or other water/wastewater authority which delineate the requirements for, and the standards of, the private onsite treatment of wastewater before discharge into a public wastewater system.

RESERVES - Parcels of land within a subdivision set aside for future subdivision or set aside for other purposes, as noted on the plat.

RIGHT-OF-WAY - A strip of land occupied or intended to be occupied by a street, crosswalk, walkway, bikeway, or other public improvement relating to public travel or access.

SEDIMENT - Solid material both mineral and organic that are in suspension, is being transported, or has been moved from its site or origin by surface water, and has come to rest on the earth's surface above or below ground level.

SEDIMENT BASIN - A barrier, dam, or other suitable detention facility built across an area of water-flow to settle and retain sediment carried by runoff waters.

SETBACK, FRONT - The minimum distance between the right-of-way and a building facing said right-of-way as required by the Planning and Zoning Code.

SETBACK, PLATTED - The minimum distance between the building and the right of-way, rear lot line, and/or side lot line as required by the Planning and Zoning Code and shown on the recorded plat of the subdivision.

SETBACK, REAR - The minimum distance between the rear lot line and a building, as required by the Planning and Zoning Code.

SETBACK, SIDE - The minimum distance between the side lot line and a building, as required by the Planning and Zoning Code.

SOLICITOR - The Law Director or Village Solicitor of the Village of Hebron, Ohio.

STREET, ARTERIAL - A street which accommodates traffic to and from the expressways or to or through major commercial districts. Traffic volumes are generally greater than 10,000 ADT.

STREET, CUL-DE-SAC - A local street having only one (1) outlet and a paved terminal for safe and convenient reversal of traffic movement.

STREET, DEAD END - A local street having only one (1) outlet without a safe and convenient means for reversal of traffic.

STREET, EXPRESSWAY - A street entirely devoted to the movement of large volumes of traffic at relatively high speeds. Access is completely controlled, not intended to serve abutting property.

STREET, INDUSTRIAL - A street intended to provide access to other streets from industrial properties, generally being a volume of traffic that includes relatively large commercial vehicles other than passenger automobiles.

STREET, LOCAL - A street intended to provide access to other streets from individual properties and to discourage through traffic, generally bearing a volume of traffic no greater than 800 ADT.

STREET, MAJOR COLLECTOR - A street which carries traffic from the minor collector system to the arterial. Traffic usually has origin and destination within the community and does not exceed 10,000 ADT.

STREET, MINOR COLLECTOR - A street which carries internal traffic within a given neighborhood, connecting local streets to the major collectors or to the arterial system and generally bearing volume of traffic no greater than 4,000 ADT.

STRUCTURE - A combination of materials to form a construction for use, occupancy or ornamentation whether installed on, above or below the surface of land or water.

SUBDIVIDER- See "Applicant."

SUBDIVIDER'S AGREEMENT - An agreement by and between a subdivider and the Village of Hebron that sets forth the manner in which the subdivider agrees to proceed with the construction of public improvements and the disposition of lots in the subject subdivision.

SUBDIVISION or LOT SPLIT- Any or all of the following:

(a) The division or re-division of land into two (2) or more parts, lots, parcels, sites, units, tracts, or interests for the purpose of transfer of ownership, lease, or building development either immediate or future;

(b) The division or development of land whether by deed, metes and bounds description, devise, intestacy, lease, map, plat, or other recorded instrument;

(c) The improvement of one or more parcels of land for structures or groups of structures involving the division or allocation of land for the opening, widening, or extension of any street, right-of-way, or easement; or

(d) The re-subdivision of any lot or lots in any recorded subdivision; provided, however, that if the sale and exchange does not create additional building sites, the result shall not be defined as a subdivision.

SUBDIVISION, MAJOR - Any subdivision or lot split that has more than three (3) lots, including the remainder from the original parcel, and/or the creation or extension of a Village street, easement of access, or public utilities.

SUBDIVISION, MINOR - Any subdivision or lot split that has three (3) lots or less, including the remainder from the original parcel, which does not require the creation or extension of any Village street or public utilities.

SURETY - A certificate of deposit, performance bond, irrevocable letter of credit or cash escrow account in favor of the Village designed to guarantee the construction of required improvements.

SURVEYOR - A surveyor registered by the State of Ohio.

TECHNICAL REVIEW GROUP - A Technical Review Group may be established for special projects, as a technical review body for the Village and may consist of, but not be limited to, the Mayor, Community Development Coordinator, Village Engineer, Village Administrator, Chief of Police, Fire Chief, and any other necessary Village staff member.

THOROUGHFARE PLAN - The system of streets for the Village as set forth in these Subdivision Regulations or other standards adopted by the Village, on file in the Fiscal Officer's office, together with all amendments thereto subsequently adopted.

TREE - Any tree, shrub, or other woody plant.

TREE LAWN - That part of a street right-of-way not covered by sidewalk or other paving, lying between the property line and that portion of the street right-of-way that is paved and usually used for vehicular traffic. TREE, SIGNIFICANT - Any individual tree that is of cultural, historical, biological or horticultural value as determined by the Village Council with the advice of the Planning and Zoning Board or Landmark Commission.

VILLAGE - The Village of Hebron, Ohio.

WATERSHED - The drainage basin in which the subdivision drains or that land whose drainage is affected by the subdivision.

ZONING CODE - The Planning and Zoning Code of the Village of Hebron, Ohio.

CHAPTER 1171
Administration, Enforcement, and Penalty

1171.01 ADMINISTRATION.

The Hebron Planning and Zoning Board will administer these regulations, in addition to and in accordance with the duties and procedures set forth in Chapter 1105 of the Planning and Zoning Code.

1171.02 COMMUNITY DEVELOPMENT COORDINATOR.

The Community Development Coordinator shall enforce these regulations in addition to and in accordance with the duties and procedures set forth in Chapters 1105 and 1107 of the Planning and Zoning Code.

1171.03 VILLAGE ENGINEER.

The Village Engineer or his/her designated representatives will review all site plans as required by these Subdivision Regulations and the Planning and Zoning Code. Review expenses will be recorded, forwarded to the Fiscal Officer, who will bill them to the developer. The approval of the site plan by the Village Engineer will assure compliance with all these regulations and all other Village standards, including but not limited to, storm-water management, public street construction, public utility installation, and such private construction or development that may affect the public health, safety, and welfare.

1171.04 INSPECTIONS AND COMPLAINTS.

In addition to those duties set forth in Chapter 1105 of the Planning and Zoning Code, the Community Development Coordinator will conduct, or cause to be conducted, inspections of buildings, land and construction projects to determine whether any violations of these regulations have been committed or exist, and to receive and investigate complaints and notices of alleged violations, pursuant to the following:

(a) On projects where the Community Development Coordinator, Village Engineer, or the Planning and Zoning Board determine that the required inspection expertise is greater than that of the Community Development Coordinator, or that certain areas of the project require specialized inspections or testing, the Village Engineer will conduct, or cause to be conducted, the required inspections and the expense of such inspections will be charged to the developer. Such inspection expenses will be billed to the developer by the Fiscal Officer and are due thirty (30) days from the billing date. Any permit issued under these regulations or the Planning and Zoning Code will not be issued until inspection charges and any other related fees are paid.

(b) Written complaints of alleged violations will be filed with the Community Development Coordinator, who will investigate and prepare a report to be submitted to the Planning and Zoning Board and Solicitor.

1171.05 VARIANCES.

The following regulations shall govern the granting of variances:

- (a) Where the Planning and Zoning Board finds that extraordinary and unnecessary hardship may result from strict compliance with these regulations, due to exceptional topographic or other physical conditions, it may allow for the variance of such regulations so as to relieve such hardship, provided such relief may be granted without detriment to the public interest and without impairing the intent and purposes of these regulations or the desirable development of the neighborhood and community. The procedure for such variances shall be as set forth in Chapter 1115 of the Planning and Zoning Code. Such variances shall not have the effect of nullifying the intent and purpose of these regulations, any comprehensive plan, or the Planning and Zoning Code.
- (b) In granting variances or modifications, the Planning and Zoning Board may require such conditions as will, in its judgment, secure substantially the objective of the standards or requirements so varied or modified.

1171.06 PLAT ADJUSTMENTS.

No changes, erasures, modifications, or revisions shall be made to any final plat after approval by Village Council, except minor technical adjustments or corrections which do not significantly change the plat as approved may be made with the approval of the Utilities Superintendent, Community Development Coordinator, and Village Engineer. Any changes to a final plat beyond minor technical adjustments or corrections must be resubmitted to the Planning and Zoning Board.

1171.07 VACATION OF PLATS.

Any person owning, either jointly or severally, and having legal title to any land within the Village, wishing to vacate any recorded subdivision, shall follow the requirements of Ohio Revised Code Chapter 711 and the Licking County Engineer's process.

1171.08 VIOLATIONS AND PENALTIES.

Any person, firm, or corporation who fails to comply with, or violates, any of these regulations will be subject to the penalties as set forth in Chapter 1105 of the Planning and Zoning Code.

1171.09 NOTICE OF VIOLATION.

Where a violation of any provision of these Subdivision Regulations is found to exist, the Village, through its Community Development Coordinator, shall cause a written notice of such violation to be served upon the owner, developer, manager, occupant, or other person responsible for the correction thereof as follows:

(a) Notice of Violation

For all violations of these regulations, the Community Development Coordinator shall issue a notice of violation in accordance with the process described in Section 1163.16 of the Planning and Zoning Code.

(b) Stop Work Order

In cases where a project has been started without the issuance of an applicable permit, or where such work or violation could pose a danger to the health, welfare, and safety of other individuals or property, a Stop Work Order will be issued along with the Notice of Violation. Persons receiving a Stop Work Order will be required to halt all construction activities. This Stop Work Order will be in effect until the Village confirms that the development activity is in compliance and the violation has been satisfactorily addressed. Failure to address a notice of violation in a timely manner can result in civil, criminal, or monetary penalties in accordance with the enforcement measures authorized in this Chapter.

1171.10 APPEALS.

Appeals of any notice and/or determination made by the Community Development Coordinator under this Chapter may be taken in accordance with Section 1107.05 of the Planning and Zoning Code.

CHAPTER 1173
Minor Subdivisions (Lot Splits) – Application / Approval

1173.01 MINOR SUBDIVISION CRITERIA.

A Minor Subdivision is the creation of three (3) lots or less, including the remainder from the original parcel, which does not involve the creation or extension of any Village streets, easements of access, or public utilities. Minor Subdivisions may be approved by the Community Development Coordinator so long as they comply with the requirements of a Lot Split or an Exempted Lot Split under this chapter.

1173.02 LOT SPLIT.

A Lot Split, otherwise known as a Minor Subdivision, may be approved by the Community Development Coordinator if the proposed Lot Split complies with all of the following requirements:

- (a) The proposed Lot Split is located along an existing dedicated public right of way and does not involve the opening, widening, or extension of any street, road, or easement, and does not involve the creation or extension of public utilities.
- (b) No more than three (3) lots, including the remainder, are created from the original property.
- (c) The proposed Lot Split complies with all applicable Subdivision and Zoning Regulations.

1173.03 LOT SPLIT APPLICATION.

Applications for Lot Splits/Minor Subdivisions shall be submitted to the Community Development Coordinator. Upon initial Lot Split application, the Community Development Coordinator shall make a determination of the completeness of the application as it complies with this section. The Community Development Coordinator shall have the right to reject a Lot Split Application that is determined to be incomplete. An application shall be considered officially submitted and filed when the Community Development Coordinator finds that all of the following have been provided:

- (a) A Lot Split application on forms prescribed by the Planning and Zoning Department and the applicable filing fees.
- (b) Three (3) copies of a survey prepared by a surveyor registered in the State of Ohio containing the following:
 - (1) The establishment of property corners by iron pins, corner posts, or other acceptable monuments.
 - (2) The original adjacent properties and the parcel to be conveyed including dimensions, property size, and ownership.
 - (3) The location of all buildings on the properties.
 - (4) The location of all streams on or within one hundred (100) feet of the lot(s).
 - (5) The location and dimensions of all easements on or within twenty (20) feet of the lot(s).
- (c) Three (3) copies of the legal description of the proposed lot(s).

- (d) Other information that may be required by the Community Development Coordinator or Planning and Zoning Board, including but not limited to review by the Village Engineer.

1173.04 APPROVAL OF LOT SPLIT.

Provided that all requirements of these regulations are met, Lot Splits may be approved by the Community Development Coordinator after review by the Planning and Zoning Board and the Village Administrator. Approval will be indicated by the Community Development Coordinator's signing and dating the survey drawing and issuing a Lot Split Approval Certificate in accordance with Chapters 1167.05 and 1167.06. The Licking County Recorder will not accept for recording a plat for lands split or subdivided within the Village of Hebron unless a Lot Split Approval Certificate is filed.

1173.05 EXEMPTED LOT SPLIT.

When a lot is proposed to be enlarged by the purchase of an additional parcel of adjoining land between adjoining lot owners, or divided into smaller parcels between adjoining lot owners, and the proposed new parcel(s) does not meet the lot requirements for the district in which it is located, but such addition or division will not create an additional building site and does not involve the opening, widening, or extension of any street, road, or easement, the addition or division will be considered an Exempted Lot Split. An Exempted Lot Split shall be allowed only in accordance with this chapter.

1173.06 EXEMPTED LOT SPLIT APPLICATION.

Applications for Exempted Lot Splits shall be submitted to the Community Development Coordinator. Upon initial Exempted Lot Split application, the Community Development Coordinator shall make a determination of the completeness of the application as it complies with this section. The Community Development Coordinator shall have the right to reject an Exempted Lot Split Application that is determined to be incomplete. An application shall be considered officially submitted and filed when the Community Development Coordinator finds that all of the following have been provided:

- (a) An Exempted Lot Split application on forms prescribed by the Planning and Zoning Department and the applicable filing fees.
- (b) Three (3) copies of a survey prepared by a surveyor registered in the State of Ohio containing the following:
 - (1) The establishment of property corners by iron pins, corner posts, or other acceptable monuments.
 - (2) The original adjacent properties and the parcel to be conveyed including dimensions, property size, and ownership.
 - (3) The location of all buildings on the properties.
 - (4) The location of all streams on or within one hundred (100) feet of the lot(s).
 - (5) The location and dimensions of all easements on or within twenty (20) feet of the lot(s).
- (c) Three (3) copies of the legal description of the proposed lot(s).

(d) Other information that may be required by the Community Development Coordinator or Planning and Zoning Board, including but not limited to review by the Village Engineer.

1173.07 APPROVAL OF EXEMPTED LOT SPLIT.

Provided that all requirements of these regulations are met, Exempted Lot Splits may be approved by the Community Development Coordinator after review by the Planning and Zoning Board and the Village Administrator. Approval will be indicated by the Community Development Coordinator's signing and dating the survey drawing and issuing a Lot Split Approval Certificate in accordance with Chapters 1167.05 and 1167.06. The Licking County Recorder will not accept for recording a plat for lands split or subdivided within the Village of Hebron unless a Lot Split Approval Certificate is filed.

CHAPTER 1175
Major Subdivisions – Application / Approval

1175.01 MAJOR SUBDIVISION CRITERIA.

A Major Subdivision is the creation of more than (3) lots, including the remainder from the original parcel, and/or the creation or extension of a Village street, easement of access, or public utilities. Major Subdivisions shall be approved in accordance with this chapter.

1175.02 CONCEPT PLAN REQUIRED.

(a) Pre-Application Conference. The purpose of the Pre-Application Conference is to provide the subdivider with feedback from Village staff thereby allowing the subdivider to evaluate a proposed Major Subdivision at an early stage in the process prior to formal application. Those who intend to develop a Major Subdivision shall meet with Village staff prior to application to provide a clear understanding of the Major Subdivision requirements and process.

(b) Concept Plan Contents. Subdividers attending a Pre-Application Conference should prepare a Concept Plan, legibly drawn at a 1 inch = 100 feet scale, containing the following information:

1. The drawing will include a view of the entire tract, proposed streets, proposed lots, proposed uses, and approximate dimensions.
2. The proposed Major Subdivision shall be shown in relation to existing community facilities, showing all existing streets, adjoining properties in all directions, thoroughfares, and other transportation modes, shopping centers, manufacturing facilities, residential developments and existing natural and manmade features such as soil types, vegetation, contours, easement and utilities in the neighboring areas.
3. The layout of streets, right-of-way and pavement widths, size of lots, and any non-residential sites such as commercial, manufacturing, institutional or recreational uses within the proposed Major Subdivision.
4. The location of all utilities in the proposed Major Subdivision if already in place, or the locations of the nearest public facilities for the supply of water, and the disposal of wastewater and storm water.
5. Existing local zoning, including zoning setbacks and lot size requirements, and any proposed deviations from the requirements of these regulations or the Hebron Planning and Zoning Code.
6. The scale and title of the Major Subdivision, a north arrow, and the date the plan was prepared.
7. Name, address and contact information of the property owner , engineer or surveyor, and the subdivider.

(c) Concept Plan Review. Within thirty (30) days of receipt, the Concept Plan will be reviewed by the Community Development Coordinator and Village Engineer, with input from the Technical Review Group as desired, at the Pre-Application Conference. After the Pre-Application Conference, the Community Development Coordinator will prepare a brief letter to the subdivider addressing any issues and areas of concern that should be examined during the preparation of the Preliminary and Final Site Plans.

This letter in no way constitutes final approval of the proposed Major Subdivision, but rather a recommendation for the subdivider to move forward to the application phase. The Community Development Coordinator shall have the discretion to waive the requirement for a Concept Plan under this section, depending on the anticipated preparedness of the subdivider.

1175.03 PRELIMINARY SITE PLAN REQUIRED.

The purpose of the Preliminary Site Plan is to provide the Planning and Zoning Board with sufficiently detailed information to evaluate a proposed Major Subdivision. The Preliminary Site Plan should show all of the information needed to enable the Planning and Zoning Board to determine whether the proposed layout meets the standards and requirements of these regulations, and whether the proposed development concept, under the zoning classification and proposed public improvements and utilities, is in harmony with the Village's land use objectives and priorities. The Preliminary Site Plan shall be prepared by an Ohio registered Engineer or Surveyor and adhere to the content requirements provided in Section 1109.05 of the Hebron Planning and Zoning Code. The Community Development Coordinator may, within his/her discretion, also require completion of a Subdivider's Agreement at this stage.

1175.04 FINAL SITE PLAN REQUIRED.

The subdivider, after having received approval of the Preliminary Site Plan, shall submit a Final Site Plan for the proposed Major Subdivision. The Final Site Plan shall be prepared by an Ohio registered Engineer or Surveyor and adhere to the content requirements provided in Section 1109.06 of the Hebron Planning and Zoning Code. The Final Site Plan shall have incorporated all changes recommended during review of the Preliminary Site Plan, as required by the Planning and Zoning Board and all other applicable departments.

1175.05 SITE PLAN APPROVAL PROCESS.

Review and approval of Preliminary and Final Site Development Plans for proposed Major Subdivisions shall adhere to Section 1109.04 of the Hebron Planning and Zoning Code.

1175.06 SUBMISSION TO STATE TRANSPORTATION DIRECTOR.

Before any plat or Site Plan is approved affecting any land within 300 feet of the centerline of a proposed new highway or a highway for which changes are proposed as described in the certification to local officials by the State Director of Transportation of any land within a radius of 500 feet from the point of intersection of center line with any public road or highway, the Planning and Zoning Board shall give notice, by registered or certified mail, to the Director. The Planning and Zoning Board shall not approve the plan for 120 days from the date the notice is received by the Director. If the Director notifies the Planning and Zoning Board that he shall proceed to acquire the land needed, then the Planning and Zoning Board may refuse to approve the plan, according to provisions of Revised Code Chapter 5511. At the request of the subdivider, the Planning and Zoning Board may give tentative approval and allow the subdivider to proceed with completion of his plan. However, it shall be clear that tentative approval will be withdrawn if the

Director of the Department of Transportation proceeds to acquire the land. If the Director notifies the Planning and Zoning Board that acquisition at this time is not in the public interest, or upon the expiration of the time is not in the public interest, or upon the expiration of the 120-day period or any written extension thereof agreed upon by the Director and the property owner, the Planning and Zoning Board shall, if the plan is in conformance with all provisions of these regulations, approve the plan.

1175.07 CONSTRUCTION PLAN REQUIRED.

(a) Purpose. Construction Plans are intended to insure ample provisions for the efficient use of land and to promote high standards in the layout, design, landscaping and construction of development. They are intended to further the purpose of the Construction and Subdivision Regulations and provisions of the Hebron Zoning Ordinance.

(b) Applicability. A Construction Plan is required and will be submitted for the following:

1. Any use or development, involving new construction, reconstruction or expansion, in all zoning districts except single family detached dwelling units, duplexes, or unattached accessory buildings in residential districts.
2. Any development in which automobile parking spaces are to be used by more than one (1) establishment.
3. When a change is proposed in the exterior elements of a previously approved construction development plan.
4. When an existing residential use is proposed for change to a commercial, industrial, or multi-family residential use.
5. All public and/or semi-public buildings and institutions.
6. Any Major Subdivision which will include a new Village or private street or road.
7. Any PUD.
8. Any use or development requiring the extension or installation of municipal utilities.

1175.08 CONSTRUCTION PLAN CONTENTS.

(a) General Requirements, Submittal, and Review. Construction Plans will be prepared, signed and sealed by a registered professional engineer. Construction Plans for Major Subdivisions shall be submitted simultaneously with the final plat in accordance with the time frames included under Section 1175.11. Time frames for submittal and review of all other Construction Plans shall occur prior to the commencement of any construction and in conformance with policy established by the Community Development Coordinator. Construction Plans shall be approved by all Village officials as determined necessary by the Community Development Coordinator and Planning and Zoning Board, with input from the Technical Review Group as necessary. As applicable, the Construction Plan shall include the following:

(b) Items Common To All Plans.

1. The Construction Plan will be made on matte mylar material. Freehand linear drawings will not be accepted. Shading or coloring will not be accepted. All Construction Plans must be clearly drawn and legible.

2. The sheet upon which the Construction Plan is made will measure 24" x 36", with 1/2" margin border on three sides and 1 1/2" to 2" binding margins on the short left side.
3. North arrow, horizontal scale, and vertical scale (engineering scales only).
4. Engineering design firm name, address, and telephone number.
5. Phasing lines (or future phasing lines) with description.
6. Proposed and existing rights-of-way and easements.
7. Distinct separation between proposed and existing elements of the plan.
8. The centerline and edges of the pavement of all abutting streets.
9. Location map with street names, municipal corporate boundaries, and construction boundaries.
10. Identification of adjacent parcels, property lines, and property owners.
11. Building and parking setbacks and no build zones.
12. Date block showing all revision dates.

(c) Cover Sheet.

1. Project name, address, road or street names, county, and location map.
2. Index of sheets and benchmark list (referenced to USGS datum).
3. Index map at a "one inch = 200 feet" scale showing adjoining properties, owners, streets, bearing and distance of the project boundaries, and general construction layout.
4. Summary of quantities containing at a minimum water services length and size within right-of-way and public easements, sidewalks and bike paths, driveway pavement, street trees, sanitary services length and size.
5. Signature lines for the Mayor, Village Administrator, Village Engineer, Fire Chief, and Community Development Coordinator. This signature block is in addition to the required approval block on the final plat.

(d) Site Dimension Plan.

1. The names and locations of all adjoining property owners and adjacent subdivisions.
2. Each lot will have the elevation above sea level noted for the first floor of a future primary structure or structures.
3. The location and dimensions of all boundary lines of the property expressed in feet and decimals of a foot, and the acreage of the land to be subdivided.
4. The location, width, names, classification of all existing streets and their rights-of-ways. The location, width, names, classification of, and construction details of all proposed streets and their rights-of-ways. Data to include:
 - a. Right-of-way line, centerline, departing lot lines, lot numbers, subdivision limits. and limits of construction.
 - b. Centerline curve data, including delta, radius, arc, chord, cord bearings, tangent, and central angle.
 - c. Radius of all curb returns to face of curb.
 - d. Approved street name.

- e. Stations at every 100 feet on centerline. Indicate stations at points of curve and tangent at the beginning and end of all returns at centerline intersection and at subdivision or section limits.
 - f. The back of curb for full length of all streets.
 - g. When proposed streets intersect with or join existing streets or traveled way indicate both edges of existing pavement, surface, or curb and gutter for minimum of 100 feet, or the length of connection, whichever is the greater distance.
 - h. Guard posts or barricade at the end of streets which are to be extended in the future. A temporary T-turnaround will be provided for dead end streets exceeding 200 feet in length.
 - i. Protection of ends of curb and gutter by providing for erosion control and temporary drainage where required.
 - j. Symmetrical transition of pavement at intersection with existing street.
5. The locations, dimensions of, and the designated use of all easements for public utilities, streams, surface drainage, and other uses.
 6. Location of setback lines from all rights-of-way, public or private, and the building envelope shown on all irregular lots.
 7. Accurate location of all required monuments.
 8. Lots within the subdivision including future additions will be numbered consecutively beginning with "one" (1), and the total number of lots and their combined acreage shown on the plat.
 9. Location and construction details of all existing and proposed paved surfaces including; curbs, landscape islands, parking spaces, drive aisles, driveways and radii, sidewalks and bike paths.
 10. Disability access and parking.
 11. Impermeable surface area.
 12. Profile view on construction plans must include the following:
 - a. Elevations at beginning and end of all vertical curves.
 - b. Length of vertical curves with elevations and stations of vertical points of intersections (VPI).
 - c. Elevations computed every 50 feet on all tangent sections, and grades computed every 25 feet in all vertical curves.
 - d. Elevations along all curbs and curb returns on intersecting streets. Lee grades of intersecting streets will match at the intersection of the extensions of the respective curbs.
 - e. Elevations at all curb inlets.
 - f. Extension of centerline profile 300 feet beyond property line or boundary of all streets that provide for access to adjoining property.
 - g. Existing centerline profiles for 200 feet minimum distance to insure proper grade tie, when proposed street is an extension of, or connects with an existing street or road.

- h. Centerline profile of existing street or road 300 feet minimum distance to right and left of proposed connection, when a proposed street intersects with an existing street or road.
 - i. Notes that may be necessary to explain the intent and purposes of the profile.
13. Typical cross-section of parking lot pavement, sidewalks, and curbs.
- (e) Utility Plan.
1. The locations, dimensions of, and the designated use of all easements for public utilities, streams or water courses, surface drainage, and other uses.
 2. Location, size, and illustration of existing and proposed public utilities including culverts, drainage tiles, gas lines, CATV, utility poles, street lighting and utility lines within and adjacent to the proposed subdivision, including the following:
 - a. All water mains, their sizes, type of material, valves, and fire hydrants, and location of mains to centerline of street.
 - b. All sanitary sewers and appurtenances, their type and material. Identify sanitary sewer appurtenance by type. All appurtenances will be numbered.
 - c. All storm sewers and appurtenances, their type and material. Identify storm sewer appurtenances by type. All appurtenances will be numbered. Indicate the top elevation of each structure. Storm sewer appurtenances and locations should be referenced to the centerline station of street.
 3. Locations of the planned extensions of and, connections to, the public water lines, sanitary sewer systems, and surface water drainage system. All types, sizes, and materials will be noted.
 4. Size, slope, and type of proposed and existing utility services and mains.
 5. Invert and tap elevations of sanitary services.
 6. All backfill material and compaction noted.
 7. Proposed pad and finished floor elevations.
 8. Provisions to comply with the Village's Pretreatment Program.
 9. Tributary areas maps for sanitary and storm facilities.
- (f) Construction Grading Plan.
1. The location of existing water bodies, streams, drainage ditches, stands of trees and trees with a caliper more than six (6) inches in diameter, and other pertinent features within the proposed subdivision. Topography will have a contour interval of one (1) foot. Elevations will be based on a mean sea level datum obtained from benchmarks established by the United States Geological Survey. Existing contours hatched or dashed.
 2. Proposed stream or channel relocations. Show existing and proposed locations. Furnish detailed typical section and type of stabilization to be provided.
 3. The 100-year flood plain of any stream identified as having a flood hazard area. The elevation of the portion of the 100-year flood plain which is nearest to the subdivision will be noted.
 4. The elevation above sea level noted for the proposed pad and first floor elevations of a future primary structure or structures will be noted for each lot.

5. Delineation of the drainage areas involved, with the provisions made for draining the total upstream watershed through the development and the provisions made for adequate drainage, flow control, retention, and detention for the disposition of storm and nature waters as outlined in The Mid-Ohio Regional Planning Commission Storm Water Design Manual.
6. The location of any natural springs, whether within or draining to street right-of-way and indicate proposed treatment of same. All springs will be capped and piped in a minimum 6-inch diameter perforated pipe encased in washed gravel and connected into the nearest storm manhole or curb inlet.
7. The tributary drainage area and design flow for all major culverts.
8. Proposed elevations.
9. Benchmark elevations, designations and locations.
10. Storm sewer and sanitary sewer top of casting & invert elevations.
11. Proposed landscape mounding contours.
12. Major flood routing.
13. Ponding limits, elevation, and provisions to retain surface water run-off.
14. Ditch direction of flow and slope.
15. Size, type, and slope of existing and proposed storm sewers.
16. Ponding tabulations.
17. Orifice plate details.
18. Critical year storm.
19. Driveway slope(s) from building lines to right-of-way lines (not to exceed 10%).
20. Head wall standards identification.
21. Cross-sections of ditches in right-of-way (at 50 foot spacings).

(g) Construction Erosion & Sedimentation Plan.

1. Inlet protection locations, silt fence locations, and ditch check locations.
2. Erosion control standards details.
3. Construction entrance location and detail.
4. Tree preservation and location of all trees.
5. Major flood routing.

(h) Structure Elevation Plan.

1. Building elevations depicting actual composition and architectural style for all proposed structures.
2. Number of floors, floor area, height and location of each building, and proposed general use for each building.
3. In a multi-family residential building, the number, size, and type of dwelling units will be shown.
4. Exterior lighting, showing location, size, and height of all lights including provisions for the elimination of glare to adjoining properties.

(i) Landscape Plan. In accordance with Section 1155.03 of the Planning and Zoning Code.

(j) Exterior Lighting and Street Lighting Plan.

1. The location, height, wattage, and projected area of illumination of each exterior light fixture, parking lot illumination fixture, and street lighting fixture will be shown.

1175.09 FINAL PLAT REQUIRED.

After receiving approval of a Final Site Plan, the subdivider may proceed to the Final Plat and Construction Plan review stage. The purpose of a Final Plat is to ensure that all conditions, engineering plans, and other requirements have been completed or fulfilled and that required improvements have been installed, or guarantees properly posted for their completion, prior to recording the Final Plat of the subdivision.

Final Plats will be subsequent to and substantially in conformance with a previously approved Final Site Plan, or Final Site Plan with conditions as approved by the Planning and Zoning Board, on approval of the Village Engineer and subject to any conditions set by the Village Engineer. A Final Plat application must be filed no later than twelve (12) months after approval of the Final Site Plan, unless an extension has been granted pursuant to Section 1109.04 of the Planning and Zoning Code.

All Final Plats and Construction Plans for Major Subdivisions will be reviewed by the Planning and Zoning Board, Village Engineer, Community Development Coordinator, and Village Council. Final approval or disapproval will be by a recommendation by the Planning and Zoning Board and a vote by Village Council.

Applications for Final Plats shall include the following:

- (a) Application form provided by the Village.
- (b) Three (3) copies of the completed Final Site Plans.
- (c) Three (3) copies of the Final Plat drawing.
- (d) One (1) reduced size (8 ½ x 11 inches) copy of the Final Plat.
- (e) Three (3) copies of the Construction Plan and any related easement descriptions.
- (f) Three (3) copies of the Subdivider's Agreement, if applicable.
- (g) Three (3) copies of all specified data and materials result from the Preliminary Site Plan review stage, or such other data as may be required by the Community Development Coordinator and Village Engineer.
- (h) Proposed deed restrictions and covenants.
- (i) Applicable fees, charges, and expenses as set by Village Council.

1175.10 FINAL PLAT CONTENTS.

The Final Plat shall be legibly drawn in waterproof ink, on tracing mylar or other approved material of equal permanence. It shall be drawn at a scale no less than 100 feet to the inch, and shall be one (1) or more sheets 18 X 24 inches in size. If more than one (1) sheet is needed, each sheet shall be numbered and the relation of one sheet to another clearly shown. The Final Plat may be submitted in phases or sections of development, or in its entirety, provided that the Final Plat meets all other requirements of this Chapter.

The Final Plat shall include all information as outlined in Section 1109.06 of the Planning and Zoning Code for Final Site Plans, for the particular phase or section that is being submitted for review and approval. The Village Engineer, Community Development Coordinator, and any other Village officials, may require additional information as necessary for the review and approval of the Final Plat. This additional information includes, but is not limited to, the following:

- (a) The name of the subdivision, north arrow, scale, and date.

- (b) The names of all adjoining property owners and/or subdivisions as shown on record property records.
- (c) The boundary lines of the area being subdivided with accurate distance and bearings including section, range, corporation, township, county, and other survey lines.
- (d) Accurate locations and dimensions for all lots and reserve parcels with the acreage noted for each.
- (e) Location of setback lines from all rights-of-way, public or private, and the building envelope shown on all irregular lots.
- (f) Accurate locations and dimensions for all rights-of-way and all utility, water course, drainage, and other easements.
- (g) Approved street names, their locations, and street curve data including the radii, arcs, chords, chord bearings, tangent and central angle.
- (h) Each major subdivision will have at least one (1) permanent reference survey & elevation monument installed.
- (i) Certification by a registered surveyor that the information contained on the Final Plat is true and correct and conforms to the requirements of these Subdivision Regulations.
- (j) A signature approval block for the Mayor, Village Administrator, Village Engineer, Fire Chief, and Community Development Coordinator. The following language is required under the approval block: "The signatures above signify only concurrence with the general purposes and general location of this project. All technical details remain the responsibility of the Engineer preparing the plans.

1175.11 FINAL PLAT AND CONSTRUCTION PLAN REVIEW AND APPROVAL.

The following procedures shall be used to secure review and approval of Final Plats and Construction Plans.

- (a) The Final Plat and Construction Plan, together with an application and application fee, shall be filed with the Community Development Coordinator. Copies of each will be forwarded to the Village Engineer, Village Administrator, and Fire Chief for review.
- (b) Within thirty (30) days of submission, unless further time is necessary due to extenuating circumstances as noted in written correspondence from the Community Development Coordinator to the subdivider, the Village Engineer, Village Administrator, and Community Development Coordinator shall conduct their review of the application. When satisfied that all requirements of these regulations and all other applicable regulations of the Village of Hebron have been met, each of the aforementioned shall sign the mylar of the Final Plat and Construction Plan drawings. The Community Development Coordinator shall forward the signed application to the Planning and Zoning Board and include it on the agenda of an upcoming Planning and Zoning Board meeting.

- (c) Within thirty (30) days of receiving the application, unless an extension is approved by a majority vote of the Planning and Zoning Board, the Planning and Zoning Board shall review the application at a public meeting and make a recommendation for action to Village Council. At least ten (10) days' advance notice of the meeting shall be given to the applicant and all contiguous property owners. The Planning and Zoning Board shall review the Final Plat and Construction Plan and make one (1) of the following recommendations to Village Council: (1) Approve; (2) Approve with Conditions; or (3) Disapprove. The complete application, together with a letter containing the Board's recommendation, shall be immediately forwarded to Village Council for consideration at a regularly scheduled meeting.
- (d) Within forty-five (45) days of receiving the application, the Village Council shall review the application at a public meeting. At least ten (10) days' advance notice of the meeting shall be given to the applicant and all contiguous property owners.
- (e) Prior to final action by Village Council, any bonds, deposits, or insurance policies required for the project will be presented to the Hebron Fiscal Officer and Village Solicitor. At the Village Council meeting, the Village Solicitor will affirm to the Council whether or not all required bonds and securities are in order. Failure to have proffered the required bonds, deposits, or insurance policies may cause Council to continue and delay consideration of the application until all such items are in order.
- (f) At the public meeting, the Village Council shall review the application. Within thirty (30) days of its review, Council shall, upon the concurrence of at least a majority of the members elected to Council, take the following action with respect to the Board's recommendation: (1) Approve; (2) Approve with Conditions; or (3) Disapprove. If Council approves the Final Plat, the Village Solicitor will be instructed to draft an ordinance accepting the Final Plat. If Council disapproves the Final Plat, written notice will be made by the Fiscal Officer to the subdivider. All bonds and securities will be returned to the subdivider.
- (g) Final approval shall be designated by the written signature of the Mayor on the Final Plat. As applicable, within ten (10) days of final approval, the Community Development Coordinator will issue a Zoning Certificate for the Major Subdivision. All deed, survey drawings, and any required bonds shall be posted and the Final Plat recorded within six (6) months from the date of approval, or the Final Plat will be null and void. For good cause, this time for recording may be extended by Village Council.

1175.12 RECORDING OF FINAL PLAT.

No plat of any subdivision shall be recorded by the County Recorder of Licking County or have any validity until said plat has received final written approval and signed in the manner prescribed in these regulations.

1175.13 REQUIRED STATEMENTS

The following statement shall be affixed on all Village of Hebron subdivision plats:

Situated in the Village of Hebron, Licking County, Ohio, containing _____ acres and being the same tract as conveyed to _____ and described in the deed recorded in Deed Book _____, Licking County, Ohio.

The undersigned _____ hereby certify that the attached plat correctly represents their _____, a subdivision of lots _____ to _____, inclusive, and do hereby accept this plat of same and dedicate to public (private) use as such all or parts of the roads, boulevards, cul-de-sacs, parks, planting strips, etc., shown herein and not heretofore dedicated.

The undersigned further agrees that any use of improvements made of this land shall be in conformity with all existing valid zoning, platting, health, or other lawful rules and regulations including the applicable off-street parking and loading requirements of the Village of Hebron, Ohio, for the benefit of himself/herself and all others and subsequent owners or assigns taking title from, under, or through the undersigned.

In Witness thereof _____ day of _____, 20____.

Witness _____

Signed

We do hereby certify that we have surveyed the premises and prepared the attached plat and that said plat is correct.

By _____

STATE OF OHIO
VILLAGE OF HEBRON

Before me a Notary Public in and for said Village personally came _____ who acknowledged the signing of the foregoing instrument to be their voluntary act and deed for the purposes therein expressed.

In witness whereof I have hereunto set my hand and affixed my official seal this _____ day of _____, 20____.

By _____

1175.14 AS-BUILT PLANS REQUIRED.

Upon completion of the subdivision the developer will submit "as-built plans." As-built plans will show the completed locations and types of utilities as they were extended or installed. As-built plans shall be submitted to the Community Development Coordinator in mylar form no later than ninety (90) days after the project's completion.

CHAPTER 1177
Bonds, Deposits, and Insurance

1177.01 GENERAL REQUIREMENTS.

Before any applicable approval permit is issued for any construction plan, site plan, or plat that will involve the construction or installation of streets, utilities, or other infrastructure that is intended to be dedicated to the Village of Hebron, the Village Administrator, Village Engineer, Community Development Coordinator, and/or the Planning and Zoning Board will specify the required bonds, deposits and insurance policies that will be provided by the developer or subdivider. Such bonds, deposits and insurance policies will be of sufficient value to assure a timely and adequate completion of the portion or related portions of the project that are intended to be dedicated to the Village of Hebron. Said financial instrument will be presented to the Fiscal Officer. The Community Development Coordinator will provide copies of the bonds, deposits and insurance policies to the Board, Council and Village Solicitor before final approval of the project.

1177.02 BONDING REQUIREMENTS.

All performance bonds or other acceptable security required under this Chapter shall be in one of the following forms:

(a) Cash Security. The subdivider may deposit a cash security with a local bank in the amount of 100% of the estimated cost of the improvements (storm sewers, sanitary sewers, water lines, pavements, landscaping, sidewalks, etc.). Said security will be in favor of the Village of Hebron who will have sole control of disbursement. The local bank will be directed to pay out portions of the cash security toward the completion of said improvements to the subdivider only with the approval of the Village Engineer, who will require a balance to be maintained which in his opinion is sufficient to complete said improvements in accordance with the plans and specifications of the Village, and will authorize the release of any balance to the subdivider only upon acceptance of said improvements by Council.

The Utilities Superintendent, Community Development Coordinator and the Village Engineer, in consultation with the subdivider, will establish a time period for the completion of required improvements. In the event said improvements are not constructed within the designated time period and not maintained, the Village will have the option, after thirty (30) days' written notice to the subdivider, to complete and maintain said improvements and to collect and receive, from the local or other bank, any remaining balance of said deposit to be applied toward payment of costs and expenses of completing said improvements.

(b) Corporate Surety Bond. The subdivider may furnish a corporate surety bond in the principal amount of the estimated cost of said improvements with surety to the satisfaction of the Mayor and Council, in such a form approved by the Law Director, guaranteeing completion and maintenance of said improvements according to plans, profiles and specifications and to the satisfaction of the Village Engineer. Said bond will provide that, upon default of performance by the subdivider, the Village may complete the same after thirty (30) days' written notice.

1177.03 RESTORATION BOND.

In addition to the required performance bond, the Village Engineer may require a restoration bond. Said bond will be to insure repair of any damage done to existing curb, gutter, sidewalk, driveways, street pavement, landscaping, or other items within the right-of-way adjacent to a subdivision, and damages as a result of a poorly executed erosion and sedimentation control plan. The amount of said bond will be as determined by the Village Engineer based on his estimate of potential damage. Restoration bonds will be released when all damaged facilities, if applicable, have been restored to the satisfaction of the Village Engineer.

1177.04 RELEASE OF BONDS OR SECURITIES.

Bonds, deposits, or insurance policies required for the project under this Chapter by the Village Engineer, Planning and Zoning Board, and/or Community Development Coordinator will be released within thirty (30) days after all final inspections have been completed, all public improvements and related aspects of the project have been approved by the Village of Hebron, all fees have been paid, and any dedication proceeding has been completed.

1177.05 INDEMNITY INSURANCE.

A policy of indemnity insurance in the amount of \$500,000/\$1,000,000 personal liability and \$1,000,000 property damage protecting the Village against any claims for damage to person or property resulting from or by reason of the construction of any project regulated under this Chapter will be furnished to the Village and maintained in full force and effect by the subdivider until all improvements are completed and maintained to the satisfaction of the Village Council.

CHAPTER 1179
Required Improvements – Streets, Sidewalks, and Bicycle Paths

1179.01 GENERAL REQUIREMENTS.

These regulations will ensure the design and construction of convenient, safe, and efficient roadways. The arrangement and character of all streets will conform to the following;

(a) Access Points - Corner Blend Radius. The corner blend radii, at intersection points of newly constructed streets, renovated streets, or of private access roads intersecting with Village streets, will allow the types of vehicles that are expected to use the intersection, at present or in the future, to make a right turn without projecting into an oncoming lane or center turn lane.

(b) Access Points - Driveways. Driveway aprons six (6) inches thick will be provided from the sidewalk to the curb at all driveway locations. The maximum grade on driveways will not exceed fourteen (14) percent. The Sidewalk will be six (6) inches thick at crossing areas. Where applicable, the Village Street Superintendent will approve the culvert size and material.

(c) Access Points - Intersections. Proposed streets will intersect each other as nearly at right angles as topography and other limiting factors of a good design permit, and in conformance with the sight distance requirements of the Hebron Zoning Ordinance. Where dictated by the traffic flow generated by a development or the anticipated future traffic flow, the addition of turn lanes to affected or newly created intersections may be required.

(d) Access Points - Number of. A development may be required to have at least two (2) accesses or future reserves to create at least a second access.

(e) Access Points - Private, Right Turn Only, Width. Where appropriate to maintain traffic flow and where it is in the best interest of the health, safety, and welfare of the public the Board may require the accessing traffic from a private road, lane or parking lot to a Village street be allowed a right turn only. Such design provisions may be by a center divider in the Village street or such curbing at the access point to permit right turns only. Except for allowances for curb blend radii at the access point to a Village street, private commercial access drives will not exceed twenty- eight (28) feet curb face to curb face or non-curbed pavement width. The maximum residential width will be twenty-five (25) feet.

(f) Access Points - Spacing. The location of access points will be located so as to promote the health, safety, and welfare of the access user and of the general public. Spacing of access points on major, industrial, or collector streets will be so as not to hinder the present or future flow of traffic at reasonable speeds. The Licking County Thoroughfare Plan will be used as a guideline to approve the proposed location of new access points onto Village streets.

(g) Bicycle Lanes / Paths. Due to the increased use of bicycles as recreation, the inclusion of bicycle lanes in certain Village streets, may be recommended by the Board or the Village Engineer. Separate bicycle paths may also be recommended.

(h) Block Length. Minimum block length will be three hundred-ten (310) feet. In excess to be approved by the Village Engineer.

(i) Conformance. Developments being reviewed will be in conformance with these regulations and other regulations and/or plans adopted by other government agencies.

(j) Dead End Streets. A temporary turnaround area, significantly large enough for use by all types of vehicles normally expected to use the street, will be provided at the end of a stubbed street. The surface will be approved by the Village Engineer and Community Development Coordinator. The developer will provide a guardrail and appropriate reflector at the end of a stub street. If, because of an approved change of an approved development the planned extension of a Village street is eliminated or the street will terminate at a private property line, an appropriate cul-de-sac will be added to the street stub.

(k) Design - Integration. All streets will be properly integrated with the existing and proposed system of thoroughfares and dedicated rights-of-way as established on the local and/or county comprehensive plans and the thoroughfare plans. Streets carrying commercial traffic, especially truck traffic, should not normally be extended to the boundaries of existing or potential adjacent residential areas, or connected to streets intended for predominantly residential traffic.

(l) Existing Streets - Connect to. As required by the Board, or recommended by the Village Engineer, the proposed street system of the tract to be subdivided will be extended to connect to any existing access reserve, street stub, or street extension on adjacent parcels or subdivisions at the point where the improved, dedicated roadway is found. (Ref. N Extension)

(m) Existing Streets - Improvement. Do to the quality and uniqueness of certain existing village streets their improvement may be required if they are to be used as an access to a new subdivision or development. This may include, but not limited to widening, the addition of turn lanes, or the addition of traffic signals to existing Village streets that will encounter increase traffic flow due to the new development.

(n) Extension. As required by the Board, or recommended by the Village Engineer, the proposed streets of the tract to be subdivided will be extended as either a street extension or a street stub, and in such a manner as to allow future extension and access to any adjacent developable property unless, in the opinion of the Planning and Zoning Board or Village Engineer, such extension is not desirable for the coordination of the layout of the subdivision or most advantageous to future development of adjacent tracts. Where possible, these extended rights-of-way will line up with the adjoining developable properties in such a way as to allow appropriate and feasible future development, i.e., it should not run into a large rock outcrop, and in most cases, not end at the corner but rather the middle of the adjoining lot so the future street can be double-loaded. (Ref (j) Dead End Streets)

(o) Lane Width. All lane widths will be twelve (12) feet.

(p) Lighting. The developer will provide all required street lighting. (Ref. 1179.15)

(q) Names. The Hebron Village Council will approve all street names.

(r) Parking. The street widths noted in the "street specification table" do not include allowance for parking in commercial and multi-family areas. All developments will provide paved off street parking for commercial, multi-family, recreational, and multi-user areas. (Ref. NFPA 1141-7-3-1.6)

(s) Sidewalks - Extension of Existing. The Planning and Zoning Board may require extension of the existing sidewalk system so as to connect with a proposed new sidewalk system. (Ref. 1179.13 Sidewalks)

(t) Signage. The developer will be required to provide such signage or signaling as required by the Village or by ODOT standards.

(u) Sizing of New Streets. Proposed streets will be constructed to a size and specification that will handle projected future extensions or traffic flows. Calculations for the developable adjacent tracts should be made with densities equal to the proposed site unless otherwise instructed by the Board.

(v) Standards - Construction. May be purchased at the Hebron Village Hall.

(w) Standards - ODOT. All proposed new construction of, or alteration of existing highways, streets, thoroughfares, or bridges that are or may be State Routes will conform to ODOT design standards unless a more stringent Hebron design standard is called for in the Hebron Construction Standards or by recommendation of the Village Engineer. Notification will be made to ODOT of all proposed construction on the right-of-way of a state route.

(x) Topography - Floodplain. All streets will be platted with appropriate regard for topography, streams, wooded areas, soils and geologic constraints, and other natural features in order to create desirable building sites and to preserve and enhance natural attractiveness. Road site design should also permit an efficient drainage and utility systems layout while providing safe and convenient access to property.

Approval will not be given for streets within a subdivision which would be subject to flooding. All street surfaces must be located one-and-one-half (1 ½) or more feet above the one-hundred (100) year flood elevation.

(y) Traffic Studies The Board or Village Engineer may require traffic studies before approving new streets or access points. Unless specified, all traffic studies will be to ODOT standards.

(z) Tree Lawn. (Ref. 1155.04 Public Spaces)

(aa) Utilities. Where possible all electric, phone, CATV, and other wire born utilities will be underground. If necessary to install wire born utilities above ground, they will be located along rear setback lines.

1179.02 HEBRON THOROUGHFARE PLAN.

The Village of Hebron has adopted the Licking County Thoroughfare Plan as a guideline for street type designation and design. The following Village streets are identified in that plan or by the Village of Hebron as:

Restricted Access Highway	That portion of Hebron Road(State Route 79) which has been improved to a four (4) lane divided highway
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Major Arterial	Hebron Road (State Route 79)
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Major Collector	Main Street, East and West (State Route 40)
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Collector	Arrowhead Drive, Canal Road, Canyon Road, Cumberland Street (East and West), Enterprise Drive (West), High Street (North and South), Lakewood Drive, Ninth Street, Refugee Road, West O'Neill Drive
Industrial Street	Capital Drive, John Alford Parkway, Reliance Drive
Residential Streets	All other Village streets unless so changed or designated by the Planning and Zoning Board. All new residential streets.
Residential Cul-de-sac	Residential streets terminating in a vehicular turnaround (bulb).
Alleys	Existing platted alleys. Not permitted for new construction

Proposed streets will be constructed to a size and specification that will handle projected future extensions or traffic flows. Calculations for the developable adjacent tracts should be made with densities equal to the proposed site unless otherwise instructed by the Board.

1179.03 STREET SPECIFICATION REFERENCE TABLE.

Below is a reference street specification table. Refer to Sections 1179.09 thru 1179.14 and the Hebron Construction Standards for complete specifications.

STREET TYPE	RIGHT-OF- WAY WIDTH	PAVEMENT WIDTH		LANES
		CURB FACE TO CURB FACE	PAVEMENT WIDTH NO CURBS	
Restricted Access Highway - ODOT Std's	200 feet	N/A	38 feet + 38 feet + Berms ODOT Std	4 plus all turn lanes
Major Arterial - 1179.04	120 feet	68 feet	64 feet + Berms	5 plus right turn lanes
Major Collector - 1179.05	80 feet	44 feet	44 feet + Berms	3 plus right turn lanes
Collector - 1179.06	70 feet	40 feet	N/A	3

Industrial Street - 1179.07	60 feet	32 feet	28 feet + Berms	2
Residential Street - 1179.08	60 feet	32 feet	N/A	2
Residential Cul-de-sac -1179.09	50 Feet	26 feet	N/A	2
Alley	As platted - New construction not permitted.	N/A	10 feet	1

1. Turn lanes may be applicable for any type street at junctions with Major Arterial or Major Collector Streets.
2. Sidewalks, curbs, and gutters are required in General Commercial, Neighborhood Commercial, and all Residential areas.
3. Utility easements may be required in addition to designated right-of-way.
4. The above table is for new construction. This table and current Village Construction Standards are to be used as guidelines when renovating existing streets.
5. The standard lane width will be twelve (12) feet minimum. (Ref. ODOT & Licking Cty Planning Commission)

1179.04 MAJOR ARTERIAL.

A major arterial is a major thoroughfare designed to carry traffic between municipalities and other activity centers at a high rate of speed, generally more than 45 mph, and to provide connections with major state and interstate roadways. Arterials will consist of a minimum of 4 lanes, and contain as few intersections and access as few driveways as possible. Typically, existing or new state routes are classified as arterial. Village streets serving as state routes may have additional requirements per ODOT standards.

DESIGN ELEMENTS FOR MAJOR ARTERIALS	DIMENSIONS IN FEET OR PERCENT
Minimum Right-of-Way :	120'
Minimum Pavement Width: Curb face to curb face.	6' (5 Lanes) Plus right turn lanes.
	Curb & Gutter Required.
No Parking Permitted	
Minimum Pavement Width: No Curbs	68' (5 Lanes) Plus right turn lanes. Plus Berms
Maximum Grade	4.00%
Maximum Grade within 50 feet of an Intersection	2.00%

Minimum Grade	0.5%
Minimum Radius of Centerline	575'
Minimum Tangent Length Between Reverse Curves	250'
Minimum Curb Radii	35'
Minimum Stopping Distance	400'
Minimum Grassed Area Between Sidewalk and Curb	6'

1179.05 MAJOR COLLECTOR.

A major collector roadway distributes traffic between residential streets, collectors, and arterial streets. The major collector's purpose is primarily to promote free traffic flow. Thus, direct access for adjoining lots should be limited where possible. Major collectors should not be used for on-street parking and may provide linkages to adjoining developments to improve vehicle circulation. A major collector is designed to carry more traffic by removing the single turn lane on a minor collector in favor of two dedicated lanes running in each direction. Village streets serving as state routes may have additional requirements per ODOT standards.

DESIGN ELEMENTS FOR MAJOR COLLECTORS (4 Lanes: 45 mph Design Speed)	DIMENSIONS IN FEET OR PERCENT
Minimum Right-of-Way :	80'
Minimum Pavement Width: Curb face to curb face	44' (3 Lanes) 68' (5 Lanes)
Curb & Gutter Required *No Parking Permitted*	
Minimum Pavement Width: No curbs	44' + Berms
Maximum Grade	7%
Maximum Grade within 50 feet of an Intersection	3%
Minimum Grade	0.5%
Minimum Radius of Centerline	575'
Minimum Tangent Length Between Reverse Curves	250'
Minimum Curb Radii	35'
Minimum Stopping Distance	400'
Minimum Grassed Area Between Sidewalk and Curb	6'

1179.06 COLLECTOR.

A collector roadway distributes traffic between lower order streets, and major collectors, and/or arterial streets. The collector's purpose is primarily to promote free traffic flow in commercial and residential areas when projected traffic conditions indicate wider lanes would be appropriate. Direct access for adjoining lots should be limited where possible. Collectors should not be used for on-street parking and may provide linkages to adjoining developments to improve vehicle circulation. Village streets serving as state routes may have additional requirements per ODOT standards.

DESIGN ELEMENTS FOR COLLECTORS	DIMENSIONS IN FEET OR PERCENT
Minimum Right-of-Way :	70'
Minimum Pavement Width: Curb face to curb face	40'
Curb & Gutter Required *No Parking Permitted*	
Maximum Grade	7%
Maximum Grade within 50 feet of an Intersection	3%
Minimum Grade	0.5%
Minimum Radius of Centerline	575'
Minimum Tangent Length Between Reverse Curves	250'
Minimum Curb Radii	35'
Minimum Stopping Distance	400'
Minimum Grassed Area Between Sidewalk and Curb	6'

1179.07 INDUSTRIAL STREET

An industrial street distributes traffic between major manufactures and industrial type entities such as in an industrial park. The industrial street's purpose is primarily to promote free traffic flow. Thus, direct access for adjoining lots should be limited where possible. Industrial streets should not be used for on-street parking and may provide linkages to adjoining developments to improve vehicle circulation.

DESIGN ELEMENTS FOR INDUSTRIAL STREETS	DIMENSIONS IN FEET OR PERCENT
Minimum Right-of-Way :	60'
Minimum Pavement Width: With curb and gutter - curb face to curb face.	32' 28' + Berms

Uncurbed ---	(More where left/right turn lanes are required.)
No Parking Permitted	
Maximum Grade	4.00%
Maximum Grade within 50 feet of an Intersection	3%
Minimum Grade	0.5%
Minimum Radius of Centerline	575' *
Minimum Tangent Length Between Reverse Curves	250' *
Minimum Curb Radii	100' *
Minimum Stopping Distance	400'
Minimum Grassed Area Between Sidewalk and Curb	6'

* The above noted radii and tangents may be increased upon recommendation of the Village Engineer.

(a) The design and construction of industrial streets will allow for the free movement and flow of large commercial vehicles. Generous turn and intersection radii and tangent lengths will be provided so as to permit the operation of the largest types of commercial vehicles without the necessity of the vehicle encroaching into the oncoming lane or lanes of traffic.

(b) The corner blend radii at intersection points of newly constructed streets, renovated streets, or of private access roads intersecting with Village streets will allow the types of vehicles that are expected to use the intersection, at present or in the future, to make a right turn without projecting into an oncoming lane or center turn lane, or damaging the curbing or blend area.

1179.08 RESIDENTIAL STREET.

A residential street is designed to provide access to residential properties and carry traffic between higher order collectors and arterials. Parking may be permitted on one side only, however, it is preferred that overnight parking not be permitted.

DESIGN ELEMENTS FOR RESIDENTIAL STREET	DIMENSIONS IN FEET OR PERCENT
Minimum Right-of-Way	60'
Minimum Pavement Width: Curb face to curb Curb and gutter required	32'
Maximum Grade	9%
Maximum Grade within 50 feet of an Intersection	5%

Minimum Grade	0.5%
Minimum Radius of Centerline	200'
Minimum Tangent Length Between Reverse Curves	100'
Minimum Curb Radii	30'
Minimum Stopping Distance (35 mph design speed)	250'
Minimum Grassed Area Between Sidewalk and Curb	4'

NOTE: Hillside lots with grades of more than 15 percent (15%) are subject to exceptions. The necessity of guard rail, seeding, back fill, or other special provisions, will be determined by the Village Engineer.

1179.09 RESIDENTIAL CUL-DE-SAC.

A street that has a single means of ingress and egress and terminates in a vehicular turnaround. Where natural topography and original tract composition allow, internal flow within a subdivision will take precedence over the use of several, repeated, or back-to-back cul-de-sacs. Lengths of cul-de-sacs are limited to minimize backup time for large service and emergency vehicles unable to use the turnaround, to minimize mistaking cul-de-sacs with connecting streets, to discourage speeding, and to limit the number of families stranded in emergency or repair situations where the road is cut or blocked off. Cul-de-sacs in a commercial or industrial zoning district will meet additional width and right-of-way requirements. Back to back or adjoining residential cul-de-sacs will be joined by a public sidewalk.

DESIGN ELEMENTS FOR CUL-DE-SACS	DIMENSIONS IN FEET OR PERCENT
Minimum Right-of-Way:	50'
Minimum Pavement Width: Curb face to curb face Curb and gutter required	26'
Minimum Cul-de-Sac Bulb - Right-of-Way	55' radius
Pavement Width	44' radius *
Maximum Cul-de-Sac Length (Center of bulb to center of intersection)	500'
Maximum Grade	10%
Maximum Grade within 50 feet of an Intersection	5%
Minimum Grade	0.5%
Minimum Radius of Centerline	150'
Minimum Tangent Length Between Reverse Curves	50'
Minimum Curb Radii	25'

Minimum Stopping Distance	170'
Minimum Grassed Area Between Sidewalk and Curb	4

* This minimum requirement will be increased upon the request of the local fire department or school district.

1179.10 DEDICATION.

(See 1167.10 (Dedication of Improvements)).

1179.11 DEDICATION NOTE.

The site plan and any associated construction drawing will contain a note on the cover sheet specifying the streets and rights-of-way which will be dedicated to the Village of Hebron.

1179.12 ADDITIONAL RIGHT-OF-WAY DEDICATION.

When a subdivision or development abuts a Village street or other road which is shown on the Hebron or Licking County Thoroughfare Plan, and when additional right-of-way is required for the street to meet its classification, the subdivider or developer will dedicate to the Village, or County, the additional right-of-way required in accordance with the specifications contained herein. When natural topographic features preclude the expansion or use of one side of the road right-of-way, the developer of the other side may be required to dedicate additional road right-of-way equal to that which is precluded by the natural feature.

For any subdivision (major, minor, exempt, or re-plat) fronting along an existing Village street, provisions will be made to set aside the necessary right-of-way for traffic, utilities, and drainage, in accordance with the minimum right-of-way for local streets as established by these regulations. When natural topographic features preclude the expansion or use of one side of the road right-of-way, the developer may be required to dedicate additional road right-of-way equal to that which is precluded by the natural feature.

1179.13 SIDEWALKS.

All sidewalks will be installed and constructed as outlined in the Hebron Construction Standards.

(a) Residential. Sidewalks in Residential Districts will be four (4) feet wide minimum.

(b) Commercial. Sidewalks in Commercial Districts will be five (5) feet wide.

(c) Disability Ramps. All intersecting points with streets, driveways, or other areas have changes of elevation will have disability ramps of standard gradients.

(d) Where Required. All proposed new construction of, or alteration of existing highway, streets, or thoroughfares that will be or are now located in a Residential, Neighborhood Commercial, or General Commercial District will include the installation of sidewalks on both sides of the street. Upon approval of the Board, in multi-lot developments, this may be accomplished by the installation of sidewalks on each individual lot as it is developed, provided the end result will be a completely connected sidewalk system within the development.

(e) Development along Existing Street. Any development of property which is located in a Residential, Neighborhood Commercial, or General Commercial District will include the installation of a sidewalk on the side of the street being developed. The sidewalk will extend across the full length of the developments street frontage.

(f) Extension to Meet Existing System. The Planning and Zoning Board may require the inclusion in a development's site plan provisions for the extension of the existing sidewalk system so as to connect with a proposed new sidewalk system.

(g) Connection of Cul-de-sacs. Adjacent cul-de-sacs in residential areas will be connected with a public sidewalk. Such stands alone sidewalks will have a minimum dedicated right-of-way or easement of ten (10) feet.

1179.14 BICYCLE/WALKING PATHS.

The development of a public bicycle/walking path system that interconnects various sections of the Village and connects with other communities', or other public, bicycle/walking path is a desirable feature for Hebron.

1179.15 STREET LIGHTING.

When applicable, the site plan will include a street lighting plan. Street lighting will be designed using the recommendations of the Illuminating Engineering Society (IES) handbook, the local electric utility, the Village Administrator, and the Village Engineer.

(a) The developer will install all street lights, wiring, and metering.

(b) Hebron will designate and approve the style of lamp fixture and pole.

(c) The location and method of metering will be approved by Hebron.

(d) Hebron may specify a 110 volt weatherproof outlet be included for each pole.

(e) Unless otherwise approved by the Planning and Zoning Board and the Village Engineer, all street light wiring will be under ground.

(f) Ownership of the installed street lights and the designated entity responsible for paying the street lighting charges will be agreed on before installation is approved by Hebron.

CHAPTER 1181

Required Improvements – Water

1181.01 GENERAL.

The construction plans of all new, relocated, or altered water supply lines and related appurtenances will be approved by the appropriate Utilities Superintendent and the Village Engineer prior to the approval of the final plat. The Village Fire Chief will approve all new, relocated, or altered fire municipal fire protection supply systems prior to the approval of the final plat.

(a) Valves. Valves will be placed outside of the pavement wherever practical. In general, two valves will be installed at every main line, tee, and three valves will be placed at every main line cross. The maximum distance between main line valves will be one-thousand (1000) feet.

(b) Meters. Meters will be supplied by Hebron and paid for by the developer or user.

(c) EPA. The developer will provide the Village with all required Ohio EPA approvals and pay all Ohio EPA review fees.

1181.02 CONSTRUCTION STANDARDS.

All new, relocations of, or alterations to water supply lines and related appurtenances will be constructed in accordance with the rules, standards and specifications of the Village of Hebron, and will be reviewed, tested, and approved by the Village Engineer prior to the acceptance by the Village.

1181.03 CONNECTIONS.

Within the Hebron Village limits all buildings and other uses requiring water will connect to the Hebron Water System.

(a) Installation. The user will be responsible for installing the service tap. The Water System Superintendent, and/or the Village Engineer will inspect the installed tap. Installation plans, materials, and related appurtenances will be approved before installation begins.

(b) Tap Fee. Before approval of the Construction Plan or beginning an installation, the developer/user will pay all tap fees and capacity charges.

(c) Tap Size. The Water System Superintendent or Village Engineer will review tap size and the required materials.

1181.04 FIRE PROTECTION.

The following requirements will be met for fire protection;

(a) Buildings Under Construction. The fire protection water supply, including fire hydrants, will be installed and in service prior to placing combustible building materials on site.

(b) Commercial Line Size. All municipal lines intended to provide fire protection to GC, M-1, and M-2 districts will be twelve (12) inches minimum.

(c) Fire Department Connections. The exterior mounted fire department connection to a standpipe system will be located within fifty (50) feet of a paved street or fire lane. The location will be approved by the Hebron Fire Chief.

(d) Setback. Fire hydrants will be placed two (2) feet clear behind the back of the curb or eight (8) feet from the edge of the pavement on uncurbed streets. Bullards and greater setbacks may be required to protect hydrants in areas where they be subject to damage by commercial vehicles.

(e) Spacing. In all districts the minimum municipal hydrant spacing will be three-hundred (300) feet.

(f) Style. Municipal hydrants will:

1. Have a six (6) inch mechanical joint inlet connection,
2. A five-and-one-half (5 ½) inch main valve opening,
3. Two (2) two-and-one-half (2 ½) inch outlets,
4. One (1) four and one-half (4 ½) inch outlet with a Storz or Storz type fitting,
5. All outlets, other than the Storz or Storz type, shall have National Standard Hose Threads.
6. The operating nut will be one (1) inch to seven-eighths (7/8) inch square tapered.
7. Hydrants will be furnished with a 5-foot bury depth unless otherwise shown on the plans.
8. Hydrants will be self-draining.
9. A drainage sump two (2) feet in diameter and two (2) feet deep will be excavated below each hydrant and filled with coarse gravel or stone. The sump will be compacted in place under and around the shoe of the hydrant and project to a level of six (6) inches above the waste opening.
10. No drainage sump will be connected to a sanitary sewer.
11. Municipal hydrants will be safety yellow.
12. Private (industrial) hydrants will be red. Number of outlets to be determined by the developer and approved by the Hebron Fire Chief.

1181.05 EASEMENTS.

All public water lines will be placed in an easement. The minimum easement width will be twenty (20) feet. The easement width will be reviewed and approved by the Village Engineer.

CHAPTER 1183
Required Improvements – Sanitary Sewer

1183.01 GENERAL.

The construction plans of all new, relocated, or altered sanitary sewer lines and related appurtenances will be approved by the appropriate Utilities Superintendent and the Village Engineer prior to the approval of the final plat. Portions of the following sections of this Chapter are in addition to the Hebron Construction Standards or related requirements.

(a) EPA. The developer will provide the Village with all required Ohio EPA approvals and pay all Ohio EPA review fees.

1183.02 CONSTRUCTION STANDARDS.

All new, relocations of, or alterations to sanitary sewer lines and related appurtenances will be constructed in accordance with the rules, standards and specifications of the Village of Hebron, and will be reviewed, tested, and approved by the Village Engineer prior to the acceptance by the Village.

1183.03 CONNECTIONS.

Within the Hebron Village limits all buildings and other uses generating sewage or waste water will connect to the Hebron Sanitary Sewer System.

(a) EPA Permits. All required EPA permits will be presented to the Village Engineer before Installation begins.

(b) Installation. The user will be responsible for installing the service tap. The Waste Water System Superintendent, and/or the Village Engineer will inspect the installed tap. Installation plans, materials, and related appurtenances will be approved before installation begins.

(c) Tap Fee. Before approval of the Construction Plan or beginning an installation, the developer/user will pay all tap fees and capacity charges.

(d) Tap Size. The tap size will be in accordance with the Hebron Sewer Use and Pretreatment Policy (6-inches minimum). The Waste Water System Superintendent or Village Engineer will review tap size and the required materials.

(e) Ground, Storm, and Surface Water. All installations will be so designed and installed to prevent the intrusion of ground, storm, or surface water into the sanitary sewer system.

(f) Floodplain. Within the one-hundred (100) year floodplain, all sanitary sewer systems will have the top of casing one-and-one-half (1 ½) feet above the one-hundred (100) year flood elevation.

1183.04 EASEMENTS.

All public sanitary sewer lines will be placed in an easement. The minimum easement width will be twenty (20) feet. The easement width will be review and approved by the Village Engineer.

CHAPTER 1185

Required Improvements – Storm Water, Natural Water, and Erosion

1185.01 GENERAL.

Adequate drainage, flow control, detention, and/or retention provisions for the disposition of storm and natural waters, and control of erosion created thereby, both on and off-site will be provided. Portions of the following sections of this Chapter are in addition to the Hebron Construction Standards or related requirements.

1185.02 CONSTRUCTION STANDARDS.

All new, relocations of, or alterations to systems and related appurtenances for controlling storm water, natural water, or surface water flow will be constructed in accordance with the rules, standards and specifications of the Village of Hebron, and will be reviewed, and approved by the Village Engineer prior to the acceptance by the Village. The extent of both on-site and off-site facilities for handling storm and natural water, and for controlling erosion, will be approved by the Village Engineer.

1185.03 STORM WATER.

Unless otherwise specified by the Village Engineer, storm water management will comply with the “Mid-Ohio Regional Planning Commission Storm Water Design Manual.” This manual is available from the Mid-Ohio Regional Planning Commission.

1185.04 SURFACE WATER.

No change of flow characteristics of springs, streams, watercourses, culverts or drainage ditches, or alteration to wetlands or the designated floodplain and floodway, will be permitted unless approved by the Village Engineer and such approval be in accordance with Village ordinances relating to the floodplain or mandates of other regulating agencies having preeminent authority.

(a) Springs. All springs will be capped and piped in a minimum 6-inch diameter perforated pipe encased in washed gravel and connected into the nearest storm manhole or curb inlet.

(b) Easements Required. All features or facilities, both natural and man made, such as culverts, drainage ditches, storm sewers, streams or watercourses that facilitate the downstream flow of water from a watershed will be placed in an easement. Such maintenance easements will be not less than 20 feet in width, measured horizontally from the top of the bank exclusive of the width of the ditch, channel or other system, and will be provided on each side of the ditch, channel or other system. Maintenance easements are to be kept free of obstructions. Detailed provisions regarding the entities to be responsible for maintenance of the facility will be submitted in text form with the subdivision plat. As applicable, notes regarding maintenance will be made on the plat.

(c) Culverts. All multiple culvert installations, or culverts larger than twelve (12) inches will have concrete headwalls.

(d) **Underground System Required.** Where it has been determined that the anticipated critical storm flow for the drainage of a watershed or modified watershed area could be borne by a storm culvert or storm sewer system sixty (60) inches or less in diameter, such flow will be placed underground in an approved storm culvert or storm sewer system unless otherwise approved by the Village Administrator, Village Engineer, and Community Development Coordinator.

(e) **Adjacent Open Ditches.** Where ditches or watercourses that are presently open are contained in public easements that border proposed developments, the Village Engineer may require the installation of an underground storm sewer system to replace the open ditch.

(f) **Minimum Slope.** The minimum side slope for open retention or detention basins or open ditches will be three (3) to one (1) or as required for ease of maintenance.

1185.05 EROSION AND SEDIMENTATION CONTROL.

Measures will be taken to minimize erosion and sedimentation and its impacts during subdivision construction activity. A detailed erosion and sedimentation control plan will be submitted with the improvement plans and will indicate the techniques to be used both temporarily (during construction) and permanently, and include a schedule for implementing or installing same. All erosion and sedimentation control devices will be in place at the start of construction and other measures implemented according to the approved time schedule.

Erosion control plans will be based upon controlling erosion and sedimentation on-site, with the object of eliminating or minimizing erosion or sedimentation impacts off-site. Techniques, devices, or measures used will be as approved by the Village Engineer.

1185.06 EASEMENTS.

Where it becomes necessary for storm water detention, or retention, or systems designed to control, channel, or route storm or surface water, to cross private property, an easement as outlined in the Storm Water Design Manual will be obtained. Such easement will be a minimum of twenty (20) feet and be reviewed and approved by the Village Engineer.

CHAPTER 1187
Comprehensive Storm Water Management

1187.01 PURPOSE AND INTENT.

The purpose of this regulation is to establish technically feasible and economically reasonable storm water management standards to achieve a level of storm water quality and quantity control that will minimize damage to property and degradation of water resources and will promote and maintain the health, safety, and welfare of the citizens of the Village of Hebron:

(a) This regulation requires owners who develop or re-develop their property within the Village of Hebron to:

(1) Control storm water runoff from their property and ensure that all storm water management practices are properly designed, constructed, and maintained.

(2) Reduce water quality impacts to receiving water resources that may be caused by new development or redevelopment activities.

(3) Control the volume, rate, and quality of storm water runoff originating from their property so that surface water and ground water are protected and flooding and erosion potential are not increased.

(4) Minimize the need to construct, repair, and replace subsurface storm drain systems.

(5) Preserve natural infiltration and ground water recharge, and maintain subsurface flow that replenishes water resources, except in slippage prone soils.

(6) Incorporate storm water quality and quantity controls into site planning and design at the earliest possible stage in the development process.

(7) Reduce the expense of remedial projects needed to address problems caused by inadequate storm water management.

(8) Maximize use of storm water management practices that serve multiple purposes including, but not limited to, flood control, erosion control, fire protection, water quality protection, recreation, and habitat preservation.

(9) Design sites to minimize the number of stream crossings and the width of associated disturbance in order to minimize the Village of Hebron's future expenses related to the maintenance and repair of stream crossings.

(10) Maintain, promote, and re-establish conditions necessary for naturally occurring stream processes that assimilate pollutants, attenuate flood flows, and provide a healthy water resource.

(b) This regulation shall apply to all parcels used or being developed, either wholly or partially, for new or relocated projects involving highways and roads; subdivisions or larger common plans of development; industrial, commercial, institutional, or residential projects; building activities on farms; redevelopment activities; grading; and all other uses that are not specifically exempted in Section.

(c) Public entities, including the State of Ohio, Licking County, and the Village of Hebron shall comply with this regulation for roadway projects initiated after March 10, 2006 and, to the maximum extent practicable, for projects initiated before that time.

(d) This regulation does not apply to activities regulated by, and in compliance with, the Ohio Agricultural Sediment Pollution Abatement Rules.

(e) This regulation does not require a Comprehensive Storm Water Management Plan for linear construction projects, such as pipeline or utility line installation, that do not result in the installation of impervious surface as determined by the Village Engineer. Such projects must be designed to minimize the number of stream crossings and the width of disturbance. Linear construction projects must comply with the requirements of Erosion and Sediment Control.

1187.02 DEFINITIONS.

For the purpose of this regulation, the following terms shall have the meaning herein indicated:

ACRE: A measurement of area equaling 43,560 square feet.

AS-BUILT SURVEY: A survey shown on a plan or drawing prepared by a Registered Surveyor indicating the actual dimensions, elevations, and locations of any structures, underground utilities, swales, detention facilities, and sewage treatment facilities after construction has been completed.

BEST MANAGEMENT PRACTICES (BMPs): Schedule of activities, prohibitions of practices, operation and maintenance procedures, treatment requirements, and other practices to reduce the pollution of water resources and to control storm water volume and rate.

CLEAN WATER ACT: Pub. L. 92-500, as amended Pub. L. 95-217, Pub. L. 95-576, Pub. L. 96-483, Pub. L. 97-117, and Pub. L. 100-4, 33 U.S.C. 1251 et. seq. Referred to as the Federal Water Pollution Control Act or the Federal Water Pollution Control Act Amendments of 1972.

COMMUNITY: The Village of Hebron, its designated representatives, boards, or commissions.

COMPREHENSIVE STORM WATER MANAGEMENT PLAN: The written document and plans meeting the requirements of this regulation that sets forth the plans and practices to minimize storm water runoff from a development area, to safely convey or temporarily store and release post-development runoff at an allowable rate to minimize flooding and stream bank erosion, and to protect or improve storm water quality and stream channels.

CRITICAL STORM: A storm that is calculated by means of the percentage increase in volume of runoff by a proposed development area. The critical storm is used to calculate the maximum allowable storm water discharge rate from a developed site.

DETENTION FACILITY: A basin, pond, oversized pipe, or other structure that reduces the peak flow rate of storm water leaving the facility by temporarily storing a portion of the storm water entering the facility.

DEVELOPMENT AREA: A parcel or contiguous parcels owned by one person or persons, or operated as one development unit, and used or being developed for commercial, industrial, residential, institutional, or other construction or alteration that changes runoff characteristics.

DEVELOPMENT DRAINAGE AREA: A combination of each hydraulically unique watershed with individual outlet points on the development area.

DISTURBED AREA: An area of land subject to erosion due to the removal of vegetative cover and/or soil disturbing activities.

DRAINAGE: The removal of excess surface water or groundwater from land by surface or subsurface drains.

EROSION: The process by which the land surface is worn away by the action of wind, water, ice, gravity, or any combination of those forces.

EXTENDED CONVEYANCE: A storm water management practice that replaces and/or enhances traditional open or closed storm drainage conduits by retarding flow, promoting percolation of runoff into the soil, and filtering pollutants during the storm water quality event.

EXTENDED DETENTION: A storm water management practice that replaces and/or enhances traditional detention facilities by releasing the runoff collected during the storm water quality event over at least 24 to 48 hours, retarding flow and allowing pollutants to settle within the facility.

FINAL STABILIZATION: All soil disturbing activities at the site have been completed and a uniform perennial vegetative cover with a density of at least 80% coverage for the area has been established or equivalent stabilization practices, such as the use of mulches or geotextiles, have been employed.

GRADING: The process in which the topography of the land is altered to a new slope.

IMPERVIOUS COVER: Any surface that cannot effectively absorb or infiltrate water. This may include roads, streets, parking lots, rooftops, sidewalks, and other areas not covered by vegetation.

INFILTRATION: A storm water management practice that does not discharge to a water resource during the storm water quality event, requiring collected runoff to either infiltrate into the groundwater and/or be consumed by evapotranspiration, thereby retaining storm water pollutants in the facility.

LARGER COMMON PLAN OF DEVELOPMENT: A contiguous area where multiple separate and distinct construction activities may be taking place at different times on different schedules under one plan.

MAXIMUM EXTENT PRACTICABLE: The level of pollutant reduction that operators of small municipal separate storm sewer systems regulated under 40 C.F.R. Parts 9, 122, 123, and 124, referred to as NPDES Storm Water Phase II, must meet.

NPDES: National Pollutant Discharge Elimination System. A regulatory program in the Federal Clean Water Act that prohibits the discharge of pollutants into surface waters of the United States without a permit.

NONSTRUCTURAL STORM WATER MANAGEMENT PRACTICE: Storm water runoff control and treatment techniques that use natural practices to control runoff and/or reduce pollution levels.

POST-DEVELOPMENT: The conditions that exist following the completion of soil disturbing activity in terms of topography, vegetation, land use, and the rate, volume, quality, or direction of storm water runoff.

PRE-CONSTRUCTION MEETING: Meeting prior to construction between all parties associated with the construction of the project including government agencies, contractors and owners to review agency requirements and plans as approved and submitted.

PRE-DEVELOPMENT: The conditions that exist prior to the initiation of soil disturbing activity in terms of topography, vegetation, land use, and the rate, volume, quality, or direction of storm water runoff.

PROFESSIONAL ENGINEER: A Professional Engineer registered in the State of Ohio with specific education and experience in water resources engineering, acting in conformance with the Code of Ethics of the Ohio State Board of Registration for Engineers and Surveyors.

REDEVELOPMENT: A construction project on land where impervious cover has previously been developed and where the new land use will not increase the runoff coefficient. If the new land use will increase the runoff coefficient, then the project is considered to be a new development project rather than a redevelopment project. (Refer to Table 1 in the Performance Section)

RIPARIAN AREA: Land adjacent to any brook, creek, river, or stream having a defined bed and bank that, if appropriately sized, helps to stabilize streambanks, limit erosion, reduce flood size flows, and/or filter and settle out runoff pollutants, or performs other functions consistent with the purposes of this regulation.

RIPARIAN AND WETLAND SETBACK: The real property adjacent to a water resource on which soil disturbing activities are limited.

RUNOFF: The portion of rainfall, melted snow, or irrigation water that flows across the ground surface and is eventually returned to water resources.

SEDIMENT: The soils or other surface materials that can be transported or deposited by the action of wind, water, ice, or gravity as a product of erosion.

SEDIMENTATION: The deposition of sediment in water resources.

SITE OWNER/OPERATOR: Any individual, corporation, firm, trust, commission, board, public or private partnership, joint venture, agency, unincorporated association, municipal corporation, county or state agency, the federal government, other legal entity, or an agent thereof that is responsible for the overall construction site.

SOIL DISTURBING ACTIVITY: Clearing, grading, excavating, filling, or other alteration of the earth's surface where natural or human made ground cover is destroyed and that may result in, or contribute to, increased storm water quantity and/or decreased storm water quality.

STABILIZATION: The use of Best Management Practices that reduce or prevent soil erosion by storm water runoff, trench dewatering, wind, ice, gravity, or a combination thereof.

STRUCTURAL STORM WATER MANAGEMENT PRACTICE: Any constructed facility, structure, or device that provides storage, conveyance, and/or treatment of storm water runoff.

WATER QUALITY VOLUME. The volume of runoff from a contributing watershed that must be captured and treated, equivalent to the maximized capture volume as defined in the American Society of Civil Engineers (ASCE) Manual and Report on Engineering Practice No. 87 and Water Environment Federation Manual of Practice No. 23 titled Urban Runoff Quality Management.

WATER RESOURCE: Any public or private body of water; including wetlands; the area within the ordinary high water level of lakes and ponds; as well as the area within the ordinary high water level of any brook, creek, river, or stream having a defined bed and bank (either natural or artificial) which confines and conducts continuous or intermittent flow.

WATER RESOURCE CROSSING: Any bridge, box, arch, culvert, truss, or other type of structure intended to convey people, animals, vehicles, or materials from one side of a watercourse to another. This does not include private, non-commercial footbridges or pole mounted aerial electric or telecommunication lines, nor does it include below grade utility lines.

WATERSHED: The total drainage area contributing storm water runoff to a single point.

WETLAND: Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, and similar areas (40 CFR 232, as amended).

1187.03 DISCLAIMER OF LIABILITY.

(a) Compliance with the provisions of this regulation shall not relieve any person from responsibility for damage to any person otherwise imposed by law. The provisions of this regulation are promulgated to promote the health, safety, and welfare of the public and are not designed for the benefit of any individual or any particular parcel of property.

(b) By approving a Comprehensive Storm Water Management Plan under this regulation, the Village of Hebron does not accept responsibility for the design, installation, and operation and maintenance of storm water management practices.

1187.04 CONFLICTS, SEVERABILITY, NUISANCES AND RESPONSIBILITY.

(a) Where this regulation is in conflict with other provisions of law or ordinance, the most restrictive provisions, as determined by the Village Engineer shall prevail.

(b) If any clause, section, or provision of this regulation is declared invalid or unconstitutional by a court of competent jurisdiction, the validity of the remainder shall not be affected thereby.

(c) This regulation shall not be construed as authorizing any person to maintain a nuisance on their property, and compliance with the provisions of this regulation shall not be a defense in any action to abate such a nuisance.

(d) Failure of the Village of Hebron to observe or recognize hazardous or unsightly conditions or to recommend corrective measures shall not relieve the site owner from the responsibility for the condition or damage resulting therefrom, and shall not result in the Village of Hebron, its officers, employees, or agents being responsible for any condition or damage resulting therefrom.

1187.05 DEVELOPMENT OF COMPREHENSIVE STORM WATER MANAGEMENT PLANS.

(a) This regulation requires that a Comprehensive Storm Water Management Plan be developed and implemented for soil disturbing activities disturbing one (1) or more acres of total land, or less than one (1) acre if part of a larger common plan of development or sale disturbing one (1) or more acres of total land, and on which any regulated activity of Section 1187.01(b) is proposed.

(b) The Village of Hebron shall administer this regulation, shall be responsible for determination of compliance with this regulation, and shall issue notices and orders as may be necessary. The Village of Hebron may consult with the Licking County SWCD, private engineers, storm water districts, or other technical experts in reviewing the Comprehensive Storm Water Management Plan.

1187.06 APPLICATION PROCEDURES.

(a) Pre-Application Meeting. The applicant shall attend a Pre-Application Meeting with the Village Engineer to discuss the proposed project, review the requirements of this regulation, identify unique aspects of the project that must be addressed during the review process, and establish a preliminary review and approval schedule.

(b) Preliminary Comprehensive Storm Water Management Plan. The applicant shall submit two (2) sets of a Preliminary Comprehensive Storm Water Management Plan (Preliminary Plan) and the applicable fees to the Community Development Coordinator. The Preliminary Plan shall show the proposed property boundaries, setbacks, dedicated open space, public roads, water resources, storm water control facilities, and easements in sufficient detail and engineering analysis to allow the Village Engineer to determine if the site is laid out in a manner that meets the intent of this regulation and if the proposed storm water management practices are capable of controlling runoff from the site in compliance with this regulation. The applicant shall submit two (2) sets of the Preliminary Plan and applicable fees as follows:

(1) For subdivisions. In conjunction with the submission of the preliminary subdivision plan.

(2) For other construction projects. In conjunction with the application for a zoning permit.

(3) For general clearing projects. In conjunction with the application for a zoning permit.

(c) Final Comprehensive Storm Water Management Plan. The applicant shall submit two (2) sets of a Final Comprehensive Storm Water Management Plan (Final Plan) and the applicable fees to the Community Development Coordinator in conjunction with the submittal of the final plat, improvement plans, or application for a building or zoning permit for the site. The Final Plan shall meet the requirements of the Comprehensive Storm Water Management Plan, shall demonstrate compliance with the Performance Standards and requirements established in the Performance Standard, and shall be approved by the Village Engineer prior to approval of the final plat and/or before issuance of a zoning permit.

(d) Review and Comment. The Village Engineer and/or the Community Development Coordinator shall review the Preliminary and Final Plans submitted, and shall approve or return for revisions with comments and recommendations for revisions. A Preliminary or Final Plan rejected because of deficiencies shall receive a narrative report stating specific problems and the procedures for filing a revised Preliminary or Final Plan.

(e) Approval Necessary. Land clearing and soil-disturbing activities shall not begin and zoning and/or building permits shall not be issued without an approved Comprehensive Storm Water Management Plan.

(f) Valid for Two Years. Approvals issued in accordance with this regulation shall remain valid for two (2) years from the date of approval.

1187.07 COMPLIANCE WITH STATE AND FEDERAL REGULATIONS.

Approvals issued in accordance with this regulation do not relieve the applicant of responsibility for obtaining all other necessary permits and/or approvals from other federal, state, and/or county agencies. If requirements vary, the most restrictive shall prevail. These permits may include, but are not limited to, those listed below. Applicants are required to show proof of compliance with these regulations before the Village of Hebron will issue a building or zoning permit.

(a) Ohio EPA NPDES Permits Authorizing Storm Water Discharges Associated With Construction Activity or the Most Current Version Thereof. Proof of compliance with these requirements shall be the applicant's Notice of Intent (NOI) number from Ohio EPA, a copy of the Ohio EPA Director's Authorization Letter for the NPDES Permit, or a letter from the site owner certifying and explaining why the NPDES Permit is not applicable.

(b) Section 401 of the Clean Water Act. Proof of compliance shall be a copy of the Ohio EPA Water Quality Certification application tracking number, public notice, project approval, or a letter from the site owner certifying that a qualified professional has surveyed the site and determined that Section 401 of the Clean Water Act is not applicable. Wetlands, and other waters of the United States, shall be delineated by protocols accepted by the U.S. Army Corps of Engineers at the time of application of this regulation.

(c) Ohio EPA Isolated Wetland Permit. Proof of compliance shall be a copy of Ohio EPA's Isolated Wetland Permit application tracking number, public notice, project approval, or a letter from the site owner certifying that a qualified professional has surveyed the site and determined that Ohio EPA's Isolated Wetlands Permit is not applicable. Isolated wetlands shall be delineated by protocols accepted by the U.S. Army Corps of Engineers at the time of application of this regulation.

(d) Section 404 of the Clean Water Act. Proof of compliance shall be a copy of the U.S. Army Corps of Engineers Individual Permit application, public notice, or project approval, if an Individual Permit is required for the development project. If an Individual Permit is not required, the site owner shall submit proof of compliance with the U.S. Army Corps of Engineer's Nationwide Permit Program. This shall include one of the following:

(1) A letter from the site owner certifying that a qualified professional has surveyed the site and determined that Section 404 of the Clean Water Act is not applicable.

(2) A site plan showing that any proposed fill of waters of the United States conforms to the general and special conditions specified in the applicable Nationwide Permit. Wetlands, and other waters of the United States, shall be delineated by protocols accepted by the U.S. Army Corps of Engineers at the time of application of this regulation.

(e) Ohio Dam Safety Law. Proof of compliance shall be a copy of the ODNR Division of Water permit application tracking number, a copy of the project approval letter from the ODNR Division of Water, or a letter from the site owner certifying and explaining why the Ohio Dam Safety Law is not applicable.

1187.08 COMPREHENSIVE STORM WATER MANAGEMENT PLANS.

(a) Comprehensive Storm Water Management Plan Required. The applicant shall develop a Comprehensive Storm Water Management Plan describing how the quantity and quality of storm water will be managed after construction is complete for every discharge from the site and/or into a water resource. The Plan will illustrate the type, location, and dimensions of every structural and non-structural storm water management practice incorporated into the site design, and the rationale for their selection. The rationale must address how these storm water management practices will address flooding within the site as well as flooding that may be caused by the development upstream and downstream of the site. The rationale will also describe how the storm water management practices minimize impacts to the physical, chemical, and biological characteristics of on-site and downstream water resources and, if necessary, correct current degradation of water resources that is occurring or take measures to prevent predictable degradation of water resources.

(b) Preparation by Professional Engineer. The Comprehensive Storm Water Management Plan shall be prepared by a registered professional engineer and include supporting calculations, plan sheets, and design details. To the extent necessary, as determined by the Village Engineer, a site survey shall be performed by a Registered Professional Surveyor to establish boundary lines, measurements, or land surfaces.

(c) Community Procedures. The Village Engineer shall prepare and maintain procedures providing specific criteria and guidance to be followed when designing the storm water management system for the site. These procedures may be updated from time to time, at the discretion of the Village Engineer based on improvements in engineering, science, monitoring, and local maintenance experience. The Village Engineer shall make the final determination of whether the practices proposed in the Comprehensive Storm Water Management Plan meet the requirements of this regulation. The Village Engineer may also maintain a list of acceptable Best Management Practices, including the most current edition of the Mid-Ohio Regional Planning Commission (MORPC) Stormwater Manual, that meet the criteria of this regulation to be used in the Village of Hebron.

(d) Contents of Comprehensive Storm Water Management Plan. The Comprehensive Storm Water Management Plan shall contain an application, narrative report, construction site plan sheets, a long-term Inspection and Maintenance Agreement, and a site description with the following information provided:

(1) Site description.

A. A description of the nature and type of the construction activity (e.g. residential, shopping mall, highway, etc.).

B. Total area of the site and the area of the site that is expected to be disturbed (i.e. grubbing, clearing, excavation, filling or grading, including off-site borrow areas).

C. A description of prior land uses at the site.

D. An estimate of the impervious area and percent of imperviousness created by the soil-disturbing activity at the beginning and at the conclusion of the project.

E. Existing data describing the soils throughout the site, including the soil series and association, hydrologic soil group, porosity, infiltration characteristics, depth to groundwater, depth to bedrock, and any impermeable layers.

F. If available, the quality of any known pollutant discharge from the site such as that which may result from previous contamination caused by prior land uses.

G. The location and name of the immediate water resource(s) and the first subsequent water resource(s).

H. The aerial (plan view) extent and description of water resources at or near the site that will be disturbed or will receive discharges from the project.

I. Describe the current condition of water resources including the vertical stability of stream channels and indications of channel incision that may be responsible for current or future sources of high sediment loading or loss of channel stability.

(2) Site map showing:

A. Limits of soil-disturbing activity on the site.

B. Soils types for the entire site, including locations of unstable or highly erodible soils.

C. Existing and proposed one-foot (1') contours. This must include a delineation of drainage watersheds expected before, during, and after major grading activities as well as the size of each drainage watershed in acres.

D. Water resource locations including springs, wetlands, streams, lakes, water wells, and associated setbacks on or within 200 feet of the site, including the boundaries of wetlands or streams and first subsequent named receiving water(s) the applicant intends to fill or relocate for which the applicant is seeking approval from the Army Corps of Engineers and/or Ohio EPA.

E. Existing and planned locations of buildings, roads, parking facilities, and utilities.

F. The location of any in-stream activities including stream crossings.

(3) Contact information. Company name and contact information as well as contact name, addresses, and phone numbers for the following:

A. The Professional Engineer who prepared the Comprehensive Storm Water Management Plan.

B. The site owner.

(4) Phase, if applicable, of the overall development plan.

(5) List of subplot numbers if project is a subdivision.

(6) Ohio EPA NPDES Permit Number and other applicable state and federal permit numbers, if available or status of various permitting requirements if final approvals have not been received.

(7) Location, including complete site address and subplot number if applicable.

(8) Location of any easements or other restrictions placed on the use of the property.

(9) A site plan sheet showing:

A. The location of each proposed post-construction storm water management practice.

B. The geographic coordinates of the site and each proposed practice in North American Datum Ohio State Plan North.

It is preferred that the entire site be shown on one plan sheet to allow a complete view of the site during plan review. If a smaller scale is used to accomplish this, separate sheets providing an enlarged view of areas on individual sheets should also be provided.

(10) An inspection and maintenance agreement. The Inspection and Maintenance Agreement required for storm water management practices under this regulation shall be between the Village of Hebron and the applicant and shall contain the following information and provisions:

A. The location of each storm water management practice, including those practices permitted to be located in, or within fifty feet of, water resources, and identification of the drainage area served by each storm water management practice.

B. A schedule for regular maintenance for each aspect of the storm water management system to ensure continued performance of that system as is detailed in the approved Comprehensive Storm Water Management Plan. This schedule may include additional standards, as required by the Village Engineer, to ensure continued performance of storm water management practices permitted to be located in, or within 50 feet of, water resources.

C. Identification of the landowner(s), organization, or municipality responsible for long-term maintenance, including repairs, of the storm water management practices.

D. The landowner(s), organization, or municipality shall maintain storm water management practices in accordance with this regulation.

E. The Village of Hebron shall conduct inspections as necessary to verify that the storm water management practices are being maintained and operated in accordance with this regulation.

F. The Village of Hebron shall maintain public records of the results of site inspections, shall inform the landowner(s), organization, or municipality responsible for maintenance of the inspection results, and shall specifically indicate any corrective actions required to bring the storm water practices into proper working condition.

G. If the Village of Hebron notifies the landowner(s), organization, or municipality responsible for maintenance of the maintenance problems that require correction, the specific corrective actions shall be taken within a reasonable time frame as determined by the Village of Hebron.

H. The Village of Hebron is authorized to enter upon the property and to perform the corrective actions identified in the inspection report if the landowner(s), organization, or municipality responsible for maintenance does not make the required corrections in the specified time period. The Village of Hebron shall be reimbursed by the landowner(s), organization, or municipality responsible for maintenance for all expenses incurred within ten days of receipt of invoice from the Village of Hebron.

I. The method of funding long-term maintenance and inspections of all storm water management practices.

J. A release of the Village of Hebron from all damages, accidents, casualties, occurrences, or claims that might arise or be asserted against the Village of Hebron from the construction, presence, existence, or maintenance of the storm water management practices.

Alteration or termination of these stipulations is prohibited. The applicant must provide a draft of this Inspection and Maintenance Agreement as part of the Comprehensive Storm Water Management Plan submittal. Once a draft is approved, a recorded copy of the Agreement must be submitted to the Village of Hebron to receive final inspection approval of the site.

(11) Calculations required. The applicant shall submit calculations for projected storm water runoff flows, volumes, and timing into and through all storm water management practices for flood control, channel protection, water quality, and the condition of the habitat, stability, and incision of each water resource and its floodplain, as required in the Performance Standard of this regulation. These submittals shall be completed for both pre- and post-development land use conditions and shall include the underlying assumptions and hydrologic and hydraulic methods and parameters used for these calculations. The applicant shall also include critical storm determination and demonstrate that the runoff from upper watershed areas have been considered in the calculations.

(12) List of all contractors and subcontractors before construction. Prior to construction or before the pre-construction meeting, provide the list of all contractors and subcontractors names, addresses, and phone numbers involved with the implementation of the Comprehensive Storm Water Management Plan including a written document containing signatures of all parties as proof of acknowledgment that they have reviewed and understand the requirements and responsibilities of the Comprehensive Storm Water Management Plan.

(13) Existing and proposed drainage patterns. The location and description of existing and proposed drainage patterns and storm water management practices, including any related storm water management practices beyond the development area and the larger common development area.

(14) For each storm water management practice to be employed on the development area, include the following:

A. Location and size, including detail drawings, maintenance requirements during and after construction, and design calculations, all where applicable.

B. Final site conditions including storm water inlets and permanent nonstructural and structural storm water management practices. Details of storm water management practices shall be drawn to scale and shall show volumes and sizes of contributing drainage areas.

C. Any other structural and/or non-structural storm water management practices necessary to meet the design criteria in this regulation and any supplemental information requested by the Village Engineer.

1187.09 PERFORMANCE STANDARDS.

(a) General. The storm water system, including storm water management practices for storage, treatment and control, and conveyance facilities, shall be designed to prevent structure flooding during the 100-year, 24-hour storm event; to maintain predevelopment runoff patterns, flows, and volumes; and to meet the following criteria:

(1) Integrated practices that address degradation of water resources. The storm water management practices shall function as an integrated system that controls flooding and minimizes the degradation of the physical, biological, and chemical integrity of the water resources receiving storm water discharges from the site. Acceptable practices shall:

A. Not disturb riparian areas, unless the disturbance is intended to support a watercourse restoration project.

B. Maintain predevelopment hydrology and groundwater recharge on as much of the site as practicable.

C. Only install new impervious surfaces and compact soils where necessary to support the future land use.

D. Compensate for increased runoff volumes caused by new impervious surfaces and soil compaction by reducing storm water peak flows to less than predevelopment levels.

Storm water management practices that meet the criteria in this regulation, and additional criteria required by the Village Engineer shall comply with this regulation.

(2) Practices designed for final use. Storm water management practices shall be designed to achieve the storm water management objectives of this regulation, to be compatible with the proposed post-construction use of the site, to protect the public health, safety, and welfare, and to function safely with minimal maintenance.

(3) Storm water management for all lots. Areas developed for a subdivision, as defined in the Village of Hebron Subdivision Regulation, shall provide storm water management for the development of all subdivided lots. This shall include provisions for lot grading and drainage that prevent structure flooding during the 100-year, 24-hour storm; and maintain, to the extent practicable, the pre-development runoff patterns, volumes, and peaks from the lot.

(4) Storm water facilities in water resources. Storm water management practices and related activities shall not be constructed in water resources unless the applicant shows proof of compliance with all appropriate permits from the Ohio EPA, the U.S. Army Corps, and other applicable federal, state, and local agencies as required in the Compliance with State and Federal Regulation section of this regulation, and the activity is in compliance with The Village of Hebron Subdivision Regulations, Erosion and Sediment Control, all as determined by the Village Engineer.

(5) Storm water ponds and surface conveyance channels. All storm water pond and surface conveyance designs must provide a minimum of one (1) foot freeboard above the projected peak stage within the facility during the 100-year, 24-hour storm. When designing storm water ponds and conveyance channels, the applicant shall consider public safety as a design factor and alternative designs must be implemented where site limitations would preclude a safe design.

(6) Exemption. The site where soil-disturbing activities are conducted shall be exempt from the requirements of the Performance Standard Section if it can be shown to the satisfaction of the Village Engineer that the site is part of a larger common plan of development where the storm water management requirements for the site are provided by an existing storm water management practice, or if the storm water management requirements for the site are provided by practices defined in a regional or local storm water management plan approved by the Village Engineer.

(7) Maintenance. All storm water management practices shall be maintained in accordance with Inspection and Maintenance Agreements approved by the Village Engineer as detailed in Comprehensive Storm Water Management Plan Section.

(8) Ownership. Unless otherwise required by the Village of Hebron, storm water management practices serving multiple lots in subdivisions shall be on a separate lot held and maintained by an entity of common ownership or, if compensated by the property owners, by the Village of Hebron. Storm water management practices serving single lots shall be placed on these lots, protected within an easement, and maintained by the property owner.

(9) Preservation of existing natural drainage. Practices that preserve and/or improve the existing natural drainage shall be used to the maximum extent practicable. Such practices may include minimizing site grading and compaction; protecting and/or restoring water resources, riparian areas, and existing vegetation; and maintaining unconcentrated storm water runoff to and through these areas.

(b) Storm Water Conveyance Design Criteria. All storm water management practices shall be designed to convey storm water to allow for the maximum removal of pollutants and reduction in flow velocities. This shall include but not be limited to:

(1) Stream relocation or enclosure. The Village Engineer may allow the enclosure or relocation of water resources only if the applicant shows proof of compliance with all appropriate permits from the Ohio EPA, the U.S. Army Corps, and other applicable federal, state, and local agencies as required in Compliance with State and Federal Regulations Section of this regulation, and the activity is in compliance with the Village of Hebron Subdivision Regulations, Erosion and Sediment Control, all as determined by the Village Engineer. At a minimum, stream relocation designs must show how the project will minimize changes to the vertical stability, floodplain form, channel form, and habitat of upstream and downstream channels on and off the property.

(2) Off-site storm water discharges. Off-site storm water runoff that discharges to or across the applicant's development site shall be conveyed through the storm water conveyance system planned for the development site at its existing peak flow rates during each design storm. Off-site flows shall be diverted around storm water quality control facilities or, if this is not possible, the storm water quality control facility shall be sized to treat the off-site flow. Comprehensive Storm Water Management Plans will not be approved until it is demonstrated to the satisfaction of the Village Engineer that off-site runoff will be adequately conveyed through the development site in a manner that does not exacerbate upstream or downstream flooding and erosion.

(3) Sheet flow. The site shall be graded in a manner that maintains sheet flow over as large an area as possible. The maximum area of sheet flow shall be determined based on the slope, the uniformity of site grading, and the use of easements or other legally-binding mechanisms that prohibit re-grading and/or the placement of structures within sheet flow areas. In no case shall the sheet flow length be longer than 300 feet, nor shall a sheet flow area exceed 1.5 acres. Flow shall be directed into an open channel, storm sewer, or other storm water management practice from areas too long and/or too large to maintain sheet flow, all as determined by the Village Engineer.

(4) Open channels. Unless otherwise allowed by the Village Engineer drainage tributary to storm water management practices shall be provided by an open channel with landscaped banks and designed to carry the 10 year, 24 hour storm water runoff from upstream contributory areas.

(5) Open drainage systems. Open drainage systems shall be preferred on all new development sites to convey storm water where feasible. Storm sewer systems shall be allowed only when the site cannot be developed at densities allowed under Village of Hebron zoning or where the use of an open drainage system affects public health or safety, all as determined by the Village Engineer. The following criteria shall be used to design storm sewer systems when necessary:

A. Storm sewers shall be designed such that they do not surcharge from runoff caused by the 5 year, 24 hour storm, and that the hydraulic grade line of the storm sewer stays below the gutter flow line of the overlying roadway, or below the top of drainage structures outside the roadway during a 10 year, 24 hour storm. The system shall be designed to meet these requirements when conveying the flows from the contributory area within the proposed development and existing flows from offsite areas that are upstream from the development.

B. The minimum inside diameter of pipe to be used in public storm sewer systems is twelve inches. Smaller pipe sizes may be used in private systems, subject to the approval of the Village Engineer.

C. All storm sewer systems shall be designed taking into consideration the tailwater of the receiving facility or water resource. The tailwater elevation used shall be based on the design storm frequency. The hydraulic grade line for the storm sewer system shall be computed with consideration for the energy losses associated with entrance into and exit from the system, friction through the system, and turbulence in the individual manholes, catch basins, and junctions within the system.

D. The inverts of all curb inlets; manholes, yard inlets, and other structures shall be formed and channelized to minimize the incidence of quiescent standing water where mosquitoes may breed.

E. Full headwalls shall be required at all storm sewer inlets or outlets to and from open channels or lakes.

(6) Water resource crossings. The following criteria shall be used to design structures that cross a water resource in the Village of Hebron:

A. Water resource crossings other than bridges shall be designed to convey the stream's flow for the minimum 25 year, 24 hour storm.

B. Bridges, open bottom arch or spans are the preferred crossing technique and shall be considered in the planning phase of the development. Bridges and open spans should be considered for all State Scenic Rivers, coldwater habitat, exceptional warmwater habitat, seasonal salmonid habitat streams, and Class III headwater streams. The footers or piers for these bridges and open spans shall not be constructed below the ordinary high water mark.

C. If a culvert or other closed bottom crossing is used, twenty-five percent (25%) of the cross-sectional area or a minimum of one foot of box culverts and pipe arches must be embedded below the channel bed.

D. The minimum inside diameter of pipes to be used for crossings shall be twelve inches.

E. The maximum slope allowable shall be a slope that produces a 10- fps velocity within the culvert barrel under design flow conditions. Erosion protection and/or energy dissipaters shall be required to properly control entrance and outlet velocities.

F. All culvert installations shall be designed with consideration for the tailwater of the receiving facility or water resource. The tailwater elevation used shall be based on the design storm frequency.

G. Full headwalls shall be required at all culvert inlets or outlets to and from open channels or lakes.

H. Streams with a drainage area of five square miles or larger shall incorporate floodplain culverts at the bankfull elevation to restrict head loss differences across the crossing so as to cause no rise in the 100-year storm event.

I. Bridges shall be designed such that the hydraulic profile through a bridge shall be below the bottom chord of the bridge for either the 100-year, 24-hour storm, or the 100-year flood elevation as determined by FEMA, whichever is more restrictive.

(7) Overland flooding. Overland flood routing paths shall be used to convey storm water runoff from the 100-year, 24-hour storm event to an adequate receiving water resource or storm water management practice such that the runoff is contained within the drainage easement for the flood routing path and does not cause flooding of buildings or related structures. The peak 100-year water surface elevation along flood routing paths shall be at least one foot below the finished grade elevation at the structure. When designing the flood routing paths, the conveyance capacity of the site's storm sewers shall be taken into consideration.

(8) Compensatory flood storage mitigation. In order to preserve floodplain storage volumes and thereby avoid increases in water surface elevations, any filling within floodplains approved by the Village of Hebron must be compensated by removing an equivalent volume of material. For all areas of development that do not increase the floodplain storage by 1/10th of the floodplain elevation there shall be no compensatory flood storage requirement. First consideration for the location(s) of compensatory floodplain volumes should be given to areas where the stream channel will have immediate access to the new floodplain within the limits of the development site. Consideration will also be given to enlarging existing or proposed retention basins to compensate for floodplain fill if justified by a hydraulic analysis of the contributing watershed. Unless otherwise permitted by the Village of Hebron, reductions in volume due to floodplain fills must be mitigated within the legal boundaries of the development. Embankment slopes used in compensatory storage areas must reasonably conform to the natural slopes adjacent to the disturbed area. The use of vertical retaining structures is specifically prohibited.

(9) Velocity dissipation. Velocity dissipation devices shall be placed at discharge locations and along the length of any outfall to provide non-erosive flow velocity from the structure to a water resource so that the natural physical and biological characteristics and functions of the water resource are maintained and protected.

(c) Storm Water Quality Control.

(1) Direct runoff to a BMP. The site shall be designed to direct runoff to one or more of the following storm water management practices. These practices are listed in Table 2 of this regulation and shall be designed to meet the following general performance standards:

A. Extended conveyance facilities that slow the rate of storm water runoff; filter and biodegrade pollutants in storm water; promote infiltration and evapotranspiration of storm water; and discharge the controlled runoff to a water resource.

B. Extended detention facilities that detain storm water; settle or filter particulate pollutants; and release the controlled storm water to a water resource.

C. Infiltration facilities that retain storm water; promote settling, filtering, and biodegradation of pollutants; and infiltrate captured storm water into the ground. The Village Engineer may require a soil engineering report to be prepared for the site to demonstrate that any proposed infiltration facilities meet these performance standards.

D. The Village Engineer may approve other BMPs if the applicant demonstrates to the Village Engineer satisfaction that these BMPs meet the objectives of this regulation as stated in Performance Standard subsection (c)(6).

(2) Criteria applying to all storm water management practices. Practices chosen must be sized to treat the water quality volume (WQv) and to ensure compliance with Ohio Water Quality Standards (OAC Chapter 3745-1).

A. The WQv shall be equal to the volume of runoff from a 0.75 inch rainfall event and shall be determined according to one of the following methods:

1. Through a site hydrologic study approved by the Village Engineer that uses continuous hydrologic simulation; site-specific hydrologic parameters, including impervious area, soil infiltration characteristics, slope, and surface routing characteristics; proposed best management practices controlling the amount and/or timing of runoff from the site; and local long-term hourly records, or

2. Using the following equation:

$$WQV = C \cdot P \cdot A / 12$$

Where terms have the following meanings:

WQV = water quality volume in acre-feet

C = runoff coefficient appropriate for storms less than 1 in.

P = 0.75 inch precipitation depth

A = area draining into the storm water practice, in acres.

Runoff coefficients required by the Ohio Environmental Protection Agency (Ohio EPA) for use in determining the water quality volume are listed in Table 1. Alternatively, the Village Engineer may consider use of the following equation to calculate the runoff coefficient if the applicant can demonstrate that appropriate controls are in place to limit the proposed impervious area of the development:

$C = 0.858i^3 - 0.78i^2 + 0.774i + 0.04$, where: i = fraction of the drainage area that is impervious

Table 1: Runoff Coefficients Based on the Type of Land Use

Land Use	Runoff Coefficient
Industrial and commercial	0.8
High density residential (> 8 dwellings/acre)	0.5
Medium density residential (4 to 8 dwellings/acre)	0.4
Low density residential (< 4 dwellings/acre)	0.3
Open space and recreational areas	0.2
Where land use will be mixed, the runoff coefficient should be calculated using a weighted average. For example, if 60% of the contributing drainage area to the storm water treatment structure is Low Density Residential, 30% is High Density Residential, and 10% is Open Space, the runoff coefficient is calculated as follows $(0.6)(0.3) + (0.3)(0.5) + (0.1)(0.2) = (0.35)$	

B. An additional volume equal to 20% of the WQv shall be incorporated into the storm water practice for sediment storage.

C. Storm water quality management practices shall be designed such that the drain time is long enough to provide treatment and protect against downstream bank erosion, but short enough to provide storage available for successive rainfall events as defined in Table 2.

Table 2: Draw Down Times for Storm Water Management Practices

Best Management Practice	Drain Time of WQv
Infiltration Facilities	24-48 hours
Extended Conveyance Facilities (Vegetated Swales, Filter Strips) <ul style="list-style-type: none"> Extended conveyance detention design Flow through design 	24 hours *
Extended Detention Facilities <ul style="list-style-type: none"> Extended dry detention basins Wet detention basins** Constructed wetlands (above permanent pool) Media filtration, bioretention 	48 hours 24 hours 24 hours 40 hours
<p>* Size to pass a hydrograph with a volume equal to the WQv, a duration of 2 hours, and peak rainfall intensity of 1 inch/hour at a depth of no more than 3 inches. The use of this criterion is limited to sites where the total area disturbed is 5 acres or less.</p> <p>**Provide both a permanent pool and an extended conveyance detention volume above the permanent pool, each sized with at least 0.75*WQV.</p>	

D. Each practice shall be designed to facilitate sediment removal, vegetation management, debris control, and other maintenance activities defined in the Inspection and Maintenance Agreement for the site.

(3) Additional criteria applying to infiltration facilities.

A. Infiltration facilities shall only be allowed if the soils of the facility fall within hydrologic soil groups A or B, and if the seasonal high water table and any underlying bedrock are at least six feet below the final grade elevation.

B. All runoff directed into an infiltration basin must first flow through an extended conveyance facility to remove coarser sediments that could cause a loss of infiltration capacity.

C. During construction, all runoff from disturbed areas of the site shall be diverted away from the proposed infiltration basin site. No construction equipment shall be allowed within the infiltration basin site to avoid soil compaction.

(4) Additional criteria applying to extended conveyance facilities.

A. Facilities shall be lined with fine turf-forming, flood tolerant grasses.

B. Facilities designed according to the extended conveyance detention design drain time shall:

1. Not be located in areas where the depth to bedrock and/or seasonal high water table is less than three feet below the final grade elevation.

2. Only be allowed where the underlying soil consists of hydrologic soil group (HSG) A or B, unless the underlying soil is replaced by at least a 2.5 foot deep layer of soil amendment with a permeability equivalent to a HSG A or B soil and an underdrain system is provided.

C. Facilities designed according to the flow through design drain time shall:

1. Only be allowed on sites where the total area disturbed is five acres or less.

2. Be designed to slow and filter runoff flowing through the turf grasses with a maximum depth of flow no greater than three inches.

D. Concentrated runoff shall be converted to sheet flow before entering an extended conveyance facility designed according to the flow through drain time.

(5) Additional criteria for extended detention facilities.

A. The outlet shall be designed to release the bottom fifty percent (50%) of the water quality volume in no less than 2/3rd of the drain time. A valve shall be provided to drain any permanent pool volume for removal of accumulated sediments. The outlet shall be designed to minimize clogging, vandalism, and maintenance.

B. The basin design shall incorporate the following features to maximize multiple uses, aesthetics, safety, and maintainability:

1. Basin side slopes above the permanent pool shall have a run to rise ratio of 4:1 or flatter.

2. The perimeter of all permanent pool areas deeper than four feet shall be surrounded by an aquatic bench that extends at least eight feet and no more than fifteen feet outward from the normal water edge. The eight feet wide portion of the aquatic bench closest to the shoreline shall have an average depth of six inches below the permanent pool to promote the growth of aquatic vegetation. The remainder of the aquatic bench shall be no more than fifteen inches below the permanent pool to minimize drowning risk to individuals who accidentally or intentionally enter the basin, and to limit growth of dense vegetation in a manner that allows waves and mosquito predators to pass through the vegetation. The maximum slope of the aquatic bench shall be 10 (H) to 1 (V). The aquatic bench shall be planted with hearty plants comparable to wetland vegetation that are able to withstand prolonged inundation.

3. A forebay designed to allow larger sediment particles to settle shall be placed at basin inlets. The forebay volume shall be equal to at least ten percent (10%) of the water quality volume (WQv).

(6) Additional criteria applying to extended conveyance facilities.

A. Facilities shall be lined with fine turf-forming, flood tolerant grasses.

B. Facilities designed according to the extended detention design drain time shall:

1. Not be located in areas where the depth to bedrock and/or seasonal high water table is less than three feet below the final grade elevation.

2. Only be allowed where the underlying soil consists of hydrologic soil group (HSG) A or B, unless the underlying soil is replaced by at least a 2.5 foot deep layer of soil amendment with a permeability equivalent to a HSG A or B soil and an underdrain system is provided.

- C. Swales and filter strips designed according to the flow through drain time shall:
1. Only be allowed on sites where the total area disturbed is five acres or less.
 2. Be designed to slow and filter runoff flowing through the turf grasses with a maximum depth of flow no greater than three inches.

D. Concentrated runoff shall be converted to sheet flow before entering an extended conveyance facility designed according to the flow through drain time.

(7) Alternative post-construction BMPs. The applicant may request approval from the Village Engineer for the use of alternative structural post-construction BMPs if the applicant shows, to the satisfaction of the Village Engineer and with prior written approval from Ohio EPA that these BMPs are equivalent in pollutant removal and runoff flow/volume reduction effectiveness to those listed in Table 2.

(d) Storm Water Quantity Control. The Comprehensive Storm Water Management Plan shall describe how the proposed storm water management practices are designed to meet the following requirements for storm water quantity control for each watershed in the development:

The peak discharge rate of runoff from the Critical Storm and all more frequent storms occurring under post-development conditions shall not exceed the peak discharge rate of runoff from a 1-year, 24-hour storm occurring on the same development drainage area under pre-development conditions.

(1) Storms of less frequent occurrence (longer return periods) than the Critical Storm, up to the 100-year, 24-hour storm shall have peak runoff discharge rates no greater than the peak runoff rates from equivalent size storms under pre-development conditions. The 1, 2, 5, 10, 25, 50, and 100-year storms shall be considered in designing a facility to meet this requirement.

(2) The Critical Storm for each specific development drainage area shall be determined as follows:

A. Determine, using a curve number-based hydrologic method that generates hydrographs, or other hydrologic method approved by the Village Engineer, the total volume (acre-feet) of runoff from a 1-year, 24-hour storm occurring on the development drainage area before and after development. These calculations shall meet the following standards:

1. Calculations shall include the lot coverage assumptions used for full build out as proposed.

2. Calculations shall be based on the entire contributing watershed to the development area.

3. Curve numbers for the pre-development condition must reflect the average type of land use over the past 10 years and not only the current land use.

4. To account for future post-construction improvements to the site, calculations shall assume an impervious surface such as asphalt or concrete for all parking areas and driveways, regardless of the surface proposed in the site description.

B. From the volume determined in subsection (d)(3)A. hereof, determine the percent increase in volume of runoff due to development. Using the percentage, select the 24-hour Critical Storm from Table 3.

Table 3: 24-Hour Critical Storm

If the Percentage of Increase in Volume of Runoff is:		The Critical Storm will be:
Equal to or Greater Than:	and Less Than:	
---	10	1 year
10	20	2 year
20	50	5 year
50	100	10 year
100	250	25 year
250	500	50 year
500	---	100 year

For example, if the percent increase between the pre- and post-development runoff volume for a 1-year storm is 35%, the Critical Storm is a 5-year storm. The peak discharge rate of runoff for all storms up to this frequency shall be controlled so as not to exceed the peak discharge rate from the 1-year frequency storm under pre-development conditions in the development drainage area. The post-development runoff from all less frequent storms need only be controlled to meet pre-development peak discharge rates for each of those same storms.

(e) Storm Water Management on Redevelopment Projects. Comprehensive Storm Water Management Plans for redevelopment projects shall reduce existing site impervious areas by at least twenty percent (20%). Where site conditions prevent the reduction of impervious area, then stormwater management practices shall be implemented to provide storm water quality control facilities for at least twenty percent (20%) of the site's impervious area. When a combination of impervious area reduction and storm water quality control facilities is used, the combined area shall equal or exceed twenty percent (20%) of the site. Where conditions prevent impervious area reduction or on-site stormwater management for redevelopment projects, practical alternatives as detailed in Alternative Actions may be approved by the Village Engineer.

1187.10 ALTERNATIVE ACTIONS.

(a) When the Village of Hebron determines that site constraints compromise the intent of this regulation, off-site alternatives may be used that result in an improvement of water quality and a reduction of storm water quantity. Such alternatives shall meet the following standards:

- (1) Shall achieve the same level of storm water quantity and quality control that would be achieved by the on-site controls required under this regulation.
- (2) Implemented in the drainage area of the proposed development project to the maximum extent practicable.

(b) Alternative actions may include, but are not limited to the following. All alternative actions shall be approved by the Village Engineer:

(1) Fees, in an amount specified by the Village of Hebron to be applied to community-wide storm water management practices.

(2) Implementation of off-site storm water management practices and/or the retrofit of an existing practice to increase quality and quantity control.

(3) Stream, floodplain, or wetland restoration.

(4) Acquisition or conservation easements on protected open space significantly contributing to storm water control such as wetland complexes.

1187.11 EASEMENTS.

Access to storm water management practices as required by the Village Engineer for inspections and maintenance shall be secured by easements. The following conditions shall apply to all easements:

(a) Easements shall be included in the Inspection and Maintenance Agreement submitted with the Comprehensive Storm Water Management Plan.

(b) Easements shall be approved by the Village of Hebron prior to approval of a final plat and shall be recorded with the Licking County Auditor and on all property deeds.

(c) Unless otherwise required by the Village Engineer, access easements between a public right-of-way and all storm water management practices shall be no less than twenty-five feet wide. The easement shall also incorporate the entire practice plus an additional twenty-five foot wide band around the perimeter of the storm water management practice.

(d) The easement shall be graded and/or stabilized as necessary to allow maintenance equipment to access and manipulate around and within each facility, as defined in the Inspection and Maintenance Agreement for the site.

(e) Easements to structural storm water management practices shall be restricted against the construction therein of buildings, fences, walls, and other structures that may obstruct the free flow of storm water and the passage of inspectors and maintenance equipment; and against the changing of final grade from that described by the final grading plan approved by the Village of Hebron. Any re-grading and/or obstruction placed within a maintenance easement may be removed by the Village of Hebron at the property owners' expense.

1187.12 MAINTENANCE AND FINAL INSPECTION APPROVAL.

To receive final inspection and acceptance of any project, or portion thereof, the following must be completed and provided to the Village Engineer:

(a) Final stabilization must be achieved and all permanent storm water management practices must be installed and made functional, as determined by the Village Engineer and per the approved Comprehensive Storm Water Management Plan.

(b) An As-Built Certification, including a Survey and Inspection, must be sealed, signed and dated by a Professional Engineer and a Professional Surveyor with a statement certifying that the storm water management practices, as designed and installed, meet the requirements of the Comprehensive Storm Water Management Plan approved by the Village Engineer. In evaluating this certification, the Village Engineer may require the submission of a new set of storm water practice calculations if he/she determines that the design was altered significantly from the approved Comprehensive Storm Water Management Plan. The As-Built Survey must provide the location, dimensions, and bearing of such practices and include the entity responsible for long-term maintenance as detailed in the Inspection and Maintenance Agreement.

(c) A copy of the complete and recorded Inspection and Maintenance Agreement as specified in Comprehensive Storm Water Management Plan must be provided to the Village Engineer.

1187.13 ON-GOING INSPECTIONS.

The Village of Hebron shall inspect storm water management practices periodically. Upon finding a malfunction or other need for maintenance, the Village of Hebron shall provide written notification to the responsible party, as detailed in the Inspection and Maintenance Agreement, of the need for maintenance. Upon notification, the responsible party shall have ten (10) working days, or other mutually agreed upon time, to make repairs or submit plans with detailed action items and established timelines. Should repairs not be made within this time, or a plan approved by the Village Engineer for these repairs not be in place, the Village of Hebron may undertake the necessary repairs and assess the responsible party.

1187.14 FEES.

The Comprehensive Storm Water Management Plan review, filing, and inspection fee is part of a complete submittal and is required to be submitted to the Village of Hebron before the review process begins. The Village Engineer shall establish a fee schedule based upon the actual estimated cost for providing these services.

1187.15 BOND.

(a) If a Comprehensive Storm Water Management Plan is required by this regulation, soil-disturbing activities shall not be permitted until a cash bond of one hundred percent (100%) of the total storm water management project cost, has been deposited with the Village of Hebron Finance Department. This cash bond shall be posted for the Village of Hebron to perform the obligations otherwise to be performed by the owner of the development area as stated in this regulation and to allow all work to be performed as needed in the event that the applicant fails to comply with the provisions of this regulation. The stormwater bond will be returned, less Village of Hebron administrative fees as detailed in the Village of Hebron Planning and Zoning Code, when the following three criteria are met:

(1) After eighty percent (80%) of the lots of the project have been complete or one hundred percent (100%) of the total project has been permanently stabilized or three (3) years from the time of permanent stabilization have passed.

(2) An As Built Inspection of all water quality practices is conducted by the Village Engineer.

(3) An Inspection and Maintenance Agreement signed by the developer, the contractor, the Village of Hebron, and the private owner or homeowners association who will take long term responsibility for these BMPs, is accepted by the Village Engineer.

(b) Once these criteria are met, the applicant shall be reimbursed all bond monies that were not used for any part of the project. If all of these criteria are not met after three years of permanent stabilization of the site, the Village of Hebron may use the bond monies to fix any outstanding issues with all storm water management structures on the site and the remainder of the bond shall be given to the private lot owner/ homeowners association for the purpose of long term maintenance of the project.

1187.16 INSTALLATION OF WATER QUALITY BEST MANAGEMENT PRACTICES.

The applicant may not direct runoff through any water quality structures or portions thereof that would be degraded by construction site sediment until the entire area tributary to the structure has reached final stabilization as determined by the Village Engineer. This occurs after the completion of the final grade at the site, after all of the utilities are installed, and the site is subsequently stabilized with vegetation or other appropriate methods. The developer must provide documentation acceptable to the Village Engineer to demonstrate that the site is completely stabilized. Upon this proof of compliance, the water quality structure(s) may be completed and placed into service. Upon completion of installation of these practices, all disturbed areas and/or exposed soils caused by the installation of these practices must be stabilized within two days.

1187.17 VIOLATIONS.

No person shall violate or cause or knowingly permit to be violated any of the provisions of this regulation, or fail to comply with any of such provisions or with any lawful requirements of any public authority made pursuant to this regulation, or knowingly use or cause or permit the use of any lands in violation of this regulation or in violation of any permit granted under this regulation.

1187.18 APPEALS FROM DECISIONS.

Appeals of any notice and/or determination made under this Chapter may be taken in accordance with Section 1107.05 of the Planning and Zoning Code.

1187.19 PENALTY.

(a) Violations under this Chapter shall be punished in accordance with Section 1105.12 of the Planning and Zoning Code.

(b) The imposition of any other penalties provided herein shall not preclude the Village of Hebron instituting an appropriate action or proceeding in a Court of proper jurisdiction to prevent an unlawful development, or to restrain, correct, or abate a violation, or to require compliance with the provisions of this regulation or other applicable laws, ordinances, rules, or regulations, or the orders of the Village of Hebron.

CHAPTER 1189
Illicit Discharge and Illegal Connection Control

1189.01 PURPOSE AND INTENT.

The purpose of this regulation is to provide for the health, safety, and general welfare of the citizens of the Village of Hebron through the regulation of illicit discharges to the municipal separate storm sewer system (MS4). This regulation establishes methods for controlling the introduction of pollutants into the MS4 in order to comply with requirements of the National Pollutant Discharge Elimination System (NPDES) permit process as required by the Ohio Environmental Protection Agency (Ohio EPA). The objectives of this regulation are:

- (a) To prohibit illicit discharges and illegal connections to the MS4.
- (b) To establish legal authority to carry out inspections, monitoring procedures, and enforcement actions necessary to ensure compliance with this regulation.

1189.02 APPLICABILITY.

This regulation shall apply to all residential, commercial, industrial, or institutional facilities responsible for discharges to the MS4 and on any lands in the Village of Hebron, except for those discharges generated by the activities detailed in Discharge and Connection Prohibitions Section 1189.07(a)(1) to (3) hereof.

1189.03 DEFINITIONS.

(a) The words and terms used in this regulation, unless otherwise expressly stated, shall have the following meaning:

(1) "Best management practices (BMPs)" means schedules of activities, prohibitions of practices, general good housekeeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants to storm water. BMPs also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage.

(2) "Community" means the Village of Hebron, its designated representatives, boards, or commissions.

(3) "Environmental Protection Agency or United States Environmental Protection Agency (USEPA)" means the United States Environmental Protection Agency, including but not limited to the Ohio Environmental Protection Agency (Ohio EPA), or any duly authorized official of said agency.

(4) "Floatable Material" means, in general terms, any foreign matter that may float or remain suspended in the water column, and includes but is not limited to, plastic, aluminum cans, wood products, bottles, and paper products.

(5) "Hazardous Material" means any material including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

(6) "Illicit Discharge" as defined at 40 C.F.R. 122.26 (b)(2) means any discharge to an MS4 that is not composed entirely of storm water, except for those discharges to an MS4 pursuant to a NPDES permit or noted in Discharge and Connection Prohibitions section of this regulation.

(7) "Illegal Connection" means any drain or conveyance, whether on the surface or subsurface, that allows an illicit discharge to enter the MS4.

(8) "Municipal Separate Storm Sewer System (MS4)" as defined at 40 C.F.R. 122.26 (b)(8), municipal separate storm sewer system means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains):

A. Owned or operated by a State, city, town, borough, county, parish, district, municipality, township, county, district, association, or other public body (created by or pursuant to State law) having jurisdiction over sewage, industrial wastes, including special districts under State law such as a sewer district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the Clean Water Act that discharges to waters of the United States.

B. Designed or used for collecting or conveying storm water;

C. Which is not a combined sewer; and

D. Which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 C.F.R. 122.2

(9) "National Pollutant Discharge Elimination System (NPDES) Storm Water Discharge Permit" means a permit issued by EPA (or by a State under authority delegated pursuant to 33 USC § 1342(b)) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area wide basis.

(10) "Off-Lot Discharging Household Sewage Treatment System" means a system designed to treat household sewage on-site and discharges treated wastewater effluent off the property into a storm water or surface water conveyance or system.

(11) "Owner/Operator" means any individual, association, organization, partnership, firm, corporation or other entity recognized by law and acting as either the owner or on the owner's behalf.

(12) "Pollutant" means anything that causes or contributes to pollution. Pollutants may include, but are not limited to, paints, varnishes, solvents, oil and other automotive fluids, non-hazardous liquid and solid wastes, yard wastes, refuse, rubbish, garbage, litter or other discarded or abandoned objects, floatable materials, pesticides, herbicides, fertilizers, hazardous materials, wastes, sewage, dissolved and particulate metals, animal wastes, residues that result from constructing a structure, and noxious or offensive matter of any kind.

(13) "Storm Water" any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation, and resulting from such precipitation.

(14) "Wastewater". The spent water of a community. From the standpoint of a source, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions.

1189.04 DISCLAIMER OF LIABILITY.

Compliance with the provisions of this regulation shall not relieve any person from responsibility for damage to any person otherwise imposed by law. The provisions of this regulation are promulgated to promote the health, safety, and welfare of the public and are not designed for the benefit of any individual or for the benefit of any particular parcel of property.

1189.05 CONFLICTS, SEVERABILITY, NUISANCES AND RESPONSIBILITY.

(a) Where this regulation is in conflict with other provisions of law or ordinance, the most restrictive provisions, as determined by the Village of Hebron, shall prevail.

(b) If any clause, section, or provision of this regulation is declared invalid or unconstitutional by a court of competent jurisdiction, the validity of the remainder shall not be affected thereby.

(c) This regulation shall not be construed as authorizing any person to maintain a nuisance on their property, and compliance with the provisions of this regulation shall not be a defense in any action to abate such a nuisance.

(d) Failure of the Village of Hebron to observe or recognize hazardous or unsightly conditions or to recommend corrective measures shall not relieve the site owner from the responsibility for the condition or damage resulting therefrom, and shall not result in the Village of Hebron, its officers, employees, or agents being responsible for any condition or damage resulting therefrom.

1189.06 RESPONSIBILITY FOR ADMINISTRATION.

The Village of Hebron shall administer, implement, and enforce the provisions of this regulation. The Village of Hebron may contract with the Licking County Board of Health to conduct inspections and monitoring and to assist with enforcement actions.

1189.07 DISCHARGE AND CONNECTION PROHIBITIONS.

(a) Prohibition of Illicit Discharges. No person shall discharge, or cause to be discharged, an illicit discharge into the MS4. The commencement, conduct, or continuance of any illicit discharge to the MS4 is prohibited except as described below:

(1) Water line flushing; landscape irrigation; diverted stream flows; rising ground waters; uncontaminated ground water infiltration; uncontaminated pumped ground water; discharges from potable water sources; foundation drains; air conditioning condensate; irrigation water; springs; water from crawl space pumps; footing drains; lawn watering; individual residential car washing; flows from riparian habitats and wetlands; de-chlorinated swimming pool discharges; street wash water; and discharges or flows from fire-fighting activities. These discharges are exempt until such time as they are determined by the Village of Hebron to be significant contributors of pollutants to the MS4.

(2) Discharges specified in writing by the Village of Hebron as being necessary to protect public health and safety.

(3) Discharges from off-lot discharging household sewage treatment systems existing prior to January 1, 2007 and permitted by the Licking County Board of Health for the purpose of discharging treated sewage effluent in accordance with Ohio Administrative Code 3701-29, or other applicable Licking County Board of Health regulations, until such time as the Ohio Environmental Protection Agency issues an NPDES permitting mechanism for household sewage treatment systems existing prior to January 1, 2007. These discharges are exempt unless such discharges are deemed to be creating a public health nuisance by the Licking County Board of Health. Discharges from new or replacement off-lot household sewage treatment systems installed after January 1, 2007 are not exempt from the requirements of this regulation.

In compliance with the Village of Hebron Storm Water Management Program, discharges from all off-lot discharging household sewage treatment systems must either be eliminated or have coverage under an appropriate NPDES permit issued and approved by the Ohio Environmental Protection Agency. When such permit coverage is available for systems existing prior to January 1, 2007, discharges from off-lot discharging household sewage treatment systems existing prior to January 1, 2007 will no longer be exempt from the requirements of this regulation.

(b) Prohibition of Illegal Connections. The construction, use, maintenance, or continued existence of illegal connections to the MS4 is prohibited.

(1) This prohibition expressly includes, without limitation, illegal connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.

(2) A person is considered to be in violation of this regulation if the person connects a line conveying illicit discharges to the MS4, or allows such a connection to continue.

1189.08 MONITORING OF ILLICIT DISCHARGES AND ILLEGAL CONNECTIONS.

(a) Establishment of an Illicit Discharge and Illegal Connection Monitoring Program. The Village of Hebron shall establish a program to detect and eliminate illicit discharges and illegal connections to the MS4. This program shall include the mapping of the MS4, including MS4 outfalls and household sewage treatment systems; the routine inspection of storm water outfalls to the MS4, and the systematic investigation of potential residential, commercial, industrial, and institutional facilities for the sources of any dry weather flows found as the result of these inspections.

(b) Inspection of Residential, Commercial, Industrial, or Institutional Facilities.

(1) The Village of Hebron shall be permitted to enter and inspect facilities subject to this regulation as often as may be necessary to determine compliance with this regulation.

(2) The Village of Hebron shall have the right to set up at facilities subject to this regulation such devices as are necessary to conduct monitoring and/or sampling of the facility's storm water discharge, as determined by the Village of Hebron.

(3) The Village of Hebron shall have the right to require the facility owner/operator to install monitoring equipment as necessary. This sampling and monitoring equipment shall be maintained at all times in safe and proper operating condition by the facility owner/operator at the owner/operator's expense. All devices used to measure storm water flow and quality shall be calibrated by the Village of Hebron to ensure their accuracy.

(4) Any temporary or permanent obstruction to safe and reasonable access to the facility to be inspected and/or sampled shall be promptly removed by the facility's owner/operator at the written or oral request of the Village of Hebron and shall not be replaced. The costs of clearing such access shall be borne by the facility owner/operator.

(5) Unreasonable delays in allowing the Village of Hebron access to a facility subject to this regulation for the purposes of illicit discharge inspection is a violation of this regulation.

(6) If the Village of Hebron is refused access to any part of the facility from which storm water is discharged, and the Village of Hebron demonstrates probable cause to believe that there may be a violation of this regulation, or that there is a need to inspect and/or sample as part of an inspection and sampling program designed to verify compliance with this regulation or any order issued hereunder, or to protect the public health, safety, and welfare, the Village of Hebron may seek issuance of a search warrant, civil remedies including but not limited to injunctive relief, and/or criminal remedies from any court of appropriate jurisdiction.

(7) Any costs associated with these inspections shall be assessed to the facility owner/operator.

1189.09 ENFORCEMENT.

(a) Notice of Violation. When the Village of Hebron finds that a person has violated a prohibition or failed to meet a requirement of this regulation, the Village of Hebron may order compliance by written Notice of Violation. Such notice must specify the violation and shall be hand delivered, and/or sent by registered mail, to the owner/operator of the facility. Such notice may require the following actions:

- (1) The performance of monitoring, analyses, and reporting;
- (2) The elimination of illicit discharges or illegal connections;
- (3) That violating discharges, practices, or operations cease and desist;
- (4) The abatement or remediation of storm water pollution or contamination hazards and the restoration of any affected property; or
- (5) The implementation of source control or treatment BMPs.

(b) If abatement of a violation and/or restoration of affected property are required, the Notice of Violation shall set forth a deadline within which such remediation or restoration must be completed. Said Notice shall further advise that, should the facility owner/operator fail to remediate or restore within the established deadline, a legal action for enforcement may be initiated.

(c) Any person receiving a Notice of Violation must meet compliance standards within the time established in the Notice of Violation.

(d) Administrative Hearing. If the violation has not been corrected pursuant to the requirements set forth in the Notice of Violation, the Village of Hebron shall schedule an administrative hearing with the Village Council to determine reasons for non-compliance and to determine the next enforcement activity. Notice of the administrative hearing shall be hand delivered and/or sent by registered mail.

(e) Injunctive Relief. It shall be unlawful for any owner/operator to violate any provision or fail to comply with any of the requirements of this regulation pursuant to Ohio R.C. 3709.211. If an owner/operator has violated or continues to violate the provisions of this regulation, the Village of Hebron may petition for a preliminary or permanent injunction restraining the owner/operator from activities that would create further violations or compelling the owner/operator to perform abatement or remediation of the violation.

1189.10 REMEDIES NOT EXCLUSIVE.

The remedies listed in this regulation are not exclusive of any other remedies available under any applicable federal, state or local law and it is in the discretion of the Village of Hebron to seek cumulative remedies.

CHAPTER 1191
Erosion and Sediment Control

1191.01 PURPOSE AND INTENT.

(a) The purpose of this regulation is to establish technically feasible and economically reasonable standards to achieve a level of erosion and sediment control that will minimize damage to property and degradation of water resources and wetlands, and will promote and maintain the health and safety of the citizens of Village of Hebron:

(b) This regulation will:

(1) Allow development while minimizing increases in erosion and sedimentation.

(2) Reduce water quality impacts to receiving water resources and wetlands that may be caused by new development or redevelopment activities.

(c) This regulation applies to all parcels used or being developed, either wholly or partially, for new or relocated projects involving highways, underground cables, or pipelines; subdivisions or larger common plans of development; industrial, commercial, institutional, or residential projects; building activities on farms; redevelopment activities; general clearing; and all other uses that are not specifically exempted in subsection (d) listed below.

(d) This regulation does not apply to activities regulated by, and in compliance with, the Ohio Agricultural Sediment Pollution Abatement Rules.

1191.02 DEFINITIONS.

(a) For the purpose of these Erosion and Sediment Control Regulations, the following terms are defined:

(1) "Abbreviated storm water pollution prevention plan (SWP3)" refers to the written document that sets forth the plans and practices to be used to meet the requirements of this regulation.

(2) "Acre" means a measurement of area equaling 43,560 square feet.

(3) "Best management practices (BMPs)" means a schedule of activities, prohibitions of practices, maintenance procedures, and other management practices (both structural and non-structural) to prevent or reduce the pollution of water resources and wetlands. BMPs also include treatment requirements, operating procedures, and practices to control facility and/or construction site runoff, spillage, or leaks; sludge or waste disposal; or drainage from raw material storage.

(4) "Community" throughout this regulation, shall refer to Village of Hebron, its designated representatives, boards, or commissions.

(5) "Construction entrance" means the permitted points of ingress and egress to development areas regulated under this regulation.

(6) "Development area" means a parcel or contiguous parcels owned by one person or persons, or operated as one development unit, and used or being developed for commercial, industrial, residential, institutional, or other construction or alteration that changes runoff characteristics.

(7) "Disturbed area" means an area of land subject to erosion due to the removal of vegetative cover and/or soil disturbing activities.

- (8) "Drainage" means:
- A. The area of land contributing surface water to a specific point.
 - B. The removal of excess surface water or groundwater from land by surface or subsurface drains.
- (9) "Erosion" means the process by which the land surface is worn away by the action of wind, water, ice, gravity, or any combination of those forces.
- (10) "Erosion and sediment control" means the control of soil, both mineral and organic, to minimize the removal of soil from the land surface and to prevent its transport from a disturbed area by means of wind, water, ice, gravity, or any combination of those forces.
- (11) "Final stabilization" means all soil disturbing activities at the site have been completed and a uniform perennial vegetative cover with a density of at least eighty percent (80%) coverage for the area has been established or equivalent stabilization measures, such as the use of mulches or geotextiles, have been employed.
- (12) "Landscape Architect" means a Professional Landscape Architect registered in the State of Ohio.
- (13) "Larger common plan of development or sale" means a contiguous area where multiple separate and distinct construction activities may be taking place at different times on different schedules under one plan.
- (14) "Maximum extent practicable" means the level of pollutant reduction that site owners of small municipal separate storm sewer systems regulated under 40 C.F.R. Parts 9, 122, 123, and 124, referred to as NPDES Storm Water Phase II, must meet.
- (15) "NPDES" means the National Pollutant Discharge Elimination System. A regulatory program in the Federal Clean Water Act that prohibits the discharge of pollutants into surface waters of the United States without a permit.
- (16) "Parcel" means a tract of land occupied or intended to be occupied by a use, building or group of buildings and their accessory uses and buildings as a unit, together with such open spaces and driveways as are provided and required. A parcel may contain more than one contiguous lot individually identified by a Permanent Parcel Number assigned by the Licking County Auditor's Office.
- (17) "Person" means any individual, corporation, firm, trust, commission, board, public or private partnership, joint venture, agency, unincorporated association, municipal corporation, county or state agency, the federal government, other legal entity, or an agent thereof.
- (18) "Phasing" means clearing a parcel of land in distinct sections, with the stabilization of each section before the clearing of the next.
- (19) "Professional Engineer" means a Professional Engineer registered in the State of Ohio.
- (20) "Qualified inspection personnel" means a person knowledgeable in the principles and practice of erosion and sediment controls, who possess the skills to assess all conditions at the construction site that could impact storm water quality and to assess the effectiveness of any sediment and erosion control measure selected to control the quality of storm water discharges from the construction activity.

(21) "Rainwater and land development" means Ohio's standards for storm water management, land development, and urban stream protection. The most current edition of these standards shall be used with this regulation.

(22) "Runoff" means the portion of rainfall, melted snow, or irrigation water that flows across the ground surface and is eventually conveyed to water resources or wetlands.

(23) "Sediment" means the soils or other surface materials that are transported or deposited by the action of wind, water, ice, gravity, or any combination of those forces, as a product of erosion.

(24) "Sedimentation" means the deposition or settling of sediment.

(25) "Setback" means a designated transition area around water resources or wetlands that is left in a natural, usually vegetated, state so as to protect the water resources or wetlands from runoff pollution. Soil disturbing activities in this area are restricted by this regulation.

(26) "Soil disturbing activity" means clearing, grading, excavating, filling, or other alteration of the earth's surface where natural or human made ground cover is destroyed and that may result in, or contribute to, erosion and sediment pollution.

(27) "Soil and Water Conservation District" means an entity organized under Chapter 1515 of the Ohio Revised Code referring to either the Soil and Water Conservation District Board or its designated employee(s). Hereafter referred to as Licking County SWCD.

(28) "Stabilization" means the use of BMPs, such as seeding and mulching, that reduce or prevent soil erosion by water, wind, ice, gravity, or a combination of those forces.

(29) "Storm Water Pollution Prevention Plan (SWP3)" means the written document that sets forth the plans and practices to be used to meet the requirements of this regulation.

(30) "Surface waters of the State" means all streams, lakes, reservoirs, marshes, wetlands, or other waterways situated wholly or partly within the boundaries of the state, except those private waters which do not combine or affect a junction with surface water. Waters defined as sewerage systems, treatment works or disposal systems in Section 6111.01 of the Ohio Revised Code are not included.

(31) "Unstable soils" means a portion of land that is identified by the Village Engineer as prone to slipping, sloughing, or landslides, or is identified by the U.S. Department of Agriculture Natural Resource Conservation Service methodology as having low soil strength.

(32) "Water resource" means any public or private body of water including lakes and ponds, as well as any brook, creek, river, or stream having banks, a defined bed, and a definite direction of flow, either continuously or intermittently flowing.

(33) "Wetland" means those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, and similar areas (40 CFR 232, as amended).

1191.03 DISCLAIMER OF LIABILITY.

Compliance with the provisions of this regulation shall not relieve any person from responsibility for damage to any person otherwise imposed by law. The provisions of this regulation are promulgated to promote the health, safety, and welfare of the public and are not designed for the benefit of any individual or for the benefit of any particular parcel of property.

1191.04 CONFLICTS, SEVERABILITY, NUISANCES AND RESPONSIBILITY.

(a) Where this regulation is in conflict with other provisions of law or ordinance, the most restrictive provisions shall prevail.

(b) If any clause, section, or provision of this regulation is declared invalid or unconstitutional by a court of competent jurisdiction, the validity of the remainder shall not be affected thereby.

(c) This regulation shall not be construed as authorizing any person to maintain a private or public nuisance on their property, and compliance with the provisions of this regulation shall not be a defense in any action to abate such a nuisance.

(d) Failure of the Village of Hebron to observe or recognize hazardous or unsightly conditions or to recommend corrective measures shall not relieve the site owner from the responsibility for the condition or damage resulting therefrom, and shall not result in the Village of Hebron, its officers, employees, or agents being responsible for any condition or damage resulting therefrom.

1191.05 DEVELOPMENT OF STORM WATER POLLUTION PREVENTION PLANS.

(a) This regulation requires that a Storm Water Pollution Prevention Plan be developed and implemented for all parcels of one (1) acre or more and on which any regulated activity of Section 1191.04(c) is proposed.

(b) The following activities shall submit an Abbreviated Storm Water Pollution Prevention Plan:

(1) New single-family residential construction regardless of parcel size. If such activities disturb one (1) acre or more, or are part of a larger common plan of development or sale disturbing one (1) acre or more, an Ohio EPA Construction Site General Permit and a Storm Water Pollution Prevention Plan may be required.

(2) Additions or accessory buildings for single-family residential construction regardless of parcel size. If such activities disturb one (1) acre or more, or are part of a larger common plan of development or sale disturbing one (1) acre or more, an Ohio EPA Construction Site General Permit and a Storm Water Pollution Prevention Plan may be required.

(3) All non-residential construction on parcels of less than one (1) acre.

(4) General clearing activities not related to construction and regardless of parcel size. If such activities disturb one (1) acre or more, or are part of a larger common plan of development or sale disturbing one (1) acre or more, an Ohio EPA Construction Site General Permit and a Storm Water Pollution Prevention Plan may be required.

(c) Activities disturbing 1/10th (one tenth) or less of an acre are not required to submit a Storm Water Pollution Prevention Plan or an Abbreviated Storm Water Pollution Prevention Plan, unless required by the Village Engineer. These activities must comply with all other provisions of this regulation.

1191.06 APPLICATION PROCEDURES.

(a) Soil Disturbing Activities Submitting a Storm Water Pollution Prevention Plan. The applicant shall submit two (2) sets of the SWP3 and the applicable fees to the Village of Hebron as follows:

(1) For subdivisions. After the approval of the preliminary plans and with submittal of the improvement plans.

(2) For other construction projects. Before issuance of a zoning permit by the Community Development Coordinator.

(3) For general clearing projects. Prior to issuance of a zoning permit by the Community Development Coordinator.

(b) Soil Disturbing Activities Submitting an Abbreviated Storm Water Pollution Prevention Plan. The applicant shall submit two (2) sets of the Abbreviated SWP3 and the applicable fees to the Village of Hebron as follows:

(1) For single-family home construction. Before issuance of a zoning permit by the Community Development Coordinator.

(2) For other construction projects. Before issuance of a zoning permit by the Community Development Coordinator.

(3) For general clearing projects. Prior to issuance of a zoning permit by the Community Development Coordinator.

(c) The Village of Hebron shall review the plans submitted under subsection (a) or (b) hereof for conformance with this regulation and approve, or return for revisions with comments and recommendations for revisions. A plan rejected because of deficiencies shall receive a narrative report stating specific problems and the procedures for filing a revised plan.

(d) Soil disturbing activities shall not begin and zoning permits shall not be issued without an approved SWP3 or Abbreviated SWP3.

(e) SWP3 for individual sub-lots in a subdivision will not be approved unless the larger common plan of development or sale containing the sub-lot is in compliance with this regulation.

(f) Approvals issued in accordance with this regulation shall remain valid for one (1) year from the date of approval.

1191.07 COMPLIANCE WITH STATE AND FEDERAL REGULATIONS.

Approvals issued in accordance with this regulation do not relieve the applicant of responsibility for obtaining all other necessary permits and/or approvals from the Ohio EPA, the US Army Corps of Engineers, and other federal, state, and/or county agencies. If requirements vary, the most restrictive requirement shall prevail. These permits may include, but are not limited to, those listed below. All submittals required to show proof of compliance with these state and federal regulations shall be submitted with Storm Water Pollution Prevention Plans or Abbreviated Storm Water Pollution Prevention Plans.

(a) Ohio EPA NPDES Permits authorizing storm water discharges associated with construction activity or the most current version thereof. Proof of compliance with these requirements shall be the applicant's Notice of Intent (NOI) number from Ohio EPA, a copy of the Ohio EPA Director's Authorization Letter for the NPDES Permit, or a letter from the site owner certifying and explaining why the NPDES Permit is not applicable.

(b) Section 401 of the Clean Water Act. Proof of compliance shall be a copy of the Ohio EPA Water Quality Certification application tracking number, public notice, project approval, or a letter from the site owner certifying that a qualified professional has surveyed the site and determined that Section 401 of the Clean Water Act is not applicable. Wetlands, and other waters of the United States, shall be delineated by protocols accepted by the U.S. Army Corps of Engineers at the time an application is made under this regulation.

(c) Ohio EPA Isolated Wetland Permit. Proof of compliance shall be a copy of Ohio EPA's Isolated Wetland Permit application tracking number, public notice, project approval, or a letter from the site owner certifying that a qualified professional has surveyed the site and determined that Ohio EPA's Isolated Wetlands Permit is not applicable. Isolated wetlands shall be delineated by protocols accepted by the U.S. Army Corps of Engineers at the time an application is made under this regulation.

(d) Section 404 of the Clean Water Act. Proof of compliance shall be a copy of the U.S. Army Corps of Engineers Individual Permit application, public notice, or project approval, if an Individual Permit is required for the development project. If an Individual Permit is not required, the site owner shall submit proof of compliance with the U.S. Army Corps of Engineer's Nationwide Permit Program. This shall include one of the following:

(1) A letter from the site owner certifying that a qualified professional has surveyed the site and determined that Section 404 of the Clean Water Act is not applicable.

(2) A site plan showing that any proposed fill of waters of the United States conforms to the general and special conditions specified in the applicable Nationwide Permit. Wetlands, and other waters of the United States, shall be delineated by protocols accepted by the U.S. Army Corps of Engineers at the time an application is made under this regulation.

(e) Ohio Dam Safety Law. Proof of compliance shall be a copy of the ODNR Division of Water permit application tracking number, a copy of the project approval letter from the ODNR Division of Water, or a letter from the site owner certifying and explaining why the Ohio Dam Safety Law is not applicable.

1191.08 STORM WATER POLLUTION PREVENTION PLAN.

(a) In order to control sediment pollution of water resources and wetlands, the applicant shall submit a SWP3 in accordance with the requirements of this regulation.

(b) The SWP3 shall be certified by a professional engineer, a registered surveyor, certified professional erosion and sediment control specialist, or a registered landscape architect.

(c) The SWP3 shall incorporate measures as recommended by the most current edition of Rainwater and Land Development as published by the Ohio Department of Natural Resources and shall include the following information:

(1) Site description. The SWP3 shall provide:

A. A description of the nature and type of the construction activity (e.g. residential, shopping mall, highway, etc.).

B. Total area of the site and the area of the site that is expected to be disturbed (i.e., grubbing, clearing, excavation, filling or grading, including off-site borrow areas).

C. An estimate of the impervious area and percent of imperviousness created by the soil-disturbing activity.

D. Existing data describing the soil and, if available, the quality of any known pollutant discharge from the site such as that which may result from previous contamination caused by prior land uses.

E. A description of prior land uses at the site.

F. An implementation schedule which describes the sequence of major soil-disturbing operations (i.e., grubbing, excavating, grading, utilities and infrastructure installation) and the implementation of erosion and sediment controls to be employed during each operation of the sequence.

G. The location and name of the immediate receiving stream or surface water(s) and the first subsequent receiving water(s).

H. The aerial (plan view) extent and description of wetlands or other special aquatic sites at or near the site which will be disturbed or which will receive discharges from disturbed areas of the project.

I. For subdivided developments where the SWP3 does not call for a centralized sediment control capable of controlling multiple individual lots, a detail drawing of a typical individual lot showing standard individual lot erosion and sediment control practices.

J. Location and description of any storm water discharges associated with dedicated asphalt and dedicated concrete plants associated with the development area and the best management practices to address pollutants in these storm water discharges.

K. Site map showing:

1. Limits of soil-disturbing activity of the site, including off site spoil and borrow areas.

2. Soil types should be depicted for all areas of the site, including locations of unstable or highly erodible soils.

3. Existing and proposed one-foot (1') contours. This must include a delineation of drainage watersheds expected during and after major grading activities as well as the size of each drainage watershed in acres.

4. Surface water locations including springs, wetlands, streams, lakes, water wells, etc., on or within 200 feet of the site, including the boundaries of wetlands or stream channels and first subsequent named receiving water(s) the applicant intends to fill or relocate for which the applicant is seeking approval from the Army Corps of Engineers and/or Ohio EPA.

5. Existing and planned locations of buildings, roads, parking facilities, and utilities.

6. The location of all erosion and sediment control practices, including the location of areas likely to require temporary stabilization during the course of site development.

7. Sediment ponds, including their sediment settling volume and contributing drainage area.

8. Areas designated for the storage or disposal of solid, sanitary and toxic wastes, including dumpster areas, areas designated for cement truck washout, and vehicle fueling.

9. The location of designated stoned construction entrances where the vehicles will ingress and egress the construction site.

10. The location of any in-stream activities including stream crossings.

(2) A soils engineering report. The Village Engineer may require the SWP3 to include a Soils Engineering Report based upon his/her determination that the conditions of the soils are unknown or unclear to the extent that additional information is required to protect against erosion or other hazards. This report shall be based on adequate and necessary test borings, and shall contain all the information listed below. Recommendations included in the report and approved by the Village Engineer shall be incorporated in the grading plans and/or other specifications for site development.

A. Data regarding the nature, distribution, strength, and erodibility of existing soils.

B. If applicable, data regarding the nature, distribution, strength, and erodibility of the soil to be placed on the site.

C. Conclusions and recommendations for grading procedures.

D. Conclusions and recommended designs for interim soil stabilization devices and measures, and for permanent soil stabilization after construction is completed.

E. Design criteria for corrective measures when necessary.

F. Opinions and recommendations covering the stability of the site.

1191.09 PERFORMANCE STANDARDS.

The SWP3 must contain a description of the controls appropriate for each construction operation and the applicant must implement such controls. The SWP3 must clearly describe for each major construction activity the appropriate control measures; the general sequence during the construction process under which the measures will be implemented; and the contractor responsible for implementation (e.g., contractor A will clear land and install perimeter controls and contractor B will maintain perimeter controls

until final stabilization). The SWP3 shall identify all subcontractors engaged in activities that could impact storm water runoff. The SWP3 shall contain signatures from all of the identified subcontractors indicating that they have been informed and understand their roles and responsibilities in complying with the SWP3.

The controls shall include the following minimum components:

(a) Non-Structural Preservation Measures. The SWP3 must make use of practices that preserve the existing natural condition to the maximum extent practicable. Such practices may include preserving riparian areas, preserving existing vegetation and vegetative buffer strips, phasing of construction operations in order to minimize the amount of disturbed land at any one time, and designation of tree preservation areas or other protective clearing or grubbing practices.

(b) Erosion Control Practices. The SWP3 must make use of erosion controls that are capable of providing cover over disturbed soils. A description of control practices designed to re-stabilize disturbed areas after grading or construction shall be included in the SWP3. The SWP3 must provide specifications for stabilization of all disturbed areas of the site and provide guidance as to which method of stabilization will be employed for any time of the year. Such practices may include: temporary seeding, permanent seeding, mulching, matting, sod stabilization, vegetative buffer strips, phasing of construction operations, the use of construction entrances, and the use of alternative ground cover.

Erosion control practices must meet the following requirements:

(1) Stabilization. Disturbed areas must be stabilized as specified in Tables 1 and 2 below.

Table 1: Permanent Stabilization

Area requiring permanent stabilization	Time frame to apply erosion controls
Any area that will lie dormant for one year or more.	Within 7 days of the most recent disturbance.
Any area within 50 feet of a stream and at final grade.	Within 2 days of reaching final grade.
Any area at final grade.	Within 7 days of reaching final grade within that area.

Table 2: Temporary Stabilization

Area requiring temporary stabilization	Time frame to apply erosion controls
Any disturbed area within 50 feet of a stream and not at final grade.	Within 2 days of the most recent disturbance if that area will remain idle for more than 21 days.
For all construction activities, any disturbed area, including soil stockpiles that will be dormant for more than 21 days but less than one year, and not within 50 feet of a stream.	Within 7 days of the most recent disturbance within the area.
Disturbed areas that will be idle over winter.	Prior to November 1.
Note: Where vegetative stabilization techniques may cause structural instability or are otherwise unobtainable, alternative stabilization techniques must be employed. These techniques may include mulching or erosion matting.	

(2) Permanent stabilization of conveyance channels. Applicants shall undertake special measures to stabilize channels and outfalls and prevent erosive flows. Measures may include seeding, dormant seeding, mulching, erosion control matting, sodding, riprap, natural channel design with bioengineering techniques, or rock check dams, all as defined in the most recent edition of Rainwater and Land Development or the Field Office Technical Guide available at www.nrcs.usda.gov/technical/efotg/.

(c) Runoff Control Practices. The SWP3 shall incorporate measures that control the flow of runoff from disturbed areas so as to prevent erosion. Such practices may include rock check dams, pipe slope drains, diversions to direct flow away from exposed soils and protective grading practices. These practices shall divert runoff away from disturbed areas and steep slopes where practicable.

(d) Sediment Control Practices. The SWP3 shall include a description of, and detailed drawings for, all structural practices that shall store runoff, allowing sediments to settle and/or divert flows away from exposed soils or otherwise limit runoff from exposed areas. Structural practices shall be used to control erosion and trap sediment from a site remaining disturbed for more than fourteen days. Such practices may include, among others: sediment settling ponds, silt fences, storm drain inlet protection, and earth diversion dikes or channels which direct runoff to a sediment settling pond. All sediment control practices must be capable of ponding runoff in order to be considered functional. Earth diversion dikes or channels alone are not considered a sediment control practice unless used in conjunction with a sediment settling pond.

Sediment control practices must meet the following requirements:

(1) Timing. Sediment control structures shall be functional throughout the course of earth disturbing activity. Sediment basins and perimeter sediment barriers shall be implemented prior to grading and within seven (7) days from the start of grubbing. They shall continue to function until the up slope development area is re-stabilized. As construction progresses and the topography is altered, appropriate controls must be constructed or existing controls altered to address the changing drainage patterns.

(2) Sediment settling ponds. A sediment settling pond, or equivalent best management practice upon approval from the Village Engineer, is required for any one of the following conditions, as determined in Table 3 below:

- A. Concentrated storm water runoff.
- B. Runoff from drainage areas that exceeds the design capacity of silt fence or inlet protection.
- C. 10-acres of disturbed drainage.

The sediment-settling pond shall provide both a sediment storage zone and a dewatering zone. The volume of the dewatering zone shall be at least 67 cubic yards of storage per acre of total contributing drainage area and have a minimum of 48-hour drain time for sediment basins serving a drainage area over five acres.

The volume of the sediment storage zone shall be calculated by one of the following methods:

A. The volume of the sediment storage zone shall be 1000 cubic feet per disturbed acre within the watershed of the basin.

B. The volume of the sediment storage zone shall be the volume necessary to store the sediment as calculated with a generally accepted erosion prediction model. When determining the total contributing drainage area, off-site areas and areas which remain undisturbed by construction activity must be included unless runoff from these areas is diverted away from the sediment settling pond and is not co-mingled with sediment-laden runoff. The depth of the dewatering zone must be less than or equal to five (5) feet. The configuration between the inlets and the outlet of the basin must provide at least two units of length for each one unit of width (> 2:1 length: width ratio), however a length to width ration of 4:1 is recommended. Sediment must be removed from the sediment settling pond when the design capacity has been reduced by forty percent (40%). This limit is typically reached when sediment occupies one-half of the basin depth. When designing sediment settling ponds, the applicant must consider public safety, especially as it relates to children, as a design factor for the sediment basin and alternative sediment controls must be used where site limitations would preclude a safe design. The use of a combination of sediment and erosion control measures in order to achieve maximum pollutant removal is encouraged.

(3) Silt fence and diversions. Sheet flow runoff from denuded areas shall be intercepted by silt fence or diversions to protect adjacent properties, water resources, and wetlands from sediment transported via sheet flow. Where intended to provide sediment control, silt fence shall be placed on a level contour and shall be capable of temporarily ponding runoff. The relationship between the maximum drainage area to silt fence for a particular slope range is shown in Table 3 below. Storm water diversion practices shall be used to keep runoff away from disturbed areas and steep slopes. Such devices, which include swales, dikes or berms, may receive storm water runoff from areas up to 10 acres.

Placing silt fence in parallel does not extend the permissible drainage area to the silt fence.

Table 3: Maximum Drainage Area to Silt Fence

Maximum Drainage Area (acres) to 100 linear feet of silt fence	Range of Slope for a drainage area (%)
0.5	<2%
0.25	2% but < 20%
0.125	20% by < 50%

(4) Inlet protection. Erosion and sediment control practices, such as boxed inlet protection, shall be installed to minimize sediment-laden water entering active storm drain systems. All inlets receiving runoff from drainage areas of one or more acres will require a sediment settling pond. Straw or hay bales are not acceptable forms of inlet protection.

(5) Off-site tracking of sediment and dust control. Best management practices must be implemented to ensure sediment is not tracked off-site and that dust is controlled. These best management practices must include, but are not limited to, the following:

A. Construction entrances shall be built and shall serve as the only permitted points of ingress and egress to the development area. These entrances shall be built of a stabilized pad of aggregate stone or recycled concrete or cement sized greater than 2" in diameter, placed over a geotextile fabric, and constructed in conformance with specifications in the most recent edition of the Rainwater and Land Development Manual.

B. Streets directly adjacent to construction entrances and receiving traffic from the development area, shall be cleaned daily to remove sediment tracked off-site. If applicable, the catch basins on these streets nearest to the construction entrances shall also be cleaned weekly. Based on site conditions, the Village Engineer may require additional best management practices to control off site tracking and dust.

These additional BMPs may include:

C. Silt fence or construction fence installed around the perimeter of the development area to ensure that all vehicle traffic adheres to designated construction entrances.

D. Designated wheel-washing areas. Wash water from these areas must be directed to a designated sediment trap, the sediment-settling pond, or to a sump pump for dewatering in conformance with subsection (g) hereof.

E. Applicants shall take all necessary measures to comply with applicable regulations regarding fugitive dust emissions, including obtaining necessary permits for such emissions. The Village Engineer may require dust controls including the use of water trucks to wet disturbed areas, tarping stockpiles, temporary stabilization of disturbed areas, and regulation of the speed of vehicles on the site.

(6) Surface waters of the State protection. Construction vehicles shall avoid water resources and wetlands. If the applicant is permitted to disturb areas within fifty feet of a water resource or wetland, the following conditions shall be addressed in the SWP3:

A. All BMPs and stream crossings shall be designed as specified in the most recent edition of the Rainwater and Land Development Manual.

B. Structural practices shall be designated and implemented on site to protect water resources or wetlands from the impacts of sediment runoff.

C. No structural sediment controls (e.g., the installation of silt fence or sediment settling pond in-stream) shall be used in a water resource or wetland.

D. Where stream crossings for roads or utilities are necessary and permitted, the project shall be designed such that the number of stream crossings and the width of the disturbance are minimized.

E. Temporary stream crossings shall be constructed if water resources or wetlands will be crossed by construction vehicles during construction.

F. Construction of bridges, culverts, or sediment control structures shall not place soil, debris, or other particulate material into or close to the water resources or wetlands in such a manner that it may slough, slip, or erode.

(7) Modifying controls. If periodic inspections or other information indicates a control has been used inappropriately or incorrectly, the applicant shall replace or modify the control for site conditions.

(e) Non-Sediment Pollutant Controls. No solid or liquid waste, including building materials, shall be discharged in storm water runoff. The applicant must implement site best management practices to prevent toxic materials, hazardous materials, or other debris from entering water resources or wetlands. These practices shall include but are not limited to the following:

(1) Waste materials. A covered Dumpster shall be made available for the proper disposal of garbage, plaster, drywall, grout, gypsum, and other waste materials.

(2) Concrete truck wash out. The washing of concrete material into a street, catch basin, or other public facility or natural resource is prohibited. A designated area for concrete washout shall be made available.

(3) Fuel/liquid tank storage. All fuel/liquid tanks and drums shall be stored in marked storage area. A dike shall be constructed around this storage area with a minimum capacity equal to one hundred ten percent (110%) of the volume of all containers in the storage area.

(4) Toxic or hazardous waste disposal. Any toxic or hazardous waste shall be disposed of properly.

(5) Contaminated soils disposal and runoff. Contaminated soils from redevelopment sites shall be disposed of properly. Runoff from contaminated soils shall not be discharged from the site. Proper permits shall be obtained for development projects on solid waste landfill sites or redevelopment sites.

(f) Compliance with Other Requirements. The SWP3 shall be consistent with applicable State and/or local waste disposal, sanitary sewer, or septic system regulations, including provisions prohibiting waste disposal by open burning, and shall provide for the proper disposal of contaminated soils located within the development area.

(g) Trench and Ground Water Control. There shall be no sediment-laden or turbid discharges to water resources or wetlands resulting from dewatering activities. If trench or ground water contains sediment, it must pass through a sediment-settling pond or other equally effective sediment control device, prior to being discharged from the construction site. Alternatively, sediment may be removed by settling in place or by dewatering into a sump pit, filter bag or comparable practice. Ground water dewatering which does not contain sediment or other pollutants is not required to be treated prior to discharge. However, care must be taken when discharging ground water to ensure that it does not become pollutant-laden by traversing over disturbed soils or other pollutant sources.

(h) Internal Inspections. All controls on the site shall be inspected at least once every seven calendar days and within 24 hours after any storm event greater than one-half inch of rain per 24 hour period. The inspection frequency may be reduced to at least once every month if the entire site is temporarily stabilized or runoff is unlikely due to weather conditions (e.g., site is covered with snow, ice, or the ground is frozen). A waiver of inspection requirements is available until one month before thawing conditions are expected to result in a discharge if prior written approval has been attained from the Village of Hebron Engineer and all of the following conditions are met:

(1) The project is located in an area where frozen conditions are anticipated to continue for extended periods of time (i.e. more than one (1) month).

(2) Land disturbance activities have been suspended, and temporary stabilization is achieved.

(3) The beginning date and ending dates of the waiver period are documented in the SWP3.

The applicant shall assign qualified inspection personnel to conduct these inspections to ensure that the control practices are functional and to evaluate whether the SWP3 is adequate, or whether additional control measures are required. Qualified inspection personnel are individuals with knowledge and experience in the installation and maintenance of sediment and erosion controls.

These inspections shall meet the following requirements:

A. Disturbed areas and areas used for storage of materials that are exposed to precipitation shall be inspected for evidence of or the potential for, pollutants entering the drainage system.

B. Erosion and sediment control measures identified in the SWP3 shall be observed to ensure that they are operating correctly. The applicant shall utilize an inspection form provided by the Village of Hebron or an alternate form acceptable to the Village Engineer. The inspection form shall include:

1. The inspection date.

2. Names, titles and qualifications of personnel making the inspection.

3. Weather information for the period since the last inspection, including a best estimate of the beginning of each storm event, duration of each storm event and approximate amount of rainfall for each storm event in inches, and whether any discharges occurred.

4. Weather information and a description of any discharges occurring at the time of inspection.

5. Locations of:
 - a. Discharges of sediment or other pollutants from site.
 - b. BMPs that need to be maintained.
 - c. BMPs that failed to operate as designed or proved inadequate for a particular location.
 - d. Where additional BMPs are needed that did not exist at the time of inspection.

6. Corrective action required including any necessary changes to the SWP3 and implementation dates.

C. Discharge locations shall be inspected to determine whether erosion and sediment control measures are effective in preventing significant impacts to the receiving water resource or wetlands.

D. Locations where vehicles enter or exit the site shall be inspected for evidence of off-site vehicle tracking.

E. The applicant shall maintain for three (3) years following final stabilization the results of these inspections, the names and qualifications of personnel making the inspections, the dates of inspections, major observations relating to the implementation of the SWP3, a certification as to whether the facility is in compliance with the SWP3, and information on any incidents of non-compliance determined by these inspections.

(i) Maintenance. The SWP3 shall be designed to minimize maintenance requirements. All control practices shall be maintained and repaired as needed to ensure continued performance of their intended function until final stabilization. All sediment control practices must be maintained in a functional condition until all up slope areas they control reach final stabilization. The applicant shall provide a description of maintenance procedures needed to ensure the continued performance of control practices and shall ensure a responsible party and adequate funding to conduct this maintenance, all as determined by the Village of Hebron Engineer.

When inspections reveal the need for repair, replacement, or installation of erosion and sediment control BMPs, the following procedures shall be followed:

(1) When practices require repair or maintenance. If an internal inspection reveals that a control practice is in need of repair or maintenance, with the exception of a sediment-settling pond, it must be repaired or maintained within three (3) days of the inspection. Sediment settling ponds must be repaired or maintained within ten (10) days of the inspection.

(2) When practices fail to provide their intended function. If an internal inspection reveals that a control practice fails to perform its intended function as detailed in the SWP3 and that another, more appropriate control practice is required, the SWP3 must be amended and the new control practice must be installed within ten (10) days of the inspection.

(3) When practices depicted on the SWP3 are not installed. If an internal inspection reveals that a control practice has not been implemented in accordance with the schedule, the control practice must be implemented within ten (10) days from the date of the inspection. If the internal inspection reveals that the planned control practice is not needed, the record must contain a statement of explanation as to why the control practice is not needed.

(j) Final Stabilization. Final stabilization shall be determined by the Village Engineer. Once a definable area has achieved final stabilization, the applicant may note this on the SWP3 and no further inspection requirement applies to that portion of the site.

1191.10 ABBREVIATED STORM WATER POLLUTION PREVENTION PLAN.

(a) In order to control sediment pollution of water resources and wetlands, the applicant shall submit an Abbreviated SWP3 in accordance with the requirements of this regulation.

(b) The Abbreviated SWP3 shall be certified by a professional engineer, a registered surveyor, certified professional erosion and sediment control specialist, or a registered landscape architect.

(c) The Abbreviated SWP3 shall include a minimum of the following BMPs. Village of Hebron may require other BMPs as site conditions warrant.

(1) Construction entrances. Construction entrances shall be built and shall serve as the only permitted points of ingress and egress to the development area. These entrances shall be built of a stabilized pad of aggregate stone or recycled concrete or cement sized greater than 2" in diameter, placed over a geotextile fabric, and constructed in conformance with specifications in the most recent edition of the Rainwater and Land Development Manual.

(2) Concrete truck wash out. The washing of concrete material into a street, catch basin, or other public facility or natural resource is prohibited. A designated area for concrete washout shall be made available.

(3) Street sweeping. Streets directly adjacent to construction entrances and receiving traffic from the development area, shall be cleaned daily to remove sediment tracked off-site. If applicable, the catch basins on these streets nearest to the construction entrances shall be cleaned weekly.

(4) Stabilization. The development area shall be stabilized as detailed in Table 4.

Table 4: Stabilization

Area requiring stabilization	Time frame to apply erosion controls
Any disturbed area within 50 feet of a stream and not at final grade.	Within 2 days of the most recent disturbance if that area will remain idle for more than 21 days.
For all construction activities, any disturbed area, including soil stockpiles that will be dormant for more than 21 days but less than one year, and not within 50 feet of a stream.	Within 7 days of the most recent disturbance within the area.
Disturbed areas that will be idle over winter.	Prior to November 1.
Note: Where vegetative stabilization techniques may cause structural instability or are otherwise unobtainable, alternative stabilization techniques must be employed. These techniques may include mulching or erosion matting.	

(5) Inlet protection. Erosion and sediment control practices, such as boxed inlet protection, shall be installed to minimize sediment-laden water entering active storm drain systems. Straw or hay bales are not acceptable forms of inlet protection.

(6) Internal inspection and maintenance. All controls on the development area shall be inspected at least once every seven calendar days and within 24 hours after any storm event greater than one-half inch of rain per 24 hour period. Maintenance shall occur as detailed below:

A. When practices require repair or maintenance. If the internal inspection reveals that a control practice is in need of repair or maintenance, with the exception of a sediment-settling pond, it must be repaired or maintained within three (3) days of the inspection. Sediment settling ponds must be repaired or maintained within ten (10) days of the inspection.

B. When practices fail to provide their intended function. If the internal inspection reveals that a control practice fails to perform its intended function and that another, more appropriate control practice is required, the Abbreviated SWP3 must be amended and the new control practice must be installed within ten (10) days of the inspection.

C. When practices depicted on the Abbreviated SWP3 are not installed. If the internal inspection reveals that a control practice has not been implemented in accordance with the schedule, the control practice must be implemented within ten (10) days from the date of the inspection. If the inspection reveals that the planned control practice is not needed, the record must contain a statement of explanation as to why the control practice is not needed.

(7) Final stabilization. Final stabilization shall be determined by the Village of Hebron Engineer.

1191.11 FEES.

The Storm Water Pollution Prevention Plan and Abbreviated Storm Water Pollution Plan review, filing, and inspection fee is part of a complete submittal and is required to be submitted to the Village of Hebron before the review process begins. Please consult with Village Engineer for current fee schedule.

1199.12 BOND.

(a) If a Storm Water Pollution Prevention Plan or Abbreviated Storm Water Pollution Prevention Plan is required by this regulation, soil disturbing activities shall not be permitted until a cash bond has been deposited with the Fiscal officer per Comprehensive Storm Water Management Plan in the Bond Section. The bond will be used for the Village of Hebron to perform the obligations otherwise to be performed by the owner of the development area as stated in this regulation and to allow all work to be performed as needed in the event that the applicant fails to comply with the provisions of this regulation. The cash bond shall be returned, less Village of Hebron administrative fees as detailed in the Zoning Fees of the Village of Hebron Zoning Ordinances, after all work required by this regulation has been completed and final stabilization has been reached, all as determined by the Village Engineer.

(b) No project subject to this regulation shall commence without a SWP3 or Abbreviated SWP3 approved by the Village of Hebron Engineer.

1191.13 ENFORCEMENT.

(a) All development areas may be subject to external inspections by the Village of Hebron to ensure compliance with the approved SWP3 or Abbreviated SWP3.

(b) After each external inspection, the Village of Hebron shall prepare and distribute a status report to the applicant.

(c) If an external inspection determines that operations are being conducted in violation of the approved SWP3 or Abbreviated SWP3 the Village of Hebron may take action as detailed in Violation Section of this regulation.

1191.14 VIOLATIONS.

(a) No person shall violate or cause or knowingly permit to be violated any of the provisions of this regulation, or fail to comply with any of such provisions or with any lawful requirements of any public authority made pursuant to this regulation, or knowingly use or cause or permit the use of any lands in violation of this regulation or in violation of any permit granted under this regulation.

(b) Upon notice, the Village Administrator and/or his/her designee may suspend any active soil disturbing activity for a period not to exceed ninety (90) days, and may require immediate erosion and sediment control measures whenever he or she determines that such activity is not meeting the intent of this regulation. Such notice shall be in writing, shall be given to the applicant, and shall state the conditions under which work may be resumed. In instances, however, where the Mayor and/or designee finds that immediate action is necessary for public safety or the public interest, he or she may require that work be stopped upon verbal order pending issuance of the written notice.

1191.15 APPEALS FROM DECISIONS.

Appeals of any notice and/or determination made under this Chapter may be taken in accordance with Section 1107.05 of the Planning and Zoning Code.

1191.16 PENALTY.

(a) Violations under this Chapter shall be punished in accordance with Section 1105.12 of the Planning and Zoning Code.

(b) The imposition of any other penalties provided herein shall not preclude the Village of Hebron instituting an appropriate action or proceeding in a Court of proper jurisdiction to prevent an unlawful development, or to restrain, correct, or abate a violation, or to require compliance with the provisions of this regulation or other applicable laws, ordinances, rules, or regulations, or the orders of the Village of Hebron.