

CODIFIED ORDINANCES OF GRANVILLE
PART ELEVEN - PLANNING AND ZONING CODE

TITLE ONE - Subdivision Regulations

- Chap. 1105. Definitions.
- Chap. 1109. General Provisions
- Chap. 1113. Procedure for Plat Approval.
- Chap. 1115. Environment and Land Suitability.
- Chap. 1117. Design Standards.
- Chap. 1121. Improvements.

Exhibit A

TITLE THREE - Zoning Administration

- Chap. 1133. Purpose and Interpretation.
- Chap. 1135. Definitions.
- Chap. 1137. Administration and Enforcement.
- Chap. 1139. Board of Zoning and Building Appeals.
- Chap. 1141. Planning Commission.
- Chap. 1143. Amendments.
- Chap. 1145. Conditional Uses.
- Chap. 1147. Variances.
- Chap. 1149. Nonconforming Uses and Structures.

TITLE FIVE - Zoning Districts

- Chap. 1155. Districts Established.
- Chap. 1157. General Zoning Regulations.
- Chap. 1159. Village District.
- Chap. 1161. Architectural Review Overlay District.
- Chap. 1162. Structural Demolition.
- Chap. 1163. Suburban Residential District.
- Chap. 1165. Open Space District.
- Chap. 1167. Community Service District.
- Chap. 1169. Institutional District.
- Chap. 1171. Planned Development Districts.
- Chap. 1173. Village Gateway District.
- Chap. 1174. Raccoon Valley Aquifer Wellhead Protection
Overlay District.
- Chap. 1175. Suburban Business District.
- Chap. 1176. Transportation Corridor Overlay District.
- Chap. 1177. Flood Hazard Overlay District.

TITLE SEVEN - Supplemental Zoning Requirements

- Chap. 1179. Extraction of Minerals.
- Chap. 1181. Home Occupations.
- Chap. 1183. Off-Street Parking and Loading.
- Chap. 1185. Swimming Pools and Special Provisions.
- Chap. 1187. Height, Area and Yard Modifications.
- Chap. 1188. Motor Vehicle Blight.
- Chap. 1189. Signs.
- Chap. 1191. Wireless Communications Facilities and Towers.
- Chap. 1193. Tree and Landscape Requirements.
- Chap. 1194. Composting.
- Chap. 1195. Traffic Impact Study Ordinance.
- Chap. 1196. Access Management Plan Guidelines and Standards.
- Chap. 1197. Comprehensive Storm Water Management.
- Chap. 1198. Illicit Discharge and Illegal Connection Control.
- Chap. 1199. Erosion and Sediment Control.

INDEX

CODIFIED ORDINANCES OF GRANVILLE
PART ELEVEN - PLANNING AND ZONING CODE

TITLE ONE - Subdivision Regulations
Chap. 1105. Definitions.
Chap. 1109. General Provisions.
Chap. 1113. Procedure For Plat Approval.
Chap. 1115. Environment and Land Suitability.
Chap. 1117. Design Standards.
Chap. 1121. Improvements.
Exhibit A

CHAPTER 1105
Definitions

1105.01 Definitions.

CROSS REFERENCES
Plat and subdivision defined - see Ohio R.C. 711.001

- 1105.01 DEFINITIONS.
- (a) For the purpose of these Subdivision and Development Regulations the following terms are defined:
- (1) "Alley" or "service street" means a local right of way publicly owned primarily for service access to the back or sides of properties.
(Ord. 27-95. Passed 9-6-95.)
 - (2) "Arterial street" means a street primarily for through traffic carrying heavy loads and large volume of traffic usually on a continuous route.
 - (3) "Block" means a parcel of land bounded on at least one side by a street and on the other sides by a natural or manmade barrier or property line.

- (4) "Boulevard" means a street containing two lanes in each direction of travel each with a minimum width of twelve feet separated by a traffic island. Traffic islands shall have a minimum width of eight (8) feet measured from the back of curb to the back of curb.
- (5) "Building line" means the line within the property defining the required minimum distance between any structure and the adjacent street right of way.
- (6) "Collector street" means a street, whether within a residential, industrial, commercial, or other type of area, which primarily carries traffic from local streets to arterial streets, including the principal entrance and circulation routes within residential subdivisions.
- (7) "Commission" means the Planning Commission of the Municipality.
- (8) "Cul-de-sac" means a street having one end open to vehicular traffic and a vehicular turn around provided on the other end.
- (9) "Double-frontage lot" or "reverse-frontage lot" means a lot with front and rear street frontage.
- (10) "Easement" means a right of way granted for limited use of land for public or quasi-public purpose.
- (11) "Engineer, County" means the County Engineer of Licking County.
- (12) "Engineer, Municipal" means the full-time or consulting Engineer of the Municipality.
- (13) "Improvement" means a physical addition or alteration to land that may be necessary to service or accommodate lots.
- (14) "Local street" means a street primarily for the purpose of providing access to residential, commercial and other abutting property.
- (15) "Lot" means a parcel of land intended for transfer of ownership, development, improvement and/or dedication.
- (16) "Lot area" means the area contained within the property lines of the individual parcels of land as shown on a subdivision plat, excluding space within any street or right of way, but including the area of any easement.
- (17) "Municipality" means the Municipality of Granville, Ohio and its inhabitants.
- (18) "Plat, preliminary" means a tentative subdivision plan, in lesser detail than the final plat, indicating the proposed layout of a subdivision as a basis for consideration prior to the preparation of the final plat.
- (19) "Plat, final" means a complete and exact subdivision plan prepared for official recording as required by statute.
(Ord. 21-95. Passed 8-2-95.)
- (20) "Private drive", "private road", "service drive", "service road", "driveway", or any other "way" not classified as a "street" means a local privately owned right of way for access to or through private property.
(Ord. 27-95. Passed 9-6-95.)
- (21) "Street" means a public right of way designed for the purpose of moving people and goods or for the provision of access to private property.
- (22) "Subdivider" or "developer" means an owner or a person authorized as the agent for an owner for whom subdivision plans are being or have been made.

- (23) "Subdivision" means:
- A. The division of any parcel of land shown as a unit or as contiguous units on the last preceding tax roll, into two or more parcels, sites or lots, any one of which is less than five acres for the purpose, whether immediate or future, of transfer of ownership or development. Such division must be surveyed and platted, provided, however, that the division or partition of land into parcels of more than five acres not involving any new streets or easements of access, and the sale or exchange of parcels between adjoining lot owners, where such sale or exchange does not create additional building sites, shall be exempted.
 - B. The improvement of any parcel or parcels of land for residential, commercial or industrial structures or groups of structures which requires the opening, widening or extension of any street or streets. Such improvement must be surveyed and platted.
 - C. The division or allocation of land as open spaces for common use by owners, occupants or lease holders or as easements for the extension and maintenance of public sewer, water, storm drainage or other public facilities. Such division or allocation must be surveyed and platted.
- (24) "Sketch plan" means a draft or sketch showing contemplated development.
- (25) "Subdivision and Development Regulations" or "Regulations" means Ordinance 21-95, adopted August 2, 1995, as amended, which is codified as Title I of this Part Eleven - Planning and Zoning Code.
- (26) "Traffic Impact Study" means a study prepared by a registered engineer to determine the impact of proposed development on the municipal streets.
- (27) "Village Planner" means the Municipal Administrative Officer appointed by the Manager whose duties include the enforcement and administration of the provisions of these Subdivision and Development Regulations.
(Ord. 21-95. Passed 8-2-95.)

CHAPTER 1109 General Provisions

1109.01 Purpose.	1109.09 Resubdivision.
1109.02 Validity and separability.	1109.10 Amendments.
1109.03 Name.	1109.11 Public hearings.
1109.04 Interpretation.	1109.12 Enforcement.
1109.05 Compatibility.	1109.13 Fees.
1109.06 Jurisdiction.	1109.14 Cost reimbursement.
1109.07 Traffic impact of subdivisions.	1109.99 Penalty.
1109.08 Variances.	

CROSS REFERENCES

Plat approval by planning authority; minimum lot area - see Ohio R.C. 711.09

Procedure for plat approval - see P. & Z. Ch. 1113

Design standards - see P. & Z. Ch. 1117

1109.01 PURPOSE.

(a) The purpose of these Subdivision and Development Regulations is to provide for harmonious development within the Municipality by:

- (1) Promoting the public health, safety and general welfare of the Municipality;
- (2) Providing for growth and development in accordance with adopted plans, zoning regulations, policies and resolutions;
- (3) Providing for safe and convenient traffic circulation through the proper arrangement of streets or other rights of way in relation to existing or planned streets or rights of way;
- (4) Furthering the orderly layout and use of land;
- (5) Securing safety from fire, flood and other dangers;
- (6) Providing adequate light and air;
- (7) Preventing the overcrowding of land and avoiding undue concentration of population;
- (8) Facilitating adequate provision for transportation, water, sewage, stormwater management, open space, schools, parks, playgrounds and other public requirements and facilities;
- (9) Facilitating the further resubdivision of larger tracts into smaller parcels of land; and
- (10) Minimizing the impact of development to the land and the surrounding ecosystem.

(b) The provisions of these Regulations are made with reasonable consideration of the character of the Municipality with a view of conserving and enhancing the value of buildings placed upon the land, providing the best possible environment for human habitation and encouraging the most appropriate use of land. (Ord. 21-95. Passed 8-2-95.)

1109.02 VALIDITY AND SEPARABILITY.

If any section, sentence, clause or phrase of these Regulations is found to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of remaining portions and provisions. (Ord. 21-95. Passed 8-2-95.)

1109.03 NAME.

These Regulations shall be known as the Subdivision and Development Regulations for Granville, Ohio. (Ord. 21-95. Passed 8-2-95.)

1109.04 INTERPRETATION.

The provisions of these Regulations shall be held to be minimum requirements for the promotion of health, safety and general welfare of the Municipality.

These Regulations are not intended to repeal, abrogate, annul or in any manner interfere with any existing laws, covenants or rules. However, where these Regulations impose a greater minimum requirement than is required by existing laws, covenants or rules, the provisions of these Regulations shall govern. (Ord. 21-95. Passed 8-2-95.)

1109.05 COMPATIBILITY.

In addition to the requirements set forth herein and in other applicable sections of the Codified Ordinances of Granville, Ohio, all subdivisions shall conform to all applicable Federal and State regulations, rules and laws. (Ord. 21-95. Passed 8-2-95.)

1109.06 JURISDICTION.

These Regulations shall apply to all subdivisions hereinafter made of lands located in the incorporated area of the Municipality and may be applied to the unincorporated area outside of the Municipality in accordance with the Ohio Revised Code. (Ord. 21-95. Passed 8-2-95.)

1109.07 TRAFFIC IMPACT OF SUBDIVISIONS.

The Planning Commission shall not recommend nor shall Council approve a subdivision plat unless they find that such subdivision plat provides adequate ingress and egress and does not adversely impact traffic patterns. A traffic impact study shall be conducted to determine the development's impact on municipal street patterns and pedestrian and vehicular traffic flow for any proposed residential subdivision of greater than fifteen (15) units and for any commercial, industrial or institutional developments unless waived by the Planning Commission. The traffic impact study shall include any proposed off-site road improvements determined necessary to alleviate any impact caused by the proposed subdivision or development. (Ord. 21-95. Passed 8-2-95.)

1109.08 VARIANCES.

(a) Deviations from any of the terms of these Regulations may be recommended to Council by the Planning Commission in specific cases where topographical or other conditions justify such deviations. Such modifications may be granted only if substantial hardship or injustices caused by topographical or other conditions would be experienced by strict compliance to the provisions of this chapter.

(b) Alternatively, deviations from any of the terms of these Regulations may be recommended to Council by the Planning Commission in specific cases where unique conditions or special circumstances make it impractical and infeasible to meet the applicable Regulations. Such modifications may be granted only if the requested variance is not detrimental to the public good, does not substantially impair the intent and purpose of these Regulations, and advances one or more Goals as stated in the Comprehensive Plan. Such a variance request shall specify, in writing, why the variance is appropriate and necessary and shall document the unique conditions or special circumstances that make it impractical and infeasible to meet the applicable Regulations. The documentation shall show that the applicant has considered all practical and reasonable alternatives to mitigate the unique conditions or special circumstances and that the alternatives are not feasible or practical. In deciding such a variance request, the Planning Commission and Council shall consider recommendations from the Village Engineer, Village Utilities Director, Village Service Director and/or the Granville Township Fire Chief, as appropriate, regarding the impact of the requested variance on the public good and on the intent and purpose of these Regulations.

(c) Deviations from any of the terms of these Regulations regarding the design, configuration or construction of any infrastructure improvements, including but not limited to streets, paths, sidewalks, water lines, sewer and storm lines, utility or service lines or lighting, may be authorized only by appropriate action of Council.
(Ord. 13-2015. Passed 12-2-15.)

1109.09 RESUBDIVISION.

Whenever any parcel or subdivision which received final approval prior to the effective date of these Regulations is resubdivided and the width, lot lines or the area of one or more lots or the direction and location of any street is altered or modified, the resubdivision shall be submitted to the Planning Commission for approval prior to its recording.
(Ord. 21-95. Passed 8-2-95.)

1109.10 AMENDMENTS.

The Planning Commission may, from time to time, as it considers appropriate, recommend modifications or amendments to these Regulations.
(Ord. 21-95. Passed 8-2-95.)

1109.11 PUBLIC HEARINGS.

The Planning Commission may, on its own motion or upon the petition by any resident of the Municipality or neighboring property owners, prior to acting on a preliminary subdivision plat for any subdivision, hold a hearing thereon at such time and place and upon such notice as the Planning Commission may designate. All interested parties shall be entitled to be heard at such hearing. The Commission shall adopt rules requiring the Zoning Inspector to give written notice by first class mail as evidenced by a certificate of mailing or by personal service to property owners whose land shares a common boundary with the land to be subdivided or is separated therefrom by a street, road, or alley in those cases where the Commission believes the property owners would have a great interest in the matter. (Ord. 15-08. Passed 1-7-09.)

1109.12 ENFORCEMENT.

The Municipality may institute any appropriate action or proceeding to enjoin or otherwise prohibit any violation of these Regulations or any provision of the Codified Ordinances of Granville or Chapter 711 of the Ohio Revised Code.
(Ord. 21-95. Passed 8-2-95.)

1109.13 FEES.

Fees for the various plat submittals and reviews shall be as follows:

- (a) Sketch Plan Review - No Fee.
- (b) Subdivision Without Plat - \$25.00.
- (c) Preliminary Plat - \$200.00 + cost of postage, advertising and Municipal Engineer reviews.
- (d) Final Plat - Cost of postage, advertising and Municipal Engineer reviews, plus the following:

<u>Number of Lots</u>	<u>Fee</u>
2 through 5	\$50.00 minimum.
6 through 15	\$100.00 + \$10.00 per lot over the 5th lot.
16 and over	\$250.00 + \$10.00 per lot over the 15th lot.

(Ord. 21-95. Passed 8-2-95.)

1109.14 COST REIMBURSEMENT.

In addition to the fees established by Section 1109.13, the subdivider, developer or owner shall pay all costs incurred by the Municipality, as the case may be, to inspect improvements which are installed, and to provide for plat and plan review, including, but not limited to, engineering costs and expenses. (Ord. 21-95. Passed 8-2-95.)

1109.99 PENALTY.

(a) In addition to any other penalties or actions permitted by law, any subdivider, owner, agent, surveyor, engineer or other person, firm or corporation who violates or assists in violating any part of these Regulations or fails to comply with an order issued pursuant hereto, shall be subject to a Civil Penalty of not more than one thousand dollars (\$1,000) for each violation. A separate offense shall be deemed committed each day during or on which an offense occurs or continues. Such sum may be recovered with costs in a civil action in the Court of Common Pleas of Licking County, Ohio, brought by the Law Director in the name of the Municipality and for the use thereof.

(b) Each such person shall be deemed guilty of a separate offense for every day during any portion of which any violation of any provisions of these Regulations, including any physical condition created in violation hereof, continues or is committed by such person and shall be punished therefor as provided herein and/or as otherwise established in the Codified Ordinances of Granville, Ohio. (Ord. 21-95. Passed 8-2-95.)

CHAPTER 1113

Procedure for Plat Approval

1113.01	Sketch plan.	1113.03	Preliminary plat.
1113.02	Subdivision without plat. (lot-split).	1113.04	Approval of preliminary plat.
		1113.05	Final plat.

CROSS REFERENCES

Plat approval by planning authority; minimum lot area - see
Ohio R.C. 711.09
Plat defined - see P. & Z. 1105.01
Plat approval fees - see P. & Z. 1109.13
Public use fees - see BLDG. 1305.03

1113.01 SKETCH PLAN.

(a) Subdividers are urged to discuss possible development with the Village Planner or other designee of the Manager and the Planning Commission prior to submission of a preliminary plat for advice and to identify variances which will be required whether from the Planning Commission, the Board of Zoning and Building Appeals, or Council.

(b) If desired, a sketch plan may be prepared and presented for review and discussion. Sketch plans should generally include those items listed in Section 1117.02.

(c) Discussions and/or sketch plan review with the Village Planner or other designee of the Manager shall be considered as confidential between the subdivider and the Municipality. Discussion with the Planning Commission will, however, be in an open public meeting. Submission of a sketch plan shall not constitute formal filing of either a preliminary or final plat. (Ord. 21-95. Passed 8-2-95.)

1113.02 SUBDIVISION WITHOUT PLAT (LOT-SPLIT).

(a) Written application for a subdivision without plat shall be submitted to the Village Planner or designee of the Manager who shall review such application for proper form and content. Upon acceptance of the application, the Village Planner or designee of the Manager shall process the application in accordance with this section.

(b) The Planning Commission shall consider an application for subdivision without plat within twenty-one (21) days after receipt of the application and shall act on such application within thirty (30) days after consideration, unless otherwise extended by mutual agreement, and may approve such application provided:

- (1) All lots of the resulting subdivision are contiguous to a dedicated public street right of way for such distance as is required by the applicable zoning district.
- (2) No opening, widening or extension of any road, street or other public way is involved.
- (3) No more than five (5) lots, each of which meet established criteria for development, result after the original tract is completely subdivided.
- (4) The request for subdivision is not contrary to platting, subdividing or zoning regulations of the Municipality.

(c) A boundary survey prepared by a registered surveyor shall be submitted with each application for subdivision without plat. Such survey shall show:

- (1) Boundaries of the proposed subdivision based on an accurate transverse with angular and lineal dimensions.
- (2) Size of all lots within the proposed subdivision with accurate dimensions in feet and hundredths with bearing in degrees and minutes.
- (3) Exact location, width and name of all streets or other public ways contiguous to the proposed subdivision.
- (4) Names of adjacent subdivisions and/or owners of adjoining parcels with the boundary lines of adjacent tracts of unsubdivided and subdivided land.
- (5) Scale of plan, north point and date. The location, widths of easements, parks, permanent buildings, military survey and township lines within and adjacent to the subdivision

(d) The Planning Commission may grant conditional approval to any proposed subdivision or lot-split pending approval by the Board of Zoning and Building Appeals or Council of variances which may be required for development.

(e) No application for subdivision without plat shall be approved by the Planning Commission which would result in any parcel of land becoming or remaining landlocked or which does not meet the conditions of this section. (Ord. 21-95. Passed 8-2-95.)

1113.03 PRELIMINARY PLAT.

(a) Submission.

- (1) The subdivider/developer shall prepare a preliminary plat together with improvement plans and such other data as may be required by Chapters 1109, 1117, 1121 or 1147.
- (2) Eleven (11) copies of the preliminary plat and other required material shall accompany a written application to the Planning Commission.
- (3) For consideration at the next regularly scheduled meeting of the Planning Commission, the application including all required attachments shall be submitted to the Village Planner. The application shall be considered officially filed after it is examined by the Village Planner or his/her designee and is found to be complete in all respects. The Planning Commission shall not consider an application for a preliminary plat which is found to be incomplete.

- (b) Approval.
- (1) The Village Planner or other designee of the Manager shall transmit copies to the Municipal Engineer, the appropriate boards, commissions and departments of the Municipality, and to all affected local utility companies for their review, recommendations, or action.
 - (2) The Planning Commission shall determine whether the preliminary plat shall be approved, approved with modifications, conditionally approved, or disapproved. Conditional approval may be based upon the subdivider/developer obtaining approval for any deviations or variances from these regulations by the authority empowered to grant such deviations or variances.
- (c) Size and Scale.
- (1) The preliminary plat shall be clearly and legibly drawn. The scale of the plat shall be not less than one (1) inch equals one hundred (100) feet.
 - (2) The plat of a subdivision containing six (6) acres or less shall be drawn at a scale of one (1) inch equals fifty (50) feet.
- (d) Plat Contents. The preliminary plat shall contain the following information:
- (1) Proposed name of the subdivision which name shall not duplicate, be of the same in spelling or alike in pronunciation with any other recorded subdivision. However, in the case of a subdivision platted by phases, the subdivider/developer shall be permitted to use the same subdivision name;
 - (2) Location and distance to any adjacent street intersection or plat;
 - (3) Names and addresses of the subdivider/developer and/or owner and surveyor;
 - (4) Scale of the plan, north point and date;
 - (5) Boundaries of the subdivision indicated by a heavy line and the acreage of the subdivision;
 - (6) Location, widths and names of existing or platted streets, railroad rights of way, easements, parks, permanent buildings, military survey and township lines within and adjacent to the subdivision;
 - (7) Names of adjacent subdivisions and owners of adjoining parcels of land, deed book and page number and adjacent zoning;
 - (8) Existing contours with intervals of not more than five (5) feet where the slope is greater than ten (10) percent, or not more than two (2) feet where the slope is less than ten (10) percent. Elevations shall be based on sea level datum;
 - (9) Power transmission poles and lines and any other significant items; and
 - (10) Vicinity sketch at a scale not smaller than 1" = 2000'.
- (e) Other Contents.
- (1) Wooded areas, rivers, streams, watercourses, drainage routes and patterns, pending areas and wetlands.
 - (2) The 100-year floodplain, including the floodway definition, of any watercourse identified by FEMA, National Flood Insurance Program, Flood Insurance Rate Maps.
 - (3) Soils information, derived from the Soil Survey of Licking County.
 - (4) Approximate building locations within 100 feet of the subdivision.

- (5) Storm and sanitary sewers (with sizes and inverts), culverts, drainage tile, water lines, gas lines, and utility lines and poles within and adjacent to the site. Direction and distances to water and sewer lines if not located on or adjacent to the tract of land to be subdivided or developed.
- (6) Name, location, pavement and right-of-way width, and approximate grade of proposed and existing streets within or near the site.
- (7) Location of proposed blocks, lots (with dimensions, numbers and building lines), reserves and purpose of reserves, and minimum building setback lines.
- (8) Preliminary location and size of proposed storm sewers, culverts, stormwater control facilities, sanitary sewers, and waterlines showing easements and outlets or connections to areas beyond the boundaries of the proposed subdivision or development.
- (9) Lot grading elevations and major storm routing path.
- (10) Location of proposed parkland, public open space, playground, school land, or common areas or facilities.
- (11) Location and type of other proposed improvements.

(f) Additional Requirements. The following items may be required, by the Municipality, to be included with, or be a supplement to the preliminary plat or development plan.

- (1) Landscape Plan that is in accordance with Chapter 1193 of the Codified Ordinances.
- (2) Screening, buffering and/or noise abatement measures.
- (3) Location and results of soil borings or test pits.
- (4) Plat wording and/or deed restrictions.
- (5) Land dedicated for public use, land reserved by plat wording for public or common use.
- (6) Traffic control measures including turning lanes, special curbing and other public safety measures.
- (7) Access management practices to control the number and location of drives and access points onto public right of way.
- (8) Special type and width of street pavement.
- (9) Potential street locations within or adjacent to the site.
- (10) Other provisions deemed necessary to allow development consistent with public health, safety and welfare.
(Ord. 02-2014. Passed 2-19-14.)

1113.04 APPROVAL OF PRELIMINARY PLAT.

After action by the Planning Commission on an application for preliminary plat approval, the Village Planner shall record the action taken as follows:

- (a) If the application was approved, three (3) copies of the approved preliminary plat shall be stamped "Approved by Planning Commission in an official meeting held (date) with the following additional provisions: (list or attach the specific provisions or contingencies, if none so note)" and shall be signed by the Chairman or Village Planner attesting to the action taken.
- (b) If application is disapproved, three (3) copies of the disapproved preliminary plat shall be stamped "Disapproved by the Planning Commission in an official meeting held (date) for the following reasons: (list or attach the specific reasons for denial)" and shall sign same attesting to action taken.

- (c) Two (2) copies of the signed preliminary plat shall be forwarded to the applicant and one copy retained in the permanent files of the zoning office.
- (d) The approval of a preliminary plat shall be effective for a period of twelve (12) months, or for such other time as approved by the Planning Commission.
(Ord. 02-2014. Passed 2-19-14.)

1113.05 FINAL PLAT.

(a) Submission. The final plat shall be submitted not later than twelve (12) months after the date of approval of the preliminary plat, or as indicated by the Planning Commission in their final review and approval. Otherwise the preliminary plat shall be considered void unless an extension is requested by the subdivider/developer or is a portion of an overall development previously approved. The final plat shall be considered by the Planning Commission and approved if found to be in full compliance with the formal provisions of these Regulations. The final plat shall be submitted to the Planning Commission in accordance with Section 1141.05, Procedure for Decisions of the Planning Commission.

(b) Contents. The final plat shall conform to the preliminary plat. The final plat may constitute only that portion of the approved preliminary plat which the subdivider/developer proposes to record and develop at the time, provided that such portion conforms with all the requirements of these Regulations. Cross sections and profiles of streets and all other construction drawings related to the improvements to be constructed in the subdivision shall be submitted with the final plat.

(c) Review. The Village Planner or designee of the Manager shall transmit copies of the plat to the appropriate Municipal departments for final study and recommendation to the Village Planner. The cross sections and all other construction drawings shall be forwarded to the Municipal Engineer. After receiving a report from the Village Planner, the Planning Commission shall notify the subdivider/developer of any recommended changes or suggestions so that the subdivider/developer may correct the final tracing. In the event a written report is not received prior to the meeting to consider the final plat, the Planning Commission may proceed to act in accordance with these Regulations.

(d) The final tracing shall be submitted in accordance with Section 1141.05, Procedure for Decisions of the Planning Commission. The Planning Commission shall approve or disapprove the final plat within thirty (30) days of consideration, unless mutually extended. If the subdivider/developer resubmits a plat having incorporated any amendments or changes required to meet the provisions of these Regulations, the Planning Commission shall approve the plat.

(e) Form. The final plat shall be clearly and legibly drawn in permanent ink on Mylar or equivalent. The size of the plat shall be eighteen (18) by twenty-four (24) inches in size. The plat of a subdivision containing six (6) acres or less shall be drawn at a scale of one (1) inch equals fifty (50) feet. All other subdivisions shall be drawn at a scale of one (1) inch equals one hundred (100) feet, unless otherwise required by the Planning Commission.

- (f) Plat Contents. The final plat shall contain the following information:
- (1) Name of the subdivision and location;
 - (2) Accurate traverse of subdivision boundary with true angles and distances to an error of closure of 1: 10,000;
 - (3) Bearing and distances to the nearest established street lines, military survey or township lines, or other recognized permanent monuments which shall be accurately described on the plat;

- (4) Municipal, military survey or township lines accurately tied to the lines of the subdivision by distances and bearings;
- (5) Names of streets within the plat;
- (6) Length of all arcs, chord and chord bearings, radii, internal angles, points of curvature and tangent bearings;
- (7) All easements for rights of way provided for public services or utilities, and any limitations of such easements;
- (8) All lot numbers and lines with accurate dimensions in feet and hundredths, and with bearings or angles to street and alley or crosswalk way lines;
- (9) Accurate locations of all monuments;
- (10) Accurate outlines of any areas to be dedicated or temporarily reserved for public use with the purpose indicated thereon;
- (11) Building setback lines with dimensions;
- (12) The width at the building lines when lots are located on a curve or when side lot lines are at angles other than ninety (90) degrees;
- (13) Protective covenants;
- (14) Certification, with seal by a registered professional engineer or registered land surveyor with the State, that the survey and plat are correct;
- (15) Notarized certification, by the owner or owners, of the adoption of the plat and the dedication of streets and other public areas;
- (16) Certificate for approval of the Planning Commission;
- (17) A certificate to provide for the County Recorder;
- (18) A certificate to provide for the County Auditor;
- (19) Certificate for approval by the Municipal Engineer; and
- (20) Such other certificates of approval by proper authority.

(g) Approval. The subdivider shall be notified of the final action of the Planning Commission, and shall record the final plat in the office of the County Recorder, within sixty (60) days after the date of approval, otherwise the plat shall be considered void. The subdivider/developer shall, immediately upon recording, furnish the Municipality with five (5) prints of the recorded plat.

(Ord. 02-2014. Passed 2-19-14.)

CHAPTER 1115 Environment and Land Suitability

1115.01	Land suitability.	1115.05	Wetlands.
1115.02	Floodplain.	1115.06	Sites for public uses.
1115.03	Watercourses and drainageways.	1115.07	Wooded areas.
1115.04	Soils with development limitations.		

CROSS REFERENCES

Tree and landscape requirements - see P. & Z. Ch. 1193
Flood Hazard Overlay District - see P. & Z. Ch. 1177
Soils - see Soil Survey of Licking County, Ohio

1115.01 LAND SUITABILITY.

Land the Planning Commission finds unfavorable for development due to flooding, improper drainage, slopes, geology, soil conditions, water quality or quantity, utility easements or other features which may reasonably be considered environmentally harmful or detrimental to the safety, health and welfare of present or future residents of the subject or surrounding area, shall not be subdivided or developed unless measures adequate to resolve the problems are formulated by the applicant and approved by the Planning Commission.
(Ord. 21-95. Passed 8-2-95.)

1115.02 FLOODPLAIN.

When a portion of the property is in a floodplain, the subdivider/developer shall include the location in the plans. The location of the floodplain areas shall be determined by the National Flood Insurance Program (NFIP) maps and data or data developed by a Registered Professional Engineer using accepted engineering practices. Any development within the floodplain areas must be in compliance with Chapter 1177.
(Ord. 21-95. Passed 8-2-95.)

1115.03 WATERCOURSES AND DRAINAGEWAYS.

The applicant shall take steps to assure watercourses, drainageways, streams, creeks, ditches or swales continue to function in their natural or intended manner. Plans for changes to such drainageways and watercourses, etc. shall be submitted for approval.
(Ord. 21-95. Passed 8-2-95.)

1115.04 SOILS WITH DEVELOPMENT LIMITATIONS.

Soils with potential wetness, drainage or strength limitations are identified by the Soil Survey of Licking County, Ohio. The Soil Survey notes limitations for homesites, roads, and other development activities. Special street sections may be required to deal with soil limitations. Plat wording or deed restrictions may be required to alert future owners of lots to potential limitations or to otherwise specify development conditions or restrictions. (Ord. 21-95. Passed 8-2-95.)

1115.05 WETLANDS.

In addition to these Regulations, the U.S. Army Corps of Engineers and the Ohio EPA may have jurisdiction over wetlands. Subdivision approvals may be revoked if the subdivider/developer fails to secure proper permits. (Ord. 21-95. Passed 8-2-95.)

1115.06 SITES FOR PUBLIC USES.

Consideration shall be given to preserving natural features such as scenic areas, watercourses, stands of trees, and to providing suitable areas for playgrounds, schools, parks and recreational facilities. Sites may be dedicated to the public or reserved by deed or plat wording. (Ord. 21-95. Passed 8-2-95.)

1115.07 WOODED AREAS.

When wooded areas are developed the subdivider/developer shall plan for the retention of as many trees and as much of the area's character as possible, pursuant to Chapter 1193. Care should be taken to maximize the aesthetic value of the trees and avoid safety and maintenance liabilities for future owners. Development impacts shall be minimized with proper construction and urban forestry management practices. (Ord. 21-95. Passed 8-2-95.)

CHAPTER 1117 Design Standards

1117.01	Evaluation of plans.	1117.10	Drainage structures.
1117.02	Streets and highways.	1117.11	Sidewalks.
1117.03	Access management.	1117.12	Treelawn.
1117.04	Service roads.	1117.13	Building permits.
1117.05	Stormwater management standards.	1117.14	Plantings.
1117.06	Easements.	1117.15	Public Street Lighting Plan.
1117.07	Lots and building setback lines.	1117.16	Street name signs.
1117.08	Survey monuments.	1117.17	Traffic control devices.
1117.09	Street construction plan and profile.		

CROSS REFERENCES

Cornerstones and permanent markers - see Ohio R.C. 711.03, 711.14
 Streets - see S.U. & P.S. Ch. 901
 Sidewalks - see S.U. & P.S. Ch. 905, Ch. 907
 Sewer regulations and charges - see S.U. & P.S. Ch. 921
 Water regulations and charges - see S.U. & P.S. Ch. 925
 Improvements - see P. & Z. Ch. 1121

1117.01 EVALUATION OF PLANS.

The Subdivision and Development Regulations, principles, standards and requirements set forth herein shall be applied by the Planning Commission in evaluating the proposed subdivision plans submitted for their consideration. However, if physical conditions interfere, the Planning Commission may recommend deviation from the established requirement so as to carry out the overall intent of these standards. (Ord. 21-95. Passed 8-2-95.)

1117.02 STREETS AND HIGHWAYS.

(a) Streets shall be logically related to the topography so as to produce usable lots, reasonable grades, a minimum of topographical or physical alterations and multiple access.

(b) Local streets shall be so laid out as to discourage their use by through traffic. Further, the arrangement of streets shall provide for the continuation of appropriate projection of the streets to serve the adjacent lands wherever topographic and other physical conditions permit.

(c) Where a subdivision abuts or contains an existing or proposed major highway of primary classification, the Planning Commission may require a frontage road, nonaccess reservation along the rear of the property contiguous to such highway or such other treatment as may be necessary for adequate protection of residential properties and to separate local and through traffic.

(d) Where a subdivision borders on or contains a railroad right of way or limited access highway right of way the Planning Commission may require a street approximately parallel to and on each side of such right of way at a distance suitable for the appropriate use of the intervening land. Such distances shall also be determined with regard for the requirements of approach grades and future separations.

(e) Buffer strips or lots intended to restrict access from adjacent private or public areas shall be prohibited.

(f) Double-frontage lots are prohibited, unless the street to the rear is a service road or alley. The Planning Commission may determine double-frontage lots or reverse-frontage lots are necessary to meet the objectives of Access Management, Section 1117.03.

(g) A tangent at least one hundred (100) feet long shall be introduced between reverse curves on arterial and collector streets.

(h) Streets shall be laid out so as to intersect as near as possible at right angles.

(i) Dead-end streets shall be prohibited except as stubs to permit further street extensions into adjoining undeveloped tracts or when designed as cul-de-sacs.

(j) All street rights of way shall not be less than the width specified as follows:

STREET TYPE	MINIMUM WIDTH (feet)
Arterial	70
Collector	60
Local	60
Cul-de-sac	60
Service	50

(k) Street grades shall conform to the following specifications:

STREET TYPE	MAXIMUM GRADE (percent)
Arterial	8
Collector	10
Local	10
Cul-de-sac	10
Service	10

The minimum grade for collector or local streets shall be one-half ($\frac{1}{2}$) of one (1) percent.

(l) Cul-de-sacs are permitted where the street length does not exceed one thousand five hundred (1,500) feet and where a turn-around with a right-of-way radius of fifty (50) feet is provided. The pavement of a turning circle at the end of a cul-de-sac shall have a minimum radius of thirty-seven and one-half (37 ½) feet measured from vertical face of curb to vertical face of curb. The Planning Commission may require a right of way reserved for access to adjoining private or public land. Cul-de-sacs with islands shall have a minimum of thirty (30) feet of pavement width around the island measured from vertical face of curb to vertical face of curb.

(m) Streets shall be constructed to conform with the specifications as set forth by the Municipal Engineer which are to be considered as minimum standards.

(n) Minimum centerline radius for horizontal curves shall be as follows:

STREET TYPE	RADIUS (feet)
Arterial	1000
Collector	300
Local	100
Cul-de-sac	300
Service	100

(o) No street name or plat name shall be used which will duplicate, or be confused with, the name of any existing street or plat in Licking County. Street names and plat names shall be subject to the approval of the Planning Commission.

(p) Roadway widths, vertical face of curb to vertical face of curb shall not be less than:

STREET TYPE	MINIMUM WIDTH (feet)
Arterial	36
Collector	28
Local	26
Cul-de-sac	26
Service	26

(q) Minimum standards to determine roadway width:

STREET TYPE	PARKING LANE WIDTH (FEET)	TRAVEL LANE WIDTH (FEET)
Arterial	None	12 (3 Lanes)
Collector	8	10
Local	8	9
Cul-de-sac	8	9
Service	8	9

(r) Intersection Standards:

Design Element	Standard
(1) Maximum Approach Speed	25 mph
(2) Clear Sight Distance (Length along each approach leg)	100 feet
(3) Profile Grade Approach to Intersection	3 % (max.)
(4) Minimum Angle of Intersection	75 degrees
(5) Streets shall remain in the angle of intersection for at least 100 feet	(90 degrees preferred)
(6) Minimum Curb Return Radius	
A. Curbed (face of curb)	25 feet
B. Uncurbed (edge of pavement)	30 feet
(7) Minimum centerline offset of adjacent intersections	
A. Arterial	300 feet
B. Collector	200 feet
C. Local	150 feet
D. Cul-de-sac	150 feet
E. Service	100 feet

(Ord. 21-95. Passed 8-2-95.)

1117.03 ACCESS MANAGEMENT.

(a) Traffic safety measures and the location and number of access points onto existing and proposed streets shall be as required by the Planning Commission upon consideration of the recommendation by the Municipal Engineer, Service Director or Village Planner. In order to improve access control or safety, the following may be required:

- (1) Service roads.
- (2) Reverse frontage lots with access on interior streets.
- (3) Buffering and screening, or other treatment for separation of through traffic and impacts from development areas.
- (4) Driveways with turnarounds.
- (5) Combined access points to the public right of way.
- (6) Restrictions on the number and location of drives.
- (7) Driveway/access easements shall be provided for adjoining parcels.

(b) The arrangement of streets shall consider existing and planned streets, topographical conditions, public convenience and safety and proposed land use. Provision shall be made for continuation of streets where adjoining land is not subdivided. Local residential streets shall be designed to discourage through traffic. (Ord. 21-95. Passed 8-2-95.)

1117.04 SERVICE ROADS.

(a) Service Roads shall be provided in commercial and industrial districts, except that the Planning Commission may waive this requirement where other definite and assured provision is made for service access such as off-street loading and parking adequate for the uses proposed.

(b) Service Roads shall be prohibited in residential areas unless necessary because of topography or other exceptional circumstances as determined by the Planning Commission. (Ord. 21-95. Passed 8-2-95.)

1117.05 STORMWATER MANAGEMENT STANDARDS.

(a) Guidelines & Criteria. Design of storm sewers, drainage structures and stormwater management facilities shall be in accordance with requirements of the Municipal Engineer and Service Director.

(b) Stormwater Management Policy. No subdivision or development having inadequate storm drainage or other wetness, drainage or flooding impairment shall be approved. The Municipality shall determine if and how stormwater run-off rates or volumes shall be controlled. Ownership and maintenance of drainage and stormwater management features shall be determined prior to final plat approval. (Ord. 21-95. Passed 8-2-95.)

(c) Stormwater Erosion Control Policy. In order to control dust, dirt, debris and other excavated materials from depositing upon the public right of way or surrounding properties, all lots having grades greater than eight percent (8%) shall be required to install erosion control silt fencing as determined by the Village Manager or his/her designee. Required erosion control silt fencing shall be installed prior to any excavations taking place and removed when grass, ground cover or landscaping has established underground root growth sufficient to no longer pose a potential erosion problem. (Ord. 34-99. Passed 10-20-99.)

1117.06 EASEMENTS.

(a) In general, utility easements shall be a minimum width of twenty (20) feet and located at the side or rear of lots whenever possible.

(b) Where a subdivision is traversed by a watercourse, drainage way, channel or stream, there shall be provided a storm water easement or drainage right of way not less than twenty (20) feet in width, conforming substantially with the lines of such watercourse. (Ord. 21-95. Passed 8-2-95.)

1117.07 LOTS AND BUILDING SETBACK LINES.

Lots and building setback lines shall be in accordance with the regulations of the Zoning Ordinance. (Ord. 21-95. Passed 8-2-95.)

1117.08 SURVEY MONUMENTS.

(a) A complete survey of a proposed subdivision shall be made by a registered surveyor. The traverse of the exterior boundaries of the subdivision and each block, when computed from field measurements of the ground, shall close within a limit of error of one (1) foot to ten thousand (10,000) of the perimeter before balancing survey.

(b) Permanent reference monuments made of stone, concrete or other material accepted by the Municipal Engineer, at least thirty (30) inches in length and six (6) inches round with suitable center point, shall be located and placed within the subdivision. The monuments shall be located and placed as soon as the grading of streets is completed and the cost shall be included in the total estimated cost of improvements.

(c) Iron pin monuments one-half ($\frac{1}{2}$) inch in diameter and thirty (30) inches long, shall be placed by the surveyor at all points on boundary lines where there is a change of direction and at all lot corners. (Ord. 21-95. Passed 8-2-95.)

1117.09 STREET CONSTRUCTION PLAN AND PROFILE.

(a) A plan and profile of streets shall be submitted for review by the Municipal Engineer with the final plat.

(b) The plan and profile shall be drawn in permanent ink on mylar or equivalent on a maximum sheet size of twenty-four (24) by thirty-six (36) inches. The following maximum scales shall apply:

- (1) Horizontal scale: One (1) inch equals one hundred (100) feet.
- (2) Vertical scale: One (1) inch equals ten (10) feet.

(c) The plan shall contain the width of the right of way; the profile of the existing terrain; the centerline grade; typical cross section; estimated quantities; the size of all drainage structures except driveway and culverts and the area draining into each structure and the direction of flow. If the drainage outlet is not located within the subdivision, it shall be shown on the plat.

(d) The profile elevations shall be shown from a United States Geological Survey bench mark.

(e) The cross section shall show the existing ground and proposed grades taken at a minimum of one hundred (100) foot stations, and shall show the elevations of side ditch drainage. The cross section shall cover an area fifteen (15) feet outside the limits of the proposed right of way.

(f) The typical cross section shall show such other information as required by the Municipal Engineer.

(g) Sanitary sewer plans and profiles, where applicable shall show the locations, grades, sizes, elevations and materials of required facilities.

(h) Storm sewer plans and profiles, where applicable, shall show the locations, grades, sizes, cross sections, elevations and materials of required facilities. Inlets or catch basins shall not be located within the corner radius or within six (6) feet of either end of the radius. All grates for inlets or catch basins shall be bicycle safe.

(i) Water main plans and profiles, where applicable, shall show the locations, sizes, elevations and materials of required facilities.

(j) Additional special plans or information shall be included as required.
(Ord. 21-95. Passed 8-2-95.)

1117.10 DRAINAGE STRUCTURES.

All drainage structures shall be approved by the Municipal Engineer.
(Ord. 21-95. Passed 8-2-95.)

1117.11 SIDEWALKS.

Sidewalks shall have a minimum width of five (5) feet, be located within the street right of way, be constructed in accordance with Section 907.05. All corners shall be designed to ODOT Standards. All sidewalks shall be considered as part of the street. All sidewalks shall be installed by the subdivider/developer prior to the beginning of the One-Year Warranty Period as described in Section 1121.02(e). (Ord. 21-95. Passed 8-2-95.)

1117.12 TREELAWN.

The area between the back of the curb and the edge of the sidewalk shall have a minimum width of six (6) feet. (Ord. 21-95. Passed 8-2-95.)

1117.13 BUILDING PERMITS.

No building permit shall be issued for erection of a structure on any lot of record until all the requirements of these Regulations have been met or as otherwise determined by the Manager. (Ord. 21-95. Passed 8-2-95.)

1117.14 PLANTINGS.

Proposed land subject to public dedication shall have Planning Commission approval of the type and location of trees and shrubs prior to planting so as to conform with the Tree and Landscape Ordinance of the Municipality. (Ord. 21-95. Passed 8-2-95.)

1117.15 PUBLIC STREET LIGHTING PLAN.

The subdivider/developer shall submit a Public Street Lighting Plan to provide public street lights throughout the subdivision/development within the right of way. The plan shall be reviewed and approved by the Planning Commission. The type of fixture and details of installation shall conform to the standards established by the Municipality at the time the plan is submitted. (Ord. 21-95. Passed 8-2-95.)

1117.16 STREET NAME SIGNS.

The subdivider/developer shall construct and install street name signs. Street name signs shall be designed according to such requirements as established by the Municipality at the time the sign design is submitted. (Ord. 21-95. Passed 8-2-95.)

1117.17 TRAFFIC CONTROL DEVICES.

The subdivider/developer shall prepare and submit a Traffic Control Plan to be reviewed and approved by the Service Director. The subdivider/developer shall install all traffic control devices throughout the subdivision/development. All traffic control devices shall be in accordance to the Ohio Department of Transportation, Manual of Uniform Traffic Control Devices. All traffic control devices shall be installed prior to the beginning of the one-year warranty period as described in Section 1121.02(e). (Ord. 21-95. Passed 8-2-95.)

CHAPTER 1121 Improvements

1121.01 Compliance.

1121.02 Bond.

CROSS REFERENCES

Inspection of construction; acceptance - see Ohio R.C. 711.091
 Municipality may adopt standards for construction - see Ohio R.C. 711.101
 Excavations - see S.U. & P.S. Ch. 903
 Sewer regulations and charges - see S.U. & P.S. Ch. 921
 Water regulations and charges - see S.U. & P.S. Ch. 925
 Improved defined - see P. & Z. 1105.01(a)(13)

1121.01 COMPLIANCE.

Improvements relating to infrastructure, whether design, configuration or construction and whether of streets, ways, paths, sidewalks, water lines, sewer or storm lines, utility or service lines, or lighting, shall be required in accordance with these Subdivision Regulations or any variance approved by Council pursuant to Section 1109.08. In no case, however, shall a variance from the Subdivision Regulations relating to sidewalks, water lines, sewer or storm lines, utility or service lines or lighting be less than the requirements for the County. A variance from the Subdivision Regulations relating to streets, ways and paths shall not deviate from the requirements for the County by greater than twenty percent (20%).
 (Ord. 13-2015. Passed 12-2-15.)

1121.02 BOND.

(a) General. The subdivider/developer shall guarantee the construction of all required improvements in one of the following ways:

- (1) The subdivider/developer shall, prior to construction of the improvements, seek preliminary approval by the Planning Commission. The subdivider/developer may construct all improvements. Upon completion of such improvements and their acceptance by the Municipal Engineer and Council, the subdivider/developer may request approval by the Planning Commission.
- (2) The subdivider/developer may furnish a surety bond equal to the estimated cost of construction of all the improvements. The estimate shall be furnished by the Municipal Engineer.
- (3) The subdivider/developer may make a cash deposit with the legislative authority in an amount equal to the estimated cost of improvements. The performance bond or cash deposit shall run to the Municipality and shall provide that the subdivider/developer, his/her heirs, successors and assigns, their agent or servants, shall comply with all applicable terms, conditions, provisions and requirements. Before such bond is accepted it shall be approved by the Municipal Engineer and Council.

- (4) The subdivider/developer may furnish the Municipality with an irrevocable letter of credit or such other credit instrument as may be approved by Council in an amount equal to the estimated cost of construction of all improvements. Any such "credit", "letter of credit", "documentary draft", "documentary demand of payment" or other approved engagement shall designate the Municipality as "beneficiary" and shall be in such form and upon such condition as may be established by Council.

(b) Extension of Time. The construction of all improvements for which a surety bond or cash deposit had been provided by the subdivider/developer shall be completed within one (1) year after the subdivision has received final approval. If the subdivider/developer fails to complete such improvements within the prescribed time, he/she must show cause why the bond or the cash payment should not be forfeited. The Manager may, if reasonable cause is shown, grant an extension of time not to exceed six (6) months, at the end of which time if the improvements still remain incomplete, the Manager may request Council to initiate legal action to enforce compliance.

(c) Inspections. During the construction of the subdivision improvements, periodic inspections shall be made by the Municipality. The subdivider/developer shall notify the proper administrative officer when each phase of an improvement is ready for inspection. When acceptable evidence had been received by the Manager that all improvements have been adequately constructed, the Manager may recommend that the surety bond or cash deposit be released.

(d) As-Built Drawings. Improvements shall be installed as shown in the plans. "As-built" drawings shall be provided by the subdivider/developer on mylar. "As-built" drawings shall include locations, dimensions and specifications which differ from originally approved plans.

(e) One-Year Warranty Period. There shall be a one-year warranty period for all improvements made as part of the subdivision/development. All improvements must be completed and approved by the Municipality before the warranty period shall begin. In no event shall the Warranty Period commence until As-Built drawings have been submitted and approved by the Municipality. The final course of asphalt, if applicable, shall be permitted to be installed at the end of the one-year warranty period.
(Ord. 21-95. Passed 8-2-95.)

(f) For purpose of Chapter 1121, subdivider/developer shall also include any owner, agent, or other individual acting on behalf of an owner or public/private utility, who has requested or is required to construct any of the improvements governed by Chapter 1121.
(Ord. 9-96. Passed 6-19-96.)

EDITOR'S NOTE: The Village Zoning Ordinance which is codified as Titles Three to Seven of this Part Eleven - Planning and Zoning Code was adopted by Ordinance 12-92, passed June 17, 1992. Amendments to Ordinance 12-92 will be indicated by the insertion of legislative histories at the end of the new or amended provisions.

TITLE THREE - Zoning Administration

- Chap. 1133. Purpose and Interpretation.
- Chap. 1135. Definitions.
- Chap. 1137. Administration and Enforcement.
- Chap. 1139. Board of Zoning and Building Appeals.
- Chap. 1141. Planning Commission.
- Chap. 1143. Amendments.
- Chap. 1145. Conditional Uses.
- Chap. 1147. Variances.
- Chap. 1149. Nonconforming Uses and Structures.

CHAPTER 1133 Purpose and Interpretation

1133.01 Interpretation.
1133.02 Validity and repeal.

**1133.03 Remedies against unlawful
decisions and orders.**

CROSS REFERENCES

Construction and Interpretation - see ADM. Ch. 101

1133.01 INTERPRETATION.

In their interpretation and application, the provisions of this Zoning Ordinance shall be held to be minimum requirements. Wherever this Ordinance imposes a greater restriction than is imposed or required by other provisions of law or by other rules or regulations or ordinances, the provisions of this Ordinance shall govern. The Zoning Ordinance is intended to be one regulatory "tool" by which the Comprehensive Plan of the Village of Granville is implemented. Interpretive background to this Ordinance may therefore be found within that Plan.

1133.02 VALIDITY AND REPEAL.

(a) Validity. This Zoning Ordinance and the various chapters, sections and paragraphs thereof are hereby declared to be severable. If any article, chapter, section, subsection, paragraph, sentence or phrase of this Ordinance is adjudged unconstitutional or invalid by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

(b) Authentication. The Council Clerk of the Village is hereby ordered and directed to certify to the passage of this Ordinance. This Ordinance shall be in effect and be in force from and after its passage, approval and publication.

(c) Conflicting Ordinances. In the interpretation and application of this Ordinance, the provisions contained herein shall be held to be minimum requirements, adopted for the promotion of public health, morals, safety and the general welfare. In case of any conflict between this Ordinance, or any part thereof, and the whole or part of any existing or future ordinance of the Village, or the whole or part of any existing or future private covenants or deeds, the most restrictive shall, in all cases, apply.

1133.03 REMEDIES AGAINST UNLAWFUL DECISIONS AND ORDERS.

(a) In addition to other remedies provided by law, the Village may enjoin or take any other action against any administrative decision or order including an appeal under Sections 1139.06 or 1141.06 of the Zoning Code, made or issued under this Zoning Ordinance by Council, the Village Manager, Board of Building and Zoning Appeals, Planning Commission, Zoning Inspector, or other officer, employee, or entity of the Village on grounds that the decision or order is unlawful, arbitrary, unreasonable, not supported by a preponderance of evidence, or an abuse of corporate power, or was procured by misrepresentation, fraud, or corruption. The Village may also attack or avoid any such decision or order on such grounds in any action brought against it or any of its officers, employees, or other entities.

(b) Pursuant to subsection (a) hereof, Council may review any such administrative decision or order upon written request of the Village Manager, Law Director, or Zoning Inspector, or upon its own initiative. The decision to conduct a review shall be made by resolution of Council. A resolution shall indicate the basis for the review and refer to the pertinent legal provisions. Council shall conduct the review as prescribed in Section 1137.01 of this Zoning Ordinance.

(c) Except for cases involving misrepresentation, fraud or corruption, no decision or order shall be reversed, revoked, or modified under subsections (a) or (b) hereof after there has been a substantial change of position, substantial expenditure, or a significant incurrence of obligations in justifiable reliance on the decision or order.

(d) This section confers authority to attack and avoid administrative decisions as set forth in *Willoughby Hills vs. C.C. Bar's Sahara, Inc.* (1992), 64 Ohio St. 3d 24, and *State ex rel. Broadway Petroleum Corp. vs Elyria* (1969), 18 Ohio St. 2d 23. (Ord. 15-08. Passed 1-7-09.)

CHAPTER 1135 Definitions

1135.01 Language use; meanings.

CROSS REFERENCES

General definitions - see ADM. 101.02

Subdivision regulations definitions - see P. & Z. 1105

Signs defined - see P. & Z. 1189.02

1135.01 LANGUAGE USE; MEANINGS.

(a) Interpretation of Language. Unless the context otherwise requires, the following definitions shall be used in the interpretation and construction of the Zoning Ordinance. Words used in the present tense shall include the future; the singular number shall include the plural, and the plural the singular; the word "used" shall include "arranged, designed, constructed, altered, converted, rented, leased" or "intended to be used," and the word "shall" is mandatory and not directory.

- (1) "Accessory building" means a building or structure subordinate to the principal building and which is located on the same lot serving a purpose customarily incidental to the use of the principal building or land use. Where a structure is attached to the principal building in a substantial manner as by a wall or roof, it shall be considered to be part of the principal building.
- (2) "Accessory use" means a use subordinate to the principal use of land or building and which serves a purpose customarily incidental to the principal use.
- (3) "Agriculture" means the use of land for agricultural purposes, including farming, dairying, pasturage, agriculture, horticulture, floriculture, viticulture, and animal and poultry husbandry and the necessary accessory uses for packing, treating or storing the produce; provided, however, that the operation of any such accessory uses shall be secondary to that of normal agricultural activities and provided further that the above uses shall not include the commercial feeding of garbage or offal to swine or other animals.

- (4) "Alley" or "lane" means a public or private way not more than thirty feet wide affording only secondary means of access to abutting property.
- (5) "Apartment." See "Dwelling, multi-family."
- (6) "Apartment house." See "Dwelling, multi-family."
- (7) "Aquifer wellhead" refers to those locations where subsurface glacial sand and gravel deposits are present and are the means by which the Raccoon Valley Aquifer is recharged from surface water.
- (8) "Automobile or trailer sales area" means an open area, other than a street, used for the display, sale or rental of new or used motor vehicles, trailers, farm implements, boats, motorcycles, bicycles, lawn mowers, etc. in operable condition and where no repair work is done.
- (9) "Automobile services" means the repair, rebuilding or reconditioning of motor vehicles or parts thereof, including collision service, painting and cleaning of vehicles.
- (10) "Automobile service station" or "filling station" means a building or other structure or a tract of land where gasoline, kerosene or any other motor fuel or lubricating oil or grease for operating motor vehicles is dispensed directly to users of motor vehicles.
- (11) "Automobile wash" or "automatic car wash" means a building or structure where mechanical devices are employed for the purpose of washing motor vehicles.
- (12) "Base flood" is the flood having a one percent chance of being equaled or exceeded in any given year. The base flood may also be referred to as the one hundred (100) year flood.
- (13) "Basement" means a story whose floor line is below grade at any entrance or exit and whose ceiling is not more than five feet above grade at any such entrance or exit.
- (14) "Bed and Breakfast" means a home occupation as defined in Chapter 1181 where the occupants of a dwelling unit provide a sleeping room and breakfast is prepared and served on the premises for remuneration to persons who are not family members.
- (15) "Beginning of construction" means the excavation and/or the incorporation of labor and material within the walls of the building or buildings.
- (16) "Block." In describing the boundaries of a district the word "block" refers to the legal description. In all other cases, the word "block" refers to the property abutting on one side of a street between two intersecting streets or a street and a railroad right-of-way or watercourse.
- (17) "Board" means the Board of Zoning and Building Appeals of the Village of Granville, Ohio.
- (18) "Boarding house" or "lodging house" means a dwelling or part thereof occupied by a single housekeeping unit where meals and lodging are provided for three or more persons for compensation by previous arrangement, where no cooking or dining facilities are provided in individual rooms.
- (19) "Building" means any structure having a roof supported by columns or walls, used or intended to be used for the shelter or enclosure of persons, animals or property. When such a structure is divided into separate parts by one or more unpierced wall(s) extending from the ground up, each part is deemed a separate building, except as regards minimum side yard requirements as hereinafter provided.

- (20) "Building, height of" means the vertical distance from the average contact with ground level at the front wall of the building to the highest point of the roof.
- (21) "Building line" means the front yard setback; a line established by this Zoning Ordinance generally parallel with and measured perpendicularly from the front lot line, defining the limits of a front yard in which no building or structure may be located except as may be provided by this Ordinance.
- (22) "Business (commercial)" means a concentration of a wide variety of offices and retail establishments located on or at the intersection of arterial streets as specified by the Master Plan.
- (23) "Cemetery" means the land used or intended to be used for the burial of the human dead and dedicated for cemetery purposes, including columbariums, crematories, mausoleums and mortuaries if operated in connection with, and within the boundaries of such cemetery.
- (24) "Certificate of Occupancy" means a document issued by the Zoning Inspector consistent with Section 1137.06 of this Zoning Ordinance.
- (25) "City or Village" means the municipal corporation of Granville, Licking County, Ohio.
- (26) "Clinic" means a place used for the care, diagnosis and treatment of sick, ailing, infirm and injured persons and those who are in need of medical or surgical attention, but who are not provided with board or room nor kept overnight on the premises.
- (27) "Commission" means the Planning Commission of the Village of Granville, Ohio.
- (28) "Comprehensive Plan" refers to the current "Granville Comprehensive Plan Report" containing background and recommendations on the regulation and use of land, the building of public facilities and the offering of services.
- (29) "Conditional use" means a use which more intensely affects the surrounding area in which it is located than permitted uses in the same district. A conditional use permit shall be granted if, upon review of the site plan, the Board of Zoning and Building Appeals determine that all criteria stated in Chapter 1145 have been met.
- (30) "Council" means the Council of the Village of Granville, Ohio.
- (31) "Court" means an open unoccupied and unobstructed space, other than a yard, on the same lot, with a building or group of buildings.
- (32) "Density" used as a unit of measurement, means the number of dwelling units per acre of land.
 - A. "Gross density" means the number of dwelling units per acre of land to be developed, including that area in publicly dedicated land or retained in private ownership.
 - B. "Net density" means the number of dwelling units per acre of land exclusive of that area in publicly dedicated land, streets and easements.
- (33) "Development" means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavating, drilling operations or storage of equipment and materials.

- (34) "Developmental disability" means a disability that originated before the attainment of eighteen years of age and which can be expected to continue indefinitely, constitutes a substantial handicap to the person's ability to function normally in society, and is attributable to mental retardation, cerebral palsy, epilepsy, autism or any other condition found to be closely related to mental retardation because such condition results in similar impairment of general intellectual functioning or requires similar treatment and services.
- (35) "District" means all properties of the same use, height and area classification which adjoin or are continuous without intervening property or another classification, regardless of any street, alley, easement or reserve that may intervene. Separate districts include the Village Districts, the Community Service District, the Suburban Residential District, the Open Space District, the Institutional District, the Planned Development Districts, and such other districts as are specified in Title Five of this ordinance, as indicated by the official Zoning Map. For a detailed definition, see the statement of purpose of each respective district.
- (36) "Driveway" means any improved or unimproved area used for vehicular travel and serving as an area of access, entrance, exit, or approach from any street to any parcel of land, regardless of public or private ownership.
- (37) "Dwelling, manufactured off-site, or manufactured home," also referred to as "pre-engineered or prefabricated unit" means an assembly of materials or products comprising all or part of a total structure which when constructed and installed, constitutes a dwelling unit, except for necessary preparations for its placement.
- (38) "Dwelling, mobile home" means a portable dwelling designed to be transported on highways, and when arriving at the site for placement involving only minor and incidental unpacking, assembling and connection operations, but which involves no substantial reconstruction which would render the unit unfit as a conveyance on the highway.
- (39) "Dwelling, multi-family" means a building consisting of three or more dwelling units, including condominiums, with varying arrangements of entrances and party walls.
- (40) "Dwelling, single-family" means a building consisting of a single dwelling unit only, separated from other dwelling units by open space.
- (41) "Dwelling, two-family" means a building consisting of two dwelling units which may be either attached side by side or one above the other, each unit having either a separate or combined entrance or entrances.
- (42) "Dwelling unit" means space within a building comprising living, dining, sleeping room or rooms, storage closets, as well as space and equipment for cooking, bathing and toilet facilities, all used by only one family and its household employees.
- (43) "Easement" means an interest in land owned by another that entitles its holder to a specific limited use or enjoyment.

- (44) "Essential services" means the erection, construction, alteration or maintenance, by public utilities or municipal or other governmental agencies, of underground, surface or overhead gas, electrical, steam or water transmission or distribution systems, collection, communication, supply or disposal systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants and other similar equipment and accessories in connection therewith, reasonably necessary for the furnishing of adequate service by such public utilities or municipal or other governmental agencies or for the public health or safety or general welfare, but not including buildings.
- (45) "Family" means two or more persons related by blood, adoption, marriage, guardianship or foster parent contract, living together as a single housekeeping unit, exclusive of household servants. A number of persons not exceeding three exclusive of household servants living together as a single housekeeping unit but not related by blood, adoption, marriage, guardianship or foster parent contract shall be deemed to be a family. A number of persons with developmental disabilities not exceeding six, exclusive of not more than two house parents and employees caring for the persons with developmental disabilities, living together as a single housekeeping unit but not related by blood, adoption, marriage, guardianship or foster parent contract residing in a dwelling unit which meets all specifications for a family model home shall be deemed to be a family.
- (46) "Family model home, group home, or community residence" means a dwelling unit occupied as a home that provides room and board, personal care, habilitation services and supervision in a family setting for not more than six persons with developmental disabilities, exclusive of not more than two house parents and employees caring for the persons residing there with developmental disabilities, and licensed and regulated by the Ohio Department of Mental Retardation and Developmental Disabilities.
- (47) "Fence" Any artificially constructed barrier of any permitted material or combination of materials erected to enclose, screen properties, or to provide protection, and as a means of designating a property boundary.
- (48) "Flood or flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from the unusual and rapid accumulation or runoff of surface waters from any source.
- (49) "Flood insurance rate map" (FIRM): An official map on which the Federal Emergency Management Agency has delineated the areas of special flood hazard.
- (50) "Flood insurance study" is the official report in which the Federal Emergency Management Agency has provided flood profiles, floodway boundaries, and the water surface elevation of the base flood.
- (51) "Flood plain" means any land area susceptible to being inundated by water from any source. The flood plain includes the floodway and floodway fringe as designated by the effective Flood Hazard Map and any amendments made to the map thereof.

- (52) "Flood recurrence interval" means the average interval of time, based upon a statistical analysis of actual or representative stream flow records, which can be expected to elapse between floods equal to or greater than a specified flood.
- (53) "Flood proofing" means any combination of structural and nonstructural additional changes, modifications or adjustments to properties and structures primarily for the reduction or elimination of flood damage to lands, water and sanitary facilities, structures and contents of buildings.
- (54) "Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.
- (55) "Floodway fringe" means those lands, from the floodway boundary line to the floodway fringe boundary line as designated in the effective Flood Hazard Map and any amendments made to the map thereof, subject to inundation by the 100 year recurrence interval flood.
- (56) "Floodway obstruction or obstruction in a floodway" means any dam, wall, wharf, embankment, levee, dike, pile, abutment, projection, excavation, channel rectification, bridge, conduit, culvert, building, structure, wire fence, rock, gravel, refuse, fill or other analogous structure or matter in, along, across or projecting into any floodway which may impede, retard or change the direction of the flow of water, either in itself or by catching or collecting water-borne debris, or that is placed where the flow of water would carry the same downstream to the damage or detriment of life or property.
- (57) "Floor area" is the sum of the gross horizontal areas of those spaces designed for living, sleeping, eating, and cooking purposes. Garages, porches, attic space, and living areas which are located below grade an average of four (4) feet shall not be included in the definition of floor area. Calculations of floor areas shall be made from the exterior face of the enclosing walls at the respective floor line, and where applicable, the centerline of party walls. The "lowest floor" means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, parking access, or storage, in an area other than a basement area is not considered a building's lowest floor, provided that such enclosure is built in accordance with the applicable design requirements for enclosures below base flood elevation specified in this ordinance.
- (58) "Frontage to the public right-of-way" is the length of a property line which abuts a legally accessible street right-of-way.
- (59) "Garage or car port, private" means a detached accessory building or a portion of the principal building used by the occupants of the premises for the storage of self-propelled vehicles or trailers.
- (60) "Garage, public" means a structure or portion thereof, other than a private garage, used for the storage, sale, hire, care, repair or refinishing of self-propelled vehicles or trailers.

- (61) "Home occupation" means an occupation, profession, activity, or use that is clearly an incidental, secondary, and customary use of a residential dwelling unit, which does not alter the exterior character or appearance of the dwelling (except as may be specifically defined by these regulations), and which is carried on solely within the main dwelling. Refer to Chapter 1181.
- (62) "Hospital" means a place used for the care, diagnosis and treatment of sick, ailing, infirm or injured persons, and who are in need of medical or surgical attention, and who are provided with board or room or kept overnight on the premises.
- (63) "Hotel, motel, and apartment hotel" mean a building in which lodging or boarding and lodging are provided and offered to the public for compensation. As such it is open to the public in contradistinction to a boarding house, rooming house, lodging house, fraternity, sorority or dormitory which are separately defined.
- (64) "Industry" means the storage, repair, manufacture, preparation or treatment of any materials or products through processes which may involve hazardous materials or working conditions requiring separation from other uses of land.
- (65) "Junk or salvage yard" means a place where waste, discarded or salvaged materials are bought, sold, exchanged, baled, packed, disassembled or handled, including auto wrecking yards, house wrecking yards, used lumber yards and places or yards for storage of salvaged house wrecking and structural steel materials and equipment, but not including such places where such uses are conducted entirely within a completely enclosed building, and not including pawn shops and establishments for the sale, purchase or storage of used furniture and household equipment, used cars in operable condition, or salvaged materials incidental to manufacturing operations.
- (66) "Kennel or cattery" means any lot or premises on which four or more domesticated animals more than four months of age are either commercially housed, groomed, bred, boarded, trained or sold.
- (67) "Land Use Plan" means the long-range plan for the desirable use of land in the Village, as officially adopted and as amended from time to time by the Village Council; the purpose of such plan is, among other things, to serve as a guide in the zoning and progressive changes in the zoning of land to meet changing needs, in the subdividing and use of undeveloped land, and in the acquisition of rights-of-way or sites for public purposes such as streets, parks, schools and public buildings. The Land Use Plan is a component part of the officially adopted Comprehensive Plan of the Village of Granville,
- (68) "Light industrial" means industrial activities which are generally free of nuisance from noise, dust, smoke, odor or vibration.
- (69) "Loading space" means an off-street space or berth on the same lot with a building or contiguous to a group of buildings for temporary parking of a commercial vehicle while loading or unloading merchandise or materials.
- (70) "Lot" means a division of land separated from other divisions for purposes of sale, lease or separate use, described on a recorded subdivision plat, or by metes and bounds.

- (71) "Lot, corner" means a lot located at the intersection of two or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if the side lot lines to the foremost depth of the lot meet at an interior angle of less than 135 degrees. Irrespective of building orientation, on a corner lot the setback for the front yard for that use shall apply to all sides of a lot having frontage on publicly dedicated rights-of-way.
- (72) "Lot coverage" means the ratio of the enclosed ground floor area of all buildings on a lot to the area of the lot as a whole, expressed as a percentage. However, in certain zoning districts, "lot coverage" may include other uses such as driveways, parking or loading areas.
- (73) "Lot line, front" means the lot line separating an interior lot from the street right-of-way upon which it abuts or the lot line of a corner lot which abuts upon a street right-of-way. Unless the context clearly indicates the contrary, front lot line means the street right-of-way line.
- (74) "Lot line, rear" means that lot line which is opposite and furthest removed from the front lot line. In such a lot where the side lot lines meet to the rear of the lot, or where the rear lot line is less than ten feet, the minimum rear yard shall be computed from the point of intersection of the side lot lines on an imaginary line that is at equal angles from each side lot line. In the case of a corner lot, the rear lot line is opposite and most distant from the front lot line of least dimension.
- (75) "Lot line, side" means any lot line which is not a front or rear lot line. On a corner lot, a side lot line may be the street right-of-way line.
- (76) "Lot measurement"
- A. "Lot depth" means the mean horizontal distance of a lot measured between the front and rear lot lines.
 - B. "Lot width" means the width of a lot at the building setback line measured at right angles to its depth.
- (77) "Lot, minimum area of" means the area of a lot computed exclusive of any portion of the right-of-way of any public thoroughfare.
(Ord. 15-08. Passed 1-7-09.)
- (78) "Lot of record" means a lot which is part of the original Village Plat or a subdivision recorded in the office of the County Recorder, or a lot or parcel described by metes and bounds, the description of which has been so recorded and as established prior to January 1, 2014.
(Ord. 01-2014. Passed 2-19-14.)
- (79) "Manufacturing" means the making of articles, products or goods by hand or by machinery on a scale requiring the division of labor, within an industrial environment or use of land.
- (80) "Mineral" means any material quarried, mined or otherwise extracted from the earth intended to be used as a commercial product.
- (81) "Mobile home." See "Dwelling, mobile home."
- (82) "Mobile home park or manufactured home park" means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent. "Mobile home park or manufactured home park" shall exclude any manufactured home park as defined in Ohio R.C. 3733.01 for which the Public Health Council has exclusive rule-making power.
- (83) "Nonconforming use" means the use of land or a building, or a portion thereof, that does not conform to the use regulations of the district in which it is situated (see Section 1149.01).

- (84) "Nursery (day care center)" means a facility which temporarily assumes responsibility for three (3) or more children in their parent's absence.
- (85) "Nursery (plant materials)" means a space including accessory buildings or structures for the growing or storage of live trees, shrubs or plant materials which may be offered for retail sale on the premises, including products used for gardening or landscaping.
- (86) "Nursing home" includes convalescent and extended care facilities, and means an establishment which specializes in providing necessary services to those unable to be responsible for their selves.
- (87) "Open space" means that part of a zoning lot, including courts or yards, which are open and unobstructed from its lowest level to the sky, accessible to all tenants upon the zoning lot. "Open space" also means natural scenic land areas or land areas that are characterized by a rural quality having an absence of development or as defined by surrounding development.
- (88) "Overlay district" is a second set of guidelines and regulations applied to any part or all of an original zoning district or districts. The overlay district regulations may further restrict or interpret the number or types of uses allowed, as well as the way permitted activities may be designed, developed or operated within the overlay district boundaries. The overlay districts are designated on the Village's official zoning map.
- (89) "Parking area, private" means an open area for the same uses as a private garage.
- (90) "Parking area, public" means an open area, other than a street or other public way, used for the parking of automobiles and available to the public whether for a fee, free or as an accommodation for clients or customers.
- (91) "Parking space" means a hard surfaced area made of all-weather, durable, dustless, asphaltic or cement pavement of not less than 200 square feet, either with a structure or in the open, exclusive of driveways or access drives for the parking of one motor vehicle.
- (92) "Performance standard" means criteria established to guide, regulate and protect the public in their uses of land.
- (93) "Permitted use" means a class of specific uses of land and/or structures which is allowed by right within a designated zoning district, provided there is conformance to site development and other criteria as specified within this Zoning Ordinance.
- (94) "Planned development" or "planned unit development:" a development of land that is under unified control and is planned and developed as a whole or a single development operation or programmed series of development stages, which may include streets, circulation ways, utilities, buildings, open spaces, and other site features and improvements. Refer to Chapter 1171.
- (95) "Public right-of-way (ROW)" is a strip of land occupied or intended to be occupied by a street, sidewalk, water, sewer, gas or electrical service.
- (96) "Recreational vehicle" means a travel trailer, motor home, truck camper, fifth wheel trailer, and park trailer as defined in the Ohio Revised Code.
- (97) "Research activities" means research, development or testing related to such fields as chemical, pharmaceutical, medical, electrical, transportation or engineering.

- (98) "Rooming house" means a dwelling occupied by an owner and three or more rent-paying persons, by a duly authorized agent of an owner and three or more rent-paying persons, or by four or more persons unrelated by blood, adoption, marriage, guardianship or foster parent contract. A family model home as defined in this section shall not be deemed to be a rooming house.
- (99) "School," means an institution of learning which offers instruction in the several branches of learning and study required to be taught in the schools by the applicable laws of the State.
- (100) "Sign" means any device as defined in Section 1189.02(a).
- (101) "Stable, commercial" means a stable for horses, donkeys, mules or ponies which are let, hired, used or boarded on a commercial basis.
- (102) "Stable, private" means an accessory building for the keeping of horses, donkeys, mules or ponies owned by the occupant of the premises and not kept for remuneration, hire or sale.
- (103) "Start of construction" is either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the state of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.
- (104) "Story" means that portion of a building, included 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.
- (105) "Street" or "thoroughfare" means a public or private way for the purposes of vehicular travel, including the entire area within the right-of-way.
- (106) "Structural alteration" means any change in the structural members of a building, such as walls, columns, beams or girders.
- (107) "Structure" means anything constructed, erected, or fabricated, the use of which requires permanent location on the ground, or attachment to something having a permanent location on the ground and shall include any building erected for the purpose of storage even if such building does not require permanent location on the ground or attachment to something having such location.
- (108) "Substantial improvement" means any reconstruction, rehabilitation, addition or other improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure before the "start of construction" of the improvement. "Substantial improvement" includes structures which have incurred "substantial damage", regardless of the actual repair work performed. "Substantial improvement" does not however, include:

- A. Any project for improvement of a structure to correct existing violations of state or local health, sanitary or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions;
 - B. Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure"; or
 - C. Any improvement to a structure which is considered new construction.
- (109) "Substantial damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty percent (50%) of the market value of the structure before the damage occurred.
- (110) "Village Manager" is the chief executive and administrative officer of the Village of Granville, and shall have such powers and duties as are assigned by the Village Council and by law, which powers and duties may in turn be exercised by the Manager or his/her designee.
- (111) "Yard" means a required open space other than a court unoccupied and unobstructed by any structure or portion of a structure from three feet above the general ground level of the graded lot upward; accessories, ornaments and furniture may be permitted in any yard, subject to height limitations and requirements limiting obstruction of visibility.
- A. "Yard, front" means a yard extending between side lot lines across the front of a lot and from the front lot line to the front of the principle building.
 - B. "Yard, rear" means 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.
 - C. Yard, side" means 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.
- (112) "Zoning Permit" means a document issued by the Village Manager or his/her designee authorizing buildings, structures or uses consistent with the terms of this Zoning Ordinance and for the purpose of carrying out and enforcing its provisions. A "zoning permit" includes an architectural permit where such is required by this Zoning Ordinance.
- (113) "Zoning Inspector" means the Zoning Inspector of the Village of Granville, or his/her authorized representative.
- (114) "Zoning map" means the Zoning Map of the Village of Granville, together with all amendments subsequently adopted.
(Ord. 15-08. Passed 1-7-09.)

CHAPTER 1137
Administration and Enforcement

1137.01	Council powers and duties.	1137.06	Certificate of occupancy.
1137.02	Enforcement by Zoning Inspector.	1137.07	Fees.
1137.03	Zoning permits.	1137.08	Violations; remedies.
1137.04	Filing plans.	1137.09	Penalty.
1137.05	Certificate of Health Officer.	1137.10	Stop orders and revocation of permits.

CROSS REFERENCES

Violation of zoning ordinances - see Ohio R.C. 713.13
 Referral of zoning permit applications to Director
 of Transportation - see Ohio R.C. 5511.01
 Building Permits - see BLDG. Ch. 1305

1137.01 COUNCIL POWERS AND DUTIES.

(a) With respect to the administration and enforcement of this Zoning Ordinance, the Official Zoning Map and the Subdivision Regulations, Council:

- (1) May initiate and enact amendments to this Ordinance, the Official Village Zoning Map and the Subdivision Regulations and may submit such amendments to the Planning Commission for recommendation and review.

(b) With respect to the administration and enforcement of decisions of the Planning Commission and Board of Zoning and Building Appeals related to appeals, review hearings and Development Plans, Council:

- (1) Shall hear and decide appeals from decisions of the Planning Commission and Board of Zoning and Building Appeals and conduct reviews of administrative decisions and orders, as hereinafter provided.
- (2) Shall, upon recommendation of the Planning Commission under Section 1171.04(a) of this Zoning Ordinance, hear applications for approval of Development Plans in Planned Development Districts, as hereinafter provided.

(c) With respect to the process for appeals, review hearings and Development Plans in subsection (b) above, the procedure shall be as follows:

- (1) Upon receipt of a notice of appeal or upon receipt of a resolution for review, the Village Clerk shall direct the person, board or commission whose decision is being appealed or reviewed to submit to the Clerk all materials submitted to the person, board, or commission, or considered in reaching its decision or making the order. Upon receipt of an application for approval of a Development Plan, the Clerk shall proceed directly under subsection (e) hereof.

(d) When the appeal is from a decision or order of the Planning Commission or Board of Zoning and Building Appeals, the appellant shall file a letter indicating their reason for appealing the decision of the Commission or Board and shall file the transcript or parts thereof he/she intends to include in the record with the Clerk as soon as it or they are made available. For reviews of Council's prior administrative decisions, the Clerk shall obtain the findings of fact required by subsection (k) hereof and a transcript of the proceedings, if available. For appeals and reviews of other administrative decisions and orders, the Clerk shall obtain any findings of fact and transcript or parts thereof from whatever record is available.

(e) For appeal and review hearings, the Clerk shall forward any findings of fact and a copy of the minutes of the subject meeting to Council along with all pertinent materials submitted to or considered in reaching the decision or making the order and serve the same copy received by Council upon the appellant or person requesting the review or appeal. The Clerk shall also serve notice by personal service or ordinary mail as set forth in subsection (f) hereof, of the date and time scheduled for the appeal to be received by the Council to all adjacent and contiguous property owners and upon any other person identified in the record who was permitted to appear and be heard.

(f) At the next regularly scheduled Council meeting following service by the Clerk under subsection (e) hereof, the hearing shall be scheduled. The Council hearing may be scheduled to be held at either of the next two immediately subsequent regularly scheduled Council meetings after the meeting at which the appeal was received. The Clerk shall serve notice of the date and time of the hearing upon all persons entitled to notice under subsection (e) hereof by personal service or ordinary mail. The notice shall state the date, time and place of the hearing, the name of the applicant, and the nature of the application. A hearing may be continued as needed to receive all testimony and evidence or for the purpose of deliberations and discussions.

(g) The following persons may appear at hearings as parties and be heard in person or by attorney:

- (1) In appeal hearings: any party to the hearing before the Board or Commission; and any person who claimed a right but was not permitted to appear and be heard at the hearing before the Board or Commission, but only after Council determines that his/her exclusion was error.
- (2) In all review hearings: any party to the last hearing held on the decision or order prior to the review hearing; and any person who claimed a right but was not permitted to appear and be heard at the last hearing prior to the review hearing, but only after Council determines that his/her exclusion was error;

- (h) A person authorized to appear and be heard may:
 - (1) Present his or her position, arguments, and contentions;
 - (2) Offer and examine witnesses and present evidence in support of his or her position, arguments, and contentions;
 - (3) Cross-examine witnesses purporting to refute his or her position, arguments and contentions;
 - (4) Offer evidence and testimony to refute evidence and testimony offered in opposition to his or her position, arguments and contentions;
 - (5) Proffer any evidence or testimony into the record if such evidence or testimony has not been admitted by Council.

(i) Hearings are open to the public but are not public hearings. Any witness offering testimony or presenting evidence at the hearing shall be placed under oath by the Mayor prior to offering testimony or evidence. In any hearing on a decision or order of the Board of Zoning and Building Appeals or Planning Commission, the Board or Commission shall be represented by the Law Director or such other counsel as determined appropriate by action of Council. All hearings shall be recorded by tape recorder or other electronic means. The Village Manager may have a hearing transcribed by court reporter.

(j) Following a hearing, Council may affirm, reverse, modify or remand for further proceedings the decision or order appealed from or under review. Following a hearing on a Development Plan, Council shall approve, approve with modifications, or disapprove the Plan, or may remand the application to the Planning Commission with instructions for further review under Section 1171.04(a).

(k) Council shall make a decision not later than the next regularly scheduled Council meeting following the conclusion of its hearing. Within forty-five days, it shall formalize its decision in writing, including in the decision findings and conclusions of fact. The Village Clerk shall serve the decision upon all parties to the hearing and all persons who claimed a right but were not permitted to appear as parties to the hearing by personal service or ordinary mail.

(l) The date of service of the Clerk shall represent the commencement of the time for further appeal in all cases, except those in which Council approves a Development Plan, with or without modifications.

(m) If Council approves a Development Plan, with or without modifications, it shall formalize its approval by Ordinance, as set forth in Article III of the Charter of the Village of Granville. The effective date of such ordinances shall represent the commencement of the time for appeal of the decision.
(Ord. 11-2012. Passed 7-18-12.)

1137.02 ENFORCEMENT BY ZONING INSPECTOR.

There is hereby established the office of Zoning Inspector, who shall be appointed by the Village Manager. The Zoning Inspector shall enforce this Zoning Ordinance, and shall have the following duties and authority:

- (a) To recommend granting or denying zoning permits as provided for, and in accordance with, this Zoning Ordinance;
- (b) To revoke any permit as set forth in this Zoning Ordinance;

- (c) As provided in Section 1137.10 of this Zoning Ordinance, to issue a stop order against the construction or further construction of any building or structure, or the use of any building, structure, or land, that the Zoning Inspector reasonably believes is taking place in violation of any provision of this Zoning Ordinance or any other Ordinance of the Village, or that is taking place without a zoning or occupancy permit or in violation of any of the terms or conditions of an existing permit;
- (d) To recommend to the Manager action for an injunction to prevent any violation of this Zoning Ordinance;
- (e) To recommend to the Manager prosecution for any violation of this zoning ordinance.
- (f) To collect the designated fees as set forth in this Zoning Ordinance for applications and permits;
- (g) To make and keep all records necessary and appropriate to the office, including records of the issuance, denial, and revocation of all permits and the receipt of complaints of violation of the zoning law and action taken on the same;
- (h) To inspect any building, structure, or land to determine whether any violations of this Zoning Ordinance have been committed or exist.
(Ord. 15-08. Passed 1-7-09.)

1137.03 ZONING PERMITS.

(a) Zoning Permits Required. A zoning permit shall be required for, and shall be obtained prior to undertaking or beginning, any of the following:

- (1) The alteration, construction, conversion, creation, or extension, in whole or in part, of any building or structure, or the location or placement of any structure on land;
- (2) A change, in whole or in part, in the use of any existing building, structure, or land;
- (3) The occupancy and use of vacant land;
- (4) The grading, excavating, or filling of land;
- (5) A change, in whole or in part, of a lawful nonconforming use;
- (6) The demolition of any building or structure within the Village;
- (7) As required by other provisions of this Zoning Ordinance.

(b) Issuance of Permit. The Zoning Inspector shall recommend issuance of a Zoning Permit by the Manager if he/she is satisfied that the plans, specifications, and the intended use of the property conform to the requirements of this Zoning Ordinance and to any other applicable Ordinances of the Village, and that the proposed methods of water supply and disposal of sanitary waste conform with all the requirements of this Zoning Ordinance, subject to approval by the Planning Commission where the Ordinances so require. Before issuance of a permit, the Village Manager or his/her designee shall review and approve capping of any vacated utility service.

(c) Scope of Permit. A zoning permit authorizes the use of the property in accordance with the terms of the application for the permit, the approved plans, and the terms, conditions, and requirements specified for the issuance of the permit.

(d) Lapse of Permit. Any permitted excavation, demolition, or construction must start within twelve months and be completed within twenty-four months after the date of final approval, except in Planned Development Districts. This time period may be extended only on the showing of exceptional circumstances by specific written request to the Village Manager. The written request for extension must explain the reasons for the request.

(e) Appeal. The issuance or denial of a permit under this section may be appealed to the Board of Zoning and Building Appeals, as provided in Section 1139.04(a) of this Zoning Ordinance. (Ord. 15-08. Passed 1-7-09.)

1137.04 FILING PLANS.

Unless otherwise noted within this Zoning Ordinance, every application for a Zoning Permit shall be accompanied by plans in duplicate, drawn to scale in black line or blue print, showing the actual shape and dimensions of the lot to be built upon or to be changed in its use, in whole or in part; the exact location, size and height of any building or structure to be erected in the case of a proposed new building or structure, or already approved building or structure, as would substantially alter its appearance; drawings or sketches showing the front, side and rear elevations of the proposed building or structure, or of the structure as it will appear after the work for which a permit is sought shall have been completed; the existing and intended use of each building or structure or part thereof; the number of families or housekeeping units the building is designed to accommodate; and, when no buildings are involved, the location of the present use and proposed use to be made of the lot; proposed utility services and lot drainage; and such other information with regard to the lot and neighboring lots as may be necessary to determine and provide for the enforcement of the Zoning Ordinance. (Ord. 15-08. Passed 1-7-09.)

1137.05 CERTIFICATE OF HEALTH OFFICER.

In every case where the lot is not serviced with public water supply and/or the disposal of sanitary wastes by means of public sewers, the application shall be accompanied by a Certificate of Approval by the responsible Health Officer as to the proposed method of water supply and/or disposal of sanitary wastes. (Ord. 15-08. Passed 1-7-09.)

1137.06 CERTIFICATE OF OCCUPANCY.

(a) Certificate of Occupancy. No owner, lessee or tenant shall occupy, permit to be occupied, convey, or offer for sale or lease any building, structure, building or land, or part thereof, hereafter erected, created, altered, converted, enlarged or improved unless a certificate of occupancy has been issued by the Zoning Inspector after review and inspection by the Zoning Inspector and Water, Wastewater and Service Department Directors.

(b) Application for Certificate. The property owner or contractor must request the certificate of occupancy ten (10) days prior to the earliest date of occupancy. Such certificate of occupancy shall show and certify that such building, structure or land is in compliance with all provisions of the Codified Ordinances of Granville, in respect to such building, structure or land. No certificate of occupancy shall be issued without appropriate approval as to any improvements required whether such improvements are required by the Municipal Engineer, Planning Commission, Council or otherwise. No certificate of occupancy shall be issued by the Zoning Inspector without certification from the Income Tax Commissioner that all proper tax registrations and disclosures have been completed.

(c) Appeal. The denial of an occupancy permit under this section may be appealed to the Board of Zoning and Building Appeals, as provided in Section 1139.04(a) of this Zoning Ordinance. (Ord. 15-08. Passed 1-7-09.)

1137.07 FEES.

Fees shall be charged in accordance with resolutions and ordinances of the Village Council, and shall be set at a rate sufficient to cover the costs of the administration and regulatory implementation of this ordinance. The application fees must be paid at the time of application, otherwise the application is not complete. (Ord. 15-08. Passed 1-7-09.)

1137.08 VIOLATIONS; REMEDIES.

(a) Except as otherwise permitted by this Zoning Ordinance, no person, without first having obtained a zoning permit, shall do any of the following;

- (1) Alter, construct, convert, create, or extend, in whole or in part, any building or structure, or locate or place any structure on land;
- (2) Change, in whole or in part, the use of any existing building or structure or the use of any land.
- (3) Perform any exterior modification or structural alteration of any building or structure within the Architectural Review Overlay District.

(b) No person shall do any of the following:

- (1) Use or permit the use of, any structure, building, or land, or part thereof, in violation of this Zoning Ordinance;
- (2) Violate any term, condition, or requirement of a zoning permit, occupancy permit, approved variance, or conditional use permit;
- (3) Disobey or disregard any written lawful order of the Zoning Inspector;
- (4) Continue to use any structure, building, or land in violation of this Zoning Ordinance after a zoning permit has been revoked.
- (5) Demolish any building or structure within the Architectural Review Overlay District without obtaining a demolition permit.

(c) If a building or structure is or is proposed to be located, erected, constructed, reconstructed, enlarged, changed, demolished, converted, maintained or used, or any land is or is proposed to be used in violation of this Zoning Ordinance or any amendment or supplement thereto, Council, the Law Director, Village Manager or his/her designee, or any adjacent or contiguous property owner may, in addition to other remedies provided by law, institute appropriate action or proceedings to prevent such unlawful location, erection, construction, reconstruction, enlargement, change, 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, demolition, business or use in or about such premises. (Ord. 15-08. Passed 1-7-09.)

1137.09 PENALTY.

Whoever violates any provision of Section 1137.08 of this Zoning Ordinance, or any other provision of this Zoning Ordinance, for which no other penalty is provided, shall be fined not more than five hundred dollars (\$500.00) per day. Each day during which violation continues shall be deemed to be a separate offense. (Ord. 15-08. Passed 1-7-09.)

1137.10 STOP ORDERS AND REVOCATION OF PERMITS.

(a) Stop Orders. The Zoning Inspector, after consultation with the Village Manager, may issue a stop order against the construction or alteration or further construction or alteration of any building or structure, or the use or continued use of any building, structure, or land, that the Zoning Inspector reasonably believes is taking place in violation of any provision of this Zoning Ordinance or any other Ordinance of the Village, or that is taking place without a zoning or occupancy permit or in violation of any of the terms, conditions, or requirements of an existing permit.

(b) Revocation of Permit. The Zoning Inspector, after consultation with the Village Manager, may revoke a zoning permit when the Zoning Inspector reasonably believes that the use of the property constitutes a violation of or a failure to comply with any of the terms, conditions, or requirements of the existing permit.

(c) Hearing Procedures. At the time of taking any action under this Section, the Zoning Inspector shall provide the occupant, if any, and the record owner of the property with written notice of the reasons for the action so taken and that a hearing may be requested before the Zoning Inspector. Notice to the owner shall be by personal service on the owner or, if not possible, by certified mail sent to the last known address of the owner. If a hearing is requested in writing, the hearing shall be held within two (2) business days of receipt of the request for the hearing. After hearing the matter, the Zoning Inspector shall affirm, modify or vacate the stop order or the order that revoked the permit. This decision will be sent in writing by certified mail explaining the decision and the occupant's rights of appeal.

(d) Appeal. The issuance of a stop order or the revocation of a permit under this section may be appealed to the Board of Zoning and Building Appeals as provided in Section 1139.04(a) of this Zoning Ordinance. (Ord. 15-08. Passed 1-7-09.)

CHAPTER 1139
Board of Zoning and Building Appeals

1139.01	Organization.	1139.05	Decisions of the Board of
1139.02	Procedure.		Zoning and Building Appeals.
1139.03	Quorum.	1139.06	Appeals from decisions of the
1139.04	Powers; duties of the Board		Board of Zoning and Building
	of Zoning and Building		Appeals.
	Appeals.		

CROSS REFERENCES

Board of Zoning and Building Appeals - see CHTR. Sec. 8.02
 Appeals from zoning decisions - see Ohio R.C. 713.11
 Appeals from administrative agencies - see Ohio R.C. Ch. 2506

1139.01 ORGANIZATION.

The Board of Zoning and Building Appeals as constituted at the time of enactment of this Zoning Ordinance shall continue in power. The Board shall consist of such members as provided by Section 8.02 of the Charter. Vacancies shall be filled for the remainder of the unexpired terms.

1139.02 PROCEDURE.

The Board of Zoning and Building Appeals shall adopt its own rules and elect its officers annually: a chairperson, vice-chairperson and secretary from its membership. The secretary shall keep minutes of the proceedings, indicating the vote of each member on each question, or if absent or failing to vote, so note. The secretary shall keep records of the Board's examinations and other official actions, all of which are to be filed in the office of the Village and become public record. The secretary shall conduct all official correspondence and supervise the clerical work of the Board. The duties of the secretary may be delegated to the Village Manager or his/her staff. Notices of hearings and decisions of the Board shall be communicated directly to the property owners affected and to the people of the Village through news media and bulletin boards.

1139.03 QUORUM.

A simple majority in attendance of the Board of Zoning and Building Appeals shall constitute a quorum. The Board shall act by resolution; and the concurring vote of a majority of the Board shall be necessary to reverse any order, requirements, decision or determination of the Commission or office from which there has been an appeal.

1139.04 POWERS; DUTIES OF THE BOARD OF ZONING AND BUILDING APPEALS.

The Board of Zoning and Building Appeals shall:

- (a) Review and decide appeals on decisions or orders made by the Zoning Inspector or other administrative officers governing zoning and building in the Village. An appeal to the Board may be taken by:
 - (1) The owner of property that is the subject of the decision or order;
 - (2) The owner of adjacent or contiguous property to the property that is the subject of the decision or order;
 - (3) Any other person who claims a direct, present injury or prejudice to a personal or property right or interest because of the decision or order.Such appeal shall be taken within ten days after the decision, by filing with the Board a notice of appeal specifying the grounds thereof. The Zoning Inspector or Village Manager shall forthwith transmit to the Board all papers constituting the record upon which the action appealed was taken.
- (b) Review to approve, disapprove, or approve with modifications, variances as provided for in Chapter 1147, from the provisions of this Zoning Ordinance and to attach to the variance whatever conditions that are deemed necessary to meet the objectives of this Ordinance.
- (c) Review to approve, disapprove, or approve with modifications the Zoning Inspector's decision or interpretation of the official Zoning Map and Zoning Code text. In any case where a question exists as to the location of any boundary line between zoning districts, or where the streets or lot layouts actually on the ground, or as recorded, differs from the street and lot lines as shown on the Zoning Map, the Board, after notice to the owners of the property or properties concerned, and after public hearing, shall interpret the Map in such a way as to carry out the intent and purpose of this Code.
- (d) Review to approve, disapprove, or approve with modifications, applications for conditional use as provided for in Chapter 1145 and to attach to such conditional use whatever conditions are deemed necessary to meet the objectives of this Ordinance.
- (e) Review to approve, disapprove, or approve with modifications, applications for substitution of a nonconforming use as provided in Chapter 1149 and to attach to such substitution whatever conditions are deemed necessary to meet the objectives of this Ordinance.
- (f) If a majority of the members of the Board decides that the Board needs legal counsel for any public or administrative hearing that the Board is authorized or required to conduct or participate in under this Zoning Ordinance, the chairperson shall request Council to provide such counsel. If Council approves the request, it shall direct the Law Director to select counsel for the Board, subject to the financial approval of the Village Manager.
(Ord. 11-2012. Passed 7-18-12.)

1139.05 DECISIONS OF THE BOARD OF ZONING AND BUILDING APPEALS.

- (a) All applications and appeals filed with the Board of Zoning and Building Appeals shall be scheduled for hearing and heard within forty-five days of the date of filing unless extended upon written request of the applicant or appellant.

(b) Notice of the date and time set for the hearing shall be published in one or more local newspapers of general circulation in the Village and posted on at least one (1) public bulletin board. Notice to the applicant and adjacent or contiguous property owners shall be by ordinary mail as evidenced by a certificate of mailing or by personal service at least ten days prior to the hearing date. The notice shall state the date, the time and place of the hearing, the name of the applicant or appellant, and the nature of the proposed application or appeal. The failure of delivery of such notice shall not invalidate any decision by the Board related to the hearing. The Board may continue an on-going hearing from date to date without additional notice. A sign indicating the type of application as well as the date and time for the hearing shall also be posted on the subject property at least ten (10) days prior to the hearing date.

(c) The following persons may appear at hearings as parties and be heard in person or by attorney:

- (1) The applicant or appellant;
- (2) The owner of property that is the subject of the application or appeal, if the owner is not the applicant or appellant;
- (3) The owner of property adjacent or contiguous to the property that is the subject of the application or appeal; and
- (4) Any other person who claims a direct, present injury or prejudice to any personal or property right or interest that was prejudiced by the decision or order appealed from, or claims such injury or prejudice will occur if the application is approved or denied.

(d) A person authorized to appear and be heard may:

- (1) Present his or her position, arguments and contentions;
- (2) Offer and examine witnesses and present evidence in support of his or her position, arguments, and contentions;
- (3) Cross-examine witnesses purporting to refute his or her position, arguments, and contentions;
- (4) Offer evidence and testimony to refute evidence and testimony offered in opposition to his or her position, arguments, and contentions;
- (5) Proffer any evidence or testimony into the record if such evidence or testimony has not been admitted by the Board.

(e) Hearings are open to the public, but are not public hearings. Any witness offering testimony or presenting evidence at a hearing shall be placed under oath prior to offering testimony or evidence. All hearings shall be recorded by tape recorder or other electronic means. The Board, at its option, may have a hearing transcribed by court reporter.

(f) The Board shall decide all applications and appeals within sixty days after the conclusion of the hearing, unless waived by the applicant or appellant. The decision of the Board shall be in writing, shall be accompanied by findings of fact and statement of reasons for the decision reached. The decision shall be filed in the Village Office and become a part of the public record. The Village Clerk shall serve a certified copy of the Board's decision by personal service or ordinary mail on all parties to the hearing, all persons who claimed a right but were not permitted to appear as parties to the hearing, and to the Zoning Inspector.

(g) The Zoning Inspector shall incorporate the terms and conditions of the decision in the permit to the applicant or appellant, whenever a permit is authorized.
(Ord. 11-2012. Passed 7-18-12.)

1139.06 APPEALS FROM DECISIONS OF THE BOARD OF ZONING AND BUILDING APPEALS.

All persons who received notice under Subsection (f) of 1139.05 may appeal a decision of the Board of Zoning and Building Appeals to Council. The Village Manager may also appeal any such decision to Council. The appeal shall be filed with the Village Clerk not later than ten (10) days after the decision is delivered by personal service or ordinary mail. At the time of filing the notice of appeal, the appellant shall submit in writing their reason for the appeal and may request a copy of the official record. If the appellant intends to urge on appeal that a finding or conclusion is unsupported by the evidence or is contrary to the weight of the evidence, the appellant shall include in the record all evidence relevant to the findings or conclusion. A person who intends to appear at the appeal hearing as an appellee may file with the Clerk additional parts of the record at any time before the hearing.
(Ord. 11-2012. Passed 7-18-12.)

**CHAPTER 1141
Planning Commission**

1141.01	Organization.	1141.05	Procedure for decisions of the
1141.02	Meetings.		Planning Commission.
1141.03	Procedure.	1141.06	Appeals from decisions of the
1141.04	Powers; duties of the Planning		Planning Commission.
	Commission.		

CROSS REFERENCES

Planning Commission - see CHTR. Sec. 8.01
Powers and duties - see Ohio R.C. 713.02, 713.06
Determination of additional prohibited uses - see
P. & Z. 1157.02

1141.01 ORGANIZATION.

There shall be a municipal Planning Commission consisting of such members as provided under Section 8.01 of the Charter.

1141.02 MEETINGS.

The Planning Commission may meet at the request of the Village Manager or Planning Commission chairperson or upon written notice by two or more of its members; in all cases such request or notice shall be given at least twenty-four hours prior to the meeting time. Such written notice from Planning Commission members shall be given to all available members of the Commission and the Village Manager and his/her designee. Such written notice must specify the item or items on the agenda. All meetings shall be public and public records shall be kept of all proceedings indicating the vote of each member on each issue, the members present or absent, and the facts of each case and other minutes of the meeting, a copy of which shall be sent to each member of Council. The chairperson or vice-chairperson of the Planning Commission shall advise Council by letter if any Commission member is absent from all meetings held during a period of ninety consecutive days or who is absent for a total of one-fourth of the regular meetings during a calendar year. Council then shall consider removal action.

1141.03 PROCEDURE.

A simple majority of the Planning Commission, if in attendance, shall constitute a quorum. The Planning Commission shall act by resolution passed by the vote of a majority of the Commission. The secretary shall keep minutes of the proceedings, indicating the vote of each member on each question, or if absent or failing to vote, so note. The secretary shall keep records of the Commission's examinations and other official actions, all of which are to be filed in the office of the Village and become public record. The secretary shall conduct all official correspondence and supervise the clerical work of the Commission. The duties of the secretary may be delegated to the Village Manager or his/her staff. Notices of hearings and decisions of the Commission shall be communicated directly to the property owners affected and to the people of the Village through news media and bulletin boards.

1141.04 POWERS; DUTIES OF THE PLANNING COMMISSION.

The duties of the Planning Commission are as follows:

- (a) Review proposed amendments or rezoning requests to the Zoning Ordinance and/or Subdivision Regulations and make recommendations to Council.
- (b) Review and act upon applications for new construction, exterior modification and/or structural alterations in the following districts as provided in Chapter 1159, Village District, Chapter 1161, Architectural Review Overlay District, Chapter 1176, Transportation Corridor Overlay District, Chapter 1167, Community Service District, and Chapter 1175 Suburban Business District and authorize the issuance, the issuance with conditions, or the denial of a Zoning Permit by the Zoning Inspector.
- (c) Review and approve, or deny, or approve with modifications, subdivision platting and development plans for Planned Development District applications and development site plans with reference to the provisions of the Zoning Ordinance and the Subdivision Regulations.
- (d) Initiate amendments to the Zoning Ordinance and/or make such planning or zoning recommendations to Council as are deemed necessary.
- (e) Review and act upon applications for Zoning Permits requiring architectural review as provided for in Chapter 1161 of this Zoning Ordinance.
- (f) Perform such other duties as may be required by ordinance or requested by Council.
- (g) Hold informal working sessions with developers, builders and the general public, for the purpose of providing advice and guidance in accordance with the Comprehensive Plan, and prior to the submittal and review of formal development plans.
- (h) If a majority of the members of the Commission decides that the Commission needs legal counsel for any public or administrative hearing that the Commission is authorized or required to conduct or participate in under this Zoning Ordinance, the chairperson shall request Council to provide such counsel. If Council approves the request, it shall direct the Law Director to appoint counsel for the Commission, subject to the financial approval of the Village Manager.
(Ord. 11-2012. Passed 7-18-12.)

1141.05 PROCEDURE FOR DECISIONS OF THE PLANNING COMMISSION.

- (a) All applications which are referred to the Planning Commission for review shall be heard within forty-five (45) days from the date of filing.

(b) Notice of the date set for hearing shall be published in one or more local newspapers of general circulation in the Village and posted on at least one (1) public bulletin board. Notice to the applicant and adjacent or contiguous property owners shall be sent by first class mail as evidenced by a certificate of mailing or by personal service at least six days prior to the hearing date. The notice shall state the date, the time and the place of the hearing, the name of the applicant and the nature of the application. The failure of delivery of such notice shall not invalidate any decision by the Planning Commission related to the hearing. The Commission may continue an on-going hearing from date to date without additional notice. A sign indicating the type of application as well as the date and time for the hearing shall also be posted on the subject property at least six days prior to the hearing date.

(c) The following persons may appear at hearings as parties and be heard in person or by attorney:

- (1) The applicant;
- (2) The owner of property that is the subject of the application, if the owner is not the applicant or appellant;
- (3) The owner of property that is adjacent or contiguous to the property that is the subject of the application; and
- (4) Any other person who claims that a direct, present injury or prejudice to a personal or property right will occur if the application is approved or denied.

(d) A person authorized to appear and be heard may:

- (1) Present his or her position, arguments and contentions;
- (2) Offer and examine witnesses and present evidence in support of his or her position, arguments and contentions;
- (3) Cross-examine witnesses purporting to refute his or her position, arguments and contentions;
- (4) Offer evidence and testimony to refute evidence and testimony offered in opposition to his or her position, arguments, and contentions;
- (5) Proffer any evidence or testimony into the record if such evidence or testimony has not been admitted by the Commission.

(e) Hearings are open to the public, but are not public hearings. Any witness offering testimony or presenting evidence at a hearing shall be placed under oath prior to offering testimony or evidence. All hearings shall be recorded by tape recorder or other electronic means. The Planning Commission, at its option, may have a hearing transcribed by court reporter.

(f) The Commission shall decide all applications within sixty (60) days after the formal conclusion of the hearing by the Commission, unless waived by the applicant. The decision of the Commission shall be in writing and shall be accompanied by findings of fact and a statement of reasons for the decision reached. The decision shall be filed in the Village Office and it shall become a part of the public record. The Village Clerk shall serve a certified copy of the Commission's decision by personal service or ordinary mail on all parties to the hearing, all persons who claimed a right but were not permitted to appear as parties to the hearing, and the Zoning Inspector.

(g) The Zoning Inspector shall incorporate the terms and conditions of the decision in the permit to the applicant, whenever a permit is authorized.
(Ord. 11-2012. Passed 7-18-12.)

1141.06 APPEALS FROM DECISIONS OF THE PLANNING COMMISSION.

All persons who received notice under Subsection (f) of 1141.05 may appeal a decision of the Planning Commission to Council by filing a written notice of appeal with the Village Clerk not later than ten (10) days after the decision is delivered by personal service or ordinary mail. The Village Manager may also appeal any such decision to Council. At the time of filing the notice of appeal, the appellant shall submit in writing their reason for appeal and may request a copy of the official record. If the appellant intends to urge on appeal that a finding or conclusion is unsupported by the evidence or is contrary to the weight of the evidence, the appellant shall include in the record all evidence relevant to the findings or conclusion. A person who intends to appear at the appeal hearing as an appellee may file with the Clerk additional parts of the record at any time before the hearing.

(Ord. 11-2012. Passed 7-18-12.)

CHAPTER 1143 Amendments

1143.01 Procedure.
1143.02 Application.

1143.03 Criteria for review.
1143.04 Review procedure.

CROSS REFERENCES

Council may amend districting or zoning - see Ohio R.C. 713.10

Initiation and review by Planning Commission - see
P. & Z. 1141.04

Referral of zoning permit applications to Director of
Transportation - see Ohio R.C. 5511.01

1143.01 PROCEDURE.

Existing zoning may be amended, supplemented, changed or repealed to meet changing conditions or to better meet good zoning practices. However, this chapter does not apply to approval of development plans in development districts, which are governed by Chapter 1171 of this Zoning Ordinance. Changes to existing zoning may be initiated in one of three ways:

- (a) Recommendation by the Planning Commission.
- (b) 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 provisions of this Ordinance. (Ord. 12-01. Passed 5-16-01.)

1143.02 APPLICATION.

(a) Application To Be Made. Written application for amendment shall be made to the Village Manager who shall transmit the application to the Planning Commission.

(b) Application Fee. The applicant shall pay a fee sufficient to cover the costs of administration, advertising, review, publishing and reporting of the application as established by the current ordinance.

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

- (1) Name, address and phone number of the applicant(s) and signatures of property owner(s) or designee.
- (2) A current and accurate legal description of the property in question.
- (3) The proposed amendment to the Zoning Ordinance, 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 200 feet of the area of property to be rezoned, taken from a current County Auditor 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, streets, existing and proposed utility service, existing and proposed zoning and any additional information required by all other applicable articles of the Zoning Ordinance. The application shall also include a map which shows all adjacent properties with the approximate location of existing structures. The Planning Commission 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 Village Manager, an estimate of utility needs of the proposed use of the area being considered for rezoning, to include sewer, water, refuse and electricity demand may be required. In addition, an estimate of potential traffic generation for the proposed uses may also be required.

1143.03 CRITERIA FOR REVIEW.

The Planning Commission shall, at the minimum, consider the following factors in the review of the application:

- (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.
- (c) Relationship of the amendment requested 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 the capital improvement schedule.

1143.04 REVIEW PROCEDURE.

(a) Filing of Application. All applications should be submitted for review to the Village Planner or his/her designee and shall be heard by the Planning Commission within forty-five (45) days from the date of filing.

(b) Public Notice for Hearing. Notice of the date set for hearing shall be published in one or more local newspapers of general circulation in the Village. Such notice shall include the time, date and place of the hearing and the nature of the proposed amendment.

(c) Notice to Property Owners. Notice to the applicant and all property owners within 200 feet of the area to be rezoned shall be sent by first class mail as evidenced by a certificate of mailing or by personal service at least six days prior to the hearing date. The list of addresses shall correspond to the County Auditor's current tax list or the County Treasurer's Mailing List. The failure of delivery of such notice shall not invalidate any decision by the Planning Commission related to the hearing. Amendments involving changes to the provisions or text of the Ordinance shall be posted in two public places at least six days prior to the hearing. A sign indicating the date and time for the hearing shall also be posted on the subject property at least six days prior to the hearing date.

(d) Notification of State Director of Transportation. The Village Manager or his/her designee shall give notice by registered or certified mail to the Director of Transportation concerning any zoning amendment that:

- (1) Affects any land within 300 feet of a proposed new highway.
- (2) Affects any land within 300 feet of any proposed changes to a highway as described in certification to local officials by the State Director of Transportation.
- (3) Affects any land within 500 feet from a proposed intersection of such new highway and any existing public road or highway. After notification, the Planning Commission can proceed with determining its recommendation.

(e) Action by the Commission. Following the public hearing, the Planning Commission shall review the application and make one of the following recommendations to Council within fifteen days:

- (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) Following action by the Commission, the Clerk shall forward any findings of fact and a copy of the minutes of the subject meeting to Council along with the application and all pertinent materials submitted to or considered in reaching the decision and serve the same copy received by Council upon the applicant.

(g) Public Hearing by Council. At the next regularly scheduled Council meeting following service by the Clerk, the public hearing shall be scheduled. The Council hearing may be scheduled to be held at either of the next two immediately subsequent regularly scheduled council meetings following the Introduction of the Ordinance.

(h) Public Notice of Hearing by Council. Notice of the date set for hearing shall be published in one or more local newspapers of general circulation in the Village.

Such notice shall include the time, date and place of the hearing and the nature of the proposed amendment.

(i) Notice to Property Owners. Notice to the applicant and all property owners within 200 feet of the area to be rezoned shall be sent by first class mail as evidenced by a certificate of mailing or by personal service at least six days prior to the hearing date. The list of addresses shall correspond to the County Auditor's current tax list or the County Treasurer's Mailing List. The failure of delivery of such notice shall not invalidate any decision by the Council related to the hearing. Amendments involving changes to the provisions or text of the Ordinance shall be posted in two public places at least six days prior to the hearing. A sign indicating the date and time for the hearing shall also be posted on the subject property at least six days prior to the hearing date.

(j) Following the conclusion of the public hearing, Council shall adopt or deny the recommendation of the Planning Commission or adopt a modification of the recommendation. However, by majority vote of those members in attendance, Council may continue the matter to the next regularly scheduled meeting. To reverse or modify the recommendation of the Commission, a majority vote of the full membership of Council is required. No final decision can be made until notification by the State Director of Transportation, if such zoning amendment affects any land as per subsection (d) hereof.
(Ord. 10-2013. Passed 7-17-13.)

CHAPTER 1145 Conditional Uses

1145.01 Purpose.	1145.03 Criteria for approval.
1145.02 Application procedure.	1145.04 Review procedure.

CROSS REFERENCES

Defined - see P. & Z. 1135.01

Approval by Board of Zoning and Building Appeals

Commission - see P. & Z. 1139.04

1145.01 PURPOSE.

Certain uses more intensely affect the surrounding area in which they are located than permitted uses in the same zoning district, and yet 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 Board of Zoning and Building Appeals as exceptions to the strict application of this Zoning Ordinance. 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.

1145.02 APPLICATION PROCEDURE.

(a) Application Fee. The applicant shall pay a fee sufficient to cover costs of administration, advertising, review, publishing and reporting of the case, as established by the current ordinance.

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

- (1) Name, address and phone number of applicant(s); names and signatures of property owner(s) or designee.
- (2) The address and legal description of the property in question.
- (3) Description of existing uses of all parts of the lot or property; proposed conditional use or other change and the present zoning district in which the current use is located; the provisions of the Zoning Ordinance which are applicable.

- (4) A statement of the relationship of the proposed use to adjacent land use in terms of traffic, parking, noise and other nuisances and general compatibility.
- (5) A statement responding to the criteria for approval of such application.
- (6) A list of property owners within 200 feet of the property on which the conditional use is to be considered, taken from a current County Auditor tax list or the County Treasurer's mailing list.
- (7) Eight copies of the plot plan showing:
 - i. Boundaries and dimensions of the lot and the size and location of all proposed or existing structures. The application shall also include a map which shows all adjacent properties, including zones, with the approximate location of existing structures.
 - ii. Traffic access, traffic circulation, existing and proposed utilities, parking, tree locations, landscaping, signs, refuse and service areas and other such information relevant to the proposed use.
 - iii. The nature of any special conditions or circumstances.
- (8) Such additional information as may be required by this Zoning Ordinance or requested by the Board of Zoning and Building Appeals to review the application.

1145.03 CRITERIA FOR APPROVAL.

The Board of Zoning and Building Appeals shall make the following determinations with respect to an application for a conditional use permit:

- (a) The proposed use is a conditional use within the zoning district and the applicable development standards of this Zoning Ordinance are met.
 - (b) The proposed use is in accordance with all current land use and transportation plans for the area and is compatible with any existing land use on the same parcel.
 - (c) The proposed use will not create an undue burden on public facilities and services such as streets, utilities, schools and refuse disposal.
 - (d) The proposed use will not be detrimental or disturbing to existing neighboring uses, and will not entail a use, structure or condition of operation that constitutes a nuisance or hazard to any persons or property.
 - (e) The proposed use will not significantly diminish or impair established property values within the surrounding areas.
- (Ord. 15-08. Passed 1-7-09.)

1145.04 GENERAL PROCEDURE.

- (a) Please refer to Chapter 1139 for the review procedure.
- (b) Issuance of Conditional Use Permit. Upon approval of the Board of Zoning and Building Appeals, and with such conditions attached by the Board as may be necessary to secure the objectives of this Zoning Ordinance, to protect the character of the surrounding properties and neighborhood affected by the proposed use, and to mitigate the impact of the use, the Zoning Inspector shall issue a conditional use permit to the applicant. 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 one (1) year or, if construction or renovation is included as part of such conditional use, such construction or renovation is not begun within two years. Such permit shall expire if a conditional use is discontinued for more than two years.

(c) In approving a conditional use permit, the conditions imposed by the Board may include, but shall not be limited to, the following requirements or conditions;

- (1) Regulation of locations, setbacks, yard requirements, and configurations of structures and of uses of interior and exterior space, including a condition that any such requirements be greater than the minimum regulations required by this Zoning Code;
- (2) Off-street parking requirements be greater than the minimum required by this Zoning Ordinance or other applicable Ordinances, including conditions relating to access points and traffic management provisions, or other provisions that impact vehicular and pedestrian access, and the locations and design of parking facilities, and that parking areas and other parts of the lot be screened from adjoining lots or from the street by walls, fences, trees, shrubs or other planting, or other devices;
- (3) Exterior features or the appearance of any structure be modified, the structures be cleaned and painted, and the direction and intensity of outdoor lighting or signs be changed, or other requirements relating to maintenance of the site, the structures thereon, and landscaping;
- (4) The size, number of occupants, method and times of operation, and extent of the facilities be limited;
- (5) Actions be taken to control or eliminate smoke, dust, radiation, vibration, gas, noise, or odor.

(d) Appeals. Appeals from the decisions of the Board of Zoning and Building Appeals may be had as provided in Chapter 1139.
(Ord. 15-08. Passed 1-7-09.)

CHAPTER 1147 Variances

1147.01 Purpose.	1147.03 Criteria for approval.
1147.02 Application procedure.	1147.04 General procedure.

CROSS REFERENCES

Authority to grant - see CHTR. Sec. 8.02; P. & Z. 1139.04

1147.01 PURPOSE.

The issuance of a variance to allow deviation from the strict interpretation of the applicable regulations contained in this Zoning Ordinance shall, unless otherwise established, be under the power of the Board of Zoning and Building Appeals. In no case shall the granting of a variance allow a use not permitted under district regulations nor shall the nonconforming use of land or structures be considered as grounds for issuance of a variance.
(Ord. 07-01. Passed 4-4-01.)

1147.02 APPLICATION PROCEDURE.

(a) Application To Be Made. Written application for a variance shall be made to the Village Manager or his/her designee who shall transmit the application to the Board of Zoning and Building Appeals.

(b) Application Fee. The applicant shall pay a fee sufficient to cover costs of administration, advertising, review, publishing and reporting of the case, as established by current ordinance.

- (c) Contents of Application. The application must include the following:
- (1) Name, address and phone number of applicant(s); names and signatures of property owner(s) or designee.
 - (2) The address and legal description of the property in question.
 - (3) Description of type of variance and the proposed variance.
 - (4) A statement responding to the criteria for approval of such application.
 - (5) A list of property owners within 200 feet of the property on which the variance is to be considered, taken from a current County Auditor tax list or the County Treasurer's mailing list.
 - (6) Eight copies of the plot plan showing:
 - A. Boundaries and dimensions of the lot and the size and location of all proposed and existing structures. The application shall also include a map that shows all adjacent properties, including zones, with the approximate location of existing structures.

- B. Traffic access, traffic circulation, existing and proposed utilities, parking, tree locations, landscaping, signs, refuse and service areas and other such information relevant to the proposed variance.
- C. The nature of any special conditions or circumstances.
- (7) Such additional information as may be required by this Zoning Ordinance or requested by the Board of Zoning and Building Appeals to review the application. (Ord. 07-01. Passed 4-4-01.)

1147.03 CRITERIA FOR APPROVAL.

The following considerations shall be examined in the review and the public hearing of an application for variance:

- (a) That special circumstances or conditions exist which are peculiar to the land or structure(s) involved and which are not applicable to other lands or structures in the same zoning districts.
- (b) That a literal interpretation of the provisions of this Zoning Ordinance would result in practical difficulties for the owner of the property. The factors to be considered by the Board in making this determination are:
 - (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 a 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).
 - (5) Whether the property owner purchased the property with knowledge of the zoning restriction.
 - (6) Whether the property owner's predicament feasibly can be obviated through some method other than a variance.
 - (7) Whether the spirit and intent behind the zoning requirement would be required to be observed and substantial justice done by granting the variance.
- (c) That the special conditions and circumstances do not result from the actions of the applicant.
- (d) That the granting of the variance will in no other manner adversely affect the health, safety and general welfare of the persons residing or working within the vicinity of the proposed variance, and not diminish or impair established property values within the surrounding areas, and not impair an adequate supply of light and air to adjacent properties, and not unreasonably increase the congestion in public streets.
- (e) In granting a variance, the board may impose any requirements or conditions regarding the location, character, and other features of the proposed uses or buildings or structures as the board deems necessary to carry out the intent and purpose of this Zoning Code, and to satisfy the other conditions set forth in subsection (d) hereof. (Ord. 15-08. Passed 1-7-09.)

1147.04 GENERAL PROCEDURE.

- (a) Please refer to Chapter 1139 of the Codified Ordinances for the review procedure.

(b) Issuance of Zoning Permit. If the application for a variance is approved, the Board of Zoning and Building Appeals shall, after specifying such conditions as it may deem necessary, direct the Village Manager or his/her designee to issue a Zoning Permit to the applicant.

(c) Appeals. Appeals from decisions of the Board of Zoning and Building Appeals may be had as provided in Chapter 1139.
(Ord. 15-08. Passed 1-7-09.)

CHAPTER 1149 Nonconforming Uses and Structures

1149.01	Existing nonconforming uses; continuation.	1149.06	Nonconforming use made to conform.
1149.02	Nonconforming uses of buildings; enlargement, substitution, etc.	1149.07	Discontinuance of a use.
1149.03	Non-conforming lots of record.	1149.08	Alterations, repairs and maintenance.
1149.04	Criteria for approval.	1149.09	Repair and replacement of nonconforming uses.
1149.05	General procedure.		

CROSS REFERENCES

Nonconforming uses, retroactive measures - see Ohio
R.C. 713.15

Defined - see P. & Z. 1135.01

Nonconforming signs - see P. & Z. 1189.05(a)(1)

1149.01 EXISTING NONCONFORMING USES; CONTINUATION.

Except as otherwise provided in this Zoning Ordinance, the lawful nonconforming use of any property, as defined in Section 1135.01 of this Zoning Ordinance, existing at the time of the adoption or amendment of this Zoning Ordinance may be continued, although such use, building, structure, or land does not conform with the use regulations of the district in which it is situated or otherwise conform with the provisions of this Zoning Ordinance, subject to the prohibitions of Section 1149.02 of this Zoning Ordinance. (Ord. 15-08. Passed 1-7-08.)

1149.02 NONCONFORMING USES OF BUILDINGS; ENLARGEMENT, SUBSTITUTION, ETC.

Except when required by law or order or permitted under Section 1149.03, no existing building, structure or land devoted to a use not permitted by this Zoning Ordinance in the district in which such building, structure, or land is located shall be enlarged, extended, changed, or structurally altered, unless the use thereof is changed to a use permitted in the district in which such building or premises is located. (Ord. 15-08. Passed 1-7-08.)

1149.03 NON-CONFORMING LOTS OF RECORD.

A principal structure and/or accessory building may be permitted on any non-conforming lot of record, notwithstanding limitations imposed by other requirements of that District. This provision shall apply even though such lot fails to meet the requirements for area or width, or both for the district in which such lot is located. Such lot must be in separate ownership and not of continuous frontage with other lots in the same ownership. (Ord. 01-2014. Passed 2-19-14.)

1149.04 CRITERIA FOR APPROVAL.

(a) Changes. Upon application by the owner in the manner prescribed in the application procedure hereof to the Board of Zoning and Building Appeals, the change to another nonconforming use may be permitted upon finding by the Board that:

- (1) The proposed change of a nonconforming use will not increase the burden on public facilities and service such as streets, utilities, schools and refuse disposal imposed by the existing nonconforming use.
- (2) The proposed nonconforming use will neither be detrimental nor disturbing to existing uses in the district and will not entail a use which constitutes a nuisance or hazard to any persons in the surrounding use district.

(b) Conditions. In granting a change in a nonconforming use, the Board may impose any requirements and conditions regarding the location, character, and other features of the proposed uses or buildings or structures as the Board deems necessary to carry out the intent and purpose of this Zoning Code, and to satisfy the conditions set forth in Division (a) of this Section. (Ord. 01-2014. Passed 2-19-14.)

1149.05 GENERAL PROCEDURE.

(a) Contents of Application. Please refer to Chapter 1145.02 (b) for the application contents.

(b) Appeals from decisions of the Board may be had as provided in Chapter 1139. (Ord. 01-2014. Passed 2-19-14.)

1149.06 NONCONFORMING USE MADE TO CONFORM.

Whenever a nonconforming use has been changed to a conforming use, such use shall not thereafter be changed to a nonconforming use. (Ord. 01-2014. Passed 2-19-14.)

1149.07 DISCONTINUANCE OF A USE.

No building, structure or land where a nonconforming use has been discontinued for a period of twelve months or more shall again be put to a nonconforming use. (Ord. 01-2014. Passed 2-19-14.)

1149.08 ALTERATIONS, REPAIRS AND MAINTENANCE.

Repairs and maintenance work as required to keep structures in sound condition, alteration, repair or replacement of non-bearing walls, fixtures, doors, windows, wiring or plumbing, and interior structural alterations designed to improve the usefulness or livability of interior space, may be made to a non-conforming building or structure, provided that no such change shall be made which shall exceed the area or height requirements or extend into any yard required in the district in which such structure is located, unless such building or structure is permanently changed to a conforming use or unless required by law or order or permitted under Section 1149.03. (Ord. 01-2014. Passed 2-19-14.)

1149.09 REPAIR AND REPLACEMENT OF NONCONFORMING USES.

A nonconforming use shall terminate when the structure it occupies is damaged and the estimated cost to repair exceeds sixty percent (60%) of the replacement cost of such structure immediately before such damage. When the cost of repairs to a structure containing a non-conforming use is less than sixty percent (60%) of the replacement cost, that non-conforming use may be restored provided such restoration is begun within six months from the time of damage. Failure to begin such restoration within six months from the date of damage shall terminate the non-conforming use. (Ord. 01-2014. Passed 2-19-14.)

TITLE FIVE - Zoning Districts

- Chap. 1155. Districts Established.
- Chap. 1157. General Zoning Regulations.
- Chap. 1159. Village District.
- Chap. 1161. Architectural Review Overlay District.
- Chap. 1162. Structural Demolition.
- Chap. 1163. Suburban Residential District.
- Chap. 1165. Open Space District.
- Chap. 1167. Community Service District.
- Chap. 1169. Institutional District.
- Chap. 1171. Planned Development Districts.
- Chap. 1173. Village Gateway District.
- Chap. 1174. Raccoon Valley Aquifer Wellhead Protection Overlay District.
- Chap. 1175. Suburban Business District.
- Chap. 1176. Transportation Corridor Overlay District.
- Chap. 1177. Flood Hazard Overlay District.

CHAPTER 1155 Districts Established

1155.01	Division into districts.	1155.03	Vacated street or alley.
1155.02	Boundaries; Zoning Map.	1155.04	Annexations.

CROSS REFERENCES

- Zoning of annexed areas - see Ohio R.C. 303.25, 519.18
- Basis of districts; Council may amend districting or zoning - see Ohio R.C. 713.10
- Vacated streets and alleys - see PRELIM. Table C
- Annexation and detachment of territory - see PRELIM. Table H
- Zoning Map changes - see PRELIM. Table I

1155.01 DIVISION INTO DISTRICTS.

For the purpose of this Zoning Ordinance, the Village is hereby divided into categories of zoning districts. Such districts are designated as follows:

Village Districts:

- VRD - Village Residential District
- VBD - Village Business District
- VSD - Village Square District
- VID - Village Institutional District
- VGD - Village Gateway District

ID - Institutional District

Planned Development Districts:

PUD - Planned Unit District

PCD - Planned Commercial District

PID - Planned Industrial District

OSD - Open Space District

SRD - Suburban Residential District

CSD - Community Service District

SBD - Suburban Business District

FHOD - Flood Hazard Overlay District

AROD - Architectural Review Overlay District

TCOD - Transportation Corridor Overlay District

RVOD - Raccoon Valley Aquifer Wellhead Protection Overlay District

1155.02 BOUNDARIES; ZONING MAP.

(a) Districts and Boundaries Established. The several districts and boundaries thereof are hereby adopted and established as shown on the Zoning Map of the Village, which Map, together with all notations, references, data, district boundaries and other information shown thereon, are hereby made a part of this Zoning Ordinance. Such Zoning Map, properly attested, shall remain on file in the Office of the Village Manager. Such Zoning Map may be amended in accordance with this Ordinance.

(b) District Boundaries. Except when referenced on such Map to a street or alley line or other designated line by dimensions shown on such Map, the district boundary lines follow lot lines or the center lines of streets or alleys as they existed at the time of the adoption of this Ordinance.

(c) Interpretation of Uncertainty as to Boundaries or Textual Provisions. All questions concerning the exact location of district boundary lines or the meaning and intent of textual provisions of this Ordinance shall be determined by the Board of Zoning and Building Appeals according to rules and regulations which may be adopted by it.

1155.03 VACATED STREET OR ALLEY.

Whenever any street, alley or other public way is vacated by official action as provided by law, the zoning district adjoining the side of such public way shall be extended automatically, depending on the side or sides to which such lands revert, to include the right-of-way thus vacated, which shall thenceforth be subject to all regulations of the extended district or districts.

1155.04 ANNEXATIONS.

Properties annexed into the Village shall be zoned in conformance with the Comprehensive Plan. Recommendations of the Planning Commission to the Village Council shall be made based on the comprehensive plan's application to the subject property. Should the property to be annexed be developed, however, the Planning Commission shall consider both the application of the comprehensive plan and the use already made of the property in making its recommendation to the Village Council.

CHAPTER 1157 General Zoning Regulations

1157.01	Conformance required.	1157.08	Emergency repairs.
1157.02	Additional prohibited uses; Commission determination.	1157.09	Unsafe buildings.
1157.03	Conversion of dwellings.	1157.10	Pending applications for zoning permits.
1157.04	Accessory buildings without main building.	1157.11	Parking and occupancy of house trailers and campers.
1157.05	Traffic visibility across corner lots.	1157.12	Prior approvals.
1157.06	Required area or space cannot be reduced.	1157.13	Groundwater protection from hazardous materials and chemicals.
1157.07	Off-street parking and loading.	1157.14	Accessory uses and structures.
		1157.15	Prohibited uses in a yard.

CROSS REFERENCES

Zoning of annexed areas - see Ohio R.C. 303.25, 519.18.
P. & Z. 1155.04
Violation of Zoning Ordinances - see Ohio R.C. 713.13
Removal of unsafe structures - see Ohio R.C. 715.26(B),
715.261
Enforcing official - see P. & Z. 1137.01
Districts established - see P. & Z. 1155.01
Off-street parking and loading - see P. & Z. 1183
Height, area and yard requirements - see P. & Z. 1187

1157.01 CONFORMANCE REQUIRED.

Except as hereinafter specified, no building, structure or land shall hereafter be used, and no building or part thereof, or other structure, shall be located, erected, moved, reconstructed, extended, enlarged or altered except in conformity with the regulations herein specified for the district in which it is located; such regulations including, but not limited to the following: the specific use of buildings, structures or land, including performance standards for the control of any dangerous and objectionable elements in connection with such use; the height or size dimensions of buildings or structures; the size or dimensions of lots, yards and other open spaces surrounding buildings; the provision, location, size, improvement and operation of off-street parking, loading and unloading spaces.

1157.02 ADDITIONAL PROHIBITED USES; COMMISSION DETERMINATION.

Uses other than those specifically prohibited in this Zoning Ordinance in any district shall also be prohibited therefrom, provided that in the judgment of the Planning Commission, as evidenced by resolution of record, such other uses are similar in character to those specifically prohibited in that they would have similar or more serious adverse influence on the adjacent properties or the neighborhood or the community than the uses specifically mentioned as prohibited in the district.

1157.03 CONVERSION OF DWELLINGS.

The conversion of any building into a dwelling or the conversion of any dwelling so as to accommodate an increased number of dwelling units or families, shall be permitted only within a district in which a new building for similar occupancy would be permitted under this Zoning Ordinance, and only when the resulting occupancy will comply with the requirements governing new construction in such district, with respect to minimum lot size, lot area per dwelling unit, percentage of lot coverage, dimensions of yards and other open spaces, and off-street parking. Each conversion shall be subject also to such further requirements as may be specified hereinafter applying to such district.

1157.04 ACCESSORY BUILDINGS WITHOUT MAIN BUILDING.

In any district no accessory building or structure shall be erected, placed or constructed prior to the erection or construction of the principal or main building with the exception of the contractor's temporary building. Contractor's temporary building use is limited to equipment storage and contractor's office. Real estate sales conducted from the contractor's temporary building are prohibited.

(Ord. 18-93. Passed 7-21-93.)

1157.05 TRAFFIC VISIBILITY ACROSS CORNER LOTS.

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

1157.06 REQUIRED AREA OR SPACE CANNOT BE REDUCED.

No lot, yard, court, parking area or other space shall be reduced in area or dimension so as to make such area or dimension less than the minimum required by this Zoning Ordinance. No part of a yard, court, parking area or other space provided about, or around, any building or structure for the purpose of complying with the provisions of this Ordinance, shall be included as part of a yard, court, parking area or other space required under this Ordinance for another building or structure.

1157.07 OFF-STREET PARKING AND LOADING.

In every district, spaces for off-street parking and for off-street loading and unloading shall be provided in accordance with the provisions herein.

1157.08 EMERGENCY REPAIRS.

The Village Manager shall have the power to grant zoning permits for emergency repairs.

1157.09 UNSAFE BUILDINGS.

Nothing in this Zoning Ordinance shall prevent the strengthening or restoring to a safe condition of any part of any building or structure declared unsafe by proper authority. A zoning permit is required.

1157.10 PENDING APPLICATIONS FOR ZONING PERMITS.

Nothing herein contained shall require any change in the overall layout plans, construction, size and designated use of any development, building, structure or part thereof, for which official approvals and required zoning permits have been granted before the enactment of this Zoning Ordinance, the construction of which shall have been started prior to the effective date of this Ordinance.

1157.11 PARKING AND OCCUPANCY OF HOUSE TRAILERS AND CAMPERS.

No person shall occupy any house trailer, motor home or camper for more than seventy-two hours. The storage of a camper, boat and boat trailers, mobile homes, house trailer, one (1) ton commercial trucks or motor home shall not be permitted in any front yard or the street side yard of a corner lot for more than seventy-two hours. Camper body attached to a pick-up truck, or other similar vehicle, shall not be construed as a motor home or mobile home.

1157.12 PRIOR APPROVALS.

Any site plan approved by the Planning Commission prior to the enactment of this Zoning Ordinance shall remain in force and effect and shall have continuing validity and effect for the full period as if such approval had been granted by the Planning Commission upon the date and enactment of this Ordinance, for the purpose of satisfying any requirement of the Planning Commission under this Ordinance.

1157.13 GROUNDWATER PROTECTION FROM HAZARDOUS MATERIALS AND CHEMICALS.

The Raccoon Valley Aquifer Wellhead Protection District details specific requirements pertinent to all zoning districts over which the District is overlaid. Those requirements are contained in Chapter 1174. In addition, certain groundwater protection standards shall pertain to all zoning districts, as they are detailed in Section 1174.06. Also pertinent to all zoning districts is Section 1174.07 having to do with the Hazard Potential Ranking System for Nonconforming Uses, and Section 1174.08 regarding Regulated or Hazardous Materials.

1157.14 ACCESSORY USES AND STRUCTURES.

Accessory uses and structures shall only be permitted in association with a principal use or structure. The maximum cumulative size of accessory structures in the Suburban Residential District, Planned Unit Development District, Suburban Business District, Village Gateway District or Village District, including swimming pools, shall not exceed forty percent (40%) of the gross floor area of the primary use (livable area for residential uses), or a 864 square foot footprint for detached garage(s), shed(s) or other storage structures, whichever is less.

- (a) The cumulative maximum size of the occupied area of a detached garage(s), shed(s), or other storage structures(s) in a residential zoning district shall not exceed 864 square foot footprint, and shall not exceed a height of thirty (30) feet.
- (b) Accessory uses and/or structures within non-residential zoning districts shall not exceed twenty-five percent (25%) of the gross floor area of the primary use.
- (c) All accessory structures, including swimming pools and associated decking, shall be constructed within the permitted buildable area of a lot, behind all applicable setback lines, and to the rear or side of the principal structure.

- (d) In no case shall an accessory structure or building be located within a recorded easement.
- (e) In order to protect property values and encourage neighborhood stability, an accessory building shall have an exterior that is harmonious in appearance to the principal building on the parcel or lot.
- (f) The maximum number of accessory buildings on a single lot or parcel shall not exceed two, of which only one may contain more than 144 square feet of gross floor area.
- (g) Accessory buildings shall not infringe on sanitary or water systems. The locations of accessory buildings shall comply with all applicable Licking County Health and/or Ohio Environmental Protection Agency regulations.
- (h) Accessory buildings shall be appropriately guttered and graded so as not to adversely affect neighboring property owners.
- (i) No commercial uses shall be permitted from an accessory building unless otherwise approved as part of a home occupation or commercial/industrial rezoning request. (Ord. 06-2013. Passed 3-20-13.)

1157.15 PROHIBITED USES IN A YARD.

No person in any Village District, Suburban Residential District or Planned Unit Development District shall store, collect, park, leave, deposit, maintain, reserve, or put aside for future use, or permit, allow, or suffer to remain for longer than sixty (60) days, except in a completely enclosed building or structure, any of the following:

- (a) Any lumber or other building materials except those related to projects for which a valid building permit has been issued and except firewood for the personal use on the property;
- (b) Any motor vehicle as defined by Ohio Revised Code Section 4511.01, airplane, boat or trailer, except on a driveway or as permitted by this Zoning Ordinance;
- (c) Equipment or materials used in the construction trade;
- (d) Machinery or household appliances that are not useable and operable;
- (e) Furniture capable of harboring rodents; or
- (f) Junk or salvage items including mechanical parts, tires, automotive parts, or other moving vehicle parts. (Ord. 15-08. Passed 1-7-09.)

CHAPTER 1159 Village District

1159.01	Purpose and intent.	1159.04	Site plan approval required.
1159.02	Permitted and conditional uses.	1159.05	Procedure for approval.
1159.03	Performance or development standards.	1159.06	Appeals.

CROSS REFERENCES

Traffic visibility across corner lots - see P. & Z. 1157.05
 Home occupations - see P. & Z. 1181
 Private swimming pool - see P. & Z. 1185.01
 Signs prohibited in residential districts - see
 P. & Z. 1189.05
 Satellite ground stations - see P. & Z. 1191

1159.01 PURPOSE AND INTENT.

(a) The old village section of Granville is a unique area comprised of residences, neighborhood businesses serving the personal, family and household needs of residents, and public and semipublic land uses. These uses are contained in structures representing a variety of architectural styles which reflect the era in which most of the village section was built. Many of these buildings are now included on the National Register of Historic Buildings. The goal of regulation in the Village District is to insure that any land use changes which occur within the District are harmonious and compatible with the appearance and the character of adjacent land uses and that such changes enhance the Village District.

(b) Uses in the Village District are oriented toward the pedestrian rather than the automobile. Amenities such as small park areas, benches and special sidewalk treatments are encouraged. Requirements for parking and setback may be eased when it advances the overall purpose of the Village District. The preservation of existing structures which have historical and architectural significance as well as the integration of new and renovated structures with the character and appearance of existing structures in the Village District is emphasized.

(c) The Village District is comprised of four subdistricts: the Village Residential District (VRD), the Village Business District (VBD), the Village Square District (VSD) and the Village Institutional District (VID).
 (Ord. 11-2011. Passed 6-1-11.)

1159.02 PERMITTED AND CONDITIONAL USES.

The uses in the Village District are subject to the site plan requirements of this chapter and the architectural review requirements of Chapter 1161, as well as the general provisions of this Zoning Ordinance.

(a) Permitted Uses.

(1) Village Residential District.

A. Single-family dwellings and accessory uses incidental thereto, such as garages.

(2) Village Business District. The uses below are separated into use categories defined by capital letter subheadings. Zoning may be approved for any one or more of these categories (ex.: VBD-A). Should a proposed use not occur in the following list (ex.: a financial planning consultant), the Planning Commission upon application may approve such use if it is closely related to those uses listed in any specific category.

A. Hotels, motels and inns, offering board and lodging.

B. Retail outlets: furniture, clothing, shoe and variety stores, hardware, appliance, paint and wallpaper stores; and specialty shops: antique shops, gift shops, magazine, book and stationery outlets, florist shops, camera and photography shops and sporting goods.

C. Business and professional offices: medical, counseling, and dental offices and clinics, law offices, insurance and real estate offices.

D. Food, drug and beverage businesses: grocery stores, meat markets, drug stores and bakeries in conjunction with retail sales, restaurants and tea rooms.

E. Clubs, sororities, fraternities, lodges and meeting places for other organizations, not including any use that is customarily conducted as a gainful business, and places of assembly; non-profit educational, civic, religious and social uses, which serve and are compatible with other permitted uses in this District.

F. Service businesses: Laundromat, dry cleaning and laundry pick-up stations, barber and beauty shops, shoe repair and tailor shops, printing shops with not more than ten full-time regular employees.

G. Fitness related businesses.

H. Accessory uses, buildings or structures to the previous A-G.

(3) Village Square District.

A. Nonprofit educational, civic, religious, and social uses which serve and are compatible with other permitted uses in this District.

B. Uses permitted in the Village Residential District and the Village Business District.

(4) Village Institutional District.

A. University and school buildings, including residence halls, food service facilities, classroom buildings and auditoriums.

B. Faculty housing.

C. Sorority and fraternity houses.

D. Passive recreational areas including parks and walkways.
(Ord. 15-2015. Passed 12-3-14.)

E. Mobile Food Trucks. (Ord. 08-14. Passed 9-3-14.)

(b) Conditional Uses.

(1) Village Residential District.

A. Clubs, sororities, fraternities, lodges and meeting places for such organizations, not including any use that is customarily conducted as a gainful business.

- B. Home Occupations.
- C. Nonprofit educational civic, religious, and social uses which serve and are compatible with other permitted uses in this District.
- (2) Village Business District.
 - A. Parking lots.
 - B. Mortuaries.
 - C. Gas stations.
 - D. Banks (including drive-in banks), finance and utility.
 - E. Single family dwellings.
 - F. Bed and Breakfasts.
 - G. Two-family dwellings, except as limited by Subsection 2(G)(1) below.
 - 1. Within the Core Business District, Dwelling Units shall be allowed only on the upper floors of a structure.
 - 2. For the purpose of this Section, Core Business District is defined as all parcels and/or buildings fronting on the following streets, and located within the Village Business District:
 - a. East Broadway, on the north and south sides, from Main Street to Pearl Street;
 - b. North and South Prospect Streets, on the west and east sides, from College Street to Elm Street; and
- (3) Village Square District.
 - A. Cultural Uses.
- (4) Village Institutional District.
 - A. Active recreational uses such as play fields or skating rinks where a large number of participants and/or spectators can be anticipated.
 - B. Parking lots to service a university or school.

(Ord. 15-2014. Passed 12-3-14.)

1159.03 PERFORMANCE OR DEVELOPMENT STANDARDS.

(a) Minimum Lot Area. The minimum lot area shall be determined by aggregating the parking requirements, yard requirements, setback requirements and lot coverage requirements.

(b) Lot Coverage. Lot coverage shall not exceed fifty percent (50%) for structures, driveways or driveway areas within the VRD. Lot coverage shall not exceed seventy percent (70%) for structures, driveways, driveway areas or loading areas in the VBD and VID. Sidewalks may be included in the calculation of open area where there is special landscape or pedestrian elements. Lot coverage may be increased to eighty-five percent (85%) in the VBD if the applicant provides adequate landscaping, pedestrian conveniences, such as benches, special ornamental lighting, etc. upon acceptance and approval by the Planning Commission. In the case of reconstruction in the VRD, ground coverage may be equal to what it was previously. Lot coverage within the VSD shall not exceed fifty percent (50%).

(c) Minimum Lot Width; Side Yards; Rear Yards. Side yards and rear yards shall be a minimum of ten feet.

(d) Required Front Yard. The required front yard or building setback line shall be determined by the existing line established by the remaining buildings on that block front. Any new construction or additions to existing structures shall maintain present setback lines.

(e) Parking Requirements.

- (1) For permitted and conditional uses within the VRD, all required parking is to be provided on site. For permitted and conditional uses within the VBD, VSD, and the VID, the Board of Zoning and Building Appeals shall have the right to grant variances from the parking requirements listed under the parking regulations upon a showing by the applicant in accord with the standards of Chapter 1147.
- (2) Access to such parking areas shall be permitted only in accordance with the provisions of Section 1183.04(f)
- (3) Notwithstanding the requirements set forth in the above sub sections, in the Village Business District (VBD), where the change of use is from any of the uses set forth in 1159.02(a)(2) to another of the uses set forth in that section and does not result in a greater parking requirement than the existing use, as determined by the Village Planner, then, as to parking requirements, a Board of Zoning and Building Appeals review is not required.

(f) Other Requirements.

- (1) All applicable requirements of the landscaping, sign, architectural review and general regulations of this Zoning Ordinance shall be met.
- (2) Outdoor storage or display of merchandise on public sidewalks shall be prohibited unless written application is made and approval granted by the Village Manager or his/her designee.
(Ord. 11-2011. Passed 6-1-11.)

1159.04 SITE PLAN APPROVAL REQUIRED.

In addition to requirements imposed by Chapter 1161 and any other requirements of this Zoning Ordinance, and as a prerequisite to the issuance of a Zoning Permit in the Village District, new construction, exterior modifications and structural alterations to existing buildings in the Village District shall be permitted only upon application and approval of a site plan submitted in accordance with this section.

- (a) Site plan requirements for new construction on a vacant lot within the VBD, VRD, VSD and VID:
 - (1) Structures. All existing surrounding structures and the proposed structures shall be shown with all building measurements, descriptions of use, location of expected entrances and exits, service and pedestrian areas, building elevations, and a description or sample of materials to be used in construction. The applicant shall also submit a drawing that shows the location of buildings (with measurements) on adjacent lots.
 - (2) Traffic. All points of ingress and egress onto public roadways or alleys shall be shown, including anticipated location and size of all curb cuts.
 - (3) Parking layout. All proposed parking spaces, access to parking spaces, and other paved areas proposed on the site are to be indicated.
 - (4) Landscaping and site treatment. As applicable, proposed landscaping and other site design treatment, including lighting plans, shall be indicated.
- (b) Site plan requirements for any exterior modification or structural alteration of any existing structure.
 - (1) A site plan, unless waived by the Planning Commission, is required, drawn to scale, illustrating the existing site in question; all surrounding buildings, all buildings on adjacent lots, and the proposed structural or exterior changes, including any changes in parking layout, landscaping, screening, fences, walkways, signs and other relevant structures and fixtures shall be shown. In addition, the relationship to surrounding structures, elevations showing the proposed changes, and a description or sample of materials to be used for this project may be required as described below.

- (2) The Planning Commission may waive those plan requirements listed above upon determination that full compliance with the requirements is not necessary for a determination upon a specific application.
- (c) At the request of the applicant, site plan requirements described above may be submitted and acted upon in two phases as outlined in Section 1161.03(d).
(Ord. 11-2011. Passed 6-1-11.)

1159.05 PROCEDURE FOR APPROVAL.

(a) An application for a Zoning Permit in the Village District shall be submitted with eleven copies, (unless a lesser number is established), of the required plan to the Village Planner. Each application, for Village Business District (VBD) properties, shall state the use category or categories, as set forth in Section 1159.02(a) (2), for which approval is sought.

(b) After staff review and recommendations, the application and plans shall be forwarded to the Planning Commission for hearing and recommendation. The Planning Commission may request additional information. In determining the acceptability of the site plan, exterior modification or structural alteration of any existing structure, the Planning Commission shall consider the following:

- (1) Setbacks
- (2) Distances between buildings
- (3) Yard space and adequacy of open space in accordance with lot coverage standards
- (4) Traffic accessibility and parking layout
- (5) Compatibility and building height
- (6) Findings as to style of architecture in relationship to surrounding uses in accordance with the standards set forth in Chapter 1161
- (7) Building materials
- (8) Storm drains considerations, if applicable
- (9) For Village Business District (VBD) properties, the existing use category or categories as established by Section 1159.02(a)(2) whether such property has previously received formal category designation or otherwise

(c) After hearing and consideration, the Planning Commission shall approve or deny the application and site plan, or approve the application and site plan with modifications.

(d) In all circumstances, the site plan and exterior modification or structural alteration of any existing structure shall be considered a condition of approval of the application. Any construction must start within twelve months and be completed within twenty-four months from the date of final approval. With the approval of the Village Planner, subsequent minor modifications of the approval may be made, provided such changes do not alter the essential character, as determined by the Village Planner, of the original plan as approved. If the Village Planner determines that such changes are significant, the application shall be resubmitted to the Planning Commission for approval as an amended application. Any new construction, exterior modifications or structural alterations to existing structures, which proceed prior to final approval of the site plan, shall be deemed to be an abatable nuisance.
(Ord. 11-2011. Passed 6-1-11.)

1159.06 APPEALS.

Appeals from decisions of the Planning Commission on an application for site plan approval, exterior modification or structural alteration of any existing structure may be had as provided in Chapter 1141.
(Ord. 11-2011. Passed 6-1-11.)

CHAPTER 1161
Architectural Review Overlay District

1161.01 Purpose and boundaries.	1161.05 Standards and criteria.
1161.02 Zoning permits required.	1161.06 Demolition permit
1161.03 Contents of the application.	required. (Repealed)
1161.04 Advisors.	1161.07 Appeals.

CROSS REFERENCES

Zoning certificate procedures - see P. & Z. 1159.04 et seq.

1161.01 PURPOSE AND BOUNDARIES.

The Village of Granville was first settled in 1805. Buildings in the community reflect the architectural styles of every period from the early nineteenth century to the present and demonstrate the Village's ties to the past. The Village District itself has become a source of pride, enjoyment and prosperity to the residents of the entire area. It attracts many visitors each year. In the interest of promoting and protecting the public health, safety, general welfare and prosperity, there is hereby established the Architectural Review Overlay District which shall have the boundaries as shown on the Official Zoning Map. The District may be expanded by amendment to this chapter. (Ord. 15-08. Passed 1-7-09.)

1161.02 ZONING PERMITS REQUIRED.

The purpose of the Architectural Review Overlay District is to preserve and encourage good architectural styles within the Village, reflecting the distinct phases of the Village's history. Therefore, in addition to the other requirements of this Zoning Ordinance, all applications for Zoning Permits in the Architectural Review Overlay District which propose new construction, exterior modification and/or structural alteration shall be subject to review and approval by the Planning Commission to determine that the proposed new construction, exterior modification or structural alteration:

- (a) Is stylistically compatible with other new, renovated and old structures in the Village District.
- (b) Contributes to the improvement and upgrading of the historical character of the Village District.
- (c) Contributes to the continuing vitality of the District.
- (d) Protects and enhances examples of the physical surroundings in which past generations lived. (Ord. 15-08. Passed 1-7-09.)

1161.03 CONTENTS OF THE APPLICATION.

1159: (a) The application shall contain, in addition to the information required by Chapter

- (1) Elevation showing the proposed changes.
- (2) A description of or a sample of materials to be used in the proposed project.
- (3) Where the proposal is for renovation or modification of an existing structure, the original date of construction of the building, if known.
- (4) Site plan, including massing and relationships to surrounding structures.

(b) The applicant may submit photographs, sketches or other material to illustrate the proposed project. The Planning Commission may request such additional information as is deemed necessary to review the application for compliance with this chapter.

(c) If the application is submitted in conjunction with an application for new construction, a change in use, or rezoning, the plan review shall occur simultaneously with the architectural review. All applications for architectural review shall be acted upon by the Commission within thirty days (unless waived by the applicant) from the date the application was received by the Zoning Inspector. The Commission approve the application as submitted, may conditionally approve the application, or may reject the application.

(d) Alternative Zoning Permit Procedures.

- (1) At the request of the applicant, an application for a Zoning Permit may be submitted and acted upon through a two-phase schedule. Such application shall be submitted to the Village Manager or his/her designee and forwarded to the Planning Commission for review. Information required to be submitted for Phase I shall be as follows:
 - A. Scope of project.
 - B. Special architectural design problems.
 - C. Schematic drawings.
 - D. Incorporation of codes, standards and regulations.
 - E. Outline of materials being considered.
 - F. Conceptual sketch of exterior elevations and massing.
- (2) Upon receiving the application, the Planning Commission shall set a hearing on the application within thirty days from the date of receipt of the application. The Planning Commission shall act upon the application within thirty days from the date of the completed hearing (a hearing may be continued to a subsequent meeting). The Planning Commission may approve or deny the first phase of the application. If approval is granted by the Planning Commission for Phase I, the applicant shall have four (4) years from the date of such approval to submit Phase II to the Planning Commission.
- (3) Upon approval of Phase I, the Planning Commission shall give the applicant a letter of approval for the approved phase with reference to the documents submitted to it.
- (4) When the applicant is ready to submit Phase II to the Planning Commission, an application shall be submitted to the Village Manager or his/her designee for review. This application for Phase II shall contain:

- A. Dimensional drawings.
- B. Materials to be used.
- C. Final sketch of exterior elevation.
- D. Final working drawings, details and specifications for construction.

The Planning Commission shall set a hearing date within thirty days from the date of receipt of the application for Phase II. After the hearing, the Planning Commission shall have thirty days to either approve or deny Phase II.

- (5) If the Planning Commission approves Phase II, a Zoning and Architectural Permit shall be issued.
- (6) The Planning Commission may consider both phases simultaneously if requested by the applicant.
- (7) With the approval of the Planning Commission, modifications may be made to elements of any phase which has previously been approved.
(Ord. 15-08. Passed 1-7-09.)

1161.04 ADVISORS.

The Planning Commission may retain an architect/advisor who need not be a resident of the Village, with approval of the Village Council.

1161.05 STANDARDS AND CRITERIA.

In reviewing an application, the Planning Commission shall determine, based on submitted materials, whether the proposed architecture follows or exemplifies any one or a combination of the following architectural styles:

Colonial	Greek Revival
Dutch Colonial	Victorian
French Colonial	Italianate
Georgian	Second Empire
Federal/Adamesque	Chateausque
Jeffersonian/Roman Revival	Homestead
Richardsonian Romanesque	Queen Anne
American Foursquare	Craftsman
Tudor	Bungalow

These styles are considered consistent with existing architecture in the Village, and depict the objectives of the Comprehensive Plan. So also must the Commission consider the "tout ensemble," or the totality of an architecturally or historically unique area.

In reviewing an application, the Planning Commission shall also consider the following:

(a) Height. The height of the building shall be measured at the ridge line or the parapet. All new construction should be within ten percent (10%) of the average height of the existing adjacent buildings, unless the structures are of a potential landmark character, or the Planning Commission finds that it is not in the best interest of the community that a common height be maintained.

(b) Building Massing. In evaluating building massing, such characteristics as the building width, height, surrounding setbacks and style shall be considered in relationship to all other structures within 100 feet. This relationship between buildings should allow for consistency of style, size and density in each given neighborhood area.

(c) Roof Shape. Roof shape is particularly significant in low buildings or buildings which will be seen from a distance or from above. Roof forms and materials may relate to surrounding buildings. Tall building roof shapes should be evaluated from the logical point or points from where they would be viewed rather than from a straight elevation.

(d) Materials and Texture. Materials and texture are particularly important in terms of their relationship to surrounding buildings and the use of natural materials should be encouraged. Brick color from actual samples should be evaluated. In many cases, through the skillful use of color, significant compatibility with the surrounding environment can be developed.

(e) Use of Details. In evaluating building details, the primary concern is for appropriateness to the scale and overall design concept of the building and its environment. Building details may attempt to recall the spirit of an earlier period detailing in contemporary application. If the applicant chooses to reproduce historic details, such as colonial window treatment, etc., it becomes important that some historical authenticity is maintained. In older structures, detailing may be highlighted through painting.

(f) Use of Live Plant Material. Planting materials should be evaluated on their use for accentuating and highlighting the architectural details of screening undesirable areas such as vacant lots, parking and mechanical equipment. Planting and landscaping are particularly important where parking lots are utilized. Mounding may be developed to partially screen automobiles from the pedestrian view or driving views. In addition, larger parking lots (over fifteen cars) should be broken up by interior landscaping, preferably at the ends of parking aisles. Where year-round screening is required, evergreen planting is appropriate.

(g) Use of Landscape Design. Other elements of exterior design, such as walls, become a part of the building and tie it to adjoining structures or give it additional character. Lighting is particularly important, both from the standpoint of providing light to the pedestrian as well as affecting the view of the building in the evening hours. Where possible, lighting should be either low level or screened from any potential of shining directly into pedestrians' or auto drivers' eyes. When appropriate, the applicant should provide a lighting plan as seen at night.

- (h) Enhancement of Pedestrian Environment. Where possible, elements which can contribute to the quality of the pedestrian environment and other public amenities should be promoted. Included among these may be benches, water fountains, seating areas, arcades, awnings or canopies. Increasing the quality of the pedestrian environment is one of the major themes of this Zoning Ordinance. Improving circulation and developing new pedestrian routes, such as mid-block connections, are particularly desirable.
- (i) Signage. As regulated by the sign regulations, signage will be most significant in communicating the character of the building. Signage should be discreet and minimal. Signs oriented to the pedestrian should be small in scale; those oriented toward automobile traffic may be larger. Color should be subdued, and where appropriate, the architectural character of the sign should be consistent with that of the building. Signs flush on the building face are in many cases preferable to projecting signs.
- (j) Other elements necessary to determine appropriateness of the proposed changes. (Ord. 30-05. Passed 9-7-05.)

1161.06 DEMOLITION PERMIT REQUIRED.

(EDITOR'S NOTE: Former Section 1161.06 was repealed by Ordinance 25-05, passed July 6, 2005.)

1161.07 APPEALS.

Appeals from decisions of the Planning Commission with respect to an application submitted for architectural review may be had as provided in Chapter 1141. (Ord. 23-99. Passed 6-16-99.)

CHAPTER 1162 Structural Demolition

1162.01 Purpose.	1162.03 Contents of the application.
1162.02 Application for demolition permits.	1162.04 Criteria for review.
	1162.05 Bond.

CROSS REFERENCES

Zoning certificate procedures - see P. & Z. 1159.04, 1161.01,
1163.03, 1171.04 et seq.

1162.01 PURPOSE.

(a) The Village was first settled in 1805. Buildings in the community reflect the architectural styles of every period from the early nineteenth century to the present and demonstrate the Village's ties to the past. The demolition of existing structures throughout the Village shall be reviewed for its impact on the property, the neighborhood, and the community in general. In evaluating the impact on the street and neighborhood, it is important to consider preservation of buildings that contribute to the continuous fabric of the street edge, regardless of the historic merits of the individual structure.

(b) It is further understood, that removal of historic or contributing structures can be detrimental to the neighborhood and the community. Therefore, demolition permits will be required for demolition of any existing structure with a foundation on any property in the Village. (Ord. 12-2013. Passed 7-17-13.)

1162.02 APPLICATION FOR DEMOLITION PERMITS.

An application for demolition of any structure with a foundation in the Village must be submitted to the Village Manager or his/her designee. All properties that are located within the Architectural Review Overlay District (Chapter 1161) will be reviewed and given a recommendation by the Planning Commission and reviewed and approved by Village Council. All properties located elsewhere within the Village require the review and recommendation from the Village Manager and/or the Village Planner and review and approval by the Village Council.

(a) All applications for demolition of structures shall be reviewed by the Planning Commission or Village Council within forty-five (45) days from the date of filing.

- (b)
 - (1) Public Notice of Meeting. Notice of the date set for the Planning Commission and/or Village Council meeting shall be published in one or more local newspapers of general circulation in the Village at least six (6) days before the meeting. Such notice shall include the time, date and place of the meeting and the nature of the request.
 - (2) Notice to Property Owners. Notice to the applicant and all property owners within 200 feet of the property on which the demolition is to be considered shall be sent by ordinary mail as evidenced by a certificate of mailing or by personal service at least six days prior to the meeting date before the Planning Commission and/or the Village Council. The failure of delivery or receipt of such notice shall not invalidate any recommendation by the Planning Commission or decision by Village Council on the requested demolition. A sign shall be posted on the subject property indicating the proposed demolition and the date, time and location of the meeting at least six days prior to the meeting date for Planning Commission and/or the Village Council.
- (c) The Planning Commission or Village Council shall request an advisory opinion from the Granville Historical Society as to the historical significance, valuable architectural character or contribution to the continuous fabric of the street edge of any structure proposed for demolition. The Village Planner shall send the request for an advisory opinion, on behalf of the Planning Commission or Village Council, to the Granville Historical Society at least 30 days prior to the scheduled meeting date. The Planning Commission or Village Council shall consider any recommendation provided to them by the Granville Historical Society when making a decision on the application.
- (d) Any application for demolition must also be accompanied by future construction plans and a schedule for implementation of the proposed improvements and/or restoration for the proposed area. If future construction plans are not finalized, the applicant will submit a landscaping and maintenance plan for the area to ensure aesthetic quality.
- (e) Following the meeting, the Planning Commission shall make one of the following recommendations to Council within fifteen days:
 - (1) Recommend that the demolition be granted as requested.
 - (2) Recommend a modification of the demolition request.
 - (3) Recommend that the demolition not be granted.
- (f) Action by the Council.
 - (1) Following Council's review of the application, Council shall approve, approve with modifications, or disapprove the demolition request.
 - (2) Council shall make a decision not later than the next regularly scheduled Council meeting following the conclusion of its review, subject to subsection (e) hereof. (Ord. 12-2013. Passed 7-17-13.)

1162.03 CONTENTS OF THE APPLICATION.

Application for demolition must be accompanied by the following submittals to constitute a full application.

- (a) Complete and signed application for demolition.
- (b) Complete and signed zoning application indicating future plans of the demolished area. If the area is not proposed to be developed at time of demolition then zoning application for a landscaping plan must be submitted.

- (c) Any and all documents that pertain to the historical significance of the property and the structure that is proposed to be demolished.
- (d) Site plan and current photographs of the property and the structure that is proposed to be demolished.
- (e) Any additional documents that, in the opinion of the staff or Planning Commission, are of significant importance to the demolition request.
(Ord. 12-2013. Passed 7-17-13.)

1162.04 CRITERIA FOR REVIEW.

The following are the criteria that the Planning Commission, Village Manager or his/her designee or Village Council will take into consideration when reviewing an application for demolition.

- (a) The removal of the structure shall not inappropriately interrupt the continuous built edge of any adjacent street or right of way.
- (b) The proposed structure is of no or little historical significance.
- (c) The demolition of the proposed structure will in no way adversely affect the health, safety or general welfare of the neighboring properties or community in general.
(Ord. 12-2013. Passed 7-17-13.)

1162.05 BOND.

The applicant shall guarantee the completion of any approved demolition by furnishing a surety bond to the Village equal to the estimated cost of the demolition. The estimated cost of demolition shall be provided by the applicant and approved by the Village Planner. Any demolition actions and/or landscaping that have not been completed in a time period deemed sufficient by the Village Manager will result in forfeiture of the bond.
(Ord. 12-2013. Passed 7-17-13.)

CHAPTER 1163 Suburban Residential District

- | | |
|--|---------------------------------------|
| 1163.01 Purpose and intent.
1163.02 Permitted and conditional uses. | 1163.03 Development standards. |
|--|---------------------------------------|

CROSS REFERENCES

Home occupations - see P. & Z. 1181
 Development and maintenance of parking areas - see
 P. & Z. 1183.04
 Swimming pools - see P. & Z. 1185.01
 Yard and frontage modifications - see P. & Z. 1187.02
 Yard projections; fences - see P. & Z. 1187.03
 Signs prohibited in residential districts - see
 P. & Z. 1189.05
 Satellite ground stations - see P. & Z. 1191.01

1163.01 PURPOSE AND INTENT.

It is the intent of the Suburban Residential District to insure that new development is compatible with existing residential development, and through a series of sub districts (SRD-A, SRD-B, and SRD-C), based upon lot size, provide for a transition from the lots in the Village District to the larger lots more typical of rural and township development, and to provide meaningful open space and protect scenic corridors. The district is also intended to provide for uses that customarily support residential facilities, such as schools and churches.
 (Ord. 15-08. Passed 1-7-09.)

1163.02 PERMITTED AND CONDITIONAL USES.

- (a) Permitted Uses, All Sub-districts.
- (1) Single-family dwellings, subject to the requirements listed below.
 - (2) Public parks, playgrounds, recreation and community center buildings and grounds; golf courses, public swimming pools, tennis courts and similar recreational uses, all of a noncommercial nature, provided that any principal building or swimming pool used therefore shall be located not less than 150 feet from any other lot in any R-District.
 - (3) Accessory uses such as garages.

- (4) Nonprofit educational, civic, religious, and social uses which serve and are compatible with other uses in this District.
- (5) Home occupations.
- (b) Conditional Uses, All Sub districts (except where specified).
 - (1) Multi-family (SRD-C only), lodging houses
 - (2) Nursing homes and children's nursery or day care centers.
 - (3) Clubs, sororities, fraternities, lodges and meeting places for other organizations, not including any use that is customarily conducted as a gainful business.
(Ord. 15-08. Passed 1-7-09.)

1163.03 DEVELOPMENT STANDARDS.

- (a) Lot and Building Requirements by Sub district.

MINIMUM YARDS

Zoning District	Min. Lot Area (Sq. Ft.)	Frontage * To A R-O-W (Feet)	Front (Feet)	Side (Feet)	Total Side Yard (Feet)	Min. Rear (Feet)	Max. Bldg. Lot Coverage	Max. Height (Feet)
SRD-A	20,000	90	35	14	30	50	15%	30
SRD-B	10,000	75	30	12	26	40	20%	30
SRD-C	8,000	65	30	10	21	40	25%	30

* Frontage applies to all publicly dedicated roadways, constructed to the Village Street Construction Standards.

- (b) Parking and Accessory Buildings.
 - (1) With the exception of a single-family housing unit driveway, no parking shall be permitted within the front yard setback.
 - (2) No driveway or parking area shall be within five feet of a side lot line; or ten feet for multi-family dwellings.
 - (3) No driveways or parking areas shall be within ten feet of a rear lot line.
 - (4) For accessory buildings, such as detached garages: minimum yard requirements shall be the same as required for main structures, except in all cases the minimum distance between an accessory building and the rear property line shall be fifteen feet.
- (c) Site Development Requirements. In all cases all applicable requirements of the sign, parking, landscaping and subdivision regulations shall be met.
- (d) Site Plan Required for Conditional Uses. Except for home occupations, and unless waived by the Planning Commission, a site plan shall be required for conditional uses that indicate:

- (1) A traffic and parking system plan that details points of ingress and egress, parking areas with the spaces numbered, access drives and pedestrian walkways. The plan shall be so designed to minimize conflict points between pedestrian and vehicular movements. Walkways shall be designed and built in a manner that provides for consistency and continuity of character and materials. Minimizing the number of curb cuts within the lot frontage and joint curb cuts between adjacent uses, for multi-family units shall be encouraged.
 - (2) Storm drainage runoff collection points shall be indicated.
 - (3) Outdoor trash container systems shall be specifically located and screening shall be provided to enclose such containers from view.
 - (4) A landscape and outdoor lighting plan.
 - (5) The applicant shall design and provide a program to control other nuisances related to the carrying out of the land use.
- (e) Planning Commission Approval Required.
- (1) In any application where an addition, expansion, renovation or remodeling to an existing structure is proposed, if the new enclosed square footage is greater than 20% of the existing structure, the application must follow the guidelines of the Architectural Review Overlay District (AROD). This includes all development requirements outlined in Chapter 1161 and review and approval by the Planning Commission. (Ord. 06-2013. Passed 3-20-13.)

CHAPTER 1165 Open Space District

1165.01	Purpose and intent.	1165.03	Development standards.
1165.02	Permitted and conditional uses.		

CROSS REFERENCES

Uses permitted in flood plain - see P. & Z. 1177.05(a)
 Home occupations - see P. & Z. 1181
 Private swimming pools - see P. & Z. 1185.01
 Satellite ground stations - see P. & Z. 1191

1165.01 PURPOSE AND INTENT.

It is the intent of the Open Space District to protect unique natural, scenic and open space areas while insuring that adequate land is set aside for parks and recreation. In addition, the Open Space District provides protection for agricultural and rural residential areas by controlling new development to insure compatibility with surrounding uses.

1165.02 PERMITTED AND CONDITIONAL USES.

(a) Permitted Uses.

- (1) Public or nonprofit private parks, nature preserves or sanctuaries intended for public use and enjoyment, including necessary accessory structures such as shelters, rest rooms and picnic areas.
- (2) Public or private golf courses, including clubhouse facilities.
- (3) Agriculture, nurseries and greenhouses, general farming, single-family residences, provided that any greenhouse heating plant shall be located not less than 200 feet from any lot line.
- (4) Farm dwellings and related accessory buildings as part of an active agricultural operation.
- (5) Dairy farms and other related establishments for processing milk products, not including retail operations beyond those delineated under home occupations.

(b) Conditional Uses.

- (1) Any commercial activity that is carried on in conjunction with golf course clubhouse facilities, including golf pro shops and eating facilities.
- (2) Cemeteries.
- (3) Utility substations, pump houses and other public facilities provided that such uses will not detract from the general character of the area nor adversely affect the comfort, safety or welfare of the residents of the area.
(Ord. 01-2014. Passed 2-19-14.)

1165.03 DEVELOPMENT STANDARDS.

(a) Lot Requirements. Minimum lot size shall be five acres for those uses set forth in Section 1165.02. Minimum lot frontage to a public right-of-way shall be one hundred (100') feet. All structures shall be set back from all public rights-of-way and adjacent property lines a minimum of fifty feet.

(b) Building Requirements. The maximum height of structures shall be thirty feet.

(c) General Development Standards. The Village Planner shall have the right to request and review traffic ingress and egress plans that affect public rights-of-way. No traffic plan shall be designed so as to create unnecessary burdens on public rights-of-way. The Village Planner may attach such further conditions or requirements as are necessary to meet the objectives of the Open Space District as set out in Section 1165.01.
(Ord. 04-15. Passed 4-15-15.)

CHAPTER 1167
Community Service District

1167.01 Purpose and intent.

1167.03 Development standards.

1167.02 Permitted and conditional uses.

CROSS REFERENCES

Off-street parking and loading - see P. & Z. 1183

Satellite ground stations - see P. & Z. 1191.02

1167.01 PURPOSE AND INTENT.

The Community Service District is designed to provide for those businesses and commercial uses which require production, service space or extensive storage areas, and for compatible sales operations. The purpose and intent of the district is to provide suitable areas for the development of business service facilities, community service facilities, repair services and suitable types of sales operations; and further, to promote and encourage the introduction of limited manufacturing and light industrial operations.
 (Ord. 16-99. Passed 4-7-99.)

1167.02 PERMITTED AND CONDITIONAL USES.

(a) Permitted Uses.

- (1) Sales at wholesale or retail, of building materials, paint and other hardware items; lumber and milling operations and products, plumbing, heating and electrical supplies; other home maintenance and improvement sales to the general public; automotive parts supplies; and also manufacture, fabrication or assembly of such products for on premises sale, providing that no such activity shall be permitted which is objectionable, due to noise, fumes, smoke, odor, vibration, or related environmental or social interests.
- (2) General business services, duplicating, addressing, reproduction operations, stenographic, mailing services, advertising services, newspaper operations, sheet metal shops, sign painting shops and mechanical and metalworking contractors.
- (3) Business machine service and repair operations; repair of small mechanical items such as watches and clocks; electrical appliances and other durable item service and repair; automotive mechanical and body repair and service.
- (4) Farm and garden related, milling operations, storage and sales of grain and livestock feed; retail sale or rental of farm implements and products; and sale of livestock and related activities, including temporary storage, providing such operations are not detrimental to surrounding interests.

- (5) General equipment, materials and heavy vehicle storage, and sales and related interests, offices and facilities for general contracting, heavy equipment contracting, mechanical, metalworking and electrical contracting and facilities for warehousing, storing and selling materials and equipment used in such businesses; storage yards or plants for rental or sale of construction equipment; building materials yards; chemical packaging, sales and storage; concrete, masonry, sheet metal, plumbing and heating shops and facilities for warehousing, storing and selling materials and equipment used in such businesses.
 - (6) Car wash operations.
 - (7) Trade or business schools, provided machinery which is used for instruction is not objectionable due to noise, fumes, smoke, odor or vibration.
 - (8) Research testing and development activities within entirely enclosed buildings, which are not objectionable due to noise, fumes, smoke, glare, odor, vibration or related environmental or social interests.
 - (9) Retail outlets: drug stores, variety stores, hardware stores.
 - (10) Retail food preparation: specialty food shops, ice cream stores, delicatessens; all of which shall be limited to on premise sales only.
 - (11) Specialty shops: video rental stores, and clothing consignment stores.
 - (12) Service, and places of assembly: dry cleaning and laundry pick up stations, tanning facilities.
 - (13) Business and professional offices: medical and dental offices and clinics, Insurance offices, real estate offices.
 - (14) Mobile food trucks.
- (b) Conditional Uses.
- (1) Light manufacturing, industrial and assembly operations which are not objectionable due to noise, fumes, smoke, glare, odor, vibration or related environmental or social interests.
 - (2) Automotive related retail sales, including new and used car dealers and miscellaneous marine, motorcycle or similar dealerships.
 - (3) Retail sale or rental of recreational vehicles such as campers, trailers and other such vehicles, principally for recreational use, being sold or rented separately or in conjunction with a permitted use.
 - (4) Movers and moving equipment with temporary, limited storage of moved goods.
 - (5) Residential uses: single, two and multi-family.
 - (6) Daycare facilities.
- (c) Interpretation of this Section. Each use must have its own independent approval, whether permitted or conditional.
(Ord. 08-14. Passed 9-3-14.)

1167.03 DEVELOPMENT STANDARDS.

(a) The Village Planner shall require a site plan and perform an architectural review of all developments proposed pursuant to this Chapter. The site plan shall indicate:

- (1) A traffic and parking system plan that details points of access, identified and numbered parking spaces, and pedestrian walkways. The plan shall be so designed to minimize conflict points between pedestrian and vehicular movements. Minimizing the number of curb cuts within the lot frontage and joint curb cuts between adjacent uses for multi family units and commercial business centers shall be encouraged.
- (2) Storm drainage runoff collection points.
- (3) Outdoor trash container systems shall be specifically located and screening shall be provided to enclose such containers from view.
- (4) Landscape and outdoor lighting plans.
- (5) The applicant shall design and provide a program to control other nuisances related to the carrying out of the land use.

(b) Lot Requirements.

- (1) Minimum lot area. None, except that lot size shall be adequate to meet all yard parking requirements.
- (2) Minimum lot width. None, except that all lots must abut a public street and have adequate width to meet parking and yard requirements.
- (3) Parking areas. Parking may not be provided in the front of structures, but shall be provided at the rear or side of structures. Parking areas shall be no closer to main structures than five feet and shall not be located within ten feet of any lot line. Parking areas adjacent to a residential district shall be screened.

(c) Building Requirements.

- (1) Maximum height: thirty feet.
- (2) Any accessory buildings shall have the same requirements for yards as main buildings.
- (3) Storm drainage collection points shall be indicated and outdoor trash containers shall be specifically located and sufficiently screened to avoid nuisance to and avoid being viewed from surrounding properties.
- (4) The screening of open lot storage from all abutting and adjacent lots shall be required.
- (5) Setbacks: Side and rear yards shall have a setback of eight feet, and front yards shall have a setback of twenty feet.
- (6) Retail outlets, retail food preparation, specialty shops, and service, and places of assembly as itemized in Section 1167.02(a)(9) to (12) respectively, shall be no larger than 12,000 square feet for any single tenant or use.
(Ord. 15-08. Passed 1-7-09.)

CHAPTER 1169 Institutional District

1169.01	Purpose and intent.	1169.03	Development standards.
1169.02	Permitted and conditional uses.		

CROSS REFERENCES

Private swimming pools - see P. & Z. 1185.01
Satellite ground stations - see P. & Z. 1191

1169.01 PURPOSE AND INTENT.

It is recognized that institutions such as a university have special needs and land use requirements. Denison University forms an integral part of the community and it is the intent of the Institutional District to provide for the protection and where necessary, the continued growth of that university and other similar institutions, and to protect and enhance compatibility and relationships to adjacent uses. A primary intent shall be to ensure compatibility of use between the Denison University campus periphery and surrounding and adjacent uses; it is not to unduly restrict or to discourage the continued vitality of Denison University. Specific attention shall be focused on such institutional development that may significantly affect present traffic or parking activity within the Village.

1169.02 PERMITTED AND CONDITIONAL USES.

(a) Permitted Uses.

- (1) University, school and church buildings, including dormitories, classroom buildings, and play fields, except as delineated under conditional uses below.
- (2) Faculty housing.
- (3) Sorority and fraternity houses.
- (4) Passive recreational uses including parks and nature preserves.
- (5) Mobile food trucks.

(b) Conditional Uses.

- (1) Active recreational uses such as a gymnasium or stadium where a large number of spectators can be anticipated.
- (2) Accessory uses such as maintenance shops and storage areas to service an institution.
- (3) Parking lots to service the institution located on the periphery of the District or visible from a public street.
(Ord. 08-14. Passed 9-3-14.)

1169.03 DEVELOPMENT STANDARDS.**(a) Lot Requirements.**

- (1) Minimum lot area: none.
- (2) Minimum lot width: none.
- (3) Minimum front yard: thirty-five feet.
- (4) Minimum side yard: none, except when abutting another district, in which case the minimum side yard shall be fifty feet.
- (5) Minimum rear yard: none, except when abutting another district in which case the minimum rear yard shall be fifty feet or as specified above.

(b) Building Requirements.

- (1) Maximum building height: as determined by the Village Planner but not to exceed a safe height which may be recommended by the Fire Chief with due consideration given to the type of building construction and the life safety equipment to be contained within the building.
- (2) All above lot requirements shall also apply for all accessory buildings.

(c) Site Development Requirements.

- (1) All applicable requirements of the sign, parking, landscaping and subdivision regulations shall be met.
- (2) A traffic and parking system plan shall be required that details point of ingress and egress into and out of the property, parking area with number of spaces labeled, access drives and pedestrian walkways. The plan shall be so designed as to minimize conflict points between pedestrian and vehicular movements.
- (3) Minimizing the number of curb cuts within the lot frontage and joint curb cuts between adjacent uses shall be encouraged.
- (4) Storm drainage runoff collection points shall be indicated. Outdoor trash container systems shall be specifically located and screening shall be provided to enclose such containers from view. Furthermore, the applicant shall design and provide a program to control other nuisances related to the carrying out of land use.
- (5) All service and delivery shall be made to the rear of the structure or use, except under unusual conditions, for which service can be made to the side of the structure.
- (6) A landscaping and outdoor lighting plan.
- (7) In addition to the above requirements, the Village Manager and/or his/her designee shall have the right to request additional information from the applicant and may attach conditions to the approval as necessary to meet the objectives of this Zoning Ordinance and the requirements of health and safety. (Ord. 06-2013. Passed 3-20-13.)

CHAPTER 1171

Planned Development Districts

1171.01 Purpose and intent.
1171.02 Uses.

1171.03 Development and design guidelines.
1171.04 Procedures for approval.

CROSS REFERENCES

Subdivision design standards - see P. & Z. 1117
 Conditional uses - see P. & Z. Ch. 1145
 Extraction of minerals in PID - see P. & Z. 1179.01
 Off-street parking and loading - see P. & Z. 1183
 Private swimming pools - see P. & Z. 1185.01
 Signs prohibited in residential districts - see P. & Z. 1189.05
 Satellite ground stations - see P. & Z. 1191

1171.01 PURPOSE AND INTENT.

Planned Development Districts shall include residential, commercial and industrial subdistricts, with the potential for limited mixed-use combinations of residential/commercial uses: Planned Unit District (PUD), Planned Commercial District (PCD), and Planned Industrial District (PID). It is the intent of the Planned Development Districts to promote the progressive development of land and construction thereon; further it is expected that planned development will achieve:

- (a) A more useful and harmonious pattern of residential uses with open space and recreation areas and more convenience in the location of accessory commercial uses and services.
- (b) A development pattern which preserves and utilizes natural topography and geologic features, scenic vistas, trees and other vegetation, and prevents the disruption of normal drainage patterns.
- (c) A more efficient use of land than is generally achieved through conventional development resulting in substantial savings through shorter utility lines and streets.
- (d) Commercial areas that: reflect the pedestrian scale and varied traditional architectural styles of commercial downtown Granville; increase tax revenues to both the local schools and the Village, while minimizing costs to the Village for infrastructure acquisition and maintenance; and preserve or enhance, rather than harm, neighborhood, Village, and Granville Township quality of life and property values.
- (e) A development pattern in harmony with land use density, transportation facilities, and community facilities objectives of the comprehensive plan.
 (Ord. 15-2019. Passed 8-21-19.)

1171.02 USES.**(a) PUD: Planned Unit District Uses.****Permitted Uses:**

- (1) Dwelling units: single-family residential dwellings and accessory uses incidental thereto such as garages, etc.
- (2) Nonprofit cultural, religious or civic uses such as churches, parks and community facilities as determined to be in keeping with the character of this district by the Planning Commission.
- (3) Home occupations.

Conditional Uses:

- (1) Two-family and multi-family residential dwellings and accessory uses incidental thereto such as garages, etc.
- (2) When combined with single-family, two-family or multi-family dwellings in the same PUD development, limited commercial uses that reflect the pedestrian scale and varied traditional architectural styles of commercial downtown Granville. Such commercial uses shall be limited to:
 - A. Retail food preparation: meat markets, bakeries, specialty food shops, ice cream stores, delicatessens, coffee shops, tea shops, confectionery stores, and other similar facilities.
 - B. Community facilities including nonprofit cultural, civic or religious uses, such as churches, schools and parks.
 - C. Business and professional offices and financial institutions, such as banks, medical and dental offices and clinics, law offices, insurance offices, real estate offices, advertising agency offices, answering service offices, architects' offices, Certified Public Accountants' offices, engineers' offices, interior decorators' offices, and financial services offices including financial planner offices, and stock brokerage offices.
 - D. Retirement communities, nursing homes, assisted living structures and childcare facilities.

Further, such commercial uses shall be designed, located and developed so as to primarily serve the residents of the PUD and adjacent properties; shall be designed and landscaped in a manner that is compatible with residential development; and shall provide for traffic flow and circulation that does not unreasonably interfere with residential areas inside or outside the PUD. No commercial use shall be approved in a PUD except in combination with single-family, two-family or multi-family residential use in the same PUD development.

Drive-ins, drive-ups and drive throughs shall not be permitted in a PUD.

(b) PCD: Planned Commercial District Uses.**Permitted Uses:**

- (1) Retail establishments: grocery stores, drug stores, hardware stores.
- (2) Retail food preparation: meat markets, bakeries, specialty food shops, ice cream stores, delicatessens, coffee shops, tea shops, confectionery stores, and other similar facilities.
- (3) Restaurants.
- (4) Community facilities including nonprofit cultural, civic or religious uses, such as churches, schools and parks.

- (5) Business and professional offices and financial institutions, such as banks, medical and dental offices and clinics, law offices, insurance offices, real estate offices, advertising agency offices, answering service offices, architects' offices, Certified Public Accountants' offices, engineers' offices, interior decorators' offices, and financial services offices including financial planner offices, and stock brokerage offices.
- (6) Specialty shops: antique shops, gift shops, magazine shops, newsstand, tobacco shops, book stores, clothing stores, jewelry stores, shoe stores, card shops, stationery stores, florist shops, arts and crafts supplies stores, bridal shops, health food stores, musical instruments stores, music stores, bicycle stores, toy stores, audio equipment stores, video equipment stores, china stores, glassware stores, linen stores, computer stores, software stores, quilting stores, fabric stores, office supply stores, picture frame stores, video rental stores, camera and photography shops, optical goods stores, and sporting goods outlets.
- (7) Service shops: Laundromat, dry-cleaning and laundry pick-up stations, barber and beauty shops, physical fitness centers, shoe repair and tailor shops, print shops, copy shops.
- (8) Retirement communities, nursing homes, assisted living structures and childcare facilities.
- (9) Drive-ins, drive-ups, or drive-throughs as described below:
 - A. For all parcels zoned PCD after May 20, 1998: drive-ins, drive-ups, or drive-throughs in conjunction with an above-mentioned use, except, that drive-up, drive-through, or drive-in facilities shall not be permitted in or at any fast food enterprise, or any enterprise involving the sale of beverages (for the purposes of this section, a fast food enterprise is a business engaged in the sale of pre-prepared or quickly prepared food and beverages, usually in disposable containers and wrappers, for consumption either on or off premises, in a facility in which a major portion of the food and beverage sales to patrons are at stand-up type counters or drive-in, drive-up, or drive-through arrangements).
 - B. For all parcels zoned PCD prior to May 20, 1998: drive-ins, drive-ups, or drive-throughs in conjunction with an above-mentioned use.
- (10) Gasoline stations, for all parcels zoned PCD prior to the effective date of this ordinance only.
- (11) Mobile Food Trucks.

Conditional Uses:

- (1) When combined with one or more commercial uses in the same PCD development, single-family, two-family and multi-family residential dwellings and accessory uses incidental thereto such as garages, etc. No residential use shall be approved in a PCD except in combination with one or more commercial uses in the same PCD development.

(c) PID: Planned Industrial District Uses.

- (1) Manufacturing, light industrial uses, processing, warehousing and industrial service activities located and maintained within the limits of the development standards of these Planned Industrial District regulations.

- (2) Research/office facilities.
 - (3) Professional and business offices.
 - (4) Aviation-oriented facilities.
 - (5) Maintenance and storage facilities.
- (Ord. 15-2019. Passed 8-21-19.)

1171.03 DEVELOPMENT AND DESIGN GUIDELINES.

(a) Planned Development District Lot Guidelines: Minimum Yards.

Zoning District	Min. Lot Area	Frontage To A Public ROW (Feet)	Min. Front Setback (Feet)	Min. Side Setback (Feet)	Min. Total Side Yard (Feet)	Min. Rear Set-Back (Feet)	Max. Bldg. Lot Coverage	Max. Height (Feet)
PUD	*	*	35	15	30	50	20%	35
PID	*	350	40	None		None	35%	35
PCD	*	125	30	15		None	40%	See (d)(1) below

* Minimum lot area requirements shall be determined by the Planning Commission upon conditions of the proposed development of the land and the requirements established herein for each development. In measuring lot coverage, all buildings and other covered areas, such as parking areas, sidewalks, loading areas, driveways and driveway areas, shall be included.

- (1) There must be sufficient lot area and width to meet all parking and yard requirements.
- (2) Planned Unit District (PUD) when abutting another district, no structure shall be closer than thirty-five feet and no parking area or access drive shall be closer than fifteen feet to a side lot line.
- (3) Planned Industrial District (PID) when abutting another district, no structure shall be closer than fifty feet and no parking area, loading area or access drive shall be closer than fifteen feet to the rear lot line.
- (4) Parking areas shall be no closer to the main structure(s) than ten feet.
- (5) Planned Unit District (PUD) parking and accessory building standards shall be as follows:
 - A. No driveway or parking area shall be within five feet of a side lot line; or ten feet for multi-family dwellings.
 - B. No driveways or parking areas shall be within ten feet of a rear lot line.
 - C. For accessory buildings, such as detached garages: minimum yard requirements shall be the same as required for main structures, except in all cases the minimum distance between an accessory building and the rear property line shall be fifteen feet.

(b) Maximum Density - PUD

- (1) The gross maximum density in a PUD development shall be as follows:
 - A. Single-family residential: One (1) dwelling unit per buildable acre dedicated to single-family residential use.
 - B. Two-family residential: Four (4) dwelling units per buildable acre dedicated to two-family residential use.
 - C. Multi-family residential: Four (4) dwelling units per buildable acre dedicated to multifamily residential use. The maximum number of dwelling units in a multi-family residential building shall not exceed four (4).
 - D. Limited commercial:
- (2) The maximum total gross square footage of all combined commercial uses in a PUD development shall not exceed twenty percent (20%) of the total gross square footage of all combined residential uses in that PUD development. In a PUD development in which all residential uses consist of single-family dwellings, the maximum total gross square footage of all combined commercial uses shall not exceed thirty-five percent (35%) of the total gross square footage of all combined residential uses in that PUD development.
- (3) As used in this chapter, "buildable" means that part of a lot or parcel whose development is not rendered infeasible by conditions of flood hazard, accessibility, or environmental or legal limitation. Any part of a lot or parcel that is actually developed or to be developed shall be deemed buildable, and any other part of a lot or parcel shall be presumed buildable in the absence of clear and convincing evidence to the contrary. The purpose of this limitation is to exclude any non-buildable part of a lot or parcel from consideration when calculating the maximum allowed densities in a PUD development.

(c) Maximum Density - PCD

- (1) The gross maximum density in a PCD development shall be as follows:
 - A. Single-family residential: One (1) dwelling unit per buildable acre dedicated to single-family residential use.
 - B. Two-family residential: Four (4) dwelling units per buildable acre dedicated to two-family residential use.
 - C. Multi-family residential: Four (4) dwelling units per buildable acre dedicated to multi-family residential use. The maximum number of dwelling units in a multi-family residential building shall not exceed four (4).
 - D. Commercial:
- (2) Maximum total gross square feet per single commercial use or tenant in a PCD shall not exceed 12,000 square feet.
- (3) Maximum commercial building size in a PCD shall not exceed 20,000 square feet.

(d) Additional Development Standards Relevant to PCD.

- (1) Building style and design shall be as set forth in the Building Style, Building Massing, Roof, Windows, Materials and Colors provisions of Section 1175.03(a) of the Zoning Code (building requirements for the Suburban Business District).

- (2) The hours of commercial operation shall not exceed eighteen hours per day from 6:00 a.m. through 2:00 a.m., with the exception of office, civic and institutional uses and home occupations.
 - (3) As to other development standards, the Planning Commission may impose any of the other requirements of Section 1175.03(a) on property that is currently zoned or that seeks to be zoned as a Planned Commercial District.
- (e) General Site Development Considerations.
- (1) The applicable sections of the Subdivision Regulations and the parking, sign and landscaping regulations of this Zoning Ordinance shall be applied. However, a deviation from these regulations may be recommended by the Planning Commission or approved by Council where appropriate to the integrity of the development plan. The Commission shall identify any such deviation in its recommendation to the Council under Section 1171.04.
 - (2) Traffic plan. A traffic and parking system plan shall be shown that details points of ingress and egress into the property, public and private drives, parking areas and sidewalk areas. The plan shall be so designed to minimize conflict points between pedestrian and vehicular movement, while maintaining ample and safe walkways and pathways.
 - (3) The Planning Commission shall not recommend nor shall Council approve a development plan unless they find that:
 - A. Such planned development provides adequate ingress and egress.
 - B. The planned development does not adversely impact traffic patterns, causing traffic delays or increase traffic usage of municipal streets or existing facilities to the detriment of the safety and welfare of the public.
 - C. Planned developments fronting on major streets shall be provided with parallel service streets where feasible in order to limit access to one intersection on a major street.
 - D. Off-street parking shall be provided as established in Chapter 1183. Parking areas must be located behind the front facade of the proposed buildings.
 - (4) Parking layout. A detailed parking layout must be shown to include the following:
 - A. Number of spaces indicated by total number of on-site spaces and to be summed by row.
 - B. Access points and expected movement through and between separate parking lot areas.
 - C. Expected pedestrian access routes from parking area to stores for PCD. It is encouraged that the total area used for parking be so designed so as to create smaller defined parking lot areas in lieu of a single unbroken paved lot. It is required that adequate landscaping be used to delineate or accent parking and pedestrian areas. Shared parking for multiple buildings is strongly encouraged.
 - (5) Development incentives: It is the intent that the Planned District be an asset to the surrounding development and as such, development incentives can be granted by the Planning Commission based on the following conditions:

- A. In PCD and PID: Dedicated publicly accessible park land, the amount of acreage to be determined by the Commission. Dedicated site for other necessary municipal services as accepted by the Village. A maximum credit of ten percent (10%) additional ground coverage under PCD and PID may be granted by the Commission for each of these. Structures, service areas, loading docks, parking areas and pedestrian sidewalks in no case shall cover more than ninety percent (90%) of the site, not including publicly dedicated roadways in the site area calculation.
 - B. In PUD: Dedicated publicly accessible park land, the amount of acreage to be determined by the Commission. Dedicated school site, the amount of acreage to be determined by the Commission. Dedicated site for other necessary municipal services as accepted by the Village. A maximum credit of five percent (5%) additional ground coverage under PUD may be granted by the Commission for each of these. Structures, service areas, loading docks, parking areas and pedestrian sidewalks in no case shall cover more than ninety percent (90%) of the site, not including publicly dedicated roadways in the site area calculation.
- (6) The proposed provisions of all utilities, storm drainage collection, trash collection systems and the lighting system shall be specifically detailed. Trash containers shall be sufficiently screened to avoid nuisance. All litter shall be controlled on site.
 - (7) The applicant shall show evidence of sufficient control over the land to effectuate the development plan, and the project shall be developed as a unit with respect both to design and construction.
 - (8) Within the PCD, all service and delivery shall be made to the rear of the structure(s) or use unless special design treatment or other circumstances warrant as approved by the Commission.
 - (9) In the PCD District, the outdoor storage and display of merchandise on sidewalks or plaza areas shall be prohibited. For zoning to PID, a descriptive text shall indicate the nature of the activity to be carried on, expected levels of noise, dust, smoke, glare, odor, vibration, or hazardous waste to result from the normal operation of the specific industrial activity. Future expansion plans and uses for all parts of the site are required to be shown, and may be held as a binding condition for approval by the Commission.
- (Ord. 15-2019. Passed 8-21-19.)

1171.04 PROCEDURES FOR APPROVAL.

In the event that a proposed PUD or PCD includes any use that is designated by this chapter as a conditional use, prior to or contemporaneously with the submission of an application for approval of the PUD or PCD as set forth below the applicant shall apply to the Board of Zoning and Building Appeals for approval of such conditional use pursuant to Chapter 1145. No proposed PUD or PCD that includes such a conditional use may be approved by Council until such conditional use has received a final approval pursuant to Chapter 1145.

- (a) The owner or developer of the land shall submit an application in writing to the Village Manager or his/her designee for consideration. Such application shall include eight copies of a Development Plan for the entire area proposed to be developed in the Planned District classification. The Plan shall include information required under Section 1171.03(c) and drawings sufficient to determine adherence to the requirements of the Zoning Ordinance, including, but not limited to: all proposed and neighboring structures shall be located, and the drawings shall delineate the type, color and nature of materials used as well as show square footage, tenant types and expected entrance(s), service and pedestrian areas for the plan, and floor plans and elevations. A sample of exterior materials to be used in the proposed project shall be included as determined necessary by the Commission (except in the case of brick and natural or cultured stone where samples are always required).
The owner or developer shall submit a Site Analysis Plan that identifies and interprets environmental characteristics and other important resources of the property. The required Site Analysis Plan is intended to promote the protection and integration of natural and cultural resources into the development proposal; encouraging designs that are sensitive to environmental features on a site. Mapping and analysis of site resources such as vegetation, slope, historic resources, and drainage patterns of proposed development layouts are some of the primary reasons for incorporating the site analysis into this ordinance's plan information requirements.
The Development Plan should also identify preserved and beneficial open space. An Open Space Management Plan will be required that addresses planned or permitted uses in the open space as well as maintenance and ownership of the open space. Storm water management facilities may be appropriate in the open space if designed appropriately.
- (b) A preliminary plat for the first phase shall be filed in addition to the application and the Plan. It shall include at least twenty percent (20%) of the total acreage within the Development Plan.
- (c) The Commission shall review with the applicant the application, the Development Plan and the preliminary plat for Phase I. The Planning Commission shall invite the opinions of the Village Engineer and department heads regarding the application.
- (d) In determining the acceptability of the Plan, and in addition to the development and design guidelines set forth in this chapter, the Commission shall consider distances between buildings, setbacks, yard space, suitability of open space systems, traffic accessibility, landscaping plans, engineering feasibility studies, preservation of rare, historically significant, or scenic existing natural resources, topography, or vegetation, construction sequence and time schedule for completion of each phase of the project, and other elements having a bearing on the overall acceptability of the Plan in keeping with the intent of this section.
- (e) After review of the application is complete, but before making recommendation to Council, the Commission shall schedule a public hearing on the application. The Village Clerk shall cause notice of the date and time of the hearing to be published in one or more newspapers of general circulation in the Village.

- (f) After the public hearing, the Commission, shall prepare a cover memorandum to the application for the Plan, stating its recommendation for approval, approval with modifications, or disapproval of the plan, submit the cover memorandum and the application to Council, and send a copy of the cover memorandum to the applicant. If approval with modifications is recommended, the Commission shall state any modifications it recommends in the cover memorandum. Should the Commission recommend disapproval of the Development Plan, the applicant may resubmit it with modification to the Planning Commission. If the applicant does not resubmit the plan or state his/her intention to do so within seven days after the hearing, the Commission shall forward the application and cover memorandum recommending disapproval of the plan to Council.
- (g) Upon receipt of a recommendation, the Clerk shall place the recommendation on the agenda at a subsequent meeting of Council and give public notice of that fact as set forth in Section 3.06 of the Charter. If Council enacts an ordinance approving the Plan, it shall be considered a binding condition upon which such zoning is based. An appropriate notation to that effect shall be made on the face of the four copies of the Development Plan. One copy each shall be retained by the Planning Commission, Clerk, applicant, and Zoning Inspector. With approval of the Commission, minor modifications of the approved Plan may be made. Such modification shall not increase the overall density on the lot or change the essential character of the original approved plan. If the Commission determines that such proposed changes significantly alter the original Plan, such plan must be resubmitted to Council for approval. The developer shall not proceed with construction prior to final approval of both the overall Plan and that specific phase being considered. Any construction that takes place pursuant to preliminary plan approval without final plan approval shall be considered a violation of this Zoning Ordinance and an abatable nuisance. The development shall be in conformance with the Plan, and construction must begin within two years after the effective date of the Ordinance approving the Plan or the approval is void. For Plans with multiple phases, construction must commence within two years of approval of each phase.
- (h) If the Development Plan is disapproved by Council, the applicant may consider the reasons for the disapproval, make revisions to the Plan, and resubmit it to the Planning Commission as a new Development Plan.
(Ord. 15-2019. Passed 8-21-19.)

CHAPTER 1173
Village Gateway District

- | | |
|--|--|
| 1173.01 Purpose and intent.
1173.02 Permitted and conditional uses.
1173.03 Development standards and guidelines. | 1173.04 Plan approval required.
1173.05 Procedure for approval. |
|--|--|

1173.01 PURPOSE AND INTENT.

The purpose and intent of the Village Gateway District is to create an attractive, well-designed entrance into the community that will provide suitable areas for a mixed uses in a visually-integrated, high-quality neighborhood setting. The Gateway District will have residences along with a moderate concentration of various types of compatible businesses and offices to service neighborhood needs. Special enhancements will include the preservation of existing natural resources, a useful pattern of open space and walking trails, integrated architecture and design that reflects the traditional architectural styles of Granville, adequate parking, appropriate landscaping and screening, desirable aesthetics, and creative site design intended to eliminate adverse effects of traffic congestion. The Village Gateway District is intended to provide increased tax revenues to both the local schools and the Village, while minimizing costs to the Village for infrastructure acquisition and maintenance and preserving or enhancing the quality of life and property values in the Village and Granville Township.
 (Ord. 07-08. Passed 8-6-08.)

1173.02 PERMITTED AND CONDITIONAL USES.

(a) Permitted Uses.

- (1) Retail outlets: furniture, clothing, jewelry, drug, shoe and variety stores, hardware, appliance, lighting, paint and wallpaper stores.
- (2) Retail food preparation: meat markets, bakeries, specialty food shops, ice cream stores, delicatessens, coffee shops, tea shops, confectionery stores, and other similar facilities. All uses allowed under this provision may also engage in the sale of related products such as coffee beans, mugs, coffee makers in support of or ancillary to the beverages or snacks listed above.
- (3) Specialty shops: antique shops, gift shops, magazine, book stores, card shops, stationery stores, florist shops, arts and crafts supplies stores, bridal shops, health food stores, musical instruments stores, music stores, bicycle stores, toy stores, audio equipment stores, video equipment stores, china stores, glassware stores, linen stores, computer stores, software stores, quilting stores, fabric stores, office supply stores, picture frame stores, video rental stores, camera and photography shops and sporting goods outlets.

- (4) Service uses. Laundromat, dry-cleaning and laundry pick-up stations, barber and beauty shops, physical fitness centers, shoe repair and tailor shops, print shops, and copy shops.
 - (5) Business and professional offices: such as medical and dental offices and clinics, law offices, insurance offices, real estate offices, advertising agency offices, answering service offices, architects' offices, certified public accountants' offices, engineers' offices, interior decorators' offices, and financial services offices including financial planner offices, stock brokerage offices, and veterinary offices, hospitals or clinics that do not include outside animal runs.
 - (6) Banks, finance and utility company offices without drive-through facilities.
 - (7) Commercial and residential mixed use buildings, with commercial uses on the ground floor and dwelling units above the ground floor.
 - (8) Home occupations.
 - (9) Restaurants, without drive-in, drive-up, or drive-through arrangements.
 - (10) Mobile food trucks.
- (b) Conditional Uses.
- (1) Mortuaries and funeral homes.
 - (2) Banks, finance and utility company offices with drive-through facilities.
 - (3) Grocery stores, convenience stores (without the sale of gasoline or fuel).
 - (4) Single family, two-family and multifamily residential units, provided that no building shall have more than six dwelling units. No first floor residential uses shall be permitted for properties with frontage and vehicular access to arterial roadways.
 - (5) Retirement community, nursing homes, assisted living structures and child care/preschool facilities.
 - (6) Recreational facilities and entertainment uses.
 - (7) Drive-ins, drive-ups, or drive-throughs in conjunction with a permitted, or approved conditional use, except, that drive-up, drive-through, or drive-in facilities shall not be permitted in or at any fast food enterprise, or any enterprise involving the sale of beverages (for the purposes of this section, a fast food enterprise is a business engaged in the sale of pre-prepared or quickly prepared food and beverages, usually in disposable containers and wrappers, for consumption either on or off premises, in a facility in which a major portion of the food and beverage sales to patrons are at stand-up type counters or drive-in, drive-up, or drive-through arrangements).
 - (8) Garden center.
 - (9) Places of assembly: civic structures, religious structures and other places of assembly.
 - (10) Mixed-use combinations of multi-family residential, retirement community, nursing homes, or assisted living structures.
 - (11) Production of artisan goods using hand tools only (for example, jewelry or ceramics).
 - (12) Veterinary offices, hospitals or clinics that include outside runs. Animal boarding facilities that are not associated with a veterinary office, hospital, or clinic.

(c) Interpretation of this Section. Each use must have its own independent approval, whether permitted or conditional.
(Ord. 08-14. Passed 9-3-14.)

1173.03 DEVELOPMENT STANDARDS AND DESIGN GUIDELINES.

(a) Lot, Building and Other Requirements.

CATEGORY	NONRESIDENTIAL	RESIDENTIAL
Density		Maximum of eight (8) dwelling units per acre.
Lot Coverage	Lot coverage shall not exceed 60%. In measuring lot coverage, all buildings and other impervious areas, such as parking areas, sidewalks, loading areas, driveways and driveway areas, shall be included.	Lot coverage shall not exceed 60%. In measuring lot coverage, all buildings and other impervious areas, such as parking areas, sidewalks, loading areas, driveways and driveway areas, shall be included.
Building Orientation	<p>Where feasible, office buildings shall be clustered and arranged in a campus like setting to facilitate common open space.</p> <p>A building shall be oriented so that a principal or primary facade faces each street on which the building fronts.</p> <p>Buildings must have a primary entrance door facing a public sidewalk or pathway. Entrances at building corners may be used to satisfy this requirement. Building entrances may include doors to individual shops or businesses, lobby entrances, entrances to pedestrian-oriented plazas, or courtyard entrances to a cluster of shops or businesses.</p>	All elevations of a building's exterior design shall be coordinated with regard to color, materials, architectural form, and detailing. The design of a building must wrap around the sides to present a continuity of design on all exposed sides.

CATEGORY	NONRESIDENTIAL	RESIDENTIAL
Building Orientation (cont.)	<p>The design of the principal or primary facade shall enhance the pedestrian environment by the use of such architectural elements as doorways, dormers, gables, porches, columns, and cornices. Upper story features such as balconies, mezzanines, and atriums, shall be encouraged provided that they are in proportion to the scale of the rest of the building.</p> <p>All elevations of a building's exterior design shall be coordinated with regard to color, materials, architectural form, and detailing. The design of a building must wrap around the sides to present a continuity of design on all exposed sides.</p>	
Maximum Single Tenant or Single Use (does not apply to office or institutional uses)	8,000 gross square feet.	Not applicable.
Maximum Single Building Size (does not apply to office or institutional uses)	10,000 gross square feet. In mixed use buildings the maximum allowable gross retail square footage shall be 10,000 square feet.	In mixed use buildings the maximum number of residential dwelling units shall not exceed six (6).
Lot Size	<p>The minimum and maximum lot size shall be determined by the Planning Commission and shall be based on site conditions and the requirements established within this code for the proposed use of the lot.</p> <p>The combining of lots to accomplish a larger development scheme is strongly encouraged.</p>	<p>The minimum and maximum lot size shall be determined by the Planning Commission and shall be based on site conditions and the requirements established within this code for the proposed use of the lot.</p> <p>The combining of lots to accomplish a larger development scheme is strongly encouraged.</p>
Front Yard Setbacks	<p>75 feet from the centerline along arterial streets (for example, Main Street and Cherry Valley Road). However, this standard may be reduced in existing "built-up" areas where a lesser setback area has been previously established and approved.</p> <p>20-foot minimum setback from the right-of-way along secondary streets (collector, local, cul-de-sac, and service streets).</p>	<p>75 feet from the centerline along arterial streets (for example, Main Street and Cherry Valley Road). However, this standard may be reduced in existing "built-up" areas where a lesser setback area has been previously established and approved.</p> <p>20-foot minimum setback from the right-of-way along secondary streets (collector, local, cul-de-sac, and service streets).</p>

CATEGORY	NONRESIDENTIAL	RESIDENTIAL
Side Yard Setbacks	15 feet minimum but can be waived or adjusted by the Planning Commission when applied to similar adjoining uses.	15 feet minimum but can be waived or adjusted by the Planning Commission when applied to similar adjoining uses.
Rear Yard Setbacks	<p>15 feet but can be waived or adjusted by the Planning Commission when applied to similar adjoining uses.</p> <p>On lots that are double-fronted, each side adjacent to a street shall be considered as a front yard and the rear yard regulations shall not apply.</p>	<p>15 feet but can be waived or adjusted by the Planning Commission when applied to similar adjoining uses.</p> <p>On lots that are double-fronted, each side adjacent to a street shall be considered as a front yard and the rear yard regulations shall not apply.</p>
On-Site Parking	<p>A single row of parking may be located between the front façade and the roadway, so long as the parking areas are located no closer than ten feet to the right-of-way line.</p> <p>Maximum of 1 space per 250 square feet of building space, except in the case of medical and dental offices and clinics where there shall be a maximum of 1 space per 200 square feet of building space.</p> <p>Off street parking shall be provided by each use but is not required to be on that specific parcel. Shared parking strategies are encouraged. Shared parking with adjacent uses and properties shall be maximized. Shared parking on the same property shall be permitted where adjacent uses will have a need for the parking spaces at different times (for example, where office or commercial may be located on a first floor with residential on an upper floor).</p> <p>Off-site spaces shall be within 300 feet walking distance of a building entrance or use. If the pedestrian access is to cross an arterial street, appropriate safety measures must be present to assist the pedestrian to cross the street. In any event, safe and convenient access, such as a sidewalk or path, must exist or be provided by the property owner from the structure or use to the parking area.</p>	<p>A single row of parking may be located between the front façade and the roadway, so long as the parking areas are located no closer than ten feet to the right-of-way line.</p> <p>Maximum parking ratio of two (2) spaces per unit in the case of multifamily uses, excluding garages.</p> <p>Minimum parking ratio of 1.75 spaces per unit.</p> <p>Parking areas must contain internal landscaped islands at a rate of a minimum of 200 square feet for every ten (10) parking spaces.</p> <p>Parking areas must contain a minimum of 1 deciduous tree for every ten (10) parking spaces in the internal landscaped islands.</p> <p>Parking areas must be screened from the view of the public right-of-way, residential areas, and any open space areas by a 36-42 inch minimum continuous hedge, or by a 42 inch brick or natural stone wall.</p> <p>No parking or drive aisles will be permitted in any setback other than in the case of drive aisles where necessary to grant ingress and egress; or when allowed as part of a larger development scheme and applied to similar adjoining uses.</p>

CATEGORY	NONRESIDENTIAL	RESIDENTIAL
On-Site Parking (Cont.)	<p>Parking areas must contain internal landscaped islands at a rate of a minimum of 200 square feet for every ten (10) parking spaces.</p> <p>Parking areas must contain a minimum of 1 deciduous tree for every ten (10) parking spaces in the internal landscaped islands.</p> <p>Parking areas must be screened from the view of the public right-of-way, residential areas, and any open space areas by a 36-42 inch minimum continuous hedge, or by a 42 inch brick or natural stone wall.</p> <p>No parking or drive aisles will be permitted in any setback other than in the case of drive aisles where necessary to grant ingress and egress; or when allowed as part of a larger development scheme and applied to similar adjoining uses. If parking or a drive aisle is located within the front setback, a tree lawn and sidewalk shall still be required between the parking/drive aisle and the street.</p> <p>A deviation from these parking regulations may be recommended by the Planning Commission to the BZBA where appropriate to the integrity of the development plan.</p>	<p>A deviation from these parking regulations may be recommended by the Planning Commission to the BZBA where appropriate to the integrity of the development plan.</p>
Access Points	<p>Access points shall be combined with adjacent uses and properties to minimize the number of access points.</p> <p>Access points on South Main Street are designated in the South Main Street Corridor Study.</p>	<p>Access points shall be combined with adjacent uses and properties to minimize the number of access points.</p> <p>Access points on South Main Street are designated in the South Main Street Corridor Study.</p>
Berms/Landscaping Mounds	No berms or landscaping mounds are permitted.	No berms or landscaping mounds are permitted.
Sidewalks/Pathways	Minimum of 6 feet wide in front of retail, office, civic and institutional uses.	Minimum of 6 feet wide required along all public rights-of-way.

CATEGORY	NONRESIDENTIAL	RESIDENTIAL
Sidewalks/Pathways (cont.)	<p>Any sidewalk/pathway that is installed as part of the pathway plan and/or along roadways shall be required to meet the width requirements of the Village Pathway Plan.</p> <p>Required along all public rights of way.</p> <p>Shall be integrated with the Village's pathways plan.</p> <p>Property owners will be required to design and construct any portions of the Village Pathway Plan that are within the borders of their property and to dedicate such portions of the pathway to public use.</p>	<p>Any sidewalk/pathway that is installed as part of the pathway plan and/or along roadways shall be required to meet the width requirements of the Village Pathway Plan.</p> <p>Shall be integrated with the Village's pathways plan.</p> <p>Property owners will be required to design and construct any portions of the Village Pathway Plan that are within the borders of their property and to dedicate such portions of the pathway to public use.</p>
Street Trees	<p>The width of tree lawns and street planting zones shall meet the requirements specified in Chapter 1193.</p> <p>Street trees must be planted in straight lines along each side of any street or public right-of-way.</p> <p>Street trees shall be planted no less than 24 feet and no more than 36 feet on center.</p> <p>Each street tree shall have at least 100 square feet of water permeable surface centered on the tree trunk to help ensure adequate root moisture.</p>	<p>The width of tree lawns and street planting zones shall meet the requirements specified in Chapter 1193.</p> <p>Street trees must be planted in straight lines along each side of any street or public right-of-way.</p> <p>Street trees shall be planted no less than 24 feet and no more than 36 feet on center.</p> <p>Each street tree shall have at least 100 square feet of water permeable surface centered on the tree trunk to help ensure adequate root moisture.</p>
Walls, Fences and Hedges	<p>Fences and hedges are permitted in the front yard setback to a maximum height of 42 inches.</p> <p>Walls used to screen service areas shall be brick or stone (except that wood may be used where the principal material used on the building is also wood) to a minimum height of 1 foot higher than service area being screened; and shall be screened on all four sides where feasible. ("Service area" includes loading docks, waste collection units, utility vaults that extend above the surface and other equipment providing service to a building or site.)</p>	<p>Fences and hedges are permitted in the front yard setback to a maximum height of 42 inches.</p> <p>Walls used to screen service areas shall be brick or stone (except that wood may be used where the principal material used on the building is also wood) to a minimum height of 1 foot higher than service area being screened; and shall be screened on all four sides where feasible. ("Service area" includes loading docks, waste collection units, utility vaults that extend above the surface and other equipment providing service to a building or site.)</p>

CATEGORY	NONRESIDENTIAL	RESIDENTIAL
Walls, Fences and Hedges (cont.)	Non-residential uses shall be separated from other uses at the side and rear by a continuous hedge of landscaping, or brick or stone wall. These hedges or walls shall be 42 inches high.	Residential uses shall be separated from other uses at the side and rear by a continuous hedge of landscaping, or brick or stone wall. These hedges or walls shall be 42 inches high.
Open Space	<p>Lot coverage shall not exceed 60%. In measuring lot coverage, all buildings and other impervious areas, such as parking areas, sidewalks, loading areas, driveways and driveway areas shall be included.</p> <p>Open space designations shall be designed to be combined with other open space areas on adjacent properties as a "unified development".</p> <p>Rights of way shall not be counted as open space.</p>	<p>Lot coverage shall not exceed 60%. In measuring lot coverage, all buildings and other impervious areas, such as parking areas, sidewalks, loading areas, driveways and driveway areas, shall be included.</p> <p>Open space designations shall be designed to be combined with other open space areas on adjacent properties as a "unified development".</p> <p>Rights of way shall not be counted as open space.</p>
Detention Basins and Retention Ponds	<p>Detention basins shall be designed by a landscape architect in conjunction with an engineer to ensure that they incorporate naturalistic shapes and that they are planted and maintained in an attractive manner.</p> <p>Scenic retention ponds are encouraged as a means of treating non-point source pollutants. 40% of the perimeter of these ponds, at the outfall, shall be planted in native wetland plantings.</p> <p>The use of low-impact design systems shall be strongly encouraged.</p>	<p>Detention basins shall be designed by a landscape architect in conjunction with an engineer to ensure that they incorporate naturalistic shapes and that they are planted and maintained in an attractive manner.</p> <p>Scenic retention ponds are encouraged as a means of treating non-point source pollutants. 40% of the perimeter of these ponds, at the outfall, shall be planted in native wetland plantings.</p> <p>The use of low-impact design systems shall be strongly encouraged.</p>
Building Style	<p>Building design shall be of traditional American styles, such as: Post medieval English, Dutch Colonial, French Colonial, Georgian, Adam, Federal, Greek Revival, Gothic Revival, Italianate, Stick, Queen Anne, Shingle, Folk Victorian, New England Colonial, Saltbox, or Vernacular Farmhouse.</p> <p>Commercial or mixed use buildings shall be a minimum of 1 story and a maximum of 3 stories. All other buildings shall be a minimum of 2 stories in appearance and a maximum of 3 stories. The number of stories shall be measured from the front elevation.</p>	<p>Building design shall be of traditional American styles, such as: Post medieval English, Dutch Colonial, French Colonial, Georgian, Adam, Federal, Greek Revival, Gothic Revival, Italianate, Stick, Queen Anne, Shingle, Folk Victorian, New England Colonial, Saltbox, or Vernacular Farmhouse.</p> <p>Buildings shall be a minimum of 1 story and a maximum of 3 stories. The number of stories shall be measured from the front elevation.</p> <p>The entrance to the first floor of any structure shall be at or above grade.</p>

CATEGORY	NONRESIDENTIAL	RESIDENTIAL
Building Style (cont.)	<p>The entrance to the first floor of any structure shall be at or above grade.</p> <p>Buildings which the ordinary reasonable person would readily associate with a particular entity based on viewing two or more other buildings used by the entity, will be considered in their entirety as signs. As such, all exterior surface square footage shall be taken into account under applicable sign ordinances and regulations.</p>	
Building Massing	<p>Building massing shall be appropriate, including as related to surrounding setbacks, surrounding buildings, the spaces which are created by the building, and the scale.</p> <p>The appropriate architectural massing and scale shall be achieved by close adherence to the scale and proportioning systems of the traditional American styles.</p>	<p>Building massing shall be appropriate, including as related to surrounding setbacks, surrounding buildings, the spaces which are created by the building, and the scale.</p> <p>The appropriate architectural massing and scale shall be achieved by close adherence to the scale and proportioning systems of the traditional American styles.</p>
Roof	<p>Simple gable roof forms and dormers are the most consistent with the architectural context of the Village and are encouraged.</p> <p>Roof structures (including air conditioning units and satellite dishes) shall be screened from view on all sides.</p> <p>Roof design shall be reviewed as part of the building design review. The roof design shall be required to be consistent with the architectural style of the building. One story structures shall not have the appearance of a flat roof, and parapet or mansard-style roofs are permitted.</p>	<p>Simple gable roof forms and dormers are the most consistent with the architectural context of the Village and are encouraged.</p> <p>Roof design shall be reviewed as part of the building design review. The roof design shall be required to be consistent with the architectural style of the building. One story structures shall not have the appearance of a flat roof, and parapet or mansard-style roofs are permitted.</p>
Windows	<p>Window arrangement on all facades shall be simple and harmonious.</p> <p>Horizontal strip windows are prohibited.</p>	<p>Window arrangement on all facades shall be simple and harmonious.</p> <p>Horizontal strip windows are prohibited.</p>

CATEGORY	NONRESIDENTIAL	RESIDENTIAL
Windows (cont.)	<p>Divided or simulated divided light windows, and/or mullions, are encouraged for all windows, including those used for retail display.</p> <p>Shutters, if used, must each be one half of the width of the window so they appear to be able to cover the window opening if closed.</p>	<p>Divided or simulated divided light windows, and/or mullions, are encouraged for all windows.</p> <p>Shutters, if used, must each be one half of the width of the window so they appear to be able to cover the window opening if closed.</p>
Materials	<p>Building materials shall be natural in appearance. Brick, stone, and wood siding or equivalent materials are preferred. For example, Hardiplank siding would be considered an equivalent to wood siding in appearance; and cultured stone may also be considered equivalent to natural stone in appearance. Vinyl siding, aluminum siding, cement block, and split-faced block shall be prohibited except that cementitious foundations shall be permitted only within 16 inches of grade.</p> <p>Chimneys shall be brick or stone.</p> <p>For the purpose of this chapter, stone includes both natural stone and cultured stone that is both natural in appearance and is designed to appear native to this region of the country.</p> <p>Brick shall be of a traditional natural range of colors, and not exotic nontraditional varieties, such as white, tan, cream, chocolate brown, glazed, spray painted to resemble used brick.</p> <p>Brick may be painted if the entire exterior surface of the brick and related mortar is painted the same color.</p>	<p>Building materials shall be natural in appearance. Brick, stone, and wood siding or equivalent materials are preferred. For example, Hardiplank siding would be considered an equivalent to wood siding in appearance; and cultured stone may also be considered equivalent to natural stone in appearance. Vinyl siding, aluminum siding, cement block, and split-faced block shall be prohibited except that cementitious foundations shall be permitted only within 16 inches of grade.</p> <p>Chimneys shall be brick or stone. A wood-faced chimney, above the foundation and footers, would also be permitted where the primary exterior material on the building is wood siding.</p> <p>For the purpose of this chapter, stone includes both natural stone and cultured stone that is both natural in appearance and is designed to appear native to this region of the country.</p> <p>Brick shall be of a traditional natural range of colors, and not exotic nontraditional varieties, such as white, tan, cream, chocolate brown, glazed, or spray painted to resemble used brick.</p> <p>Brick may be painted if the entire exterior surface of the brick and related mortar is painted the same color.</p>

CATEGORY	NONRESIDENTIAL	RESIDENTIAL
Drive-throughs, Drive-ins and Drive-ups	<p>A drive through must be part of a larger development plan. Stand-alone buildings with drive-through facilities are not permitted.</p> <p>Canopies are not permitted unless design is complimentary to the design of the building.</p> <p>Any drive-throughs, drive-ins, and drive-ups shall be located in the rear of the structure or on a side not visible from the principal public right-of-way. Ingress to and egress from drive-throughs, drive-ins, and drive-ups shall be from the parking lots at the rear of the structure. All access drives shall be located as far as possible from existing intersections.</p> <p>Drive-through lanes are to be separated from other off-street parking areas. Individual lanes shall be curbed or otherwise distinctly delineated. Stacking spaces and lanes shall not impede any on- and off-site traffic movements.</p> <p>Drive-throughs are limited to one window and may only have one drive-through lane, except for banks, which may have two drive-through lanes.</p> <p>The hours of operation of a drive-through may be limited by the Planning Commission. The Planning Commission shall consider the proximity of residential districts, schools, churches, parks, playgrounds, and other uses different from the proposed use.</p>	N/A
Hours of Operation	A maximum of 18 hours per day	N/A
Colors	Full color treatment of the building shall be reviewed and approved by the Planning Commission at the time of site plan approval.	Full color treatment of the building shall be reviewed and approved by the Planning Commission at the time of site plan approval.

CATEGORY	NONRESIDENTIAL	RESIDENTIAL
Garages	No above grade garages are permitted.	<p>Garages must be set back a minimum of 4 feet from the front facade of the dwelling unit.</p> <p>No garage door facing a street shall be larger than 9 feet in width.</p> <p>Garage doors are recommended to be rear or side loaded. There shall be no more than 2 adjacent garage doors facing the street per unit. If garage doors are facing the street, additional screening may be required.</p>
Lighting	<p>All lighting shall be natural in appearance (approximate spectrum of sunlight), with a maximum level of five (5) footcandles anywhere on the site.</p> <p>Light trespass measured on contiguous residential property shall not exceed 0.1 footcandles.</p> <p>Light standards in non-residential areas shall not exceed 25 feet in height.</p> <p>Lighting for security, walkways, roadways, and parking lots shall only use shielded light fixtures. Parking area lights should be "full cutoff design" or have shields such that they do not put any light above the horizon and will be mounted to not shine on roadways and neighboring properties.</p> <p>For commercial and industrial uses, light fixtures shall be equipped with automatic timing devices that turn off or reduce lighting during non-operating hours.</p> <p>Light fixtures used to illuminate objects mounted on pole, pedestal, or platform shall use a narrow beam of light that shall not extend beyond the illuminated object.</p> <p>Other upward directed architectural, landscape, or decorative light emissions shall have at least 90% of distribution pattern within the profile of the illuminated structure.</p>	<p>All lighting shall be natural in appearance (approximate spectrum of sunlight), with a maximum level of five (5) footcandles anywhere on the site.</p> <p>Light standards in residential areas shall not exceed 16 feet in height.</p> <p>Lighting for security, walkways, roadways, and parking lots shall only use shielded light fixtures. Parking area lights should be "full cutoff design" or have shields such that they do not put any light above the horizon and will be mounted to not shine on roadways and neighboring properties.</p> <p>Light fixtures used to illuminate objects mounted on pole, pedestal, or platform shall use a narrow beam of light that shall not extend beyond the illuminated object.</p> <p>Other upward directed architectural, landscape, or decorative light emissions shall have at least 90% of distribution pattern within the profile of the illuminated structure.</p> <p>All other outdoor lighting shall use shielded light fixtures.</p> <p>Flickering or flashing lights are not permitted except for holiday decorations.</p>

CATEGORY	NONRESIDENTIAL	RESIDENTIAL
Lighting (cont.)	<p>All other outdoor lighting shall use shielded light fixtures.</p> <p>Flickering or flashing lights are not permitted except for holiday decorations.</p> <p>In addition, all lighting shall comply with the Village of Granville Exterior Lighting Guidelines (attached hereto as Exhibit A). Where there is a conflict between the provisions of this section and those lighting guidelines in Exhibit A, the provisions of this section shall prevail.</p>	<p>In addition, all lighting shall comply with the Village of Granville Exterior Lighting Guidelines (attached hereto as Exhibit A). Where there is a conflict between the provisions of this section and those lighting guidelines in Exhibit A, the provisions of this section shall prevail.</p>
Use of Details	<p>Building and lighting details should be appropriate to the scale, overall design concept and style of the building and its environment.</p>	<p>Building and lighting details should be appropriate to the scale, overall design concept and style of the building and its environment.</p>
Landscaping and Pedestrian Environment Enhancement	<p>In addition to the landscaping requirements for parking areas, there shall be landscaped areas equal to 20 sq ft per 1000 sq ft of building ground coverage. Such landscape areas shall contain trees, planting beds, hedges, fences, walls, earth mounds, benches, or other materials designed and located to be complementary to the overall architecture.</p> <p>Plants should be used for positively accentuating and highlighting the architectural details of structures, and the surrounding land.</p> <p>Elements which contribute to the quality of the pedestrian environment are preferred. Included among these may be benches, water fountains, seating areas, arcades, awnings or canopies.</p> <p>Reasonable and good faith efforts shall be made to preserve existing trees and tree rows where feasible in setback and preservation areas.</p>	<p>In addition to the landscaping requirements for parking areas, there shall be landscaped areas equal to 20 sq ft per 1000 sq ft of building ground coverage. Such landscape areas shall contain trees, planting beds, hedges, fences, walls, earth mounds, benches, or other materials designed and located to be complementary to the overall architecture.</p> <p>Plants should be used for positively accentuating and highlighting the architectural details of structures, and the surrounding land.</p> <p>Elements which contribute to the quality of the pedestrian environment are preferred. Included among these may be benches, water fountains, seating areas, arcades, awnings or canopies.</p> <p>Reasonable and good faith efforts shall be made to preserve existing trees and tree rows where feasible in setback and preservation areas.</p>
Display of Merchandise	<p>The outdoor storage and display of merchandise on sidewalks or plaza areas is prohibited except when a temporary activities permit has been issued.</p>	

(b) Traffic Requirements. A traffic and parking system plan shall be shown that details points of ingress and egress into the property, public and private drives, parking areas and pedestrian walkway areas. The plan shall be so designed to minimize conflict points between pedestrian and vehicular movement while maintaining ample and safe walkways and pathways. The Commission shall not approve the plan unless they find the plan provides adequate ingress and egress and does not adversely impact traffic patterns nor increase traffic usage of municipal streets to the detriment of the safety and welfare of the public.
(Ord. 07-08. Passed 8-6-08.)

1173.04 PLAN APPROVAL REQUIRED.

An application and plan is required for all new construction, exterior modification or structural alteration in the Village Gateway District.

The application and plan shall show the following:

- (a) Drawings. Drawings sufficient to determine adherence to the requirements of the Zoning Ordinance, including: all proposed and neighboring structures shall be located, and the drawings shall delineate the type, color and nature of materials used as well as show square footage, tenant types and expected entrance(s), service and pedestrian areas for the plan, and floor plans and elevations. A sample of exterior materials to be used in the proposed project shall be included.
- (b) Traffic Concept. All points of ingress and egress onto public roadways and the overall traffic distribution scheme shall be shown, indicating traffic flow patterns and traffic control points. The criteria that must be followed includes:
 - (1) Combined curb cuts, especially for any uses that are incorporated in a commercial development;
 - (2) Minimization of conflict points between auto and pedestrian traffic to include adequate design and demarcation of pedestrian walkways and bikeways from parking and/or driveway areas;
 - (3) Service traffic separation from customer and commuter traffic;
 - (4) Service drives or other such improvements may be required if area traffic conditions warrant.
- (c) Parking and Utilities. The proposed provision of all utilities, storm drainage retention and/or detention, trash collection systems and the lighting system shall be specifically detailed. A detailed parking layout shall be shown to include the following:
 - (1) Number of spaces indicated by total number of on-site spaces and to be summed by row;
 - (2) Access points and expected movement through and between separate parking areas;
 - (3) Expected pedestrian access routes from parking areas to structures.
- (d) Landscaping. All proposed site landscaping shall be indicated as to type and size of material to be used, proposed locations, and other features.
- (e) A site analysis plan which includes and identifies, at minimum, basic topography, existing vegetation, location of wetlands (as defined in Section 404 of the Clean Water Act and federal regulations implementing that section), 100-year floodplains, slopes exceeding twenty-five percent (25%), soils subject to slumping as indicated on the medium-intensity maps contained in the county soil survey published by the USDA Natural Resources Conservation Service, land required for street rights-of-way, and land under or required for the purposes of this plan to be under permanent easement prohibiting future development (including easements for drainage, access, and utilities), and historical sites, structures, and plantings.
- (f) Any other plans determined necessary by the Planning Commission for assessing conformance to this Chapter 1175. (Ord. 07-08. Passed 8-6-08.)

1173.05 PROCEDURE FOR APPROVAL.

(a) Application for a Zoning and Architectural Permit in the VGD shall be submitted with eight complete copies of the required plan (except for any required samples of exterior materials where only one sample of each material is required), to the Zoning Inspector.

Applications must be complete in order to be processed. However, partial processing of an application by the Village does not eliminate the requirement for providing further information as necessary to meet the review as described in this Chapter 1173. The time frames as established in Section 1141.05 shall be applicable.

(b) After staff review and recommendations, the application and plans shall be forwarded to the Planning Commission for hearing. The Commission may request additional information from the Zoning Inspector in order to make its recommendation. In determining the acceptability of the site plan, the Commission shall consider all of the requirements in the development standards and design guidelines of Section 1173.03.

(c) In the case of an application for one or more conditional uses and/or applications involving one or more variances, after the hearing and consideration, the Commission shall, either with or without application modifications, approve the application contingent on the applicant obtaining the approval, under the application as contingently approved by the Commission, of the Board of Building and Zoning Appeals of any conditional uses(s) and variance(s), or deny the application. In all other cases, after the hearing and consideration, the Commission shall approve or deny the application, or approve with modifications.

(d) Thereafter, the Zoning Inspector shall issue or refuse to issue a Zoning and Architectural Permit. In all circumstances, the site plan shall be considered a condition of approval of the application. Construction must start within twelve months and be completed within twenty-four months from the date of final approval. With approval of the Commission, subsequent minor modifications of the approved site plan may be made, provided such changes do not alter the essential character, as determined by the Commission, of the original plan as approved. If the Commission determines that such changes are significant, the site plan shall be resubmitted to the Commission for approval as a new application. Any new construction, exterior modification or structural alteration to existing structures which proceed prior to final approval of the site plan shall be deemed to be an abatable nuisance.

(e) Appeals. Appeals from decisions of the Commission on an application for site plan approval may be had as provided in Chapter 1141.
(Ord. 07-08. Passed 8-6-08.)

EXHIBIT "A"

VILLAGE OF GRANVILLE

EXTERIOR LIGHTING COMMERCIAL AND RESIDENTIAL REQUIREMENTS

- I. Prior to the approval of a Zoning Permit and/or Certificate of Occupancy, a plan which complies with the following exterior lighting requirements shall be submitted and approved by the Planning Commission and Village Planner.
- II. All developments with 10 or more parking spaces shall provide exterior lighting for all exterior doorways, pedestrian pathways and other areas as determined necessary by the Planning Commission.
- III. All developments with less than 10 parking spaces shall provide exterior lighting at all exterior doorways, pedestrian pathways and other areas as determined necessary by the Planning Commission.
- IV. New Lighting Equipment Standards for Residential/Commercial.
Luminaire shall be metal-halide Granville prismatic glass acorn with leaf ballast casting and a 3" inch clear decorative finial. The pole shall be a 12' Charleston cast aluminum pole with a 4" smooth diameter shaft. Luminaire wattage shall be 100 watts for residential; and a maximum of 175 watts for commercial sites. The Granville luminaire and Charleston pole shall be factory painted Granville Dark Green.
- V. New Lighting Equipment Standards for Commercial/Roadway.
Luminaire shall be a metal-halide Esplanade prismatic glass teardrop. The pole shall be a Columbia cast iron and steel fluted pole with a 6' West Liberty crossarm with cast finial cover. Luminaire wattage shall be 100 for residential; and a maximum of 400 watts for commercial sites. Pole heights shall be determined by site lighting requirements. The Esplanade luminaire shall be painted Granville Dark Green. The Columbia pole and West Liberty crossarm shall be painted in the field to match the Esplanade luminaire.
- VI. Site Lighting Criteria:
 - A. All exterior lighting shall meet the following requirements and shall be demonstrated on all plan submittals:
 1. 0.5 footcandles minimum maintained measured at grade in all vehicular use areas and pedestrians pathways. Actual site measurement compliance shall not drop below this minimum stated. For design purposes, the light loss factor (LLF) shall be calculated at:
 - 0.7 LLF for Metal Halide lamp sources
 2. Lighting uniformity shall not exceed:
 - 10:1 Maximum to minimum light levels
 - 4:1 Average to minimum light levels

3. Pole height limitations: Height shall be measured from finished grade to top of pole unless otherwise limited by Planning Commission.
- | | |
|--------------------------|-----------------------------------|
| Residential/Multi-Family | 12 feet maximum |
| Office/Commercial | 28 feet maximum |
| Industrial/Warehouse | 28 feet maximum |
| Other | Determined by Planning Commission |

VII. Light Trespass Criteria:

- A. Light originating on a site shall not be permitted beyond the site to exceed the following values when measured at grade twenty-five (25) feet beyond the property line for the following adjacent properties:
- | | |
|----------------------|-----------------------------------|
| Residential | 0.5 footcandles |
| Multi-Family | 0.5 footcandles |
| Office/Commercial | 1.0 footcandles |
| Industrial/Warehouse | 2.0 footcandles |
| Other | Determined by Planning Commission |

VIII. Glare Control Criteria:

- A. Lighting required by the Building Code for emergency egress when operating in emergency conditions shall meet all code requirements.

IX. Lighting Plan Submitted Criteria:

- A. Submit scaled building plans and elevations showing property boundaries, building location(s), parking lot layout, driveways, pedestrian pathways, all building entrances, adjacent rights-of-way, north arrow, scale, address or legal description. Show locations of all luminaires, controls, and electrical transformers.
- B. Submit cut sheets (profiles) for all proposed exterior luminaires and poles.
- C. Submit scaled isofootcandle plots and/or point-by-point footcandle layouts defining compliance.
- D. Changes during the design and/or construction process after Planning and Zoning Department approval, shall be reviewed for re-approval prior to final acceptance.

CHAPTER 1174
Raccoon Valley Aquifer Wellhead Protection Overlay District

1174.01	Purpose.	1174.06	Groundwater protection standards.
1174.02	Applicability to underlying Zoning Districts.	1174.07	Hazard potential ranking system for non-conforming uses.
1174.03	Determination of applicability.	1174.08	Regulated materials activity inventory.
1174.04	Permitted uses, bulk and yard regulations.	1174.09	Regulated or hazardous materials.
1174.05	Special uses, prohibited uses, and non-conforming uses.		

1174.01 PURPOSE.

The purpose of this District is "to maintain the long term integrity of the Raccoon Valley Aquifer by properly managing the location, type and operation of existing and proposed land uses in sensitive aquifer areas." (Comprehensive Plan) The District is further intended to safeguard the public health, safety, and welfare of the customers of protected public water supplies by regulating the land use and the storage, handling, use and/or production of Regulated Substances. The area of the Wellhead Protection Overlay is described on the Official Zoning Map. The intent of this designation is to protect the community's potable water supply from contamination.

1174.02 APPLICABILITY TO UNDERLYING ZONING DISTRICTS.

The provisions of this section shall be applicable to all lands shown as being located within the boundaries of the Wellhead Protection Overlay District on the Zoning Map and shall be supplemental to the regulations of the underlying zoning district. Where the requirements of this section are in conflict with the regulations of the underlying district, the more restrictive regulations shall apply.

1174.03 DETERMINATION OF APPLICABILITY.

It shall be the responsibility of any person owning real property or owning or operating a business within the Village of Granville to make a determination of the applicability of this section as it pertains to the property or business or operation, and failure to do so shall not excuse any violations of this section.

1174.04 PERMITTED USES, BULK AND YARD REGULATIONS.

The permitted uses, bulk and yard regulations within the Wellhead Protection Overlay District shall be those of the underlying zoning district, subject to any more restrictive regulations of this Overlay District.

1992 Replacement

Granville 2019 Replacement

1174.05 SPECIAL USES, PROHIBITED USES, AND NON-CONFORMING USES.

The special uses within the Wellhead Protection Overlay District shall be those of the underlying zoning districts subject to any more restrictive regulations of this Overlay District.

- (a) Sanitary landfills, drywells and the filling in of land with demolition debris or other non-approved matter, and junkyards, are prohibited.
- (b) Commercial or other facilities for the washing of vehicles or equipment shall be permitted only if the wastewater from such facilities is entirely channeled into the sanitary sewer system.
- (c) Wastewater treatment plant discharges are permitted when subject to discharge limitations prescribed by the appropriate state and national regulatory agencies.
- (d) If a nonconforming use of any land, building or structure is discontinued for six months or more, any further use shall be in conformity with this District.

1174.06 GROUNDWATER PROTECTION STANDARDS.

(a) Use, storage, handling and/or production of Regulated or Hazardous Substances in conjunction with permitted and conditional uses in this district shall be limited as to each use, to:

- (1) The aggregate of Regulated or Hazardous Substances in use, storage, handling and/or production may not exceed 20 gallons or 160 pounds at any time.
- (2) The total use, storage, handling and/or production of Regulated or Hazardous Substances may not exceed 50 gallons or 400 pounds in any twelve month period.

(b) Storage of fuel and lubricants for vehicle operations in conjunction with permitted and conditional uses in this district shall be in underground tanks placed above the floor surface of a below grade vault. Such tanks shall be of double-wall construction, and otherwise assembled and installed in accordance with applicable regulations. The vault shall allow access for physical inspection of the tank for leakage and the interior of vault shall be continuously monitored and alarmed to provide for automatic and immediate detection of any release from the tank.

(c) Notwithstanding other provisions of this section, non-conforming uses in this district presently utilizing underground storage tanks shall be permitted to replace existing tanks with those constructed as per the specifications of 1174.06(b) above, and not exceeding the capacity of existing tanks.

(d) No substitutions of a non-conforming use shall be permitted which results in an increase of the Hazardous Potential Ranking System on a parcel within this district. If the Hazardous Potential Ranking decreases for a non-conforming use for a period of twelve months or more, the non-conforming right to the higher Hazardous Potential Ranking shall be deemed to have been lost through non-use for that period of time.

(e) Heating fuels for residential use in tanks having a capacity of 500 gallons or less are exempt from this ordinance.

1992 Replacement

Granville 2019 Replacement

1174.07 HAZARD POTENTIAL RANKING SYSTEM FOR NON-CONFORMING USES.

(a) Any existing uses legally storing, handling using and/or producing Regulated or Hazardous Substances in amounts equal to or less than the requirements under section 1174.06 are considered conforming uses and this section does not apply. Any new use or change of uses shall maintain the conforming status of the property.

(b) Existing non-conforming uses shall be permitted to maintain the reported maximum quantity for each reportable Regulated or Hazardous Substance, as determined by peak business cycle. Existing uses and maximum quantities, in combination with a hazard potential rating shall run with the land and be administered in conformance with all other applicable non-conforming provisions of the Village of Granville Code.

(c) In order to assess the risk for potential groundwater contamination, a hazard ranking has been developed for various activities categorized by their Standard Industrial Classification (SIC) code. This ranking is based on the kind of materials commonly associated with each use looking only at the most critical hydrologic factors. This ranking, published and updated regularly by the USEPA, is hereby incorporated by reference.

1174.08 REGULATED MATERIALS ACTIVITY INVENTORY.

(a) Except as provided in Section 1174.06 (b) through (e), any owner or occupant of any land in the Aquifer Wellfield Protection Overlay District at the effective date of the section, shall file a Regulated Substance Activity Inventory Report with the Zoning Inspector. Said report shall be filed within one hundred eighty (180) days of the effective date of this section and at twelve (12) month intervals thereafter.

(b) Except as provided in 1174.06 (b) through (e), any new owner or occupant of any land in the Aquifer Wellfield Protection Overlay District shall file a Regulated Substance Activity Report prior to receipt of a Certificate of Occupancy and at twelve (12) month intervals following the date of occupancy. For purposes of this section, new shall be defined as subsequent to the effective date of this Section.

(c) Where a person owns, operates or occupies more than one location, Regulated Substances Activity Reports shall be made for each location.

(d) Agricultural uses shall file a Regulated Substance Activity Report within one hundred eighty (180) days after the effective date of this Section and at twelve (12) month intervals thereafter. Regulated Substance Activity Reports for agricultural uses shall include total annual on-site application of regulated substances for the reporting property.

1174.09 REGULATED OR HAZARDOUS MATERIALS.

The materials, chemicals or substances regulated by this chapter, and particularly restricted by section 1174.06, are listed and published under the authority of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA), Title III of the Superfund Amendments and Reauthorization Act (SARA), and the Emergency Planning and Community Right to Know Act of 1986, which list(s) as are currently in effect and may be revised, are hereby adopted by reference.

CHAPTER 1175 Suburban Business District

- | | |
|---|---|
| 1175.01 Purpose and intent.
1175.02 Permitted and conditional uses.
1175.03 Development standards and design guidelines. | 1175.04 Site plan approval required.
1175.05 Procedure for approval. |
|---|---|

CROSS REFERENCES

Signs - see P. & Z. Ch. 1189
 Off-street parking and loading - see P. & Z. Ch. 1183
 Fences, walls and hedges - see P. & Z. 1187.03 (b)
 Tree and landscape requirements - see P. & Z. Ch. 1193
 Architectural Review Overlay District - see P. & Z. Ch. 1161
 Conditional uses - see P. & Z. Ch. 1145

1175.01 PURPOSE AND INTENT.

The purpose and intent of the Suburban Business District is to provide suitable areas for a mixed use, visually integrated neighborhood with a moderate concentration of various types of compatible businesses to service neighborhood needs, and residences while providing neighborhood and Village enhancing features, such as adequate parking, appropriate landscaping, screening, desirable aesthetics, and site design intended to eliminate adverse effects of traffic congestion. The Suburban Business District is intended to provide increased tax revenues to both the local schools and the Village, while minimizing costs to the Village for infrastructure acquisition and maintenance, and with preservation or enhancement of, rather than harm to, neighborhood, Village, and Granville Township quality of life and property values.
 (Ord. 6-97. Passed 4-16-97.)

1175.02 PERMITTED AND CONDITIONAL USES.

(a) Permitted Uses.

- (1) Retail outlets: Furniture, clothing, jewelry, drug, shoe and variety stores, hardware, appliance, lighting, paint and wallpaper stores.
- (2) Retail food preparation: Meat markets, bakeries, specialty food shops, ice cream stores, delicatessens, coffee shops, tea shops, confectionery stores, and other similar facilities all of which shall be limited to on premise sales only.
- (3) Specialty shops: Antique shops, gift shops, magazine, book stores, card shops, stationery stores, florist shops, arts and crafts supplies stores, bridal shops, health food stores, musical instruments stores, music stores, bicycle stores, toy stores, audio equipment stores, video equipment stores, china stores, glassware stores, linen stores, computer stores, software stores, quilting stores, fabric stores, office supply stores, picture frame stores, video rental stores, camera and photography shops and sporting goods outlets.

- (4) Service, and places of assembly: Laundromat, dry-cleaning and laundry pick-up stations, barber and beauty shops, physical fitness centers, shoe repair and tailor shops, print shops, copy shops, and civic structures, religious structures and other places of assembly.
- (5) Business and professional offices: Medical and dental offices and clinics, law offices, insurance offices, real estate offices, advertising agency offices, answering service offices, architects' offices, certified public accountants' offices, engineers' offices, interior decorators' offices, and financial services offices including financial planner offices, and stock brokerage offices.
- (6) Mobile food trucks.
- (b) Conditional Uses.
 - (1) Mortuaries and funeral homes.
 - (2) Gas stations, restaurants and all other traffic oriented commercial establishments.
 - (3) Banks, finance and utility company offices.
 - (4) Grocery stores, convenience stores, hotels, motels and inns.
 - (5) Single family, two-family and multifamily residential units.
 - (6) Retirement community, nursing homes, assisted living structures and child care/preschool facilities.
 - (7) Recreational facilities and entertainment uses.
 - (8) Drive-ins, drive-ups, or drive-through areas in conjunction with a permitted, or approved conditional use, except, that drive-up, drive-through, or drive-in facilities shall not be permitted in or at any fast food enterprise, or any enterprise involving the sale of beverages (for the purposes of this section, a fast food enterprise is a business engaged in the sale of pre-prepared or quickly prepared food and beverages, usually in disposable containers and wrappers, for consumption either on or off premises, in a facility in which a major portion of the food and beverage sales to patrons are at stand-up type counters or drive-in, drive-up, or drive-through arrangements)
 - (9) Garden center.
- (c) Interpretation of this Section. Each use must have its own independent approval, whether permitted or conditional.
(Ord. 08-14. Passed 9-3-14.)

1175.03 DEVELOPMENT STANDARDS AND DESIGN GUIDELINES.**(a) Lot, Building and Other Requirements.**

Category	Nonresidential	Residential
Density	<p>Maximum of 5,000 total gross square feet per acre.</p> <p>(A density bonus is available for certain open space plans. See Open Space below.)</p>	<p>Maximum of 4 dwelling units per acre.</p> <p>(A density bonus is available for certain open space plans. See Open Space below.)</p>
Lot Coverage	<p>Lot coverage shall not exceed 50%. In measuring lot coverage, all buildings and other covered areas, such as parking areas, sidewalks, loading areas, driveways and driveway areas, shall be included.</p> <p>(A density bonus is available for certain open space plans. See Open Space below.)</p>	Not applicable.
Building Orientation	<p>Office buildings shall be clustered and arranged in a campus like setting to facilitate common open space.</p> <p>Any side of a building which faces a public street, right-of-way, public park, or open space shall be compatible with and use the same types of materials as the other sides of the building.</p>	Any side of a building which faces a public street, right-of-way, public park or open space shall be compatible with and use the same types of materials as the other sides of the building.
Maximum Single Tenant or Single Use (does not apply to office, or institutional uses)	4,000 gross square feet.	Not applicable.
Lot Size	Maximum of 5 acres for any lot which includes one or more non-residential, non-office, non-civic or non-institutional uses.	<p>The gross density in a development shall not exceed one unit per one and one-half acres.</p> <p>The maximum density is four units on any given acre in development. Publicly dedicated streets shall not be included in the computation of area.</p>

Category	Nonresidential	Residential
Build To Lines	<p>20 feet from the right-of-way line along arterial streets (for example, Main Street and Cherry Valley Road).</p> <p>30 feet from the right-of-way along secondary streets (collector, local, cul de-sac, and service streets), where at least 50% of the front facades of structures shall be at the build to line.</p>	Same as front yard setback.
Front Yard Setbacks	<p>The front yard setback shall be the build to line.</p> <p>Either at least 50% of the front facades of structures shall be at the build to line, or at least 50% of the build to line shall be at the front facades of the structures.</p>	50 feet for collector and arterial streets, and 25 feet for all other streets.
Side Yard Setbacks	<p>15 feet minimum for lots greater than 1 acre in size.</p> <p>5 feet minimum for lots less than or equal to 1 acre in size</p>	15 feet minimum
On-Site Parking	<p>Parking areas must be located behind the front facade of the proposed buildings.</p> <p>Maximum of 1 space per 250 square feet of building space, except in the case of medical and dental offices and clinics where there shall be a maximum of 1 space per 200 square feet of building space.</p> <p>Parking areas must contain internal landscaped islands at a rate of a minimum of 200 square feet for every 10 parking spaces.</p> <p>Parking areas must contain a minimum of 1 deciduous tree for every 10 parking spaces in the internal landscaped islands.</p>	<p>Maximum parking ratio of 2 spaces per unit in the case of multifamily uses.</p> <p>Minimum parking ratio of 1.75 spaces per unit.</p> <p>Parking areas must be located behind the front facade of the proposed buildings except in the case of single family residences.</p> <p>Parking areas must contain internal landscaped islands at a rate of a minimum of 200 square feet for every 10 parking spaces.</p> <p>Parking areas must contain a minimum of 1 deciduous tree for every 10 parking spaces in the internal landscaped islands.</p>

Category	Nonresidential	Residential
On-site Parking (Cont.)	<p>Parking areas must be screened from the view of the public right-of-way, residential areas, and any open space areas by a 42 inch minimum evergreen hedge, or by a 42 inch brick or natural stone wall.</p> <p>No parking or drive aisles will be permitted in any setback other than in the case of drive aisles where necessary to grant ingress and egress.</p>	<p>Parking areas must be screened from the view of the public right-of-way and any open space areas by a 42 inch minimum evergreen hedge, or by a 42 inch brick or natural stone wall.</p> <p>No parking or drive aisles will be permitted in any setback other than in the case of drive aisles where necessary to grant ingress and egress.</p>
Berms/Landscaping Mounds	No berms or landscaping mounds are permitted.	No berms or landscaping mounds are permitted.
Sidewalks	<p>Minimum of 15 feet wide in front of retail.</p> <p>Minimum of 6 feet wide in front of office, civic and institutional uses.</p> <p>Required along all public rights of way.</p> <p>Shall be integrated with the Village's pathways plan.</p>	<p>Minimum of 6 wide feet required along all public right-of-ways.</p> <p>Shall be integrated with the Village's pathways plan.</p>
Street Trees	<p>Tree lawns and street planting zones of at least 6 feet in width, in addition to walkway and parking shall be provided.</p> <p>Street trees must be planted in straight lines along each side of any street or public right-of-way.</p> <p>Street trees shall be planted no less than 24 feet and no more than 36 feet on center.</p> <p>Each street tree shall have at least 100 square feet of water permeable surface centered on the tree trunk to help ensure adequate root moisture.</p>	<p>Tree lawns and street planting zones of at least 6 feet in width, in addition to walkway and parking shall be provided.</p> <p>Street trees must be planted in straight lines along each side of any street or public right-of-way.</p> <p>Street trees shall be planted no less than 24 feet and no more than 36 feet on center.</p> <p>Each street tree shall have at least 100 square feet of water permeable surface centered on the tree trunk to help ensure adequate root moisture.</p>

Category	Nonresidential	Residential
Walls, Fences and Hedges	<p>Fences and hedges are permitted in the front yard setback to a maximum height of 42 inches.</p> <p>Walls used to screen service areas shall be brick or stone to a minimum height of 1 foot higher than service area being screened.</p> <p>Non-residential uses shall be separated from other uses at the side and rear by a continuous hedge of landscaping, or brick or stone wall. These hedges or walls shall be 42 inches high.</p>	<p>Fences and hedges are permitted in the front yard setback to a maximum height of 42 inches.</p> <p>Walls used to screen service areas shall be brick or stone to a minimum height of 1 foot higher than service area being screened.</p>
Open Space	<p>A density incentive of an additional 5,000 gross square feet per acre of density (or a total of 10,000 gross square feet per acre), plus an additional 20% for a total of 70% lot coverage, plus in the case of lots to be used exclusively for offices, an additional 2,000 gross square feet of density (for a total of 12,000 gross square feet per acre for such office uses) is available in return for the dedication of open space under the following conditions:</p> <p>(1) The dedication is of a minimum of 20% of the gross total tract area, and</p> <p>(2) 50% of the dedicated open space is further dedicated for public use, including trails, parks, active recreation and the like, and</p> <p>(3) The Planning Commission approves the dedication. In considering approval, the Planning Commission shall be guided by:</p> <p>(a) the usefulness of the open space for trails, paths, parks, greens, and active recreation areas, including whether or not the tract's proposed open space adjoins in a harmonious manner other existing public open spaces; and</p>	<p>A density incentive of an additional 2 dwelling units per acre (for a total of 6 dwelling units per acre and a gross density of 1 unit per acre) is available in return for the dedication of open space under the following conditions:</p> <p>(1) The dedication is of a minimum of 20% of the gross total tract area, and</p> <p>(2) 50% of the dedicated open space is further dedicated for public use, including trails, parks, active recreation and the like, and</p> <p>(3) The Planning Commission approves the dedication. In considering approval, the Planning Commission shall be guided by: (a) the usefulness of the open space for trails, paths, parks, greens, and active recreation areas, including whether or not the tract's proposed open space adjoins in a harmonious manner other existing public open spaces, and (b) the degree to which the dedication includes desirable open space areas such as forests, floodplains, steep slopes, and historical sites, structures, and plantings.</p>

Category	Nonresidential	Residential
Open Space (Cont.)	<p>(b) the degree to which the dedication includes desirable open space areas such as forests, floodplains, steep slopes, and historical sites, structures, and plantings.</p> <p>Rights of way shall not be counted as open space.</p>	<p>Rights of way shall not be counted as open space.</p>
Detention Basins and Retention Ponds	<p>Detention basins shall be designed by a landscape architect in conjunction with an engineer to ensure that they incorporate naturalistic shapes and that they are planted and maintained in an attractive manner.</p> <p>Scenic retention ponds are encouraged as a means of treating non-point source pollutants. 40% of the perimeter of these ponds, at the outfall, shall be planted in native wetland plantings.</p>	<p>Detention basins shall be designed by a landscape architect in conjunction with an engineer to ensure that they incorporate naturalistic shapes and that they are planted and maintained in an attractive manner.</p> <p>Scenic retention ponds are encouraged as a means of treating non-point source pollutants. 40% of the perimeter of these ponds, at the outfall, shall be planted in native wetland plantings.</p>
Building Style	<p>Building design shall be of traditional American styles, such as: Postmedieval English, Dutch Colonial, French Colonial, Georgian, Adam, Federal, Greek Revival, Gothic Revival, Italianate, Stick, Queen Anne, or Shingle.</p> <p>Office buildings shall be a minimum of 1.5 stories and a maximum of 2 stories. All other buildings shall be a minimum of 2 stories in appearance and a maximum of 2.5 stories.</p> <p>The entrance to the first floor of any structure shall be at or above grade.</p>	<p>Building design shall be traditional American styles, such as: Postmedieval English, Dutch Colonial, French Colonial, Georgian, Adam, Federal, Greek Revival, Gothic Revival, Italianate, Stick, Queen Anne, or Shingle.</p> <p>Buildings shall be a minimum of 1.5 stories and a maximum of 2.5 stories.</p> <p>The entrance to the first floor of any structure shall be at or above grade.</p>

Category	Nonresidential	Residential
Building Style (Cont.)	Buildings which the ordinary reasonable person would readily associate with a particular entity based on viewing two or more other buildings used by the entity, will be considered in their entirety as signs. As such, all exterior surface square footage shall be taken into account under applicable sign ordinances and regulations.	
Building Massing	<p>Building massing shall be appropriate, including as related to surrounding setbacks, surrounding buildings, the spaces which are created by the building, and the scale.</p> <p>The appropriate architectural massing and scale shall be achieved by close adherence to the scale and proportioning systems of the traditional American styles.</p>	<p>Building massing shall be appropriate, including as related to surrounding setbacks, surrounding buildings, the spaces which are created by the building, and the scale.</p> <p>The appropriate architectural massing and scale shall be achieved by close adherence to the scale and proportioning systems of the traditional American styles.</p>
Roof	<p>Simple gable roof forms and dormers are the most consistent with the architectural context of the Village and are encouraged.</p> <p>Roof structures (including air conditioning units and satellite dishes) shall be screened from view on all sides.</p> <p>Roofs shall have a minimum pitch of 8/12.</p>	<p>Simple gable roof forms and dormers are the most consistent with the architectural context of the Village and are encouraged.</p> <p>Roofs shall have a minimum pitch of 8/12.</p>
Windows	<p>Window arrangement on all facades shall be simple and harmonious.</p> <p>Horizontal strip windows are prohibited.</p> <p>Divided light windows, and/or mullions, are required for all windows, including those used for retail display.</p> <p>Shutters, if used, must each be one half of the width of the window so they appear to be able to cover the window opening if closed.</p>	<p>Window arrangement on all facades shall be simple and harmonious.</p> <p>Horizontal strip windows are prohibited.</p> <p>Divided light windows, and/or mullions, are required for all windows.</p> <p>Shutters, if used, must each be one half of the width of the window so they appear to be able to cover the window opening if closed.</p>

Category	Nonresidential	Residential
Materials	<p>Building materials shall be natural. Brick, stone and wood siding are preferred. High grade "Restoration" vinyl or equal is permissible.</p> <p>Chimneys shall be brick or stone.</p> <p>For the purpose of this chapter, stone includes both natural stone and cultured stone that is both natural in appearance and is designed to appear native to this region of the country.</p> <p>Brick shall be of a traditional natural range of colors, and not exotic nontraditional varieties, such as white, tan, cream, chocolate brown, glazed, or spray painted to resemble used brick.</p> <p>Brick may be painted if the entire exterior surface of the brick and related mortar is painted the same color.</p>	<p>Building materials shall be natural. Brick, stone and wood siding are preferred. High grade "Restoration" vinyl or equal is permissible.</p> <p>Chimneys shall be brick or stone.</p> <p>Brick shall be of a traditional natural range of colors, and not exotic nontraditional varieties, such as white, tan, cream, chocolate brown, glazed, or spray painted to resemble used brick.</p> <p>Brick may be painted if the entire exterior surface of the brick and related mortar is painted the same color.</p>
Drive-throughs, Drive-ins and Drive-ups	Any drive-throughs, drive-ins, and drive-ups shall be in the rear of the structure, and ingress to and egress from drive-throughs, drive-ins, and drive-ups shall be from the parking lots at the rear of the structure.	N/A
Hours of Operation	A maximum of 18 hours per day.	N/A
Colors	Colors selected from the Sherwin-Williams "Heritage Colors" series, the Coronado "Chesapeake Bay Restoration Colors" series, and the Benjamin Moore "Historical Color Collection" series are pre-approved.	Colors selected from the Sherwin-Williams "Heritage Colors" series, the Coronado "Chesapeake Bay Restoration Colors" series, and the Benjamin Moore "Historical Color Collection" series are pre-approved.
Garages	No above grade garages are permitted.	<p>Garages must be set back a minimum of 4 feet from the front facade of the dwelling building.</p> <p>No garage door facing a street shall be larger than 9 feet in width.</p> <p>There shall be no more than 2 adjacent garage doors facing the street.</p>

Category	Nonresidential	Residential
Lighting	<p>All lighting shall be natural in appearance (approximate spectrum of sunlight), with a maximum level of 25 footcandles anywhere on the site.</p> <p>All lighting shall meet the Village of Granville Exterior Lighting Guidelines.</p>	<p>All lighting shall be natural in appearance (approximate spectrum of sunlight), with a maximum level of 25 footcandles anywhere on the site.</p> <p>All lighting shall meet the Village of Granville Exterior Lighting Guidelines.</p>
Use of Details	Building and lighting details should be appropriate to the scale, overall design concept and style of the building and its environment.	Building and lighting details should be appropriate to the scale, overall design concept and style of the building and its environment.
Landscaping and Pedestrian Environment Enhancement	<p>Plants should be used for positively accentuating and highlighting the architectural details of structures, and the surrounding land.</p> <p>Elements which contribute to the quality of the pedestrian environment are preferred. Included among these may be benches, water fountains, seating areas, arcades, awnings or canopies.</p>	<p>Plants should be used for positively accentuating and highlighting the architectural details of structures, and the surrounding land.</p> <p>Elements which contribute to the quality of the pedestrian environment are preferred. Included among these may be benches, water fountains, seating areas, arcades, awnings or canopies.</p>

(b) **Traffic Requirements.** A traffic and parking system plan shall be shown that details points of ingress and egress into the property, public and private drives, parking areas and pedestrian walkway areas. The plan shall be so designed to minimize conflict points between pedestrian and vehicular movement while maintaining ample and safe walkways and pathways. The Commission shall not approve the plan unless they find the plan provides adequate ingress and egress and does not adversely impact traffic patterns nor increase traffic usage of municipal streets to the detriment of the safety and welfare of the public.
(Ord. 6-97. Passed 4-16-97.)

1175.04 SITE PLAN APPROVAL REQUIRED.

An application and site plan is required for all new construction, exterior modification or structural alteration in the Suburban Business District. The application and site plan shall show the following:

- (a) Drawings sufficient to determine adherence to the requirements of the Zoning Ordinance, including: all proposed and neighboring structures shall be located, and the drawings shall delineate the type, color and nature of materials used as well as show square footage, tenant types and expected entrance(s), service and pedestrian areas for the plan, and floor plans and elevations. A sample of exterior materials to be used in the proposed project shall be included as determined necessary by the Planning Commission (except in the case of brick and natural or cultured stone where samples are always required).
- (b) Traffic Improvement Plan. All points of ingress and egress into public roadways and the overall traffic distribution scheme shall be shown, indicating traffic flow patterns and traffic control points. The criteria that must be followed includes:
 - (1) Combined curb cuts, especially for any uses that are incorporated in a commercial development;
 - (2) Minimization of conflict points between auto and pedestrian traffic to include adequate design and demarcation of pedestrian walkways and bikeways from parking and/or driveway areas;
 - (3) Service traffic separation from customer and commuter traffic;
 - (4) Service drives or other such improvements may be required if area traffic conditions warrant.
- (c) Parking and Utilities. The proposed provision of all utilities, storm drainage retention and/or detention, trash collection systems and the lighting system shall be specifically detailed. A detailed parking layout shall be shown to include the following:
 - (1) Number of spaces indicated by total number of on-site spaces and to be summed by row;
 - (2) Access points and expected movement through and between separate parking areas;
 - (3) Expected pedestrian access routes from parking areas to structures.
- (d) Landscaping. All proposed site landscaping shall be indicated as to type and size of material to be used, proposed locations, and other features.
- (e) A site analysis plan which includes and identifies, at minimum, basic topography, existing vegetation, location of wetlands (as defined in Section 404 of the Clean Water Act and federal regulations implementing that section), 100-year floodplains slopes exceeding twenty-five percent(25%), soils subject to slumping as indicated on the medium-intensity maps contained in the county soil survey published by the USDA Natural Resources Conservation Service, land required for street rights-of way, and land under or required for the purposes of this plan to be under permanent easement prohibiting future development (including easements for drainage, access and utilities), and historical sites, structures, and plantings.
- (f) Any other plans determined necessary by the Planning Commission for assessing conformance to this Chapter 1175.
(Ord. 15-08. Passed 1-7-09.)

1175.05 PROCEDURE FOR APPROVAL.

(a) Application for a Zoning Permit in the SBD shall be submitted with eleven complete copies of the required site plan (except for any required samples of exterior materials where only one sample of each material is required), to the Zoning Inspector. Applications must be completed in order to be processed. However, partial processing of an application by the Village does not eliminate the requirement for providing further information as necessary to meet the review as described in this Chapter 1175. The time frames as established in Section 1141.05 shall be applicable.

(b) After staff review and recommendations, the application and plans shall be forwarded to the Planning Commission for hearing. The Commission may request additional information from the Zoning Inspector in order to make its recommendation. In determining the acceptability of the site plan, the Commission shall consider all of the requirements in the development standards and design guidelines of Section 1175.03.

(c) In the case of an application for one or more conditional uses and/or applications involving one or more variances, after the hearing and consideration, the Commission shall, either with or without application modifications, approve the application contingent on the applicant obtaining the approval, under the application as contingently approved by the Commission, of the Board of Zoning and Building Appeals of any conditional uses(s) and variance(s), or deny the application. In all other cases, after the hearing and consideration, the Commission shall approve or deny the application, or approve with modifications.

(d) Thereafter, the Zoning Inspector shall issue a Zoning Permit. In all circumstances, the site plan shall be considered a condition of approval of the application. Construction must start within twelve months and be completed within twenty-four months from the date of final approval. With approval of the Zoning Inspector, subsequent minor modifications of the approved site plan may be made, provided such changes do not alter the essential character, as determined by the Zoning Inspector of the original plan as approved. If the Zoning Inspector determines that such changes are significant, the site plan shall be resubmitted to the Commission for approval as a new application. Any new construction, exterior modification or structural alteration to existing structures which proceed prior to final approval of the site plan shall be deemed to be an abatable nuisance.

(e) Appeals. Appeals from decisions of the Commission on an application for site plan approval may be had as provided in Chapter 1141.
(Ord. 15-08. Passed 1-7-09.)

CHAPTER 1176
Transportation Corridor Overlay District

1176.01	Interpretation.	1176.05	Cherry Valley Road
1176.02	Purpose.		corridor standards.
1176.03	District area.		
1176.04	Corridor district design, development and maintenance standards.		

1176.01 INTERPRETATION.

The intent of this Chapter is to establish a zoning district which is to overlay existing zoning districts, the purpose of which is to impose additional regulations or incentives on the manner in which properties in such districts are used, in addition to those regulations or incentives imposed by the underlying zoning. By definition, an overlay district incorporates more than one category of land use (district). (Ord. 06-05. Passed 3-2-05.)

1176.02 PURPOSE.

The purpose of this corridor overlay district is to protect and preserve the visual qualities, existing open space, and historic landscapes of major community entry points and to preserve rural character, all of which identify and define the Granville community. This district will maintain the long-term function of these corridors by limiting access points and curb openings, providing opportunities for improved pedestrian and bicycle circulation, promoting architectural continuity and good design, and protecting important scenic vistas, trees and vegetation stands. Promoting desirable relationships between circulation systems and adjacent land uses and controlling signs, parking areas, and buildings along community signature streets are additional benefits. (Ord. 06-05. Passed 3-2-05.)

1176.03 DISTRICT AREA.

The following is the area of the corridor district:

All land within one hundred (100) feet of the right-of-way line of Newark-Granville Road, West Broadway, State Route 661, South Main Street, and Welsh Hills Road between the Village Architectural Review District and the Village limits. Also, all addresses and lands on North Cherry Valley Road, South Galway Drive, and Westgate Drive.

(Ord. 06-05. Passed 3-2-05.)

1176.04 CORRIDOR DISTRICT DESIGN, DEVELOPMENT AND MAINTENANCE STANDARDS.

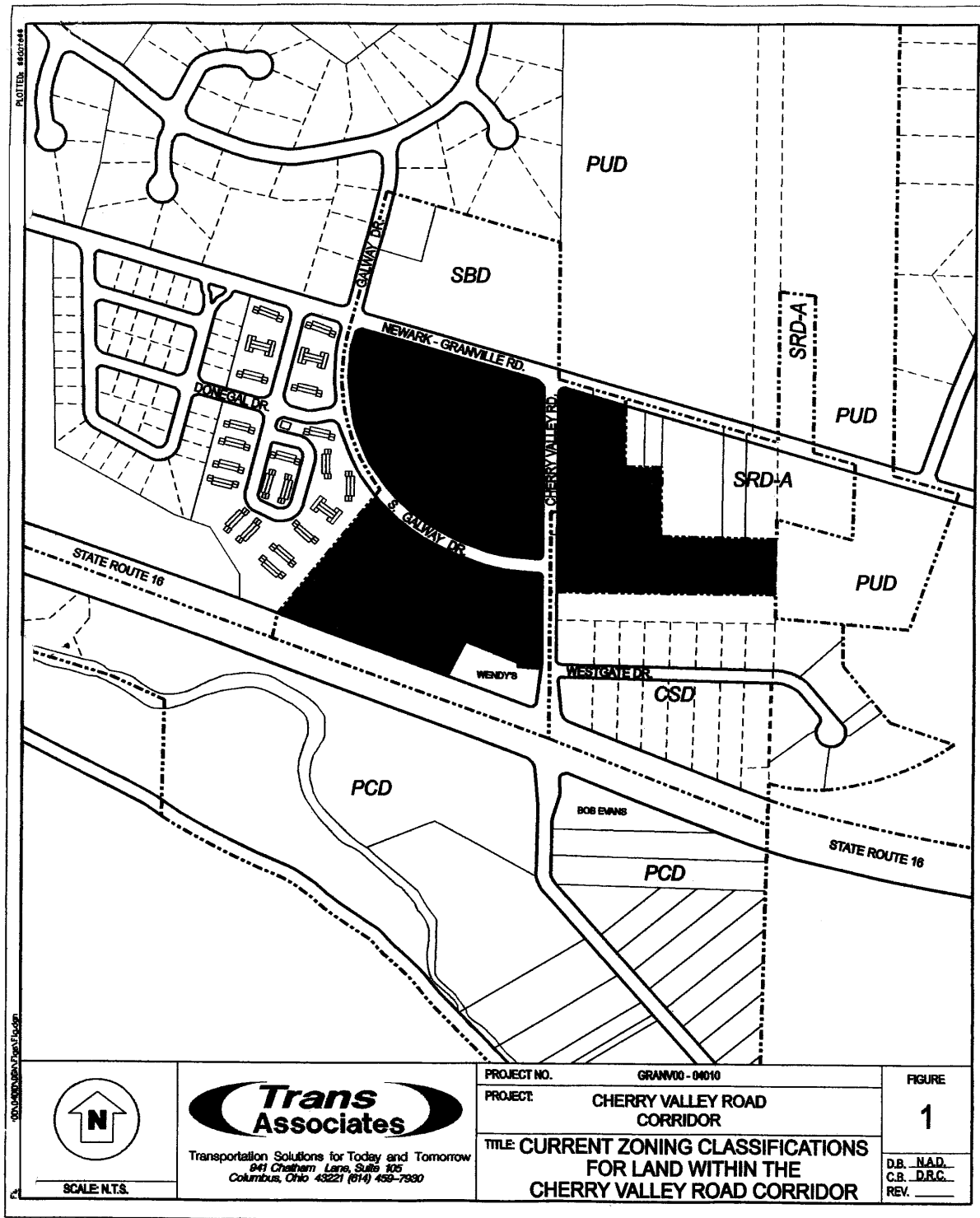
The Planning Commission shall be responsible for reviewing all plans for construction and development, to ensure the following:

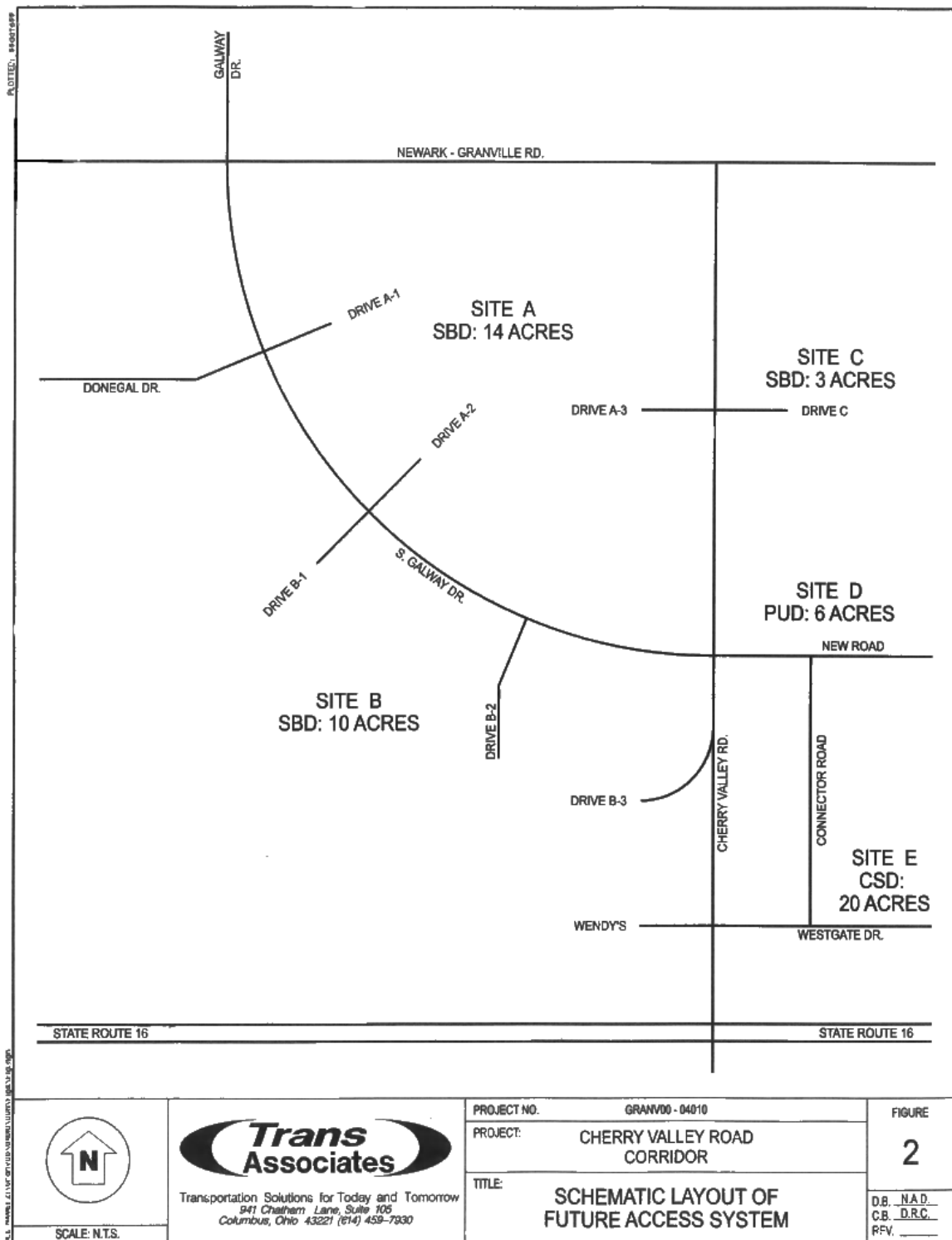
- (a) Setback Requirements. Setbacks in areas designated for office, commercial, or similar uses should be consistent with other buildings already constructed within the general area.
- (b) Access and Circulation. Access and circulation standards that apply include the following:
 - (1) A maximum of two curb cuts per property frontage are permitted.
 - (2) Limited frontage roads and shared curb cuts should be encouraged.
 - (3) Pedestrian access should be provided and designed to minimize automobile/pedestrian conflict.
- (c) Development Standards.
 - (1) Utility and transmission lines are to be located in underground conduit wherever possible.
 - (2) Loading areas, public parking areas, storage areas including trash storage receptacles shall be completely screened from corridor roads.
- (d) Landscaping Requirements. The objective is a comprehensive landscape program for each parcel or lot within the Corridor Overlay District, to protect and promote the appearance, character, and economic value of lands along the corridor and surrounding neighborhoods. Elements include tree preservation, landscape plan and planting requirements, parking area requirements, and maintenance standards. Landscape requirements to be submitted for review by the Planning Commission include the following:
 - (1) A landscaped greenbelt area shall be provided between the building(s) and roadway edge. This area shall include only plant material, plazas, walks and bikeways, sculpture, or signage. Such greenbelt treatment shall be submitted to the Planning Commission for review. Existing vegetation shall be preserved and protected as much as feasible, and large proposed plantings shall be exhibited or illustrated on submitted proposals.
 - (2) Details of the location, type, size, and amount of plant material proposed as well as areas of tree preservation, existing plant material and greenbelt treatment.
 - (3) Outdoor lighting plans.
- (e) Fences, Walls or Barriers. No fence, wall or other artificial barrier shall be erected and/or constructed in this district without prior approval of the Planning Commission. Approval shall be based upon review of an application as set forth in Section 1137.05 of the Codified Ordinances of Granville, Ohio. Planning Commission review shall include type, location, height, compatibility with the area and such other features or characteristics as may be appropriate.
(Ord. 09-14. Passed 8-20-14.)

1176.05 CHERRY VALLEY ROAD CORRIDOR STANDARDS.

The Village desires to insure that new developments and redevelopments on lands served by Cherry Valley Road (and South Galway Drive) do not overwhelm the carrying capacity of the new roadway system. As such, the Village has adopted a plan, with standards, that: limits corridor traffic volumes to acceptable levels and, defines specific points of access for the properties.

- (a) In order to maintain a safe and effective roadway system within the Cherry Valley Road corridor, the number of access points on Cherry Valley Road and South Galway Drive shall be minimized. The access points shall be located properly and be of appropriate design. Referencing Figures 1 and 2, and recognizing that long-term development/redevelopment is being considered, the following "access management" guidelines shall be followed:
 - (1) Prohibit access for Site A off Newark-Granville Road.
 - (2) Permit up to two full access points for Site A on South Galway Road.
 - A. Drive A-1 is located opposite Donegal Drive.
 - B. Drive A-2 is located about 500 feet southeast of Donegal Drive.
 - (3) Permit one full access point for Site A on Cherry Valley Road. This point of access should be located approximately 400 feet north of the centerline of South Galway Drive. This driveway (Drive A-3) should align with the driveway serving Site C.
 - (4) Permit up to two full access points for Site B on South Galway Drive.
 - A. Drive B-1 should be aligned with Drive A-2 - which should be located about 500 feet southeast of Donegal Drive.
 - B. Drive B-2, which primarily serves as an access road for Wendy's, could also be used to serve Site B - particularly the portion of the tract that lies north of Wendy's between Drive B-2 and Cherry Valley Road. The intersection of Drive B-2 on South Galway Drive should be placed approximately 350 feet west of the centerline of Cherry Valley Road.
 - (5) Permit one access point for Site B on Cherry Valley Road. This access point could serve the portion of the tract north of Wendy's between Drive B-2 and Cherry Valley Road.
 - (6) Alternate access for Wendy's shall be provided via Drive B-2 as described above, unless this requirement is waived by the Planning Commission.
 - (7) Provide one full access point for Site C on Cherry Valley Road. This access point (Drive C) should align with Drive A-3 that serves Site A which should be located approximately 400 feet north of the centerline of South Galway Drive. (A single access point serving Site C would be realized only with the redevelopment of the involved properties. If the involved properties are redeveloped, consideration shall be given to the elimination of access for Site C on Newark-Granville Road.)
 - (8) Provide one full access point for Site D on Cherry Valley Road. This access point (Drive D) should align with South Galway Drive.
 - (9) Provide northbound and southbound left turn lanes, as appropriate, on Cherry Valley Road at its intersections with South Galway Drive/Drive D, Drive A-3/Drive C, and Newark-Granville Road.
- (Ord. 09-14. Passed 8-20-14.)





CHAPTER 1177 Flood Hazard Overlay District

1177.01	Flood Hazard Overlay District established.	1177.08	Floodplain development permits.
1177.02	Title and purpose.	1177.09	Appeals from determinations of the Floodplain Administrator.
1177.03	Definitions.	1177.10	Variances.
1177.04	General provisions.	1177.11	Appeals to Village Council.
1177.05	Permitted and prohibited uses.	1177.12	Enforcement.
1177.06	Development standards and regulations.		
1177.07	Administration.		

CROSS REFERENCES

Flood control bonds; public capital improvement - see Ohio Const. Art. VIII, Sec. 21: Ohio R.C. 129.70 et seq.
 Levees - see Ohio R.C. 717.01, 1521.06
 Marking flood areas - see Ohio R.C. 1521.14
 Ohio Water Commission - see Ohio R.C. 1525.01 et seq.
 Flood insurance - see Ohio R.C. 3925.34(C), 3941.02(A)(1)

1177.01 FLOOD HAZARD OVERLAY DISTRICT ESTABLISHED.

There is hereby established a Flood Hazard Overlay District within the Village of Granville, Ohio. This Overlay District shall apply to all special flood hazard and areas of future conditions flood hazard within the jurisdiction of the Village as identified in Section 1177.04 of the Codified Ordinances, including any additional special flood hazard areas annexed by the Village of Granville. The underlying zoning district as shown on the Official Zoning Map shall hereafter be called the base district. Uses and minimum requirements shall be determined by the base district. However, if the provisions governing the overlay district are stricter than those of the base district, the provisions of this Chapter shall supersede those of the base district. (Ord. 02-09. Passed 3-18-09.)

1177.02 TITLE AND PURPOSE.

(a) Findings of Fact. The Village of Granville has special flood hazard areas that are subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base. Additionally, structures that are inadequately elevated, floodproofed, or otherwise protected from flood damage also contribute to the flood loss. In order to minimize the threat of such damages and to achieve the purposes hereinafter set forth, these regulations are adopted.

(b) Statement of Purpose. It is the purpose of Chapter 1177 of the Codified Ordinances, which are referred to herein as “regulations,” to promote the public health, safety and general welfare, and to:

- (1) Protect human life and health;
- (2) Minimize expenditure of public money for costly flood control projects;
- (3) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (4) Minimize prolonged business interruptions;
- (5) Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, and streets and bridges located in areas of special flood hazard;
- (6) Help maintain a stable tax base by providing for the proper use and development of areas of special flood hazard so as to protect property and minimize future flood blight areas;
- (7) Ensure that those who occupy the areas of special flood hazard assume responsibility for their actions;
- (8) Minimize the impact of development on adjacent properties within and near flood prone areas;
- (9) Ensure that the flood storage and conveyance functions of the floodplain are maintained;
- (10) Minimize the impact of development on the natural, beneficial values of the floodplain;
- (11) Prevent floodplain uses that are either hazardous or environmentally incompatible; and
- (12) Meet community participation requirements of the National Flood Insurance Program.

(c) Methods of Reducing Flood Losses. In order to accomplish its purposes, these regulations include methods and provisions for:

- (1) Restricting or prohibiting uses which are dangerous to health, safety, and property due to water hazards, or which result in damaging increases in flood heights or velocities;
- (2) Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- (3) Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;
- (4) Controlling filling, grading, dredging, excavating, and other development which may increase flood damage; and
- (5) Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas.

(d) Statutory Authorization. This Chapter is adopted pursuant to Article XVIII, Section 3, of the Ohio Constitution, which grants municipalities the legal authority to adopt land use regulations and to control measures for promoting the health, safety, and general welfare of its citizens. (Ord. 03-07. Passed 3-21-07.)

1177.03 DEFINITIONS.

(a) Unless specifically defined below, words or phrases used in these regulations shall be interpreted so as to give them the meaning they have in common usage and to give these regulations the most reasonable application.

- (1) "Accessory Structure" means a structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal structure.
- (2) "Appeal" means a request for review of the Floodplain Administrator's interpretation of any provision of these regulations or a request for a variance.
- (3) "Base Flood" means the flood having a one percent chance of being equaled or exceeded in any given year. The base flood may also be referred to as the 1 % chance annual flood or one-hundred (100) year flood.
- (4) "Base (100-Year) Flood Elevation (BFE)" means the water surface elevation of the base flood in relation to a specified datum, usually the National Geodetic Vertical Datum of 1929 or the North American Vertical Datum of 1988, and usually expressed in Feet Mean Sea Level (MSL). In Zone AO areas, the base flood elevation is the natural grade elevation plus the depth number (from 1 to 3 feet).
- (5) "Basement" means any area of the building having its floor subgrade (below ground level) on all sides.
- (6) "Development" means any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.
- (7) "Enclosure Below the Lowest Floor". See "Lowest Floor."
- (8) "Executive Order 11988 (Floodplain Management)" issued by President Carter in 1977. This order requires that no federally assisted activities be conducted in or have the potential to affect identified special flood hazard areas, unless there is no practicable alternative.
- (9) "Federal Emergency Management Agency (FEMA)" means the agency with the overall responsibility for administering the National Flood Insurance Program.
- (10) "Fill" means a deposit of earth material placed by artificial means.
- (11) "Flood or Flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from:
 - A. The overflow of inland or tidal waters, and/or
 - B. The unusual and rapid accumulation or runoff of surface waters from any source.
- (12) "Flood Hazard Boundary Map (FHBM)" means the initial map, produced by the Federal Emergency Management Agency or U.S. Department of Housing and Urban Development, for a community depicting approximate special flood hazard areas.
- (13) "Flood Insurance Rate Map (FIRM)" means an official map on which the Federal Emergency Management Agency or the U.S. Department of Housing and Urban Development has delineated the areas of special flood hazard.
- (14) "Flood Insurance Risk Zones" means zone designations on FHBMs and FIRMs that indicate the magnitude of the flood hazard in specific areas of a community. Following are the zone definitions:

- A. Zone A: Special flood hazard areas inundated by the 100-year flood; base flood elevations are not determined.
 - B. Zones A1-30 and Zone AE: Special flood hazard areas inundated by the 100-year flood; base flood elevations are determined.
 - C. Zone AO: Special flood hazard areas inundated by the 100-year flood; with flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths are determined.
 - D. Zone AH: Special flood hazard areas inundated by the 100-year flood; flood depths of 1 to 3 feet (usually areas of ponding); base flood elevations are determined.
 - E. Zone A99: Special flood hazard areas inundated by the 100-year flood to be protected from the 100-year flood by a Federal flood protection system under construction; no base flood elevations are determined.
 - F. Zone B and Zone X (shaded): Areas of 500-year flood; areas subject to the 100-year flood with average depths of less than 1 foot or with contributing drainage area less than 1 square mile; and areas protected by levees from the base flood.
 - G. Zone C and Zone X (unshaded): Areas determined to be outside the 500-year floodplain.
- (15) "Flood Insurance Study (FIS)" means the official report in which the Federal Emergency Management Agency or the U.S. Department of Housing and Urban Development has provided flood profiles, floodway boundaries (sometimes shown on Flood Boundary and Floodway Maps), and the water surface elevations of the base flood.
- (16) "Flood Protection Elevation" means the Flood Protection Elevation, or FPE, and is the base flood elevation plus two feet of freeboard. In areas where no base flood elevations exist from any authoritative source, the flood protection elevation can be historical flood elevations or base flood elevations determined and/or approved by the Floodplain Administrator.
- (17) "Floodway" means a channel of a river or other watercourse and the adjacent land areas that have been reserved in order to pass the base flood discharge. A floodway is typically determined through a hydraulic and hydrologic engineering analysis such that the cumulative increase in the water surface elevation of the base flood discharge is no more than a designated height. In no case shall the designated height be more than one foot at any point within the community. The floodway is an extremely hazardous area, and is usually characterized by any of the following: Moderate to high velocity flood waters, high potential for debris and projectile impacts, and moderate to high erosion forces.
- (18) "Freeboard" means a factor of safety usually expressed in feet above a flood level for the purposes of floodplain management. Freeboard tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, obstructed bridge openings, debris and ice jams, and the hydrologic effect of urbanization in a watershed.

- A. "Future Conditions Flood Hazard Area" also known as area of future conditions flood hazard, the land area that would be inundated by the one percent annual chance flood based on future conditions hydrology.
- (19) "Historic structure" means any structure that is:
 - A. Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listings on the National Register;
 - B. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; or
 - C. Individually listed on the State of Ohio's inventory of historic places maintained by the Ohio Historic Preservation Office.
- (20) "Hydrologic and hydraulic engineering analysis" means an analysis performed by a professional engineer, registered in the State of Ohio, in accordance with standard engineering practices as accepted by FEMA, used to determine flood elevations and/or floodway boundaries.
- (21) "Letter of Map Change (LOMC)" means an official FEMA determination, by letter, to amend or revise effective Flood Insurance Rate Maps, Flood Boundary and Floodway Maps, and Flood Insurance Studies. LOMC's are broken down into the following categories:
 - A. "Letter of Map Amendment (LOMA)" means a revision based on technical data showing that a property was incorrectly included in a designated special flood hazard area. A LOMA amends the current effective Flood Insurance Rate Map and establishes that a specific property is not located in a special flood hazard area.
 - B. "Letter of Map Revision (LOMR)" means a revision based on technical data that, usually due to manmade changes, shows changes to flood zones, flood elevations, floodplain and floodway delineations, and planimetric features. One common type of LOMR, a LOMR-F, is a determination concerning whether a structure or parcel has been elevated by fill above the base flood elevation and is, therefore, excluded from the special flood hazard area.
 - C. "Conditional Letter of Map Revision (CLOMR)" means a formal review and comment by FEMA as to whether a proposed project complies with the minimum National Flood Insurance Program floodplain management criteria. A CLOMR does not amend or revise effective Flood Insurance Rate Maps, Flood Boundary and Floodway Maps, or Flood Insurance Studies.
- (22) "Lowest floor" means the lowest floor of the lowest enclosed area (including basement) of a structure. This definition excludes an "enclosure below the lowest floor" which is an unfinished or flood resistant enclosure usable solely for parking of vehicles, building access or storage, in an area other than a basement area, provided that such enclosure is built in accordance with the applicable design requirements specified in these regulations for enclosures below the lowest floor.

- (23) "Manufactured home" means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle". For the purposes of these regulations, a manufactured home includes manufactured homes and mobile homes as defined in Chapter 3733 of the Ohio Revised Code.
- (24) "Manufactured home park". As specified in the Ohio Administrative Code 3701-27-01, a manufactured home park is any tract of land upon which three or more manufactured homes used for habitation are parked, either free of charge or for revenue purposes, and includes any roadway, building, structure, vehicle, or enclosure used or intended for use as part of the facilities of the park. A tract of land that is subdivided and the individual lots are not for rent or rented, but are for sale or sold for the purpose of installation of manufactured homes on the lots, is not a manufactured home park, even though three or more manufactured homes are parked thereon, if the roadways are dedicated to the local government authority.
- (25) "National Flood Insurance Program (NFIP)" means a Federal program enabling property owners in participating communities to purchase insurance protection against losses from flooding. This insurance is designed to provide an insurance alternative to disaster assistance to meet the escalating costs of repairing damage to buildings and their contents caused by floods. Participation in the NFIP is based on an agreement between local communities and the Federal government that states if a community will adopt and enforce floodplain management regulations to reduce future flood risks to all development in special flood hazard areas, the Federal government will make flood insurance available within the community as a financial protection against flood loss.
- (26) "New construction" means structures for which the "start of construction" commenced on or after the initial effective date of the Village of Granville Flood Insurance Rate Map, May 17, 1982, and includes any subsequent improvements to such structures.
- (27) "Person" means any individual or group of individuals, corporation, partnership, association, or any other entity, including state and local governments and agencies. An agency is further defined in the Ohio Revised Code Section 111.15 as any governmental entity of the State and includes, but is not limited to, any board, department, division, commission, bureau, society, council, institution, state college or university, community college district, technical college district, or state community college. "Agency" does not include the General Assembly, the Controlling Board, the Adjutant General's Department, or any court.
- (28) "Recreational vehicle" means a vehicle which is (1) built on a single chassis, (2) 400 square feet or less when measured at the largest horizontal projection, (3) designed to be self-propelled or permanently towable by a light duty truck, and (4) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

- (29) "Registered Professional Architect" means a person registered to engage in the practice of architecture under the provisions of Sections 4703.01 to 4703.19 of the Ohio Revised Code.
- (30) "Registered Professional Engineer" means a person registered as a professional engineer under Chapter 4733 of the Ohio Revised Code.
- (31) "Registered Professional Surveyor" means a person registered as a professional surveyor under Chapter 4733 of the Ohio Revised Code.
- (32) "Special Flood Hazard Area" means the land in the floodplain subject to a one percent or greater chance of flooding in any given year, also known as "Areas of Special Flood Hazard". Special flood hazard areas are designated by the Federal Emergency Management Agency on Flood Insurance Rate Maps, Flood Insurance Studies, Flood Boundary and Floodway Maps and Flood Hazard Boundary Maps as Zones A, AE, AH, AO, A1-30, and A99. Special flood hazard areas may also refer to areas that are floodprone and designated from other federal, state or local sources of data including but not limited to historical flood information reflecting high water marks, previous flood inundation areas, and floodprone soils associated with a watercourse.
- (33) "Start of construction" means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of a building.
- (34) "Structure" means a walled and roofed building, manufactured home, or gas or liquid storage tank that is principally above ground.
- (35) "Substantial Damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. Substantial damage also means flood related damage sustained by a structure on two (2) separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25 percent of the market value of the structure before the damage occurred.

- (36) "Substantial Improvement" means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. When the combined total of all previous improvements or repairs made during the life of the structure equals or exceeds 50 percent of a structure's market value, that structure is considered a substantial improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include:
- A. Any improvement to a structure which is considered "new construction";
 - B. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified prior to the application for a development permit by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
 - C. Any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure".
- (37) "Variance" means a grant of relief from the standards of these regulations consistent with the variance conditions herein.
- (38) "Violation" means the failure of a structure or other development to be fully compliant with these regulations. (Ord. 02-09. Passed 3-18-09.)

1177.04 GENERAL PROVISIONS.

(a) Basis for Establishing the Areas of Special Flood Hazard. For the purposes of this Chapter, the following studies and/or maps are adopted:

- (1) Flood Insurance Study Licking County, Ohio and Incorporated Areas and Flood Insurance Rate Map Licking County, Ohio and Incorporated Areas both effective 05/02/2007.
- (2) Other studies and maps, which may be relied upon for establishment of the flood protection elevation, delineation of the 100-year floodplain, floodways or delineation of other areas of special flood hazard.
- (3) Any hydrologic and hydraulic engineering analysis authored by a registered Professional Engineer in the State of Ohio which has been approved by the Village of Granville as required by Subdivisions and Large Scale Development Section 1177.06(b) of the Codified Ordinances.
- (4) Any revisions to the aforementioned maps and studies are hereby adopted by reference and declared to be a part of these regulations. Such maps and/or studies are on file at 141 East Broadway, Granville, Ohio.

(b) Abrogation and Greater Restrictions. These regulations are not intended to repeal any existing ordinances or resolutions, including Subdivision Regulations, Zoning or Building Codes. In the event of a conflict between these regulations and any other ordinance, the more restrictive shall be followed. These regulations shall not intend to impair any deed restriction, covenant or easement, but the land subject to such interests shall also be governed by the regulations.

(c) Interpretation. In the interpretation and application of these regulations, all provisions shall be:

- (1) Considered as minimum requirements;
- (2) Liberally construed in favor of the governing body; and
- (3) Deemed neither to limit nor repeal any other powers granted under state statutes.

Where a provision of these regulations may be in conflict with a state or Federal law, such state or Federal law shall take precedence over these regulations.

(d) Warning and Disclaimer of Liability. The degree of flood protection required by these regulations is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by manmade or natural causes. These regulations do not imply that land outside the areas of special flood hazard or areas of future conditions flood hazard or uses permitted within such areas will be free from flooding or flood damage. These regulations shall not create liability on the part of the Village of Granville, any officer or employee thereof, or the Federal Emergency Management Agency, for any flood damage that results from reliance on these regulations or any administrative decision lawfully made thereunder.

(e) Severability. Should any section or provision of these regulations be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the regulations as a whole, or any part thereof other than the part so declared to be unconstitutional or invalid. (Ord. 02-09. Passed 3-18-09.)

1177.05 PERMITTED AND PROHIBITED USES.

The following use standards shall apply to development wholly within, partially within, or in contact with any special flood hazard area as established in Sections 1177.04 or 1177.08(j):

- (a) Permitted Uses. All uses permitted in the base or underlying zoning district and not otherwise prohibited in this Chapter or any other applicable land use regulation adopted by the Village of Granville shall be permitted uses within the Flood Plain Overlay District provided they meet the provisions of these regulations.
- (b) Prohibited Uses. Private water supply systems in all special flood hazard areas identified by FEMA, permitted under Chapter 3701 of the Ohio Revised Code, and infectious waste treatment facilities in all special flood hazard areas, permitted under Chapter 3734 of the Ohio Revised Code shall not be permitted.
 - (1) Storage or processing of materials that are hazardous, flammable, or explosive in the identified special flood hazard areas.
 - (2) Storage of material or equipment that, in time of flooding, could become buoyant and pose an obstruction to flow in the identified floodway areas.
 - (3) New construction of any residential or nonresidential structures in floodway areas.
 - (4) Critical development in special flood hazard areas unless the critical development is elevated to meet the requirements of Section 1177.06(i)(2).(Ord. 02-09. Passed 3-18-09.)

1177.06 DEVELOPMENT STANDARDS AND REGULATIONS.

The following development standards and regulations shall apply to development wholly within, partially within, or in contact with any special flood hazard area as established in Sections 1177.04 or 1177.08(j):

- (a) Water and Wastewater Systems. The following standards shall apply to all water supply, sanitary sewerage and waste disposal systems not otherwise regulated by the Ohio Revised Code:
 - (1) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the systems;
 - (2) New and replacement sanitary sewerage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters; and,
 - (3) On-site waste disposal systems shall be located to avoid impairment to or contamination from them during flooding.
- (b) Subdivisions and Large Developments.
 - (1) All subdivision proposals shall be consistent with the need to minimize flood damage and are subject to all applicable standards in these regulations;
 - (2) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;
 - (3) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage;
 - (4) In all areas of special flood hazard where base flood elevation data are not available, the applicant shall provide a hydrologic and hydraulic engineering analysis that generates base flood elevations for all major (platted) subdivision proposals and other proposed developments at least 5 acres in size;
 - (5) The applicant shall meet the requirement to submit technical data to FEMA in Section 1177.08(i)(1)A.4. of the Codified Ordinances when a hydrologic and hydraulic analysis is completed that generates base flood elevations as required by Section 1177.06(b)(4) of the Codified Ordinances.
 - (6) All preliminary plans for platted subdivisions shall identify the flood hazard area and the elevation of the base flood.
 - (7) All final subdivision plats will provide the boundary of the special flood hazard area, the floodway boundary, and base flood elevations.
 - (8) In platted subdivisions, all proposed lots or parcels that will be future building sites shall have a minimum buildable area outside the natural (non-filled) 1% chance annual floodplain. The buildable area shall be large enough to accommodate primary structure and associated structures such as sheds, barns, swimming pools, detached garages, on-site sewage disposal systems, and water supply wells, if applicable.
 - (9) Approval shall not be given for streets within a subdivision, which would be subject to flooding. All street surfaces must be located at or above the base flood elevation.

(c) Residential Structures.

- (1) New construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy. Where a structure, including its foundation members, is elevated on fill to or above the base flood elevation, the requirements for anchoring under Section 1177.06(c)(1) of the Codified Ordinances and construction materials resistant to flood damage Section 1177.06(c)(2) of the Codified Ordinances are satisfied.
- (2) New construction and substantial improvements shall be constructed with methods and materials resistant to flood damage.
- (3) New construction and substantial improvements shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or elevated so as to prevent water from entering or accumulating within the components during conditions of flooding.
- (4) New construction and substantial improvement of any residential structure, including manufactured homes, shall have the lowest floor, including basement, elevated to or above the flood protection elevation. Where flood protection elevation data are not available the structure shall have the lowest floor, including basement, elevated at least two feet above the highest adjacent natural grade. Support structures and other foundation members shall be certified by a registered professional engineer or architect as designed in accordance with ASCE 24, Flood Resistant Design and Construction.
- (5) New construction and substantial improvements, including manufactured homes, that do not have basements and that are elevated to the flood protection elevation using pilings, columns, posts, or solid foundation perimeter walls with openings sufficient to allow unimpeded movement of flood waters may have an enclosure below the lowest floor provided the enclosure meets the following standards:
 - A. Be used only for the parking of vehicles, building access, or storage; and
 - B. Be designed and certified by a registered professional engineer or architect to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters; or
 - C. Have a minimum of two openings on different walls having a total net area not less than one square inch for every square foot of enclosed area, and the bottom of all such openings being no higher than one foot above grade. The openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
- (6) Manufactured homes shall be affixed to a permanent foundation and anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors.
- (7) Repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and is the minimum necessary to preserve the historic character and design of the structure, shall be exempt from the development standards of Section 1177.06(c) of the Codified Ordinances.

- (8) Each new residential site shall have direct access to a public roadway or direct access to a walkway/driveway whose surface elevation is not less than the flood protection elevation and such escape route shall lead directly out of the floodplain area.
- (d) Nonresidential Structures.
 - (1) New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall meet the requirements of Section 1177.06(c)(1)-(3) and (c)(5)-(7) of the Codified Ordinances.
 - (2) New construction and substantial improvement of any commercial, industrial or other non-residential structure shall either have the lowest floor, including basement, elevated to or above the level of the flood protection elevation, or, together with attendant utility and sanitary facilities, shall meet all of the following standards:
 - A. Be dry floodproofed so that the structure is watertight with walls substantially impermeable to the passage of water to the level of the flood protection elevation;
 - B. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and
 - C. Be certified by a registered professional engineer or architect, through the use of a Federal Emergency Management Floodproofing Certificate, that the design and methods of construction are in accordance Section 1177.06(d)(2)A. and B. of the Codified Ordinances.
 - (3) Where flood protection elevation data are not available, the structure shall have the lowest floor, including basement, elevated at least two feet above the highest adjacent natural grade.
 - (4) Each new nonresidential site shall have direct access to a walkway, driveway, or roadway whose surface elevation is not less than the flood protection elevation and such escape route shall lead directly out of the floodplain area.
- (e) Accessory Structures. Relief to the elevation or dry floodproofing standards may be granted for accessory structures containing no more than 600 square feet. Such structures must meet the following standards:
 - (1) They shall not be used for human habitation;
 - (2) They shall be constructed of flood resistant materials;
 - (3) They shall be constructed and placed on the lot to offer the minimum resistance to the flow of flood waters;
 - (4) They shall be firmly anchored to prevent flotation;
 - (5) Service facilities such as electrical and heating equipment shall be elevated or floodproofed to or above the level of the flood protection elevation; and
 - (6) They shall meet the opening requirements of subdivision C of Section 1177.06(c)(5) of the Codified Ordinances (this Section).
- (f) Recreational Vehicles. Recreational vehicles must meet at least one of the following standards:
 - (1) They shall not be located on sites in special food hazard areas for more than 180 days; or
 - (2) They must be fully licensed and ready for highway use; or
 - (3) They must meet all standards of Section 1177.06(c) of the Codified Ordinances.

- (g) Above Ground Gas or Liquid Storage Tanks. All above ground gas or liquid storage tanks shall be anchored to prevent flotation or lateral movement resulting from hydrodynamic and hydrostatic loads.
- (h) Assurance of Flood Carrying Capacity. Pursuant to the purpose and methods of reducing flood damage stated in these regulations, the following additional standards are adopted to assure that the reduction of the flood carrying capacity of watercourses is minimized:
 - (1) Development in Floodways.
 - A. In floodway areas, development shall cause no increase in flood levels during the occurrence of the base flood discharge. Prior to issuance of a floodplain development permit, the applicant must submit a hydrologic and hydraulic analysis, conducted by a registered professional engineer, demonstrating that the proposed development would not result in any increase in the base flood elevation; or
 - B. Development in floodway areas causing increases in the base flood elevation may be permitted provided all of the following are completed by the applicant:
 - 1. Meet the requirements to submit technical data in Section 1177.08(i)(1) of the Codified Ordinances;
 - 2. An evaluation of alternatives which would not result in increased base flood elevations and an explanation why these alternatives are not feasible;
 - 3. Certification that no structures are located in areas which would be impacted by the increased base flood elevation;
 - 4. Documentation of individual legal notices to all impacted property owners within and outside the community, explaining the impact of the proposed action on their property; and
 - 5. Concurrence of the Village Manager of the Village of Granville and the Chief Executive Officer of any other communities impacted by the proposed actions.
 - (2) Development in Riverine Areas with Base Flood Elevations but No Floodways.
 - A. In riverine special flood hazard areas identified by FEMA where base flood elevation data are provided but no floodways have been designated, the cumulative effect of any proposed development, when combined with all other existing and anticipated development, shall not increase the base flood elevation more than 1.0 (one) foot at any point. Prior to issuance of a floodplain development permit, the applicant must submit a hydrologic and hydraulic analysis, conducted by a registered professional engineer, demonstrating that this standard has been met; or
 - B. Development in riverine special flood hazard areas identified by FEMA where base flood elevation data are provided but no floodways have been designated causing more than 1.0 (one) foot increase in the base flood elevation may be permitted provided all of the following are completed by the applicant:

1. An evaluation of alternatives which would result in an increase of 1.0 (one) foot or less of the base flood elevation and an explanation why these alternatives are not feasible;
 2. The requirements of Section 1177.06(h)(1)B.1. and 3. - 5. of the Codified Ordinances.
- (3) Alterations of a Watercourse. For the purpose of these regulations, a watercourse is altered when any change occurs within its banks. The extent of the banks shall be established by a field determination of the "bankfull stage." The field determination of "bankfull stage" shall be based on methods presented in Chapter 7 of the USDA Forest Service General Technical Report RM-245, Stream Channel Reference Sites: An Illustrated Guide to Field Technique or other applicable publication available from a Federal, State, or other authoritative source. For all proposed developments that alter a watercourse, the following standards apply:
- A. The bankfull flood carrying capacity of the altered or relocated portion of the watercourse shall not be diminished. Prior to the issuance of a floodplain development permit, the applicant must submit a description of the extent to which any watercourse will be altered or relocated as a result of the proposed development, and certification by a registered professional engineer that the bankfull flood carrying capacity of the watercourse will not be diminished.
 - B. Adjacent communities, the U.S. Army Corps of Engineers, and the Ohio Department of Natural Resources, Division of Water, must be notified prior to any alteration or relocation of a watercourse. Evidence of such notification must be submitted to the Federal Emergency Management Agency.
 - C. The applicant shall be responsible for providing the necessary maintenance for the altered or relocated portion of said watercourse so that the flood carrying capacity will not be diminished. The Floodplain Administrator may require the permit holder to enter into an agreement with the Village of Granville specifying the maintenance responsibilities. If an agreement is required, it shall be made a condition of the floodplain development permit.
 - D. The applicant shall meet the requirements to submit technical data in Section 1177.08(i)(1)A.3. of the Codified Ordinances when an alteration of a watercourse results in the relocation or elimination of the special flood hazard area, including the placement of culverts.
- (4) Compensatory Storage Required for Fill. Fill within the area of special flood hazard shall result in no net loss of natural floodplain storage. The volume of the loss of floodwater storage due to filling in the special flood hazard area shall be offset by providing an equal volume of flood storage by excavation or other compensatory measures as follows: 1) on-site; or 2) on other property, as determined by a hydrologic and hydraulic analysis submitted to and approved by the Floodplain Manager and/or engineer with jurisdiction over that property.
- (i) Critical Development.
- (1) Critical development is that which is critical to the community's public health and safety, are essential to the orderly functioning of a community, store or produce highly volatile, toxic or water-reactive materials, or house occupants that may be insufficiently mobile to avoid loss of life or injury. Examples of critical development include jails, hospitals, schools, fire stations, service facilities, nursing homes, wastewater treatment facilities, water plants, and gas/oil/ propane storage facilities.

- (2) Critical developments shall be elevated to the 500-year flood elevation or be elevated to the highest known historical flood elevation (where records are available) or two feet above the (100 year) base flood elevation, whichever is greater. If no data exists establishing the 500-year flood elevation or highest known historical flood elevation, the applicant shall provide a hydrologic and hydraulic engineering analysis that generates 500-year flood elevation data.
- (j) Fill. The following standards apply to all fill activities in special flood hazard areas:
 - (1) Fill sites, upon which structures will be constructed or placed, must be compacted to 95 percent of the maximum density obtainable with the Standard Proctor Test method or an acceptable equivalent method.
 - (2) Fill slopes shall not be steeper than one foot vertical to two feet horizontal.
 - (3) Adequate protection against erosion and scour is provided for fill slopes. When expected velocities during the occurrence of the base flood of five feet per second armoring with stone or rock protection shall be provided. When expected velocities during the base flood are five feet per second or less protection shall be provided by covering them with vegetative cover.
 - (4) Fill shall be composed of clean granular or earthen material.
- (k) Storage of Materials. Storage of material or equipment not otherwise prohibited in Section 1177.05 (b) shall be firmly anchored to prevent flotation.
(Ord. 02-09. Passed 3-18-09.)

1177.07 ADMINISTRATION.

(a) Designation of the Floodplain Administrator. The Village Manager is hereby appointed to administer and implement these regulations and is referred to herein as the Floodplain Administrator.

(b) Duties and Responsibilities of the Floodplain Administrator. The duties and responsibilities of the Floodplain Administrator shall include but are not limited to:

- (1) Evaluate applications for permits to develop in special flood hazard areas and future conditions flood hazard areas.
- (2) Interpret floodplain boundaries and provide flood hazard and flood protection elevation information.
- (3) Issue permits to develop in special flood hazard areas when the provisions of these regulations have been met, or refuse to issue the same in the event of noncompliance.
- (4) Inspect buildings and lands to determine whether any violations of these regulations have been committed.
- (5) Make and permanently keep all records for public inspection necessary for the administration of these regulations including Flood Insurance Rate Maps, Letters of Map Amendment and Revision, records of issuance and denial of permits to develop in special flood hazard areas, determinations of whether development is in or out of special flood hazard areas for the purpose of issuing floodplain development permits, elevation certificates, variances, and records of enforcement actions taken for violations of these regulations.
- (6) Enforce the provisions of these regulations.
- (7) Provide information, testimony, or other evidence as needed during variance hearings.

- (8) Coordinate map maintenance activities and FEMA follow-up.
- (9) Conduct substantial damage determinations to determine whether existing structures, damaged from any source and in special flood hazard areas identified by FEMA, must meet the development standards of these regulations. (Ord. 02-09. Passed 3-18-09.)

1177.08 FLOODPLAIN DEVELOPMENT PERMITS.

(a) Floodplain Development Permits. No person shall begin construction or other development activity, including but not limited to filling; grading; construction; alteration, remodeling, or expanding any structure; or alteration of any watercourse wholly within, partially within or in contact with any identified special flood hazard area or future conditions flood hazard area established by Section 1177.04(a) of the Codified Ordinances, until a floodplain development permit is obtained from the floodplain administrator. Such floodplain development permit shall show that the proposed development activity is in conformity with the provisions of these regulations. No such permit shall be issued by the Floodplain Administrator until the requirements of these regulations have been met.

(b) Application Required. An application for a floodplain development permit shall be required for all development activities located wholly within, partially within, or in contact with an identified special flood hazard area or future conditions flood hazard area, and a permit shall be obtained before construction or development begins in a special flood hazard area. The application shall be made by the owner of the property or his or her authorized agent, herein referred to as the applicant, prior to the actual commencement of such construction on a form furnished for that purpose. Application for a Development Permit shall be made in duplicate on forms furnished by the Village Manager. Where it is unclear whether a development site is in a special flood hazard area or future conditions flood hazard area, the Floodplain Administrator may require an application for a floodplain development permit to determine the development's location. Such applications shall include, but not be limited to:

- (1) Site plans drawn to scale showing the nature, location, dimensions, and topography of the area in question; the location of existing or proposed structures, fill, storage of materials, drainage facilities, and the location of the foregoing.
- (2) Elevation of the existing, natural ground where structures are proposed.
- (3) Elevation of the lowest floor, including basement, of all proposed structures.
- (4) Such other material and information as may be requested by the Floodplain Administrator to determine conformance with, and provide enforcement of these regulations.
- (5) Technical analyses conducted by the appropriate design professional registered in the State of Ohio and submitted with an application for a floodplain development permit when applicable:
 - A. Floodproofing certification for non-residential floodproofed structure as required in Section 1177.06(d) of the Codified Ordinances.
 - B. Certification that fully enclosed areas below the lowest floor of a structure not meeting the design requirements of Section 1177.06(c)(5) of the Codified Ordinances are designed to automatically equalize hydrostatic flood forces.
 - C. Description of any watercourse alteration or relocation that the flood carrying capacity of the watercourse will not be diminished, and maintenance assurances as required in Section 1177.06(h)(3) of the Codified Ordinances.

- D. A hydrologic and hydraulic analysis demonstrating that the cumulative effect of proposed development, when combined with all other existing and anticipated development will not increase the water surface elevation of the base flood by more than one foot in special flood hazard areas where the Federal Emergency Management Agency has provided base flood elevations but no floodway as required by Section 1177.06(h)(2) of the Codified Ordinances.
 - E. A hydrologic and hydraulic engineering analysis showing impact of any development on flood heights in an identified floodway as required by Section 1177.06(h)(1) of the Codified Ordinances.
 - F. Generation of base flood elevation(s) for subdivisions and large scale developments as required by Section 1177.06(b) of the Codified Ordinances.
- (6) A floodplain development permit application fee set by the schedule of fees adopted by the Village of Granville.
 - (7) Volumetric calculations demonstrating compensatory storage have been provided as required by Section 1177.06(h)(4).
 - (8) Generation of the 500-year flood elevation for critical development as required by Section 1177.06(i)(1) and (2).
- (c) Review of a Floodplain Development Permit Application.
- (1) After receipt of a complete application, the Floodplain Administrator shall review the application to ensure that the standards of these regulations have been met. No floodplain development permit application shall be reviewed until all information required in Section 1177.08(b) of the Codified Ordinances has been received by the Floodplain Administrator.
 - (2) The Floodplain Administrator shall review all floodplain development permit applications to assure that all necessary permits have been received from those federal, state or local governmental agencies from which prior approval is required. The applicant shall be responsible for obtaining such permits as required including permits issued by the U.S. Army Corps of Engineers under Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act, and the Ohio Environmental Protection Agency under Section 401 of the Clean Water Act.
- (d) Approval of a Floodplain Development Permit Application. Within thirty (30) days after the receipt of a complete application, the Floodplain Administrator shall either approve or disapprove the application. If an application is approved, a floodplain development permit shall be issued. All floodplain development permits shall be conditional upon the commencement of work within one (1) year. A floodplain development permit shall expire one (1) year after issuance unless the permitted activity has been substantially begun and is thereafter pursued to completion. This permit shall be in addition to the Zoning and Architectural Permit required for the base or underlying zoning district.
- (e) Inspections. The Floodplain Administrator shall make periodic inspections at appropriate times throughout the period of construction in order to monitor compliance with permit conditions.

(f) Post-Construction Certifications Required. The following as-built certifications are required after a floodplain development permit has been issued:

- (1) For new or substantially improved residential structures, or nonresidential structures that have been elevated, the applicant shall have a Federal Emergency Management Agency Elevation Certificate completed by a registered surveyor to record as-built elevation data. For elevated structures in Zone A and Zone AO areas without a base flood elevation, the elevation certificate may be completed by the property owner or owner's representative.
- (2) For all development activities subject to the standards of Section 1177.08(i) of the Codified Ordinances, a Letter of Map Revision.

(g) Revoking a Floodplain Development Permit. A floodplain development permit shall be revocable, if among other things, the actual development activity does not conform to the terms of the application and permit granted thereon. In the event of the revocation of a permit, an appeal may be taken to the Board of Zoning and Building Appeals in accordance with Section 1177.09 of the Codified Ordinances.

(h) Exemption from Filing a Development Permit. An application for a floodplain development permit shall not be required for:

- (1) Maintenance work such as roofing, painting, and basement sealing, or for small nonstructural development activities (except for filling and grading) valued at less than \$1,000.
- (2) Development activities in an existing or proposed manufactured home park. Such activities are under the authority of the Ohio Department of Health and subject to the flood damage reduction provisions of the Ohio Administrative Code Chapter 3701.
- (3) Major utility facilities permitted by the Ohio Power Siting Board under Chapter 4906 of the Ohio Revised Code.
- (4) Hazardous waste disposal facilities permitted by the Hazardous Waste Siting Board under Chapter 3734 of the Ohio Revised Code.
- (5) Development activities undertaken by a federal agency and which are subject to Federal Executive Order 11988 - Floodplain Management. Any proposed action exempt from filing for a floodplain development permit is also exempt from the standards of these regulations.

(i) Map Maintenance Activities. To meet National Flood Insurance Program minimum requirements to have flood data reviewed and approved by FEMA, and to ensure that the Village of Granville flood maps, studies and other data identified in Section 1177.04(a) of the Codified Ordinances accurately represent flooding conditions so appropriate floodplain management criteria are based on current data, the following map maintenance activities are identified:

- (1) Requirement to Submit New Technical Data.
 - A. For all development proposals that impact floodway delineations or base flood elevations, the community shall ensure that technical data reflecting such changes be submitted to FEMA within six months of the date such information becomes available. These development proposals include:
 1. Floodway encroachments that increase or decrease base flood elevations or alter floodway boundaries;

2. Fill sites to be used for the placement of proposed structures where the applicant desires to remove the site from the special flood hazard areas;
 3. Alteration of watercourses that result in a relocation or elimination of the special flood hazard area, including the placement of culverts; and
 4. Subdivision or large scale development proposals requiring the establishment of base flood elevations in accordance with Section 1177.06(b) of the Codified Ordinances.
 - B. It is the responsibility of the applicant to have technical data, required in accordance with Section 1177.08(i) of the Codified Ordinances, prepared in a format required for a Conditional Letter of Map Revision or Letter of Map Revision, and submitted to FEMA. Submittal and processing fees for these map revisions shall be the responsibility of the applicant.
 - C. The Floodplain Administrator shall require a Conditional Letter of Map Revision prior to the issuance of a floodplain development permit for:
 1. Proposed floodway encroachments that increase the base flood elevation; and
 2. Proposed development which increases the base flood elevation by more than one foot in areas where FEMA has provided base flood elevations but no floodway.
 - D. Floodplain development permits issued by the Floodplain Administrator shall be conditioned upon the applicant obtaining a Letter of Map Revision from FEMA for any development proposal subject to Section 1177.08(i)(1)A. of the Codified Ordinances.
 - (2) Right to Submit New Technical Data. The Floodplain Administrator may request changes to any of the information shown on an effective map that does not impact floodplain or floodway delineations or base flood elevations, such as labeling or planimetric details. Such a submission shall include appropriate supporting documentation made in writing by the Village Manager of the Village of Granville, and may be submitted at any time.
 - (3) Annexation/Detachment. Upon occurrence, the Floodplain Administrator shall notify FEMA in writing whenever the boundaries of the Village of Granville have been modified by annexation or the community has assumed authority over an area, or no longer has authority to adopt and enforce floodplain management regulations for a particular area. In order that the Village of Granville's Flood Insurance Rate Map accurately represents the Village of Granville boundaries, include within such notification a copy of a map of the Village of Granville suitable for reproduction, clearly showing the new corporate limits or the new area for which the Village of Granville has assumed or relinquished floodplain management regulatory authority.
- (j) Data Use and Flood Map Interpretation. The following guidelines shall apply to the use and interpretation of maps and other data showing areas of special flood hazard:
- (1) In areas where FEMA has not identified special flood hazard areas, or in FEMA identified special flood hazard areas where base flood elevation and floodway data have not been identified, the Floodplain Administrator shall review and reasonably utilize any other flood hazard data available from a federal, state, or other source.

- (2) Base flood elevations and floodway boundaries produced on FEMA flood maps and studies shall take precedence over base flood elevations and floodway boundaries by any other source that reflect a reduced floodway width and/or lower base flood elevations. Other sources of data, showing increased base flood elevations and/or larger floodway areas than are shown on FEMA flood maps and studies, shall be reasonably used by the Floodplain Administrator.
- (3) When Preliminary Flood Insurance Rate Maps and/or Flood Insurance Study have been provided by FEMA:
 - A. Upon the issuance of a Letter of Final Determination by FEMA, the preliminary flood hazard data shall be used and replace all previously existing flood hazard data provided from FEMA for the purposes of administering these regulations.
 - B. Prior to the issuance of a Letter of Final Determination by FEMA, the use of preliminary flood hazard data shall only be required where no base flood elevations and/or floodway areas exist or where the preliminary base flood elevations or floodway area exceed the base flood elevations and/or floodway widths in existing flood hazard data provided from FEMA. Such preliminary data may be subject to change and / or appeal to FEMA.
- (4) The Floodplain Administrator shall make interpretations, where needed, as to the exact location of the flood boundaries and areas of special flood hazard and areas of future conditions flood hazard. A person contesting the determination of the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in Section 1177.09 of the Codified Ordinances.
- (5) Where a map boundary showing an area of special flood hazard or area of future conditions flood hazard and field elevations disagree, the base flood elevations or flood protection elevations (as found on an elevation profile, floodway data table, established high water marks, etc.) shall prevail.

(k) Substantial Damage Determinations. Damages to structures may result from a variety of causes including tornado, wind, heavy snow, flood, fire, etc. After such a damage event, the Floodplain Administrator shall:

- (1) Determine whether damaged structures are located in special flood hazard areas;
- (2) Conduct substantial damage determinations for damaged structures located in special flood hazard areas; and
- (3) Make reasonable attempt to notify owners of substantially damaged structures of the need to obtain a floodplain development permit prior to repair, rehabilitation, or reconstruction.
- (4) Additionally, the Floodplain Administrator may implement other measures to assist with the substantial damage determination and subsequent repair process. These measures include issuing press releases, public service announcements, and other public information materials related to the floodplain development permits and repair of damaged structures; coordinating with other federal, state, and local agencies to assist with substantial damage determinations; providing owners of damaged structures materials and other information related to the proper repair of damaged structures in special flood hazard areas; and assist owners of substantially damaged structures with Increased Cost of Compliance insurance claims.
(Ord. 02-09. Passed 3-18-09.)

1177.09 APPEALS FROM DETERMINATIONS OF THE FLOODPLAIN ADMINISTRATOR.

The Board of Zoning and Building Appeals shall hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by the Floodplain Administrator in the administration or enforcement of the regulations set forth in this Chapter. The appeal shall be conducted under the procedures set forth in Chapter 1139. of the Codified Ordinances of the Village.

(Ord. 03-07. Passed 3-21-07.)

1177.10 VARIANCES.

(a) Variances. The Board of Zoning and Building Appeals shall have the power to hear and decide applications for variances in the application of these regulations, where such variance is not inconsistent with Federal regulations, and where a variance from the standards of these regulations will not be contrary to the public interest, and where, owing to special conditions of the lot or parcel, a literal enforcement of the provisions of these regulations would result in unnecessary hardship. The Board shall hear and decide an application for a variance in accordance with the procedures set forth in Chapter 1139 of the Codified Ordinances of the Village.

(b) Application. Any person believing that the use and development standards of these regulations would result in unnecessary hardship may file an application for a variance. All applications for a variance shall be accompanied by a variance application fee set in the zoning fee schedule.

(c) Considerations. In considering an application for a variance under this Section, the Board of Zoning and Building Appeals shall consider and make findings of fact on all evaluations, all relevant factors, standards specified in other sections of these regulations and the following factors:

- (1) The danger that materials may be swept onto other lands to the injury of others.
- (2) The danger to life and property due to flooding or erosion damage.
- (3) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.
- (4) The importance of the services provided by the proposed facility to the community.
- (5) The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage.
- (6) The necessity to the facility of a waterfront location, where applicable.
- (7) The compatibility of the proposed use with existing and anticipated development.
- (8) The relationship of the proposed use to the comprehensive plan and floodplain management program for that area.
- (9) The safety of access to the property in times of flood for ordinary and emergency vehicles.
- (10) The expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site.
- (11) The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.

(d) Determinations. Variances shall only be issued upon a showing of good and sufficient cause and:

- (1) A determination that failure to grant the variance would result in exceptional hardship due to the physical characteristics of the property. Increased cost or inconvenience of meeting the requirements of these regulations does not constitute an exceptional hardship to the applicant.
- (2) A determination that the granting of a variance will not result in increased flood heights beyond that which is allowed in these regulations; additional threats to public safety; extraordinary public expense, nuisances, fraud on or victimization of the public, or conflict with existing local laws.
- (3) A determination that the structure or other development is protected by methods to minimize flood damages.
- (4) A determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

(e) Limitations. In addition to the other requirements of this Section, a variance shall only be issued upon the following conditions:

- (1) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- (2) Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items in Section 1177.10(c)(1)-(11) of the Codified Ordinances have been fully considered. As the lot size increases beyond one-half acre, the technical justification required for issuing the variance increases.
- (3) Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

(f) Conditions. The Board of Zoning Appeals may attach such conditions to the granting of variances as it deems necessary to further the purposes of these regulations. (Ord. 03-07. Passed 3-21-07.)

1177.11 APPEALS TO VILLAGE COUNCIL.

An appeal from any decision of the Board of Zoning and Buildings Appeals under this Chapter may be taken to Village Council in accordance with the procedures set forth in Section 1139.06 of the Codified Ordinances. Those aggrieved by the decision of the Village Council may appeal such decision to the Licking County Court of Common Pleas as provided in Chapter 2506 of the Ohio Revised Code. (Ord. 03-07. Passed 3-21-07.)

1177.12 ENFORCEMENT.

(a) Compliance Required.

- (1) No structure or land shall hereafter be located, erected, constructed, reconstructed, repaired, extended, converted, enlarged or altered without full compliance with the terms of these regulations and all other applicable regulations which apply to uses within the jurisdiction of these regulations, unless specifically exempted from filing for a development permit under Section 1177.08(h) of the Codified Ordinances.

- (2) Failure to obtain a floodplain development permit shall be a violation of these regulations and shall be punishable in accordance with Section 1177.12(c) of the Codified Ordinances.
- (3) Floodplain development permits issued on the basis of plans and applications approved by the Floodplain Administrator authorize only the use, and arrangement, set forth in such approved plans and applications or amendments thereto. Use, arrangement, or construction contrary to that authorized shall be deemed a violation of these regulations and punishable in accordance with Section 1177.12(c) of the Codified Ordinances.

(b) Notice of Violation. Whenever the Floodplain Administrator determines that there has been a violation of any provision of these regulations, he shall give notice of such violation to the person responsible therefore and order compliance with these regulations as hereinafter provided. Such notice and order shall:

- (1) Be put in writing on an appropriate form;
- (2) Include a list of violations, referring to the section or sections of these regulations that have been violated, and order remedial action which, if taken, will effect compliance with the provisions of these regulations;
- (3) Specify a reasonable time for performance;
- (4) Advise the owner, operator, or occupant of the right to appeal;
- (5) Be served on the owner, occupant, or agent in person. However, this notice and order shall be deemed to be properly served upon the owner, occupant, or agent if a copy thereof is sent by registered or certified mail to the person's last known mailing address, residence, or place of business, and/or a copy is posted in a conspicuous place in or on the dwelling affected.

(c) Violations and Penalties. Violation of the provisions of these regulations or failure to comply with any of its requirements shall be deemed to be a strict liability offense, and shall constitute a fourth degree misdemeanor. Any person who violates these regulations or fails to comply with any of its requirements shall upon conviction thereof be fined or imprisoned as provided by the laws of the Village of Granville. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the Village of Granville from taking such other lawful action as is necessary to prevent or remedy any violation. The Village of Granville shall prosecute any violation of these regulations in accordance with the penalties stated herein. (Ord. 03-07. Passed 3-21-07.)

TITLE SEVEN - Supplemental Zoning Requirements

- Chap. 1179. Extraction of Minerals.
- Chap. 1181. Home Occupations.
- Chap. 1183. Off-Street Parking and Loading.
- Chap. 1185. Swimming Pools and Special Provisions.
- Chap. 1187. Height, Area and Yard Modifications.
- Chap. 1189. Signs.
- Chap. 1191. Wireless Communications Facilities and Towers.
- Chap. 1193. Tree and Landscape Requirements.
- Chap. 1194. Composting.
- Chap. 1195. Traffic Impact Study Ordinance.
- Chap. 1196. Access Management Plan Guidelines and Standards.
- Chap. 1197. Comprehensive Storm Water Management.
- Chap. 1198. Illicit Discharge and Illegal Connection Control.
- Chap. 1199. Erosion and Sediment Control.

CHAPTER 1179 Extraction of Minerals

1179.01	General requirements.	1179.07	Applicant's financial
1179.02	Distance from property lines.		ability.
1179.03	Distance from public right-	1179.08	Application contents;
	of-way.		procedure.
1179.04	Fencing.	1179.09	Public hearing.
1179.05	Equipment.	1179.10	Rehabilitation.
1179.06	Processing.	1179.11	Additional requirements.

CROSS REFERENCES

Commercial vehicles - see TRAF. Ch. 339

Barricades; warning lights - see GEN. OFF. 521.03

1179.01 GENERAL REQUIREMENTS.

Any owner, lessee or other person, firm or corporation having an interest in mineral lands may file with the Planning Commission an application for authorization to mine minerals therefrom, provided, however, that he shall obtain zoning in the Planned Industrial District and comply with all requirements of the District, including the following additional requirements.

1179.02 DISTANCE FROM PROPERTY LINES.

No quarrying operation shall be carried on or any stockpiles placed closer than fifty feet to any property line, unless a greater distance is specified by the Commission where such is deemed necessary for the protection of adjacent property; it is specifically provided that this distance requirement may be reduced to twenty-five feet by written consent of the owner or owners of the abutting property.

1179.03 DISTANCE FROM PUBLIC RIGHT-OF-WAY.

In the event that the site of the mining or quarrying operation is adjacent to the right-of-way of any public street or road, no part of such operation shall take place closer than twenty-five feet to the nearest line of such right-of-way.

1179.04 FENCING.

Fencing shall be erected and maintained around the entire site or portions thereof where in the opinion of the Planning Commission such fencing is necessary for the protection of the public safety, and shall be of a type specified by the Commission.

1179.05 EQUIPMENT.

All equipment and machinery shall be operated and maintained in such manner as to minimize dust, noise and vibration. Access roads shall be maintained in dust-free condition by surfacing or other treatment as may be specified by the Village Manager.

1179.06 PROCESSING.

The crushing, washing and refining or other similar processing may be authorized by the Planning Commission as an accessory use, provided, however, that such accessory processing shall not be in conflict with surrounding uses.

1179.07 APPLICANT'S FINANCIAL ABILITY.

In accepting such plan for review, the Planning Commission must be satisfied that the proponents are financially able to carry out the proposed mining operation in accordance with the plans and specifications submitted.

1179.08 APPLICATION CONTENTS; PROCEDURE.

An application for such operation shall set forth the following information:

- (a) Name of the owner or owners of land from which removal is to be made.
- (b) Name of the applicant making request for such permit.
- (c) Name of the person or corporation conducting the actual removal operation.
- (d) Location, description and size of the area from which the removal is to be made.
- (e) Location of processing plant used.
- (f) Type of resources or materials to be removed.
- (g) Proposed method of removal and whether or not blasting or other use of explosives will be required.
- (h) Description of equipment to be used.
- (i) Method, timing and site plan for rehabilitation and reclamation of the mined area.

1179.09 PUBLIC HEARING.

Upon receipt of such application, the Planning Commission shall set the matter for a public hearing in accordance with the rules and regulations of the Commission.

1179.10 REHABILITATION.

To guarantee the restoration, rehabilitation, and reclamation of mined-out areas, every applicant granted a mining permit as herein provided shall furnish a performance bond to the Village, in an amount to be determined by the Village Engineer as appropriate to the projected cost of replacement, but not less than ten thousand dollars (\$10,000) as a guarantee that such applicant, in restoring, reclaiming and rehabilitating such land, shall within a reasonable time and to the satisfaction of the Planning Commission meet the following minimum requirements.

- (a) Surface Rehabilitation. All excavation shall be made either to a water-producing depth, such depth to be not less than five feet below the low water mark, or shall be graded or backfilled with non-noxious, noninflammable and noncombustible solids, to secure:
 - (1) That the excavated area shall not collect and permit to remain therein stagnant water, or
 - (2) That the surface of such area which is not permanently submerged is graded or backfilled as necessary so as to reduce the peaks and depressions thereof, and to produce a gently running surface that will minimize erosion due to rainfall and which will be in substantial conformity to the adjoining land area.
- (b) Vegetation. Vegetation shall be restored as per the approved site plan by the seeding of appropriate grasses or planting of shrubs or trees in all parts of mining area where such area is not to be submerged under water as hereinabove provided.
- (c) Banks of Excavations Not Backfilled. The banks of all excavations not backfilled shall be sloped to the water line at a slope which shall not be less than three feet horizontal to one foot vertical and such bank shall be seeded.

1179.11 ADDITIONAL REQUIREMENTS.

In addition to the foregoing, the Planning Commission may impose such other conditions, requirements or limitations concerning the nature, extent of the use and operation of such mines, quarries or gravel pits as the Commission may deem necessary for the protection of adjacent properties and the public interest. Such conditions and the amount of the performance bond shall be determined by the Commission prior to issuance of the permit.

CHAPTER 1181 Home Occupations

1181.01	Permit required.	1181.04	Violation of regulations.
1181.02	Regulations and standards.	1181.05	Appeals.
1181.03	Exemptions.		

CROSS REFERENCES

Defined - see P. & Z. 1135.01(50)
 Off-street parking - see P. & Z. 1183.02
 Noise, air pollution - see P. & Z. 1185.02
 Signs - see P. & Z. Ch. 1189
 Applicable zoning districts - see (1159, 1163, 1165, 1167,
 1169, 1171, 1175)

1181.01 PERMIT REQUIRED.

(a) A written application must be made to the Village Manager or his/her designee detailing the nature of the home occupation, the number of persons to be involved in such occupation, the expected length of time such home occupation shall be carried on, and any additional information as may be requested. Registration with the Granville Income Tax Department is mandatory with any home occupation.

(b) The Village Manager, or his/her designee, shall have the authority to issue a permit to carry on a home occupation after determining that the applicant satisfies the provisions of this chapter. (Ord. 10-00. Passed 7-19-00.)

1181.02 REGULATIONS AND STANDARDS.

(a) Operator. No person other than members of the family residing on the premises shall be engaged in such occupation.

(b) Use. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than twenty-five percent (25%) of the floor area of the dwelling unit shall be used in the conduct of the home occupation.

(c) Signs. There shall be no external indication of such home occupation other than one sign, controlled by the sign regulations in this Zoning Ordinance.

(d) No home occupation shall be conducted in any accessory building.

(e) Outdoor storage of equipment, material, or stock or other items is not permitted. On-premise storage of explosives or highly flammable or extremely hazardous materials as defined by the U.S. Environmental Protection Agency is not permitted.

(f) Sale of Goods. Goods sold on premises shall be limited so as not to create an undue burden on public facilities or create a negative effect on the neighbors.

(g) No traffic shall be generated by such home occupation in greater volume that would normally be expected in a residential neighborhood during such time and day, and any need for parking generated by the conduct of such home occupation shall meet the off-street parking requirements as specified in this Zoning Ordinance, and shall not be located in a required front yard.

(h) No equipment or process shall be used in such home occupation, which creates noise, vibration, glare, fumes, odors or electrical interference detectable to the normal senses. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in the line voltage off the premises.

(i) Number of Occupations. More than one home occupation may be conducted on the premises; however the combined business-related impact of all home occupations shall be considered when evaluating any application under this chapter.

(j) Without limiting any other requirements, delivery vehicles are only permitted by commercial services that customarily make residential deliveries.
(Ord. 10-00. Passed 7-19-00.)

1181.03 EXEMPTIONS.

Certain ancillary uses associated with an individual's employment or profession which do not include routine or regular meetings with members of the public at the residence, such as, bookkeeping, record keeping, telephone contacts, various forms of computer utilization, and the like, are not considered as the business use of property and are exempt from these regulations.
(Ord. 10-00. Passed 7-19-00.)

1181.04 VIOLATION OF REGULATIONS.

If one or more of the conditions in Section 1181.02 are violated, the Village Manager shall have the power to revoke the permit to carry on the home occupation.
(Ord. 10-00. Passed 7-19-00.)

1181.05 APPEALS.

Any affected person may appeal the Village Manager's decision to the Board of Zoning and Building Appeals. (Ord. 10-00. Passed 7-19-00.)

CHAPTER 1183 Off-Street Parking and Loading

1183.01	Off-street parking generally.	1183.04	Development and maintenance of parking areas.
1183.02	Dimensions.	1183.05	Off-street loading.
1183.03	Number of parking spaces required.		

CROSS REFERENCES

Definitions - see P. & Z. 1135.01

Off-street parking facilities - see Ohio R.C. 717.05 et seq.

1183.01 OFF-STREET PARKING GENERALLY.

Surfaced off-street parking shall be provided on any lot on which any of the following uses are hereafter established; such space shall be provided with vehicular access to a street or alley. Parking of vehicles shall not be permitted in the front yard of any use in any Village, Suburban Residential (see, however, Section 1163.03(b)(1)), Community Service, Planned Development, or Suburban Business District. Parking lots for off-site commercial uses shall not be permitted within a residentially zoned district. Such provisions shall not apply to uses within a residentially zoned district that are permitted or conditionally permitted and are commercial in nature. (Ord. 15-08. Passed 1-7-09.)

1183.02 DIMENSIONS.

(a) Parking Spaces. Minimum area and dimensions exclusive of driveways and aisles are as follows:

		Minimum Width (feet)	Minimum Length (feet)	Minimum Area (square feet)
(1)	90° parking	10	20	200
(2)	parallel parking	10	23	230
(3)	60° parking	10	20	
(4)	45° angle parking	13	20	

(b) Parking Aisles. Minimum widths as follows:

(1)	90° parking	22 feet
(2)	angle parking	18 feet
(3)	parallel parking on one-way drive	14 feet

1183.03 NUMBER OF PARKING SPACES REQUIRED.

The number of off street parking spaces required shall be as set forth in the following schedule:

<u>Uses</u>	<u>Parking Spaces Required</u>
Automobile or machinery sales and service garages	1 for each 600 sq. ft. floor area
Banks, savings and loans, business and administrative offices	1 for each 400 sq. ft. floor area
Boarding, rooming, fraternity, sorority or lodging houses	1 per sleeping room
Bowling alleys	7 for each alley
Churches and schools	1 for each 5 seats in an auditorium or 2 for each classroom, whichever is greater
Dance halls and assembly halls without fixed seats, exhibition area used for assembly or dancing halls except church assembly rooms in conjunction with auditorium	1 for each 100 sq. ft. of floor
Drive in restaurants and fast food outlets	1 for each 50 sq. ft. of floor area
Dwellings	2 for each family or dwelling unit 4 for each parlor or 1 for each 50 sq. ft. of floor area
Furniture and appliance stores, household equipment or furniture repair shop	1 for each 400 sq. ft. of floor area
Hospitals	1 for each bed
Libraries, museums or art galleries	1 for each 400 sq. ft. of floor area
Manufacturing plants, research or testing laboratories, bottling plants, over 1,000 sq. ft. in area	1 for each 3 employees in the maximum working shift or 1,200 sq. ft. of floor area, whichever is greater
Medical or dental offices	1 for each 150 sq. ft. of floor area

Uses (Cont.)Parking Spaces Required (Cont.)

Motels and motor hotels
(not including restaurant facilities)

1 for each living or sleeping unit

Recreational uses

To be established by Planning
Commission

Restaurants

1 for each 200 sq. ft. of floor area

Retail stores, shops, etc.

1 for each 150 sq. ft. of floor area

Sanitariums, convalescent homes,
Children's homes

1 for each 2 beds

Service-related uses such as
printing or plumbing shops

1 for each 2 employees plus
one for every 2 vehicles used for
service or delivery

Shopping Centers

7 for each 1,000 sq. ft. of leasable
floor area; "leasable floor area," as
used in this chapter, means the gross
building floor area, excluding
hallways, elevator shafts, stairways
and similar areas

Sports arenas, auditoriums, theaters,
Assembly halls, other than schools

1 for each 4 seats

Wholesale establishments or warehouses

1 for each 3 employees on maximum
shift or for each 3,000 sq. ft. of
floor area, whichever is greater

Additional uses not specifically listed

To be established by Planning
Commission

(Ord. 15-08. Passed 1-7-09.)

1183.04 DEVELOPMENT AND MAINTENANCE OF PARKING AREAS.

Every parcel of land hereafter used as a public or private parking area, including a commercial parking lot and also an automobile or trailer sales lot, shall be developed and maintained in accordance with the following requirements:

- (a) Parking Lot Layout. All parking areas having a capacity over twenty vehicles shall be striped with double lines twelve inches both sides of center between stalls to facilitate in and out movement. 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.

- (b) Screening and Landscaping. Off-street parking areas for more than five vehicles shall be effectively screened on each side which adjoins premises situated in any residential district by a masonry wall, earth berm or solid fence of acceptable design.
Such wall, earth berm or fence shall meet the requirements of the fence ordinance in Chapter 1187.
- (c) Surfacing. Any off-street parking area for more than five vehicles shall be graded for proper drainage and surfaced so as to provide a hard, durable and dustless surface made of asphaltic or cement pavement material.
- (d) Lighting. Any lighting used to illuminate any off-street parking area shall be so arranged as to direct the light away from adjoining premises in any SR District, including Planned Unit District (PUD).
- (e) Joint Use of Parking Areas. Parking spaces may be located on a lot other than that containing the principal use with approval of the Planning Commission provided a written agreement shall be filed with the application for a zoning certificate. When two or more uses are provided on the same lot, the total number of spaces required shall equal the individual requirements summed. In computation, a fractional space shall be rounded to the next highest number.
- (f) Vehicular Access. All parking areas shall be provided with direct vehicular access to a street or alley abutting the property upon which the parking area is provided or to an adjacent parking area, and no such vehicular access shall be permitted through or across any lot in the VRD-Village Residential District or any lot in an SRD-Suburban Residential District.

1183.05 OFF-STREET LOADING.

(a) Spaces Generally. In any district, in connection with every building or part thereof erected and having a gross floor area of 5,000 square feet or more, which is to be occupied by manufacturing, storage, warehouse, goods display, retail store, wholesale store, market, hotel, hospital, mortuary, laundry, dry cleaning or other uses similarly requiring the receipt or distribution by vehicles of material or merchandise, there shall be provided and maintained, on the same lot with such building, at least one off-street loading space, plus one additional such loading space for each 10,000 square feet or major fraction thereof, of gross floor area so used in excess of 10,000 square feet.

(b) Dimensions. Each loading space shall be not less than ten feet in width, twenty-five feet in length, and fourteen feet in height.

(c) Occupying Yard. Subject to any limitations otherwise listed, such space may occupy all or any part of any required yard.

(d) Distance From Residential Lot. No loading space shall be closer than fifty feet to any other residential lot unless wholly within a completely enclosed building or unless enclosed on all sides by a wall or uniformly painted solid board fence not less than six feet in height.

CHAPTER 1185
Swimming Pools and Special Provisions

1185.01 Swimming pool requirements; definitions.

1185.02 Special provisions.

CROSS REFERENCES

Air pollution - see Ohio R.C. Ch. 3704

Water pollution control - see Ohio R.C. Ch. 6111

Swimming pools - see OAC Ch. 3701-31

Noxious or offensive odors - see GEN. OFF. 521.09

1185.01 SWIMMING POOL REQUIREMENTS; DEFINITIONS.

(a) Definitions.

- (1) A "private swimming pool," as regulated herein, means any pool, pond, lake or open tank that is constructed for the purpose of swimming. No such swimming pool shall be allowed in any use district except as an accessory use to a residence or as a private club facility and unless it complies with the following conditions and requirements.
- (2) "Exclusive private use" means that the pool is intended and is to be used solely for the enjoyment of the occupants of the principal building of the property on which it is located and their guests.

(b) Distance Requirements. The pool may be located anywhere on the premises except in front yards, provided it shall not be located closer than ten feet to any property line of the property on which located; provided further, that pump and filter installation shall be located not closer than twenty feet to any property line.

(c) Fencing. The swimming pool, or the entire property on which it is located, shall be so walled or fenced at a minimum height of five (5) feet to prevent uncontrolled access from the street or from adjacent properties.

(d) Drainage. Adequate provision for drainage shall be made subject to approval by the Village Manager or his designee.

(e) Lighting. Any lighting used to illuminate the pool area shall be so arranged as to deflect the light away from the adjoining properties.

(f) Permit Required. No person, firm or corporation shall construct or install a swimming pool or make any alteration therein or in the appurtenances thereof without having first submitted an application and plans therefore to the Village Manager.
(Ord. 6-2013. Passed 3-20-13.)

1185.02 SPECIAL PROVISIONS.

No land or building in any district shall be used or occupied in any manner creating dangerous, injurious, noxious, or otherwise objectionable conditions which could adversely affect the surrounding areas or adjoining premises, except that any use permitted by this Zoning Ordinance may be undertaken and maintained if acceptable measures or safeguards to reduce dangerous and objectionable conditions to acceptable limits are established by the performance requirements in subsections (a) to (j) hereof.

- (a) Fire Hazards. Any activity involving the use or storage of flammable or explosive materials shall be protected by adequate fire-fighting and fire prevention equipment and by such safety devices as are normally used in the handling of any such material. Such hazards shall be kept removed from adjacent activities to a distance which is compatible with the potential danger involved.
- (b) Radioactivity or Electrical Disturbance. No activity shall emit dangerous radioactivity at any point, or electrical disturbance adversely affecting the operation of any equipment at any point other than that of the creator of such disturbance.
- (c) Noise. Objectionable noise as determined by the Board of Zoning and Building Appeals which is due to volume, frequency or beat shall be muffled or otherwise controlled. Air-raid sirens and related apparatus used solely for public purposes are exempt from this requirement.
- (d) Vibration. No vibration shall be permitted which is discernible without instruments on any adjoining lot or property.
- (e) 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.
- (f) Glare. No direct or reflected glare shall be permitted which is visible from any property outside an industrial district or from any street.
- (g) Erosion. No erosion, by either wind or water, shall be permitted which will carry objectionable substances onto neighboring properties.
- (h) Water Pollution. Water pollution shall be subject to the requirements and regulations established by the Ohio Environmental Protection Agency.
- (i) Enforcement Provisions. The Village Manager or Planning Commission prior to the issuance of a zoning permit, may require the submission of statements and plans indicating the manner in which dangerous and objectionable elements involved in processing and in equipment operations are to be eliminated or reduced to acceptable limits and tolerances.

- (j) Measurement Procedures. Methods and procedures for the determination of the existence of any dangerous and objectionable elements shall conform to applicable standard measurement procedures published by the American National Standards Institute, Washington, D.C., the United States Bureau of Mines, and the Ohio EPA.
- (k) Abatable Nuisance. Upon determination by the Village Manager or his/her designee or as sustained by appeal of such a decision to Council, subsections (a) to (h) hereof shall be considered abatable nuisances and are a violation of the provisions of this Zoning Ordinance.

CHAPTER 1187
Height, Area and Yard Modifications

1187.01 **Height modifications.**
1187.02 **Yard and frontage**
 modifications.

1187.03 **Yard projections.**
1187.04 **Lot area requirements;**
 private sanitary
 facilities.

CROSS REFERENCES

Height and yard requirements for satellite ground stations -
 see P. & Z. 1191

1187.01 HEIGHT MODIFICATIONS.

The height limitations stipulated elsewhere in this Zoning Ordinance shall not apply to the following:

- (a) Farm Buildings, Architectural Features, etc. Barns, silos, or other farm buildings or structures on farms; church spires, belfries, cupolas and domes; monuments; water towers, chimneys, smoke stacks, flagpoles; parapet walls extending not more than four feet above the limiting height of the building.
- (b) Elevator Penthouses, Water Tanks, etc. Elevator penthouses, water tanks, monitors and scenery lofts, provided no linear dimension of any such structure exceeds fifty percent (50%) of the corresponding street lot line frontage; towers and monuments, fire towers, hose towers, cooling towers, grain elevators, gas holders or other structures where the manufacturing process requires a greater height.

1187.02 YARD AND FRONTAGE MODIFICATIONS.

(a) Steep Slopes; Front Yard Garage. In any SR District or the VR District where the natural grade of a lot within the required front yard has an average slope, normal to the front lot line at every point along such line, of such a degree or percent of slope that it is not practicable to provide a driveway with a grade of twelve percent (12%) or less to a private garage conforming to the requirements of this Zoning Ordinance, such garage may be located within such front yard, but not in any case closer than twelve feet to the street right-of-way line.

1993 Replacement

Granville 2019 Replacement

(b) Side Yard Modifications; Corner Lot. For a side yard along the side street lot line of a corner lot, which lot abuts the rear, either directly or across the alley, the side lot line shall have a width equal to the required depth of the front yard on such other lot fronting the side street.

(c) Frontage Modifications. In the case of curvilinear streets and cul-de-sacs, the Board of Zoning and Building Appeals may authorize a reduction of the otherwise specified lot frontage in SR Districts, provided that:

- (1) The lot width measured at the building line equals the frontage required in the district where located;
- (2) The front lot line is not less than forty feet in any event; and
- (3) Such reduction of frontage will not result in a reduction of the required lot area.

1187.03 YARD PROJECTIONS.

(a) Projections of Architectural Features. Certain architectural features may project into required yard or courts as follows:

- (1) Cornices, canopies, eaves or similar architectural features, may project a distance not exceeding four feet.
- (2) Fire escapes may project a distance not exceeding four feet, six inches.
- (3) An uncovered stair and necessary landings may project a distance not to exceed six feet, provided such stair and landing shall not extend above the entrance floor of the building except for a railing not exceeding three feet in height.
- (4) Bay windows, balconies, uncovered porches and chimneys may project a distance not exceeding three feet, provided that such features do not occupy, in the aggregate, more than one-third of the length of the building wall on which they are located.
- (5) Interior side yard. The above-named features may project into any side yard adjoining an interior side lot line, a distance not to exceed one-fifth of the required least width of such side yard, but not exceeding three feet in any case.
- (6) Rear yards. Subject to the limitation in subsection (a)(5) hereof, the features named therein may project into any rear yards the same distances they are permitted to project into a front yard.

(b) Fences, Walls and Hedges.

- (1) Intent. It is the intent of this Fence Code to regulate the placement of fencing, walls or any combination thereof within the front, side, and rear yards of any property within the Village. It is further the purpose of this Code to maintain clear visibility of vehicular and pedestrian traffic on adjacent streets, alleys, and sidewalks that may otherwise be affected by fencing and/or wall locations and heights; to maintain an orderly appearance and reduce any negative impact upon other properties where such fencing or walls are directly visible from and adjacent to, public streets; and, therefore, to regulate the location, height, material composition, landscaping, and overall general fence characteristics.

1993 Replacement

Granville 2019 Replacement

- (2) Front Yard Restrictions. No person shall erect any fence or wall in the Village between the front yard setback line and the street; with the exception that decorative landscaping walls and fences which do not exceed forty-two inches (42") in height above ground level may be allowed. This type of fence must meet the following requirements:
- (a) That the proposed decorative landscape wall or fence is compatible with other similar structures in the neighborhood.
 - (b) That the height of said fence or wall does not exceed forty-two inches (42") in height when measured from the average grade of the yard where the fence or wall is to be installed. Artificially raising the height of the lot line by the use of mounding, retaining walls, or similar means shall be included in the forty-two inch (42") maximum height.
 - (c) The installation of such fence and/or wall shall not create a visibility or safety concern for vehicular and/or pedestrian movement.
 - (d) That no chain link, wire mesh, concrete block, or other similar type material can be installed fronting a street as a decorative landscape wall or fence.
- (3) Side and Rear Yard Restrictions. No fence, wall, or combination thereof shall exceed seventy-two inches (72") in height as measured from the average grade of that portion of the lot in the rear or side yards. No side yard fence shall extend beyond the front setback line of the house. Artificially raising the height of the lot line by the use of mounding, retaining walls, or similar means shall be included within the seventy-two (72") maximum height restriction. Any fence or wall erected along the side or rear property lines must have the finished and not the structural side facing the neighboring property, alley, or street.
- (4) Corner Lots. No fence, wall, or combination thereof shall exceed forty-two inches (42") in height in the side yard setback area as it faces a public or private street. Fencing or walls exceeding forty-two inches (42") in height but in no case higher than seventy-two inches (72") as measured from the average grade may be allowed. This type of fence must meet the following requirements:
- (a) That the proposed side yard fence or wall on the street side of a corner lot exceeding forty-two inches (42") in height is compatible with other similar structures in the neighborhood.
 - (b) That the height of such fence or wall shall not exceed seventy-two inches (72") in height; artificially raising the height of the lot line by the use of mounding, retaining walls, or similar means shall be included within the seventy-two inch maximum height.
 - (c) The installation of such fence or wall shall not create a visibility or safety concern for vehicular and/or pedestrian movement.

1992 Replacement

- (5) Prohibited Fences. No person shall erect or maintain anywhere in the Village a fence or wall equipped with or having barbed wire, spikes, sharp points, or any similar device or an electrical charge sufficient to cause shock except, as part of an agricultural operation or for safety and protection of individuals from hazard, such as electric substations.

1187.04 LOT AREA REQUIREMENTS; PRIVATE SANITARY FACILITIES.

Any other regulations of this Zoning Ordinance notwithstanding or as otherwise determined by the County Board of Health, in any district where public water and sanitary facilities are not accessible, the lot area per single-family dwelling and lot frontage requirements otherwise specified for residential uses shall be increased as follows:

- (a) Sewerage and Water Not Available. Where both public sewerage and public water supply are not accessible:
Minimum lot area - 1 acre
Minimum lot frontage - 125 feet
- (b) Sewerage Not Available. Where public water supply is accessible and private connections will be made, but where public sewerage is not accessible:
Minimum lot area - 1 acre
Minimum lot frontage - 125 feet

CHAPTER 1188 **Motor Vehicle Blight**

1188.01 General regulations.

1188.99 Penalty.

CROSS REFERENCES

State law provisions - see Ohio R.C. 4513.60 et seq.
 Junk vehicles on streets - see TRAF. 303.09

1188.01 GENERAL REGULATIONS.

(a) Except as provided in subsections (d) and (e) hereof, no owner of a motor vehicle, owner of premises or occupant of premises shall leave a motor vehicle in the open on private premises for more than ten days where such motor vehicle is:

- (1) Unlicensed and more than three years old; or
- (2) Extensively damaged, such damage including but not limited to any of the following: missing wheels, tires, motor or transmission; or
- (3) Apparently inoperable; or
- (4) Present on such premises for a use other than primarily as a motor vehicle to be operated on public highways.

(b) Except as provided in subsections (d) and (e) hereof, no owner of a motor vehicle, owner of premises or occupant of premises shall leave a motor vehicle in the open on private premises for more than thirty days where such motor vehicle is:

- (1) Under repair; or
- (2) A motor vehicle that has not been operated on a public highway during such period and has a fair market value of less than one thousand dollars five hundred dollars (\$1,500).

(c) For the purpose of subsections (a) and (b) hereof, "in the open" shall refer to any location on private premises except a location inside a completely enclosed building.

(d) Upon approval of the Planning Commission, the leaving of a motor vehicle under circumstances otherwise prohibited in subsections (a) and (b) hereof, may be permitted, if the motor vehicle is permanently concealed by buildings, fences, vegetation, terrain or other suitable obstruction.

(e) This chapter shall not apply to persons or entities lawfully engaged in the servicing, repair or restoration of motor vehicles or the properties upon which such enterprise is conducted.

(Ord. 6-93. Passed 4-22-93.)

1188.99 PENALTY.

Whoever violates any provision of this chapter or any amendment or supplement thereof, as provided in Section 501.02(D) of the General Offenses Code as presently written or hereinafter amended shall be guilty of a minor misdemeanor. Each day such violation continues shall be deemed a separate offense.

(Ord. 6-93. Passed 4-22-93.)

CHAPTER 1189 Signs

1189.01	Purpose and intent.	1189.09	Temporary signs.
1189.02	Applicability; effect.	1189.10	Signs exempt from regulations under this chapter.
1189.03	Definitions and interpretation.	1189.11	Signs prohibited under this chapter.
1189.04	Computations.	1189.12	Variances from sign requirements.
Table 1189 A	Sample drawing.	1189.13	General permit procedures.
1189.05	Signs allowed on private property with or without permits.	1189.14	Time of compliance: nonconforming signs and signs without permits.
Table 1189 B	Design standards.	1189.15	Violations.
1189.06	Permits required.		
1189.07	Design, construction and maintenance.		
1189.08	Signs in the public right of way.		

CROSS REFERENCES

OBC Requirements - see OAC Chapter 4101:1-3507

Unauthorized Traffic Signs - see TRAF. 313.07

Attaching Signs To Trees Prohibited - see S.U. & P.S. 909.06

1189.01 PURPOSE AND INTENT.

The purposes of these sign regulations are: to encourage the effective use of signs as a means of communication in the Village; to maintain and enhance the attractive aesthetic environment and the Village's ability to attract sources of economic development; to improve pedestrian and traffic safety; to minimize the possible adverse effect of signs on nearby public and private property; and to enable the fair and consistent enforcement of these sign restrictions. This sign chapter is adopted under the zoning authority of the Village in furtherance of the more general purpose set forth in the Zoning Ordinance.

All signs proposed for erection in the Village, except as otherwise provided in this chapter, shall be constructed in accordance with this Chapter and shall be subject to review by the Village Planner, or the Planning Commission if located within the Architectural Review Overlay District, to insure overall compatibility with the unique historical, architectural and overall character of the Village. Any sign proposed which does not meet the sign regulations, may be reviewed by the Board of Zoning and Building Appeals (referred to as BZBA herein) in accordance with Chapter 1147, Variances. (Ord. 11-2013. Passed 7-17-13.)

1189.02 APPLICABILITY; EFFECT.

A sign may be erected, placed, established, painted, created, or maintained in the Village only in conformance with the standards, procedures, exemptions, and other requirements of this chapter.

The effect of this chapter as more specifically set forth herein is:

- (a) To establish a permit system to allow a variety of sign types in Granville zoning districts, and a limited variety of signs in other zones, subject to the standards and permit procedures of this chapter.
 - (b) To allow certain signs that are small, unobtrusive, and incidental to the principal use of the respective lots on which they are located, subject to the substantive requirements of this chapter.
 - (c) To provide for temporary signs without commercial messages in limited circumstances in the public right of way.
 - (d) To prohibit all signs not expressly permitted by this chapter.
 - (e) To provide for the enforcement of the provisions of this chapter.
- (Ord. 17-01. Passed 10-4-01.)

1189.03 DEFINITIONS AND INTERPRETATION.

Words and phrases used in this chapter shall have the meanings set forth in this section. Words and phrases not defined in this section but defined in the Zoning Ordinance of the Village shall be given the meanings set forth in such Ordinance. Principles for computing sign area and sign heights are contained in Section 1189.04. All other words and phrases shall be given their common, ordinary meaning, unless the context clearly requires otherwise. Section headings for captions are for reference purposes only and shall not be used in the interpretation of this chapter.

- (1) "Animated Sign" means any sign that uses movement, of parts or all of the sign or supporting structure, or change of lighting to depict action or create a special effect or scene. (Ord. 17-01. Passed 10-4-01.)
- (2) "Banner" means any sign or lightweight fabric or similar material that is mounted to a pole or a building by a frame at one or more edges. National, state, municipal, or institutional flags shall not be considered banners. Corporate or business flags will be considered banners under this chapter. (Ord. 15-08. Passed 1-7-09.)
- (3) "Beacon" means any light with one or more beams directed into the atmosphere or directed at one or more points not on the same zone lot as the light source; also, any light with one or more beams that rotate or move.
- (4) "Building Frontage" means the total lineal facade length that faces a public right-of-way, measured at the foundation.
- (5) "Building Marker" means any sign indicating the name of a building and date and incidental information about its construction, which sign is cut into a masonry surface or made of bronze or other permanent material.

- (6) "Canopy Sign" means any sign that is a part of or attached to an awning, canopy, or other fabric, plastic or structural protective cover over a door, entrance, window, or outdoor service area. A marquee is not a canopy.
- (7) "Changeable Copy Sign" means a sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged without altering the face of the surface of the sign. A sign on which the message changes more than eight times a day shall be considered an animated sign and not a changeable copy sign for the purposes of this chapter. A sign on which the only copy that changes is an electronic or mechanical indication of time or temperature shall be considered a changeable copy sign for the purposes of this chapter.
- (8) "Commercial Message" means any sign wording, logo, or other representation that, directly or indirectly, names, advertises, or calls attention to a business, product, service, or other commercial activity.
- (9) "Community Service District" means a commercial base-zoning district as established in Chapter 1155 of the Granville Codified Ordinances, which designates areas, as shown on the Official Zoning Map, and to which the applicable regulations and provisions govern the properties within the district.
- (10) "Customer Convenience Signs" means any sign, label, or placard placed inside or on a window that shows the acceptance or use of insurance carriers, charge cards, movie posters (only in video rental stores), security and alarm notices, no smoking, store hours, restaurant menu, public service announcements, and the like.
- (11) "Flag" means any fabric, banner, or bunting containing distinctive colors, patterns, or symbols, used as a symbol of a government, political subdivision, or other public or institutional entity.
- (12) "Freestanding Sign" means any sign supported by structures or supports that are placed on, or anchored in, the ground and that are independent from any building or structure.
- (13) "Incidental Sign" means a sign, generally informational, that has a purpose secondary to the use of the zone lot on which it is located, such as "no parking," "entrance," "loading only," "telephone," and other similar directives. No sign with a commercial message legible from a position off the zone lot on which the sign is located shall be considered incidental.
- (14) "Lot" means any piece or parcel of land or a portion of a subdivision, the boundaries of which have been established by some legal instrument of record that is recognized and intended as a unit for the purpose of transfer of ownership.
- (15) "Marquee" means any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather (similar to a movie theater sign).
- (16) "Neon Sign" means any sign using illumination derived from noble gases from Group VIII of the periodic table (referred to herein as neon signs).

- (17) "Marquee Sign" means any sign attached to, in any manner, or made a part of a marquee.
- (18) "Nonconforming Sign" means any sign that does not conform to the requirements of this chapter.
- (19) "Pennant" means any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wires or string, usually in a series, designed to move in the wind.
- (20) "Person" means any association, company, corporation, firm, organization, or partnership, singular or plural, of any kind.
- (21) "Portable Sign" means any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels; signs converted to A-or-T frames; menu and sandwich board signs, balloons used as signs; umbrellas used for advertising; and signs attached to, painted on, or otherwise made part of vehicles parked and visible from the public right-of-way.
- (22) "Principal Building" means the building in which the principal use is conducted or the zone lot on which it is located. Zone lots with multiple principal uses may have multiple principal buildings, but storage buildings, garages, and other clearly accessory uses shall not be considered principal buildings.
- (23) "Projecting Sign" means any sign affixed to a building or wall in such a manner that its leading edge extends more than 12 inches beyond the surface of such building or wall.
- (24) "Planned Development Districts" means zoning districts: Planned Commercial District (PCD), Planned Industrial District (PID), and Planned Unit Development (PUD). Commercial base-zoning districts as established in Chapter 1155 of the Granville Codified Ordinances, which designates areas, as shown on the Official Zoning Map, and to which the applicable regulations and provisions govern the properties within the district.
- (25) "Residential Sign" means any sign located in a district zoned for residential uses that contains no commercial message except advertising for goods or services legally offered on the premises where the sign is located, if offering such goods or services at such location conforms with all requirements of the Zoning Ordinance.
- (26) "Roof Sign" means any sign erected and constructed wholly on and over the roof of a building, supported by the roof structure, and extending vertically above the highest portion of the roof.
- (27) "Sandwich Board Sign" means any sign temporarily placed in the right of way of the zone lot or on the land between the building and the right of way as a freestanding sign, which may include chalk and dry-erase boards.
- (28) "Setback" means the distance from the property line to the nearest part of the applicable building, structure, or sign, measured perpendicularly to the property line.

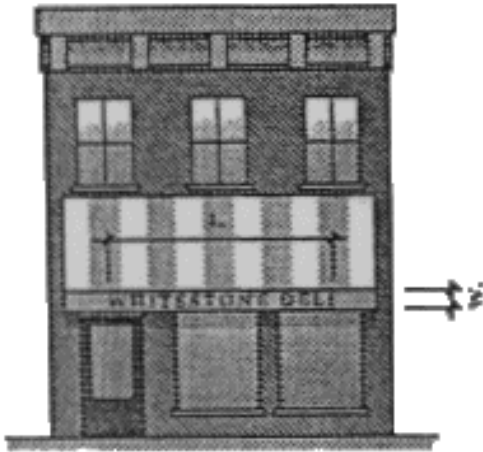
- (29) "Sign" means any device, fixture, placard, or structure whether temporary or permanent, freestanding or attached, that uses any color, form, graphic, illumination, symbol, or writing to advertise, announce the purpose of, or identify the purposes of a person or entity, or to communicate information of any kind.
- (30) "Street" means a strip of land or way subject to vehicular traffic (as well as pedestrian traffic) that provides direct or indirect access to property, including but not limited to, alleys, avenues, boulevards, courts, drives, highways, lanes, places, roads, terraces, trails, or other thoroughfares.
- (31) "Street Frontage" means the distance for which a lot line of a zone lot adjoins a public street, from one lot line intersecting said street to the furthest distant lot line intersecting the same street.
- (32) "Suburban Districts (SBD) and (SRD)" means zoning districts: Suburban Business District (SBD), Suburban Residential Districts (SRD-A), (SRD-B), and (SRD-C). Commercial (SBD) and residential base zoning districts as established in Chapter 1155 of the Granville Codified Ordinances, which designates areas, as shown on the Official Zoning Map, and to which the applicable regulations and provisions govern the properties within the district.
- (33) "Suspended Sign" means a sign that is suspended from the underside of a horizontal plane surface and is supported by such surface.
- (34) "Temporary Sign" means any sign that is used only temporarily and is not permanently mounted.
- (35) "Transportation Corridor Overlay District" means an overlay zoning district. Generally, this district encompasses 100 feet on either side of the right-of-way in most of the transportation corridors into the Village. See also Chapter 1176 of the Codified Ordinances. (Ord. 17-01. Passed 10-4-01.)
- (36) "Village Districts (VBD), (VGD), (VID), (VRD), and (VSD)" means zoning districts: Village Business District (VBD), Village Gateway District (VGD), Village Institutional District (VID), Village Residential District (VRD), and Village Square District (VSD). Commercial (VBD) and residential base zoning districts as established in Chapter 1155 of the Granville Codified Ordinances, which designates areas, as shown on the Official Zoning Map, and to which the applicable regulations and provisions govern the properties within the district.
- (37) "Village Gateway District (VGD)" means the zoning district established in Chapter 1173 of the Granville Codified Ordinances, which designates areas, as shown on the Official Zoning Map, and to which the applicable regulations and provisions govern the properties within the district. (Ord. 07-08. Passed 8-6-08.)
- (38) "Wall Sign" means any sign attached parallel to, but within twelve (12) inches of, a wall, painted on the wall surface of, or erected and confined within the limits of an outside wall of any building or structure, or which is supported by such wall or building, and which displays only one sign surface.
- (39) "Window Sign" means any sign, pictures, symbol, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale, or service that is placed inside a window or upon the window panes or glass and is visible from the exterior of the window.
- (40) "Zone Lot" means a parcel of land in single ownership that is sufficient size to meet minimum zoning requirements for area, coverage and use, and that can provide such yards and other open spaces as required by the zoning regulations. (Ord. 17-01. Passed 10-4-01.)

1189.04 COMPUTATIONS.

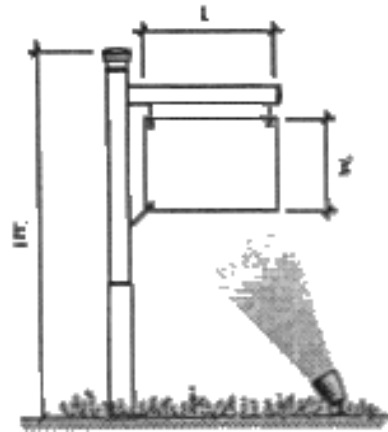
The following principles shall control the computation of sign area and sign height:

- (a) Computation of Area of Individual Signs. The area of a sign face (which is also the sign area of a wall sign or other sign with only one face) shall be computed by means of the smallest square, circle, rectangle, or triangle that will encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework, bracing or decorative fence or wall when such fence or wall otherwise meets Zoning Ordinance regulations and is clearly incidental to the display itself (See Table 1189 A for example drawing). For freestanding signs, the entire sign face shall be included in the computation.
- (b) Computation of Area of Multifaced Signs. The sign area for a sign with more than one face shall be computed by adding together the area of all sign faces visible from any one point. When two identical sign faces are placed back to back, so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure and are not more than 24 inches apart, the sign area shall be computed by the measurement of one of the faces.
- (c) Computation of Height. The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to existing grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign. In cases in which the normal grade can not reasonably be determined, sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of a public street or the grade of the land at the principal entrance to the principal structure on the zone lot, whichever is lower.
- (d) Computation of Maximum Total Permitted Sign Area for a Zone Lot. The permitted sum of the area of all individual signs on a zone lot shall be computed by applying the formulas contained in Table 1189 B.
(Ord. 17-01. Passed 10-4-01.)

Table 1189 A - Sample Drawing



Canopy Sign



Freestanding Sign



Wall Sign



Window Sign

(Ord. 17-01. Passed 10-4-01.)

1189.05 SIGNS ALLOWED ON PRIVATE PROPERTY WITH OR WITHOUT PERMITS.

Signs shall be allowed on property in the Village in accordance with, and only in accordance with Table 1189 B.

Table 1189 B- Design Standards

KEY TO TABLE 1189 B	
On the tables in this chapter, which are organized by zoning district, the headings have the following meanings:	
VRD Village Residential District	PID Planned Industrial District
VBD Village Business District	PCD Planned Commercial District
VSD Village Square District	CSD Community Service District
VID Village Institutional District	PUD Planned Unit District
SBD Suburban Business District	SRD Suburban Residential District
VGD Village Gateway District	

Village Zoning Districts				
Sign Type	VRD	VBD	VSD	VID
General Provisions	1. The maximum number of colors in any sign is three. 2. Unless otherwise stated in a specific district, neon signs shall not be permitted. 3. Unless otherwise stated in a specific district, internal illumination of a sign is not permitted. 4. The maximum total square footage of all signs on any zone lot is 7 square feet. 5. Changeable copy signs are not permitted. 6. Animated signs are not permitted.	1. The maximum number of colors in any sign is three. 2. Unless otherwise stated in a specific district, neon signs shall not be permitted. 3. Unless otherwise stated in a specific district, internal illumination of a sign is not permitted. 4. Maximum sign area is 2.5 square feet/lineal feet + 25% for the second street frontage. 5. The maximum number of individual signs per storefront is four. 6. Changeable copy signs are not permitted. 7. Animated signs are not permitted.	1. The maximum number of colors in any sign is three. 2. Unless otherwise stated in a specific district, neon signs shall not be permitted. 3. Unless otherwise stated in a specific district, internal illumination of a sign is not permitted. 4. Animated signs are not permitted.	1. The maximum number of colors in any sign is three. 2. Unless otherwise stated in a specific district, neon signs shall not be permitted. 3. Unless otherwise stated in a specific district, internal illumination of a sign is not permitted. 4. Changeable copy signs are not permitted. 5. Animated signs are not permitted.
<u>Freestanding Signs</u> A. Residential ¹	1. Permitted with no commercial message. 2. Maximum size is 4 square feet.	1. NA	1. NA	1. NA

Village Zoning Districts				
Sign Type	VRD	VBD	VSD	VID
B. Incidental ²	1. Not permitted.	1. Permitted with no commercial message. 2. Maximum size is (4) square feet (not subject to maximum sign area.) 3. Maximum height is 4 feet. 4. Maximum number is 2 per zone lot.	1. Permitted with no commercial message. 2. Maximum size is (4) square feet. 3. Maximum height is 4 feet. 4. Maximum number is 2 per zone lot.	1. Permitted with no commercial message. 2. Maximum size is (4) square feet. 3. Maximum height is 4 feet. 4. Maximum number is 2 per zone lot.
C. Freestanding	1. Not permitted.	1. Permitted. 2. Maximum size is (12) square feet. 3. Maximum height is 8 feet. 4. Maximum number is one per zone lot.	1. Permitted. 2. Maximum size is (12) square feet. 3. Maximum height is 10 feet. 4. Maximum number is one per zone lot. 5. Monument signs are encouraged and should be developed as part of an overall landscape concept.	1. Permitted. 2. Maximum size is (12) square feet. 3. Maximum height is 10 feet. 4. Maximum number is one per zone lot. 5. Monument signs are encouraged and should be developed as part of an overall landscape concept.
<u>Building Signs</u> A. Building Marker ³	1. Permitted. 2. Maximum size is (6) square feet. 3. Must be cut or etched into stone, masonry bronze or similar material.	1. Permitted. 2. Maximum size is (6) square feet. 3. Must be cut or etched into stone, masonry bronze or similar material.	1. Permitted. 2. Maximum size is (6) square feet. 3. Must be cut or etched into stone, masonry bronze or similar material.	1. Permitted. 2. Maximum size is (6) square feet. 3. Must be cut or etched into stone, masonry bronze or similar material.
B. Canopy	1. Not permitted.	1. Permitted. 2. Limited to valance face only. 3. The maximum number is one per zone lot. 4. Maximum number of colors is one in addition to the canopy color.	1. Not permitted.	1. Not permitted.
C. Identification ⁴	1. Permitted. 2. Only name and address permitted. 3. Maximum size is to be 4 square feet.	1. Permitted. 2. Only name and address permitted. 3. Maximum size is to be 4 square feet.	1. Permitted. 2. Only name and address permitted. 3. Maximum size is to be 4 square feet.	1. Permitted. 2. Only one sign per building elevation will be permitted. 3. Must be incorporated into building architecture. 4. Maximum size of sign is to be 20 square feet. 5. Maximum height of letter or character is to be 12 inches.

Village Zoning Districts				
Sign Type	VRD	VBD	VSD	VID
D. Marquee ⁵	1. Not permitted.	1. Not permitted.	1. Not permitted.	1. Not permitted.
E. Projecting ⁵	1. Not permitted.	1. Permitted. 2. Maximum size is (10) square feet. 3. Maximum number is one per zone lot. 4. Maximum height is 14 feet.	1. Not permitted.	1. Not permitted.
F. Wall Sign	1. Not permitted.	1. Permitted. 2. Maximum size is (1.5) square feet/lineal foot of frontage. 3. Maximum number is one per building. 4. Wall signs must be incorporated into the architecture of the building.	1. Not permitted.	1. Not permitted.
G. Window Signs	1. Not permitted.	1. Window signs are permitted. 2. Window signs shall not exceed 15% of the window area and in no case exceed 8 square feet. 3. Neon window signs may be permitted if they are considered artful and identify the business enterprise and do not exceed 4 square feet. 4. Neon window signs, which advertise products sold by a business or services given are not permitted.	1. Not permitted.	1. Not permitted.

Village Zoning Districts				
Sign Type	VRD	VBD	VSD	VID
H. Sidewalk Signs	1. Not permitted.	1. Permitted. 2. Maximum size will be four feet in height and two feet in width. 3. Maximum number will be one per building. 4. Locations must be approved by GPC and are not permitted to obstruct pedestrian movements along public walkways, parking or otherwise obstruct public rights-of-way. 5. The signs must be made of a permanent weather proof material such as painted wood or metal. 6. Must be removed and secured indoors during non-business hours.	1. Not permitted.	1. Not permitted.

Suburban Business and Village Gateway Districts

Sign Type	SBD	VGD
General Provisions	<ol style="list-style-type: none"> 1. The maximum number of colors in any sign is three. 2. Unless otherwise stated in a specific district, neon signs shall not be permitted. 3. Unless otherwise stated in a specific district, internal illumination of a sign is not permitted. 4. The maximum total square footage of all signs on any zone lot will be calculated as 1 square foot of signage per 100 square feet of gross lease area. 5. Changeable copy signs are not permitted. 6. Animated signs are not permitted. 	<ol style="list-style-type: none"> 1. The maximum number of colors in any sign is three, excluding white. 2. Neon signs shall not be permitted, unless otherwise stated. 3. Internal illumination of a sign is not permitted. 4. The external lighting for signage is to be approved by Planning Commission. Externally illuminated signs shall comply with the following requirements: <ul style="list-style-type: none"> • Top mounted lights fixtures shall be preferred; and shall be shielded. • When top mounted fixtures are not feasible, illumination from other positioned light sources shall be restricted to the sign area. 5. The maximum total square footage of all signs on any zone lot will be calculated as 1 square foot of signage per 100 square feet of gross lease areas. 6. Changeable copy signs are not permitted. 7. Animated signs are not permitted. 8. Signs made of natural materials are encouraged and should be incorporated into the architecture of the building.
<u>Freestanding Signs</u> A. Residential ⁶	<ol style="list-style-type: none"> 1. Permitted with no commercial message. 2. Maximum size is 4 square feet. 	<ol style="list-style-type: none"> 1. Permitted with no commercial message. 2. Maximum size is 4 square feet.
B. Incidental ⁷	<ol style="list-style-type: none"> 1. Permitted with no commercial message. 2. Maximum size is 4 square feet. 3. Maximum height is 4 feet. 4. Maximum number is 4 per zone lot. 	<ol style="list-style-type: none"> 1. Permitted with no commercial message. 2. Maximum size is 4 square feet. 3. Maximum height is 4 feet. 4. Maximum number is 4 per zone lot.
C. Freestanding	<ol style="list-style-type: none"> 1. Permitted. 2. Maximum size is 18 square feet. 3. Maximum height is 10 feet. 4. Maximum number is one per zone lot. 5. Monument signs are encouraged and should be developed as part of an overall landscape concept. 	<ol style="list-style-type: none"> 1. Permitted. 2. Maximum size is 24 square feet provided, however, that the maximum size for freestanding signs along Main Street and State Route 16 shall be 40 square feet. 3. Maximum height is 10 feet. 4. Maximum number is one per zone lot. 5. Monument signs are encouraged and should be developed as part of an overall landscape concept. 6. A freestanding sign may list multiple tenants.
<u>Building Signs</u> A. Building Marker ⁸	<ol style="list-style-type: none"> 1. Permitted. 2. Maximum size is 6 square feet. 3. Must be cut or etched into stone, masonry bronze or similar material. 	<ol style="list-style-type: none"> 1. Permitted. 2. Maximum size is 6 square feet. 3. Must be cut or etched into stone, masonry bronze or similar material.

Sign Type	SBD	VGD
B. Canopy	<ol style="list-style-type: none"> 1. Permitted. 2. Maximum size is 6 square feet or 25% of the surface area of the canopy, whichever is less. Sign is limited to valance face only. 3. The maximum number is one per business. 4. Maximum number of colors is one in addition to the canopy color. 	<ol style="list-style-type: none"> 1. Permitted. 2. Maximum size is 6 square feet or 25% of the surface area of the canopy, whichever is less. Sign is limited to valance face only. 3. The maximum number is one per business. 4. Maximum number of colors is one in addition to the canopy color.
C. Identification ⁹	<ol style="list-style-type: none"> 1. Permitted. 2. Only name and address permitted. 3. Maximum size is to be 4 square feet. 	<ol style="list-style-type: none"> 1. Permitted. 2. Only name and address permitted. 3. Maximum size is to be 4 square feet.
D. Marquee ¹⁰	<ol style="list-style-type: none"> 1. Not permitted. 	<ol style="list-style-type: none"> 1. Not permitted.
E. Projecting or Suspended ⁵	<ol style="list-style-type: none"> 1. Permitted. 2. Maximum size is 10 square feet. 3. Maximum number is one per business. 4. Maximum height is 14 feet. 	<ol style="list-style-type: none"> 1. Permitted. 2. Maximum size is 10 square feet. 3. Maximum number is one per business. 4. Maximum height is 14 feet.
F. Wall Sign	<ol style="list-style-type: none"> 1. Permitted. 2. Maximum size is 1.5 square feet/lineal feet of building frontage. 3. Maximum number is one per building. 4. Building signs are not permitted. 	<ol style="list-style-type: none"> 1. Permitted. 2. Maximum size is 1 square feet per 1.5 lineal feet of building frontage per tenant. 3. Maximum number is one per building. However, a building with multiple street frontages shall be allowed one sign per tenant on each side facing a public street. 4. Building signs must be incorporated into the architecture of the building. 5. A building with multiple tenants shall be required to submit a master sign plan for the entire building. Such master sign plan shall show consistency of all signage related to size, colors and location.
G. Window Signs	<ol style="list-style-type: none"> 1. Window signs are permitted in the first floor windows only. 2. Window signs shall not exceed 15% of the window area and in no case exceed 8 square feet. 	<ol style="list-style-type: none"> 1. Window signs are permitted in the first floor windows only. 2. Window signs shall not exceed 15% of the window area and in no case exceed 8 square feet.
H. Sidewalk Signs	<ol style="list-style-type: none"> 1. Permitted with GPC variance only. 	<ol style="list-style-type: none"> 1. Not permitted
I. Deviations	<ol style="list-style-type: none"> 1. None 	<ol style="list-style-type: none"> 1. A deviation from these sign regulations may be approved by the Planning Commission where appropriate to the integrity of the development plan.

Planned Industrial, Planned Commercial and Community Service Districts

Village Zoning Districts			
Sign Type	PID	PCD	CSD
General Provisions	1. The maximum number of colors in any sign is three. 2. Unless otherwise stated in a specific district, neon signs shall not be permitted. 3. Unless otherwise stated in a specific district, internal illumination of a sign is not permitted. 4. The maximum total square footage of all signs on any zone lot is 12 square feet. 5. Changeable copy signs are not permitted. 6. Animated signs are not permitted.	1. The maximum number of colors in any sign is three. 2. Unless otherwise stated in a specific district, neon signs shall not be permitted. 3. Unless otherwise stated in a specific district, internal illumination of a sign is not permitted. 4. The maximum total square footage of all signs on any zone lot will be calculated as 1 square foot of signage per 100 square feet of gross lease area. 5. Changeable copy signs are not permitted. 6. Animated signs are not permitted.	1. The maximum number of colors in any sign is three. 2. Unless otherwise stated in a specific district, neon signs shall not be permitted. 3. Unless otherwise stated in a specific district, internal illumination of a sign is not permitted. 4. The maximum total square footage of all signs(not otherwise limited in this section) on any zone lot will be calculated as 1 square foot of signage per 100 square feet of gross lease area. 5. Changeable copy signs are not permitted. 6. Animated signs are not permitted.
<u>Freestanding Signs</u> A. Residential ⁶	1. Not applicable.	1. Permitted with no commercial message. 2. Maximum size is (4) square feet.	1. Not applicable.
B. Incidental ⁷	1. Not permitted.	1. Permitted with no commercial message. 2. Maximum size is (4) square feet. 3. Maximum height is 4 feet. 4. Maximum number is 4 per zone lot.	1. Permitted with no commercial message. 2. Maximum size is (4) square feet. 3. Maximum height is 4 feet. 4. Maximum number is 4 per zone lot.

Village Zoning Districts			
Sign Type	PID	PCD	CSD
C.Freestanding	1. Not permitted.	1. Permitted. 2. Maximum size is (18) square feet. 3. Maximum height is 10 feet. 4. Maximum number is one per zone lot.	1. Permitted. 2. Maximum size is (24) square feet. 3. Maximum height is 10 feet. 4. Maximum number is one per zone lot. 5. Monument signs are encouraged and should be developed as part of an overall landscape concept. 6. Freestanding signs may display a maximum of three tenants.
Building Signs A. Building Marker ⁸	1. Permitted. 2. Maximum size is (6) square feet. 3. Must be cut or etched into stone, masonry bronze or similar material.	1. Permitted. 2. Maximum size is (6) square feet. 3. Must be cut or etched into stone, masonry bronze or similar material.	1. Permitted. 2. Maximum size is (6) square feet. 3. Must be cut or etched into stone, masonry bronze or similar material.
B. Canopy	1. Not permitted.	1. Permitted. 2. Maximum size is (6) square feet or 25% of the surface area of the canopy, whichever is less. Sign is limited to valance face only. 3. The maximum number is one per business. 4. Maximum number of colors is one in addition to the canopy color.	1. Permitted. 2. Maximum size is (6) square feet or 25% of the surface area of the canopy, whichever is less. Sign is limited to valance face only. 3. The maximum number is one per business. 4. Maximum number of colors is one in addition to the canopy color.
C.Identification ⁹	1. Permitted. 2. Only name and address permitted. 3. Maximum size is to be 4 square feet.	1. Permitted. 2. Only name and address permitted. 3. Maximum size is to be 4 square feet.	1. Permitted. 2. Only name and address permitted. 3. Maximum size is to be 4 square feet.
D. Marquee ¹⁰	1. Not permitted.	1. Not permitted.	1. Permitted. 2. Maximum size is to be 48 square feet. 3. Changeable copy is permitted. 4. Artful application of neon may be permitted.

Village Zoning Districts			
Sign Type	PID	PCD	CSD
E. Projecting or Suspended ⁵	1. Not permitted.	1. Permitted. 2. Maximum size is (10) square feet. 3. Maximum number is one per business. 4. Maximum height is 14 feet.	1. Permitted. 2. Maximum size is (10) square feet. 3. Maximum number is one per business. 4. Maximum height is 14 feet.
F. Wall Sign	1. Permitted. 2. Maximum size is (1.5) square feet/lineal feet of building frontage. 3. Maximum number is one per building. 4. Building signs must be incorporated into the architecture of the building.	1. Permitted. 2. Maximum size is (1.5) square feet/lineal feet of building frontage. 3. Maximum number is one per building. 4. Building signs must be incorporated into the architecture of the building.	1. Permitted. 2. Maximum size is (1.5) square feet/lineal feet of building frontage. 3. Maximum number is one per building. 4. Building signs must be incorporated into the architecture of the building.
G. Window Signs	1. Not permitted.	1. Window signs are permitted in the first floor windows only. 2. Window signs shall not exceed 15% of the window area and in no case exceed 8 square feet. 3. Neon window signs may be permitted if they are considered artful and used to identify the business enterprise and do not exceed 4 square feet. 4. Neon window signs, which advertise products sold by a business, or services given are not permitted.	1. Window signs are permitted in the first floor windows only. 2. Window signs shall not exceed 15% of the window area and in no case exceed 8 square feet. 3. Neon window signs may be permitted if they are considered artful and used to identify the business enterprise and do not exceed 4 square feet. 4. Neon window signs, which advertise products sold by a business, or services given are not permitted.
H. Sidewalk Signs	1. Not permitted.	1. Permitted with GPC variance only.	1. Not permitted.

Planned Unit Development, Suburban Residential

Village Zoning Districts		
Sign Type	PUD	SRD
General Provisions	<ol style="list-style-type: none"> 1. The maximum number of colors in any sign is three. 2. Unless otherwise stated per district, neon signs shall not be permitted. 3. Unless otherwise stated per district, internal illumination of a sign is not permitted. 4. The maximum total square footage of all signs on any zone lot will be calculated as 1 square foot of signage per 400 square feet of gross lease area. 5. Changeable copy signs are not permitted. 6. Animated signs are not permitted. 	<ol style="list-style-type: none"> 1. The maximum number of colors in any sign is three. 2. Unless otherwise stated per district, neon signs shall not be permitted. 3. Unless otherwise stated per district, internal illumination of a sign is not permitted. 4. The maximum total square footage of all signs on any zone lot is 6 square feet. 5. Changeable copy signs are not permitted. 6. Animated signs are not permitted.
<u>Freestanding Signs</u> A. Residential ¹¹	<ol style="list-style-type: none"> 1. Permitted with no commercial message. 2. Maximum size is 4 square feet. 	<ol style="list-style-type: none"> 1. Permitted with no commercial message. 2. Maximum size is 4 square feet.
B. Incidental ¹²	<ol style="list-style-type: none"> 1. Permitted with no commercial message. 2. Maximum size is 4 square feet. 3. Maximum height is 4 feet. 4. Maximum number is 2 per zone lot. 	<ol style="list-style-type: none"> 1. Not permitted.

Village Zoning Districts		
Sign Type	PUD	SRD
C. Freestanding	1. Permitted. 2. Maximum size is 18 square feet. 3. Maximum height is 8 feet. 4. Maximum number is one per zone lot. 5. Monument signs are encouraged and should be developed as part of an overall landscape concept.	1. Not permitted.
<u>Building Signs</u> A. Building Marker ¹³	1. Permitted. 2. Maximum size is 4 square feet. 3. Must be cut or etched into stone, masonry bronze or similar material.	1. Permitted. 2. Maximum size is 4 square feet. 3. Must be cut or etched into stone, masonry bronze or similar material.
B. Canopy	1. Not permitted.	1. Not permitted.
C. Identification ¹⁴	1. Permitted. 2. Only name and address permitted. 3. Maximum size is to be (4) square feet.	1. Permitted. 2. Only name and address permitted. 3. Maximum size is to be (4) square feet.
D. Marquee ¹⁵	1. Not permitted.	1. Not permitted.
E. Projecting or Suspended ⁵	1. Not permitted.	1. Not permitted.
F. Wall Sign	1. Not permitted.	1. Not permitted.
G. Window Signs	1. Not permitted.	1. Not permitted.
H. Sidewalk Signs	1. Not permitted.	1. Not permitted.

(Ord. 11-2013. Passed 7-17-13; Ord. 08-2019. Passed 3-20-19.)

NOTES:

1. No commercial message allowed on sign, except for a commercial message drawing attention to an activity legally offered on the premises.
2. No commercial message of any kind allowed on sign if such message is legible from any location off the zone lot on which the sign is located.
3. May include only building name, date of construct, historic data on historic site; must be cut or etched into masonry, bronze or similar material.
4. Only address and name of occupant allowed on sign.
5. If such sign is suspended or projects are above a public right of way; the issuance and continuation of a sign permit shall be condition on the sign owner obtaining and maintaining in force liability insurance for such a sign in such amount as the Village Council may reasonably from time to time determine, provided that the amount of such liability insurance shall be at least \$500,000 per occurrence per sign.
6. No commercial message allowed on sign, except for a commercial message drawing attention to an activity legally offered on the premises.
7. No commercial message of any kind allowed on sign if such message is legible from any location off the zone lot on which the sign is located.
8. May include only building name, date of construct, historical data on historic site; must be cut or etched into masonry, bronze or similar material.
9. Only address and name of occupant allowed on sign.
10. If such sign is suspended or projects are above a public right of way; the issuance and continuation of a sign permit shall be conditioned on the sign owner obtaining and maintaining in force liability insurance for such a sign in such amount as the Village Council may reasonably from time to time determine.
11. No commercial message allowed on sign, except for a commercial message drawing attention to an activity legally offered on the premises.
12. No commercial message of any kind allowed on sign, if such message is legible from any location off the zone lot on which the sign is located.
13. May include only building name, date of construction, historical data on historic site; must be cut or etched into masonry, bronze or similar material.
14. Only address and name of occupant allowed on sign.
15. If such sign is suspended or projects are above a public right of way; the issuance and continuation of a sign permit shall be condition on the sign owner obtaining and maintaining in force liability insurance for such a sign in such amount as the Village Council may reasonably from time to time determine provided that the amount of such liability insurance shall be at least \$500,000 per occurrence per sign.

(Ord. 17-01. Passed 10-4-01.)

1189.06 PERMITS REQUIRED.

(a) Unless otherwise stated herein, all proposed or modified signs shall require a permit from the Village Planner, and shall be reviewed by the Village Planner, or Planning Commission (if located within the Architectural Review Overlay District) or BZBA (if a variance is required) (see Section 1189.01).. If a sign requiring a permit under the provision of this chapter is to be placed, constructed, erected, or modified on a zone lot, the owner of the lot shall secure a sign permit prior to the construction, placement, erection, or modification of such a sign in accordance with the requirements of Section 1189.13.

(b) No signs shall be erected in the public right of way in accordance with Section 1189.09 and the permit requirements of Section 1189.05 unless approved by the Village Council or Village Manager. (Ord. 11-2013. Passed 7-17-13.)

1189.07 DESIGN, CONSTRUCTION AND MAINTENANCE.

All signs shall be designed, constructed and maintained in accordance with the following standards:

- (a) All signs shall comply with applicable provisions of the Basic Ohio Building Code and Electrical Code of the Village at all times.
- (b) Except for flags, temporary signs, and window signs conforming in all respects with the requirements of this chapter, all signs shall be constructed of permanent materials and shall be permanently attached to the ground, a building or another structure by direct attachment to a rigid wall, frame, or structure.
- (c) All signs shall be maintained in good structural condition and in good repair in compliance with all Building and Electrical Codes, and in conformance with this code, at all times.
- (d) Signs must be neat and clean so as not to appear damaged, unappealing, or unnecessarily worn. (Ord. 17-01. Passed 10-4-01.)

1189.08 SIGNS IN THE PUBLIC RIGHT OF WAY.

No signs shall be allowed in the public right of way except for the following (unless otherwise approved by the GPC):

- (a) Permanent Signs. Permanent signs including:
 - (1) Public signs erected by or on behalf of a governmental body to post legal notices, identify public property, convey public information, and direct or regulate pedestrian or vehicular traffic.
 - (2) Bus stop signs erected by a public transit company.
 - (3) Informational signs of a public utility regarding its poles, lines, pipes or facilities.
 - (4) Awning, projecting and suspended signs projecting over a public right of way and in conformity with the conditions of Table 1189B of this chapter.
 - (5) Signs of civic organizations or special events posted on the community sign or on the village entrance signs.
 - (6) Sandwich board signs as approved by the GPC.
- (b) Temporary Signs. Temporary signs meeting the requirements for placement in the public right of way as set forth in 1189.09. (Ord. 17-01. Passed 10-4-01.)

1189.09 TEMPORARY SIGNS.

(a) A permit for a temporary sign may be issued by the Village Planner following review and approval of a temporary sign application and may be for the period of time indicated in (b) below.

(b) A temporary sign permit shall be issued only for signs meeting the following requirements:

- (1) Development Sign. A temporary development sign advertising the sale of platted lots in a subdivision provided that not more than one such sign may be permitted whether such sign is at the entrance to the subdivision or within the subdivision. Any such sign may also be utilized to advertise the sale or lease of multi-family units, or store or office space in commercial developments. Such signs shall be limited to a maximum area of thirty-two square feet when located on parcels of two acres or more and a maximum area of eight square feet when located on parcels of less than two acres. Other limitations shall include a maximum height of ten feet, and a minimum setback of fifteen feet from established rights of way, unless there is no land between the right of way and the facade of the structure, in which case the sign must not be a safety hazard and must be located at the closest point to the structure. The sign permit shall be for a one-year period.

- (2) Sign Promoting Non-Commercial Campaign or Event. A sign for the promotion of a school, church, or community campaign or event of a non-commercial purpose. The sign may not be displayed for more than 60 days in any 12 month period. The sign may not exceed thirty-two (32) square feet per side.
- (3) Temporary Sign for Business. When there is a legitimate delay, as determined by the Village Planner, in the construction or preparation of a permanent sign for a business, a temporary sign may be displayed for a period of 90 days or until the new sign is erected, whichever is less. Such sign shall be proportional in scale to the frontage of the building, but in any case shall not exceed thirty-two (32) square feet.
- (4) Grand Opening Banner. A grand opening banner is permitted to call attention to a new business or institutional use and is allowed in any zone in which the commercial, industrial, or institutional use is permitted. Maximum size is thirty-two (32) square feet. The banner shall not be displayed for more than fifteen (15) days. Only one grand opening banner shall be allowed per street frontage for the business or use. The banner must be securely fastened to the building and may not project above the roofline or interfere with access for the building.
- (5) Going Out Of Business Signs. A going out of business banner is permitted for any zone in which a commercial, industrial, or institutional use is permitted. Maximum size is thirty-two (32) square feet. The banner shall not be displayed for more than sixty (60) days. Only one going out of business banner shall be allowed per street frontage for the business or use. The banner must be securely fastened to the building and may not project above the roofline or interfere with access for the building.

(c) A temporary sign that is approved pursuant to this section may only be displayed on the premises to which the sign is applicable. Unless otherwise specifically authorized by these regulations or by the Village Planner, only one temporary sign may be displayed per business at any time.

(d) All temporary signs approved pursuant to this section shall be non-illuminated, shall be constructed of a durable material, and shall be professional in appearance. As used in this section, professional appearance means, at minimum, that the sign is designed or manufactured by a graphic artist or sign company or is computer-generated. There shall be no limitation in the number of colors for a temporary sign, but the specific colors to be used in the sign shall be approved by the Village Planner. The use of fluorescent, day-glo, and neon colors is prohibited.

(e) Temporary signs shall not be attached to trees or utility poles or placed in a position that would obstruct or impair traffic or in any manner create a hazard or disturbance to the health, safety, or welfare of the public. If placed on the side of a property where there is a sidewalk, the sign shall be located on the back side of the sidewalk (that is, on the opposite side of the sidewalk from the roadway). If placed on the side of a property where there is no sidewalk, the sign shall be located at least eight feet from the edge of the roadway. (Ord. 11-2013. Passed 7-17-13.)

1189.10 SIGNS EXEMPT FROM REGULATION UNDER THIS CHAPTER.

(a) The following signs shall be exempt from regulation under this chapter, except as provided in this section:

- (1) Signs erected by or pursuant to the authorization of a governmental body, including legal notices, warning notices, traffic signs, directional signs, informational signs or regulatory signs.
- (2) Signs that are customarily associated with residential uses and that are not of a commercial nature, including the name and address of occupants, signs on mailboxes, or paper tubes, etc. (Limited to an area of four square feet or less.)
- (3) Official signs of a noncommercial nature erected by public utilities to identify line or facility locations or to advise or warn the public.
- (4) Flags of any governmental or nonprofit organization provided:
 - A. That such flags are not being displayed in conjunction with a commercial promotion or as an advertising device;
 - B. That not more than three such flags are being displayed at the same time;
 - C. That any such flag does not exceed 60 square feet in area; and
 - D. That any such flag flown from a standard flag pole attached to a building, with the height of the pole not to exceed 15 feet above ground level; or from a freestanding standard flag pole not to exceed a height of 25 feet above ground level. Mini flags typically displayed during government holidays shall be exempted.
- (5) Any sign inside a building, provided that the sign is not attached to a window or door and that the sign is not legible from the lot line of the zone lot or parcel on which such sign is located. For the purposes of this section, a sign that rests against a window, a sign that is separated from the window by a bumper pad, or a sign that is placed within two inches of the window through the use of a hanging device, shall be considered to be attached to the window. Any sign that is considered to be attached to a window shall be regulated by the provisions contained in Section 1189.05.
- (6) Works of art that do not include a commercial message.
- (7) Holiday lights and decorations with no commercial message, but only if erected no earlier than forty-five (45) days before the holiday and removed within fourteen (14) days after the holiday.
- (8) Signs that are posted upon property to guide or direct traffic, to identify restricted or public parking areas, or to warn the public against trespassing or danger from animals. The signs shall not contain any commercial advertising. However, entrance or exit signs are only permitted when the driveway is not obvious or otherwise identifiable with a particular business or activity. Entrance and exit signs, directional signs, and parking area signs shall require a permit to assure that the style, size, and location are consistent with the requirements of this Article. (Limited to an area of four square feet.)
- (9) Signs painted on or otherwise attached to a vehicle regularly operated in the pursuance of a day-to-day business or activity of an enterprise, provided that the vehicle is not parked in a location that is visible to the public and for a period of time that indicates that the purpose of locating the vehicle in that location is principally for advertising rather than transport.
- (10) Signs that are not visible from public streets or legible from adjacent properties.

- (11) Signs authorized by the Village Manager to be placed on the banner poles located in the median of West Broadway. Individual banners shall not exceed thirty (30) square feet and shall meet other requirements established by the Village Manager.
- (12) Signs authorized by the Village Manager on any governmental property.
- (13) Any murals painted on a building wall and of a non-commercial nature.

(b) The following temporary signs shall be exempt from regulation under this chapter provided each such sign satisfies the requirements set forth in subsection hereof:

- (1) Temporary for sale, rental or lease signs.
- (2) Political signs and signs or posters indicating candidates or issues on the public ballot.
- (3) Temporary Contractor Signs. Signs announcing the names of contractors for any short term or temporary work such as home improvements, new construction, remodeling and the like is permitted during the actual construction period, provided that such signs shall be located only on the parcel of land being developed, not in the public right-of-way.

(c) Unless otherwise provided, all temporary signs referred to in subsection (b) hereof shall be limited to not more than six square feet in sign area. Any such temporary sign shall be removed or replaced after thirty days if the sign has become damaged or has deteriorated, by the weather or otherwise, to the point where the sign cannot be read from the street or the sign has or appears to have become detached, in whole or in part, from its sign posts or supporting structure. All such temporary signs shall be removed within ten days after the property to which the sign relates has been sold, rented, or leased, or the promotion, activity, or election to which the sign relates has been conducted. Signs referred to in subsection (b) hereof, if placed on roadways with sidewalks, shall be placed on the opposite side of the sidewalk from the roadway. In the case of roadways with no sidewalks, the signs shall be located no closer than eight (8) feet from the edge of the road. In no case shall any of the signs referred to in this subsection constitute a safety hazard. (Ord. 11-2013. Passed 7-17-13.)

1189.11 SIGNS PROHIBITED UNDER THIS CHAPTER.

All signs not expressly permitted under this chapter or exempt from regulation in accordance with the previous section are prohibited in the Village. Such signs include, but are not limited to:

- (a) Beacons.
- (b) Banners.
- (c) Pennants.
- (d) Strings of lights not permanently mounted to a rigid background, except holiday lights exempted under the previous section.
- (e) Inflatable signs and tethered balloons.
- (f) Portable signs with internal illumination and changeable copy.
- (g) Any sign that, by reason of size, location, shape, content, coloring, or manner of illumination, constitutes a traffic hazard or a detriment to traffic safety. Any sign that substantially interferes with the view necessary for motorists to proceed safely through intersections, or to enter onto or exit from public streets, private roads, or driveways. Any sign that obstructs the view of any authorized traffic sign, signal, or device.
- (h) Any sign that uses the words "STOP", "SLOW", "CAUTION", "DANGER", or otherwise has a design, color, shape, size, or location that could cause it to be confused with official traffic signs or other signs erected by governmental agencies.

- (i) Any sign that revolves, or is animated, or that utilizes movement or apparent movement to attract the attention of the public. This prohibition shall include, but not be limited to, propellers, discs, banners, pennants, streamers, animated display boards, balloons.
- (j) Any sign with lights that flash, move, rotate, or flicker.
- (k) Any sign that is placed on or affixed to a vehicle or trailer and that is parked in a location that is visible to the public and for a period of time that indicates that the purpose of locating the vehicle in that location is principally for advertising rather than transport.
- (l) Any sign that is located within any public right-of-way, except publicly-owned or publicly-authorized signs (for example, traffic control signs and directional signs); or any sign (other than a publicly-owned or publicly-authorized sign) that is attached, affixed, or painted on any utility pole, light standard, tree, rock, or other natural feature. This prohibition shall not apply to subdivision signs that are authorized to be placed in the landscaped median of a public or private street.
- (m) Any roof signs or signs that extend above the roof line of a building.
- (n) Any painted advertising on a building wall or roof, excepting murals of a non-commercial nature, as exempted under the previous section.
- (o) Any sign that identifies or advertises an activity, business, product, or service that is no longer in existence, sold, produced, etc.
- (p) Any illuminated tubing or strings of lights outlining property lines, open sales areas, rooflines, doors, windows, edges of walls, trees, or other landscaping. This prohibition shall not apply to holiday lighting.
- (q) Any sign that exhibits statements, words, or pictures of an indecent, obscene, or pornographic nature.
- (r) Any sign that obstructs or interferes with any window, door, sidewalk, or fire escape.
- (s) Any searchlights or beacons.
- (t) Any abandoned sign or any sign that advertises a business or product no longer existing or sold on the premises. Whenever a business is discontinued all signs shall be removed within six (6) months. A sign that advertises a business, enterprise, or other activity that is closed for the off-season, not to exceed 270 consecutive days, shall not be considered an abandoned sign.
- (u) Any sign that communicates a commercial message about a business, service, commodity, accommodation, attraction, or other enterprise or activity that exists, or is conducted, sold, offered, maintained, or provided at a location other than the premises where the sign is located.
- (v) Any sign or sign structure that is structurally unsafe.
- (w) Any sign that incorporates a television screen, a computer screen, electronic images, or electronic characters, except those within a window display that advertise the business enterprise or products sold on the premises. Such screens, electronic images or electronic characters shall not exceed one per storefront, nor exceed a forty-two (42) inch diagonal screen size, and shall not include scrolling text, images or characters. (Ord. 11-2013. Passed 7-17-13.)

1189.12 VARIANCES FROM SIGN REQUIREMENTS.

Notwithstanding any other chapter or section of the Codified Ordinances to the contrary, any application submitted under this chapter which requests a variance to allow deviation from the strict interpretation of the regulations established by this chapter shall be heard by the Board of Zoning and Building Appeals (i.e., notwithstanding the purpose in Section 1147.01). A variance may be considered by the BZBA for the relocation of existing locally significant and/or historical signs that contribute to the character of the community.

- (a) Application. Separate and additional application for a variance under Chapter 1147 is required. The application shall clearly indicate the applicant is seeking a variance to allow deviation from the strict interpretation of the requirements established by this chapter.
- (b) Fee. Reference the Village of Granville Zoning Fee schedule for applicable variance fees.
- (c) Criteria. In considering a request for a variance, the Board of Zoning and Building Appeals shall, in addition to the criteria and requirements established by this chapter, apply the criteria set forth in Section 1147.03 to the extent those criteria are consistent with the criteria established by this chapter.
- (d) Approval. Approval of an application under this Chapter shall be deemed an approval for any variance requests necessary to such approval. In these instances, however, where the granting or denial of an application is based upon the granting or denial of a variance request, the Board of Zoning and Building Appeals shall separately set forth its findings of fact, conclusions and reasoning relative to its determination. (Ord. 11-2013. Passed 7-17-13.)

1189.13 GENERAL PERMIT PROCEDURES.

The following procedures shall govern the application for, and the issuance of, all sign permits under this chapter, and the submission and review of a Master or Common Signage Plan.

- (a) Applications. All applications for the sign permits of any kind and for approval of a Master Signage Plan shall be submitted to the Village Planner on an application form with the application specifications and materials as published by the Planning and Zoning Office.
- (b) Fees. Each application for a sign permit or for approval of a Master Signage Plan shall be accompanied by the applicable fees, which shall be established by the Village Council from time to time by ordinance.
- (c) Completeness. Within seven days of receiving an application for a sign permit or a Master Signage Plan, the Village Planner shall review it for completeness. If the Planner finds that it is complete, the applications shall then be processed. If the Planner finds it incomplete, the Planner shall, within such seven-day period, send the applicant a notice of the specific ways in which the application is deficient, with appropriate reference to the applicable sections of this chapter.
- (d) Submission Requirements. The following materials must be included with the completed application forms. Examples are available from the Planning and Zoning Office.
 - (1) Site plan. A site plan drawn to an appropriate scale which shows the proposed location of the sign as well as all other significant site features such as rights of way, topography, existing vegetation, and adjacent buildings and properties which may be affected by the proposal.
 - (2) Elevation. An elevation of the proposed sign and its mounting system that includes an accurate rendering of the proposed graphic design, typography, color, and materials used for construction. For window, wall or building signs this drawing should include a complete elevation of the building face on which the sign will be attached.

- (e) Action. After processing a complete application, the Village Planner will submit the application to the Planning Commission for review at its next available meeting. This review will be scheduled as the Planning Commission agenda will allow, but action must be taken within forty-five days of the acceptance of the completed application, unless the applicant requests a delay.
- (f) Appeal. Any party aggrieved or affected by a decision of the Planning Commission involving a sign application may appeal to Council. The appeal shall follow the procedures established in Chapter 1137. Such appeal shall be submitted to the Village Clerk no later than ten days after the decision of the Commission is filed with the Village Clerk or sent to the applicant by personal service or ordinary mail, postage prepaid, return receipt requested, whichever shall last occur.
(Ord. 17-2012. Passed 8-1-12.)

1189.14 TIME OF COMPLIANCE: NONCONFORMING SIGNS AND SIGNS WITHOUT PERMITS.

Any previously legally existing sign, but which by reason of its size, height, location, design, construction, or erection is not in conformance with the requirements of this chapter, shall be considered a Nonconforming Sign.

Nonconforming signs must be brought into compliance with the requirements of this Section when any proposed change to sign face would be undertaken. This would include, but not be limited to changes in the message, typography, graphic design, sign material or mounting system, excluding the required maintenance necessary to keep the sign in good repair in its existing condition.

In no way shall this Section (or Section 1189.15 Violations) be interpreted to mean that the general repair and maintenance of nonconforming signs is prohibited. It is the intent that such signs are permitted to be maintained as long as it is not replaced or the design, logo or content is not altered.

(Ord. 17-01. Passed 10-4-01.)

1189.15 VIOLATIONS.

Any of the following shall be a violation of this chapter and shall be subject to the enforcement remedies and penalties provided by this chapter, the Zoning Ordinance and by State Law:

- (a) To install, create, erect, or maintain any sign in a way that is inconsistent with any plan or permit governing such sign or the zone lot on which the sign is located.
- (b) To install, create, construct, or maintain any sign requiring a permit without such permit.
- (c) To fail to remove any sign that is installed, created, erected, or maintained in violation of this chapter, or for which the sign permit has lapsed.
- (d) To continue any such violation. Each day of continued violation shall be considered a separate violation when applying the penalty portions of this chapter.
- (e) Where signs are not in keeping with the provisions of this chapter, signs may be removed at any time as deemed by the Village. Section 1137.07, Violations and Remedies, shall also apply.
(Ordinance 17-01. Passed 10-4-01).

CHAPTER 1191
Wireless Communications Facilities and Towers

**Satellite Dish and Communication
Towers for Communication
Distribution Systems**

- 1191.01 Purpose and intent.**
- 1191.02 Objectives.**
- 1191.03 Applicability.**
- 1191.04 Definitions.**
- 1191.05 Administration.**
- 1191.06 Dish antennae or other antennae.**
- 1191.07 Communication towers for communication distribution systems.**

**Small Cell Facilities and Wireless
Support Structures Within the
Right-of-Way**

- 1191.20 Purpose and intent.**
- 1191.21 Applicability.**
- 1191.22 Definitions.**
- 1191.23 Application required.**
- 1191.24 Application review timeframes and process.**
- 1191.25 Design guidelines.**
- 1191.26 Standard conditions of permit approval.**
- 1191.27 Safety requirements.**
- 1191.28 Recovery of costs.**
- 1191.29 Severability.**
- 1191.99 Penalty.**

CROSS REFERENCES
Telecommunications - see Ohio R.C. Ch. 4927

**SATELLITE DISH AND COMMUNICATION TOWERS FOR COMMUNICATION
DISTRIBUTION SYSTEMS**

1191.01 PURPOSE AND INTENT.

(a) The purpose of Sections 1191.01 through 1191.07 is to regulate the placement, construction, and modification of satellite dish antennae, communication towers and wireless communication facilities to protect the health, safety and welfare of the public, while at the same time not unreasonably interfering with the development of a competitive wireless communications marketplace in the Village.

(b) The Village's intent is to encourage wireless communications service providers that seek to further the following Village priorities:

- (1) Co-locate on/with other existing towers/structures/facilities or locate on existing structures.
- (2) Require new towers and other related structures to accommodate multiple users wherever practicable.

- (3) Locate towers in the least obtrusive locations and manner using present and evolving technology.
- (4) Minimize adverse impacts on health, safety and public welfare, and minimize visual impacts through co-location, siting, design, and construction, while upholding the purposes and objectives of this chapter. (Ord. 11-2018. Passed 10-3-18.)

1191.02 OBJECTIVES.

The following are the Village's objectives regarding wireless communication regulations:

- (a) To comply with the Telecommunications Act of 1996, as amended, including any subsequent rules and/or rule interpretations by appropriate state and federal agencies and/or courts.
 - (b) To work proactively with wireless communications providers to ensure rapid and reliable deployment of their services/technologies, while minimizing negative effects on the Village.
 - (c) To ensure that the location of towers and wireless communications facilities in the Village provide appropriate wireless communication coverage consistent with these objectives.
 - (d) To allow, under certain conditions, appropriate Village-owned property and structures to be used for wireless communications facilities.
 - (e) To minimize adverse visual impacts of towers and wireless communications facilities through careful design, siting, landscaping, and innovative camouflaging techniques.
 - (f) To promote and encourage shared use/co-location of towers and antenna support structures as a primary option rather than construction of additional single-use towers.
 - (g) To ensure towers and wireless communications facilities are soundly and carefully designed, constructed, modified, maintained, and removed when no longer in use.
 - (h) To ensure to the maximum extent practicable that towers and wireless communications facilities are compatible with surrounding and nearby land uses.
 - (i) To ensure to the maximum extent practicable that proposed towers and wireless communications facilities are placed in locations that are designed to preserve adjacent natural settings and in a manner consistent with existing and planned development patterns.
- (Ord. 11-2018. Passed 10-3-18.)

1191.03 APPLICABILITY.

(a) All towers, antenna support structures, and wireless communications facilities, any portions of which are located within the Village, are subject to Sections 1191.01 through 1191.07, unless such facilities are small cell facilities or wireless support structures located in the Village right-of-way, in which case Sections 1191.20 through 1191.29 of the Code shall apply. Nothing herein supersedes the applicability of Ohio Revised Code Section 4939 to small cell facilities and wireless support structures in the Village right-of-way. Underlying zoning district regulations and other provisions of the Code shall still apply to wireless communication facilities when not superseded by regulations within with Sections 1191.20 through 1191.29 of the Code, or §4939 of the Ohio Revised Code. Any wireless overlay zone shall not apply to small cell facilities and wireless support structures in the Village right-of-way. In the case of conflict with other provisions of the Code, with the exception of Sections 1191.20 through 1191.29 of the Code, the provisions of this Sections 1191.01 through 1191.07 shall control. Wireless communications facilities and antenna support structures shall be regulated and permitted pursuant to Sections 1191.01 through 1191.07 and shall not be interpreted, regulated, or permitted as essential services, public utilities, or private utilities.

(b) Except as provided in this chapter, any approved use of a nonconforming tower or antenna support structure on the effective date of this chapter shall be allowed to continue, even if in conflict with the terms of this chapter, but shall not be expanded, reconstructed, or modified unless in conformance with this chapter.

(c) Should any provision of this chapter conflict with any other provision of the Code, the strictest provision shall prevail.

(d) Sections 1191.01 through 1191.07 and the various sub-sections and clauses thereof, are hereby declared to be severable. If any part, sentence, paragraph, section, clause, or word is adjudged unconstitutional or invalid for any reason, by any court of competent jurisdiction, the invalidity shall not affect the remaining portions or applications of this chapter which shall be given effect without the invalid portion or application, provided those remaining portions are not determined by the court to be invalid.
(Ord. 11-2018. Passed 10-3-18.)

1191.04 DEFINITIONS.

(a) General Use of Terms.

- (1) The terms, phrases, words, and their derivations used in Sections 1191.01 through 1191.07 of this chapter shall have the meanings given in this section.
- (2) When consistent with the context, words used in the present tense also include the future tense; words in the plural number include the singular number; and words in the singular number include the plural number.
- (3) All terms used in the definition of any other term shall have their meaning as otherwise defined in this section.
- (4) The words "shall" and "will" are mandatory and "may" is permissive.
- (5) Words not defined shall be given their common and ordinary meaning.

(b) Defined Terms. The definitions provided in this subsection shall apply for purposes of Sections 1191.01 through 1191.07:

- (1) **ANTENNA.** Any transmitting or receiving device, including but not limited to satellite dish antennae, used in communications that radiate or capture electromagnetic waves, digital signals, analog signals, radio frequencies, wireless communications signals, or other communication signals. All antennae are classified depending on size. Antennae which are one meter or less in diameter are defined as "small dish antennae." Antennae which are two meters or less in diameter, but greater than one meter, are defined as "large dish antennae."
- (2) **ANTENNA SUPPORT STRUCTURE.** Any building or structure other than a communication tower which can be used for the location of wireless communications facilities.
- (3) **CO-LOCATION.** The use of, or ability to use, a wireless communications facility or support structure by more than one wireless communications provider or more than one wireless antenna array.
- (4) **COMMUNICATION DISTRIBUTION SYSTEM.** Includes broadcast antennae for cellular telephone, AM and FM, satellite, microwave and television systems.

- (5) **COMMUNICATION TOWER.** Any structure thirty-five (35) feet or greater in height above grade, whether free standing or attached to an existing structure, that is designed and constructed primarily for the purpose of supporting one or more antennae for telephone, radio, and similar communication purposes, including but not limited to self-supporting lattice towers, guyed towers, monopole towers, radio and television transmission towers, and alternative tower structures. The term encompasses the structure and all necessary supports. Communication towers less than thirty-five (35) feet in height above grade shall be regulated as antennae under Section 1191.05. Communication towers or installations regulated under Section 1191.07(b) are not communication towers within the meaning of this section.
- (6) **SMALL CELL FACILITY.** A wireless facility that meets both of the following requirements:
- A. Each antenna is located inside an enclosure of not more than six (6) cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements could fit within an enclosure of not more than six cubic feet in volume.
 - B. All other wireless equipment associated with the facility is cumulatively not more than twenty-eight (28) cubic feet in volume. The calculation of equipment volume shall not include electric meters, concealment elements, telecommunications demarcation boxes, grounding equipment, power transfer switches, cut-off switches, and vertical cable runs for the connection of power and other services.
- (7) **STEALTH.** A wireless communications facility designed to appear as another natural or artificial object that exists in the surrounding environment or which is architecturally integrated into a building or other structure, and designed to be minimally obtrusive and to camouflage or conceal the presence of antennas or towers, at the determination of the required reviewing body.
(Ord. 11-2018. Passed 10-3-18.)

1191.05 ADMINISTRATION.

(a) **Permit.** As a consequence of the safety hazards created by the improper installation or construction of large systems or towers, the additional support often necessary with such systems and the hazards which may result from the placement of such systems in an otherwise open or unobstructed area, an installation permit issued by the Village Manager or the Manager's designee, shall be required for the erection of all large dish antennas, nonroof mounted small dish antenna and communication towers. An application for such a permit shall contain a scale drawing of the structure or installation, a plat plan showing the structure's proposed size and location in relation to any building, property lines, and rights-of-way, and all other information necessary to fully depict the proposed dish antenna or communication tower. All applications for large dish antenna, nonroof mounted small dish antenna, or communication tower installation permits shall be reviewed by the Zoning Inspector for compliance with these regulations. The following procedures all be used for all applications:

- (1) An application shall be submitted to the Village Manager, or the Manager's designee, which shall be forwarded to the Zoning Inspector within three business days of receipt. The Zoning Inspector shall issue an installation permit within fourteen days of receipt of the application or issue a written finding to the applicant setting forth the reason or reasons why the application for a permit has been denied. The times set forth in this section may be extended upon written approval of the applicant or for fourteen days by the Zoning Inspector for good cause.
- (2) The Zoning Inspector may approve, approve with modifications, or deny an application in accordance with these regulations. No determination of the Zoning Inspector shall be final until issued in writing and served upon the applicant by ordinary mail to be delivered to the address set forth in the application.
- (3) Any applicant aggrieved by the decision of the Zoning Inspector may appeal to the Board of Zoning and Building Appeals as set forth in Chapter 1139. Further appeal to Council is available and is governed by the procedures set forth in Chapter 1137.

(b) Fees. The permit fee shall be established by Council in accordance with Chapter 1305 of the Codified Ordinances

(c) Inspection and Maintenance. It shall be the responsibility of the Zoning Inspector, or the Zoning Inspector's designee, to administer and enforce these regulations. Any large dish antenna, nonroof mounted small dish antenna, or communication tower may be inspected at any time to determine its compliance with this chapter, applicable regulations and acceptable safety standards. All dish antennas, whether classified as large or small and regardless of the location or method of installation, and communication towers shall be kept in a state of safety and good repair. If violations are found, the Zoning Inspector shall notify the owner of the violations and of actions required for compliance. Failure to comply within thirty days, unless otherwise extended by the Zoning Inspector shall constitute a violation of this chapter, shall subject the owner of such dish antenna or communication tower to the penalty provided in Section 1137.08 and shall be grounds for the revocation of any permit issued and/or commencement of proceedings to cause removal of the dish antenna or communication tower at the owner's expense. (Ord. 08-96. Passed 6-19-96; Ord. 11-2018. Passed 10-3-18.)

1191.06 DISH ANTENNAE OR OTHER ANTENNAE.

(a) General Regulations. The following provisions apply to dish antennae or other antennae located in all zoning districts. All dish antennae or other antennae shall:

- (1) In the case of large dish antenna or nonroof mounted small dish antenna be located to the rear of or behind the principal building or structure and be within all building set-back lines;
- (2) Be an accessory use subordinate to the principal use of the property;
- (3) In the case of large dish antenna or nonroof mounted small dish antennae be mounted in a concrete base in line with grade utilizing only metal supports of galvanized construction without the use of supporting guy wires;
- (4) In the case of large dish antenna and nonroof mounted small dish antenna be so situated on the property as to minimize view from adjacent property or public right-of-way to the fullest extent possible without materially limiting transmission or reception as contemplated by the 1996 Act and landscaped in such a manner that the density and height of plantings around the base of the system will minimize the risk of unintended or accidental contact by an individual who for whatever reason may pass through the area containing the system;

- (5) In the case of large dish antenna and nonroof mounted small antenna be wired underground;
- (6) Be properly maintained;
- (7) Be designed to withstand a wind force of up to seventy miles per hour;
- (8) Be without public messages or advertising;

(b) Residential Districts. Within Residential Districts, as defined in the Zoning Ordinance, the following additional provisions to those set forth in subsection "(a)" hereof shall apply to dish antennae or other antennae designed to transmit or receive radio, television or other signals to or from satellites or relay towers.

- (1) Ground-mounted dish antennae or other ground-mounted antennae shall be considered structures and shall comply with the following conditions and requirements:
 - A. Such dish antenna or other antennae not mounted on the roof of a primary or accessory structure shall not exceed an above-grade height of twelve feet, shall not be located closer than ten feet to a rear lot line, eight feet from a side lot line, or one foot from any casement.
- (2) Roof-mounted dish antennae or other roof-mounted antennae shall be considered accessory structures and shall comply with the following conditions and requirements:
 - A. Such dish antennae or other antennae shall be mounted directly on the roof of a primary or accessory structure and shall not be mounted on appurtenances such as chimneys, towers or spires.
 - B. Such dish antennae or other antennae mounted on the roof of a primary or accessory structure shall not exceed a height of greater than three feet above the roof on which it is mounted. The height shall be measured vertically from the point at which such dish antenna or other antennae is mounted on the roof.
 - C. The diameter of any dish antenna mounted upon the roof of a primary or accessory structure shall not exceed one meter.
 - D. Be located to the rear of the roof structure if reasonable in light of transmission or reception requirements.

(c) Nonresidential Districts. Within Nonresidential Districts, the following additional provisions to those set forth in subsection "(a)" hereof shall apply to dish antennae or other antennae designed to transmit, receive, or relay radio, television, or other signals to or from satellites or relay towers.

- (1) Ground-mounted dish antennae or other ground-mounted antennae shall be considered accessory structures and shall comply with the following conditions and requirements:
 - A. Such dish antennae or other antennae shall not exceed an above-grade height of twelve feet and shall not be located within fifty feet of a public right of-way, thirty feet of a rear or side lot line and not closer than fifty feet from a lot line in a residential district
- (2) Roof-mounted dish antennae or other roof-mounted antenna shall be considered accessory structures and shall comply with the following conditions and requirements.

- A. Such dish antennae or other antennae shall be mounted directly on the roof of a primary or accessory structure and shall not be mounted on appurtenances such as chimneys, towers or spires.
- B. Such dish antennae or other antennae mounted on the roof of a primary or accessory structure shall not exceed a height of greater than three feet above the roof on which it is mounted. The height shall be measured vertically from the point at which such station or dish antenna is mounted on the roof
- C. The diameter of any dish antenna mounted upon the roof of a primary or accessory structure shall not exceed one meter.
(Ord. 08-96. Passed 6-19-96; Ord. 11-2018. Passed 10-3-18.)

1191.07 COMMUNICATION TOWERS FOR COMMUNICATION DISTRIBUTION SYSTEMS.

(a) General Regulations. The following provisions apply to communication towers used in radio, satellite dish, telephone, microwave or other wavelength communication for transmission, receiving or relay.

- (1) Permitted in Planned Industrial District, (PID), Planned Commercial District, (PCD), and a Conditional Use in Community Service District, (CSD);
- (2) Sited so that all reasonable alternatives for tower placement have been clearly and convincingly demonstrated so that the installation will minimize both the visual intrusion of the tower and the potential safety risks associated with the presence and operation of the tower;
- (3) Shared with other users to minimize the number of towers within the Municipality;
- (4) Detailed in a site plan to include complete structure elevations and a perspective view showing the tower from all property lines or lot lines adjacent to the proposed site;
- (5) Located to minimize the visual impact at base elevation of the proposed structure by a comprehensive landscape plan;
- (6) The installation shall be 500 feet from the nearest residential use or district;
- (7) Maximum height of towers (that is, the height to the top of the tower, including all attachments or extensions), shall be limited to 100 feet from grade. This height limit applies whether the tower is attached to the ground or mounted on another structure.
- (8) Minimum setback from all property lines shall be a distance equal to the height of the tower. Setback shall be defined as the distance from the property line to the nearest portion of the structure;
- (9) Underground wiring to the site and from the tower to any service or ancillary structures shall be required;
- (10) Equipment, mobile or immobile, not used in direct support of the transmission or relay facility, shall not be stored or parked on the site except in connection with a repair or maintenance being made to the installation;
- (11) No employees shall be employed on a regular basis at the installation site;
- (12) Towers shall be kept in a state of good repair;
- (13) Obsolete or unused facilities shall be removed within twelve months of ceasing operation;

- (14) No supporting wires or cables shall encroach upon any minimum setback requirements and shall be completely encircled at the point of attachment to the ground with sufficient fencing and/ or plantings of sufficient density and height to prevent any individual who may for any reason be in the area from coming into contact with any such supporting wires or cables.
- (b) Exemptions.
 - (1) Ham radio installations and systems are, in light of the public safety and emergency services provided, considered to be unique. Regulation, including the regulation of antenna necessary to the operation of such systems, must, in light of federal preemption, constitute the minimum practicable regulation to accomplish legitimate local purpose. In providing reasonable accommodation to such systems, Ham radio antenna and/or towers are permitted in all districts as follows:
 - A. In those systems where the roof mounted antenna does not extend more than fifteen feet above the highest point of the roof line or where the tower is attached to the rear of the primary structure and does not exceed fifty feet in height as measured from grade, no application, review or permit is required for such antenna or tower. The requirements of Section 1191.04 (a) (1),(2),(4),(6),(7) and (8) must be met;
 - B. In those systems where the roof mounted antenna extends more than fifteen feet above the highest point of the roof line or where the tower is not attached to the rear of the primary structure or where the tower exceeds fifty feet in height as measured from grade but does not exceed seventy feet in height as measured from grade application, review and permitting as set forth in Section 1191.03(a), (b) and (c) is required. In submitting an application pursuant to this subsection, the applicant should include all available information regarding the technical performance requirements of the system proposed . The Zoning Inspector shall fully consider the operational requirements of the system as proposed in applying the minimum practicable regulation which reasonably accommodates the system requirements. In this regard the Zoning Inspector may seek the assistance of such professionals familiar with such systems as is necessary and appropriate under the circumstances. The requirements of Section 1191.04(a) (1),(2),(4),(5),(6),(7)and (8) as well as those of Section 1191.05(a)(2),(8) and (14) must be met;
 - C. All systems must meet all FAA and FCC requirements and building and electrical permit requirements.
 - D. Towers in excess of seventy feet in height are prohibited in all residential districts. In all other districts, and notwithstanding the exclusion set forth in Section 1191.02 (a), towers in excess of seventy feet are defined as communication towers and regulated accordingly. (Ord. 08-96. Passed 6-19-96; Ord. 11-2018. Passed 10-3-18.)

**SMALL CELL FACILITIES AND WIRELESS SUPPORT STRUCTURES WITHIN
THE RIGHT-OF-WAY**

1191.20 PURPOSE AND INTENT.

(a) The purpose of Sections 1191.20 through 1191.29 of this chapter is to establish general procedures and standards, consistent with all applicable federal, state, and local laws, for the siting, construction, installation, collocation, modification, operation, and removal of small cell facilities and wireless support structures in the Village right-of-way.

(b) The intent of Sections 1191.20 through 1191.29 of this chapter is to:

- (1) Establish basic criteria for applications to locate small cell facilities and wireless support structures in the right-of-way and authorize the Village Manager or his or her designee to develop, publish, and from time to time amend design guidelines, applications and other associated materials to provide clear guidance to applicants;
- (2) Ensure that small cell facilities and wireless support structures are carefully designed, constructed, modified, maintained, and removed when no longer in use in conformance with all applicable health and safety regulations;
- (3) Preserve the character of the Village of Granville by minimizing the potentially adverse visual impact of small cell facilities and wireless support structures through careful design, siting, landscaping and camouflaging techniques to blend these facilities into their environment to the maximum extent practicable;
- (4) Enhance the ability of wireless service providers to deploy small cell facilities and wireless support structures in the Village quickly, effectively, and efficiently so that residents, businesses, and visitors benefit from ubiquitous and robust wireless service availability;
- (5) Establish an application process and structure for payment of fees and charges to be uniformly applied to all applicants, operators and owners of small cell facilities and wireless support structures for such facilities;
- (6) Comply with, and not conflict with or preempt, all applicable state and federal laws, including without limitation Section 101(a) and Section 704 of the Telecommunications Act, Pub. L. 104-104, 101 Stats. 56, 70 (Feb. 8, 1996) (codified as 47 U.S.C. §§ 253(a), 332(c)(7)), as may be amended or superseded, and Section 6409(a) of the Middle Class Tax Relief and Job Creation Act, Pub. L. 112-96, 126 Stat. 156 (Feb. 22, 2012) (codified as 47 U.S.C. § 1455(a)), as may be amended or superseded, and all FCC rules and regulations to interpret and implement applicable federal statutes. (Ord. 11-2018. Passed 10-3-18.)

1191.21 APPLICABILITY.

(a) Subject to the Ohio Revised Code and approval of an application under Sections 1191.20 through 1191.29 of this chapter, an operator may collocate a small cell facility and construct, maintain, modify, operate, or replace wireless support structures in, along, across, upon, and under the Village right-of-way.

- (1) An operator shall comply with generally applicable standards that are consistent with Sections 1191.20 through 1191.29 of this chapter and any rules, regulations, and design guidelines adopted by the Village for the collocation of a small cell facility and construction, maintenance, modification, operation, or replacement of wireless support structures in, along, across, upon, and under the Village right-of-way, unless otherwise prohibited by state or federal law..
- (2) All wireless support structures and small cell facilities shall be constructed and maintained so as not to impede or impair public safety or the legal use of the right-of-way by the Village, the traveling public, or other public utilities.

Exclusions.

- (3) Amateur radio facilities. This chapter shall not govern the installation of any amateur radio facility that is owned or operated by a federally licensed amateur radio station operator or is used exclusively for receive-only antennas.
- (4) Certain over-the-air receiving devices (OTARD). This chapter shall not govern the installation of any OTARD antennas covered under FCC regulations codified in 47 C.F.R. §§1.4000 et seq., as may be amended or superseded. OTARD antennas include, without limitation, direct-to-home satellite dish antennas less than one meter in diameter, television antennas and wireless cable antennas.
- (5) Handsets and user equipment. This chapter shall not govern the use of personal wireless devices (e.g., cell phones) or other consumer-grade mobile user equipment used in the right-of-way.

(b) The permitting procedures and authorizations set forth herein in Sections 1191.20 through 1191.29 shall apply only to small cell facilities and wireless support structures in the Village right-of-way.

(c) Relationship to Other Chapters. This chapter shall supersede all conflicting requirements of other titles and chapters of this Code regarding the locating and permitting of small cell facilities and wireless support structures in the right-of-way.

(d) Nothing in this chapter precludes the Village from applying its generally applicable health, safety, and welfare regulations when granting consent for a small cell facility or wireless support structure in the Village right-of-way.
(Ord. 11-2018. Passed 10-3-18.)

1191.22 DEFINITIONS.

(a) General Use of Terms.

- (1) The terms, phrases, words, and their derivations used in Sections 1191.20 through 1191.29 shall have the meanings given in this section.
- (2) When consistent with the context, words used in the present tense also include the future tense; words in the plural number include the singular number; and words in the singular number include the plural number.
- (3) All terms used in the definition of any other term shall have their meaning as otherwise defined in this section.

- (4) The words "shall" and "will" are mandatory and "may" is permissive.
- (5) Words not defined shall be given their common and ordinary meaning.

(b) Defined Terms.

- (1) **ABANDONED.** Any small cell facilities or wireless support structures that are unused for a period of three hundred sixty-five days without the operator otherwise notifying the Village and receiving the Village's approval for temporary disuse.
- (2) **AFFILIATE.** When used in relation to any person, means another person who owns or controls, is owned or controlled by, or is under common ownership or control with, such person.
- (3) **AGENT.** A person that provides the Village written authorization to work on behalf of a public utility.
- (4) **ANTENNA.** Communications equipment that transmits or receives radio frequency signals in the provision of wireless service.
- (5) **APPLICANT.** Any person that submits an application to the Village to site, install, construct, collocate, modify, and/or operate a small cell facility or wireless support structure in the right-of-way according to the requirements of Sections 1191.20 through 1191.29 of this chapter.
- (6) **CABLE OPERATOR.** Any person or group of persons:
 - A. who provides cable service over a cable system and directly or through one or more affiliates owns a significant interest in such cable system, or
 - B. who otherwise controls or is responsible for, through any arrangement, the management and operation of such a cable system;
- (7) **CABLE SERVICE.**
 - A. The one-way transmission to subscribers of (i) video programming, or (ii) other programming service; and
 - B. Subscriber interaction, if any, which is required for the selection of such video programming or other programming service.
- (8) **CABLE FRANCHISE.** An initial authorization, or renewal thereof (including a renewal of an authorization which has been granted subject to 47 U.S.C. 522 Section 546), issued by a franchising authority, whether such authorization is designated as a franchise, permit, license, resolution, contract, certificate, agreement, or otherwise, which authorizes the construction or operation of a cable system.
- (9) **CLEAR ZONE.** The unobstructed, traversable area provided beyond the edge of the through traveled way for the recovery of errant vehicles. The clear zone includes shoulders, bike lanes, and auxiliary lanes, except those auxiliary lanes that function like through lanes. As defined in the ODOT Location and Design Manual, Volume 1, Section 600-Roadside Design.
- (10) **COLLOCATION or COLLOCATE.** To install, mount, maintain, modify, operate, or replace wireless small cell facilities on a wireless support structure.
- (11) **DECORATIVE POLE.** A pole, arch, or structure other than a street light pole placed in the public way specifically designed and placed for aesthetic purposes and on which no appurtenances or attachments have been placed except for any of the following:

- A. Electric lighting;
 - B. Specially designed informational or directional signage;
 - C. Temporary holiday or special event attachments.
- (12) **DESIGN GUIDELINES.** Means those detailed design guidelines, specifications and examples promulgated by the Village Manager or his or her designee for the design and installation of small cell facilities and wireless support structures, which are effective insofar as they do not conflict with federal and state law, rule and regulations.
- (13) **ELIGIBLE FACILITIES REQUEST.** Means the same as defined by the FCC in 47 U.S.C. 1455 (a)(2), as may be amended, which defines that term as any request for modification of an existing support structure that does not substantially change the physical dimensions of such support structure, involving:
- A. Collocation of new small cell facilities;
 - B. Removal of small cell facilities; or
 - C. Replacement of small cell facilities.
- (14) **FRANCHISE AUTHORITY.** See **CABLE FRANCHISE.**
- (15) **FCC.** The U.S. Federal Communications Commission and any legally appointed, designated, or elected agent or successor.
- (16) **HISTORIC DISTRICT.** A building, property, or site, or group of buildings, properties, or sites that are either of the following:
- A. Listed in the national register of historic places or formally determined eligible for listing by the keeper of the national register, the individual who has been delegated the authority by the federal agency to list properties and determine their eligibility for the national register, in accordance with section VI.D.1.a.i-v of the nationwide programmatic agreement codified at 47 C.F.R. part 1, Appendix C;
 - B. A registered historic district as defined in section 149.311 of the Revised Code.
- (17) **MICRO WIRELESS FACILITY.** A small cell facility that is not more than twenty-four inches in length, fifteen inches in width, and twelve inches in height and that does not have an exterior antenna more than eleven inches in length suspended on cable strung between wireless support structures.
- (18) **OHIO MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES or OMUTCD.** The uniform system of traffic control devices promulgated by the Ohio Department of Transportation.
- (19) **OCCUPY OR USE.** With respect to the right-of-way, to place a tangible thing in the right-of-way for any permitted purpose, including, but not limited to, constructing, repairing, positioning, maintaining, or operating lines, poles, pipes, conduits, ducts, equipment, or other structures, appurtenances, or facilities necessary for the delivery of public utility services or any services provided by a cable operator.
- (20) **OPERATOR.** A wireless service provider, cable operator, or a video service provider that operates a small cell facility and provides wireless service. For the purpose of Sections 1191.20 through 1191.29, "operator" includes a wireless service provider, cable operator, or a video service provider that provides information services as defined in the "Telecommunications Act of 1996," 110 Stat. 59, 47 U.S.C. 153(20), and services that are fixed in nature or use unlicensed spectrum.

- (21) **PERSON.** Any natural person, corporation, or partnership and also includes any governmental entity.
- (22) **PUBLIC UTILITY or UTILITY.** A facilities-based provider of wireless service to one or more end users in this state, or any company described in section 4905.03 of the Ohio Revised Code and as further defined in section 4905.02 of the Ohio Revised Code, including but not limited to the following types of companies: telephone, electric light, gas, natural gas, pipe-lines, water-works, and sewage disposal systems.
- (23) **RIGHT-OF-WAY.** The surface of and the space above and below the paved or unpaved portions of any public street, public road, public highway, public freeway, public lane, public path, public bike path, public way, public alley, public court, public sidewalk, public boulevard, public parkway, public drive and any other land dedicated or otherwise designated for the same now or hereafter held by the Village which shall, within its proper use and meaning in the sole opinion of the Village Manager, entitle a permittee, in accordance with the terms hereof and of any right-of-way permit, to the use thereof for the purpose of installing or operating any poles, wires, cables, transformers, conductors, ducts, lines, mains, conduits, vaults, manholes, amplifiers, appliances, attachments or other property or facilities as may be ordinarily necessary and pertinent to the provision of utility, cable television, communications or other services as set forth in any service agreement or any right-of-way permit. **RIGHT-OF-WAY** shall not include private easements or public property, except to the extent the use or occupation of public property is specifically granted in a right-of-way permit or by administrative regulation.
- (24) **RIGHT OF WAY PERMIT, GENERAL.** A permit issued by the Village as required by that must be obtained in order to perform any work in, on, above, within, over, below, under, or through any part of the public right-of-way, including, but not limited to, the act or process of digging, boring, tunneling, trenching, excavating, obstructing, or installing, as well as the act of opening and cutting into the surface of any paved, improved, or unimproved surface that is part of the right-of-way.
- (25) **RIGHT OF WAY PERMIT, SMALL CELL.** Means a permit issued by the Village for the collocation, construction, maintenance, operation, or replacement of small cell facility(ies) and/or wireless support structures in, along, across, upon and under the right-of-way.
- (26) **SMALL CELL FACILITY.** A wireless facility that meets both of the following requirements:
 - A. Each antenna is located inside an enclosure of not more than six cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements could fit within an enclosure of not more than six cubic feet in volume.
 - B. All other wireless equipment associated with the facility is cumulatively not more than twenty-eight cubic feet in volume. The calculation of equipment volume shall not include electric meters, concealment elements, telecommunications demarcation boxes, grounding equipment, power transfer switches, cut-off switches, and vertical cable runs for the connection of power and other services.

- (27) **SUBSTANTIAL CHANGE:** Has the same meaning as described in 47 C.F.R. §1.40001(b)(7), a modification substantially changes the physical dimensions of an eligible support structure if it meets any of the following criteria:
- A. For towers in the public rights-of-way and base stations, it involves installation of any new equipment cabinets on the ground if there are no pre-existing ground cabinets associated with the structure, or else involves installation of ground cabinets that are more than 10% larger in height or overall volume than any other ground cabinets associated with the structure;
 - B. It entails any excavation or deployment outside the current site;
 - C. It would defeat the concealment elements of the eligible support structure; or
 - D. It does not comply with conditions associated with the siting approval of the construction or modification of the eligible support structure or base station equipment, provided however that this limitation does not apply to any modification that is non-compliant only in a manner that would not exceed the thresholds identified in 47 C.F.R. § 1.40001(b)(7)(i) through (iv).
- (28) **TOLLING or TOLL PERIOD.** The pausing or delaying of the running of a required time period.
- (29) **UTILITY POLE.** A structure that is designed for, or used for the purpose of, carrying lines, cables, or wires for electric or telecommunications service. "Utility pole" excludes street signs and decorative poles.
- (30) **VIDEO SERVICE PROVIDER.** A person granted a video service authorization under sections 1332.21 to 1332.34 of the Ohio Revised Code.
- (31) **WIRELESS FACILITY.**
- A. Equipment at a fixed location that enables wireless communications between user equipment and a communications network, including all of the following:
 - 1. Equipment associated with wireless communications;
 - 2. Radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration.
 - B. The term includes small cell facilities.
 - C. The term does not include any of the following:
 - 1. The structure or improvements on, under, or within which the equipment is collocated;
 - 2. Coaxial or fiber-optic cable that is between wireless support structures or utility poles or that is otherwise not immediately adjacent to or directly associated with a particular antenna.
- (32) **WIRELESS SERVICE.** Any services using licensed or unlicensed wireless spectrum, whether at a fixed location or mobile, provided to the public using wireless facilities.
- (33) **WIRELESS SERVICE PROVIDER.** A person who provides wireless service as defined herein.
- (34) **WIRELESS SUPPORT STRUCTURE.** A pole, street light pole, traffic signal pole, a fifteen-foot or taller sign pole, or utility pole capable of supporting small cell facilities, excluding utility poles or other facilities used to supply traction power to public transit systems, including railways, trams, streetcars, and trolleybuses.

- (35) **WIRELINE BACKHAUL FACILITY.** A facility used for the transport of communications service or any other electronic communications by coaxial, fiber-optic cable, or any other wire.
(Ord. 11-2018. Passed 10-3-18.)

1191.23 APPLICATION REQUIRED.

(a) General Requirements. The following requirements shall apply to all small cell facilities and wireless support structures proposed within the right-of-way.

- (1) No person shall occupy or use the right-of-way except in accordance with law.
- (2) In occupying or using the right-of-way, no person shall unreasonably compromise the public health, safety, and welfare.
- (3) No person shall occupy or use the right-of-way without first obtaining, under this chapter or other applicable provision of the Granville Codified Ordinances, or Sections 1332.24 or 4939.031 of the Ohio Revised Code, any requisite consent of the Village. Before placing small cell facilities or wireless support structures in the right-of-way, an operator must apply for and receive a general right-of-way permit from the Village. If the operator's sole activities in the right-of-way will consist solely of collocating small cell facilities, constructing, modifying, or replacing new wireless support structures and associated small cell facilities, removing such facilities, or eligible facilities requests, then the operator shall not be required to pay an annual fee for general right-of-way permittees. This provision shall not be construed to waive application fees or any other construction or work permit necessary for work in the Village.

(b) Pre-Application Conference.

- (1) Purpose. Applicants are strongly encouraged to contact the Village Planner and request a pre-application conference. This meeting will provide an opportunity for early coordination regarding proposed small cell facilities and wireless support structure locations, design, and the application submittal, and the approval process in order to avoid any potential delays in the processing of an application and deployment of small cell facilities and wireless support structures in the Village.
- (2) Appointment Required. An appointment is required for all pre-application conferences. Applicants must contact the designated Village staff member as noted on the application form, who will provide applicants an appointment with all applicable Village representatives in a timely manner.

(c) Application Required. In accordance with federal and state law and the Village code, an operator may apply to the Village to collocate a small cell facility on an existing wireless support structure and to construct, maintain, modify, operate, or replace wireless support structures in, along, across, upon, and under the Village rights-of-way. Anyone seeking to collocate a small cell facility on an existing wireless support structure and/ or to construct, maintain, modify, operate, or replace wireless support structures in, along, across, upon, and under the Village rights-of-way shall first duly file a written application with the Village, in accordance with the requirements in this section and additional requirements set forth in the Design Guidelines as modified from time to time by the Village Manager or his or her designee.

(d) Required Application Materials. Unless otherwise required by state or federal law, all applicants shall submit to the Village materials and information associated with each application as outlined in the Design Guidelines in order for the application to be considered complete.
(Ord. 11-2018. Passed 10-3-18.)

1191.24 APPLICATION REVIEW TIMEFRAMES AND PROCESS .**(a) Permit Application Review Timeframes.**

- (1) Collocation of Small Cell Facilities on Existing Wireless Support Structures. The Village shall grant or deny its consent for requests to collocate, or to replace or modify a small cell facility on, or associated with, an existing wireless support structure not later than ninety days after the date of filing by an entity of a completed application.
- (2) New Wireless Support Structures and Associated Small Cell Facilities. The Village shall grant or deny its consent for requests to construct, modify, or replace a wireless support structure associated with a small cell facility within the right-of-way not later than one hundred twenty days after the date of filing by an entity of a completed application.
- (3) Wireless Support Structure and/or Small Cell Facilities Removal. The Village shall grant or deny its consent for requests to remove wireless support structures associated with small cell facilities from the right-of-way typical to the review timeframes for the General Right-of-Way Permit required for this activity.
- (4) Eligible Facilities Request. The Village shall approve Eligible Facilities Requests in accordance with Ohio Revised Code Chapter 4939, 47 C.F.R. Section 1.40001, and Sections 1191.20 through 1191.29 herein not later than sixty days after the date of filing by an entity of a submitted application.

(b) Failure to Grant or Deny Within Prescribed Timeframes. If the Village fails to approve or deny a request for consent under this chapter or a request for a relevant work permit within the timeframes required under Section 1191.24(a), provided the time period is not tolled under Section 1191.24(d) or extended with the written consent of the applicant and the Village Manager or his or her designee, the request shall be deemed granted upon the requesting entity providing notice to the Village that the time period for acting on the request has lapsed.

(c) Application Denials.

- (1) The Village shall not unreasonably withhold or deny consent for small cell facilities and wireless support structures within the right-of-way.
- (2) If a request for consent is denied, the Village shall provide in writing its reasons for denying the request, supported by substantial, competent evidence, and such information as the applicant may reasonably request to obtain consent. The denial of consent shall not unreasonably discriminate against the entity requesting the consent.
- (3) Except in the case of a public utility subject to the jurisdiction and recognized on the rolls of the public utilities commission or of a cable operator possessing a valid franchise awarded pursuant to the "Cable Communications Policy Act of 1984," 98 Stat. 2779, 47 U.S.C.A. 541, the Village, for good cause shown, may withhold, deny, or delay its consent to any person based upon the person's failure to possess the financial, technical, and managerial resources necessary to protect the public health, safety, and welfare.

(d) Tolling of Required Timeframes.

- (1) The time periods required in Section 1191.24(a) may be tolled only:
 - A. By mutual agreement between the entity requesting consent and the Village;
 - B. In cases where the Village determines that the application is incomplete; or
 - C. If the number of requests for consent for small cell facilities or wireless support structures received is likely to result in difficulty processing applications within the time limits set forth in Section 1191.24(a) due to the lack of resources of the Village, then the Village may toll the time limits as follows:
 1. The time period may be tolled for up to twenty-one days for any application after the first fifteen small cell facility or wireless support structure requests received by the Village within any consecutive thirty-day period.
- (2) To toll the time period for incompleteness, the Village shall provide written notice to the person requesting consent not later than thirty days after receiving the request, clearly and specifically delineating all missing documents or information. The missing documents or information shall be reasonably related to determining whether the request meets the requirements of applicable federal and state law. Any notice of incompleteness requiring other information or documentation, including information of the type described in section 4939.0313 of the Ohio Revised Code or documentation intended to illustrate the need for the request or to justify the business decision for the request, in accordance with state and federal law, does not toll the time period for incompleteness.
- (3) The time period for granting or denying consent resumes when the entity makes a supplemental submission in response to the Village's notice of incompleteness.
- (4) If a supplemental submission is inadequate, the Village shall notify the entity not later than ten days after receiving the supplemental submission that the supplemental submission did not provide the information identified in the original notice that delineated missing documents or information. The time period may be tolled in the case of second or subsequent notices under the procedures identified in subsection (d)(1) to (3) of this section. Second or subsequent notices of incompleteness may not specify missing documents or information that was not delineated in the original notice of incompleteness.

(e) Consolidated Application for Multiple Small Cell Facilities And/or Wireless Support Structures.

- (1) Applicants seeking to construct, modify, collocate, or replace more than one small cell facility or more than one wireless support structure may file, at the applicant's discretion, a consolidated application for up to thirty small cell facility requests or up to thirty wireless support structure requests in a single application and receive a single permit for the construction, modification, collocation, or replacement of the small cell facilities or wireless support structures subject to the following:
 - A. This single application may be filed for multiple small cell facilities or multiple wireless support structures only if they are of substantially the same type.

- B. The Village may separately address small cell facility collocations or wireless support structures for which incomplete information has been received or which are denied.
 - (2) In the case of a consolidated application, the fees provided for in section 4939.0316 of the Ohio Revised Code and by applicable provision of the Granville Codified Ordinances or administrative rules may be cumulative. However, the Village at its discretion may opt to reduce such fees in order to encourage consolidated application submittals.
 - (3) In the case of a consolidated application, each small cell facility or wireless support structure proposed to be constructed, modified, collocated on, or replaced shall constitute a separate request for consent for purposes of tolling the response deadline as authorized under section 4939.036 of the Ohio Revised Code. A request by a single operator for a new or replacement support structure and associated small cell facility constitutes one request.
- (f) Timeframe for Completion of Permit.
- (1) Permits granted for collocations of small cell facilities on existing wireless support structures, new wireless support structures and/or associated small cell facilities shall be completed by the operator or its agent within one hundred eighty days after issuance of the permit, unless:
 - A. The Village and the operator agree to extend this period; or
 - B. A delay is caused by make-ready work for a Village-owned wireless support structure or decorative pole or by the lack of commercial power or backhaul availability at the site, provided that:
 - 1. The operator has made a timely request within sixty days after the issuance of the permit for commercial power or backhaul services; and
 - 2. The additional time to complete installation does not exceed three hundred sixty days after issuance of the permit.
 - (2) If subsections (f)(1)A. and B. of this section cannot be met, the permit shall be void unless the Village grants an extension in writing to the operator.
- (g) Small Cell Facility and Wireless Support Structure Activities Not Requiring Consent.
- (1) Village consent shall not be required for either of the following activities conducted in the Village right-of-way:
 - A. Routine maintenance of wireless facilities;
 - B. The replacement of wireless facilities with wireless facilities that are consistent with the Village's current design requirements and guidelines and that are either:
 - 1. Substantially similar to the existing wireless facilities; or
 - 2. The same size or smaller than the existing wireless facilities.
 - (2) The Village may require a General Right-of-Way Permit for any activity described in division (1) of this section and for any activity for which consent is authorized herein and in accordance with state and federal law. (Ord. 11-2018. Passed 10-3-18.)

1191.25 DESIGN GUIDELINES.

(a) The Village Manager or his or her designee shall promulgate detailed Design Guidelines with objective, technically feasible criteria applied in a non-discriminatory manner that reasonably match the aesthetics and character of the immediate area regarding all of the following, which the Village shall consider in reviewing an application:

- (1) The location of any ground-mounted small cell facilities;
- (2) The location of a small cell facility on a wireless support structure;
- (3) The appearance and concealment of small cell facilities, including those relating to materials used for arranging, screening, and landscaping;
- (4) The design and appearance of a wireless support structure.

(b) The Design Guidelines shall provide examples of small cell facilities preferences including visual depictions.

(c) The provisions in this section shall not limit or prohibit the Village Manager's discretion to promulgate and make publicly available other information, materials or requirements in addition to, and separate from, Design Guidelines so long as the information, materials, or requirements do not conflict with state or federal law.

(d) The Village Manager shall have authority to update or supplement the Design Guidelines to address relevant changes in law, technology, or administrative processes. In the event of any conflict between the Design Guidelines and the standards articulated in Sections 1191.20 through 1191.29 of this chapter of the Granville Codified Ordinances, the language of Sections 1191.20 through 1191.29 shall take precedence over the language of the Design Guidelines. (Ord. 11-2018. Passed 10-3-18.)

1191.26 STANDARD CONDITIONS OF PERMIT APPROVAL.

(a) Standard Conditions of Approval. Permission to site small cell facilities and wireless support structures in the right-of-way shall be conditioned on compliance with the standard conditions of approval provided in this Section 1191.26. The Village Manager or his or her designee may add or modify conditions of approval as necessary or appropriate to protect and promote the public health, safety, and welfare.

(b) Small Cell Facility Permit Duration. The Village's approval term of an attachment to a wireless support structure shall be for a period of not less than ten years, with presumption of renewal for successive five-year terms, subject to terms providing for early termination or nonrenewal for cause or by mutual agreement and unless otherwise agreed to by both the operator and the Village, except for generally applied permitting to safeguard the public health, safety, and welfare. An operator may remove its small cell facilities at any time subject to applicable permit requirements and may stop paying annual charges or fees under Section 1191.26(n).

(c) Compliance with All Applicable Laws.

- (1) Permittee shall at all times maintain compliance with all applicable federal, state and local laws, regulations, ordinances, or other rules.

- (2) If state or federal standards and regulations are amended, the owners of the small cell facilities and/or wireless support structures governed by this chapter shall bring any facilities and/or structures into compliance with the revised standards and regulations within six months of the effective date of the standards and regulations, unless a different compliance schedule is mandated by the regulating agency. Failure to bring small cell facilities and/or wireless support structures into compliance with any revised standards and regulations shall constitute grounds for removal at the owner's expense.

(d) Inspections; Emergencies. The Village or its designee may inspect small cell facilities and wireless support structures in the right-of-way upon reasonable notice to the permittee. The permittee shall cooperate with all inspections. The Village reserves the right to support, repair, disable, or remove any elements of the facility in emergencies or when the facility threatens imminent harm to persons or property.

(e) Relocation or Adjustment as Requested by Village. If requested by the Village, in order to accomplish construction and maintenance activities directly related to improvements for the health, safety, and welfare of the public, an operator shall relocate or adjust its facilities within the right-of-way at no cost to the Village, as long as such request similarly binds all users in or on such public way. Such relocation or adjustment shall be completed in accordance with law.

(f) Contact Information for Responsible Parties. Permittee shall at all times maintain accurate contact information for all parties responsible for the facility, which shall include a phone number, street mailing address, and email address for at least one natural person. All such contact information for responsible parties shall be provided to the Village Manager.

(g) Indemnification. Any operator who owns or operates small cell facilities or wireless support structures in the right-of-way shall indemnify, protect, defend, and hold the Village and its elected officials, officers, employees, agents, and volunteers harmless against any and all claims, lawsuits, judgments, costs, liens, losses, expenses, fees to include reasonable attorney fees and costs of defense, proceedings, actions, demands, causes of action, liability and suits of any kind and nature, including personal or bodily injury or death, property damage or other harm for which recovery of damages is sought, to the extent that it is caused by the negligence of the operator who owns or operates small cell facilities and wireless service in the right-of-way, any agent, officer, director, representative, employee, affiliate, or subcontractor of the operator, or their respective officers, agents, employees, directors, or representatives while installing, repairing, or maintaining facilities in the right-of-way.

(h) Interference with Public Safety Radio Services. In the event that the Village has reason to believe that permittee's radio communications operations are causing interference with the Village's public safety radio communications operations, then the permittee shall, at its cost, immediately cooperate with the Village to either rule out permittee as the interference source or eliminate the interference. Cooperation with the Village may include, but shall not be limited to, temporarily switching the small cell facilities on and off for testing.

(i) Adverse Physical Impacts on Adjacent Properties. Permittee shall undertake all reasonable efforts to avoid undue adverse physical impacts to adjacent properties and/or uses that may arise from the construction, operation, maintenance, modification, or removal of the small cell facility and/or wireless support structure.

(j) Good Condition Required. Small cell facilities and support structures shall at all times be kept and maintained in good condition, order, and repair by qualified maintenance and construction personnel, so that the same shall not menace or endanger the health, safety or welfare of any person or property.

(k) Graffiti Abatement. Permittee shall remove any graffiti on the small cell facility at permittee's sole expense.

(l) RF Exposure Compliance. All facilities must comply with all standards and regulations of the FCC and any other state or federal government agency with the authority to regulate RF exposure standards.

(m) Relocation for Public Improvement Projects. Permittee shall remove and relocate the permitted small cell facility and/or wireless support structure at permittee's sole expense to accommodate construction of a public improvement project by the Village.

(n) Removal of Small Cell Facilities If Use Discontinued or Abandoned.

- (1) In the event that the use of a small cell facility and/or wireless support structure is discontinued, the owner or operator of the small cell facility and/ or wireless support structure shall submit a request for consent to remove the wireless support structure or small cell facility, as provided in Section 1191.24(a)(3), which shall serve as notice to the Village of its intent to discontinue use and the date when the use shall be discontinued. If the small cell facility and/or wireless support structure is not removed within 365 days of discontinued use, the small cell facility and/ or wireless support structure shall be considered abandoned and the Village may remove it at the owner's expense.
- (2) Small cell facilities and wireless support structures determined by the Village to be abandoned without notice from the owner may be removed by the Village at the owner's expense to ensure the public health, safety, and welfare. (Ord. 11-2018. Passed 10-3-18.)

1191.27 SAFETY REQUIREMENTS.

(a) Prevention of Failures and Accidents. Any person who owns a small cell facility and/or wireless support structure sited in the right-of-way shall at all times employ ordinary and reasonable care and install and maintain in use industry standard technology for preventing failures and accidents which are likely to cause damage, injury, or nuisance to the public.

(b) Compliance with Fire Safety and FCC Regulations. Small cell facilities, wires, cables, fixtures, and other equipment shall be installed and maintained in substantial compliance with the requirements of the National Electric Code, all FCC, state, and local regulations, and in such manner that will not interfere with the use of other property.

(c) Surety Bond or Equivalent Financial Tool for Cost of Removal. All owners must procure and provide to the Village a surety bond, or must provide proof of an equivalent financial mechanism, to ensure compliance with all provisions of Sections 1191.20 through 1191.29. The bond or equivalent financial method must specifically cover the cost of removal of unused or abandoned small cell facilities and/ or wireless support structures or damage to Village property caused by an operator or its agent of each small cell facility and/ or wireless support structure which the owner installs in the right-of-way in case the Village has to remove or pay for its removal. Two acceptable alternatives to a bond include a funds set-aside and a letter of credit. (Ord. 11-2018. Passed 10-3-18.)

1191.28 RECOVERY OF COSTS.

(a) Application Processing Fee. For processing an application for consent, the Village may charge a fee for each small cell facility and wireless support structure requested as prescribed under section 4939.0316 of the Ohio Revised Code and as listed on the associated application forms which shall be made available by the Planning Department. The Village may adjust this fee ten per cent every five years, rounded to the nearest five dollars (\$5.00).

(b) Annual Collocation Fee. For reimbursement for operator's attachment of small cell facilities to wireless support structures owned or operated by the Village and located in the right-of-way, the Village may charge an annual fee as prescribed in 4939.022 of the Ohio Revised Code and as listed on associated application forms which shall be made available by the Planning Department. The Village may adjust this fee ten per cent every five years, rounded to the nearest five dollars (\$5.00).

(c) Tax Liabilities and Assessments Not Applicable. Placement of small cell facilities in the right-of-way or attachment of small cell facilities to a wireless support structure and any fees associated therewith shall not subject the Village to any state or local tax liabilities or assessments. (Ord. 11-2018. Passed 10-3-18.)

1191.29 SEVERABILITY.

The provisions of Sections 1191.20 through 1191.29 of this chapter are severable. If any provision or subsection, or the application of any provision or subsection to any person or circumstances is held invalid, the remaining provisions, subsection, and applications of such ordinance to other persons or circumstances shall not be made invalid as well. It is declared to be the intent of this section that the remaining provisions would have been adopted had such invalid provisions not been included in this chapter when originally adopted by Council. (Ord. 11-2018. Passed 10-3-18.)

1191.99 PENALTY.

(a) In addition to any other penalties set forth in this chapter, any person or permittee violating any section in this chapter shall be guilty of a minor misdemeanor. Each day the violation continues shall be deemed a separate offense.

(b) Nothing herein shall prevent the Village from taking any other lawful action, including civil actions at law or equity, including temporary restraining orders, preliminary injunctions and permanent injunctions, as is necessary to prevent or remedy any violations. (Ord. 11-2018. Passed 10-3-18.)

CHAPTER 1193
Tree and Landscape Requirements

1193.01	Purpose and intent.	1193.07	Tree planting requirements.
1193.02	Definitions.	1193.08	Landscape materials for new development.
1193.03	Applicable lands.	1193.09	Planning Commission discretion.
1193.04	Standards for trees located on new development sites.	1193.10	Plan application and approval.
1193.05	Standards for trees planted in existing rights of way.		
1193.06	Minimum landscape requirements for vehicular use areas.		

CROSS REFERENCES

Trees, shrubs and maintenance - see S.U. & P.S. Ch. 909

1193.01 PURPOSE AND INTENT.

The Village of Granville lies in a valley and foothill landscape. Over time, many trees have grown or been planted by residents in the community. These trees, native and imported, provide beauty and protection from summer heat, increase property values, enhance community pride, preserve wildlife habitat, reduce air and noise pollution, and reduce soil erosion. Granville has earned the designation as a “Tree City USA” in recognition of the Village’s unique stewardship of this vital resource. Accordingly, the Village has determined that it is necessary for the public health and welfare to conserve tree resources by protecting trees from unnecessary destruction or removal, encouraging the replacement of trees lost to disease, natural hazards, or human intervention. The Village has also determined that street trees, park trees, and other trees on public lands contribute to the quality of life in the community. Chapter 1193, Tree and Landscape Requirements, provides for the improvement and maintenance of the appearance and safety of and the protection, preservation, and promotion of the aesthetic appeal, character and value of the Village of Granville. The intent of this chapter is to establish mechanisms and policies for maintaining public trees so that the community may continue to enjoy the many benefits associated with trees.

(Ord. 11-06. Passed 9-20-06.)

1193.02 DEFINITIONS.

The following definitions are only for the purposes of this chapter:

- (a) "Large tree" means any tree species which normally attains a full-grown height equal to or greater than fifty (50) feet.
 - (b) "Medium tree" means any tree species which normally attains a full-grown height of between thirty (30) and fifty (50) feet.
 - (c) "Small tree" means tree species which normally attains a full-grown height of under thirty (30) feet.
 - (d) "On-site landscaping" means the use of landscape materials within the innermost boundaries of the property.
 - (e) "Trunk caliper" means the diameter of the tree as measured eighteen (18) inches above the ground.
 - (f) "Treelawn" means the area either between the edge of the street pavement/curb and the edge of the sidewalk or the area from the edge of the street pavement/curb to the right-of-way line.
- (Ord. 11-06. Passed 9-20-06.)

1193.03 APPLICABLE LANDS.

(a) No Zoning and Architectural Permit shall be issued for any new site development or redevelopment, otherwise permitted under Chapters 1163, 1167, 1169, 1171 or 1175, unless the landscaping provisions for such development as required by this Chapter are met.

(b) New Site Developments. Subdivision and development plans shall be designed to preserve natural vegetation areas as much as possible. Streets, parcels, structures and parking areas shall be laid out to minimize the destruction of wooded areas or outstanding tree specimens. Developers of land are encouraged to designate wooded areas as park reserves.

(c) Existing Structures. No building, structure or vehicular use area shall be constructed or expanded unless the minimum landscaping required by the provisions of this Chapter is provided.

(d) Expansions and/or additions to an existing single-family residential structure are exempt from the requirements of this Chapter.
(Ord. 11-06. Passed 9-20-06.)

1193.04 STANDARDS FOR TREES LOCATED ON NEW DEVELOPMENT SITES.

Subdividers or developers shall plant trees along public streets bordering and within their development in such a manner, type, quantity and location as determined by the Planning Commission. Any undeveloped street or existing street with undeveloped frontage shall conform to the following requirements at the time of the development:

- (a) The spacing between trees shall be forty (40) feet for large trees, thirty (30) feet for medium trees and twenty (20) feet for small trees. The plans shall be submitted in accordance with Section 1193.10.

- (b) The treelawns and tree sizes will match as follows:
- | <u>Treelawn (feet)</u> | <u>Tree Size</u> |
|------------------------|------------------|
| 3-6 Feet | Small |
| 6-8 Feet | Medium |
| 8 or more Feet | Large |
- (c) The tree location shall be at least thirty (30) feet from street intersections and ten (10) feet from fire hydrants or utility poles.
- (d) (1) Developers shall be required to maintain trees for one (1) year after the trees are planted. Should any tree require replacement during this one (1) year period, the replacement period shall start at the date of replacement. Except as provided herein, the replacement period shall not extend beyond two (2) years from the original planting date.
- (2) Upon completion of a street tree planting, the developer shall contact the Zoning Inspector for a preliminary inspection. The replacement period shall begin after the approval of the Zoning Inspector.
- (3) The developer shall contact the Zoning Inspector for a final inspection to be made at the end of the replacement period. All trees not exhibiting a healthy, vigorous growing condition, as determined by the Village's inspection, shall be replaced at the expense of the developer.
- (4) In the event that the conditions of any trees cannot be ascertained due to the season of the year, the final inspection may, in the discretion of the Zoning Inspector, be deferred until the commencement of the next growing season.
- (e) The minimum trunk caliper measured at eighteen (18) inches above the ground for all street trees shall be no less than one and three-quarter (1 $\frac{3}{4}$) inches.
- (f) The Zoning Inspector shall submit a report to the Tree and Landscape Commission detailing the Inspector's activities and actions undertaken pursuant to this section. (Ord. 11-06. Passed 9-20-06.)

1193.05 STANDARDS FOR TREES PLANTED IN EXISTING RIGHTS OF WAY.

No street trees other than those species defined as a "small tree" in Section 1193.02 of this Chapter may be planted under or within fifteen (15) lateral feet of any overhead utility wire. Plantings over or within five (5) lateral feet of any valve box, underground water line, sewer line, transmission line or other utility shall require the approval of the Village Manager. (Ord. 11-06. Passed 9-20-06.)

1193.06 MINIMUM LANDSCAPE REQUIREMENTS FOR VEHICULAR USE AREAS.

This section sets forth the minimum requirements that shall be met regarding the landscaping for vehicular use areas.

- (a) Landscaping at Parking and Service Areas.
Any open parking area of more than four thousand (4,000) square feet in area and/or at least twelve (12) vehicular parking spaces shall be required to have on-site landscaping that may be in the form of islands or peninsulas. On-site landscaping shall encompass at least five percent (5%) of the total area of the parking lot. The preservation of existing plants is encouraged and shall be included in the consideration as to whether minimum landscape requirements have been attained.

- (b) Minimum Tree Plantings.
A minimum of one (1) large tree per three thousand (3,000) square feet of ground coverage by structures and vehicular use areas is required.
- (c) Vehicle Overhang.
Parked vehicles may not extend into the border of any landscape area. Curbs or wheel stops shall be provided to insure no overhang.
- (d) Landscaping for Service Structures.
Service structures shall be screened. For the purpose of this Chapter, "service structures" includes but is not limited to loading docks, waste collections units, utility vaults which extend above the surface and other equipment providing service to a building or a site. Structures may be grouped together; however, screening height shall be one (1) foot more than the tallest of the structures.
- (e) Location of Screening.
A continuous hedge planting, fence, wall or earth mound must enclose any service structure on all sides. Any service structure which must be daily moved or serviced shall require screening on all but one (1) side. The height of the screening material shall be one (1) foot more than the height of the structure, but shall not be required to exceed ten (10) feet in height. Whenever a service structure is located next to a building wall or vehicular use area, walls or screening material may fulfill the screening requirement for that side of the service structure if that wall or screening material is of an average height sufficient to meet the height requirement set out in this Chapter. Whenever service structures are screened by plant material, such materials may apply to the fulfillment of required landscaping. The type of screening or combination of screening types is subject to Planning Commission review and approval.
(Ord. 11-06. Passed 9-20-06.)

1193.07 TREE PLANTING REQUIREMENTS.

Use

Planned Unit Development District

Village Business,
Planned Commercial,
Suburban Business District,
Planned Industrial,
Institutional and
Community Service District

Requirements

A minimum of two (2) trees (one on each side of the roadway) shall be provided for every fifty (50) linear feet of roadway.

In addition to the requirements of Section 1193.06 hereof for vehicular use areas, the following shall apply: there shall be landscaped areas equal to twenty (20) square feet for every one thousand (1,000) square feet of building ground coverage area or fraction thereof. Such landscaped areas shall contain trees, planting beds, hedges, fences, walls, earth mounds, benches or other materials designed and located in a manner complementary to the overall architecture of the surrounding buildings.

(Ord. 11-06. Passed 9-20-06.)

1193.08 LANDSCAPE MATERIALS FOR NEW DEVELOPMENT.

- (a) The proposed landscape materials should complement the existing trees and plantings.
- (b) Artificial plants are prohibited.
- (c) The amount of shade or sun should be considered in selecting plant materials.
- (d) Plants, planting and maintenance shall conform to the standards of the American Association of Nurserymen (ANN), American Standard for Nursery Stock, 1990 edition, ANN Publication #A2-40240, 1250 I Street NW, Suite 500, Washington, DC 2005.
- (e) Plant material which does not survive shall be replaced by the owner within twelve (12) months after the material dies. Replacement of plants shall be of the same size, genus and species as originally planted.
(Ord. 11-06. Passed 9-20-06.)

1193.09 PLANNING COMMISSION DISCRETION.

If circumstances prevent compliance with the requirements as specified in Sections 1193.03, 1193.04, and 1193.05 of this Chapter, the Planning Commission may alternatively allow the property owner or developer to meet the above requirements by planting the required plants at a place designated by the Tree and Landscape Commission.
(Ord. 11-06. Passed 9-20-06.)

1193.10 PLAN APPLICATION AND APPROVAL.

Whenever any property is affected by these landscape requirements, the property owner or developer shall prepare a landscape plan for review and approval. Such plans shall follow the same application requirements for site plans and shall contain all existing and proposed trees and landscape materials, including botanical names, common names, planting size, on center planting dimensions where applicable and quantities for all plants used.

The Planning Commission shall, prior to its consideration of a landscape plan, forward a copy of the plan along with any other information provided by the developer to the Tree and Landscape Commission for its review and recommendation. Upon receipt of the recommendation and/or comment from the Tree and Landscape Commission, the Planning Commission shall begin its review.

In the event recommendation is not received within thirty (30) days after the transmittal of the plan to the Tree and Landscape Commission, the Planning Commission may proceed in accordance with these regulations.
(Ord. 11-06. Passed 9-20-06.)

CHAPTER 1194 Composting

1194.01 Purpose.	1194.05 Small compost site.
1194.02 Definitions.	1194.06 Nuisance.
1194.03 Prohibition on disposal.	1194.07 Violations.
1194.04 Backyard compost site.	1194.08 Severability.

1194.01 PURPOSE.

This chapter is adopted for the following purposes:

- (a) To protect environmental and public health, safety, comfort, convenience, and the general welfare of the citizens of the Village of Granville.
 - (b) To establish powers, duties, rules, regulations, and standards for the location and operation of backyard and small compost sites in the Village of Granville.
 - (c) To promote a program of waste reduction through source separation of organic materials from mixed municipal solid waste.
 - (d) To provide for the administration and enforcement of this chapter.
- (Ord. 12-2019. Passed 7-17-19.)

1194.02 DEFINITIONS.

(a) The following words and phrases, when used in this chapter, shall have the meaning ascribed to them by this section:

- (1) **"Backyard Compost Site"** means a site no greater than four (4) cubic yards used to compost food scraps, garden wastes, weeds, lawn cuttings, leaves, and prunings from a single family or household with the intention of using the resulting compost on-site.
- (2) **"Composting"** means the controlled microbial degradation of source separated compostable material to yield a humus-like product or mulch to be used as a soil amendment.
- (3) **"Invasive Plants"** are terrestrial plant species that have a high probability of becoming serious problems on the landscape if not managed correctly. Although an invasive plant is generally not regulated in Ohio until it becomes classified as a noxious weed, extreme care and consideration should be taken to ensure that these species do not spread across the landscape.

- (4) **"Non-Recyclable Paper"** means paper products that are food-soiled or contain fibers too short for recycling. Examples include but are not limited to: paper plates, paper towels and napkins, facial tissue and tissue paper.
- (5) **"Poultry Litter"** (Applicable Only to Open Space District) means bedding material, such as wood shavings, sawdust, or straw, that has been used in a chicken coop or broiler house floor and consists mostly of the bedding material, poultry manure, feathers and spilled feed.
- (6) **"Food Scraps"** means limited organic waste material such as fruit and vegetable scraps, coffee grounds, tea bags, egg shells and breads, resulting from the handling, preparation, cooking and consumption of food.
- (7) **"Local Authority"** means the Village of Granville and its officers, agents and administrators.
- (8) **"Mixed Municipal Solid Waste"** means garbage, refuse and other solid waste from residential, commercial and community activities that the generator of the waste aggregates for trash collection.
- (9) **"Noxious Weeds"** means an annual, biennial, or perennial plant that the Director of the Ohio Department of Agriculture designates to be injurious to public health, the environment, public roads, crops, livestock, or other property.
- (10) **"Organic Material"** means yard waste, food scraps and compostable plastics meeting ASTM D6400 or ASTM D6868. It also includes community available compost ingredients.
- (11) **"Responsible Party for Composting Activities"** means a person identified as the operator of a small compost site.
- (12) **"Small Compost Site"** means a compost site where food scraps, yard waste, poultry litter generated on site only if the compost produced is used on site, non-recyclable paper, and compostable plastics meeting ASTM D6400 or ASTM D6868 can be composted so long as the volume of all materials on site (feedstock, composting material and curing compost) is less than sixty (60) cubic yards.
- (13) **"Source Separated Organics"** means organic material that is separated from mixed municipal solid waste at the source by the waste generators for the purpose of composting.
- (14) **"Yard Waste"** means garden wastes, leaves, lawn cuttings, non-regulated weeds, shrub and tree waste and prunings and twigs.
(Ord. 12-2019. Passed 7-17-19.)

1194.03 PROHIBITION ON DISPOSAL.

No person shall knowingly rake or deposit organic materials or mixed municipal solid waste on or into public or private streets (except as permitted for regularly scheduled Village leaf and brush pickup), storm sewers, drainage ditches, water retention basin, streams or lakes. Yard waste should not be deposited into mixed municipal solid waste.
(Ord. 12-2019. Passed 7-17-19.)

1194.04 BACKYARD COMPOST SITE.

(a) Location for Backyard Compost Sites.

- (1) Composting containers shall be located and designed so that seepage from the compost will not run off into public or private streets, storm sewers, drainage ditches, water retention basins, streams or lakes, nor across adjoining property lines.

- (2) No compost container may be located closer than twenty (20) feet to any residential dwellings, except the dwelling on the property at which the compost container is located.
- (3) No compost container may be placed within twenty (20) feet of any body of water or area designated as 100-year flood plain or state protected wetland.

(b) Permitted Materials for Backyard Compost Sites. Permitted composting materials for a backyard compost site include food scraps, garden wastes, non-regulated weeds, lawn cuttings, leaves and prunings from a single family or household, as well as compostable plastics meeting ASTM D6400 or ASTM D6868.

(c) Prohibited Materials for a Backyard Compost Site. The following compostable materials shall not be placed in a backyard composting container: meat, fish, poultry and bones, fats, oils, grease and lard, whole eggs, milk or other liquid dairy products, human or pet wastes, pesticides, herbicides, noxious weeds and any other mixed municipal solid waste that may cause a public health risk or create nuisance conditions.

(d) Composting Container for Backyard Compost Site. All composting must occur in a container constructed out of wood, wire mesh, concrete block, plastic, or a combination thereof, or in a commercially available compost bin designed for composting organic materials. Composting containers shall be enclosed on at least three (3) vertical sides, and shall be designed to reduce or prevent scavenging to the extent practicable.

(e) Volume and Height of Backyard Compost Site. Backyard compost sites shall not exceed a total of four (4) cubic yards in volume. The maximum height of the composting container shall be five (5) feet.

(f) Maintenance. Compost materials shall be layered, aerated, moistened, turned and managed to promote effective decomposition of the materials in a safe, secure and sanitary manner. Backyard compost sites must be maintained to minimize nuisance conditions.

(g) Compost Use. When the composting process is finished and the compost resembles a soil-like humus or mulch material, it shall be used as a soil amendment. Finished or unfinished compost shall not be used in a manner causing a nuisance.
(Ord. 12-2019. Passed 7-17-19.)

1194.05 SMALL COMPOST SITE.

(a) Location for Small Compost Sites.

- (1) Composting containers shall be located and designed so that seepage from the compost will not run off into public or private streets, storm sewers, drainage ditches, water retention basins, streams or lakes, nor across adjoining property lines.
- (2) Small compost sites are allowed in the Open Space District, and as an accessory to a community garden in the Suburban Residential District and the Planned Unit District. Small compost sites may not be located closer than twenty (20) feet to any residential dwellings, except the dwelling on the property at which the compost pile is located.
- (3) No compost activities may be conducted within twenty (20) feet of any body of water or area designated as flood plain or protected wetland.

(b) Permitted Materials for Small Compost Sites. Permitted composting materials for a small compost site include food scraps, garden and yard wastes, non-regulated weeds, lawn cuttings, leaves and prunings, poultry litter generated on-site only if the resulting compost is used on-site (Applicable Only to Open Space District), non-recyclable paper, and compostable plastics meeting ASTM D6400 or ASTM D6868.

(c) Prohibited Materials for Small Compost Sites. The following compostable materials shall not be placed on a small composting pile: fats, oils, grease and lard, meat fish, poultry and bones, dairy, whole eggs, milk or other liquid dairy products, human or pet wastes, pesticides, herbicides, noxious weeds, charcoal or Duraflame ashes, treated wood products, animal manure, diapers, sanitary products, pet wastes or animal carcasses.

(d) Composting Operations at Small Compost Sites. All composting shall occur in a controlled, safe, and sanitary manner so as to minimize the creation or maintenance of any nuisances.

(e) Volume of a Small Compost Site. Any compost site that is allowed to compost more materials than permitted in a backyard compost container or with more than four (4) cubic yards of material on site at any one time is a small compost site. Small compost sites cannot exceed sixty (60) cubic yards of material on site at any time.

(f) Maintenance of Small Compost Sites. Compost materials shall be layered, aerated, moistened, turned and managed to promote effective decomposition of the materials in a controlled, safe and sanitary manner.

(g) Compost Use. When the composting process is finished and the compost resembles a soil-like humus or mulch material, it shall be used as a soil amendment. Finished or unfinished compost shall not be used in a manner causing a nuisance. Compost made with poultry litter must be used on-site. (Ord. 12-2019. Passed 7-17-19.)

1194.06 NUISANCE.

A backyard compost site or a small compost site must not be established or maintained in a manner such that it creates an unreasonably odorous or offensive condition including but not limited to pest or insect infestation or other nuisance, and any composting shall be suspended or terminated if at any time the local authority determines that such a nuisance exists or that conditions exist constituting a fire hazard or health hazard, or if there is a threat to surface or groundwater from run-off. The local authority may require individuals whose compost site and/or materials are not in compliance with this section to attend a composting or similar educational program as a condition of continuing to compost on property which has been determined to be in violation of this chapter. (Ord. 12-2019. Passed 7-17-19.)

1194.07 VIOLATIONS.

It is unlawful to conduct composting operations in violation of the requirements and limitations of this chapter. In addition to the enforcement methods and penalties available under Chapter 1137 of the Granville Planning and Zoning Code, such violations may be abated as a nuisance as provided in Chapter 3767 of the Ohio Revised Code. (Ord. 12-2019. Passed 7-17-19.)

1194.08 SEVERABILITY.

Should any section, subdivision, clause or other provision of this chapter be held to be invalid by any court of competent jurisdiction, such decisions shall not affect the validity of the chapter as a whole, or of any part thereof, other than that part held to be invalid. (Ord. 12-2019. Passed 7-17-19.)

CHAPTER 1195 Traffic Impact Study Ordinance

1195.01	Purpose and intent.	1195.07	Time periods to be analyzed.
1195.02	Traffic Study Warrants.	1195.08	Development to be analyzed.
1195.03	Pre-meeting and Memorandum of Understanding.	1195.09	Traffic Impact Study guide- lines and report outline.
1195.04	Preparer qualifications.	1195.10	Site access and roadway plans.
1195.05	Study area.	1195.11	Submittal requirements.
1195.06	Study horizon years.	1195.12	Public record.

1195.01 PURPOSE AND INTENT.

The purpose of the Traffic Impact Study Ordinance is to promote the public health, safety and welfare by ensuring adequate transportation facilities to manage growth, development and redevelopment. The Traffic Impact Study Ordinance is intended to establish fair and equitable requirements for roadway infrastructure improvements for applicants seeking approvals for rezoning, zoning variances, special permits, and preliminary subdivision plats for large-scale projects. To further this intent, the Village has determined it to be fitting to require the submission of an appropriate traffic study with each application.

The primary objectives of a traffic study are as follows:

- (a) Provide a basis for assessing the transportation impacts of a new development or expansion of an existing development; identify the need for any improvements to the supporting roadway system to provide satisfactory levels of service; and, to address safety issues.
 - (b) Address relevant transportation issues associated with development proposals that may be of concern to neighboring residents, businesses, and property owners.
 - (c) Determine the appropriate location, spacing, and design of the access system for the proposed development in compliance with Village standards.
 - (d) Evaluate the internal circulation and connectivity systems of the proposed development to provide safe and efficient internal traffic flow and access to/from the adjacent and nearby roadway system.
 - (e) Allow compliance with the most current edition of the Village Thoroughfare Plan (or other applicable thoroughfare plans).
 - (f) Provide a basis for improvement and funding discussions in conjunction with zoning, special permit, and subdivision plat approvals.
- (Ord. 05-05. Passed 3-2-05.)

1195.02 TRAFFIC STUDY WARRANTS.

The need for either a detailed traffic impact study or a limited traffic operations analysis will be identified when rezoning, variance, or plan approval petitions are filed (or discussed with public officials). The Village may also identify the need for a traffic impact study or operations analysis in response to an access permit application.

- (a) Study Warrants for a Traffic Impact Study: A complete traffic impact study (TIS) will be requested for any proposed development or redevelopment that meets one or more of the following criteria:
 - (1) Significantly-sized project. A development meets this criterion if it generates more than 10 trip ends (i.e., two-way vehicle-trips) during any one hour of an average weekday. These trip ends shall be calculated using the latest edition of Trip Generation as published by the Institute of Transportation Engineers (or upon special studies of unique land-uses as approved by the reviewers).
 - (2) Modifications to roadways. This criterion is met when the proposed development is expected by the reviewers to significantly impact a roadway segment, or roadway segments, identified in the Thoroughfare Plan and/or improvement programs of the Village, Township, County, State, or other jurisdictions. This criterion is also met when access for the proposed development occurs on a public road that may be widened or improved in accordance with adopted Thoroughfare Plans.
 - (3) Nearby congestion. A development meets this criterion if the proposed development is expected, in the opinion of Village staff, to significantly impact surrounding roadways, intersections, or sets of intersections which are already operating at level of service "D" or worse during any hour (on a design day, or days, selected for analysis purposes). The level of service will be determined by an analysis prescribed in the current edition of the Highway Capacity Manual (Transportation Research Board) using data that reflects the current traffic conditions.
 - (4) High traffic impact area. This criterion is met when, in the opinion of Village staff, the proposed development is located in a high traffic impact area. Such reflects special sensitivity to traffic condition changes due to existing congestion, problematic circulation patterns, burgeoning traffic operations problems, or other traffic conditions of special concern. A traffic impact study will be requested for any proposed new development or modifications to existing development within a high traffic impact area.
- (b) Study Warrants for a Traffic Operations Analysis. A traffic operations analysis will be requested for petitions which do not meet the warrants for a detailed traffic impact study. A traffic operations analysis will be requested for any one of the following conditions:
 - (1) Requests for a driveway (or driveway modification) on any public road.
 - (2) Existing sight distance limitations or high accident experience adjacent to the subject site.
 - (3) Modifications to a site plan for an existing development where the parking layout and/or internal circulation system could affect traffic operations on the external roadway system.

- (4) Requests or probable need for a new traffic signal to control driveways serving a proposed or existing development.

Examples of traffic operations analyses include studies of proposed driveway locations, resulting sight distances, driveway and intersection geometry and control, turn lane needs and design, accommodation of projected queuing conditions, accident experience and safety, and traffic signal warrant and progression analysis.

(Ord. 05-05. Passed 3-2-05.)

1195.03 PRE-MEETING AND MEMORANDUM OF UNDERSTANDING.

Prior to commencing the preparation of a Traffic Impact Study, the preparer shall schedule a meeting with appropriate Village staff. Other participants in this pre-meeting shall be representatives of other jurisdictions and agencies as deemed appropriate by Village personnel. The participants at the meeting shall identify and agree upon the following issues and needs prior to the preparation of the TIS:

- (a) Study area
- (b) Study years
- (c) Development phasing, if applicable
- (d) Field data collection requirements
- (e) Acceptable data associated with traffic volumes, accident history, and signal operations
- (f) Peak traffic hours (analysis hours)
- (g) Trip generation, trip distribution, and assignment methods
- (h) Applicable planning documents (including the Village's Thoroughfare Plan and Access Management Plan)
- (i) Other traffic impact studies prepared for developments in the study area
- (j) Utilization of travel demand models
- (k) Background traffic and growth factors
- (l) Acceptable levels of service (LOS)
- (m) Analyses methodology and software (capacity, signal warrants, etc.)
- (n) Safety issues (sight distances, accident data, etc.)
- (o) Committed and planned roadway improvements and schedule
- (p) TIS submittal date

The preparer shall submit a Memorandum of Understanding (MOU) which details the assumptions and methodologies agreed upon regarding the items above – and the preparer shall request Village staff concurrence with the contents of the MOU. The MOU should be submitted to the Village within one-week subsequent to the pre-meeting. The MOU will be approved by Village staff within one week of receipt – assuming that all items are properly addressed.

(Ord. 05-05. Passed 3-2-05.)

1195.04 PREPARER QUALIFICATIONS.

Traffic Impact Studies shall be prepared by professionals with training and experience in traffic engineering/transportation planning and under the supervision of a registered professional engineer in Ohio with training and experience in traffic engineering (operations and safety analysis experience). The preparer shall not be a member of the TIS review team; neither shall the preparer be related to a review team member nor hold a financial interest in the project under study.

(Ord. 05-05. Passed 3-2-05.)

1195.05 STUDY AREA.

Any complete transportation study analyzing off-site access needs and impact will include at least all site access points and major intersections (signalized and unsignalized) adjacent to the site. Beyond this area, the review team will determine any additional area to be included based on local or site specific deficiencies, development size, traffic conditions, or local policy potentially affected by the proposed development. The study area will also encompass vacant parcels of land believed to impact the intersections being analyzed so as to analyze the proposed project in the context of other previously approved or anticipated developments in the surrounding area. Generally, the study area must be large enough to encompass the critical intersections to be analyzed. In high traffic impact areas, the study area may include the entire zone in order to capture the cumulative impact of future development within the area.

(Ord. 05-05. Passed 3-2-05.)

1195.06 STUDY HORIZON YEARS.

Beyond the assessment of current conditions, traffic impact studies are to address conditions in the anticipated opening year of the proposed development assuming full build-out and occupancy. If the proposed development is to be implemented in phases, it may be appropriate to analyze each major phase (e.g., initial phase, an intermediate phase, and full project build-out) in order to define the potential for staging defined roadway improvements/modifications.

In certain circumstances, it may also be appropriate to assess traffic conditions in a horizon year that is compatible with long-range planning for the study area. Such analyses may be requested in order to confirm that near-term roadway improvements/modifications are compatible with the long-term thoroughfare plan for the area.

(Ord. 05-05. Passed 3-2-05.)

1195.07 TIME PERIODS TO BE ANALYZED.

For each defined horizon year, specific time periods are to be analyzed. In most cases, only analyses of street peak hours will be required. However, land-use classifications which experience their highest trip generation levels during periods other than street peak hours may require analyses for such periods to determine proper site access and turn lane storage requirements. Examples of land-use classifications which typically have substantially higher site trip generation peaks at times other than weekday street peak hours are: shopping centers, discount stores, recreational uses (e.g., theaters, zoos, theme parks, stadiums, and arenas), restaurants, schools, churches, and garden centers.

The analysis time period (and condition) should be discussed and designated by the reviewers at the initial meeting. The objective is to designate the design day(s) and time period(s) so as to cause evaluation of conditions during the design hour or design hours. The selection of the proper design day and hour is particularly important for a development which exhibits significant seasonal variations in trip generation (such as shopping centers). Special consideration must also be given to a development located in a zone that experiences (or will experience) significant seasonal variations in traffic volumes due to unique land uses.

The design hour(s) to be used in a TIS will be discussed and designated by the reviewers at the initial meeting. At a minimum, all studies must include assessments of conditions during both the AM and PM peak commuter hours (unless otherwise directed by Village staff).

(Ord. 05-05. Passed 3-2-05.)

1195.08 DEVELOPMENT TO BE ANALYZED.

The total anticipated transportation infrastructure requirements in the study horizon year(s) are needed so that the Village can accurately evaluate implications associated with the applicant's request for development approval. However, the impacts and infrastructure needs will be assessed separately for the baseline condition (horizon year development excluding site) and total development (horizon year development including site).

- (a) Site Development. Development proposed to be located on the site under study should be categorized by specific land-use type consistent with classifications contained in the latest edition of Trip Generation (Institute of Transportation Engineers). The proposed number of development (building) units (e.g., gross square feet of building area, dwelling units, hotel rooms, etc.) should be provided. Land area is insufficient to provide a basis for analysis. If the proposed land use or density is inconsistent with the current land use plan, comparison of the proposed land use and the land use plan recommendation should be made using classifications contained in the Trip Generation report.
- (b) Non-Site Development within Study Area. The impacts of the anticipated non site development should be assessed separately from those of the proposed development to aid both the Village and the applicant in the determination of sources of transportation infrastructure needs. All significant developments within the study area that have been approved or are likely to occur by the specific horizon years should be identified and incorporated into the study. The land-use type and magnitude of the probable future developments in the horizon years should be identified in conversations with staff of the Village and other relevant public agencies.
- (c) Non-Site Outside Study Area. In some cases, the Village may request the applicant to specifically consider and include traffic generated by large developments located outside the defined study area. In such cases, a TIS prepared for the identified development will be provided to the applicant by the Village to permit the inclusion of relevant traffic volumes within the subject TIS. The applicant will not be required to undertake vehicle-trip generation and trip distribution for developments outside the study area.

(Ord. 05-05. Passed 3-2-05.)

1195.09 TRAFFIC IMPACT STUDY GUIDELINES AND REPORT OUTLINE.

The following provides an overview of the Traffic Impact Study (TIS) process methodologies, and requirements. The outline highlights the exhibits (i.e., figures, tables, or other graphics) that are expected to be included in the TIS report.

- 1. Title Page
 - 1.1. Development name
 - 1.2. Location
 - 1.3. Applicant's name
 - 1.4. Preparer's name, address, phone number
 - 1.5. Date of original report
 - 1.6. Report revision date (when applicable)
- 2. Introduction
 - 2.1. Purpose of report and study objectives (reference accepted Memorandum of Understanding; include in Appendix).
 - 2.2. Proposed site development (zoning, land-use and anticipated size or quantity, location {Exhibit}, site plan {Exhibit}, phasing and timing).
 - 2.3. Summary of revisions in the submittal (for revised reports only).

3. Area Conditions
 - 3.1. Study area boundaries {Exhibit}.
 - 3.2. Study area land uses (existing, anticipated future development).
 - 3.3. Site accessibility (existing and future roadway system; document basic features to include jurisdiction, functional classification, pavement widths, lane usages, traffic control devices, speed limits, etc.).
 - 3.4. TIS intersections (defined in the Memorandum of Understanding)
 - 3.4.1 Lane usages and traffic control devices {Exhibit}.
 - 3.4.2 Existing traffic volumes (AM and PM peak hour volumes {Exhibit} and other hours as requested {Exhibit}, include count information in Appendix).
 - 3.4.3 Sight distances (compare existing distances with established criteria).
 - 3.4.4 Accident experience (if requested).
4. Traffic Volume Projections (for each horizon year)
 - 4.1. Background traffic volumes (composed of existing volumes, accepted general growth rate for through traffic, and traffic generated by previously-approved new developments in the study area) {Exhibit}.
 - 4.2. Site generated traffic volumes (trip rates, distribution, assignment) {Exhibit}.
 - 4.3. Total traffic (background plus site) {Exhibit}. Exhibits must clearly show (1) Background, (2) Site, and (3) Total Traffic Volumes at each TIS intersection—for each study period and for each horizon year.
5. Traffic Operations
 - 5.1. Capacity and level of service calculations for each TIS intersection (or applicable roadway element):
 - 5.1.1. Existing conditions (i.e., current volumes on existing roadway system).
 - 5.1.2. Horizon year background traffic conditions (i.e., projected background volumes on existing roadway system). If improvements/modifications to the existing roadway system are planned and programmed, Village staff will provide this information to the applicant and the improved roadway system will be used as a base for testing horizon year traffic conditions – as appropriate.
 - 5.1.3. Horizon year total (i.e., non-site plus site) traffic volumes on existing (or planned and programmed) roadway system.
 - 5.1.4. Horizon year total traffic volumes on improved/modified roadway system that mitigates the traffic impacts of the proposed development.
 - 5.1.5. Produce a table {Exhibit} for each TIS intersection, study period, and study horizon year listing the level of service and delay (or v/c ratio) by (1) individual movement, (2) approach leg, and (3) overall for:
 - 5.1.5.1. Existing conditions (Item 5.1.1 above).
 - 5.1.5.2. Background conditions (Item 5.1.2 above).
 - 5.1.5.3. Total conditions on existing roadway system (Item 5.1.3 above).
 - 5.1.6. Through an iterative process, identify improvements/modifications that will mitigate the traffic impacts of the proposed development; expand the Exhibit table in 5.1.5. above to show how the improvements/modifications will mitigate the impacts by movement, approach leg, and overall. Table 1 provides an example of the requested information and format.

- 5.1.7. The minimum acceptable design level of service (LOS) in the Village is “C”. At intersections, analyses should show an overall LOS of “C” with no individual movement operating at less than “D” to be acceptable. If the analyses of background conditions show that conditions with only non-site traffic will result in a level of service below these criteria, the preparer should document this finding and ascertain the level of improvement needed to maintain at least the base level of service once site traffic is added. In other words, where unacceptable levels of service are calculated for background conditions (Item 5.1.2 above), the applicant is responsible for only maintaining the same level of service when site traffic is added to the roadway element.
- 5.1.8. Provide a scaled concept sketch {Exhibit} illustrating the improvements/modifications that properly mitigate the traffic impacts of the proposed development. Suggested improvements/modifications must be practical and acceptable to the appropriate agency/jurisdiction.
- 5.1.9. The computer printouts associated with all referenced capacity analyses must be included in the Appendix.

Table 1
SUMMARY OF INTERSECTION CAPACITY ANALYSES (EXAMPLE)
Intersection: SR 28 @ Woods Point Drive
Time Period: 5:00 – 6:00 PM

Year	2004		2010		2010		2010		Mitigation
Volumes	Existing		Background		Total		Total		Measure
Geometrics	Existing		Existing		Existing		Proposed		
	Delay (sec)	LOS	Delay (sec)	LOS	Delay (sec)	LOS	Delay (sec)	LOS	
North Approach	-		-						
RT	-		-		48.4	D	26.3	C	
TH	-		-		162.8	F	47.7	D	
LT	-		-		162.8	F	47.7	D	
Approach					91.2	F	34.3	C	
South Approach									
RT	25.7	C	33.9	C	83.9	F	40.9	D	
TH	25.7	C	33.9	C	83.9	F	40.9	D	
LT	25.7	C	33.9	C	83.9	F	40.9	D	
Approach	25.7	C	33.9	C	83.9	F	40.9	D	
East Approach									
RT	-		-		122.3	F	20.1	C	
TH	5.7	A	5.9	A	122.3	F	20.1	C	Add Through Lane
LT	4.4	A	4.9	A	4.8	A	10.4	D	
Approach	5.7	A	5.9	A	121.9	F	20.0	C	
West Approach									
RT	10.1	B	18.3	B	4.6	A	11.7	B	
TH	10.1	B	18.3	B	4.6	A	11.7	B	
LT	-		-		205.8	F	46.4	D	
Approach	10.1	B	18.3	B	15.3	B	13.5	B	
Overall	10.9	B	13.6	B	60.1	E	17.1	B	

Timings optimized for year 2010 conditions

- 5.2. Traffic operations, safety, and control at TIS intersections:
 - 5.2.1. Warrant analyses for left and/or right turn lanes; if warranted, define required lengths.
 - 5.2.1.1. Left turn lanes should be provided at site driveways or at unsignalized intersections in accordance with the following conditions:
 - 5.2.1.1.1. Per Graph 1, 2, or 3 (the left turn warrant charts) contained in the ODOT State Highway Access Management Manual, or
 - 5.2.1.1.2. On major and minor arterial roadways with posted speed limits greater than 40 mph, or
 - 5.2.1.1.3. On major collector roadways with posted speed limits greater than 40 mph and more than 10 left turning vehicles during a design hour.
 - 5.2.1.1. Right turn lanes should be provided in accordance with Graphs 4, 5, 6, or 7 (the right turn warrant charts) contained in the ODOT State Highway Access Management Manual with the following exceptions:
 - 5.2.1.2.1. Right turn lanes are not required for right turn volumes less than 10 vehicles during a design peak hour.
 - 5.2.1.2.2. Right turn lanes are not required when there are less than 200 vehicles (during a design hour) in the approach or curb lane for roadways with more than one approach lane.
 - 5.2.1.3. Left or right turn lanes may also be provided when deemed necessary for safety purposes by Village representatives.
 - 5.2.1.4. The length of left and right turn lanes should be based on the criteria contained in the ODOT Location and Design Manual or, where appropriate, on the results of queuing analyses associated with the capacity calculations.
 - 5.2.2. Queue analyses; describe critical queue lengths and provisions for proper storage lengths.
 - 5.2.3. Sight distance analyses; define required sight distances and necessary measures to yield the appropriate distances.
 - 5.2.4. Warrant analyses for the installation of traffic signals if such are recommended as a mitigating measure.
 - 5.2.4.1. Signal Warrants as contained in the latest edition of the Ohio Manual of Traffic Control Devices (OMUTCD) shall be used for any formal request associated with the installation of a traffic signal.

- 5.2.4.2. If a signal is shown to be warranted in a horizon year, but is not warranted on opening day, estimates shall be made regarding the year that the signal may become warranted.
- 5.2.4.3. In general, the Village does not install a traffic signal unless the criteria specified in Warrant 1 (Eight-Hour Vehicular Volume) are met. Table 2 provides a general guideline associated with this warrant.
- 5.2.4.4. Any intersection that meets signal warrant thresholds must also be evaluated in terms of location and spacing based on the standards noted in the Village's Access Management Standards, or the ODOT State Access Management Manual if applicable, for the access category assigned by the Village's Thoroughfare Plan.
- 5.2.4.5. Signal warrant analyses may be conducted using projected traffic volumes to identify the potential need for the installation of traffic signals. However, traffic signals will not be installed unless: (1) the subject intersection is unquestionably projected to meet warrants on opening day of the development, or (2) actual counts at the intersection meet warrant thresholds.

Table 2
GENERAL GUIDELINE FOR TRAFFIC SIGNAL WARRANT 1
EIGHT-HOUR VEHICULAR VOLUME

Condition A: MINIMUM VEHICULAR VOLUME			
Number of Approach Lanes		Average Daily Traffic	
MAJOR	MINOR	MAJOR	MINOR
1	1	8,300	5,000
2 or more	1	10,000	5,000
2 or more	2 or more	10,000	6,700
1	2 or more	8,300	6,700
Condition B: INTERRUPTION OF CONTINUOUS TRAFFIC			
Number of Approach Lanes		Average Daily Traffic	
MAJOR	MINOR	MAJOR	MINOR
1	1	12,500	2,500
2 or more	1	15,000	2,500
2 or more	2 or more	15,000	3,300
1	2 or more	12,500	3,300

When the 85th percentile speed of major street traffic exceeds 40 mph in either an urban or rural area, or when the intersection lies within the built-up area of an isolated community having a population of less than 10,000, the warrants are 70% of the guidelines above.

- 5.2.5. Recommendations regarding speed limits.
- 5.2.6. Impact on current high-accident locations.
- 5.2.7. Accommodation of school zones, pedestrian and bicycle movements, transit system requirements, service and emergency vehicles, etc.
- 5.3. Site access circulation and parking:
 - 5.3.1. On-site parking needs.
 - 5.3.2. Ease of internal circulation.
 - 5.3.3. On-site queuing provisions.
 - 5.3.4. On-site traffic operations and control (as they may affect traffic operations on the external roadway system) {Exhibit}.
 - 5.3.5. Design of site driveways to include pavement widths, lane usages, proposed median widths, traffic control devices, etc. {Exhibit}.
- 6. Findings and Recommendations
 - 6.1. Site accessibility (site access and circulation plan).
 - 6.2. Traffic impacts generated by the proposed development.
 - 6.3. Recommended mitigating measures; i.e. improvements/modifications that properly mitigate the site-generated traffic impacts—to include phasing if appropriate.
 - 6.4. Compliance with applicable local codes, MUTCD, location and design manuals, etc.
(Ord. 05-05. Passed 3-2-05.)

1195.10 SITE ACCESS AND ROADWAY PLANS.

(a) Plans showing site access and any roadway improvements/modifications shall be submitted with all requested traffic impact studies and/or traffic operations analyses. These plans should be at a scale of 1 inch equal to 100 feet or larger (e.g., 1" = 50', 1" = 20'). The required scale depends upon the stage and level of planning/design and will be specified by the appropriate reviewer(s).

- (b) The site access and roadway plan(s) shall be of sufficient detail to show:
- (1) Location and spacing of all site access points and driveways (including relationships to other nearby roadways, intersections, and driveways),
 - (2) External roadway improvements/modifications,
 - (3) Lane configurations and control,
 - (4) Queuing and vehicle storage distances,
 - (5) Spacing of traffic signals to permit proper traffic progression on the adjacent roadway system,
 - (6) Sight distances,
 - (7) Adequate pedestrian, bicycle, and public transit provisions (if applicable),
 - (8) Sufficient emergency and service/delivery access, and
 - (9) Proper on-site circulation and parking layout so as not to affect traffic flow and operations on the external street system.

(c) More detailed location and design studies may be requested to deal with such items as geometrics, right-of-way requirements, topography, physical constraints, and sight distances.
(Ord. 05-05. Passed 3-2-05.)

1195.11 SUBMITTAL REQUIREMENTS.

(a) All traffic impact studies and traffic operations analyses will be documented in a report. The report will describe:

- (1) Proposed development,
- (2) Existing conditions,
- (3) Study procedures,
- (4) Data collected,
- (5) Findings of analyses, and
- (6) Conclusions and recommendations.

Site access and roadway plans can be included in the body of the report or provided as attachments.

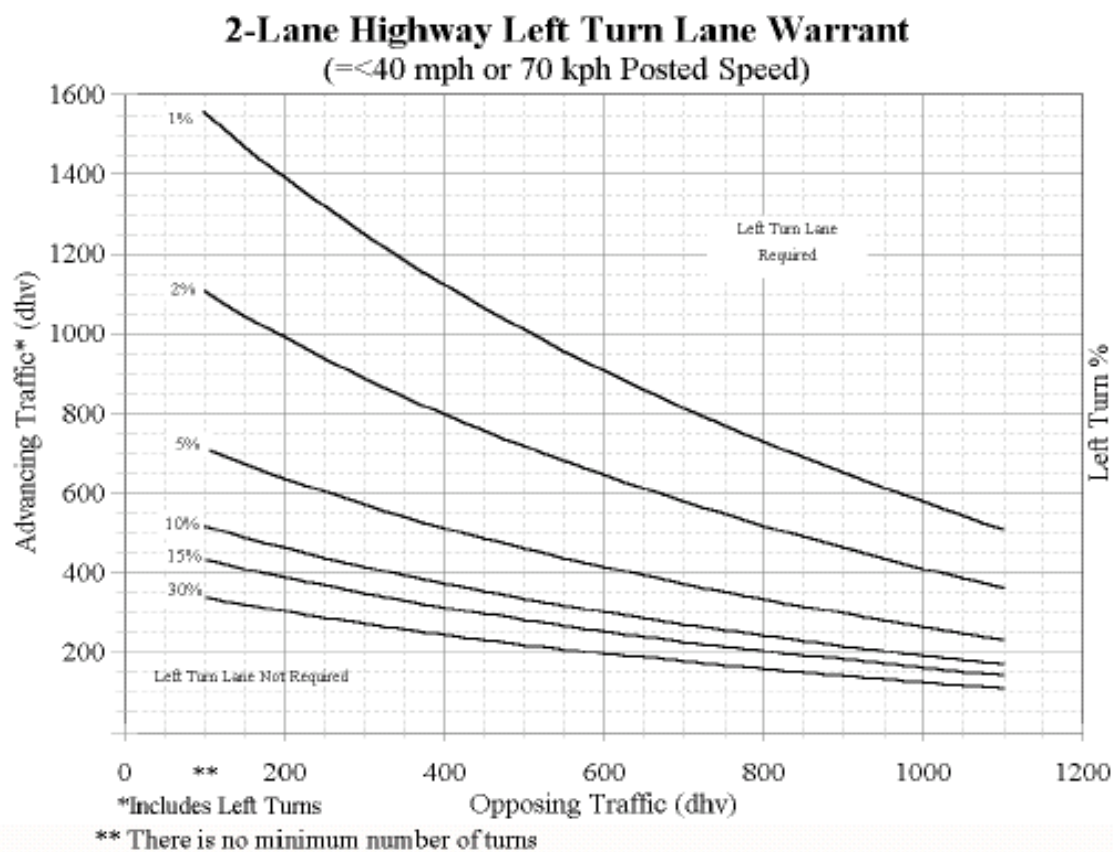
(b) Reports should be complete and concise. Letter or memorandum reports may be acceptable for studies of limited scope. All reports will be reviewed by Village staff and those requiring additional information or revision will be discussed with the preparer and returned for revisions.

- (c) Four copies of the report shall be submitted to the Village:
- 2 copies without technical appendices (bound)
 - 1 copy with technical appendices (bound)
 - 1 copy with technical appendices (unbound)

(d) Additional copies may be requested if other jurisdictions are involved with the review process. (Ord. 05-05. Passed 3-2-05.)

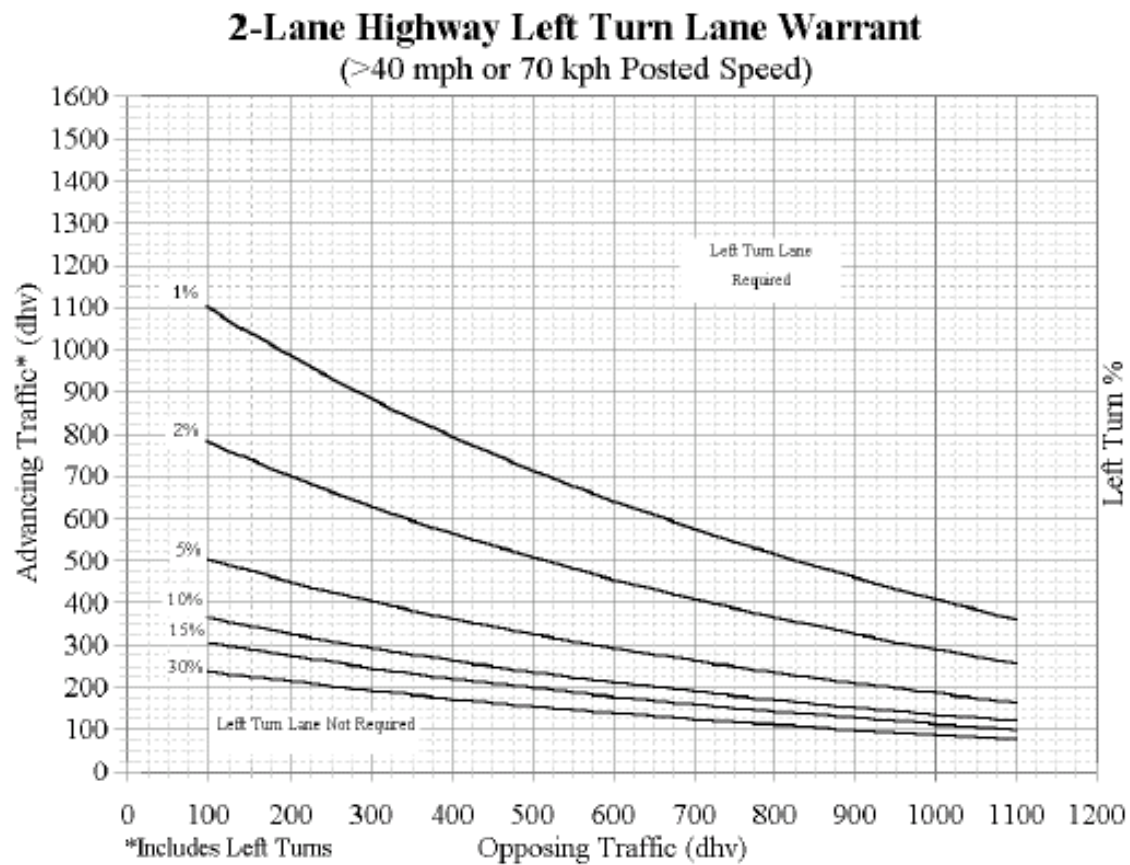
1195.12 PUBLIC RECORD.

Traffic Impact Studies, including both reports and data, become public record upon submittal. Information contained in these submittals may be used by agency staff or other study preparers in subsequent studies. The original sources of reused information should be cited when taken from prior submittals. (Ord. 05-05. Passed 3-2-05.)



Ohio Department of Transportation
State Highway Access Management Manual

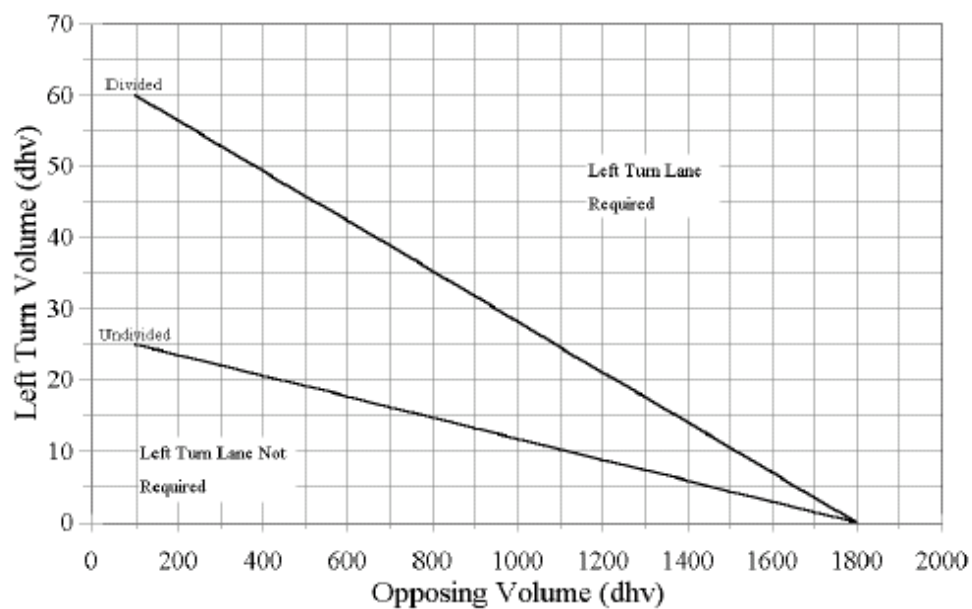
Issued December 2001
Version 3-12-03 Page 40



Ohio Department of Transportation
State Highway Access Management Manual

Issued December 2001
Version 3-12-03 Page 41

4-Lane Highway Left Turn Lane Warrant

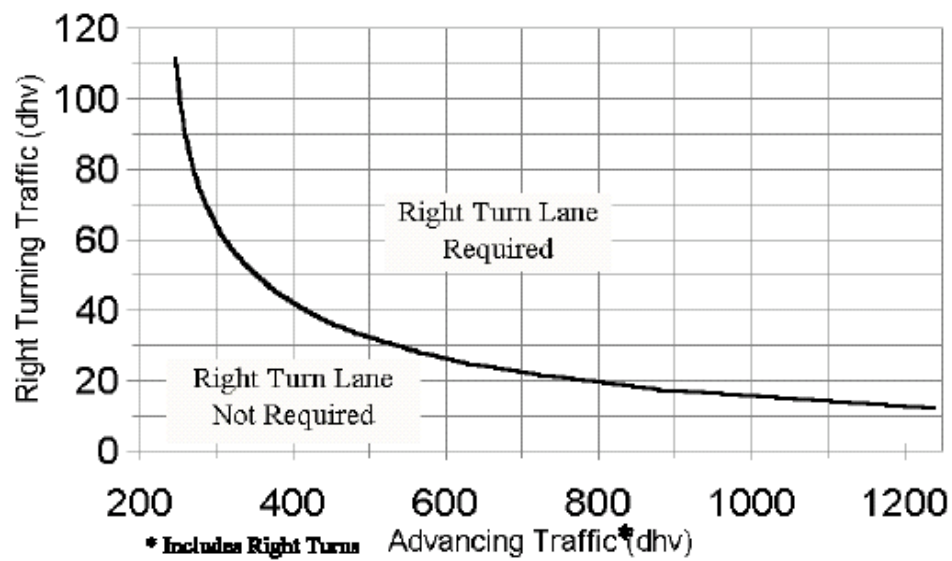


Ohio Department of Transportation
State Highway Access Management Manual

Issued December 2001
Version 3-12-03 Page 42

2-Lane Highway Right Turn Lane Warrant

> 40 mph or 70 kph Posted Speed

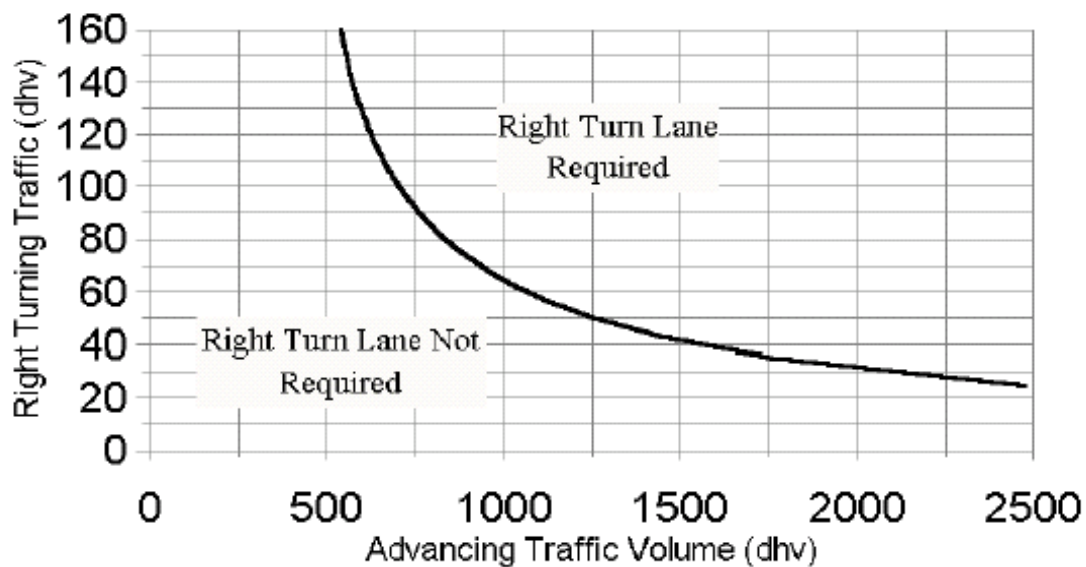


Ohio Department of Transportation
State Highway Access Management Manual

Issued December 2001
Version 3-12-03 Page 44

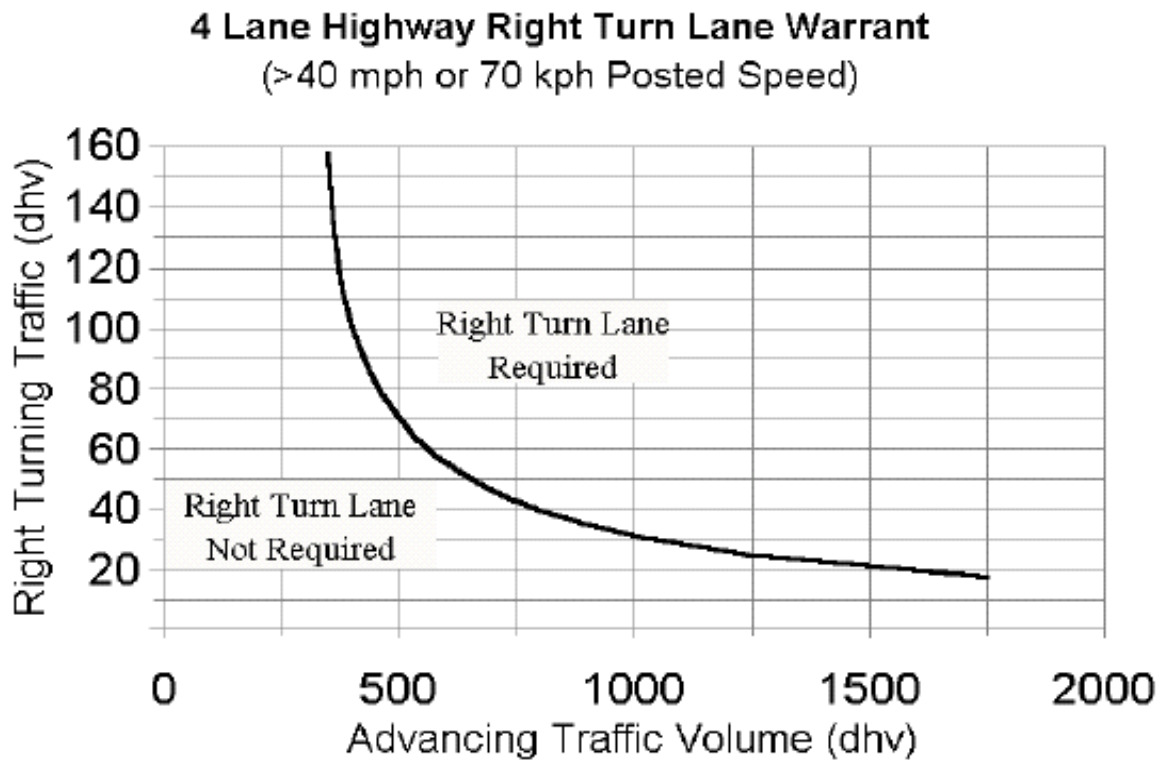
4 Lane Highway Right Turn Lane Warrant

(≤ 40 mph or 70 kph Posted Speed)

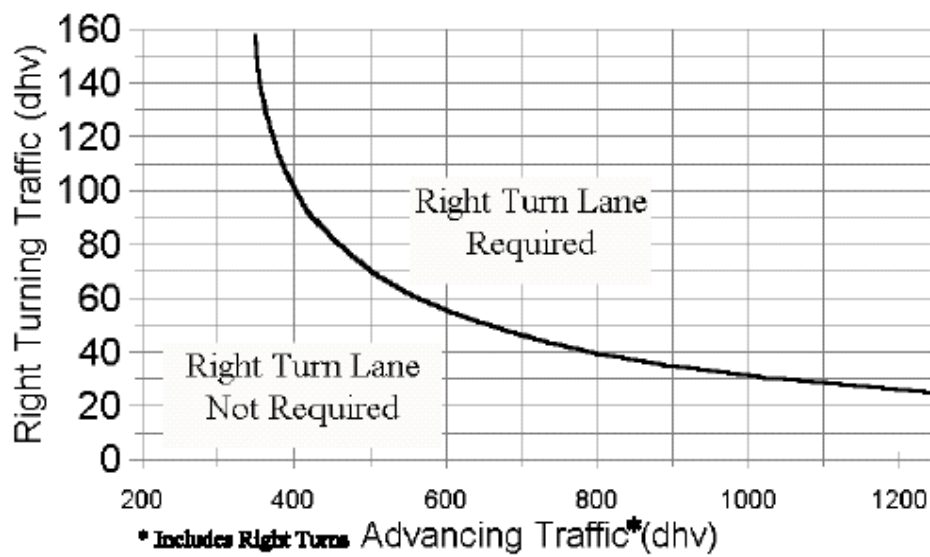


Ohio Department of Transportation
State Highway Access Management Manual

Issued December 2001
Version 3-12-03 Page 45



2-Lane Highway Right Turn Lane Warrant
=< 40 mph or 70 kph Posted Speed



INITIAL MEETING CHECKLIST**Date** _____

Project Name _____

Location _____

Meeting Attendance
Name

Organization

Phone

Applicant Name _____

Preparer Name _____

Firm _____

Address _____

Phone _____ Email _____

Development Description _____

Land-Use Type and Size _____

Proposed Site Access System _____

Study Type _____

Study Area and Intersections _____

Study Years _____

Study Days and Hours _____

Programmed Transportation Improvements _____

Horizon Year Roadway System _____

Off-Site Development(s) _____

Prior TIS Reports _____

Available Traffic Count Data _____

Traffic Growth Factors and/or Modeling _____

Trip Generation Factors _____

Permitted Trip Reduction Factors and Pass-By Factors _____

Traffic Distribution Methodology _____

Capacity Analyses Requirements and Software _____

Signal System Analyses and Parameters _____

Sight Distance Studies _____

Accident/Safety Studies _____

[illegible]

CHAPTER 1196 Access Management Plan Guidelines and Standards

1196.01	Purpose and intent.	1196.06	Driveway geometrics and design.
1196.02	Road access categories and characteristics.	1196.07	Driveway islands.
1196.03	Driveway types.	1196.08	Auxiliary turn lanes.
1196.04	Driveway locations and spacing.	1196.09	Variance procedures for access requests.
1196.05	Access management standards.	1196.10	Use of access.

1196.01 PURPOSE AND INTENT.

Access Management is an efficient way of dealing with the problems associated with traffic congestion and safety caused by motorists turning at driveways and intersections. Congestion and the threat of accidents become greater as the number of driveways and intersections increase and the distance between them decreases. Without Access Management, roadways and intersections can become dangerous.

The Village of Granville has adopted an Access Management Plan based on the following principles:

- To promote public safety by minimizing accidents.
- To improve the driving experience by increasing mobility and decreasing delay.
- To provide necessary and safe access to property.
- To minimize costs by making more efficient use of existing and proposed roads.

All highways, roads and streets form a hierarchy according to the function they theoretically should serve. They serve traffic mobility, land access, or some combination of these two. Interstates and expressways are at the highest level; their primary function is mobility, so they have the strictest access controls. At the other end of the scale are local streets serving low traffic volumes at low speeds over short distances. Their primary purpose is to give frequent, direct access to adjacent land, so restrictions are minimal.

Between these extremes are the classes of arterials and collectors that make up the bulk of the system. They include many of the most important roadways in the Granville area -- and they are often expected to perform multiple and conflicting traffic services. They must serve both the demand for mobility and the demand for land access.

The Village has adopted an Access Management Plan that considers:

- (a) Modifications to existing roadways to provide better access management,
- (b) Proper access management along all new roadways, and
- (c) Proper management and design of the site access and circulation systems associated with planned new developments.

The following sets forth the guidelines associated with the location and design of access points. Reference should also be made to Chapter 1176 “Transportation Corridor Overlay District” for access standards set forth for properties located within these areas. (Ord. 04-05. Passed 3-2-05.)

1196.02 ROAD ACCESS CATEGORIES AND CHARACTERISTICS.

The roadways located in Granville have been categorized according to their functional and operational intent. The categories are based on maintaining the roadway’s function in terms of capacity, traffic flow, property access, and safety. The functional descriptions of the six basic categories are as follows:

- (a) Category I: Designed and intended to provide mobility for high volumes of traffic at high speeds over long distances. Highways in this category are typically designed and intended to achieve a minimum posted speed of 55 mph. All interstate and freeway facilities are included in this category.
 - (b) Category II: Designed and intended to provide mobility for relatively high speed, high volume, and long distance through traffic. Highways in this category are typically designed and intended to achieve a minimum posted speed of 50 mph in areas without signals and 45 mph in areas with signals. This category includes arterials of state-wide significance and this is the highest category allowing at-grade intersections.
 - (c) Category III: Designed to provide mobility at moderate to high speeds and volumes. Typically, Category III highways provide for a minimum posted speed of 45 mph in areas without signals and a minimum of 35 mph in areas with signals. Arterials outside the urban area are included in this category.
 - (d) Category IV: Designed and intended to provide access and mobility at moderate to high speeds and volumes for moderate to short distances in rural areas and low to medium speeds and volumes in urban areas. Low to moderate speed arterials within the urban area and major collectors are included in this category. Typically, Category IV highways provide for a minimum posted speed of 35 to 55 mph in undeveloped areas and 25 to 45 mph in developed areas.
 - (e) Category V: This category applies to roads and streets designed and intended to take traffic from local roads, carry it a short distance, and distribute it to higher category roadways. Minor collectors and neighborhood collectors are included in this category. Typical posted speeds are 25 to 35 mph.
 - (f) Category VI: This category applies to local streets that provide access to individual properties that abut the street.
- (Ord. 04-05. Passed 3-2-05.)

1196.03 DRIVEWAY TYPES.

(a) A driveway is a point of access connecting an adjacent property to a public roadway. There are five types of driveways, as follows:

- (1) Farm or Field Drives: A driveway providing access to an agricultural tract of land.
- (2) SF Residential: A driveway providing access to a single-family residence.
- (3) Residential: A driveway providing access to multiple single-family residences or to multi-family dwelling units.
- (4) Commercial: A driveway providing access to an office, business, commercial, or institutional building or buildings, or to an industrial facility (that services fewer than ten trucks per day).
- (5) Industrial/Retail: A driveway serving a retail center (such as a community shopping center) or an industrial facility (that services ten or more trucks per day).

(b) For Access Management purposes, driveways are also classified by traffic volumes as follows:

- (1) Low Volume Driveway (LVD): greater than 5 and up to 100 two-way vehicle-trips in one or more 60-minute periods of a day.
- (2) Medium Volume Driveway (MVD): greater than 100 and up to 200 two-way vehicle-trips in one or more 60-minute periods of a day.
- (3) High Volume Driveway (HVD): greater than 200 two-way vehicle-trips in one or more 60-minute periods of a day.
(Ord. 04-05. Passed 3-2-05.)

1196.04 DRIVEWAY LOCATIONS AND SPACING.

(a) The number of driveways afforded any one site shall be minimized. (The need for more than one driveway must be substantiated by a Traffic Impact Study).

(b) Access for multiple properties shall be combined, where feasible.

(c) Driveways shall be located in accordance with applicable sight distance requirements (Stopping Sight Distance (SSD) and Intersection Sight Distance (ISD) as contained in Section 200 of the ODOT Location and Design Manual).

(d) Minimum driveway spacing – based on posted speed limits -- shall be determined using the values for high speed roadways (greater than 40 mph) and low speed roadways (equal to or less than 40 mph) as follows:

<u>High Speed Road</u>		<u>Low Speed Road</u>	
<u>Posted</u>	<u>Minimum</u>	<u>Posted</u>	<u>Minimum</u>
<u>Speed</u>	<u>Distance</u>	<u>Speed</u>	<u>Distance</u>
45 mph	500 ft.	25 mph	150ft.
50 mph	550 ft.	30 mph	200 ft.
55 mph	600 ft.	35 mph	250 ft.
		40 mph	325 ft.

(e) Driveway spacing shall consider the location of driveways on both sides of a roadway.

(f) Driveways shall be located where they will not cause problems with movements to and from an existing or planned street, highway, or driveway on the opposite side of the roadway.

(g) Driveways shall be located a sufficient distance from an adjacent public road intersection so as not to interfere with the traffic operations at the intersection. The following table provides the minimum acceptable distances between drive locations and adjacent intersections. For all access categories, where two roads of different access levels intersect, the restrictions and distances of the higher level roadway will apply along the lower classified roadway. (The defined distances are measured from the centerline of the intersecting road to the centerline of the proposed driveway).

Recommended Drive Distances from Intersection by Classification

Higher Roadway Classification	Distance from Intersection
Intersecting Category I, II, or III Roadway	600 feet
Intersecting Category IV or V Roadway	300 feet

(Ord. 04-05. Passed 3-2-05.)

1196.05 ACCESS MANAGEMENT STANDARDS.

This section defines the standards and specifications to be used in conjunction with the access categories and driveway types to protect the functional integrity of roads in and near the Village. The following describes the access standards to be applied for each access category.

Category I and II Roadways: Reference the latest version of the ODOT State Highway Access Management Manual.

Category III, IV, and V Roadways:

Roadway	Driveway	Permitted?	Minimum Spacing (a)(b)	Traffic Control	Movements
Category III					
	HVD	Yes (c)	½ mile (d)	Signal if warranted	All (e)
	MVD	Yes (c)	SSD/ISD & Table (f)	Stop	All (e)
	LVD	Yes (c)(g)	SSD/ISD & Table (f)	Stop	All (e)
Category IV					
	HVD	Yes (c)	¼ mile (h)	Signal if warranted	All (e)
	MVD	Yes (c)	SSD/ISD & Table (f)	Stop	All (e)
	LVD	Yes (c)(g)	SSD/ISD & Table (f)	Stop	All (e)
Category V					
	HVD	Yes (c)	¼ mile (h)	Signal if warranted	All (e)
	MVD	Yes (c)	SSD/ISD	Stop	All (e)
	LVD	Yes (c)	SSD/ISD	Stop	All (e)

HVD = High Volume Drive, MVD = Medium Volume Drive,

LVD = Low Volume Drive

SSD/ISD = Stopping Sight Distance and Intersection Sight Distance

- (a) These are desirable minimum distances. It is recognized that site frontage and property limits may, by necessity, alter these dimensions. At the same time, the Village reserves the right to call for greater spacing distances.
- (b) Spacing requirements shall properly consider driveways on both sides of the highway.

- (c) One direct private access shall be permitted per parcel or contiguous parcels under common ownership. Additional access may be permitted if:
 - (1) The access will not adversely affect the safety and operation of the highway,
 - (2) Such access is necessary for the safe and efficient use of the property, and
 - (3) Such access will not adversely affect access to adjacent or nearby properties.
- (d) $\frac{1}{2}$ mile is recommended, however, $\frac{1}{4}$ mile may be allowed when there is no reasonable alternative access to the general street system. If these cannot be achieved, then the restrictions of SSD, ISD, and minimum spacing based on posted speed limit shall apply
- (e) All movements permitted if not deemed detrimental; certain movements by be restricted due to operational and safety considerations.
- (f) Spacing shall be determined using the greatest value identified for SSD, ISD, and minimum driveway spacing based on posted speed limit (reference table in Section 1196.04(d)).
- (g) Low volume driveways shall be discouraged on roadways with speed limits greater than 50 mph. Where there is an opportunity, low volume drives should be consolidated and combined using appropriate means such as service roads, cross easements, and joint access to reduce the number of access points.
- (h) $\frac{1}{4}$ mile is recommended, however, one-eighth mile may be allowed when there is no reasonable alternative access to the general street system. If these cannot be achieved, then the restrictions of SSD, ISD, and minimum spacing based on posted speed limit shall apply.

Category VI Roadways: Full access permitted per parcel or lot.
(Ord. 04-05. Passed 3-2-05.)

1196.06 DRIVEWAY GEOMETRICS AND DESIGN.

(a) Driveway widths and turning radii are determined by the number and use of lanes on the driveway and the design vehicle chosen for the driveway. The width and radii of the driveway shall permit vehicles to enter and exit with a minimum of interference to through traffic, yet be restrictive enough to discourage erratic maneuvers. The following table provides guidelines for driveway dimensions based on driveway type and design vehicle.

Driveway Type	Residential		Commercial		Industrial/Retail	
Design Vehicle	P		SU-30		WB-50/WB-67	
Nominal Width <u>1</u> /	Min. (feet)	Max. (feet)	Min. (feet)	Max. (feet)	Min. (feet)	Max. (feet)
One-way Drive	10	14	14	20	14	26
Two-way Drive	20	24	26	32	26	38
Corresponding RT Radius	25	15	35	25	75	50

1/ Driveway throat width measured parallel to highway and clear of the turn radii.

P: Passenger car

SU-30: Single-unit truck; 30 feet in length

WB-50: Large semi-trailer truck; 55 feet in length

WB-67: Interstate semi-trailer truck; 74 feet in length

RT Radius: Right turn radius (Note: the smaller the drive width, the larger turn radius required to accommodate the path of the vehicle.)

(b) Driveways that enter a public roadway at traffic signals shall have the number of lanes as determined by a capacity analysis. In this case, 12-foot wide lanes shall be utilized and turn templates shall be used to ensure adequate radius-throat width combinations.

(c) Two-way driveways shall intersect the highway at an intersection angle between 70° and 90°. An angle less than 70° will not be permitted on new two-way driveways. One-way operation driveways (right in only or right out only) shall not have an angle less than 45°.

(d) Driveway radii may be reduced on a roadway with on-street parking. The turn radius, in such a case, is measured from the edge of the through lane.

(e) The profile of a driveway shall be designed to provide a smooth transition for its users.

(f) Drives shall not be obstructed within the right-of-way by gates, or similar obstacles. Any access with a gate shall be designed so that the longest vehicle can completely clear the traveled way when the gate is closed and as it is opened.

(g) The need for traffic signals shall be determined by warrant analyses using the Ohio Manual of Uniform Traffic Control Devices.

(h) High volume driveways that do not meet signal warrants may be denied certain traffic movements if traffic volumes and conditions on the highway would make the full movement operation unsafe. (Ord. 04-05. Passed 3-2-05.)

1196.07 DRIVEWAY ISLANDS.

In some situations, it is desirable to prohibit certain movements through the use of median or channelizing islands. Median islands can be used to separate inbound and outbound traffic. It is a curbed island which prevents egressing traffic from encroaching on the side of the drive used by ingress traffic. Channelizing islands further designate the correct turning path and define the merge area thus reducing conflicting movements. The geometry shall physically define the permitted movements and block the prohibited movements.

(a) Median islands (such as those illustrated in Figures 1 and 2)) shall be at least 4 feet wide -- with a maximum of 6 feet at the intersection. Median widths exceeding 6 feet are undesirable because they create turning problems, expand the intersection, and make it difficult to provide proper lane alignments with opposing existing or future driveways or roadways.

- (b) Median islands shall be at least 25 feet in length.
 - (c) An island median shall be used to prevent encroachment on other driveway lanes whenever any combination of egress and ingress lanes exceeds three lanes.
 - (d) A median island shall be offset at least 12 feet from the edge of the traveled lane on the main road.
 - (e) The nose of a median island shall taper in height from 2" to 6" over a distance of 4 feet.
 - (f) Standard yellow edge lines shall be used at the divisional island. Also, white pavement markings shall be used to delineate traffic lanes when there are two or more lanes in the same direction. At high volume driveways, reflectorized pavement markers should be used to provide greater delineation.
 - (g) Channelizing islands shall be used on arterials and network collectors without a median where left turns are restricted and on one-way streets to discourage wrong way turns.
 - (h) Channelizing islands shall have a surface area of at least 75 square feet.
 - (i) All channelizing islands (such as those illustrated in Figures 3, 4, and 5) shall be offset at least 4 feet from the edge of the traveled lane to the face of curb or the width of the paved curbed shoulder whichever is greater on high-speed roadways or where the approach roadway is uncurbed. A mountable curb, no more than 4 inches high, should be used on the channelizing island if approach roadways are uncurbed.
 - (j) A turning radius of between 75 feet and 100 feet shall be used for channelizing islands in order to make it more difficult for a driver to make a maneuver which the design is intended to discourage. (Radii larger than 100 feet should not be used on egress unless an acceleration lane is provided because of the large angle a driver must rotate in order to see vehicles approaching from the left; the acceleration lane allows the driver to use the rear view mirror to select a gap).
 - (k) Figures 1 through 5 provide general design guidelines for median and channelizing islands. They primarily relate to commercial and industrial/retail driveways and they depict 90° T-type intersections. Applicable driveway widths and turning radii shall be determined based on the number and use of lanes on the driveway and the design vehicle chosen for the driveway. The depicted signage references the regulatory signs defined in the Ohio Manual of Uniform Traffic Control Devices (OMUTCD).
- (Ord. 04-05. Passed 3-2-05.)

1196.08 AUXILIARY TURN LANES.

The requirement for separate left and/or right turn lanes on the main roadway at site access points shall be based on the following guidelines:

- (a) Left turn lanes shall be provided in accordance with the following conditions:
 - (1) Per Graph 1, 2, or 3 (the left turn warrant charts) contained in the ODOT State Highway Access Management Manual, or
 - (2) On major and minor arterial roadways with posted speed limits greater than 40 mph, or
 - (3) On network collector roadways with posted speed limits greater than 40 mph and more than 10 left turning vehicles during a design hour.

- (b) Right turn lanes shall be provided in accordance with Graphs 4, 5, 6, or 7 (the right turn warrant charts) contained in the ODOT State Highway Access Management Manual with the following exceptions:
 - (1) Right turn lanes are not required for right turn volumes of less than 10 vehicles during a design peak hour.
 - (2) Right turn lanes are not required when there are less than 200 vehicles (during a design hour) in the approach or curb lane for roadways with more than one approach lane.
- (c) Left or right turn lanes may also be required when deemed necessary for safety purposes by Village representatives.
- (d) The length of left and right turn lanes shall be based on the criteria contained in the ODOT Location and Design Manual or, where appropriate, on the results of queuing analyses associated with the capacity calculations contained in the applicable traffic impact study.
(Ord. 04-05. Passed 3-2-05.)

1196.09 VARIANCE PROCEDURES FOR ACCESS REQUESTS.

An access variance grants permission to depart from the standards and requirements of the Access Management Plan based on unique circumstances or existing special conditions.

- (a) The request for a variance shall specify, in writing, why the variance is appropriate and necessary and shall document the unique conditions or special circumstances that make it impractical and infeasible to meet the applicable standards and/or requirements of the Access Management Plan. The documentation shall show that the applicant has considered all practical and reasonable alternatives to mitigate the unique conditions or special circumstances, that the alternatives are not feasible or practical, and that, without the variance, the applicant will be deprived of reasonable access.
- (b) In considering a request for a variance, the Village shall determine if:
 - (1) The variance meets minimum applicable State, County, or Village standards including geometric design, operation, and safety elements – and if the variance is shown to be beneficial to the traveling public.
 - (2) The variance is not detrimental to the public health, safety, and welfare.
 - (3) The variance does not degrade the planned or intended operation of the roadway system.
- (c) A variance approval shall be consistent with the guiding principles of the Access Management Plan.
- (d) When a variance is granted, the documentation of the reason(s) for approving the variance shall be included in the records and files pertaining to the permit.
- (e) When an applicant objects to the denial of a variance request, the applicant may file an appeal within thirty days of the notice of the denial of the variance. The written appeal shall include reasons for the appeal and may include changes, revisions, or conditions that would be acceptable to the applicant.
- (f) Within thirty days of the filing of an appeal, the Village shall determine whether the denial of the variance is justified. The applicant shall be notified of the final decision. (Ord. 04-05. Passed 3-2-05.)

1196.10 USE OF ACCESS.

It is the responsibility of the property owner to ensure that the use of the access to the property is not in violation of the permit terms and conditions. The terms and conditions of any permit are binding upon all assigns, successors-in-interest, heirs, and occupants. If any changes are made or will be made in the use of the property, which will affect access operation, traffic volume, or vehicle type, the applicant or property owner shall contact the Village to determine if a new access permit and modifications to the access point are required.
(Ord. 04-05. Passed 3-2-05.)

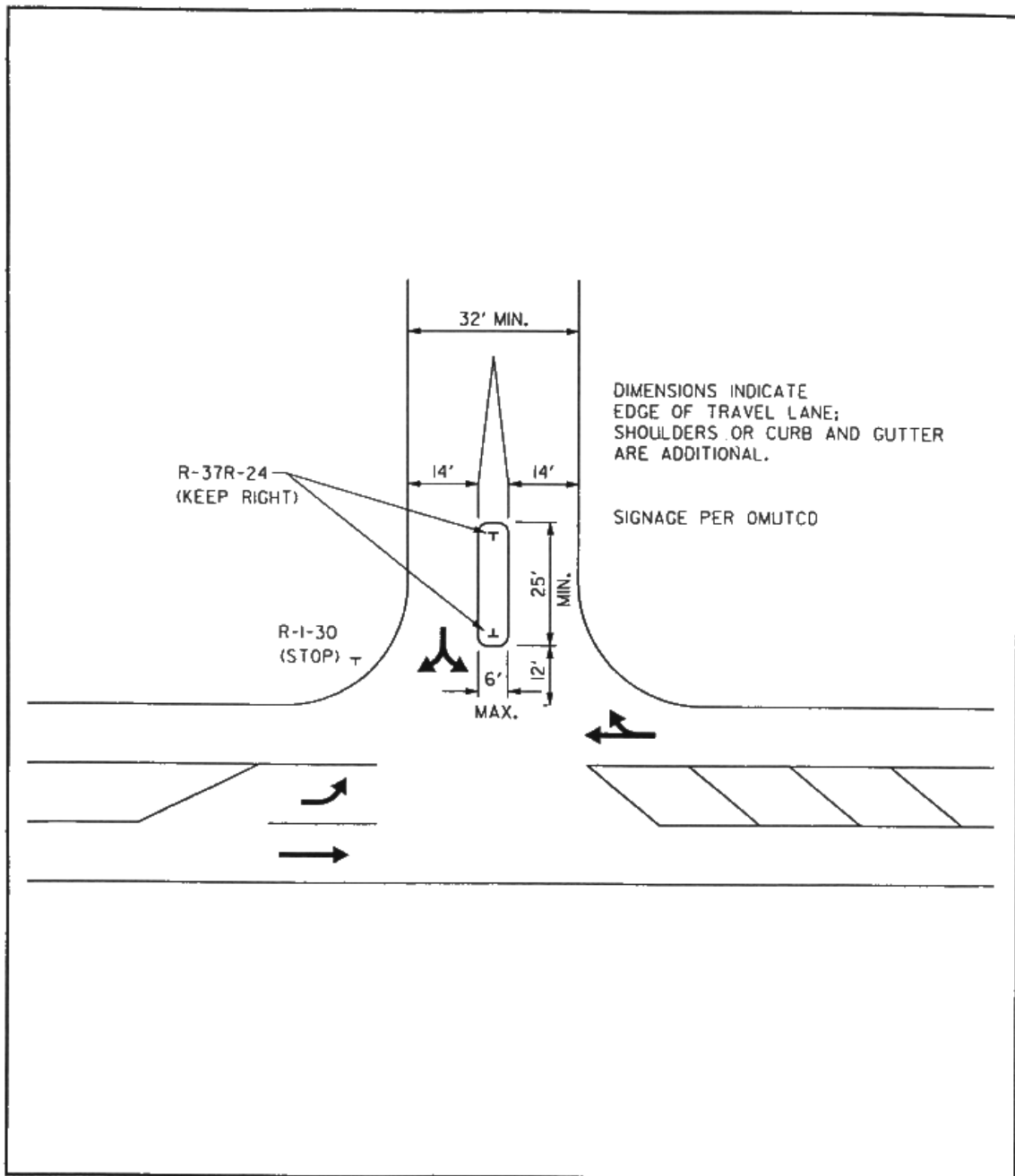


FIGURE 1

DRIVEWAY MEDIAN CHANNELIZING ISLAND
(SINGLE LANE EGRESS)

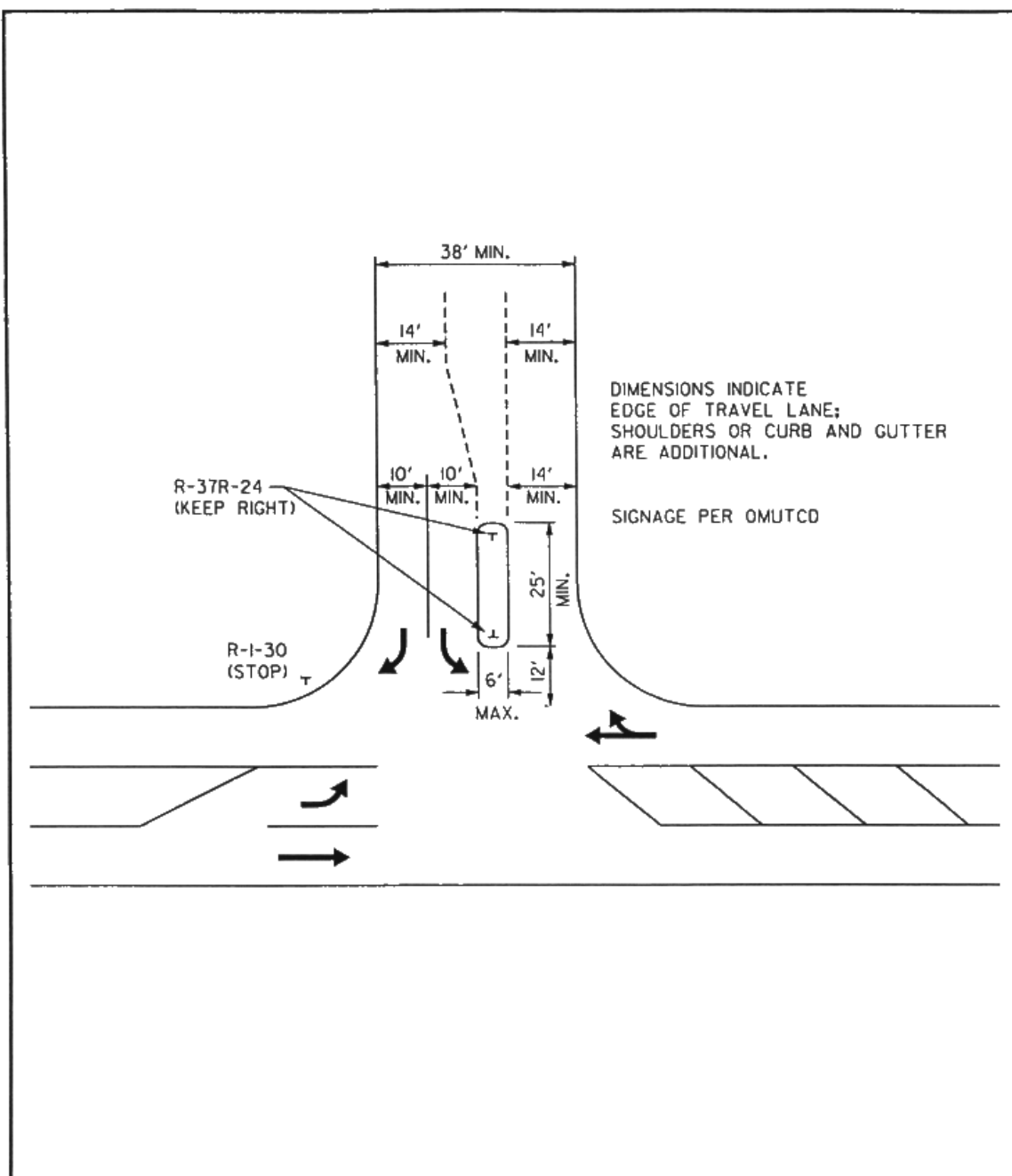


FIGURE 2

DRIVEWAY MEDIAN CHANNELIZING ISLAND
(DOUBLE LANE EGRESS)

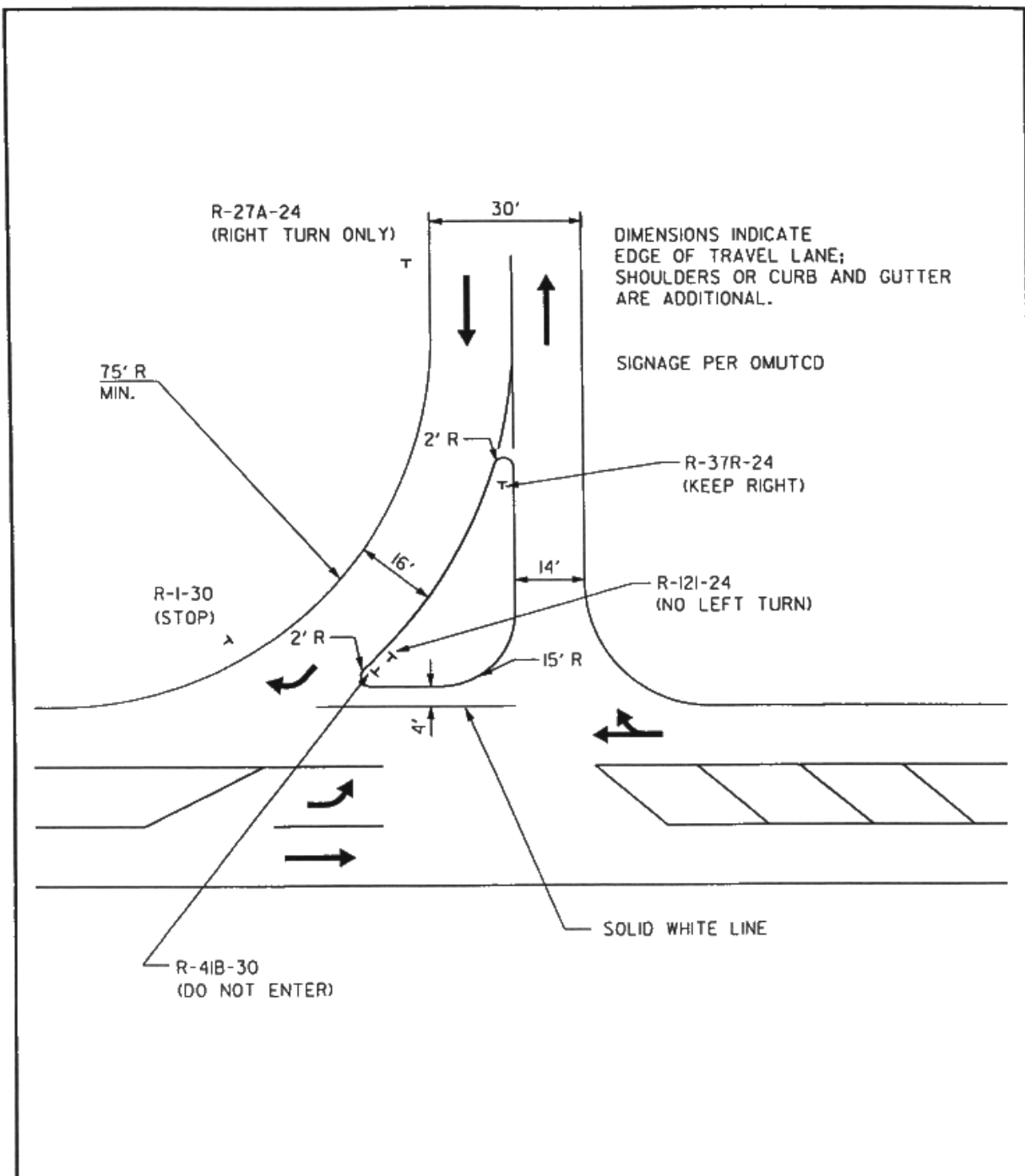


FIGURE 3
CHANNELIZING ISLAND
TO DISCOURAGE LEFT TURN EGRESS

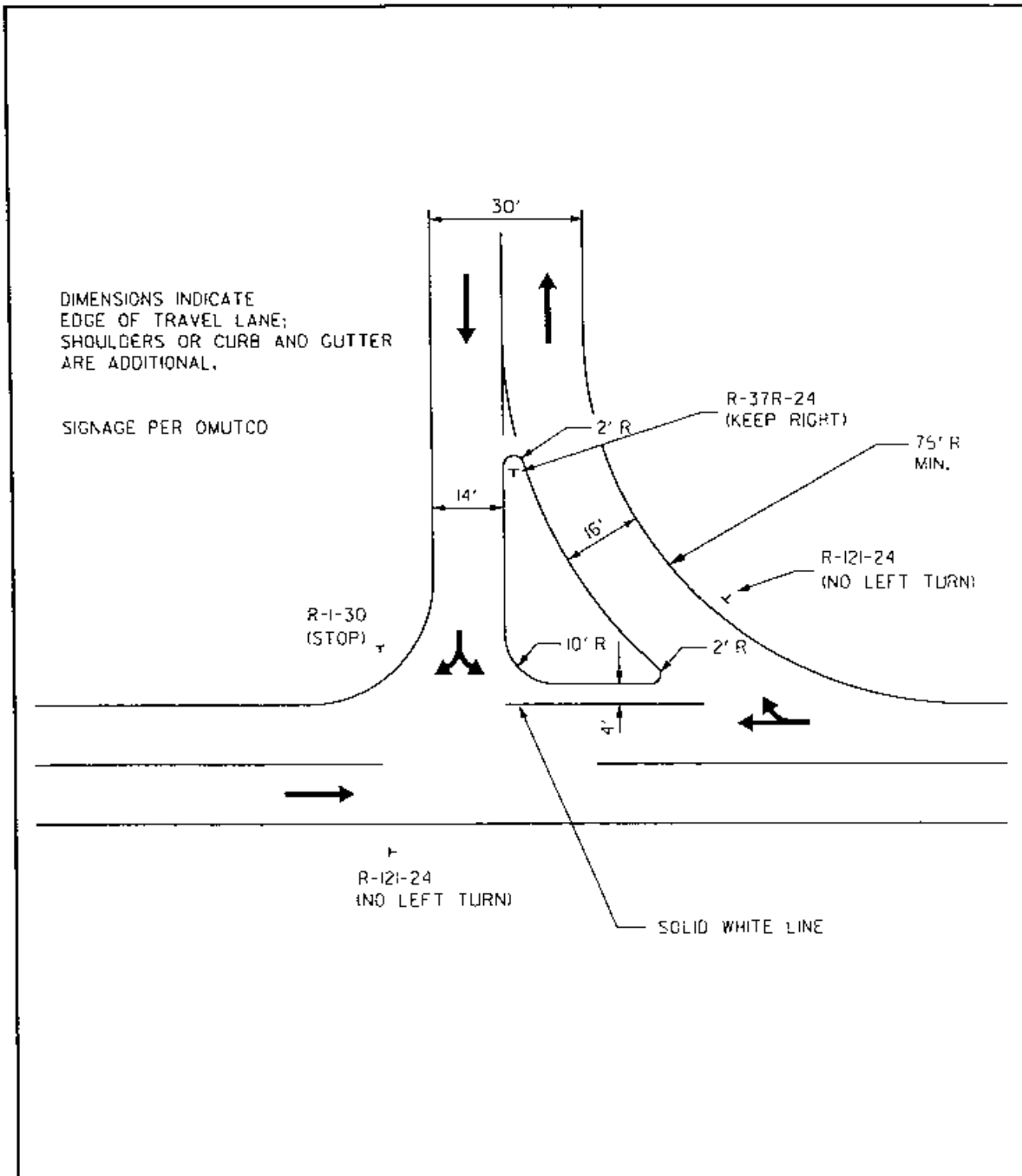


FIGURE 4

CHANNELIZING ISLAND
TO DISCOURAGE LEFT TURN INGRESS

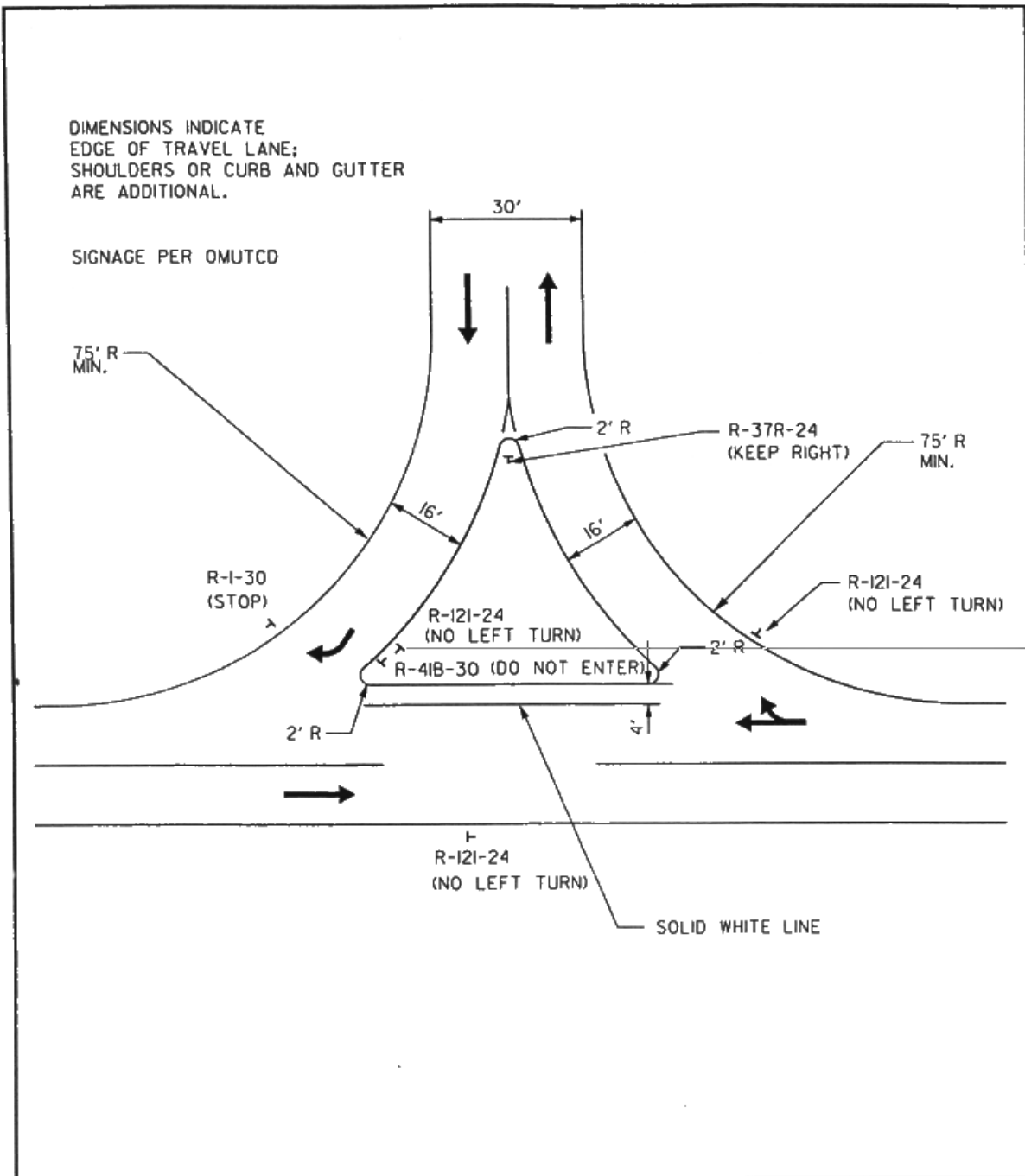
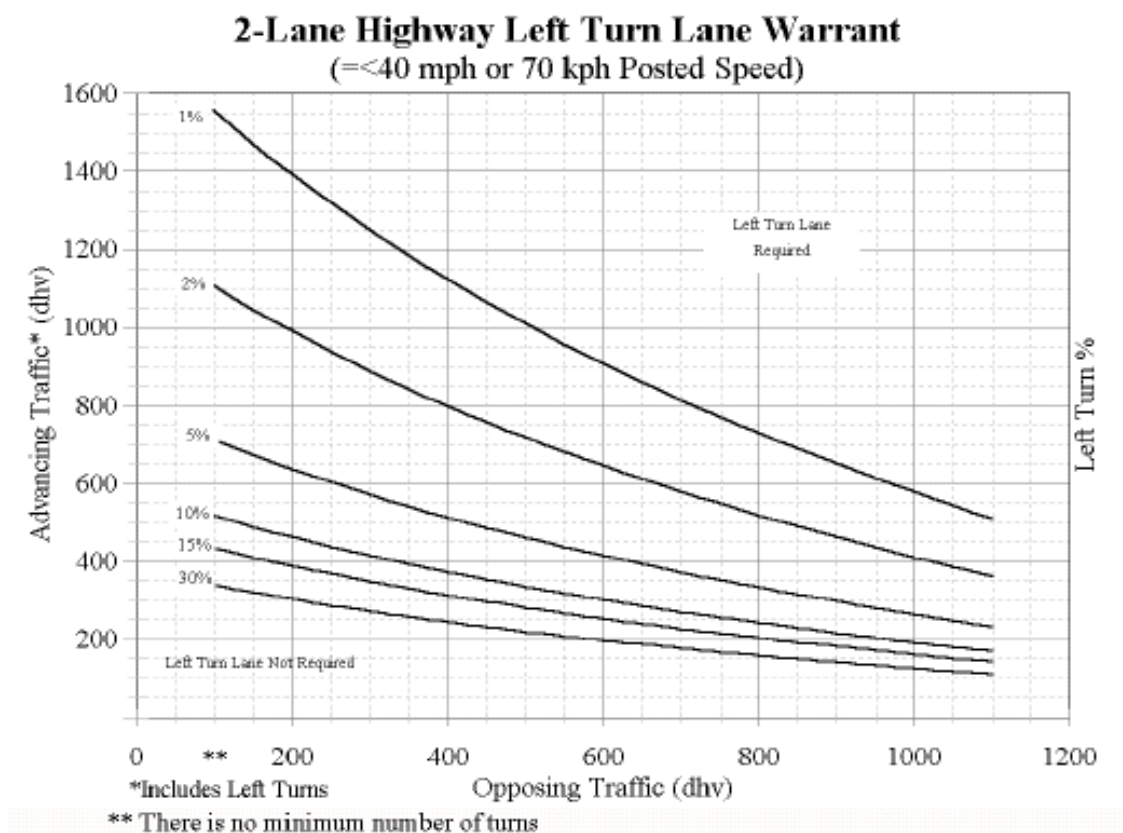


FIGURE 5

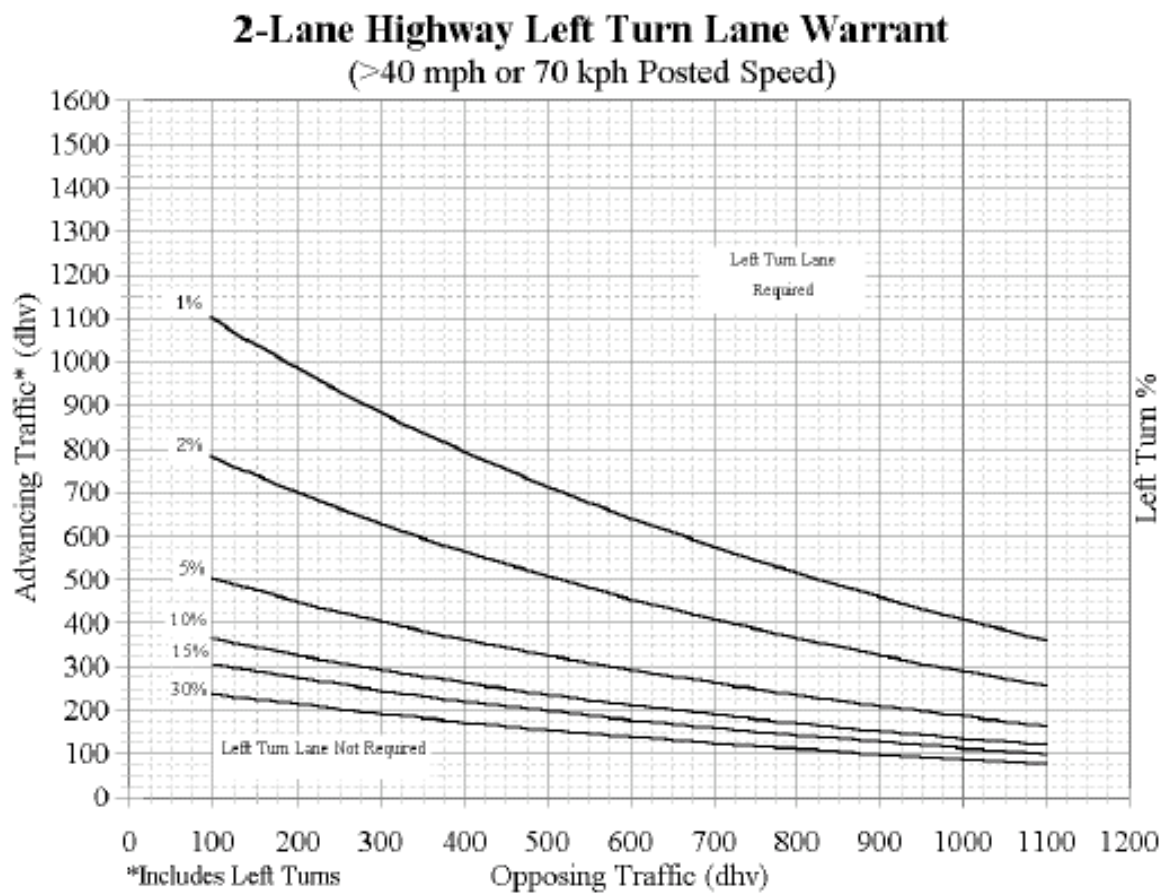
CHANNELIZING ISLAND TO DISCOURAGE LEFT TURN INGRESS AND LEFT TURN EGRESS



Ohio Department of Transportation
State Highway Access Management Manual

Issued December 2001
Version 3-12-03 Page 40

GRAPH 1

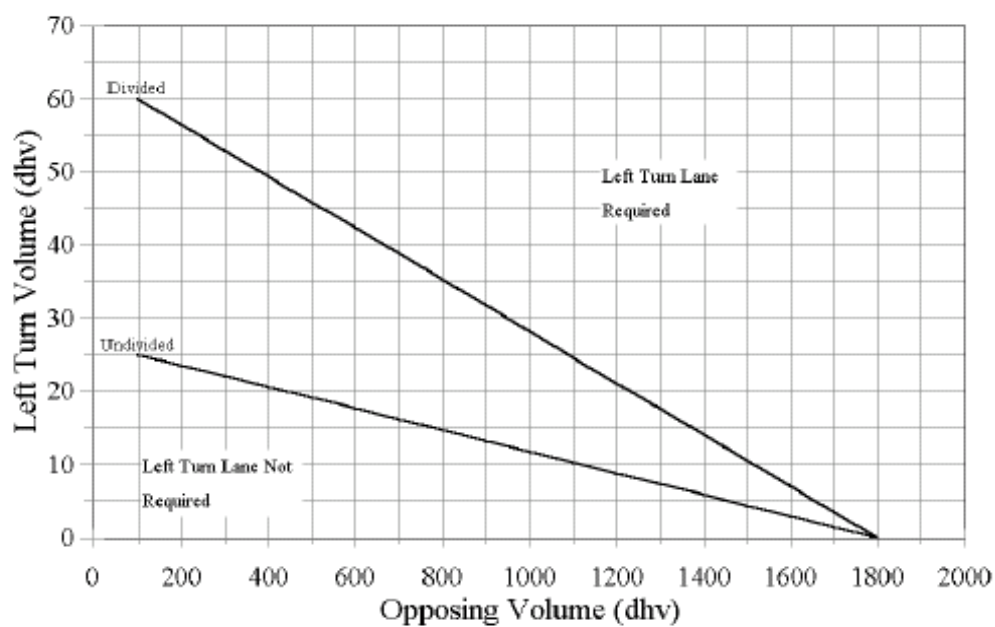


Ohio Department of Transportation
State Highway Access Management Manual

Issued December 2001
Version 3-12-03 Page 41

GRAPH 2

4-Lane Highway Left Turn Lane Warrant

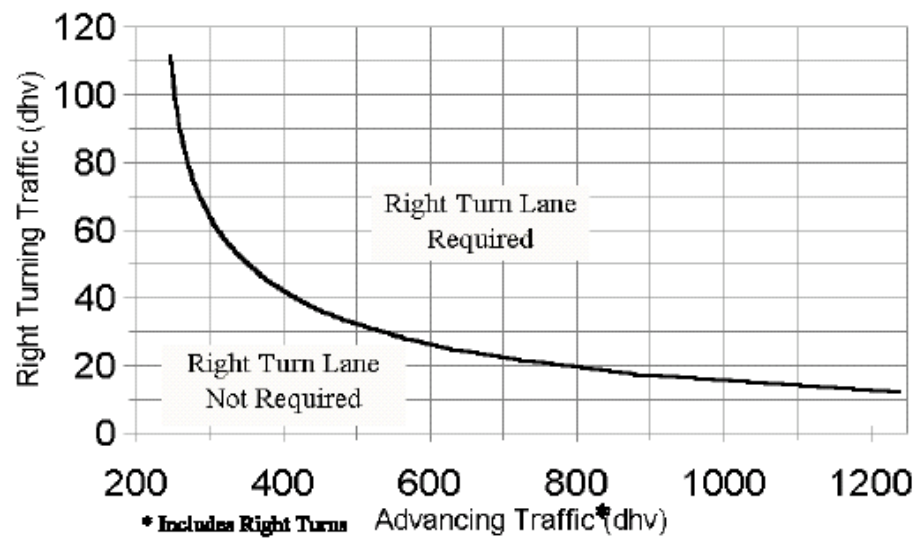


Ohio Department of Transportation
State Highway Access Management Manual

Issued December 2001
Version 3-12-03 Page 42

GRAPH 3

2-Lane Highway Right Turn Lane Warrant
> 40 mph or 70 kph Posted Speed

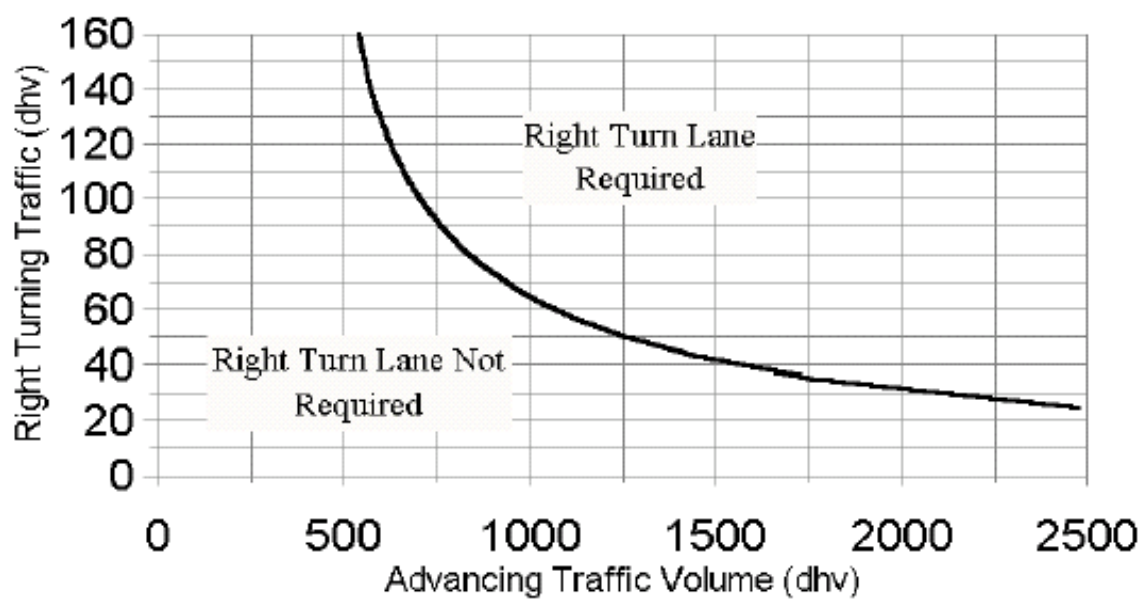


Ohio Department of Transportation
State Highway Access Management Manual

Issued December 2001
Version 3-12-03 Page 44

GRAPH 4

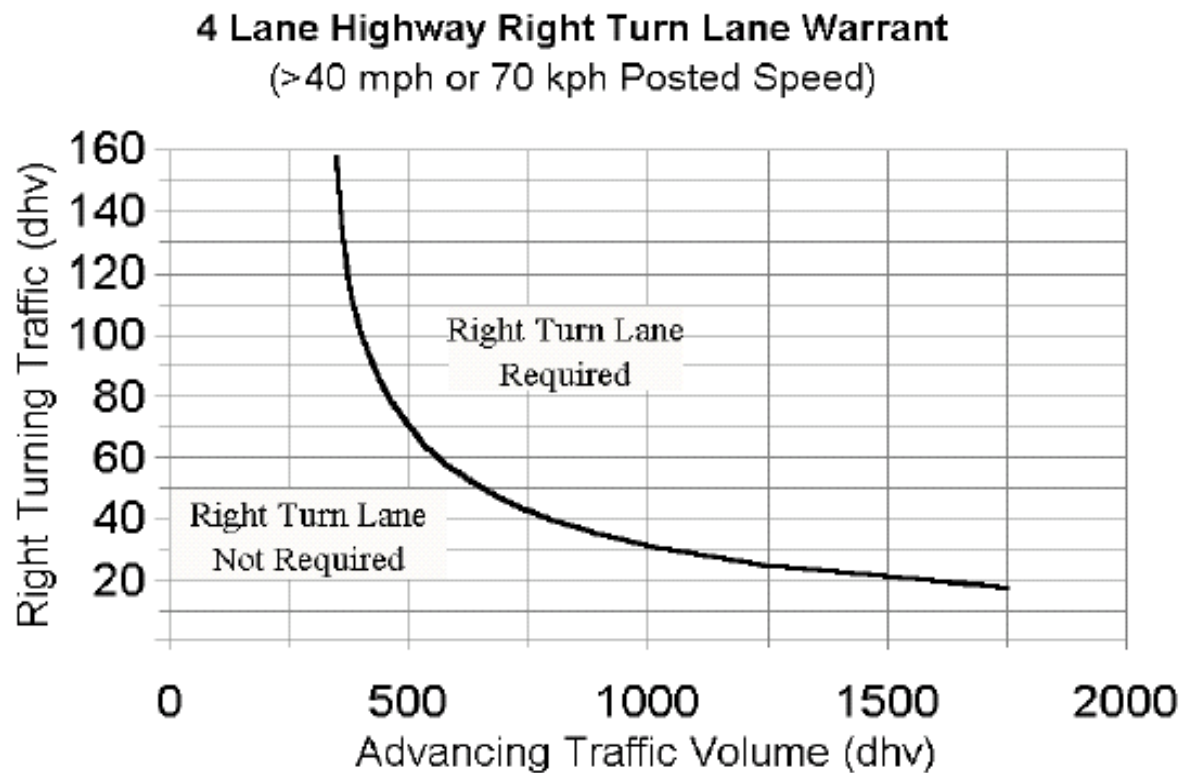
4 Lane Highway Right Turn Lane Warrant
(= \leq 40 mph or 70 kph Posted Speed)



Ohio Department of Transportation
State Highway Access Management Manual

Issued December 2001
Version 3-12-03 Page 45

GRAPH 5



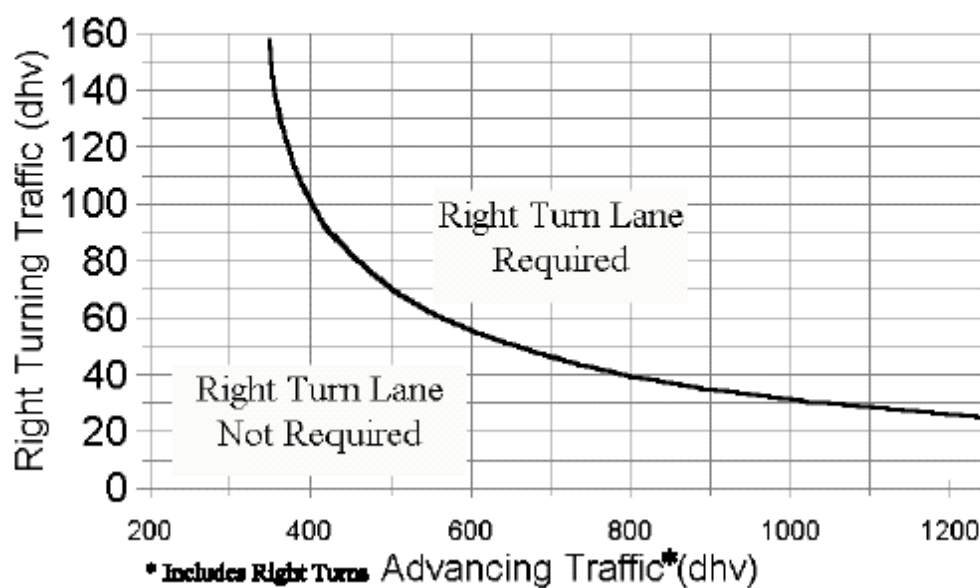
Ohio Department of Transportation
State Highway Access Management Manual

Issued December 2001
Version 3-12-03 Page 46

GRAPH 6

2-Lane Highway Right Turn Lane Warrant

= < 40 mph or 70 kph Posted Speed



GRAPH 7

CHAPTER 1197 Comprehensive Storm Water Management

1197.01	Purpose and intent.	1197.11	Easements.
1197.02	Definitions.	1197.12	Maintenance and final inspection approval.
1197.03	Disclaimer of liability.	1197.13	On-going inspections.
1197.04	Conflicts, severability, nuisances and responsibility.	1197.14	Fees.
1197.05	Development of Comprehensive Storm Water Management Plans.	1197.15	Bond.
1197.06	Application procedures.	1197.16	Installation of water quality best management practices.
1197.07	Compliance with state and federal regulations.	1197.17	Violations.
1197.08	Comprehensive Storm Water Management Plans.	1197.18	Appeals from decisions.
1197.09	Performance standards.	1197.99	Penalty.
1197.10	Alternative actions.		

CROSS REFERENCES

Illicit discharge and illegal connection control - see P. & Z. Ch. 1198
Erosion and sediment control - see P. & Z. Ch. 1199

1197.01 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 Granville:

- (a) This regulation requires owners who develop or re-develop their property within the Village of Granville 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 Granville'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.

(c) 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 1197.01.

(d) Public entities, including the State of Ohio, Licking County, and the Village of Granville 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.

(e) This regulation does not apply to activities regulated by, and in compliance with, the Ohio Agricultural Sediment Pollution Abatement Rules.

(f) 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 Chapter 1199 Erosion and Sediment Control. (Ord. 23-2010. Passed 12-15-10.)

1197.02 DEFINITIONS.

For the purpose of this regulation, the following terms shall have the meaning herein indicated:

- (a) ACRE: A measurement of area equaling 43,560 square feet.
- (b) 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.
- (c) 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.

- (d) **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.
- (e) **COMMUNITY:** The Village of Granville, its designated representatives, boards, or commissions.
- (f) **COMPREHENSIVE STORM WATER MANAGEMENT PLAN:** The written document and plans meeting the requirements of this regulation that set 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.
- (g) **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.
- (h) **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.
- (i) **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.
- (j) **DEVELOPMENT DRAINAGE AREA:** A combination of each hydraulically unique watershed with individual outlet points on the development area.
- (k) **DISTURBED AREA:** An area of land subject to erosion due to the removal of vegetative cover and/or soil disturbing activities.
- (l) **DRAINAGE:** The removal of excess surface water or groundwater from land by surface or subsurface drains.
- (m) **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.
- (n) **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.
- (o) **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.
- (p) **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.
- (q) **GRADING:** The process in which the topography of the land is altered to a new slope.
- (r) **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.

- (s) **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.
- (t) **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.
- (u) **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.
- (v) **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.
- (w) **NONSTRUCTURAL STORM WATER MANAGEMENT PRACTICE:** Storm water runoff control and treatment techniques that use natural practices to control runoff and/or reduce pollution levels.
- (x) **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.
- (y) **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.
- (z) **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.
- (aa) **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.
- (bb) **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 Section 1197.09)
- (cc) **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.
- (dd) **RIPARIAN AND WETLAND SETBACK:** The real property adjacent to a water resource on which soil disturbing activities are limited.
- (ee) **RUNOFF:** The portion of rainfall, melted snow, or irrigation water that flows across the ground surface and is eventually returned to water resources.
- (ff) **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.
- (gg) **SEDIMENTATION:** The deposition of sediment in water resources.

- (hh) **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.
- (ii) **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.
- (jj) **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.
- (kk) **STRUCTURAL STORM WATER MANAGEMENT PRACTICE:** Any constructed facility, structure, or device that provides storage, conveyance, and/or treatment of storm water runoff.
- (ll) **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.
- (mm) **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.
- (nn) **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.
- (oo) **WATERSHED:** The total drainage area contributing storm water runoff to a single point.
- (pp) **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).
(Ord. 23-2010. Passed 12-15-10.)

1197.03 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 Granville does not accept responsibility for the design, installation, and operation and maintenance of storm water management practices.
(Ord. 23-2010. Passed 12-15-10.)

1197.04 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 Granville 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 Granville, its officers, employees, or agents being responsible for any condition or damage resulting therefrom. (Ord. 23-2010. Passed 12-15-10.)

1197.05 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 1197.01(c) is proposed.

(b) The Village of Granville 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 Granville may consult with the Licking County SWCD, private engineers, storm water districts, or other technical experts in reviewing the Comprehensive Storm Water Management Plan. (Ord. 23-2010. Passed 12-15-10.)

1197.06 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 Village Engineer and/or the Service Director. 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 Village Engineer and/or the Service Director 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 Section 1197.08, shall demonstrate compliance with the Performance Standards and requirements established in Section 1197.09, 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 Service Director 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.
(Ord. 23-2010. Passed 12-15-10.)

1197.07 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 Granville 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.
(Ord. 23-2010. Passed 12-15-10.)

1197.08 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 Granville.

(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 Plane 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 Granville 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 50 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 of Granville 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 Granville 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 Granville 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 Granville 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 Granville.
- H. The Village of Granville 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 Granville shall be reimbursed by the landowner(s), organization, or municipality responsible for maintenance for all expenses incurred within 10 days of receipt of invoice from the Village of Granville.
- I. The method of funding long-term maintenance and inspections of all storm water management practices.
- J. A release of the Village of Granville from all damages, accidents, casualties, occurrences, or claims that might arise or be asserted against the Village of Granville 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 Granville 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 Section 1197.09 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.
(Ord. 23-2010. Passed 12-15-10.)

1197.09 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 Chapter 1117, Design Standards, 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 Section 1197.07 of this regulation, and the activity is in compliance with Chapter 1199, 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 Section 1197.09 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 Section 1197.08.
- (8) Ownership: Unless otherwise required by the Village of Granville, 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 Granville. 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 Section 1197.07 of this regulation, and the activity is in compliance with Chapter 1199, 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 Granville 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 12 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 Granville:
- 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 (25) percent of the cross-sectional area or a minimum of 1 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 12 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 5 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 Granville 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 Granville, 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 Section 1197.09(c)(6).
- (2) Criteria applying to all storm water management practices. Practices chosen must be sized to treat the water quality volume (WQ_v) and to ensure compliance with Ohio Water Quality Standards (OAC Chapter 3745-1).
- A. The WQ_v 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:

$$WQ_v = C * P * A / 12$$
 where terms have the following meanings:
 WQ_v = water quality volume in acre-feet
 C = runoff coefficient appropriate for storms less than 1"
 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:

$$C = 0.858i^3 - 0.78i^2 + 0.774i + 0.04, \text{ where:}$$
 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 & 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 WQ_v
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 WQ_v, 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 detention volume above the permanent pool, each sized with at least $0.75*WQ_v$.</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.
- 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.
 - 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.
 - 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.
- Facilities shall be lined with fine turf-forming, flood tolerant grasses.
 - Facilities designed according to the extended conveyance detention design drain time shall:
 - Not be located in areas where the depth to bedrock and/or seasonal high water table is less than 3 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 5 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 3 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 50 percent 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 4 feet shall be surrounded by an aquatic bench that extends at least 8 feet and no more than 15 feet outward from the normal water edge. The 8 feet wide portion of the aquatic bench closest to the shoreline shall have an average depth of 6 inches below the permanent pool to promote the growth of aquatic vegetation. The remainder of the aquatic bench shall be no more than 15 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 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 3 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 5 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 3 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:

- (1) 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.
- (2) 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.
- (3) 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 Section 1197.09(d)(3)A., 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 20 percent. 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 20 percent 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 20 percent of the site. Where conditions prevent impervious area reduction or on-site stormwater management for redevelopment projects, practical alternatives as detailed in Section 1197.10 may be approved by the Village Engineer.
(Ord. 23-2010. Passed 12-15-10.)

1197.10 ALTERNATIVE ACTIONS.

(a) When the Village of Granville 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 Granville 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.
(Ord. 23-2010. Passed 12-15-10.)

1197.11 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 Granville prior to approval of a final plat and shall be recorded with the Licking County Recorder 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 25-feet wide. The easement shall also incorporate the entire practice plus an additional 25-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 Granville. Any re-grading and/or obstruction placed within a maintenance easement may be removed by the Village of Granville at the property owners' expense.
(Ord. 23-2010. Passed 12-15-10.)

1197.12 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 Section 1197.08 must be provided to the Village Engineer
(Ord. 23-2010. Passed 12-15-10.)

1197.13 ON-GOING INSPECTIONS.

The Village of Granville shall inspect storm water management practices periodically. Upon finding a malfunction or other need for maintenance, the Village of Granville 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 a plan 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 Granville may undertake the necessary repairs and assess the responsible party.
(Ord. 23-2010. Passed 12-15-10.)

1197.14 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 Granville before the review process begins. The Village Engineer shall establish a fee schedule based upon the actual estimated cost for providing these services.
(Ord. 23-2010. Passed 12-15-10.)

1197.15 BOND.

(a) If a Comprehensive Storm Water Management Plan is required by this regulation, soil-disturbing activities shall not be permitted until a surety bond of 100% of the total stormwater management project cost, has been deposited with the Village of Granville Finance Department. This surety bond shall be posted for the Village of Granville 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 Granville administrative fees as detailed in Section 1135.01, Zoning Fees of the Village of Granville Codified Ordinances, when the following three criteria are met:

- (1) After 80% of the lots of the project have been complete or 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) A Inspection and Maintenance Agreement signed by the developer, the contractor, the Village of Granville, 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 Granville 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.

(Ord. 23-2010. Passed 12-15-10.)

1197.16 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 2 days.

(Ord. 23-2010. Passed 12-15-10.)

1197.17 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. (Ord. 23-2010. Passed 12-15-10.)

1197.18 APPEALS FROM DECISIONS.

(a) Any person aggrieved by any order, requirement, determination, or any other action or inaction may appeal the decision to the Board of Building and Zoning Appeal by filing a written notice of appeal with the Village Clerk not later than ten (10) days after the decision is delivered by personal service or postmarked by the U.S. mail, postage prepaid, return-receipt requested, to the person seeking to appeal.

(b) At the time of filing the notice of appeal, if the appellant intends to urge on appeal that a finding or conclusion is unsupported by the evidence or is contrary to the weight of the evidence, the appellant shall include in the record all evidence relevant to the findings or conclusion.

(c) A person who intends to appear at the appeal hearing as an appellee may file with the Clerk additional parts of the record at any time before the hearing.
(Ord. 23-2010. Passed 12-15-10.)

1197.99 PENALTY.

(a) Any person, firm, entity or corporation; including but not limited to, the owner of the property, his agents and assigns, occupant, property manager, and any contractor or subcontractor who violates or fails to comply with any provision of this regulation is guilty of a misdemeanor of the third degree and shall be fined no more than five hundred dollars (\$500.00) or imprisoned for no more than sixty (60) days, or both, for each offense. A separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs or continues.

(b) The imposition of any other penalties provided herein shall not preclude the Village of Granville 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 Granville.
(Ord. 23-2010. Passed 12-15-10.)

CHAPTER 1198
Illicit Discharge and Illegal Connection Control

1198.01 Purpose and intent.	1198.07 Discharge and connection prohibitions.
1198.02 Applicability.	1198.08 Monitoring of illicit discharges and illegal connections.
1198.03 Definitions.	1198.09 Enforcement.
1198.04 Disclaimer of liability.	1198.10 Remedies not exclusive.
1198.05 Conflicts, severability, nuisances and responsibility.	
1198.06 Responsibility for administration.	

CROSS REFERENCES

Stormwater management - see P. & Z. Ch. 1197

Erosion and sediment control - see P. & Z. Ch. 1199

1198.01 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 Granville 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.
- (Ord. 24-2010. Passed 12-15-10.)

1198.02 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 Granville, except for those discharges generated by the activities detailed in Section 1198.07(a)(1) to (a)(3) of this regulation. (Ord. 24-2010. Passed 12-15-10.)

1198.03 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 Granville, 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 Section 1198.07 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.
(Ord. 24-2010. Passed 12-15-10.)

1198.04 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.
(Ord. 24-2010. Passed 12-15-10.)

1198.05 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 Granville, 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 Granville 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 Granville, its officers, employees, or agents being responsible for any condition or damage resulting therefrom. (Ord. 24-2010. Passed 12-15-10.)

1198.06 RESPONSIBILITY FOR ADMINISTRATION.

The Village of Granville shall administer, implement, and enforce the provisions of this regulation. The Village of Granville may contract with the Licking County Board of Health to conduct inspections and monitoring and to assist with enforcement actions. (Ord. 24-2010. Passed 12-15-10.)

1198.07 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; dechlorinated 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 Granville to be significant contributors of pollutants to the MS4.
- (2) Discharges specified in writing by the Village of Granville 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 Granville 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.
(Ord. 24-2010. Passed 12-15-10.)

1198.08 MONITORING OF ILLICIT DISCHARGES AND ILLEGAL CONNECTIONS.

(a) Establishment of an Illicit Discharge and Illegal Connection Monitoring Program: The Village of Granville 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 Granville 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 Granville 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 Granville.
- (3) The Village of Granville 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 Granville 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 Granville 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 Granville 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 Granville is refused access to any part of the facility from which storm water is discharged, and the Village of Granville 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 Granville 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.
(Ord. 24-2010. Passed 12-15-10.)

1198.09 ENFORCEMENT.

(a) Notice of Violation. When the Village of Granville finds that a person has violated a prohibition or failed to meet a requirement of this regulation, the Village of Granville may order compliance by written Notice of Violation. Such notice must specify the violation and shall be hand delivered, and/or sent by certified 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 is 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 Granville shall schedule an administrative hearing with the Board of Building and Zoning Appeal 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 a owner/operator has violated or continues to violate the provisions of this regulation, the Village of Granville 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.
(Ord. 24-2010. Passed 12-15-10.)

1198.10 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 Granville to seek cumulative remedies.

(Ord. 24-2010. Passed 12-15-10.)

CHAPTER 1199
Erosion and Sediment Control

1199.01	Purpose and intent.	1199.09	Performance standards.
1199.02	Definitions.	1199.10	Fees.
1199.03	Disclaimer of liability.	1199.11	Bond.
1199.04	Conflicts, severability, nuisances and responsibility.	1199.12	Enforcement.
1199.05	Development of Storm Water Pollution Prevention Plans.	1199.13	Violations.
1199.06	Application procedures.	1199.14	Appeals from decisions.
1199.07	Compliance with state and federal regulations.	1199.99	Penalty.
1199.08	Storm water pollution prevention plan.		

CROSS REFERENCES

Stormwater management - see P. & Z. Ch. 1197

Illicit discharge and illegal connection control - see P. & Z. Ch. 1198

1199.01 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 Granville:

- (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 Section 1199.01(d).

(d) This regulation does not apply to activities regulated by, and in compliance with, the Ohio Agricultural Sediment Pollution Abatement Rules.
 (Ord. 25-2010. Passed 12-15-10.)

1199.02 DEFINITIONS.

(a) For the purpose of these Erosion and Sediment Control Regulations, the following terms are defined:

- (1) "Acre" means a measurement of area equaling 43,560 square feet.
- (2) "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.
- (3) "Community" throughout this regulation, shall refer to Village of Granville, its designated representatives, boards, or commissions.
- (4) "Construction entrance" means the permitted points of ingress and egress to development areas regulated under this regulation.
- (5) "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.
- (6) "Disturbed area" means an area of land subject to erosion due to the removal of vegetative cover and/or soil disturbing activities.
- (7) "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.
- (8) "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.
- (9) "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.
- (10) "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 80% coverage for the area has been established or equivalent stabilization measures, such as the use of mulches or geotextiles, have been employed.
- (11) "Landscape Architect" means a Professional Landscape Architect registered in the State of Ohio.
- (12) "Larger common plan of development or sale" means a contiguous area where multiple separate and distinct construction activities may take place at different times on different schedules under one plan.
- (13) "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.
- (14) "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.

- (15) "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.
- (16) "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.
- (17) "Phasing" means clearing a parcel of land in distinct sections, with the stabilization of each section before the clearing of the next.
- (18) "Professional Engineer" means a Professional Engineer registered in the State of Ohio.
- (19) "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.
- (20) "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.
- (21) "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.
- (22) "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.
- (23) "Sedimentation" means the deposition or settling of sediment.
- (24) "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.
- (25) "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.
- (26) "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.
- (27) "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.
- (28) "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.

- (29) "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.
- (30) "Unstable soils" means a portion of land that is identified by the Municipal 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 a low soil strength.
- (31) "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.
- (32) "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).
(Ord. 25-2010. Passed 12-15-10.)

1199.03 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.
(Ord. 25-2010. Passed 12-15-10.)

1199.04 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 Granville 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 Granville, its officers, employees, or agents being responsible for any condition or damage resulting therefrom. (Ord. 25-2010. Passed 12-15-10.)

1199.05 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 1199.01(b) is proposed.

(b) Activities disturbing one acre or less are not required to submit a Storm Water Pollution Prevention Plan. These activities must comply with all other provisions of this regulation. (Ord. 25-2010. Passed 12-15-10.)

1199.06 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 Granville 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 Zoning Inspector.
- (3) For general clearing projects: Prior to issuance of a zoning permit by the Zoning Inspector.

(b) The Village of Granville shall review the plans submitted under 1199.06(a) 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.

(c) Soil disturbing activities shall not begin and zoning permits shall not be issued without an approved SWP3.

(d) SWP3 for individual sublots in a subdivision will not be approved unless the larger common plan of development or sale containing the subplot is in compliance with this regulation.

(e) Approvals issued in accordance with this regulation shall remain valid for one (1) year from the date of approval.
(Ord. 25-2010. Passed 12-15-10.)

1199.07 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 and shall be submitted with 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.
(Ord. 25-2010. Passed 12-15-10.)

1199.08 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. Soils 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 of Granville 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 of Granville 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 are completed.
 - E. Design criteria for corrective measures when necessary.
 - F. Opinions and recommendations covering the stability of the site.
- (Ord. 25-2010. Passed 12-15-10.)

1199.09 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 restabilize 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 14 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 restabilized. 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 of Granville 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 5 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 feet, three (3) 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 40 percent. 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	$\geq 2\%$ but $< 20\%$
0.125	$\geq 20\%$ but $< 50\%$

- (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 of Granville Engineer may require additional best management practices to control off site tracking and dust.
- These additional BMPs may include:
- 1. Silt fence or construction fence installed around the perimeter of the development area to ensure that all vehicle traffic adheres to designated construction entrances.
 - 2. 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 Section 1199.09(g) of this regulation.
 - 3. Applicants shall take all necessary measures to comply with applicable regulations regarding fugitive dust emissions, including obtaining necessary permits for such emissions. The Village of Granville 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 50 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 a 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 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. Alternately, 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 Granville 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 Granville or an alternate form acceptable to the Village of Granville 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 Granville 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.
 - (4) Final Stabilization. Final stabilization shall be determined by the Village of Granville 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.
- (Ord. 25-2010. Passed 12-15-10.)

1199.10 FEES.

The Storm Water Pollution Prevention Plan review, filing, and inspection fee is part of a complete submittal and is required to be submitted to the Village of Granville before the review process begins. Please consult with Village of Granville Engineer for current fee schedule. (Ord. 25-2010. Passed 12-15-10.)

1199.11 BOND.

(a) If a Storm Water Pollution Prevention Plan is required by this regulation, soil disturbing activities shall not be permitted until a surety bond has been deposited with the Village of Granville Finance Department per Section 1197.15 of the Codified Ordinances. The bond will be used for the Village of Granville 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 surety bond shall be returned, less Village of Granville administrative fees as detailed in Section 1305.01, Zoning Fees of the Village of Granville Codified Ordinances, after all work required by this regulation has been completed and final stabilization has been reached, all as determined by the Village of Granville Engineer.

(b) No project subject to this regulation shall commence without approval by the Village of Granville Engineer.
(Ord. 25-2010. Passed 12-15-10.)

1199.12 ENFORCEMENT.

(a) All development areas may be subject to external inspections by the Village of Granville to ensure compliance with the approved SWP3.

(b) After each external inspection, the Village of Granville 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 the Village of Granville may take action as detailed in Section 1199.13 of this regulation. (Ord. 25-2010. Passed 12-15-10.)

1199.13 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 Manager 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.
(Ord. 25-2010. Passed 12-15-10.)

1199.14 APPEALS FROM DECISIONS.

(a) Any person aggrieved by any order, requirement, determination, or any other action or inaction may appeal the decision to the Board of Zoning and Building Appeals by filing a written notice of appeal with the Village Clerk not later than ten (10) days after the decision is delivered by personal service or postmarked by the U.S. mail, postage prepaid, return-receipt requested, to the person seeking to appeal.

(b) At the time of filing the notice of appeal, if the appellant intends to urge on appeal that a finding or conclusion is unsupported by the evidence or is contrary to the weight of the evidence, the appellant shall include in the record all evidence relevant to the findings or conclusion.

(c) A person who intends to appear at the appeal hearing as an appellee may file with the Clerk additional parts of the record at any time before the hearing.
(Ord. 25-2010. Passed 12-15-10.)

1199.99 PENALTY.

(a) Any person, firm, entity or corporation; including but not limited to, the owner of the property, his agents and assigns, occupant, property manager, and any contractor or subcontractor who violates or fails to comply with any provision of this regulation is guilty of a misdemeanor of the third degree and shall be fined no more than five hundred dollars (\$500.00) or imprisoned for no more than sixty (60) days, or both, for each offense. A separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs or continues.

(b) The imposition of any other penalties provided herein shall not preclude the Village of Granville 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 Granville.
(Ord. 25-2010. Passed 12-15-10.)

ZONING CODE INDEX

(EDITOR'S NOTE: See also GENERAL INDEX in the
PRELIMINARY UNIT at the beginning of the Codified Ordinances.)

ACCESS MANAGEMENT PLAN		APPEALS (Cont.)	
auxiliary turn lanes	1196.08	conditional uses	1145.04(e)
driveways		Flood Hazard Overlay District	1177.09
design; geometrics	1196.06	Planning Commission	1141.06
islands	1196.07	stormwater management	1197.18
locations; spacing	1196.04	Village District	1159.07
types	1196.03	Zoning and Building	
purpose; intent	1196.01	Board of Appeals	1139.06
road access categories and			
characteristics	1196.02	ARCHITECTURAL REVIEW	
standards	1196.05	OVERLAY DISTRICT	
use of access	1196.10	advisors	1161.04
variance procedures	1196.09	appeals	1161.07
		boundaries	1161.01
ADMINISTRATION AND		criteria; standards	1161.05
ENFORCEMENT		purpose	1161.01
certificate of Health Officer	1137.05	signs	1161.05(i)
Certificate of Occupancy	1137.06	Zoning and Architectural	
Council powers and duties	1137.01	Review Permit	
enforcement by Zoning		application contents	1161.03
Inspector	1137.02	review and approval	1161.02
fees	1137.07		
filing plans	1137.04	BOUNDARIES	
penalty	1137.09	Architectural Review	
permit revocation	1137.10	District	1161.01
permits	1137.03	zoning districts	1155.02
stop orders	1137.10		
violations, remedies	1137.08	BUILDING	
		accessory structures	1157.14
ALLEY		accessory; without main	
vacated; zoning district	1155.03	building	1157.04
		defined	1135.01(a)(19)
AMENDMENTS		dwelling conversion	1157.03
application	1143.02	nonconforming use, as	1149.02
procedure	1143.01	plans for	1137.02
review		Community Service	
criteria	1143.03	District	1167.03(b)
procedure	1143.04	Institutional District	1169.03(b)
		Open Space District	1165.03(b)
ANTENNAES		Suburban Residential	
(see SATELLITE DISH)		District	1163.03(a)
		unsafe	1157.09
APPEALS			
Architectural Review		BUILDING APPEALS BOARD	
Overlay District	1161.07	(see ZONING AND BUILDING	
building demolition	1162.06	APPEALS BOARD)	

BUILDING DEMOLITION

appeals	1162.06
bond	1162.05
permit application; contents	1162.02, 1162.03
purpose	1162.01
review criteria	1162.04

BUILDING PERMIT

application pending	1157.10
demolition	1162.02

COMMUNICATION TOWERS
(see SATELLITE DISH)**COMMUNITY SERVICE DISTRICT**

building requirements	1167.03(b)
development standards	1167.03
lot requirements	1167.03(a)
purpose and intent	1167.01
uses, permitted and conditional	1167.02

**COMPOSTING (see also SOLID
WASTE)**

backyard compost site	1194.04
definitions	1194.02
disposal prohibited	1194.03
nuisance	1194.06
purpose of regulations	1194.01
severability	1194.08
small compost site	1194.05
violations	1194.07

CONDITIONAL USES

application procedure	1145.02
criteria for approval	1145.03
purpose	1145.01
review procedure	1145.04

COUNCIL

Zoning Ordinance powers and duties	1137.01
---------------------------------------	---------

DEFINITIONS 1135.01**DRIVEWAYS**

access	1196.03 et seq.
--------	-----------------

DWELLING 1157.03**EROSION AND SEDIMENT
CONTROL**

appeals	1199.14
bond	1199.11
compliance	1199.07
conflicts	1199.04
definitions	1199.02
disclaimer of liability	1199.03
enforcement	1199.12
fees	1199.10
intent	1199.01
nuisances	1199.04
penalty	1199.99
performance standards	1199.09
purpose	1199.01
responsibility	1199.04
severability	1199.04
stormwater pollution prevention plans	1199.05 et seq.
violations	1199.13

FEES

erosion and sediment control	1199.10
sign permit	1189.03
stormwater management	1197.14
Zoning Ordinance	1137.07

FENCES

defined	1135.01(a)(47)
mineral extraction sites	1179.04

FLOOD HAZARD OVERLAY DISTRICT

administration	1177.07
appeals	
Council	1177.11
Floodplain Administrator	1177.09
definitions	1177.03
development permit	1177.08
development standards	1177.06
enforcement; penalty	1177.12
established	1177.01
general provisions	1177.04
title; purpose	1177.02
uses	1177.05
variances	1177.10

HEALTH OFFICER

approval certificate; lots without public water and sewers	1137.04
--	---------

HEIGHT REGULATIONS

Architectural Review
Overlay District 1161.05(a)

HOME OCCUPATION

appeals 1181.05
defined 1135.01(a)(61)
exemptions 1181.03
permit required 1181.01
regulations
generally 1181.02
violations 1181.04

**ILLICIT DISCHARGE AND
ILLEGAL CONNECTION
CONTROL**

administration 1198.06
applicability 1198.02
conflicts 1198.05
definitions 1198.03
disclaimer of liability 1198.04
enforcement 1198.09
intent 1198.01
monitoring 1198.08
nuisances 1198.05
prohibitions 1198.07
purpose 1198.01
remedies 1198.10
responsibility 1198.05
severability 1198.05

INSTITUTIONAL DISTRICT

building requirements 1169.03(b)
development standards 1169.03
lot requirements 1169.03(a)
purpose and intent 1169.01
uses, permitted and
conditional 1169.02

JUNK MOTOR VEHICLE

(see MOTOR VEHICLE BLIGHT)

LOADING, OFF-STREET

(see OFF-STREET PARKING AND
LOADING)

LOTS

area increased; sanitary
facilities inaccessible 1187.04
area required cannot be reduced 1157.06
corner; traffic visibility across 1157.05
defined 1135.01(a)(70)

LOTS (Cont.)

Health Officer's certificate
needed 1137.04
requirements
Community Service
District 1167.03(a)
Institutional District 1169.03(a)
Open Space District 1165.03(a)
Suburban Residential
District 1163.03(a)
Village District 1159.03(a,b,c)
Suburban Residential
District; frontage
modifications 1187.02

MINERAL EXTRACTION

application for operation;
contents and procedure 1179.08
equipment used 1179.05
fences 1179.04
financial ability of
applicant for operation 1179.07
hearing, public 1179.09
processing 1179.06
property lines, distance from 1179.02
public right-of-way,
distance from 1179.03
rehabilitation of
mined-out areas 1179.10
requirements
additional 1179.11
general 1179.01

MOBILE HOME

defined 1135.01(a)(81)
occupying; parking 1157.11

MOTOR VEHICLE BLIGHT

general regulations 1188.01
penalty 1188.99

**NONCONFORMING USES AND
STRUCTURES**

approval criteria 1149.04
building; enlargement,
substitution 1149.02
defined 1135.01(a)(83)
discontinuance 1149.07
existing; continuation 1149.01
lots of record 1149.03
made to conform 1149.06
procedure 1149.05
repairs, alterations 1149.08, 1149.09
replacement 1149.09

NUISANCE		PLANNED DEVELOPMENT DISTRICT	
erosion and sediment control	1199.04	development and design	
illicit discharges	1198.05	guidelines	1171.03
stormwater management	1197.04	purpose and intent	1171.01
		uses, permitted	1171.02
OCCUPANCY CERTIFICATE		zoning procedures	
required	1137.06	approval	1171.04
OFF-STREET PARKING AND LOADING		PLANNED UNIT DISTRICT	
area dimensions	1183.02	(see PLANNED DEVELOPMENT DISTRICT)	
loading regulations	1183.05		
parking		PLANNING COMMISSION	
development and		appeals	1141.06
maintenance	1183.04	decisions; procedure	1141.06
regulations	1183.01	meetings	1141.02
spaces required	1183.03	members	1141.01
provided	1157.07	powers; duties	1141.04
		procedure	1141.03
OPEN SPACE DISTRICT		quorum	1141.03
building requirements	1165.03(b)	site plan; prior approvals	1157.12
development standards	1165.03		
lot requirements	1165.03(a)	PLATS	
purpose and intent	1165.01	approval fees	1109.13
uses, permitted and		defined	1105.01
conditional	1165.02	final	1113.05
		preliminary	1113.03, 1113.04
PARKING		sketch plan	1113.01
house trailers; campers	1157.11	subdivision without	1113.02
space required cannot			
be reduced	1157.06	RACCOON VALLEY AQUIFER	
trees and landscaping	1193.06	WELLHEAD PROTECTION	
Village District	1157.03(e)	OVERLAY DISTRICT	
		applicability to underlying	
PARKING, OFF-STREET		zoning districts	1174.02
(see OFF-STREET PARKING AND LOADING)		determination of applicability	1174.03
		groundwater protection	
PENALTY	1137.09	standards	1174.06
		hazard potential ranking	
PERMIT		system for nonconform- ing uses	1174.07
(see also ZONING AND ARCHITECTURAL REVIEW PERMIT)		permitted uses, bulk and yard regulations	1174.04
building		purpose	1174.01
(see BUILDING PERMIT)		regulated or hazardous	
conditional use; issuance	1145.04(d)	materials	1174.08
demolition	1137.06	special uses, prohibited	
excavating	1137.06	uses and nonconforming	
home occupations	1181.01	uses	1174.05
signs	1189.05 et seq.		
floodplain development	1177.08	RECORDS AND REPORTS	
zoning	1137.03	Traffic Impact Study	1195.09, 1195.12

RECREATIONAL VEHICLES

campers; occupying, parking 1157.11
 defined 1135.01(a)(96)

SATELLITE DISH AND

COMMUNICATION TOWERS
 (see **WIRELESS**
COMMUNICATIONS
FACILITIES AND TOWERS)

**SEDIMENT (see EROSION AND
SEDIMENT CONTROL)****SEWERS, STORM**

illegal discharge (see **ILLICIT**
DISCHARGE AND ILLEGAL
CONNECTION CONTROL)

SIGNS

applicability; effect 1189.02
 Architectural Review Overlay
 District 1161.05(i)
 computations 1189.04
 construction; maintenance 1189.07
 definitions 1189.03
 design
 generally 1189.07
 standards Table 1189B
 exemptions 1189.10
 interpretation 1189.03
 nonconforming; compliance 1189.14
 permit
 private property, signs on 1189.05
 procedures 1189.13
 required 1189.06
 signs without 1189.14
 prohibited 1189.11
 public right of way, in 1189.08
 purpose; intent 1189.01
 sample drawing Table 1189A
 street names 1117.16
 temporary 1189.09
 variances 1189.12
 violations 1189.15

SITE PLAN

approvals, prior 1157.12

STORMWATER MANAGEMENT

alternative actions 1197.10
 appeals 1197.18
 Best Management Practices 1197.16
 bond 1197.15
 compliance 1197.07

STORMWATER MANAGEMENT

(Cont.)

conflicts 1197.04
 definitions 1197.02
 disclaimer of liability 1197.03
 easements 1197.11
 fees 1197.14
 inspections 1197.12, 1197.13
 intent 1197.01
 maintenance 1197.12
 nuisances 1197.04
 penalty 1197.99
 performance standards 1197.09
 purpose 1197.01
 responsibility 1197.04
 severability 1197.04
 stormwater management
 plans 1197.05 et seq.
 violations 1197.17

STREET

access 1196.02
 defined 1135.01(a)(105)
 Traffic Impact Study 1195.10
 vacated; zoning district 1155.03

SUBURBAN BUSINESS DISTRICT

approval procedure 1175.05
 conditional uses 1175.02
 design guidelines 1175.03
 development standards 1175.03
 permitted uses 1175.02
 purposes 1175.01
 site plan approval
 required 1175.04

SUBURBAN RESIDENTIAL DISTRICT

building requirements 1163.03(a)
 development standards 1163.03
 lots
 frontage modifications 1187.02
 requirements 1163.03(a)
 purpose and intent 1163.02
 yard modifications;
 projections 1187.02, 1187.03

SWIMMING POOL

requirements; definitions 1185.01

TRAFFIC

visibility across corner lots 1157.05

TRAFFIC IMPACT STUDY

area	1195.05
development	1195.08
guidelines	1195.09
horizon years	1195.06
Memorandum of Understanding	1195.03
pre-meeting	1195.03
preparer qualifications	1195.04
public record	1195.12
purpose; intent	1195.01
report outline	1195.09
roadway plans	1195.10
site access	1195.10
submittal requirements	1195.11
time periods	1195.07
Traffic Study Warrants	1195.02

TRAILERS AND CAMPERS

occupying, parking	1157.11
--------------------	---------

**TRANSPORTATION CORRIDOR
OVERLAY DISTRICT**

Cherry Valley Road corridor standards	1176.05
corridor district design, development and maintenance standards	1176.04
district area	1176.03
interpretation	1176.01
purpose	1176.02
signs	1189.08

**TREE AND LANDSCAPE
REQUIREMENTS**

applicable lands	1193.03
definitions	1193.02
development sites	1193.04
landscape materials	1193.08
parking areas	1193.06
plan application and approval	1193.10
Planning Commission discretion	1193.09
purpose and intent	1193.01
tree planting	
generally	1193.07
rights of way	1193.05
vehicular use areas	1193.06

USE REGULATIONS

accessory uses	1157.14
conditional uses	
appeals	1145.04(e)
application procedure	1145.02
approval criteria	1145.03
permit issuance	1145.04(d)
purpose	1145.01
review procedure	1145.04
District	
Community Service	1167.02
Flood Hazard Overlay	1177.05
Institutional	1169.02
Open Space	1165.02
Planned Development	1171.02
Suburban Residential	1163.02
Village	1159.02
nonconforming uses	
(see NONCONFORMING USES)	
prohibited uses	
additional	1157.02
yards, in	1157.15

VARIANCE

application procedure	1147.02
approval criteria	1147.03
Flood Hazard Overlay District	1177.10
purpose	1147.01
review procedure	1147.04
signs	1189.12
zoning certificate issuance	1147.04

VILLAGE DISTRICT

appeals	1159.06
Planning Commission	
approval	1159.05
development standards	1159.03
lot requirements	1159.03(a,b,c)
parking requirements	1159.03(e)
performance standards	1159.03
purpose and intent	1159.01
site plan approval	
required	1159.04, 1159.05
uses, permitted and	
conditional	1159.02
yard requirements	1159.03 (c,d)

VILLAGE GATEWAY DISTRICT

approval procedure	1173.05
conditional uses	1173.02
design guidelines	1173.03
development standards	1173.03
permitted uses	1173.02
plan approval required	1173.04
purposes	1173.01

VIOLATIONS 1137.08**WIRELESS COMMUNICATIONS****FACILITIES AND TOWERS**

satellite dish and communication towers	
administration	1191.05
applicability	1191.03
communication towers for communication distribution systems	1191.07
definitions	1191.04
dish antennae or other antennae	1191.06
objectives	1191.02
penalty	1191.99
purpose and intent	1191.01
small cell facilities and wireless support structures within right-of-way	
applicability	1191.21
application required	1191.23
review	1191.24
definitions	1191.22
design guidelines	1191.25
penalty	1191.99
permit approval	1191.26
purpose and intent	1191.20
recovery of cost	1191.28
safety requirements	1191.27
severability	1191.29

YARD REGULATIONS

area required cannot be reduced	1157.06
defined	1135.01(a)(111)
Suburban Residential District modifications	1187.02
projections	1187.03
uses prohibited in Village District	1157.15
requirements	1159.03(c,d)

ZONING AND BUILDING APPEALS**BOARD**

appeals	1139.06
decisions	1139.05
organization	1139.01
powers; duties	1139.04
procedure	1139.02
quorum	1139.03

ZONING AND ARCHITECTURAL**REVIEW PERMIT**

application contents	1161.03
Architectural Review Overlay District (see ARCHITECTURAL REVIEW OVERLAY DISTRICT)	
plans to accompany	1137.04
required	1137.06
review and approval	1161.02
variance approved; issuance	1147.04

ZONING DISTRICT

annexations	1155.04
boundaries established	1155.02
designated	1155.01
lot area increased; sanitary facilities inaccessible	1187.04
map (see ZONING MAP)	
services, essential	1157.08
special developmental provisions	1185.02
vacated street or alley	1155.03

ZONING INSPECTOR

Zoning Ordinance, enforcing	1137.02
-----------------------------	---------

ZONING MAP 1155.02**ZONING ORDINANCE**

conflicting ordinances	1133.02(c)
conformance required	1157.01
Council powers and duties	1137.01
interpretation	1133.01
remedies against unlawful decisions	1133.03
special provisions	1185.02
validity and repeal	1133.02

