

Article VII

Special District Regulations

SECTION 700 – SPECIAL DISTRICT REGULATIONS AND RULES OF APPLICATION

Section 700.01- Special Districts Established

Districts providing for use or development of land for certain purposes or under certain conditions, as hereafter specified, are hereby established and adopted.

Section 700.02- Special District Regulations

Regulations pertaining to use or development of land in Special Districts are provided for the following:

1) Floodplain Development

Provisions pertaining to the use and development of lands subject to periodic flooding are provided to minimize the impact or potential impact of flooding on existing or future land uses, promote and safeguard the public health, safety and welfare, and maintain Jefferson Township's eligibility for continues participation in the National Flood Insurance Program.

2) Excavation and Quarry

Provisions pertaining to the extraction of sand, gravel and other mineral resources are provided to allow the removal of these important resources in a manner appropriate to adjacent lands and to rehabilitate the excavated area to promote the public health, safety and general welfare.

3) Oil and Gas Drilling and Production

Provisions pertaining to the drilling and production of oil and gas are provided to allow the exploration for and removal of natural petroleum resources in a manner appropriate to promote the public health, safety and general welfare.

4) Exceptional Uses

Provisions pertaining to certain uses of unique nature as to warrant individual consideration are provided to allow appropriate location and development in relation to other land use and development in a manner appropriate to promote the public health, safety and general welfare.

Section 700.03- Relation to Zoning Districts

Special Districts and Regulations thereof shall be in addition to the Zoning Districts as established on the Zoning District Map and nothing herein is intended to amend, modify or otherwise change the Zoning District Regulations except as specifically set forth in the Special District Regulations.

Section 700.04- Relation to Zoning District Map

The inclusion of land in a Special District shall be in addition to the Zoning District as established on the Zoning District Map, and nothing herein is intended to amend, modify or otherwise change the Zoning District boundaries as shown on the Zoning District Map.

SECTION 710 – Floodplain Regulations

Section 710.01- Establishment of Regulatory Floodplain District

The Regulatory Floodplain District shall exist as an overlay district and shall apply concurrently with other zoning district classifications. Land uses and development allowed under Section 710 must also meet all other applicable sections of this Resolution.

1) Designation of the Regulatory Floodplain District

The regulatory Floodplain District shall be designated as those flood hazard areas which are identified in the “Flood Insurance Study, County of Franklin, Ohio, unincorporated areas” and accompanying Flood Insurance Rate Maps (FIRM) and Flood Boundary and Floodway Maps (FBFM) published by the Federal Emergency Management Agency (FEMA) under the National Flood Insurance Program (NFIP) dated July 5, 1983, and all revisions and amendments thereto. These maps and data shall be on file at the Township Firehouse, the County Engineers’ office, and the Mid-Ohio Regional Planning Commission.

2) Floodway and Floodway Fringe

The regulatory Floodplain District is further divided into two portions consisting of the Floodway and Floodway Fringe. The Floodway is that portion of the Floodplain consisting of the channel and sufficient adjacent lands to convey the Base Flood Discharge without increasing the Base Flood Elevation more than one-half foot. The Floodway Fringe is that portion of the Floodplain outside of the Floodway. The FEMA water surface profiles of the Base Flood shall govern the location of the Floodplain boundary. The Base Flood Elevation and the Floodway boundaries shall be established as those indicated by NFIP maps and data published by FEMA, including all revisions and amendments thereto. FEMA maps and data shall govern in case of omission on or conflict with the zoning map.

3) Non-detailed Flood Hazard Areas

In designated flood hazard areas for which FEMA has not determined detailed flood elevations and Floodway boundaries, the applicant shall be required to furnish such information prepared by qualified personnel to enable the administration of this Resolution consistent with its intent. Flood maps and data published by State or Federal sources such as the USDA Soil Conservation Service, U. S. Army Corps of Engineers, U. S. Geological Survey, or Ohio Department of Natural Resources shall be utilized when available. In case of differing information from two or more of these sources, the more comprehensive and recent technical data shall be used. When detailed flood elevations and floodway boundaries are not available for the Base Flood through FEMA or other State or Federal sources, the applicant shall provide them. A qualified Professional Engineer in accordance with currently accepted hydrologic and hydraulic engineering techniques and methodology shall prepare such information and data. Such studies, analyses, computations, etc. shall be submitted in sufficient detail to allow a thorough technical review by the Community NFIP Administrator and the State NFIP Coordination Agency.

Section 710.02- Permitted Uses in the Floodway

The following uses, not including buildings, shall be permitted within the Floodway, provided they comply with all other applicable sections of this Resolution

- 1) Agricultural land uses such as general farming and cultivation, pasturing, grazing, outdoor open air nurseries, truck farming, forestry, sod farming, and similar uses
- 2) Private or public recreational land uses such as golfing, tennis, archery, picnicking, boating, swimming, parks, wildlife, or nature preserves, shooting ranges, hunting and fishing areas, hiking, biking, jogging, horseback riding trails, and other similar uses.
- 3) Residential open space uses such as lawns, gardens, play areas, and other similar uses.

Section 710.03- Conditional Uses in the Floodway

The following uses shall be Conditional Uses within the Floodway provided they comply with all other applicable sections of this Resolution and any conditions attached by the Board of Zoning Appeals in granting the Conditional Use permit.

- 1) Navigational and stream flow aids, docks, piers, wharves, and water measuring and monitoring devices
- 2) Construction, placement, or improvement or maintenance of public or private culverts, utilities, bridges, stream crossings of any type or size, erosion control and protection measures.
- 3) Extraction of sand, gravel, or other resources.
- 4) Alteration or relocation of the channel or watercourse.

Section 710.04- Prohibited Uses in Floodway

The following structures and uses are prohibited in the Floodway unless specifically listed as a Conditional Use.

- 1) Buildings and structures, including mobile homes, for residential, commercial, industrial, agricultural, or other use.
- 2) Storage or processing of materials.
- 3) Trash, garbage, or waste disposal operations, landfills, wastewater treatment and disposal facilities.
- 4) Placement of material, fill, or spoil of any type or the construction or extension of levees, dams, dikes, floodwalls, or other such mounding or embankments.
- 5) Encroachments, which would cause any increase in the Base Flood Elevations.

Section 710.05- Permitted Uses in the Floodway Fringe

The following uses shall be permitted within the Floodway, provided they comply with all other applicable sections of this Resolution

- 1) Agricultural land uses such as general farming and cultivation, pasturing, grazing, outdoor open-air nurseries, truck farming, forestry, sod farming, and similar uses.
- 2) Private or public recreational land uses such as golfing, tennis, archery, picnicking, boating, swimming, parks, wildlife, or nature preserves, shooting ranges, hunting and fishing areas, hiking, biking, jogging, horseback riding trails, and other similar uses.
- 3) Residential open space uses such as lawns, gardens, play areas, and other similar uses.

Section 710.06- Conditional Uses in the Floodway Fringe

The following uses shall be Conditional Uses in the Floodway Fringe, provided they meet all applicable standards and requirements of this Resolution and any conditions attached by the Board of Zoning Appeals in granting the Conditional Use Permit.

- 1) All Conditional Uses in the Floodway as listed in Section 710.03.
- 2) Residential, commercial, industrial, manufacturing, or similar structures or buildings.
- 3) Storage or processing of materials.
- 4) Parking and loading areas.

- 5) Waste processing, disposal facilities, wastewater treatment and disposal systems.
- 6) Flood control or mitigation structures and measures.
- 7) Temporary or permanent placement of material, fill, or spoil of any type or other such mounding or embankment or additions or extensions thereto.

Section 710.07- Development Standards

In addition to other applicable Development Standards of this Resolution, the following standards for arrangement, development, and use of land and buildings shall be required in the Regulatory Floodplain District.

1) *Maintain Flow Characteristics*

No use of the Floodplain shall unduly or adversely affect or impact the efficiency, flow characteristics, or flood heights of the main channel or other affected tributaries, ditches, drainage facilities or systems, for storm frequencies up to and including the base Flood event. No use or encroachment within the Floodway shall increase the Base Flood Elevation.

2) *Minimize Flood Damage*

All activities and developments shall be planned, designed, constructed, and installed consistent with the need to minimize damages in time of flooding.

3) *Buildings and Structures*

Temporary or permanent buildings and structures, including mobile homes, new construction and substantial improvement of residential and non-residential buildings shall be designed and constructed that:

- A) The lowest floor, including basement, is at least one foot above the Base Flood Elevation, plus Floodway computation increases. Floodway computation increases range from 0.0 to 0.5 feet and are list in the Flood Insurance Study published by FEMA and available at the offices listed in Section 710.01 #1.
- B) Fill used to elevate structures, which are located within the Floodway Fringe, shall extend a minimum of ten (10) feet beyond the walls of the structure at a grade not to exceed ten percent (10%), and be suitably placed and protected to prevent erosion or scour during periods of high water.
- C) They shall have a means of vehicular ingress and egress to land outside the Regulatory Floodplain, which shall be at least fifteen (15) feet wide and at least one (1) foot above the Base Flood Elevation.

- D) The applicant shall obtain and furnish to the Community NFIP Administrator as-built elevations, certified by a Registered Surveyor, of the basement and first floor, to be maintained on file for public inspection.
- E) Flood Protection shall be achieved by elevating the structure. Structures shall not be permitted with floor levels below the Base Flood Elevations.
- F) Placement of a mobile home shall meet or exceed the requirements of Federal Law 44 CFR part 60.3 as may be amended and shall be protected from flotation or lateral movement by over-the-top ties at each corner plus two additional ties per side or frame ties at each corner plus five additional ties per side. Additions to the mobile home shall also be anchored. Individual components of the anchoring system shall be able to carry a 4,800-pound force.

4) Storage or Processing of Materials

Storage or processing of materials which are buoyant, pollutants, flammable, explosive, or could be injurious to human, animal or plant life in time of flooding shall be stored one and one half (1 ½) feet above the Base Flood Elevation, or suitably flood-proofed and protected. The Ohio EPA shall approve proposed protection measures and safeguards. Storage of materials or equipment or placement of other obstructions, which in time of flooding may be dislodged or otherwise carried off site by flood, waters to the possible damage or detriment to life or property must be protected by suitable safety measures approved by the Board of Zoning Appeals.

5) Parking and Loading Areas

Public or private parking or loading areas which would be inundated to a depth of one and one half (1 ½) feet or more or subjected to flow velocities over four (4) feet per second must be provided with adequate flood warning devices and measures approved by the Board of Zoning Appeals.

6) Waste Processing and / or Disposal facilities and Wastewater Treatment and Disposal Systems

Such facilities must be approved by the Ohio EPA, the County Sanitary Engineer, or the County District Board of Health, whichever has jurisdiction, and must be elevated or flood proofed to provide protection from the Base Flood.

7) Flood or Erosion Control Measures or Watercourse Alteration or Relocation

Dams, dikes, levees, embankments, floodwalls, rip rap, rock protection, or other flood or erosion control measures and any alteration or relocation of the channel or watercourse shall be subject to all applicable provisions of Sections 1521.06 and 1521.07 of the Ohio Revised Code and all other applicable State, Federal, County and Local ordinances and regulations, as may be amended.

- A) Such measures over three (3) feet in height or involving over one thousand (1,000) square feet of surface area shall be submitted by the Community NFIP Administrator to the U. S. Army Corps of Engineers and/ or the Ohio Department of Natural Resources for review, recommendations, and approval as appropriate.
- B) Flood control measures intended to remove lands from the Regulatory Floodplain District classification must be approved by FEMA. The Regulatory Floodplain District shall be changed to coincide only with effective revisions to published NFIP maps.
- C) Adjacent communities and ODNR shall be notified when Channels or watercourses are to be altered or relocated.

8) Public or Private Utilities or Facilities

Activities or developments such as bridges, culverts, docks, wharves, piers, water supply, sanitary or storm sewers and works, or construction of other public or private utility works and appurtenances should be planned, designed, constructed, installed, and maintained consistent with the need to minimize the potential of flood damage to them and to the community in accordance with this Resolution.

Section 710.08- Additional Plan Requirements

For Zoning Compliance, Conditional Use Permit, and Variance applications involving the Regulatory Floodplain District, the applicant shall furnish sufficient information to permit the Zoning Administrator/Inspector and / or the Board of Zoning Appeals to determine the Regulatory Floodplain and Floodway Boundaries and Base Flood Elevations, and to otherwise facilitate the administration and enforcement of this Resolution. Such information shall include:

- 1) Plans drawn to scale showing the nature, location, dimensions, and details of the property, development, activities, and land use, both existing and proposed.
- 2) Existing and proposed topographic information.
- 3) Other information as may be reasonably deemed necessary by the Zoning Administrator/Inspector or the Board of Zoning Appeals

Section 710.09- Compliance with Approved Plans

Certificates of Zoning Compliance and Conditional Use Permits issued on the basis of applications, plans, specifications, and other information approved by the Zoning Administrator/Inspector or the Board of Zoning Appeals shall authorize only the use, arrangement, and construction set forth therein.

The applicant shall submit certification of finished elevations, and / or other proofs or assurances of compliance with approved plans to the satisfaction of the Zoning Administrator/Inspector and / or the Board of Zoning Appeals.

Section 710.10- Compliance with the National Flood Insurance Program

The provisions of Section 710 of this Resolution have been submitted to and reviewed by the National Flood Insurance Program (NFIP) State Coordinating Agency and the Federal Emergency Management Agency (FEMA) as required by Federal Law. These agencies have determined that these provisions meet or exceed the Federal standards of Federal Law 44 CFR part 60, as may be amended.

1) Administration

The administration of this Zoning Resolution shall in no way lower any requirement or standard of the National Flood Insurance Program, 44 CFR Part 60.3 and Part 60.6, as may be amended.

2) Community NFIP Administrator

The Community NFIP Administrator shall review all applications involving Conditional Uses and Variances in the Floodplain and prepare a report and recommendation to be submitted to the Board of Zoning Appeals, prior to action by the Board of Zoning Appeals.

Section 710.11- Warning and Disclaimer of Liability

This Resolution does not imply that areas outside the Regulatory Floodplain District or uses allowed or otherwise permitted or approved within the Regulatory Floodplain District in accordance with the provisions of this Resolution will be free from flooding or flood damages. This Resolution or its administration and / or enforcement shall not create liability on the part of the Township, any officer or employee of the Township or other staff or personnel involved in its administration and / or enforcement. Additional flood protection beyond that required by this Resolution is recommended and encouraged.

SECTION 720 – Excavation and Quarry Regulations

Section 720.01- Purpose

Section 720.02- Permitted Uses

Land and structures governed by the Excavation and Quarry Regulations shall be used only for the following purposes in addition to permitted uses of the Zoning District in which the land is located.

- 1) Extraction
 - A) Dimension Stone.
 - B) Crushed and Broken Stone, including riprap.
 - C) Sand and Gravel.
 - D) Clay, Ceramics, and Refractory Minerals.

- 2) Processing
 - A) The temporary erection and operation of plants and equipment necessary for crushing, polishing, dressing or otherwise physically or chemically processing the material extracted on the site including:
 - 1) Concrete brick and block.
 - 2) Other concrete products.
 - 3) Ready mixed concrete.

Section 720.03- Development Standards

In addition to the provisions of Article VIII – GENERAL DEVELOPMENT STANDARDS, the following standards for arrangement and development of Land and buildings are required under the Excavation and Quarry Regulations.

- 1) Intensity of Use

There is no minimum lot area required; however, the lot shall be adequate to provide the yard space required by the following Development Standards and meet the requirements of Article VIII:

 - A) For excavation, quarrying and permitted processing, all equipment used shall be constructed, maintained and operated in such a manner as to eliminate, as far as practicable, noise, vibrations, or dust which would injure or annoy persons living or working in the vicinity.

- B) Access ways or roads within the premises shall be maintained in a dust-free condition through surfacing or such other treatment as may be necessary.
- C) No excavation shall be made from the banks or beds of Rocky Fork or Blacklick Creeks; or any other such stream or waterway designed as necessary to the Flood Control Program of Franklin County and no quarrying shall be permitted closer than two hundred (200) feet of either bank of the above named creeks except by a finding of the Franklin County Engineer which shall show that such excavation or quarrying shall not impair the lateral support needed for permanent stream levees.
- D) All excavations shall be made either to a depth of five (5) feet below a water producing level, or graded, or back filled with non-noxious and non-inflammable solids to assure that the excavated area will not collect and retain stagnant water, or that the graded or back filled surface will create a gently rolling topography to minimize erosion by wind or rain and substantially conform with the contour of the surrounding area.
- E) Whenever the floor of a quarry is five (5) feet or more below the grade of adjacent land, the property containing the quarry shall be completely enclosed by a barrier either consisting of a mound of earth not less than six (6) feet high located at least twenty-five (25) feet from any street right-of-way and planted with a double row of approved landscaping or shall be enclosed with a chain link fence or its equivalent in strength and protective character to a height of six (6) feet along the property line. Such barriers may be excluded where deemed unnecessary by the Franklin County Engineer because of the presence of a lake, stream or other existing natural barrier.

2) Yard Requirements

- A) An excavation shall be located one hundred (100) feet or more and back filled to one hundred fifty (150) feet from a street right-of-way line; quarrying operations shall be located fifty (50) feet or more from a street right-of-line. With approval by the Franklin County Engineer, such excavation or quarrying may be permitted within these limits to the point of reducing the ground elevation to the established street level.
- B) Excavation or quarrying shall be no closer than fifty (50) feet to a property boundary line, except with the written consent of said adjacent property owner.
- C) Plants or equipment for processing of extracted materials or other approved ancillary operations shall not be located nearer than six hundred (600) feet to the boundary of the land placed under the provisions of the Excavation and Quarry Regulations.

Section 720.04- Rehabilitation Plan

Extraction shall be permitted only from an area for which there is a Rehabilitation Plan approved by the Township Trustees.

1) Rehabilitation Plan

All such Rehabilitation Plans shall include the following:

- A) A grading plan showing existing contours in the area to be extracted and proposed future contours showing the topography of the area after completion. Such plans shall include the surrounding area within five hundred (500) feet of the property boundary line, drawn to an appropriate scale with contour lines at intervals of five (5) feet or less.
- B) Existing and proposed drainage of the area.
- C) Details of regarding and re-vegetation of the site during and at conclusion of the operation.

2) Required Rehabilitation

The following requirements shall be met in the Rehabilitation Plan:

- A) The banks of all extraction, when not back filled, shall be sloped at a grade of not less than two (2) feet horizontal to one (1) foot vertical. This slope shall be maintained twenty (20) feet beyond the water line if such exists.
- B) Spoil banks shall be graded to a level suiting the existing terrain.
- C) All banks and extracted areas shall be surfaced with at least six (6) inches of suitable soil, except exposed rock surfaces, and shall be planted or seeded with trees, shrubs, legumes or grasses and maintained until the soil is stabilized and approved by the County Engineer.
- D) When any extraction has been completed, such area shall either be left as a permanent spring-fed lake or the floor thereof shall be leveled in such manner as to prevent the collection and stagnation of water and to provide proper drainage without excessive soil erosion, and shall otherwise comply with these requirements.
- E) All equipment and structures shall be removed within three (3) months of the completion of the extraction of materials.

SECTION 730- OIL and GAS DISTRICT REGULATIONS

Section 730.01- Purpose

Section 730.02- Permitted Uses

Land and structures governed by the Oil and Gas District Regulations shall be used only for the following purposes in addition to Permitted Uses of the Zoning District in which the land is located:

- 1) Extraction
 - A) Crude Petroleum
 - B) Natural Gas
 - C) Natural Gas Liquids
 - D) Oil and Gas Field Services

- 2) Temporary Equipment and Structures
 - A) The temporary erection of structures and equipment necessary for the drilling and production of oil or gas on the site.

Section 730.03- Development Standards

In addition to the provisions of Article VIII – GENERAL DEVELOPMENT STANDARDS, the following standards for the arrangement and development of land and buildings are required in the Oil and Gas District:

1) Spacing of Wells

No permit shall be issued to drill, deepen, reopen, or plug a well for the production of oil or gas unless the proposed well is located:

- A) Upon a tract or drilling unit containing not less than ten (10) acres.
- B) Not less than four hundred sixty (460) feet from any well drilling to, producing from, or capable of producing from the same pool.
- C) Not less than two hundred thirty (230) feet from a boundary of the subject tract or drilling unit.

2) Access and Egress

- A) Prior to commencement of any drilling operations, all private roads used for access to the drill site and the drill site itself shall be surfaced by clean, crushed rock, gravel or decomposed granite, maintained to prevent dust and mud.

3) Derricks

- A) All derricks and masts hereafter erected for drilling or re-drilling shall be at least equivalent to the American Petroleum Institute Standards 4A, 14th Edition and 4D, 3rd Edition, as may be amended.

4) Signs and Fencing

- A) A sign having a surface area of not less than two (2) square feet and no more than six (6) square feet bearing the current name and number of the well and the name or insignia of the operator shall be displayed at all times from the commencement of drilling operations until the well is abandoned.
- B) All oil well production equipment having external moving parts hazardous to life or limb shall be attended 24 hours per day or be enclosed by a steel chain link type fence not less than six (6) feet in height and in addition having not less than three (3) strands of barbed wire sloping outward at approximately a 45-degree angle and for eighteen (18) inches from the top of the fence. There shall be no aperture below such fence greater than four (4) inches. Fence gates shall be placed at non-hazardous locations and shall be locked at all times when unattended by a watchman or service man.

5) Lighting, Delivery and Power

- A) Lighting. All lights shall be directed or shielded so as to confine direct rays to the drill site.
- B) Delivery of Equipment. The delivery or removal of equipment or material from the drill site shall be limited to the hours between 7:00 AM and 7:00 PM, except in case of emergency.
- C) Power Sources. All power sources shall be electric motors or muffled internal combustion engines.

6) Storage of Equipment

- A) There shall be no storage of material, equipment, machinery or vehicle, which is not for immediate, use or servicing on an installation on the drill site. Storage tanks shall be located on the drill site and storage tank capacity at the drill site shall not exceed a total aggregate of two thousand (2,000) barrels exclusive of processing equipment.

7) Flammable Waste Gases

- A) Flammable waste gases or vapors escaping from a production drill site shall be burned or controlled to prevent hazardous concentration reaching sources of ignition or otherwise endangering the area.

Section 730.04- Rehabilitation Plan

Drilling and production shall be permitted only from an area for which there is a Rehabilitation Plan approved by the Township Trustees.

1) Rehabilitation Plan

All such Rehabilitation Plans shall include the following:

- A) Redevelopment plan showing existing and proposed site and all facilities pertinent thereto. Such plans shall include the surrounding area within five hundred (500) feet of the property boundary line, drawn to an appropriate scale.
- B) Details of regarding and re-vegetation of the site during and at conclusion of the operation.

2) Required Rehabilitation

The following requirements shall be met in the Rehabilitation Plan:

- A) Upon cessation of drilling and beginning of production, the well shall be serviced only with a portable derrick when required.
- B) All concrete, pipe, wood and other foreign materials shall be removed from the drill site to a depth of six (6) feet below grade, unless part of a multi-well cellar then being used in connection with any other well for which a permit has been issued.
- C) All holes and depressions shall be filled and packed with native earth. All oil, waste oil, refuse or waste material shall be removed from the drill site.
- D) Adequate landscaping shall be required of the drilling site with screen planting around visible equipment and tanks, ground cover on other portions of site and maintenance of all equipment and premises in a good and painted condition.
- E) All drilling equipment and the derrick shall be removed from the premises within sixty (60) days following the completion, abandonment or desertion of any well.

SECTION 740- Exceptional Use District Regulations

Section 740.01- Purpose

Section 740.02- Special Uses

The following listed uses shall be subject to these Exceptional Use District Regulations, except as other provisions of this Zoning Resolution may permit them.

- 1) Transportation
 - A) Airport or Flying Field
 - B) Transportation Terminals
 - C) Depots or other transportation facilities not exempt from regulation

- 2) Recreation and Amusement
 - A) Amusement Center or Amusement Park
 - B) Skating Rink
 - C) Miniature Golf
 - D) Swimming Pool
 - E) Drive-In Theater or similar facility
 - F) Athletic Field or Stadium
 - G) Race Track or similar sports facility not otherwise allowed by the provision of this Resolution
 - H) Golf Club or Country Club
 - I) Fishing Club, Lake, or Gun Club
 - J) Riding Stable, including boarding of animals
 - K) Resort Establishment
 - L) Boating, Camping, Park or Picnic grounds
 - M) Similar recreational facility operated on an admission fee or membership basis

- 3) Social and Cultural Institution (not otherwise allowed by the provisions of this Resolution)
 - A) Cemetery or Crematory
 - B) Hospital
 - C) Sanitarium
 - D) Convalescent Home
 - E) Group or Family Home
 - F) Home for Children or the Aged (rest)
 - G) Private School or College including those with students or faculty in residence

- 4) Other Uses not provided for
 - A) Other legal uses of unique or exceptional requirements or circumstances that are other wise not permitted by this Resolution.

Section 740.03- Procedure

The following procedure shall be followed in placing land in the Exceptional Use District.

- 1) Development Plan

Eight (8) copies of a Development Plan shall be submitted with the application for amendment of the Zoning District Map and such plan shall include text or map form:

 - A) The proposed location and size of areas if use, indicating size, location and type of structure.
 - B) The proposed location, size and use of all open areas landscaped and other open space with suggested ownership of such areas.
 - C) The proposed provision of water, sanitary sewer and surface drainage facilities including engineering feasibility studies.
 - D) The proposed circulation pattern including streets, both public and private, parking areas, walks and other access ways including their relation to topography, existing streets and other evidence of reasonableness.

- E) The proposed schedule of site development and construction of buildings and associated facilities including sketches or other documentation indicating design principles or concepts for site development, buildings, landscapes or other features. Such schedule shall include the use or redevelopment of existing features such as structures, streets, easements, utility lines and land use.
- F) The relationship of the proposed development to the existing and future land use in the surrounding area, the street system, community facilities land services and other public improvements.
- G) Evidence that the applicant has sufficient control over the land to effectuate the proposed Development Plan within three (3) years. Such control includes property rights, economic resources and engineering feasibility as may be necessary.

2) Basis of Approval

The basis of approval for the Exceptional Use District shall be:

- A) That the proposed development is consistent in all respects with the purpose, intent, and applicable standards of this Zoning Resolution.
- B) That the proposed development is in conformity with a Comprehensive Plan or a portion thereof as it may apply.
- C) That the proposed development advances the general welfare of the Township and that the benefits to be derived from the proposed use justify the change in the land use character of the area.

3) Effect of Approval

The Development Plan as approved by the Township trustees shall constitute an amendment of the Special District Map and a supplement to the Exceptional Use District Regulations as they apply to the land included in the approved amendment.

The approval shall be for a period of three (3) years to allow the preparation of the Subdivision Plat, submitted in accordance with the Subdivision Regulations for Franklin County, Ohio, if required; or if no plat is required for the completion of plans for application for a Certificate of Zoning Compliance. If the plat is not submitted and filed not such Certificate applied for and used with the three (3) year period the approval shall become void and the land shall revert to its last previous Zoning District, except if an application for time extension is submitted and approved in accordance with 740.03 #4.

4) Extension of Time or Modification

The Board of Trustees may approve an extension of the time limit. Modifications may be approved according to the normal rezoning procedure. Such approval shall be given upon finding of the purpose and necessity for such extension or modification and evidence of reasonable effort toward the accomplishment of the original Development Plan, and that such extension or modification is not in conflict with the general health, safety and welfare of the public or the Development Standards of the Exceptional Use District.

Section 740.04- Development Standards

The provisions of Article VIII- General Development Standards shall pertain to the Exceptional Use District. Because of the unique nature and requirements of these uses, and because their locations cannot be readily predetermined, appropriate Development Standards cannot be set forth, but full usage of the Development Standards, requirements, and other provisions of this Resolution as they may be appropriate, shall be used.