

CITY OF FRANKLIN, OHIO
ORDINANCE 2023-01

**ADOPTING THE RECOMMENDATION OF PLANNING COMMISSION AND APPROVING CERTAIN AMENDMENTS TO
THE UNIFORM DEVELOPMENT CODE TEXT AND OFFICIAL DOWNTOWN DISTRICT ZONING MAP
OF THE CITY OF FRANKLIN, OHIO TO CREATE THE DOWNTOWN ZONING DISTRICTS
AND ELIMINATE THE HISTORIC OVERLAY DISTRICT**

WHEREAS, the City of Franklin has been working collaboratively with a consulting firm to develop new zoning regulations tailored to fit the character of, and vision and economic development goals for, the City's downtown area;

WHEREAS, the City of Franklin Planning Commission , over the course of multiple public meetings, reviewed and gave input on certain proposed amendments to the Uniform Development Code (the "UDO") and the official Downtown District Zoning Map of the City of Franklin, which would create several new downtown area zoning districts and eliminate the Historic Overlay District (collectively, the "Amendments");

WHEREAS, Planning Commission held a public hearing on the Amendments during its regularly scheduled meeting on December 14, 2022;

WHEREAS, in accordance with Section 1115.04 of the UDO, Planning Commission unanimously passed a motion to initiate the Amendments to the UDO and official Downtown District Zoning Map, and recommend approval of the Amendments to City Council;

WHEREAS, City Council reviewed the recommended Amendments (attached as "Exhibit A" and "Exhibit B" to this Ordinance), and held a public hearing on the same, during its regularly scheduled meeting on January 9, 2023; and

WHEREAS, City Council finds the Amendments are in the best interests of the City of Franklin and its residents and, therefore, the recommendation from Planning Commission to approve the Amendments is well-taken and shall be adopted by Council pursuant to this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FRANKLIN, WARREN COUNTY, OHIO THAT:

Section 1. City Council hereby adopts the December 14, 2022 recommendation from Planning Commission to approve the Amendments, as set forth in Exhibit A and Exhibit B attached to this Ordinance.

Section 2. The text of the UDO is hereby amended as set forth in Exhibit A attached to this Ordinance.

Section 3. The official Downtown District Zoning Map is hereby amended as set forth in Exhibit B attached to this Ordinance.

Section 4. It is found that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council that resulted in this formal action occurred in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code, and the Rules of Council.

Section 5. Pursuant to Section 1115.04 of the UDO, the Amendments shall be effective thirty (30) days following the passage of this Ordinance.

INTRODUCED: January 9, 2023

ADOPTED: February 6, 2023

ATTEST: Khristi Dunn
Khristi Dunn, Clerk of Council

APPROVED: Todd Hall
Brent Centers, Mayor

CERTIFICATE

I, the undersigned Clerk of Council for the Franklin City Council, do hereby certify that the foregoing is a true and correct copy of Ordinance 2023-01 passed by that body on February 6, 2023.

Khristi Dunn
Khristi Dunn, Clerk of Council

APPROVED AS TO FORM: Ben Yoder Ben Yoder, Law Director

SECTION 1: **REPEAL** “1109.04 Historic Overlay District” of the City of Franklin Municipal Code is hereby *repealed* as follows:

REPEAL

~~1109.04 Historic Overlay District (Repealed)~~

- (a) Purpose: The purpose of the Historic Overlay District is to maintain and enhance the distinctive character of the Downtown area by safeguarding the architectural integrity of the various period structures within it, and to prevent intrusions and alterations within the district that would be incompatible with this established character.
- (b) Boundaries: The boundaries of the Historic Overlay District are outlined on Map attached at the end of this Chapter.
- (c) Applicability:
 - (1) The regulations contained in this Section shall apply to all buildings and structures within the Historic Overlay District that are at least one hundred (100) years old, as dated from the then current year, and as determined by the inventories kept by the City, or the records of the Warren County and/or Franklin Historical Societies, or other public records. A Certificate of Appropriateness shall be required for any proposed changes to the exterior surface of the building or structure, any proposed changes in signage, or any other proposed changes to any unique environmental features of the lot upon which the building or structure is located.
 - (2) For any buildings and structures within the Historic Overlay District, the Historic District Review Board may recommend and/or Council may waive any of the design requirements or standards contained in this Section if it finds the proposed changes or new construction meets the general intent of this Section.
- (d) Certificate of Appropriateness Required:
 - (1) A Certificate of Appropriateness is required from the Historic District Review Board prior to any new construction, remodeling, reconstruction or demolition. A Certificate of Appropriateness is required from the Zoning Official prior to the onset of maintenance or repair such as set forth in subparagraph (3), below.
 - (2) A Certificate of Appropriateness is required from the Historic District Review Board prior to the erection of any sign that requires a permit pursuant the City's sign regulations, as outlined in section 1111.08.
 - (3) Nothing in this Section shall be construed to prevent the ordinary maintenance or repair of any property within the Historic Overlay District, provided such work involves no change in material, design, texture, color or outer appearance; nor shall anything in this Section be construed to prevent any change, including the construction, reconstruction, alteration or demolition of any feature which in the view of the Zoning Official is required for the public safety because of an unsafe, insecure or dangerous condition.
- (e) Process:

- (1) Applications for a Certificate of Appropriateness shall be filed with the Zoning Official by the deadline established by the Zoning Official. The applicant shall submit with his application drawings, material and color samples, sketches and other information that indicates or identifies the proposed exterior or other proposed changes.
 - (2) The Historic District Review Board shall review and approve, approve with modifications or disapprove such applications within thirty (30) days, unless the application is tabled at the request of the applicant or is tabled by the Board to gather additional information.
 - (3) Upon approval with modifications or disapproval of an application, the applicant may appeal the decision of the Historic District Review Board to City Council. Such appeal shall be made within twenty (20) days from the date of the Board's decision by filing a notice of appeal with the Clerk of Council.
 - (4) Upon approval of an application by the Historic District Review Board, upon approval by Council upon appeal, the Zoning Official shall issue a Certificate of Appropriateness within thirty (30) days.
- (f) Design Requirements:
- (1) Reconstruction or rehabilitation within the Historic Overlay District shall conform to the distinguishing, original exterior qualities or character of the structure, its site, and its environment.
 - (2) The design of new structures and of additions to existing structures, including new site improvements, shall take into account the architectural style, general design, arrangement, texture, material and color of other structures and premises within the Historic Overlay District.
 - (3) Materials:
 - (A) The use of natural traditional exterior materials such as brick, stone, masonry and wood is encouraged on all new structures and all reconstruction or remodeling of existing structures within the Historic Overlay District.
 - (B) The use of contemporary materials, such as metals, fiberglass and plastics for exterior surfaces is permissible provided these materials duplicate the design, texture and other visual qualities of the building's original materials. Each application proposing the use of contemporary materials shall provide detailed plans to the Board, to allow the Board to understand the proposed method of installation and the impact on specific architectural elements of the building.
 - (4) Traditional colors and combinations of those colors that reflect the character of the Downtown area, and which have approved by the Board, shall be used for budding exteriors for all new construction to be built, and reconstruction, remodeling and exterior maintenance of existing structures within the Historic Overlay District.
 - (5) All signs within the Historic Overlay District shall conform to color and material standards of this section, be of such a style or design that reflects the character of the Downtown area and shall conform to the sign requirements contained in section 1111.08. Sign size and shape shall also respond to the existing proportions of period structures, and signs shall not be permitted to cover, blank out or close existing window and doorway openings or otherwise

hide important architectural features.

- (6) Guidelines, policies and general information pertaining to the use of materials, colors, signage, landscaping, renovation techniques and other design considerations which would be helpful to the public in preparing plans for review shall be kept and made available to the public by the secretary of the Historic District Review Board.
- (g) Standards for Evaluating Applications for Certificate of Appropriateness: In considering the appropriateness of any proposed change to the exterior surface of structures or to the other environmental features of the district, including landscaping, vegetation and exterior signage, the Historic District Review Board and Council shall consider the following:
 - (1) The distinguishing original qualities or character of a period building, structure or site and their environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
 - (2) All buildings, structures and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier appearance inconsistent or inappropriate to the original integrity of the building shall be discouraged.
 - (3) Whereas changes that may have taken place in the course of the time are evidence of the history and development of a building, structure or site and its environment, if these changes are deemed to have acquired significance, then this significance (if any) shall be recognized and respected.
 - (4) Distinctive stylistic features or examples of skilled craftsmanship that characterize that a building, structure or site shall be treated with sensitivity.
 - (5) Significant architectural features that have deteriorated shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture and other visual qualities. Repair or replacement of architectural features should be based on accurate duplications of features, and if possible, substantiated by historic, physical or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
 - (6) The surface cleaning of structures shall be undertaken with methods designed to minimize damage to historic building materials. Sandblasting and other cleaning methods that will damage the historic building materials should be avoided.
 - (7) Every reasonable effort shall be made to protect and preserve archeological resources affected by, or adjacent to any project.
 - (8) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.
 - (9) Wherever possible, new additions or alterations to structures shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the original structure would be

unimpaired.

~~(Ord. 2009-13, Passed 7-6-09.) HISTORIC OVERLAY DISTRICT MAP Contact the Clerk of Council for the Official Map~~

SECTION 2: ADOPTION “1107.11 Downtown Districts” of the City of Franklin Municipal Code is hereby *added* as follows:

ADOPTION

1107.11 Downtown Districts(*Added*)

(a) Intent: The intent and purposes of the Downtown Districts are to implement the vision and recommendations of the Downtown Franklin Master Plan as follows:

- (1) DC-1: Downtown Core District: The intent of the DC-1 Downtown Core District is to promote a mixed use traditional downtown center that is a destination within the region for culture, dining, shopping, and gathering.
- (2) MU-1: Mixed Use District: The intent of the MU-1 Mixed Use District is to identify areas within Downtown Franklin for key mixed-use developments that include a diverse mix of uses at an intensity to catalyze development throughout Downtown Franklin.
- (3) RMU: Riverfront Mixed Use District: The intent of the RMU Riverfront Mixed Use District is to establish a multi-use destination along the Great Miami River, that attracts people for commercial, recreation, or leisure experiences.
- (4) CV-1: Civic: The intent of the CV-1 Civic District is to identify areas within Downtown Franklin for civic destinations that provide a variety of key services to Franklin residents and the region.
- (5) TN-1: Transitional Neighborhood: The intent of the TN-1 Transitional Neighborhood District is to provide a variety of residential development types, styles, and proce points that cater to existing Franklin residents, while also attracting new residents into the city.

(b) Use Standards

(1) Use Permissions

- (A) Permitted Uses: A "P" in a cell indicates that a use is allowed-by-right in the respective zoning district. Permitted uses are subject to all other applicable regulations of this code.
- (B) Conditional Uses: A "C" in a cell indicates that a use may be permitted if approved through the conditional use process (Section 1113.01). Conditional uses may be subject to use-specific standards that are identified in the last column of Table 13. Conditional uses are subject to all other applicable regulations of this code, including the conditional use review standards set forth in section 1113.01.
- (C) Prohibited Uses: A blank cell in Table 13 indicates that a use is prohibited in the respective zoning district. If a use is not listed on Table 13, then it shall also be considered prohibited, unless approved

specifically through the similar use determination as established in section 1115.09(f): Determination of Similar Uses.

- (D) Additional Standards: The section reference contained in the "Additional Standards" column on Table 13 are references to additional standards and requirements that apply to uses listed in the respective row. Standards referenced in the table apply to all the zoning districts in which the use is permitted or conditionally permitted, unless otherwise expressly stated.
- (E) Mixed Uses: Mixed use buildings and developments are subject to the following:
- (i) All uses within the building or development are permitted in the zoning district in which the building or development is located.
 - (ii) To be considered mixed use, there shall be at least two uses integrated within the same building or lot.
- (2) Existing Uses: Uses that are existing and were permitted under the zoning of a property immediately prior to being rezoned to a Downtown District are permitted to continue and are considered conforming to this code, even if the use or the building type is not otherwise permitted in the district in which the use is located, provided that the following requirements are met:
- (A) If an existing use is voluntarily discontinued for 6 months or more, any future use of the property shall be in conformity with this code.
 - (B) Expansion of uses within existing structures shall be permitted on the property provided that at least one of the permitted uses under the prior zoning has been operated continuously in an existing structure, and/or associated use areas on the property, within the 12 months prior to the rezoning of the property.
 - (C) Once a use that complies with this code is established on a lot or parcel, and all existing uses have been abandoned or voluntarily discontinued, no unpermitted use may be re-established
- (3) Multiple Buildings on a Lot: Within the downtown districts, lots may include more than one principal building if approved as part of a major site plan application.
- (4) Use Table: Table 13 lists the uses that are permitted or conditionally permitted within each of the designated Downtown Zoning Districts

Table 13: Uses in the Downtown Districts						
Use	DC-1 Downtown Core	MU-1 Mixed Use	RMU Riverfront Mixed Use	CV-1 Civic	TN-1 Transitional Neighborhood	Additional Standards
Residential Uses						
Adult Family					C	

Home						
Adult Group Home					C	1113.01(e)(16)
Assisted Living & Life Care					C	1113.01(e)(2)
Certified Foster Home					C	
Dwelling, Single Family					P	
Dwelling, Two Family					P	
Dwelling, Three Family					P	
<u>Dwelling, Multi-Family</u>			<u>C</u>		<u>C</u>	
<u>Dwelling, Upper Floors</u>	<u>P</u>		<u>P</u>		<u>C</u>	<u>1107.11(b)(5)(A)</u>
<u>Dwelling, Row House</u>			<u>C</u>		<u>P</u>	<u>1107.11(b)(5)(B)</u>
<u>Dwelling, Live/Work</u>	<u>P</u>				<u>P</u>	<u>1107.11(b)(5)(C)</u>
<u>Elderly Housing</u>					<u>C</u>	<u>1113.01(e)(12)</u>
<u>Family Home for the Disabled</u>					<u>C</u>	
<u>Foster Family Home for the</u>					<u>C</u>	

<u>Disabled</u>						
<u>Group Homes for the Disabled</u>					<u>C</u>	<u>1113.01(e)(16)</u>
<u>Residential Treatment Facility</u>					<u>C</u>	<u>1113.01(e)(27)</u>
<u>Public & Institutional Uses</u>						
<u>Churches</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	
<u>Colleges & Universities</u>		<u>C</u>		<u>C</u>		<u>1113.01(e)(30)</u>
<u>Community Centers</u>		<u>C</u>		<u>C</u>		<u>1113.01(e)(8)</u>
<u>Cultural/Community Facilities</u>			<u>C</u>	<u>C</u>		
<u>Day Care Centers</u>				<u>C</u>	<u>C</u>	
<u>Elementary Schools</u>				<u>C</u>		<u>1113.01(e)(30)</u>
<u>Government Facilities</u>				<u>P</u>		
<u>Health Care & Human Services</u>				<u>C</u>		<u>1113.01(e)(17)</u>
<u>Junior & Senior High Schools</u>				<u>C</u>		<u>1113.01(e)(30)</u>
<u>Public Indoor Recreation</u>	<u>C</u>		<u>P</u>	<u>P</u>		

<u>Public Outdoor Recreation</u>	<u>C</u>	<u>P</u>	<u>P</u>	<u>C</u>		
<u>Public Parks and Open Space</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Public Plazas/Gathering/Eating Areas</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		
<u>Commercial Uses</u>						
<u>Bar, Lounge, & Tavern</u>	<u>P</u>	<u>P</u>	<u>P</u>			
<u>Bed and Breakfast</u>	<u>C</u>		<u>C</u>		<u>C</u>	1113.01(e)(4)
<u>Breweries, Distilleries, Cideries, & Wineries (nano, brewpub, and micro)</u>	<u>P</u>	<u>P</u>	<u>P</u>			
<u>Business Incubation</u>	<u>C</u>	<u>P</u>	<u>C</u>	<u>C</u>		
<u>Business Professional</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>C</u>	
<u>Clubs, Private or Membership</u>						
<u>Commercial Entertainment</u>	<u>C</u>	<u>C</u>	<u>C</u>			1113.01(e)(7)

<u>Commercial Recreation (indoor and outdoor)</u>	<u>C</u>	<u>C</u>	<u>C</u>			<u>1113.01(e)(26)</u>
<u>Commercial Training</u>		<u>C</u>		<u>C</u>		
<u>Consumer Retail</u>	<u>P</u>	<u>P</u>	<u>P</u>			
<u>Co-working Facility</u>	<u>C</u>	<u>P</u>	<u>C</u>	<u>C</u>		
<u>Food Related Retail</u>	<u>P</u>	<u>P</u>	<u>P</u>			
<u>General Retail</u>	<u>P</u>	<u>P</u>	<u>P</u>			
<u>Grocery Food & Beverage</u>	<u>C</u>	<u>P</u>				<u>1113.01(e)(29)</u>
<u>Health & Personal Care</u>	<u>C</u>	<u>P</u>	<u>C</u>	<u>C</u>		
<u>Hotels</u>	<u>C</u>	<u>C</u>			<u>C</u>	<u>1113.01(e)(18)</u>
<u>Makerspace</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		
<u>Medical & Health Related Offices</u>	<u>C</u>	<u>P</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>1113.01(e)(23)</u>
<u>Medical Center/Clinic</u>		<u>C</u>				
<u>Mixed Uses</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		
<u>Personal</u>						<u>1113.01(e)(26)</u>

<u>Service</u>	<u>C</u>	<u>C</u>	<u>C</u>			<u>e)(25)</u>
<u>Restaurants</u>	<u>P</u>	<u>P</u>	<u>P</u>			
<u>Secondhand Dealers</u>	<u>C</u>					
<u>Skilled Nursing Facility</u>					<u>C</u>	<u>1113.01(e)(32)</u>
<u>Smoking & Hookah Bars</u>						
<u>Accessory Uses</u>						
<u>Accessory Use</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>1113.05</u>
<u>Accessory Structure</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>1113.05</u>
<u>Antennas and Towers</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>1113.05(e)</u>
<u>Decks, Patios, and Porches</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>1113.05(f)</u>
<u>Detached Garages & Sheds</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>1113.05(f)</u>
<u>Dish Antenna</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>1113.05(g)</u>
<u>Fences</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>1113.05(h)</u>
<u>Home Occupation A</u>	<u>A</u>	<u>A</u>	<u>A</u>		<u>A</u>	<u>1113.03</u>
<u>Home Occupation B</u>	<u>C</u>	<u>C</u>	<u>C</u>		<u>C</u>	<u>1113.03</u>
						<u>1113.05(</u>

<u>Gazebos</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	j)
<u>In-Law Suites</u>					<u>C</u>	1113.01(e)(19)
<u>Outdoor Dining</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>		1107.11(b)(5)(D)
<u>Outdoor Retail Sales</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>		1107.11(b)(5)(E)
<u>Parking Area</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	1107.11(b)(5)(F)
<u>Parking Garage</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>		1107.11(b)(5)(G)
<u>Private Swimming Pools</u>		<u>A</u>	<u>A</u>		<u>A</u>	1113.05(k)
<u>Temporary Uses</u>						
<u>Carnivals and Circuses</u>	<u>T</u>	<u>T</u>	<u>T</u>	<u>T</u>		705
<u>Farm Markets</u>	<u>T</u>	<u>T</u>	<u>T</u>	<u>T</u>		
<u>Mobile Uses</u>	<u>T</u>	<u>T</u>	<u>T</u>	<u>T</u>		1107.11(b)(5)(H)
<u>Special Events</u>	<u>T</u>	<u>T</u>	<u>T</u>	<u>T</u>		1107.11(b)(5)(I)

(5) -Additional Use Regulations

(A) Dwelling, Upper Floors: The purpose of this use is to allow upper floor dwelling units, where a ground floor non-residential use exists. Such dwellings are subject to the following:

- (i) Such dwelling units may not be located on the ground floor of the building.
- (ii) Separate direct access to a ground floor entrance must be provided.
- (iii) The proposed dwelling units must meet local fire safety requirements for the proposed use and level of occupancy.
- (iv) The proposed use must meet all Ohio Building Code requirements.
- (v) All upper floor dwelling units shall be provided parking spaces in accordance with the multi-family parking

- requirements contained in section 1111.07; excepting that parking may be provided by a satellite parking lot.
- (B) Dwelling, Live/Work: Live/work dwellings are permitted in DC-1 Downtown Core District subject to the ground floor being reserved for non-residential use that is permitted within the DC-1 District. The upper floor(s) may be utilized for dwelling space.
- (C) Dwelling, Row House: Row houses, where permitted, shall meet the following regulations:
- (i) If the row house dwellings have front garage access, then such development shall have a minimum front yard setback of 20 feet from the property line. Row house dwellings are encouraged to be set close to the street with rear parking and garage access.
- (ii) Row house dwellings may be built to the side property line when there is a shared wall along the property line. The ends of each grouping of row house dwellings shall meet the required side yard setback in the district in which they are located, and a minimum of 10 feet shall be maintained between each separated group of row houses.
- (D) Outdoor Dining: Outdoor dining areas may be permitted as an accessory use to a restaurant or similar use in the Downtown Districts, as approved by the city manager or their designee. The location of the outdoor dining area shall not interfere with pedestrian movement on any sidewalk or walkway by providing a clear sidewalk or walkway of at least four feet in width (considering the location of chairs when being used). Outdoor dining areas may be covered with a roof, trellis, or pergola; or may be closed permanently or temporarily to protect against the weather if approved by the city manager or their designee.
- (E) Outdoor Retail/Display: Outdoor retail and/or display areas may be permitted as an accessory use to a retail store or similar use in the Downtown Districts, as approved by the city manager or their designee. The placement of merchandise shall not interfere with pedestrian movement on any sidewalk or walkway by providing a clear sidewalk or walkway of at least four feet in width.
- (F) Parking Area: A parking area may be permitted as a principally permitted use or an accessory use in the Downtown Districts. The purpose of the parking area shall be to serve the property on which it is located, adjacent parcels, and/or to provide parking for the entire downtown Franklin area.
- (G) Parking Garage: A parking garage may be permitted as a principally permitted use or an accessory use in the Downtown Districts. The purpose of the parking garage shall be to serve the property on which it is located, adjacent parcels, and/or to provide parking for the entire Downtown Franklin area.
- (H) Mobile Uses: Mobile uses (such as food trucks, blood drive trucks, or pop-up clothing shops) are permitted in the Downtown Districts subject to the following:

- (i) Mobile uses may be located on private property if the property owner has granted permission. Such mobile food uses shall be located in a designated spot and for a length of time as determined by the property owner and approved by the city manager or their designee.
- (ii) Mobile uses may locate in the public right-of-way if the right-of-way is closed for a special event or if the mobile use is located in a designated parking spot for mobile uses and the location and duration is approved by the city manager or their designee.
- (iii) Mobile uses may be allowed at events on public property with the approval of the city manager or their designee.
- (iv) Waste shall be contained and disposed of in a manner required by law.
- (v) The applicant shall be responsible for obtaining all permits and approvals that may be necessary for the mobile food use including, but not limited to, health, fire, police, and zoning department approvals.
- (I) Special Events: Special events, that are not classified as a carnival, circus, or farm market may be permitted in the Downtown Districts subject to the approval of the city. Such events may take place on private or public property and for a duration that is specified in the approval

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(c) Dimensional Standards

(1) Principal Use Dimensional Requirements

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TABLE 14: Dimensional Requirements in the Downtown Districts					
<u>Dimensional Requirement</u>	<u>DC-1 Downtown Core</u>	<u>MU-1 Mixed Use</u>	<u>RMU Riverfront Mixed Use</u>	<u>CV-1 Civic</u>	<u>TN-1 Transition al Neighborhood</u>
<u>Minimum Lot Size</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>4,000 sq. ft.</u>
<u>Minimum Front Yard Setback</u>	<u>0'</u>	<u>0'</u>	<u>0'</u>	<u>0'</u>	<u>15'</u>
<u>Maximum Front Yard Setback</u>	<u>20'</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
<u>Minimum Side Yard Setback</u>	<u>0'</u>	<u>0'</u>	<u>0'</u>	<u>0'</u>	<u>4'/10' total</u>
<u>Minimum Rear Yard Setback</u>	<u>0'</u>	<u>0'</u>	<u>0'</u>	<u>0'</u>	<u>20</u>
<u>Minimum Lot Width</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>40'</u>
<u>Maximum Height</u>	<u>50'</u>	<u>75'</u>	<u>50'</u>	<u>40'</u>	<u>40'</u>

(2) Accessory Use and Structure Dimensional Requirements: Accessory uses and structures are subject to the regulations set forth in section 1113.5, unless specially exempted or specified otherwise herein.

(A) Decks, Patios, & Porches – Such structures may be located in any yard and are not subject to front, side, or rear yard setbacks as long as the structure is completely located on private property and does not interfere with the public sidewalk or walkway.

(B) Fences

(i) Fences may be permitted in the front yard of the Downtown Districts if it is ornamental in nature and for the purpose of enclosing outdoor dining or sitting areas. Such fences shall be limited in height to four feet and shall be designed with at least 50% opacity. Chain link, untreated/unpainted wood, and vinyl fences are not permitted in the front yard.

(ii) Fences in the side and rear yard are subject to the regulations in section 1113.5(h). Fences shall not be permitted in the public right-of-way, unless specifically permitted by the city manager or their designee.

(iii)

Fences in the Downtown Districts, when associated with a public gathering area, eating area, open space, or similar use, may be erected without a principal structure on the site.

~~(iv) Principal Use Dimensional Requirements Accessory Use DC-1 Downtown Core MU-1 Mixed Use~~

(3) Corner lots: Buildings, signs, landscaping, and any other structures that are on corner lots shall not cause any visibility hazards.

(d) Design Standards

(1) Character

(A) New development and redevelopment projects within Downtown Franklin shall conform to the recommendations in the Downtown Franklin Master Plan and be complementary to the existing character of the area.

(B) Creativity in design is encouraged, though, and this section is not intended to limit unique or iconic designs.

(C) Each project will be evaluated by Planning Commission on its size, scale, design, materials, mass, location, and compatibility with adjacent uses.

(2) Materials

(A) A minimum of three building materials shall be used on every building façade (transparent glass may count as one of the building materials. Roofing materials, awnings, canopies, balconies, or other similar items do not count as one of the required materials).

(B) Permitted building materials shall be high quality, durable materials including but not limited to stone, manufactured stone, brick, wood and composite wood siding, glass, architectural metal panels, and fiber cement siding.

(C) EIFS (Exterior Insulation and Finish System) and stucco may be used as accent materials on the building facades but may not account for more than 15% of each building façade. Vinyl siding is prohibited.

(D) Other equivalent building materials may be approved by the Planning Commission.

(3) Form/Massing

(A) All building elevations shall consist of tripartite configuration consisting of a base or foundation; a middle or modulated wall; and a top portion formed by an articulated roof. The minimum height of the base or foundation shall be 18 inches in height and shall be faced with an articulated masonry, cement, or similar manufactured material. Smooth concrete does not meet this requirement.

(B) All building elevations shall be articulated in a manner to avoid an uninterrupted appearance through the use of windows, doors, offsets, or a change in materials. Building facades that face a public right-of-way, and that are over 40 feet in length shall implement at least one of the following at least every 20 lineal feet along the frontage:

(i) Recesses or projections in the wall that are at least one foot in depth. Balconies or decks can be used to meet this

- requirement.
 - (ii) Façade material or color changes. Windows can be used to break up the façade to meet this requirement.
 - (iii) Pilasters, columns, or other similar architectural details that are a minimum of one foot wide.
 - (iv) Other similar articulation methods may be approved by the Planning Commission.
 - (C) Buildings shall be designed for the pedestrian and should promote an active street frontage and high-quality streetscape design, on all frontages that face a public right-of-way. The primary building entrance shall be clearly identified and shall be oriented to a public street or public gathering area.
- (4) Window Openings: First floor elevations, for non-residential uses that are visible from the public right-of-way, shall maximize window openings as appropriate for the interior use. The first 10 feet of the building, as measured from building grade up, shall provide a minimum of 60% transparency with the use of clear, glass windows. Glass block, opaque, mirrored glass, or darkly tinted glass does not meet this standard.
- (5) Lighting: LED, neon tubing, and string lights that are being used as building accent lighting or window trimming are prohibited in the Downtown Districts. String lights may be used as decoration around outdoor eating and drinking areas, parks, public spaces, or gathering areas.
- (6) Mechanical Equipment Screening: All roof and ground mounted mechanical equipment shall be screened from view from all adjacent properties and rights-of-way using durable, compatible, opaque materials.
- (7) Waivers: The Planning Commission may alter or waive the requirements of this section if the commission deems that the applicant meets the intent of this section.
- (e) Landscaping
 - (1) Bufferyards: Bufferyard landscaping requirements, as established in section 1111.06(g), shall not apply to lots within the Downtown Districts.
 - (2) Parking Lot Landscaping: Parking lot perimeter screening and interior parking area landscaping, as established in section 1111.06(j), shall apply only to parking lots within the Downtown Districts that are visible from the public right-of-way. Parking garages or parking decks shall not be required to provide interior parking area landscaping.
 - (3) Lot Interior Landscaping: Where feasible, lots within the Downtown Districts shall meet the interior landscaping requirement as established in section 1111.06(k)(1).
 - (4) Building Foundation Plantings: Where feasible, building foundation plantings shall be required, as established in section 1111.06(k)(2). Building foundation plantings are not required for buildings that are located within 15 feet of the front property line and where a streetscape or patio treatment is provided between the front building façade and the right-of-way.
 - (5) Modifications: The Planning Commission may waive any of the landscaping requirements that apply to lots within the Downtown Districts if the landscaping requirement is not feasible due to the size, configuration, or

location of such lot.

(f) Signage:

- (1) Signage Requirements: Signs in the Downtown Districts shall conform to the applicable regulations in section 1111.08 unless specially exempted or regulated within this section.
- (2) Residential Signage Requirements: Single family and two family residential uses shall conform to the applicable residential sign regulations.

(g) Parking:

- (1) Parking Requirements: Off-street parking within the Downtown Districts should be reviewed and considered on a district-wide basis and per the recommendations of the Downtown Franklin Master Plan. Due to the configuration, size, and location, of many of the lots within this area, individual parcels cannot provide the off-street parking spaces that would typically be required. Where feasible, new and redevelopment projects within the Downtown Districts shall conform to the regulations in section 1111.07, unless otherwise exempted or regulated within this section.
- (2) Downtown Core, Mixed Use, and Riverfront Mixed Use District Requirements: The Downtown Core, Mixed Use, and Riverfront Mixed Use Districts are exempt from the off-street parking requirements of section 1111.07.
- (3) Civic and Transitional Neighborhood District Requirements: Lots within the Civic and Transitional Neighborhood Districts shall conform to the applicable regulations in section 1111.07.
- (4) Modification: The Planning Commission may waive any of the off-street parking requirements that apply to lots within the Downtown Districts if the requirements are not feasible due to the size, configuration, or location of such lot. Considerations will be taken for available on-street parking, joint parking areas, cross-parking agreements, and destination lots that serve the district.

SECTION 3: **AMENDMENT** “1103.01 Definitions” of the City of Franklin Municipal Code is hereby *amended* as follows:

A M E N D M E N T

1103.01 Definitions

Interpretation:

- (a) For the purposes of this UDO, the following terms, phrases, words and their derivations shall be interpreted as follows:
 - (1) Words used in the singular shall include the plural, and the plural the singular;
 - (2) Words used in the present tense shall include the future tense;
 - (3) Words in the masculine gender shall include the feminine;
 - (4) The words “shall” and “will” are mandatory and not discretionary;
 - (5) The word “may” is permissive;
 - (6) “Person” includes a firm, association, organization, partnership, trust,

“Banner.” A non-rigid cloth, plastic or canvas SIGN typically related to a special event or promotion. National FLAGS, state or municipal FLAGS shall not be considered banners, nor shall the official FLAG of any institution or business be considered a banner.

“Bar (or Tavern).” A commercial establishment that provides, as its PRIMARY ACTIVITY, the sale of alcoholic beverages for consumption on the premises inside of a BUILDING. Such use comprises a part of use group A-2 of the Ohio Building Code.

“Base Flood.” The flood having a one percent (1%) chance of being equaled in any given year. The base flood may also be referred to as the one percent (1%) chance annual flood or the one hundred (100) year flood.

“Base (100-year) Flood Elevation (BFE).” 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).

“Basement.” Any area of the BUILDING having its floor subgrade below ground level on all sides.

“Bed and Breakfast.” An existing single-family residence that provides one to five (1-5) rooms (limited to two individuals or one FAMILY per unit/room) for occasional paying guests on an overnight basis, for periods not to exceed seven (7) consecutive days, with breakfast being available on premises at no additional cost.

“Billboard.” An off-premise, outdoor SIGN exceeding fifty square feet (50 sq. ft.) in area. Billboards are prohibited under this UDO.

“Block.” An area of land within a SUBDIVISION that is entirely bounded by STREETS or highways (except alleys) or a combination of STREETS, highways or ways and/or rivers, streams, railroad RIGHT-OF-WAYS or other exterior boundaries of the SUBDIVISION.

“BMP.” Best Management Practices for stormwater, as defined by this UDO and the Ohio EPA.

“Boarding House.” A residential facility that provides sleeping rooms for rent. Boarding houses are not permitted in any ZONING DISTRICT.

"Breweries, Distilleries, Wineries, Cideries."

- (a) Nano - A limited-production facility that uses a three-barrel or similarly small system. Such facilities only sell their products on the premises.
- (b) Brewpub - An establishment selling beer or other beverage that is produced on the premises and includes a restaurant.
- (c) Micro - A limited-production facility that produces less than 15,000 barrels per year and that typically produce specialty beverages that are generally only sold locally. Such use shall include a tap room and may or may not include a restaurant.
- (d) Macro - A facility that produces 15,000 barrels or more per year and may distribute

outside of the region, and which may or may not include a tap room and/or restaurant.

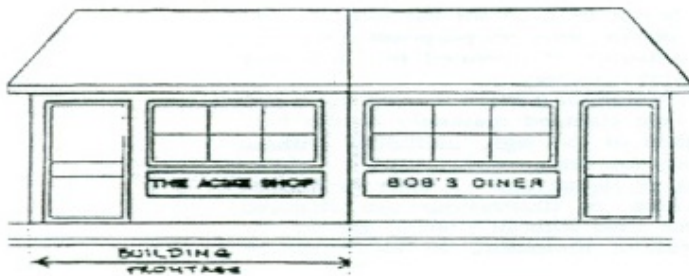
“Buffer.” A designated transition area around water resources or wetlands that is left in a natural, usually vegetated, state so as to protect the water resources or wetlands from runoff pollution. CONSTRUCTION activities in this area are restricted or prohibited (See GREENBELT).

“Buffer Lot.” A LOT on a PLAT across the end of a STREET proposed to be extended by future platting, or a LOT along the length of a STREET where only part of the width has been dedicated, retained by the owner but conditionally dedicated on the PLAT for STREET purposes when the STREET is extended or widened.

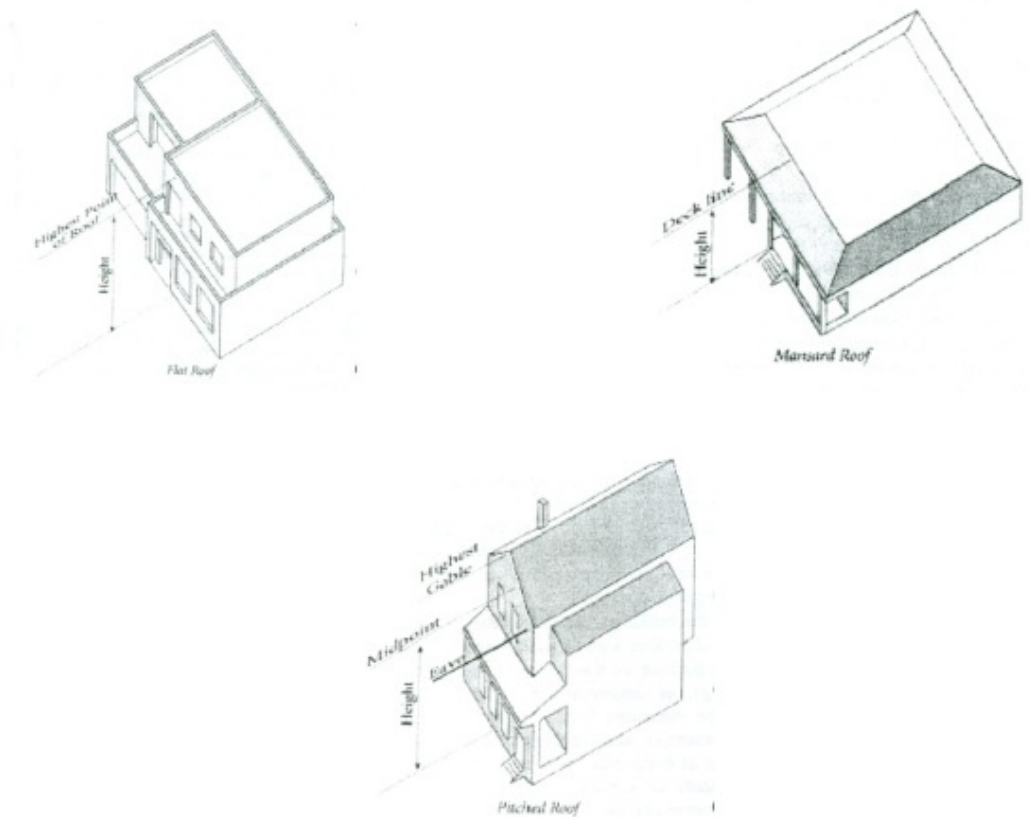
“Buffer Yard.” Landscape areas adjoining or surrounding a land use and unoccupied in its entirety by any BUILDING or STRUCTURE.

“Building.” Any STRUCTURE designed or intended for the support, enclosure, shelter or protection of PERSONS, animals, chattels or property. When separated by a firewall, each portion of such building so separated shall be deemed as a separate building.

“Building Frontage.” The wall of the BUILDING that determines where SIGNS may be placed and the total allowable area of such SIGNS. Only walls that face a STREET, driveway or PARKING AREAS that serves the use shall be considered as building frontage, as determined by the ZONING OFFICIAL. Building frontage shall be measured for the length of the BUILDING occupied by the use or tenant(s), and shall be computed as near to ground level as computation of horizontal distance permits. In cases where this test is indeterminate or cannot be applied, as for instance where there is a diagonal corner entrance, the ZONING OFFICIAL, in his sole discretion, shall select building frontage on the basis of interior layout of the BUILDING, traffic on adjacent STREETS or other indicators.



“Building Height.” The vertical distance measured from the established GRADE to the highest point of the roof surface for flat roofs; to the deck line of mansard roofs; and to the average height between eaves and ridge for gable, hip and gambrel roofs. Where a BUILDING is located on sloping terrain, the height may be measured from the average ground level of the GRADE at the building wall.



“Building Line.” A line established on a PARCEL which is parallel to a street RIGHT-OF-WAY line for the purpose of prohibiting CONSTRUCTION of a BUILDING between such line and an EASEMENT, RIGHT-OF-WAY or public area.

"Business Incubator." An organization that helps startup companies and individual entrepreneurs to develop their businesses by providing full-scale range of services including management training, office space, and financing.

“Business, Professional.” These uses include, but are not limited to, administrative offices, clerical/financial offices, and professional services offices (ARCHITECTS, attorneys, ENGINEERS, dentists, physicians, etc.). All operations are carried on in a completely enclosed BUILDING and comprise a part of the use group B of the Ohio Building Code.

“Business, Retail.” A commercial establishment that provides, as its PRIMARY ACTIVITY, sales of goods to other commercial establishments. Such use is completely contained within a BUILDING and comprises a part of use group B or M of the Ohio Building Code. Examples of such uses include, but are not limited to, office furniture stores and office supply stores.

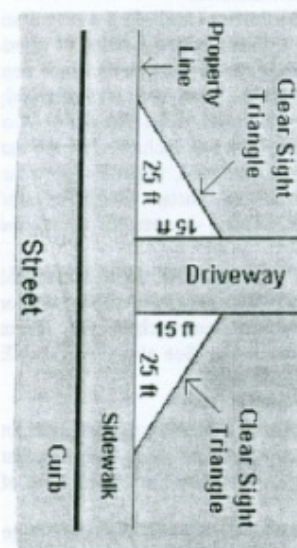
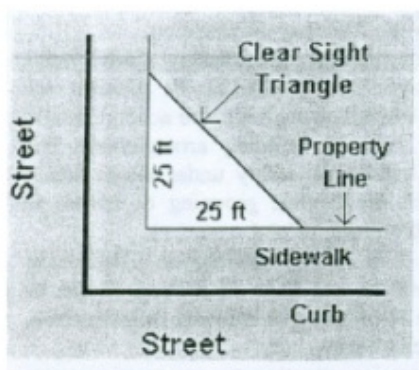
“City.” The incorporated municipality of Franklin, Ohio. For the purposes of this UDO, the term “City” shall also include Franklin City Council, Planning Commission, Appeals Board, Technical Review Committee, ~~Historic District Review Board~~ and/or City administrative staff or employees.

“City Engineer.” The person holding the title of City Engineer of the City of Franklin, or his designee.

“City Manager.” The person holding the title of City Manager of the City of Franklin, or his designee.

“Clear Sight Triangle.” The triangular area formed by a diagonal line connecting two points located on intersecting lines of a RIGHT-OF-WAY, EASEMENT of access, or pavement edge of an access drive, each point being twenty feet (20') from the intersecting lines and extending vertically from a height of three feet (3') above GRADE to ten feet (10') above GRADE.

“Co-location.” The use of a wireless telecommunications facility by more than a single wireless telecommunications provider.



"Club, Private or Membership." Organizations that generally have some meaningful conditions for membership, with operations often controlled by the membership, and whose facilities and activities are only open to members and their guests.

“Colleges and Universities.” An institution, other than a trade school, that provides full-time or part-time education beyond SENIOR HIGH SCHOOL.

“Commercial Entertainment.” A commercial establishment that provides, as its PRIMARY ACTIVITY, space for various types of sporting and/or leisure activities. Such use is completely contained within a BUILDING and comprises part of use group A or B of the Ohio Building Code, whichever is appropriate. Examples of such uses include, but are not limited to, skating rinks, bowling alleys, indoor PLAYGROUNDS and MOVIE THEATERS.

“Construction Sign.” A SIGN directing attention to CONSTRUCTION upon property where the SIGN is displayed, and bearing the name, address, sub-lot number or other identifier of the contractor.

“Consumer Retail.” A commercial establishment (excluding a RESTAURANT or VEHICLE DEALER) that provides, as its PRIMARY ACTIVITY, sales of goods to the general public. Such uses generally require locations on or near major thoroughfares or their intersections. Such use is completely contained within a BUILDING and comprises a part of the use group M of the Ohio Building Code. Examples of such use include, but are not limited to, supermarkets, stores that sell hardware, apparel, footwear, jewelry, toys, sporting goods, automotive parts, cosmetics and toiletries, and appliances and home furnishings, department stores and discount stores.

“Convenience Store.” A retail sales business that sells household consumer merchandise, beverages, cigarettes, packaged foods, and/or the preparation and sales of delicatessen sandwiches, ice cream counters or other foods, and other related items. (See also GASOLINE SERVICE STATION/CONVENIENCE STORE).

“Corner Lot.” See LOT.

“Council.” The Council of the City of Franklin, Ohio.

“Covering.” Any clothing or wearing apparel, including pasties, but not including any substance that can be washed off the skin, such as paint or make up, or any substance designed to simulate the appearance of the anatomical area beneath it.

"Co-working Facility." A facility that is designed to accommodate people from different companies who come to do work. Such uses are characterized by shared facilities, services, and tools.

“Credit Service Organization.” Any business that is registered, or is required to be registered, under ORC 4712.01 to 4712.14 to provide credit services as defined in ORC 4712.01(C). Credit service organization does not include any bank, savings and loan, credit union or similar financial institution doing business under authority granted by the Ohio Superintendent of Financial Institutions or by the equivalent regulatory authority of another state of the United States.

“Critical Storm.” A storm that is calculated by means of the percentage increase in volume of runoff by a proposed earth disturbing activity or DEVELOPMENT AREA. The critical storm is used to calculate the maximum allowable storm water discharge rate from a site.

“Crosswalk.” A RIGHT-OF-WAY, dedicated to public use, which crosses a BLOCK to facilitate pedestrian access to adjacent STREETS and ADJACENT PROPERTIES.

“Crown.” The upper mass or head of a tree.

“Cultivar.” A cultivated variety of plant material grown for its special form and characteristics.

“Garage (Private).” An ACCESSORY STRUCTURE or portion of a MAIN BUILDING designed or used for the storage of motor-driven VEHICLES, boats and similar VEHICLES owned or used by the occupants of the BUILDING to which it is accessory.

“Garage, Service.” Any premises used for the storage or care of motor-driven VEHICLES, or where any such VEHICLES are equipped for operation, repaired or kept for remuneration, hire or sale.

“Gasoline Service Stations.” An establishment or business with one or more fueling positions and of which the sale and storage of automotive fuel for NONCOMMERCIAL MOTOR VEHICLES is the principal activity.

“Gasoline Service Stations/Convenience Stores.” An establishment or business with one or more fueling positions, the business of which is the sale and storage of automotive fuel for NONCOMMERCIAL MOTOR VEHICLES is the principal activity, and which also offers for retail sale other related MOTOR VEHICLE products, household consumer merchandise, beverages, cigarettes, packaged foods, and/or the preparation and sales of delicatessen sandwiches, ice cream counters or other foods, and other related items. (See also CONVENIENCE STORE).

“General Industry.” An industrial establishment that provides, as its PRIMARY ACTIVITY, space for the assembly, manufacturing, processing or warehousing of goods or products, and which typically involve external impacts such as noise, dust, smoke, fumes, odors, heavy truck and/or rail traffic or other objectionable characteristics. Such use may have outdoor storage and/or operation space and comprises a part of use groups F-1, F-2, H-1, H-2, H-3, H-4 or H-5 of the Ohio Building Code. Examples of such uses include goods produced by factory assembly, paper mills, fabrication and assembly of metal products. General Industry does not include junkyards, recycling centers, recycling plants, salvage/scrap yards, scrap metal processing facilities, and uses of similar intensity.

“General Retail.” A commercial establishment (excluding a RESTAURANT or MOTOR VEHICLE) that has, as its PRIMARY ACTIVITY, the sale of goods to the general public. Such use may include some outside display and/or storage space and comprises a part of use group M of the Ohio Building Code. Examples of such uses include garden shops, BUILDING supply stores and contractor showrooms.

“Golf Course.” A tract of land laid out with at least nine (9) holes for playing a game of golf and improved with trees, greens, fairways and hazards. A golf course may include a clubhouse and shelters as ACCESSORY USES (See also RECREATION, COMMERCIAL).

“Government Facility.” Any buildings, structure, or use, or portion thereof, used by a governmental agency for administrative or service purposes, but not including buildings devoted solely to the storage and maintenance of equipment and materials.

“Grade (ground level).” The average of the finished ground level at the center of all walls of a BUILDING. In case walls are parallel to and within five feet (5') of a sidewalk, the above ground level shall be measured at the sidewalk, unless otherwise defined within this UDO.

“Health Commissioner.” The Warren County Commissioner of Health or his authorized representative.

“Height, or Above Ground Level (AGL).” When referring to a TOWER or other STRUCTURE, the distance measured from the finished GRADE at the base of the TOWER or STRUCTURE to the highest point on the TOWER or other STRUCTURE, including the base pad and any ANTENNA.

~~“Historic Structure.” Any STRUCTURE that is: 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; 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; Individually listed on the State of Ohio's inventory of historic places maintained by the Ohio Historic Preservation Office; or Individually listed on the inventory of historic places maintained by the CITY'S historic preservation program, which program is certified by the Ohio Historic Preservation Office.~~

“Home Occupation Type-A/Family Home Occupation.” A Home Occupation Type-A shall be considered an ACCESSORY USE not requiring a CONDITIONAL USE Permit (See Section 1113.03 of this UDO).

“Home Occupation Type-B/Retail Home Occupation.” A Home Occupation Type-B requires a CONDITIONAL USE Permit (See Section 1113.03 of this UDO).

“Homeowners' Association.” A private, nonprofit corporation of homeowners established by a DEVELOPER or group of DEVELOPERS, with local government approval, whose purpose is to own, operate and maintain various common properties, including, but not limited to, COMMON OPEN SPACE, private streets and recreation facilities. The association/corporation holds title to common property.

“Hospital or Sanitarium.” An establishment for the medical, surgical or psychiatric care of bed patients for a continuous period longer than twenty-four (24) hours, which is open to the general public twenty-four (24) hours each day for emergency care, has a minimum of ten (10) patient beds, an average of two thousand (2,000) patient days per annum, and has on duty a registered nurse twenty-four (24) hours each day.

“Hotel/Motel.” A BUILDING occupied as the more-or- less temporary abiding place of individuals who are lodged with or without meals in which there are ten (10) or more sleeping rooms and no provision made for cooking in any individual room or apartment. A hotel may include RESTAURANTS or cocktail lounges, public banquet halls, ballrooms or meeting rooms.

“Hydrologic and Hydraulic Engineering Analysis.” 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.

“Manufactured Home.” A building unit or assembly of closed construction that is fabricated in an off-site facility and constructed in conformance with the federal construction and safety standards established by the secretary of housing and urban development pursuant to the Manufactured Housing Construction and Safety Standards Act of 1974, 88 Stat. 700, 42 USCA 5401, 5403, and that has a permanent label or tag affixed to it, as specified in 42 USCA 5415, certifying compliance with all applicable federal construction and safety standards.

“Manufactured or Mobile Home Park.” As specified in the Ohio Administrative Code 4781-12-01, a manufactured or mobile home park means any tract of land upon which three or more MANUFACTURED HOMES or MOBILE 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. Manufactured Home Parks and Mobile Home Parks are not permitted under this UDO.

"Makerspace." A communal public workshop in which makers can work on small personal projects. Makerspace may be a principal use or an accessory use to an office , school, library, or other similar use.

“Marquee.” A permanent roofed STRUCTURE attached to and supported by the BUILDING and projecting beyond the BUILDING LINE or over public property.

“Marquee Sign.” A SIGN attached to or constructed in a MARQUEE (See also CANOPY SIGN).

“Material Sciences.” These uses are permitted in the Office-Research Park District and include, but are not limited to, the following uses: plastics/polymer research and engineering, laser technology and application, robotic research, and the manufacturing, processing and/or packaging of medical, optical, scientific, electronic or electromagnetic devices, equipment, systems or supplies. All operations are carried on in a completely enclosed BUILDING and comprise a part of the use group B, F-1 or F-2 of the Ohio Building Code.

“Memorial Sign.” A SIGN designed, intended or used to preserve the memory of a PERSON, place or event, including landmark plaques and historical plaques.

“Medical Center/Clinic.” A commercial or noncommercial establishment that provides, as its PRIMARY ACTIVITY, health-related services to the general public on an outpatient basis. Such use shall not provide space for overnight treatment and may be set up with emergency vehicle receiving areas and trauma treatment facilities. Such use comprises a part of use group B of the Ohio Building Code. Examples of such uses include clinics and emergency clinics.

“Medical and Health-Related Office.” A commercial or noncommercial establishment that provides, as its PRIMARY ACTIVITY, health-related services to the general public on an outpatient basis. Such use shall not provide space for overnight treatment and comprises a part of use group B of the Ohio Building Code. Examples of such uses include doctors' offices and dentists' offices.

“Menu Board.” A permanently mounted SIGN displaying the bill of fare for a RESTAURANT, FAST FOOD RESTAURANT or instructions or services for other drive-thru or drive-in establishments.

“Microcell.” The lines that connect a provider's TOWERS/cell sites to one or more cellular telephone switching offices, and/or long distance providers, or the public switched telephone network.

“Mining and Extraction.” All or any part of the process involved in the mining of minerals and raw materials by removing overburden and mining directly from the deposits, open-pit mining or minerals naturally exposed, mining by auger method, dredging and quarrying, or underground mining and surface work incidental to an underground mine. Such uses are not permitted in the CITY under this UDO.

“Minor Subdivision.” The division of any PARCEL of land shown as a unit or as contiguous units on the last preceding tax roll along an existing and improved public STREET, into not more than two (2) LOTS or PARCELS, any one of which is less than five (5) acres; or the division of any PARCEL of land into two (2) or more LOTS of more than five (5) acres not involving any new STREETS, public RIGHT-OF-WAYS or EASEMENTS of access; or the sale or exchange of PARCELS between adjoining lot owners, where such sale does not create additional building sites; or the combination or replatting of two (2) or more LOTS or PARCELS into a single LOT when such LOTS or PARCELS are under the ownership of the same owner and the combination or replatting does not involve any new STREETS, public RIGHT-OF-WAYS or EASEMENTS of access (See also MAJOR SUBDIVISION; SUBDIVISION, MAJOR; SUBDIVISION, MINOR).

“Mixed Use.” A building, lot, or development that contains a mixture of uses including residential, commercial, office, institutional, or other similar uses. Such uses may be mixed within one building (either horizontally or vertically) or within an overall development.

“Mobile Home.” Means a building unit or assembly of closed construction that is fabricated in an off-site facility, is more than thirty-five body feet (35') in length or, when erected on site, is three hundred twenty or more square feet (320 sq. ft.), is built on a permanent chassis, is transportable in one or more sections, and does not qualify as a manufactured home or as an industrialized unit as defined in ORC 3781.06(C).

“Mobile Uses.” A large, wheeled vehicle that is used for a specific purpose such as to cook, prepare, and/or serve food and/or beverages in individual portions in a ready to consume state; to conduct a specific medical procedure such as blood donations, immunizations, or medical evaluations; or to sell retail goods.

“ORC.” Ohio Revised Code, including any subsequent amendments thereto.

"Outdoor Dining." Designated outdoor areas (either on public or private land) which are used for outdoor dining or seating where patrons may be served food and beverage for on-site consumption.

"Outdoor Retail." Any unenclosed area exhibiting merchandise or goods for sale that is incidental to an adjacent indoor retail use.

“Overlay District.” A district described on the CITY'S ZONING MAP within which, through super-imposition of a special designation, certain regulations and requirements apply, in addition to those of the underlying ZONING DISTRICT.

“Parcel.” A LOT, or contiguous group of LOTS in single ownership or under single control, and usually considered a unit for the purposes of development.

“Park.” Any public or private land available for recreational, educational, cultural or aesthetic use.

“Parking (Area).” Any part of a site used by VEHICLES not totally enclosed within a STRUCTURE. This includes PARKING SPACE and aisles, drives, loading areas and VEHICLE storage areas, driveways and permitted off-street PARKING SPACES for single- and two-family residential uses.

"Parking Garage." A structure built that may be above grade, below grade, or a combination thereof, that provides off-street parking for motor vehicles.

“Parking Space.” An off-street space, either within a STRUCTURE or in the open, available for the parking of one MOTOR VEHICLE and having an area of not less than one hundred seventy square feet (170 sq. ft.), exclusive of passageways, driveways and maneuvering space.

“Parkland.” A tract of land designated and used by the public for active or passive recreation.

“Passive Space.” OPEN SPACE provided in a PARK or other development that does not contain any active recreational equipment, GAME COURTS or playing fields. Passive space may include benches, picnic areas and tot lots.

“Peak Rate of Runoff.” The maximum rate of runoff for any twenty-four (24) hour storm of a given frequency.

“Pennant.” A triangular shaped BANNER.

“Permanent Residential Subdivision or Planned Unit Development Identification Signage.” Those signage features specifically relating to the denotation of a major entrance or entrances to a residential SUBDIVISION (See also GROUND SIGN).

"Private Recreational Facilities and Private Park and Event Center." Any private land at least twenty (20) contiguous acres in size available and developed for educational purposes through recreational, spiritual, cultural and/or aesthetic uses, which use(s) are privately owned and privately operated with or without the intention of earning a profit in furtherance of such use. A combination of related uses may be incorporated, such as temporary and permanent lodging, indoor and outdoor recreation, camp offices, gymnasiums, auditoriums, cafeterias and additional similar uses and ancillary uses related thereto. Private Recreational Facilities, and Private Park and Event Center may, but is not required, to have a Parkland. Campgrounds are prohibited under this UDO, however a temporary site for tents or similar non-permanent shelters for outdoor lodging shall be a permitted ancillary use.

"Private Stable." A STRUCTURE used, designed or constructed for the keeping of animals, particularly horses, for the private use and enjoyment of the owner of the property. Such uses are not commercial enterprises and shall not be greater than thirteen thousand square feet (13,000 sq. ft.) in size.

"Private Swimming Pools." A swimming pool exclusively used, without paying an additional charge for admission, by the residents and guests of a single household, a multi-family development, or a community, the members and guests of a club, or the patrons of a HOTEL/MOTEL; an ACCESSORY USE.

"Private Traffic and On-Site Directional Signs." A TEMPORARY SIGN or PERMANENT SIGN that provides information regarding location, instructions for use, or functional/directional data.

"Professional and Business Office." A commercial establishment that provides, as its PRIMARY ACTIVITY, space for any professional and/or business operation where the product is a person's knowledge or skill and not a commodity. Such use shall be completely contained within a BUILDING. "Professional and business office" does not include health-related services, and such use comprises a part of use group B of the Ohio Building Code. Examples of such uses include, but are not limited to, law offices, real estate offices and corporate headquarters.

"Projecting Nameplate Sign." A SIGN indicating only the name and/or address of a business or occupant(s) that extends outward, perpendicular to the BUILDING face, not more than four feet (4') beyond the BUILDING and not less than eight feet (8') above the sidewalk or ground level.

"Property Line." A legally recorded boundary of a LOT, tract or other PARCEL of land.

"Protected Public Water Supply." A public water system which services at least fifteen (15) service connections used by year-round residents, or regularly serves at least twenty-five (25) year-round residents and having a five (5) year capture area defined through appropriate hydrologic studies.

"Public Eating Areas." An outdoor space that provides eating and dining options for the public. This could include specified areas for the parking of mobile uses.

"Public Plazas." An open space that is accessible to the public at all times, predominately open to the sky.

"Public Recreation." See RECREATION, PUBLIC.

"Public Utility." Any PERSON, firm or corporation, municipal department or board of commission duly authorized to furnish to the public, under State or Municipal regulations, gas, steam, electricity, sewage disposal, communication, telegraph, telephone, transportation or water service.

"Real Estate Sign." A SIGN announcing the sale, rental or lease of the LOT where the sign is displayed, or announcing the sale, rental or lease of one or more STRUCTURES, or a portion thereof, located on such LOT, and indicating the owner, realty agent, telephone number or "open house" information.

"Real Property Services." An establishment that provides, as its PRIMARY ACTIVITY, off-site services to the real property of individuals or corporations and which may include limited, on-site retail sales. Such uses comprise a part of use group B of the Ohio Building Code. Examples of such uses include companies that perform CONSTRUCTION, LANDSCAPING, concrete and/or asphalt work.

"Rear Lot Line." see LOT LINE, REAR.

"Rear Yard." see YARD.

"Recreation, Commercial." A commercial establishment that provides, as its PRIMARY ACTIVITY, outdoor space for various types of sporting and/or leisure activities, though a portion of the activities may be carried on within an enclosed BUILDING. Such uses include, but are not limited to, golf courses, go-cart racing, putt-putt golf, paint ball facilities, wedding and banquet facilities and driving ranges that are privately owned and operated with the intention or earning a profit by providing entertainment or entertainment space for the public.

"Recreation, Public." Includes all uses that are commonly provided for the public at PARKS, PLAYGROUNDS, COMMUNITY CENTERS, and other sites owned and operated by a unit of government for the purpose of providing recreation.

"Recreational Vehicle." A vehicle which is:

- (a) Built on a single chassis;
- (b) Four hundred square feet (400 sq. ft.) or less when measured at the largest horizontal projection;
- (c) Designed to be self-propelled or permanently towable by a light duty truck; and
- (d) Designed primarily not for use as a permanent DWELLING but as temporary living quarters for recreational, camping, travel, or seasonal use.

"Recycling Center." A facility that is not a junkyard and in which recoverable resources, such as newspapers, glassware and metal cans are collected, stored, flattened, crushed, and/or bundled.

“Sign Structure.” Any STRUCTURE that supports, or is capable of supporting, any SIGN as defined in this UDO. A sign structure may be a single pole, or may or may not be an integral part of the BUILDING.

“Site Development Plan.” The written document or set of plans that meet the requirements of this UDO, provide information on the location of the area proposed for DEVELOPMENT and the site in relation to its general surroundings, and existing characteristics of the site, including limits of earth disturbing activities.

“Site Plan.” A plan showing uses and STRUCTURES proposed for a PARCEL of land, as required by the regulations involved. Includes LOT LINES, STREETS, building sites, reserved OPEN SPACE, BUILDINGS, major landscape features - both natural and man-made - and, depending on the requirements, the location of proposed utility lines.

“Skilled Nursing Facility (Nursing Home).” A residential facility used for the care of the aged, infirm, chronically ill, incurably ill or any other individual dependent on regular and ongoing nursing care; and which is not equipped for surgical care or for treatment of acute disease or serious injury; and is not primarily designed for patients being treated for mental illness or alcohol or drug addiction.

“Sketch Plan.” An informal plan or sketch showing the existing features of a site and its surroundings and the general layout of a proposed MINOR SUBDIVISION.

“Sleeping Area.” Floor space provided in a BUILDING designed, intended or used primarily as a place to sleep. “Sleeping area” includes all bedroom space and all other areas where beds are permanently kept.

“Small Loan Lender.” Any business that is licensed, or is required to be licensed, under ORC 1321.01 to 1321.19 to make small loans. Small Loan Lender does not include any bank, savings and loan, credit union or similar financial institution doing business under authority granted by the Ohio Superintendent of Financial Institutions or by the equivalent regulatory authority of another state of the United States.

“Small Loan Operations.” Small Loan Operations shall include ALTERNATIVE FINANCE SERVICE PROVIDERS, CHECK-CASHING BUSINESSES, CREDIT SERVICE ORGANIZATIONS, MORTGAGE LOAN LENDERS, SHORT-TERM LOAN LENDERS and SMALL LOAN LENDERS. Small Loan Operations shall not include any bank, savings and loan, credit union or similar financial institution doing business under authority granted by the Ohio Superintendent of Financial Institutions or by the equivalent regulatory authority of another state of the United States.

“Smoking and Hookah Bars.” An establishment in which tobacco products are sold for use or consumption on the premises to persons that are over 18 years old as provided by state law. This use includes but is not limited to establishments referred to as smoking, cigar, hookah, or tobacco bars or lounges.

“Special Event.” A gathering of human beings, lasting for a designated period of time, designed to celebrate, honor, discuss, sell, teach, encourage, observe, or influence human endeavors. Examples include, but is not limited to, parades, markets, festivals, or car shows.

“Zoning Map.” The official map showing the ZONING DISTRICTS within the incorporated areas of the CITY and which is a part of the UDO.

“Zoning Official.” The person holding the title of Zoning Official of the City of Franklin, or his designee.

(Ord. 2009-11. Passed 7-6-09; Ord. 2011-06. Passed 4-4-11; Ord. 2011-07. Passed 4-4-11; Ord. 2012-26. Passed 12-3-12; Ord. 2013-09. Passed 6-17-13; Ord. 2014-01. Passed 3-17-14; Ord. 2014-17. Passed 1-5-15; Ord. 2015-11. Passed 7-6-15; Ord. 2015-15. Passed 11-2-15; Ord. 2017-01. Passed 2-6-17.)

SECTION 4: **AMENDMENT** “1105.01 Administrative Entities” of the City of Franklin Municipal Code is hereby *amended* as follows:

AMENDMENT

1105.01 Administrative Entities

- (a) The formulation, administration and/or enforcement of this UDO are hereby vested in the following Officers and Boards of the City:
 - (1) The Technical Review Committee;
 - (2) The Zoning Official;
 - (3) The City Engineer;
 - (4) ~~The Historic District Review Board;~~
 - (5) The Planning Commission;
 - (6) The Appeals Board; and
 - (7) City Council.
- (b) All departments, officials and public employees of the City vested with the duty or authority to issue permits, certificates or licenses shall conform to the provisions of this UDO and shall issue no permit, certificate or license for any use, building, structure or purpose if the same is in conflict with the provisions of this UDO. Any permits, certificates or licenses that are not issued in conformity with this UDO shall be deemed null and void.

(Ord. 2009-11. Passed 7-6-09.)

SECTION 5: **AMENDMENT** “1105.02 Technical Review Committee” of the City of Franklin Municipal Code is hereby *amended* as follows:

AMENDMENT

1105.02 Technical Review Committee

- (a) Role: The TRC is the technical review body composed of City staff responsible for the

initial review of applications submitted to the City under the UDO.

- (b) Powers and Duties: The members of the TRC shall review all applications forwarded to it by the Zoning Official and the City Engineer, which are to be considered by the Planning Commission, the Appeals Board, ~~the Historic District Review Board~~, and/or City Council.
- (c) Membership: The TRC may be comprised of the City Manager, the City Engineer, the Law Director, the Zoning Official, the Public Works Director, the Fire Chief and the Police Chief. Additional persons possessing specific expertise in a matter relating to a given application or issue may be added to the TRC, as determined by the Zoning Official.
- (d) Meetings: The Zoning Official will serve as the Chairperson to the TRC and schedule meetings. The City Engineer will report on the TRC's review of pertinent applications to the Planning Commission, ~~and Historic District Review Board~~. The Zoning Official will report on the TRC's review of all pertinent applications to the Appeals Board. In his discretion, the Zoning Official may invite the applicant to attend the TRC meeting. The TRC meeting for an application may occur before the staff report is prepared for that application.

(Ord. 2009-11. Passed 7-6-09.)

SECTION 6: **AMENDMENT** “1105.04 City Engineer” of the City of Franklin Municipal Code is hereby *amended* as follows:

A M E N D M E N T

1105.04 City Engineer

- (a) Duties and Responsibilities: It shall be the duty of the City Engineer to:
 - (1) **Floodplain Development Permits**: Issue Floodplain Development Permits in accordance with the provisions of the Floodplain Overlay District of this UDO;
 - (2) **Landscaping Plans**: Review all landscape plans to assure conformance with the landscaping standards of this UDO;
 - (3) **Stormwater Management Plans**: Review all stormwater management plans to assure conformance with the stormwater and drainage standards of this UDO;
 - (4) **Zoning Amendments and Conditional Use Permits**: Act upon all Zoning Amendment and Conditional Use Permit applications within thirty- (30) days of their date of filing by forwarding the same to the TRC, and upon final review by the TRC, to the Planning Commission;
 - (5) **Development Regulations**: Review all Site Plans to assure conformance with the development regulations of this UDO;
 - (6) **Subdivisions**:
 - (A) Major: Review Major Subdivisions to assure conformance with the Development Requirements and Standards of the UDO;
 - (B) Minor: Review and approve applications for minor subdivisions.

- (7) **PUDs:** Review all PUD and PRCD applications to assure conformance with the regulations of the UDO;
- (8) **Stormwater Design Requirements:** Review all applications proposing any type of new development or redevelopment to assure conformance with the stormwater design standards, floodplain overlay standards, and well field protection standards of this UDO, as applicable;
- (9) **Telecommunication Overlay District:** Review all special permit applications for telecommunication towers to assure conformance with the telecommunication overlay standards of this UDO;
- (10) **Advise Planning Commission and Council:** Advise the Planning Commission and the Council on all matters pertaining to issues that they need to act upon and provide all documents, maps and any other related information that the City Engineer deems necessary or that the Planning Commission or Council requests;~~and~~
- (11) ~~**Historic District Review Board:** Advise the Historic District Review Board on all matters pertaining to issues that they need to act upon and provide all documents, maps and any other related information that the City Engineer deems necessary or that the Historic District Review Board requests.~~

(Ord. 2009-11. Passed 7-6-09; Ord. 2010-22. Passed 12-6-10.)

SECTION 7: AMENDMENT “1105.05 Historic District Review Board” of the City of Franklin Municipal Code is hereby *amended* as follows:

AMENDMENT

1105.05 Historic District Review Board

- (a) ~~**Authority:** The Historic District Review Board shall carry out its duties and responsibilities in accordance with this UDO. The Historic District Review Board shall consist of seven members, and shall include a registered architect, one member of City Council not serving on the Planning Commission, one member of Planning Commission, at least two property and/or business owners within the Historic Overlay District, and two members-at-large, all to be appointed by Council. The City Manager, the Law Director, the City Engineer and the Zoning Official shall serve this Board as non-voting members.~~ **Duties and Responsibilities:** Consider the appropriateness of any proposed change to the exterior surface of structures within the Historic Overlay District or to the other environmental features of the district, including landscaping, vegetation and exterior signage, and issue Certificates of Appropriateness; and Act upon suggested development plans for the Historic Overlay District by making recommendations on the plans to the Zoning Official, the City Engineer, the Planning Commission, the Appeals Board and/or the City Council, as appropriate. (Ord. 2009-11. Passed 7-6-09.)

SECTION 8: **AMENDMENT** “1105.08 Council” of the City of Franklin Municipal Code is hereby *amended* as follows:

AMENDMENT

1105.08 Council

- (a) Authority: Council may carry out its duties and responsibilities relative to this UDO in accordance with the City Charter.
- (b) Duties and Responsibilities:
 - (1) Act upon suggested amendments to the text or Official Zoning District Map(s) of this UDO following receipt of recommendations from the Planning Commission;
 - (2) Act upon suggested development plans for the Overlay Districts following receipt of recommendations of the Planning Commission;
 - (3) Appoint the Planning Commission and the Appeals Board as prescribed by the City Charter.;
 - (4) ~~Appoint the Historic District Review Board. The two members-at-large shall include persons with a demonstrated interest, experience or knowledge in history, architecture or related disciplines; and Hear appeals from the denial or approval with modifications, of Certificates of Appropriateness from the Historic District Review Board.~~

(Ord. 2009-11. Passed 7-6-09.)

SECTION 9: **AMENDMENT** “1107.01 General Provisions” of the City of Franklin Municipal Code is hereby *amended* as follows:

AMENDMENT

1107.01 General Provisions

- (a) Regulation of the Use and Development of Land and Structures: These regulations are established and adopted governing the use and physical development of land and/or structures.
- (b) Rules of Application: These regulations shall be interpreted and enforced according to the following rules:
 - (1) **Identification of Uses**: Listed uses are to be defined by their customary name or identification, except where they are specially defined or limited in this UDO.
 - (2) **Permitted Uses**: Only a use designated as a permitted use shall be allowed as a matter of right in a zoning district and any use not so designated shall be prohibited except, when in character with the zoning district, such other additional uses may be added to the permitted uses of the zoning district by an

amendment to this UDO.

- (3) **Conditional Uses:** A use designated as a conditional use may be allowed in a zoning district when such conditional use, its location, extent and method of development will not substantially alter the character of the vicinity or unduly interfere with the use of adjacent lots in the manner prescribed for the zoning district. To this end the Planning Commission may, in addition to the development standards for the zoning district, set forth such additional requirements as will, in its judgment, render the conditional use compatible with the existing and future use of adjacent lots and the vicinity.
 - (4) **Accessory Uses:** A use designated as an accessory use shall be permitted in a zoning district when such use is subordinate in area, extent, and purpose to the principal use and is located on the same lot and in the same zoning district as the principal use.
 - (5) **Development Standards:** The development standards shall be the minimum required for development in a zoning district unless otherwise stated. If the development standards are in conflict with the requirements of any other lawfully adopted rules, regulations or laws, the more restrictive or higher standards shall govern.
- (c) **Districts:** The City is divided into the following zoning districts, which shall be governed by all the use and area requirements of this Ordinance. The following lists each district along with its appropriate symbol:
- (1) **Residential Districts.**
 - R-1 One-Family Residential District
 - R-2 Metropolitan Residential District
 - R-3 Central Residential District
 - R-4 Multifamily Residential District
 - (2) **Commercial Districts.**
 - C-1 General Commercial District
 - C-2 Community Commercial District
 - ~~C-3 Central Commercial District~~
 - (3) **Industrial Districts.**
 - I-1 Light Industrial District
 - I-2 General Industrial District
 - (4) **Office Districts.**
 - O-I Office/Institutional District
 - O-RP Office - Research Park District
 - O-S Office Service District
 - (5) **Agricultural District.**
 - A-1 Agricultural District
 - (6) **Parks and Recreation District.**
 - PAR Parks and Recreation District
 - (7) **Overlay Districts.**

TOD - Telecommunications Overlay District
FOD - Floodplain Overlay District
WFP - Well Field Protection Overlay District
~~HOD - Historic Overlay District~~
PUD - Planned Unit Development Overlay District
PRCD - Planned Residential Conservation Overlay District
HSOD - Highway Sign Overlay District

(8) Downtown Districts.

DC-1 Downtown Core District
MU-1 Mixed Use District
RMU Riverfront Mixed Use District
CV-1 Civic District
TN-1 Transitional Neighborhood

(Ord. 2009-12. Passed 7-6-09; Ord. 2010-05. Passed 3-1-10; Ord. 2014-01. Passed 3-17-14.)

SECTION 10: **AMENDMENT** “1107.08 Overlay Districts” of the City of Franklin Municipal Code is hereby *amended* as follows:

A M E N D M E N T

1107.08 Overlay Districts

- (a) TOD: Telecommunications Overlay District: The purpose of this Overlay District is to regulate the placement, construction and modification of Towers and Wireless Telecommunications Facilities in order to protect the health, safety and welfare of the public, while at the same time not unreasonably interfering with the development of the competitive wireless telecommunications marketplace in the City. The Telecommunications Overlay District is outlined in Chapter 1109.
- (b) FOP: Floodplain Overlay District: The Floodplain Overlay District is composed of lands that are subject to periodic flooding. It is intended to preserve the existing flood plains, so as to allow the waterways a place to overflow at high water levels and thus assist in protecting other areas not now subject to flooding. In this District, only those uses that are temporary or seasonal in nature or that would not be extensively damaged by flooding are permitted. The Floodplain Overlay District is outlined in Chapter 1109.
- (c) WFP: Well Field Protection Overlay District: It is the intent of the Well Field Protection Overlay District to safeguard the health, safety and welfare of the customers of protected public water supplies and to protect the community's potable water supply against contamination by regulating land use and the storage, handling, use and/or production of regulated substances as defined below. The land within the overlay district is that land in the City of Franklin that lies within a one (1) year travel time

contour adjacent to existing and proposed public wells of a protected public water supply. The Well Field Protection Overlay District is outlined in Chapter 1109.

- (d) ~~HOD: Historic Overlay District: The purpose of this Overlay District is to maintain and enhance the historic character of the Downtown Area. The Historic Overlay District is outlined in Chapter 1109.~~
- (e) PUD: Planned Unit Development Overlay District: This District is intended to encourage and coordinate planned development, with benefits for both the Developer and the Community. The Planned Unit Development Overlay District is outlined in Chapter 1109.
- (f) PRCD: Planned Residential Conservation District: It is the intent of the Planned Residential Conservation District to allow residential development while protecting the community's natural resources and real quality. The Planned Residential Conservation District is outlined in Chapter 1109.
- (g) HSOD: Highway Sign Overlay District: The primary objective of the Highway Sign Overlay District (HSOD) is to recognize that there exist special circumstances for businesses which border Interstate 75 whereby signage and placement of signage that would not normally be permitted in the underlying zoning district should be permitted in this Overlay District. The Highway Sign Overlay District is outlined in Chapter 1109.

(Ord. 2009-12. Passed 7-6-09; Ord. 2014-01. Passed 3-17-14.)

SECTION 11: AMENDMENT “1115.08 Site Plans” of the City of Franklin Municipal Code is hereby *amended* as follows:

AMENDMENT

1115.08 Site Plans

- (a) Uses Requiring Major Site Plan Review: Approval of a Major Site Plan by Planning Commission is required prior to the commencement of any new construction, including additions; or the alteration of any existing structure or building; or upon the change in use of any existing structure or land. The following uses and additions to uses require Major Site Plan review:
 - (1) Multi-family buildings four units and above;
 - (2) Commercial office and all other non-residential buildings and structures;
 - (3) Non-residential additions exceeding twenty five percent (25%) of the original floor area or ten thousand square feet (10,000 sq. ft.) or more;
 - (4) Parking structures and facilities;
 - (5) Public buildings and structures;
 - (6) Parks; and
 - (7) Places of worship.
- (b) Uses Requiring Minor Site Plan Review: Approval of a Minor Site Plan by the Zoning Official is required prior to the commencement of any new construction, including additions; or the alteration of any existing structure or building; or upon the change in use of any existing structure or land. The following uses and additions to uses require

the findings of facts Planning Commission made in rendering its decision.

(h) Exterior Facade Design Standards for Major Site Plans.

(1) **Purpose:** The appearance of buildings, structures, open spaces and landscaping throughout the City is of public concern. It is in the public interest to ensure that major new developments and modifications to existing developments strengthen, protect, enhance and improve the existing visual and aesthetic character of the City and to integrate developments into the surrounding environment, as well as ensure that each new development and redevelopment will be attractive in order to protect and improve property values. Therefore, the purpose of the standards in this Section is to provide criteria to be used by the applicant and Planning Commission in evaluating the appropriateness of proposed development and redevelopment in the City.

(2) **Applicability:** All development subject to the Major Site Plan requirements of this Chapter shall also be subject to these Exterior Facade Design Standards, with the exception of the following specific uses and areas of the City:

(A) Certain manufacturing uses - the provisions of this Section are applicable to the construction and alteration of manufacturing uses within the I-1, Light Industrial District and I-2, General Industrial District; provided, however, that Planning Commission has the authority to waive any or all of the requirements contained in this Section for such uses.

(B) ~~HOD, Historic Overlay District Downtown~~ Districts - the construction and alteration of properties ~~subject to the provisions of the Historic Overlay located in the Downtown Districts contained in section 1109.04;~~ shall be subject to the provisions of section XXX.

(C) PAR, Parks and Recreation District. The provisions of this Section are applicable to the construction and alteration of buildings within the PAR, Parks and Recreation District; provided, however, that Planning Commission has the authority to waive any or all the requirements contained in this Section for such uses.

(3) **Design Standards:** The following design standards shall be used for Major Site Plan development to which this section is applicable:

(A) All building elevations shall consist of tripartite configuration consisting of a base or foundation; a middle or modulated wall; and a top portion formed by a pitched roof or articulated cornice.

(B) All building elevations shall be articulated in a manner to avoid an uninterrupted appearance through the use of windows, doors, offsets or a change in materials.

(C) The following building materials are permitted for use under this section:

(i) Residential-scale brick using non-glazed finishes;

(ii) Natural stone material;

(iii) Natural and natural-based wood materials, excluding T-111 or similar materials;

(iv) Exterior insulation and finish systems (EIFS) above the pedestrian level;

(v) Split-face concrete masonry unit (CMU) on exposed

(Ord. 2009-11. Passed 7-6-09; Ord. 2010-05. Passed 3-1-10; Ord. 2010-22. Passed 12-6-10;
Ord. 2014-17. Passed 1-5-15.)

SECTION 12: **AMENDMENT** “1107.03 Commercial Districts” of the City
of Franklin Municipal Code is hereby *amended* as follows:

AMENDMENT

1107.03 Commercial Districts

- (a) C-1: General Commercial District: The intent of the C-1 General Commercial District is to provide for general commercial activity, including a wide range of goods and services that will serve the region. This District is intended to be concentrated around transportation nodes (such as the intersections of primary arterial streets).
- (b) C-2: Community Commercial District: The intent of the C-2 Community Commercial District is to provide for low-intensity retail uses providing primarily convenience goods and personal services for residential areas with good access to primary and secondary arterial streets.
- (c) ~~C-3: Central Commercial District: The intent of the C-3 Central Commercial District is to provide for commercial, office, institutional and limited residential uses at a relatively high intensity. This District is intended to be located at the historic center of the City along Main Street, from Riley Blvd. to River Street, and from First Street to Sixth Street.~~
- (d) Development Standards: Development standards for each of the Commercial Districts are listed in Table 6.
- (e) Permitted, Prohibited and Conditional Uses: Permitted, prohibited, accessory, and conditional uses for each Commercial District are listed in Table 7.
- (f) Additional Use Regulations: The following additional standards shall apply to uses listed in table 7.
 - (1) Business Service: If located in a Commercial Zoning District the services must be completed offsite.
 - (A) No trailer, camper, manufactured housing unit, modular office trailer or industrialized units shall be placed on the property for any purpose without Planning Commission approval, except related to construction work that requires an active building permit.
 - (B) Fleet vehicle parking shall be to the side or rear of the property on a striped asphalt or concrete paved surface.
 - (C) Fleet vehicle parking areas shall be screened by landscaping and or fencing along all sides visible from the public right of way and from adjoining residential property.
 - (D) No junk, inoperative, or unlicensed automobiles, or parts, shall be permitted on the property.
 - (E) No outdoor storage of any material or waste shall be permitted on site.

TABLE 6: Commercial Districts Lot and Dimensional Requirements

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Commercial Lot and Dimensional Requirements						
District/Use	Minimum lot size (sq. ft.)	Min. Front Setback (ft.)	Min. Side Setback One Side/ Total (ft.)	Min. Rear Setback (ft.)	Min. Lot Width (ft.)	Max. Height (ft.)
PERMITTED PRINCIPAL USES						
C-1	*	35	0^	0^	—	35 †
-adj. to residential	*	35	10	30	—	35 †
C-2	*	35	0^	0^	—	25 †
-adj. to residential	*	35	10	25	—	25 †
C-3 (commercial, office)	*	0	0^	0^	—	25 †
-adj. to residential	*	As determined by Planning Commission	—	25 †		
C-3 (single family resid)	4,000	15	4:10	20	40/60	N/A
C-3 (zero lot line)	As determined by Planning Commission as a part of the PUD/PRCD					N/A
O/I	*	35	0^	0^	—	35 †
-adj. to residential	*	35	0^	0^	—	35 †
ACCESSORY USES						
Antennas & Towers	—	—	5	5	—	—
Decks, Patios & Porches	—	10	5	5	—	—
Detached Garages & Storage Sheds	—	—	3	3	—	—
Dish Antenna	Must be in rear			5	—	15 ft.
Fences**	—	ROW line	—	—	—	6 ft.
Fences, Barbed-Wire	—	ROW line	—	—	—	^^
Gazebos	—	—	5	5	—	—

Swimming Pools []	—	—	10	10	—	—
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* No minimum lot size, but must meet all other requirements. † When a building is more than 25 feet in height, an additional foot of rear yard is required for each additional 2 feet in height. Any building that exceeds maximum height shall only be allowed as a conditional use. ^ Setbacks may be needed to meet the landscaping and parking requirements of this UDO. ** See special requirements for corner lots. ^^ Must be at least six feet from ground. [] Private, Accessory to Principal Use only.

TABLE 7: Uses in the Commercial Districts

Type of Use	Commercial District		
	C-1	C-2	C-3
General Sales or Services			
Antennas & Towers	A	A	A
Bar, Lounge, Tavern	P	Pr	€
Business Professional	P	P	P
Business Retail	P	P	P
Business Services	C	C	€
<u>Clubs, Private or Membership</u>	<u>P</u>	<u>P</u>	
Commercial Training	P	P	P
Consumer Retail	P	C	P
Convenience Food Store	P	C	€
Decks, Patios & Porches	A	A	A
Detached Garages & Storage Sheds	A	A	A
Dish Antenna	A	A	A
Drive-Thru Retail	P	C	€
Fast Food Restaurants	P	Pr	€
Fences	A	A	A
Fence, Barbed-Wire	A	A	Pr ^
Fence, Electric	C	C	Pr []
Food Related Retail	P	P	P
Food Service/Catering	P	P	P
Gasoline Service Station	C	C	€
Gazebos	A	A	A
General Retail	P	C	€

Grocery Food and Beverage	P	C	€
Health and Personal Care	P	P	P
Hospitals	P	Pr	Pr
Hotels and Motels	P	Pr	€
Large Format Retail	C	Pr	Pr
Medical and Health Related Offices	P	P	P
Medical Center/Clinic	P	P	€
Mortuaries	P	Pr	Pr
Motor Vehicle Oriented Business	C	C	Pr
Personal Service	P	P	P
Restaurants	P	C	P
Secondhand Dealers	P	Pr	Pr
Skilled Nursing Facility	P	P	€
Small Loan Operations*	C	C	Pr
<u>Smoking and Hookah Bars</u>	<u>C</u>	<u>C</u>	
Swimming Pools^^	A	A	A
Variety Store or Price-Point Retailer	C	C	€
Vehicle Dealer	C	C	Pr
Vehicle Repair Services	C	C	Pr
Veterinary Services	C	C	€
Arts, Entertainment, and Recreation			
Commercial Entertainment	P	C	€
Commercial Recreation	C	C	€
Public Recreation	Pr	Pr	€
Education, Public Administration, Health Care & Other Institutional Uses			
Churches	P	P	€
Cultural/Community Facilities	P	P	€
Day Care Centers	C	C	€
Elementary Schools	C	C	€
Junior and Senior High Schools	C	C	€
Colleges and Universities	C	C	€
Health Care and Human Services	C	C	€
Residence or Accommodation			
Dwelling, Single-Family	Pr	Pr	

			P
Dwelling, Zero-Lot Line	Pr	Pr	P**
Upper Floor Dwelling Units	Pr	C	€

P=Permitted Use, C=Conditional Use, A=Accessory Use, Pr=Prohibited * Limited to one per 4,000 residents ^ Not prohibited if use is governmental or institutional function; permit required. [] Not prohibited if use is governmental or institutional function; conditional use permit required. ^^ Private, Accessory to Primary Use. ** Zero Lot Line Dwellings shall only be permitted in the R-4 District as part of an approved PUD or PRCD.

(Ord. 2009-12. Passed 7-6-09; Ord. 2010-05. Passed 3-1-10; Ord. 2011-06. Passed 4-4-11; Ord. 2011-07. Passed 4-4-11; Ord. 2013-09. Passed 6-17-13; Ord. 2013-18. Passed 11-4-13; Ord. 2014-01. Passed 3-17-14; Ord. 2014-17. Passed 1-5-15.)

SECTION 13: AMENDMENT “1113.01 Conditional Uses.” of the City of Franklin Municipal Code is hereby *amended* as follows:

AMENDMENT

1113.01 Conditional Uses.

(a) Purpose: Under some unusual circumstances, a use which more intensely affects an area than those uses which are permitted in the zoning district in which it is proposed to be located may nevertheless be desirable and also compatible with the permitted uses within the zoning district, if the proposed use is properly controlled and regulated. The purpose of this Section is to establish the provisions whereby the Planning Commission may allow such uses to exist as conditional uses in specific zoning districts where these unusual circumstances exist and where the proposed uses will be consistent with the general intent and purpose of this UDO.

(b) Applicability:

- (1) A use designated as a Conditional Use may be permitted in a zoning district, in accordance with this Section, when its location, extent and method of development will not substantially alter the character of the vicinity or unduly interfere with the use of adjacent lots in the manner prescribed for the zoning district. To this end, if the Planning Commission decides to grant a Conditional Use Permit, it may set forth additional requirements or conditions, or modify or waive any requirement, as will, in its judgment, render the Conditional Use compatible with the existing and future use of adjacent lots and the vicinity.
- (2) When a proposed use involves two (2) or more Conditional Uses, the applicant shall seek a Conditional Use Permit for each such use, which may be done by one application (including one development plan, site plan, and/or construction plan, as required). The proposed uses shall meet the specific standards for each use, except as such requirements are modified or waived by the Planning Commission.

- (x) If patios are to be provided, they shall be shown on the construction plans, and may be enclosed with a solid wall or fence. The space between patio fences or walls shall not be less than five feet (5'), unless otherwise approved by Planning Commission.

(13) Electric Fences:

- (A) Purpose: The purpose of this conditional use is to allow for limited use of commercially installed and monitored electrical fencing for industrial storage and/or commercial vehicle uses when there is a proven need to secure outdoor storage areas, and for governmental or institutional uses when there is a proven security need. Electric fences shall remain prohibited in any residential district and the Downtown Districts. ~~or the C-3 District.~~
- (B) Standards for Motor Vehicle-Oriented Businesses, Vehicle Dealers and Vehicle Repair Services in the C-1 and C-2 Districts:
 - (i) A conditional use permit shall only be granted under this subsection for uses which have been granted a conditional use permit by the Planning Commission as a motor vehicle-oriented business, vehicle dealer and/or vehicle repair service under this Section; provided, however, that the applicant may apply for a conditional use permit as a motor-vehicle oriented business, vehicle dealer and/or vehicle repair service and a conditional use permit for an electrical fence simultaneously.
 - (ii) The area of the motor-vehicle oriented business, vehicle dealer and/or vehicle repair service seeking a conditional use permit for an electric fence shall cover a combined total acreage of at least ten (10) acres, which may consist of lots which are adjacent or contiguous to one another. If the area is not in single ownership, or if in several ownerships, the application shall be filed jointly by all the owners of all the properties included in the combined area.
 - (iii) A conditional use permit shall only be granted under this subsection for electric fences that are commercially installed and monitored in accordance with International Electric Code standards. If, at any time during the term of a conditional use granted under this section, the electric fence ceases to be commercially monitored by a third party, the conditional use shall stand automatically revoked and the applicant is prohibited from operating said electrical fencing.
 - (iv) The applicant shall submit with the conditional use application a narrative statement of why such fence is needed, a site plan showing the exact location of the electric fence and the outer fence, and the name of the company that will be installing and monitoring the fence, in addition to any other information required by the application.
 - (v) The applicant shall install an outer fence at a distance of no less than four inches (4") nor more than twelve inches (12")

- (x) Cut-off type lighting fixtures shall be used in parking areas to minimize impact on any neighboring residential uses;
- (xi) The proposed use shall have traffic ingress and egress, traffic circulation, and on-site parking, as determined by the Planning Commission to assure reduced congestion and to promote safety. The circulation areas shall provide smooth, continuous flow with efficient, non-conflicting movement throughout the site, and major vehicular circulation movements shall not conflict with major pedestrian movements;
- (xii) The minimum distance of driveways from intersections shall be as approved by the City Engineer;
- (xiii) Access shall be from an arterial street or collector or shall be provided in a manner that does not cause heavy impact on residential streets. Access drives shall be as approved by the City Engineer; and
- (xiv) Hours of Operation may be regulated by the Planning Commission and made a part of the conditions of the Conditional Use Permit.

(34) Upper Floor Dwelling Units

(A) Purpose: The purpose of this use is to conditionally allow upper floor dwelling units in the C-2 District, where ground floor commercial uses, as permitted in the C-2 District, and residential uses on the upper floors of the same building are compatible.

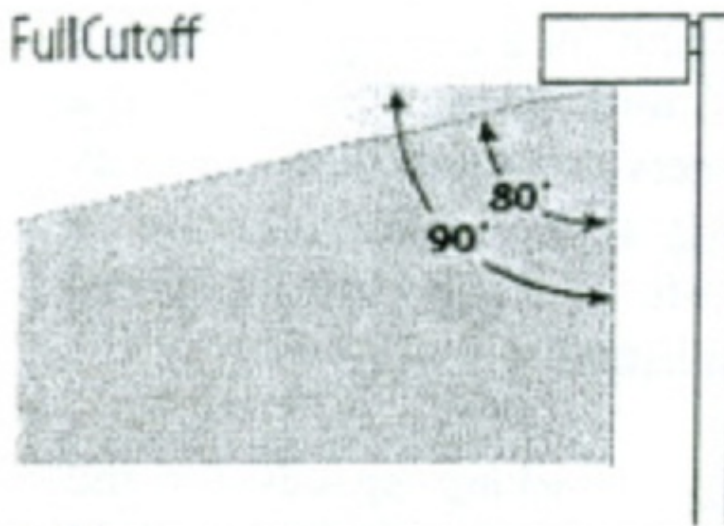
(B) Standards:

- (i) Such dwelling units may not be located on the ground floor.
- (ii) The proposed dwelling unit must meet local fire safety requirements for the proposed use and level of occupancy.
- (iii) The proposed use must meet all Ohio Building Code requirements.
- (iv) All Upper Floor Dwelling Units shall be provided parking spaces in accordance with the multi-family parking requirements contained in section 1111.07; excepting that parking may be provided by a satellite parking lot.

(35) ~~Separate direct access to a ground floor entrance must be provided.~~ Vehicle Dealer (including new and used):

- (i) Purpose: The use shall be for the display, for sale, lease or rental, of new or used passenger motor vehicles, motorcycles, trucks, RV's and boats, where no repair work is done except minor incidental repair.
- (ii) Standards:
 - (1) There shall be no parking or display of any vehicles within any right-of-way. The side/rear yard minimum dimensions shall be twenty (20') feet.
 - (2) All outdoor display, storage, and sales facilities and areas shall be maintained in a neat and orderly condition.
 - (3) The outdoor display of goods for sale shall not be located in

- (4) Parking for uses in the Commercial and Office Districts shall be located in the rear or side yards, unless parking in the front yard is approved by Planning Commission.
 - (5) Parking spaces for multiple family uses or similar residential uses shall be located not more than two hundred fifty feet (250') from the principal use served.
 - (6) All land designated within the as Downtown C-3 Central Commercial Districts, as identified on the Official Zoning District Map, is exempt from all off-street parking requirements.
- (d) Required Improvements for Parking Areas:
- (1) All off-street parking and loading areas including spaces, driveways, aisles, circulation drives and other vehicular maneuvering areas shall be paved with a hard surface and shall be adequately drained and lighted, except for:
 - (A) Permitted uses located in the Agricultural District.
 - (B) Driveways behind the front yard building setback in the single-family and two-family residential districts.
 - (2) Lighting shall be “full cut-off type” lighting, and shall be arranged to reflect the light away from adjoining property.
 - (3) The owner of a lot used for parking and loading shall maintain the parking area in good condition to be free of holes, trash and debris. The demarcation of parking spaces shall be adequately maintained either through periodic re-striping or other means.



Full Cutoff	Allows
No light at or above 90°	0%
100 cd per 1000 lamp lumens at or above 80°	10%

- (e) Traffic Control Devices:
- (1) Entrances, exits and directional signs shall be provided where practicable, and

SECTION 1: AMENDMENT “1111.08 Signs” of the City of Franklin
Municipal Code is hereby *amended* as follows:

A M E N D M E N T

1111.08 Signs

- (a) Purpose and Intent: It is the intent of this Section to establish reasonable regulations governing the size, character and location of signs within the incorporated area of the City of Franklin, in the interest of safety and general welfare of its citizens, business concerns and other affected sectors of the City. It is intended to protect property values, create a more attractive economic and business climate, enhance and protect the physical appearance of the City, and preserve the scenic and natural beauty of designated areas. It is further intended to reduce sign distractions and sight obstructions that may contribute to traffic accidents, reduce hazards that may be caused by signs overhanging or projecting over public rights-of-way, provide more open space, and curb the deterioration of the natural environment and enhance City development in such a way as to support and complement the land-use objectives set forth in this UDO. The specific public purposes of this Section are:
- (1) To provide reasonable, yet appropriate, conditions for identifying goods sold or produced or services rendered in Commercial, Downtown, Office/Institutional, and Industrial Districts;
 - (2) To control the size, location and design of permanent signs so that the appearance of such signs will be aesthetically harmonious with their surroundings;
 - (3) To eliminate any conflict that would be hazardous between business or identification signs and traffic control signs and devices;
 - (4) To ensure that signs are located and designed to maintain a safe and orderly pedestrian and vehicular environment; and
 - (5) To reduce sign clutter.
- (b) Scope of Regulations:
- (1) **Applicability**: The regulations set forth herein shall apply to and govern signs in all districts. No sign shall be erected or maintained unless it is in compliance with the regulations governing location and bulk of structures for the district in which it is located, unless such sign is otherwise specifically regulated by a conditional use provision or provisions relating to variances.
 - (2) **Nonconformities**: Any sign already established on the effective date of this UDO and which sign is rendered nonconforming by the provisions herein, and any sign which as a result of subsequent amendments hereto, shall be rendered nonconforming and shall be subject to the regulations of section 1111.08(l).
 - (3) **Variances**: ~~Except as to premises located in the Historic District, v~~ Variances to this Section may be considered by the Appeals Board. ~~Variances for premises within the Historic District may be granted by the Appeals Board, upon recommendation of the Historic District Review Board.~~
- (c) Permit Required:
- (1) All temporary and permanent signs to be erected, placed, constructed or modified within the City limits, except those specifically excluded herein, shall require a permit before work is initiated.
 - (2) Planning Commission shall approve signs submitted with a Major Site Plan, in accordance with this section and Section 1115.09; with a Conditional Use, in accordance with this section and Section 1115.09; and certain signs within the Highway Sign Overlay District in accordance with Sections 1109.07 and 1115.09. The Zoning Official shall approve all other signs in accordance with this section and Section 1115.11.
 - (3) In order to defray the cost of examination of plans and inspections, an applicant for a sign permit shall pay a fee in accordance with section 1105.09.
 - (4) Submittal Requirements:
 - (A) *General Submittal Requirements*: The following general requirements shall apply:

- (i) Each request for a Sign Permit shall include an application form, provided by the City, with the submittal;
- (ii) The name(s), address(s), and telephone numbers of the applicant(s), and the property owner(s) if other than the applicant(s) with a notarized letter of authorization from the property owner;
- (iii) Legal Description of property or portion thereof; and
- (iv) Payment of the application fee as established by section 1105.09;
- (v) The Zoning Official may request additional supporting information that in his professional judgment is necessary to fully explain the applicant's proposal. The applicant shall supply the requested additional information.
- (vi) Only complete applications shall be processed by the City. The Zoning Official or the TRC, as appropriate, shall make determination as to completeness.

(B) *Site Plan*, which shall show:

- (i) Address and zoning classification of the subject property;
- (ii) Surrounding uses and zoning classification(s);
- (iii) The proposed sign(s) location, including distance from the public right-of-way and the property lines;
- (iv) The location of all other existing signs located on the same premises; and
- (v) The relationship of the proposed sign(s) to access drives, parking areas and buildings.

(C) *A Sign Graphics Plan*, including:

- (i) Plans and/or blueprints, to scale, of the proposed signage, including details of fastenings, lighting and any lettering, symbols or other identification which will be on the sign;
- (ii) The dimensions, construction supports, sizes, electrical wiring and components, sign materials, and method of attachment;
- (iii) The location, size, and illumination of wall signs, ground mounted signs, and directional signs;
- (iv) Color renditions of the proposed signage; and
- (v) Elevation drawings of ground mounted signs and/or a façade elevation (showing the height and proportions) for wall signs.

(d) Administration:

- (1) The Zoning Official shall regulate and enforce the requirements of this Section, and shall be in charge of issuing all sign permits, both temporary and permanent, ~~except for permits for permanent signs in the Historic Overlay District, as outlined below.~~
- (2) No signs, except for municipally owned signs and signs authorized by the City Manager for community events and programs which are sponsored by nonprofit, public, educational, religious and charitable organizations, shall be placed in, on or above the public right-of-way including on utility poles. The Zoning Official or his designee may effect removal of any sign illegally placed within the right-of-way of any road within the City.

~~(e) Signs in the Historic Overlay District: The Zoning Official shall be in charge of issuing permits for temporary signs in the Historic Overlay District. Applications for permanent signs in the Historic Overlay District must be submitted to the Historic District Review Board, who upon approval or denial shall forward its decision to the Zoning Official. The Board shall have the right to approve, approve with modifications or disapprove the application. Upon denial or approval with modifications, the applicant shall have the right to appeal the decision of the Historic District Review Board to Council within thirty (30) days. Permits for permanent signs subject to the approval of the Historic District Review Board and appeal to Council shall not be issued until such approval, by the Board or approval by Council upon appeal, is certified to the Zoning Official.~~

(f) Measurement:

- (1) Sign area shall include the face of all the display area of the sign not including the bracing, framing and structural supports of the sign, unless such support members are made part of the message or face of the sign or are determined by the Zoning Official to be intended solely to make the sign more visible rather than serving any aesthetic or



- (6) **Garage Sale Signs:** A sign which advertises the sale of personal property such as a garage, yard, porch or moving sale sign provided that it is limited to one sign, not greater than four square feet (4 sq. ft.) in size and which sign is located on the sale premises for a time period not greater than two (2) consecutive days. Such signs shall not be located in a public right-of-way.
- (7) **Identification Wall Signs:** Signs, ~~in all districts except for the Historic District,~~ up to a maximum of two square feet (2 sq. ft.) in size and mounted or attached flat or parallel onto a building face of an administrative, business or professional office building which denotes the name and address of an occupant in a building where more than one tenant is located and which has individual and separate entries.

Example of an Identification Wall Sign



- (8) **Informational Window Signs:** Informational window signs that are limited in size to four square feet (4 sq. ft.) per sign.
- (9) **Memorial Signs:** Signs, ~~in all districts except for the Historic Overlay District,~~ which are in the nature of cornerstones, commemorative tables, tablets, grave markers, headstones, statuary, remembrances of persons or events, or historical signs, provided that such signs are less than nine square feet (9 sq. ft.) in size and not illuminated and are noncommercial in

nature. Such signs shall not be placed within a public right-of-way.

- (10) **Menu Boards:** Menu Boards, provided such signs are oriented solely for the use of patrons utilizing the drive-thru and are not visible from adjacent property or the right-of-way. Drive-through menu board signs may include freestanding, pylon and monument signs. One drive-through menu board sign and one preview board is permitted, but only when all of the following conditions are fulfilled: the sign is located on the property to which it refers; the sign is not visible from the public right-of-way; the sign does not exceed six feet (6') in height; and the sign is located at least seventy-five feet (75') from a Residential District or use.

Example of a Menu Board

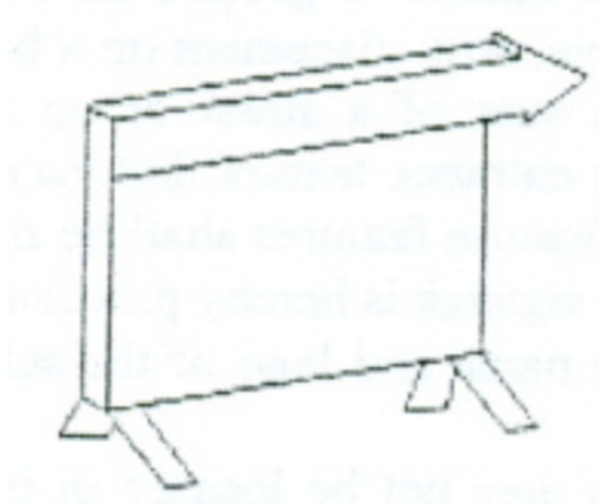


- (11) **Nameplate Signs:** For Home Occupations Type A (see section 1113.03) a sign indicating the name, address and profession of the person or persons residing on the premises, or legally occupying the premises, or indicating a home occupation legally existing on the premises in a residential district structure shall be permitted. Such sign shall be attached flush to the building and shall not exceed two square feet (2 sq. ft.) in area.
- (12) **Political Signs:** Political signs or posters concerning candidates for elective office or public issues to be decided by public election may be displayed on private property, with the permission of the owner, provided that any such sign shall be removed no later than seven (7) days after said election. Such signs shall not exceed sixteen square feet (16 sq. ft.), per face, in any residential district ~~and/or the Historic Overlay District~~, and thirty-two square feet (32 sq. ft.), per face, in other districts, and shall not exceed six feet (6') in height. Signs shall not be illuminated; and shall not create a safety or visibility hazard, nor be affixed to any public utility pole or tree or be located within a public right-of-way. This Section is not applicable to political campaign headquarters signs, which shall require a temporary sign permit.
- (13) **Property Signs:** No trespassing signs or other such signs regulating the use of property, such as "Beware of Dog," or "No Hunting," etc., of no more than two square feet (2 sq. ft.) in size.
- (14) **Public:** Signs required or authorized for a public purpose by any law, statute or ordinance, such signs to include traffic control devices provided that such signs contain no supplementary advertising, and any identification of display of any official court or public office notices thereof, or any flag, emblem, or insignia of a nation, political unit, school or religious group.
- (15) **Real Estate Signs:**
- (A) Signs that indicate the sale, rental or lease of a particular residential structure or single- or two-family residential land area, to be limited in size to six square feet (6), with one sign allowed per street front, except that a corner lot may have one such real estate sign per street front. Such signs shall not be located in a public right-of-way, and shall not be illuminated. Signs advertising a single- or two-family residential structure or land area must be removed within fourteen (14) days after the sale, rental, or lease has occurred.

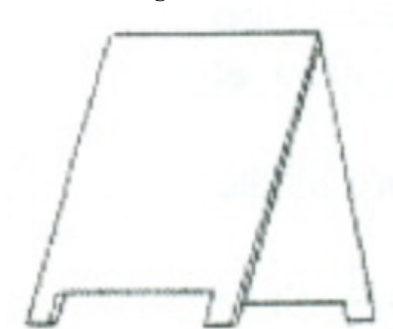
toward the maximum sign area as specified in this Section.

- (3) Portable signs, "A" or "T" frame signs, swinger message board signs, windblown signs, or any other type of sign which can be moved from one location to another without any change in its structural components or members, including trailer signs, are prohibited. Portable "A" frame (also known as sandwich board) signs, and swinger message board signs are permitted to be used with non-residential uses within the C-3 Central Commercial Downtown Districts; provided, however that such signs shall not exceed twenty-four inches by thirty-six inches (24" x 36"), ~~and such signs comply with the Downtown Design Guidelines.~~

Prohibited Portable Sign



"A" Frame Sign



Swinger Message Board

ornamental features. Outside the fire limits, the structural frame of monument signs shall not be erected out of combustible materials.

- (D) No person shall place or cause to be placed any monument sign within any right-of-way.
- (E) Monument signs shall be anchored to a minimum depth of thirty-two inches (32").
- (F) A monument sign shall only advertise matters that are the business, name or identity, address and/or activity of the establishment in front of whose property such sign is located, whether through logo, type, graphics or other symbols.
- (G) All changeable copy signs shall be monument signs.
- (H) No monument signs within the Downtown Districts ~~C-3~~ shall be internally illuminated.
- (I) The base of all monument signs and post and panel signs shall be effectively landscaped with a single, continuous landscaped area to be maintained beneath the sign, in accordance with the following standards:
 - (i) The edge of the required landscaped area shall be thirty inches (30") from the edge of the sign or any edge of the sign structure;
 - (ii) The landscaped area shall include all points where sign structural supports attach to the ground;
 - (iii) Where the required landscaped area adjoins a paved surface accessible to vehicular traffic, a raised planter-type area around the base of the sign shall be required to prevent the encroachment of vehicles; and
 - (iv) The landscaped area shall include living planting, aesthetically located and maintained.

Examples of Monument Signs



(4) Projecting Nameplate Signs:

- (A) Projecting nameplate signs shall not exceed twelve square feet (12 sq. ft.) in size, shall be placed not less than eight feet (8') above the sidewalk or ground level, and shall not project more than four feet (4') outward from the building face. Projecting nameplate signs shall be limited to Business signs and Identification signs.
- (B) Projecting nameplate signs shall only be used by a business having its own separate and individual entrance which is located in a building having no front yard, or that is used by a number of businesses which share a common entry way in a building with no front yard, and whose nameplate identifies the name and/or street address of the building, and not the names of the individual businesses.

Projecting Nameplate Sign

this Section;

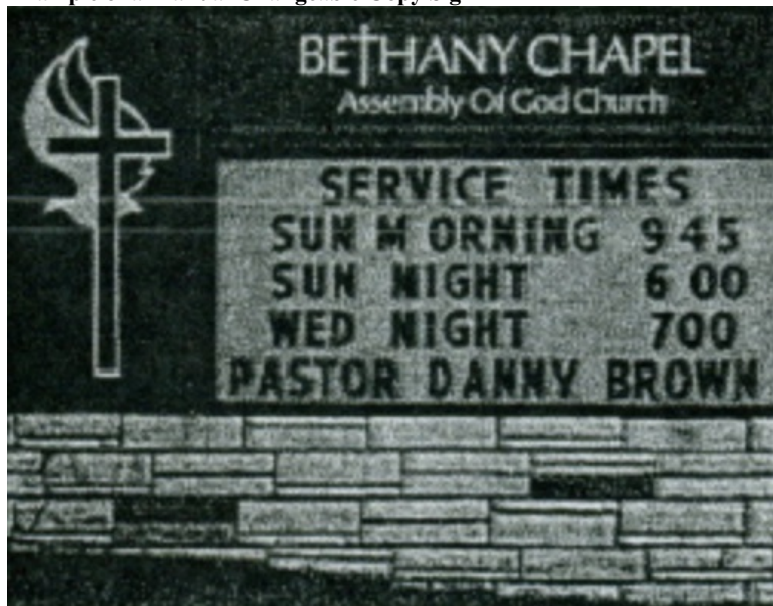
- (C) The sign area shall be an integral part of the sign;
- (D) The sign area and any messages, wording, letters or images displayed thereon shall not flash, blink or fluctuate, and must show the entire message at one time without exhibiting the illusion of movement;
- (E) Each message shall be displayed for no less than fifteen (15) seconds. Electronic changeable message signs shall not be permitted in the Downtown Districts, ~~Historic District, unless approved by the Historic District Review Board.~~

Example of an Electronic Changeable Copy Sign



- (3) **Manual changeable copy signs:** Manual changeable copy signs shall be permitted on monument and ground signs only. Manual changeable copy signs shall comprise no more than two-thirds (2/3) of the total area of the sign per side, shall comply with the maximum height standards specified in this Section, and shall be an integral part of the sign. In residential districts ~~and the Downtown Districts, the C-3 District, and the Historic Overlay District,~~ manual changeable copy signs shall not be internally illuminated. In these three districts, the manual changeable copy signs may be illuminated only between 8:00 a.m. and 8:00 p.m., unless otherwise permitted by Planning Commission.

Example of a Manual Changeable Copy Sign



- (4) **Pennants, streamers, etc.:** No sign shall contain or consist of banners, pennants, ribbons, streamers or similar moving devices.
- (5) **Construction:** The construction of all signs, including any electrical wiring necessary for the operation of illuminated signs shall conform to the specifications of the Ohio Building Code. All signs shall be adequately maintained and shall not constitute a safety hazard. The sign faces of a sign shall be kept neatly painted or posted at all times and, where applicable, shall be painted or replaced with blank panel(s) when copy is removed.
- (6) **Location:** All permanent signs shall be located on the site being promoted, identified or advertised. Off premise signs are prohibited. In no case shall any part of a sign be placed in, over, or extend onto any public right-of-way, except for projecting nameplate signs on lots where no front yard exists and for publicly owned signs such as traffic control and directional signs. In no case shall any part of a sign be placed in, over or extend above the roof line of any structure.
- (7) **Maximum number, height, and area of signs:** In addition to placement of signs, the heights, area and number of permitted signs allowed per use or lot shall be regulated by districts and uses as listed under the regulations of this Section. The height of monument signs and ground signs shall be measured from the established grade, and no mounding shall be used to increase the height of a sign.
- (8) **Joint identification signs:**
- (A) Joint identification signs shall be limited to wall signs or monument signs, and to premises where there are two or more uses located on a property having frontage on at least one public street.
 - (B) If the property fronts on one street, only one joint identification sign is permitted.
 - (C) A second joint identification sign is permitted if the property fronts on two streets, provided that the frontage for each street is not less than two hundred lineal feet (200'). Additionally, a second joint identification sign may be permitted in the ~~Historic~~ Downtown Districts if the premises has pedestrian access open to the public from parking facilities both in the front and in the rear of the property.

Sign Type	Per Unit	Per Building	Per Street Front	Maximum Height (Ft.)	Maximum Sign Area	Minimum Setback from Right-of-way
R-1, R-2 & R-3						
Shingle	1 †	—	—	4	2 sq. ft.	10 *
Wall	1 †	—	—		2 sq. ft.	—
Window	1	—	—	—	2 sq. ft.	—
Subdivisions, PUDs, PRCs & Condominium Developments						
Ground	—	—	1	4^^	24 sq. ft. per sign	Shall not be in ROW of intersecting street
Multi-Family Project Identification						
Ground	—	—	1	4^^	24 sq. ft. per sign	Shall not be in ROW of intersecting street

* Or as otherwise approved by Planning Commission or the Zoning Official, as applicable.

† Either one shingle sign or one wall sign will be permitted, not both.

^^ Per sign, including mounding.

TABLE 23: Signs in the Downtown ~~Historic Overlay~~ Districts

Sign Type	Per Unit	Per Street Front	Maximum Height (Ft.)	Maximum Sign Area	Min. Setback from Right-of-way
Canopy	1 †	1	Maximum Size, Maximum Sign Area, Maximum Copy Area and Minimum Setback from the right-of-way shall be determined by Planning Commission, upon application for a sign permit, on a case-by-case basis		
Monument	1	—	6 ft.	1/4 sq. ft. per lineal foot of street frontage, or a maximum of 36 sq. ft., whichever is less	10 *
Projecting Nameplate	1 †	—	Projects not more than 4 feet outward from building face	12 sq. ft.	—
Wall	1 †	1	—	One sq. ft. per lineal foot of building frontage or 24 sq. ft. total, whichever is less	—
Window	—	—	—	25% window coverage for the combined area of all informational, permanent and temporary signs	—

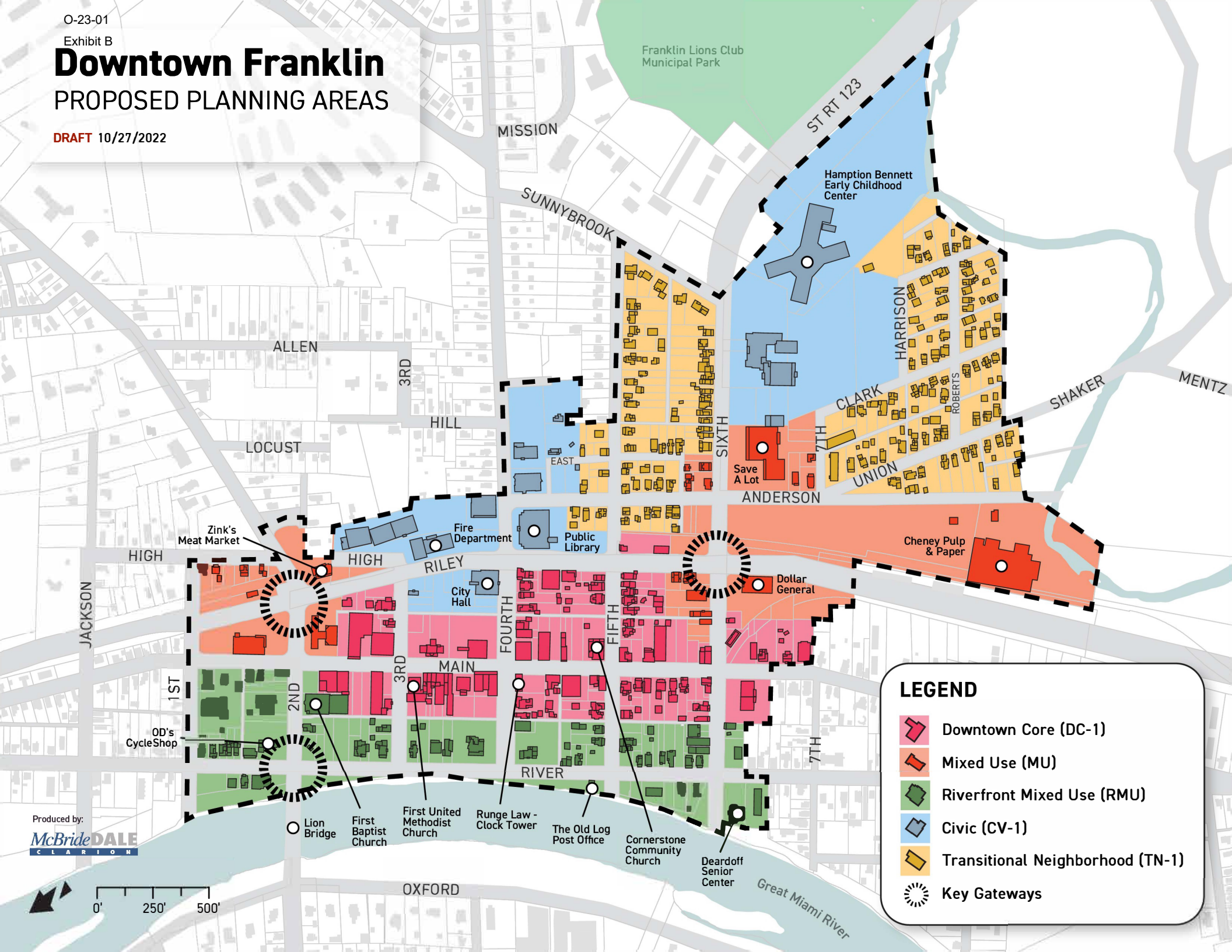
* Or as otherwise approved by Planning Commission or the Zoning Official, as applicable.

† Either one canopy sign, one projecting nameplate sign or one wall sign will be permitted.






TABLE 24: Signs in Commercial Districts

Downtown Franklin

PROPOSED PLANNING AREAS

DRAFT 10/27/2022

LEGEND

-  Downtown Core (DC-1)
-  Mixed Use (MU)
-  Riverfront Mixed Use (RMU)
-  Civic (CV-1)
-  Transitional Neighborhood (TN-1)
-  Key Gateways