CODIFIED ORDINANCES OF LODI

PART TWELVE - PLANNING AND ZONING CODE

TITLE TWO - Planning
  Chap. 1210. Planning Commission.

TITLE FOUR- Subdivision Regulations
  Chap. 1222. Administration, Enforcement and Penalty.
  Chap. 1224. Procedures
  Chap. 1226. Plan and Plat Specifications.
  Chap. 1228. Design Standards
  Chap. 1230. Improvement Requirements and Specifications.
    Appendix A- Examples of Certification and Statements
    Appendix B- Flowchart of Subdivision Review Procedures

TITLE SIX- Zoning
  Chap. 1242. Administration, Enforcement and Penalty.
  Chap. 1244. Board of Zoning Appeals.
  Chap. 1246. Amendments.
  Chap. 1248. Districts Generally and Zoning Districts Map.
  Chap. 1250. General Regulations
  Chap. 1252. CD Conservation District.
  Chap. 1254. R-1 Low Density Residential District.
  Chap. 1256. R-2 Medium Density Residential District.
  Chap. 1258. R-3 High Density Residential District.
  Chap. 1260. MH Mobile Home Park District
  Chap. 1262. C-1 Local Commercial District
  Chap. 1264. C-2 Central Commercial District
  Chap. 1266. I-1 Light Industrial District

(Cont.)
Chap. 1270. PR- Parks and Recreation District.
Chap. 1272. MU- Multi-Use District
Chap. 1274. Off-Street Parking and Loading
Chap. 1276. Signs
Chap. 1278. Conditional Zoning
Chap. 1280. Nonconforming Uses.
Chap. 1284. Unsafe and Substandard Buildings.
Chap. 1286 Sidewalk Specifications.
Chap. 1288 SR- School Reuse District
Appendix A- Zoning District Map
Appendix B- Zoning District Map Changes
Appendix C- Form for Formal Complaint of Unsafe and Substandard Buildings
Appendix D- Sidewalks
   Dwg. No. 2. Typical Sidewalk Re-Alignment Details.
   Dwg. No. 3. Curb Ramp Detail.
   Village of Lodi Sidewalk Permit.
CHAPTER 1210
Planning Commission

EDITOR'S NOTE: There are no sections in Chapter 1210. This chapter has been established to provide a place for cross references and any future legislation.

CROSS REFERENCES
Establishment - see Ohio R.C. 713.01
Powers and duties - see Ohio R.C. 713.02
Planning Commission shall be Platting Commission - see Ohio R.C. 713.03
Control as to buildings - see Ohio R.C. 713.04
Employment of architects and engineers - see Ohio R.C. 713.05
Enforcement of Subdivision Regulations - see P. & Z. 1222.05, 1226.07 et seq.
Authority re Zoning Code - see P. & Z. 1242.01, 1244.01 et seq.,1246.01 et seq., 1274.01, 1278.02, 1278.03

1210.01 The Village shall not establish and hereby abolishes the acting planning commission in the Village. The Village Council shall have all powers conferred in Section 735.15 of the Ohio Revised Code. All previous rights and duties of the former Planning Commission, when it is not serving as a planning commission or a board of zoning appeals, shall be transferred to the Village Council and its Zoning Committee.

1210.02 The former Planning Commission of the Village shall be hereby known as the Platting Commission and/or Board of Zoning Appeals.
CHAPTER 1212
Lodi Development Policy Plan

1212.01 Goals and objectives for land use planning in the Lodi area.

1212.02 Development policy alternatives for the Village of Lodi.

1212.03 Summary of existing development patterns in the Village.

1212.04 Population and housing data for the Lodi area.

1212.05 Public services in the Lodi area.

1212.06 Lodi Development Policy Plan recommendations,

1212.07 Implementing the Lodi Development Policy Plan,

Appendix A – Significant Modifications to Original Development Policy Plan Drafts

CROSS REFERENCES
Community improvement corporations - see Ohio R.C. Ch. 1724
Development corporations - see Ohio R.C. Ch. 1726
Community urban redevelopment corporations - see Ohio R.C. Ch. 1728
Land Use and Thoroughfare Plan defined - see P. & Z. 1220.07(b)(6)
Regional land use plan defined - see P. & Z. 1220.07(b)(18)
Lodi Development Policy Plan defined - see P. & Z. 1240.06(52)

1212.01 GOALS AND OBJECTIVES FOR LAND USE PLANNING IN THE LODI AREA.

The following statements of goals and objectives represent concepts, development criteria and local desires developed from objective planning standards and from a series of discussions with the Lodi Planning Commission. As such, these goals and objectives provide a basis for formulation of the Lodi Development Policy Plan and for review of development proposals which will affect land use in the Lodi planning area.

(a) General goals are to:

(1) Promote a Village land use pattern that is logical both in the relation of land uses to one another and to the community facilities and transportation facilities which serve the Lodi area's population;

(2) Provide opportunities for appropriate economic growth and diversification in the Lodi area;
(3) Provide adequate housing for those persons living, or desiring to live, in the Lodi area;
(4) Provide for planned, orderly provision of sewer and water facilities in the Lodi area; and
(5) Encourage development which is consistent with the community interest and which will be in harmony with the natural and man-made amenities of the Lodi area,

(b) Specific objectives are as follows:

(1) **Residential development.**
   A. New residential development shall be planned which will be safe, convenient to local services and in harmony with the small-town atmosphere of Lodi. To do this, the Village plan must provide direct, convenient and proper access from all parts of the Village to the center for proper accessibility to parks, schools and shopping.
   B. Higher density development should be encouraged to develop where it will be possible to create active pedestrian circulation between adjacent residences, recreation areas, shopping facilities and other local services.
   C. Residential development should be planned to conform to the natural characteristics of the land. Specifically, detailed consideration needs to be given to topography, soil conditions, surface water (i.e. ponds and creeks) and existing land cover.

(2) **Commercial development.**
   A. Appropriate areas for each of three kinds of commercial development shall be provided, recognizing that different types of commercial activities have different site requirements. The three kinds are the Village center, vehicular oriented development along major arterials and the concentrated shopping center serving a more extensive area.
   B. The development of compact commercial areas shall be encouraged wherever possible in order to minimize disruption of traffic on roads and to maintain the character of existing residential areas. Major traffic arteries need not be considered automatically for commercial development solely because of the number of vehicles they carry. The functions of traffic movement and access to adjacent properties are often at odds. On the other hand, residential development is not unrealistic on major traffic arteries if adequate separation between traffic and residences is provided.
C. Concentrated shopping center retail areas should be located carefully so as to void adverse effects on the character of the residential areas they serve.

D. The basic function of the central business district of the Village of Lodi should be maintained: to serve the retail and service needs of the area's individuals, businesses and industries. New development should be encouraged which will facilitate and enhance the primary pedestrian character of this area of the Village. Development which will generate high-traffic volumes and thereby disrupt pedestrian traffic in the downtown area (e.g. drive-in restaurants, etc.) should be discouraged or carefully controlled.

(3) Industrial development.
A. An adequate supply of land shall be provided to permit controlled industrial growth through expansion of existing industries and development of new industries in the Lodi area.
B. Land should be designated for industrial development on the basis of optimum conditions in each of the following categories:
   1. Availability or potential availability of utilities such as water, sewer and power;
   2. Ease of access to major transportation networks;
   3. Favorable physical conditions, including consideration of soils, flooding potential, topography, land cover and unique environmental features; and
   4. Adequate parcel size.

C. Industrial zones should be provided to properly separate industrial areas from surrounding residential areas.
D. Industrial areas should be protected from encroachment by nonindustrial uses which could hinder the efficient development and functioning of existing or future industries.
(4) **Thoroughfare system.**

A. A hierarchy of street types, reflecting the need to accommodate different volumes of traffic in different areas, should be developed, giving due consideration to existing traffic volumes and the adequacy of existing thoroughfares.

1. The limited access thoroughfare or expressway should be designed to carry heavy volumes of traffic at fast speeds and be completely free from direct access. Access from other streets should be gained only through separated, directionalized traffic movements in the form of grade-separated interchanges. By virtue of design, these thoroughfares should be capable of moving traffic faster and safer than any other type of road.

2. Major arterials should provide direct access across the community as well as to neighboring communities. These streets should have controlled (signalized) intersections wherever possible.

3. Collector streets should collect traffic from minor streets and direct it to major thoroughfares. Collector streets should not extend uninterrupted for long distances. Otherwise, they might take on the traffic characteristics of major arterial routes.

4. Local or minor streets should be designed primarily as service streets for carrying the traffic that contiguous land uses generate. Since they are required to carry only low volumes traffic, their design is primarily oriented to providing the best possible building sites rather than providing an alignment for the greatest volume of traffic. Local streets should be designed to discourage through traffic.

B. Land use proposals should result in a minimum of traffic across dangerous at-grade railroad crossings and along stretches of road, which, due to alignment, grade or other safety features, could not be made suitable for carrying large volumes of traffic without unreasonable expense.
C. Land use proposals should be in general harmony with the existing transportation network in the Lodi area. High-density proposals should be served directly by an existing major arterial or limited access thoroughfare, while low density residential areas should be served directly by minor or local streets. This strategy will prevent conflicts from development between existing or future land use and the streets which serve particular areas.

(5) Community facilities.

A. Adequate fire and police protection facilities and government administrative offices should be provided which will serve the existing and future population of the Village of Lodi.

B. Maximum community use should be made of existing and planned public school facilities.

C. Outdoor recreation facilities and open space areas should be developed and preserved which will provide a full range of outdoor recreation opportunities for Lodi area residents and which will preserve those unique environmental features of the Lodi area which are of significant value to residents of the Lodi area and Medina County as a whole.

D. The extension of public utilities and services should follow urban development on the periphery of the Lodi area. Urban services should be discouraged in areas where the cost of providing such services would be prohibitively high, where natural characteristics of the area are such that development would negatively alter unique natural features, or where development would be negatively affected to a significant extent by existing physical conditions, such as flood hazard potential or slippage due to steep topography.
1212.02 DEVELOPMENT POLICY ALTERNATIVES FOR THE VILLAGE OF LODI.

(a) Urban Growth. Extent of growth desired by the Village.

(1) Should growth be encouraged at increased densities within areas already developed at lesser densities? NO

(2) Should growth be encouraged to occur within areas presently undeveloped at densities similar to adjacent areas already developed? YES

(3) If increased urban growth density is desired, what specific type and density is desired:

<table>
<thead>
<tr>
<th>District Level</th>
<th>Density</th>
</tr>
</thead>
<tbody>
<tr>
<td>R-1</td>
<td>4 units per acre</td>
</tr>
<tr>
<td>R-2</td>
<td>6 units per acre</td>
</tr>
<tr>
<td>R-3</td>
<td>8 units per acre</td>
</tr>
</tbody>
</table>

The Planning Commission agreed that land in the eastern portion of the Village should be developed for residential purposes. The intent of allowing mobile home developments was to provide a good mix of housing types in the Village.

(4) Should growth be discouraged in general? The Planning Commission feels that growth should be of a planned, orderly nature.

(5) What type of community is desired: bedroom community, industrial center, commercial center? The Planning Commission would like to encourage balanced small town living with the conveniences of a city. The Commission also would like to encourage developing into a community where most of the residents live and work within the Village.

(b) Thoroughfares. An increase in growth will subsequently necessitate an increase in the number of thoroughfares or an increase in the capacity of existing thoroughfares.

(1) What arterials, if any, need to be expanded from two-lane to four-lane? None

(2) What other thoroughfare improvements are needed? Buffham Road (Two. Rd. 72), along with Greenwich Road (C.H. 97) and Avon Lake Road (S.R. 83) may need to be widened in the future.

(3) Are the thoroughfares in Lodi adequate? The major problem is dead-end streets in the northeast section of the Village. Additional residential growth in this area will increase the need to tie in residential streets with existing streets.
(c) **Public Services.** As the Village grows, additional services will also become necessary.

1. **Is the existing sewer and water facility adequate?** The existing sanitary sewer facility has been designed for a population of 5,100 with the present Village population being approximately 3,000. The location of the present treatment facility is felt to be excellent. Improvements to the storm water drainage system have been undertaken in the eastern portion of the Village where drainage problems exist, and more improvements are planned in this area.

2. **What is the present school capacity? Should any new school facilities be considered?** The Cloverleaf School District encompasses five townships and includes five grade schools, one junior high school and one high school.

3. **Is the present status of police and fire protection adequate? What are their shortcomings? What improvements or expansion, if any, should be considered to adequately service anticipated growth?** Quality and quantity of police protection are felt to be good. Quality of fire protection is also good. The addition of a fire station on the west side of the Village would be desirable due to potential crossing problems created by the Norfolk and Western Railroad tracks running from the northwest to the southern portion of the Village.

(d) **Open Space.** The need for open space, either as passive or active, will become more apparent as the Village grows in size and density.

1. **If new areas of open space are desired, should these areas be left in their natural state and developed for passive uses such as hiking and picnic facilities?** The Planning Commission has gone on record for open space in the Village. Current open space areas consist of two community parks: Lodi Community Park and Central Park, plus Letha House Field.

2. **Is there a need for active recreational uses such as ball fields, swimming pools, playgrounds, etc.?** If so, in what areas of the Village is the need greatest? Two outdoor ball parks, one outdoor basketball court and two outdoor tennis courts presently exist. The need also exists for a swimming pool although the possibility of one being built in the near future is quite slim. Letha House Field is the most logical place for further development of active recreational activities.
1212.03 SUMMARY OF EXISTING DEVELOPMENT PATTERNS IN THE VILLAGE.

(a) In General. The Village of Lodi, consisting of approximately two square miles in area, is situated within the southwestern portion of Medina County. Accessibility to and from the Village is provided by two State highways (S.R. 83 and S.R. 421) that traverse the corporation and one Federal divided highway (U.S. 224) that bypass a mile north of Lodi.

A survey of the land use in the Village was carried out in January, 1976, to provide information needed for the future development of a policy plan. Among the major purposes it serves are the following:

1. To acquire information about the size and actual use of each parcel of property, the use and occupancy of each building and the yard and other open spaces about it;

2. To gain a broad overview and understanding of the entire planning area in terms of predominant uses and activities;

3. To acquire an understanding of relationships between the various types of land uses and activities;

4. To help establish the proper general location and approximate size of needed public facilities and services; and

5. To gain a clear insight into existing conditions and relationships which are a prerequisite to the best practical application of sound growth policies and the
(b) **Physical Characteristics of the Village and its Surrounding Area.**

(1) The Village of Lodi is interlaced with numerous drainage courses that eventually drain into the East Fork tributary of the Black River. Two branches of the East Fork cut significant ravines within the Village before turning northward to empty into the Black River. Due to these precipitous ravines, the Lodi area experiences topographic variations that range from the lowest elevation in Medina County of 860 feet above sea level, occurring northwest of the Village, to elevations in excess of 1,100 feet above sea level occurring in the northeast section of the community.

(2) The physical development and basic shape of Lodi can be related directly to the extensive muck lands lying south of the Village. One may assume that the availability of these productive muck lands influenced Lodi’s early location as an agricultural center. The Village center developed upon relatively level ground where major transportation routes junction, skirting the impenetrable muck lands to the south. Later, when the railroad also passed through this same area, skirting the muck lands, the Village location was further strengthened. The Village gradually grew using up the original level area and proceeded to extend development onto the adjacent hills and plateaus between the numerous drainage courses. Consequently, due to these muck lands, Lodi’s physical growth, having been directed northward and westward in the past, will in all probability continue to do so in the future as new growth occurs. Also having an effect on Lodi’s future growth is the FIA Flood Hazard Boundary Map recently published by the Department of Housing and Urban Development. This map shows significant areas of the Village designated as Special Flood Hazard Areas which will be affected by the new flood insurance program. (See Map following the text of this chapter.) In short, these designated areas will be restricted as to what types of development might occur in the future.

(3) Soil types within the general area range from a Chili-Urban land complex located within the Village center to extensive areas of Carlisle muck located south of the Village. The following list describes the primary soil types occurring within the planning area:
**A. Bennington silt loam.** This soil, occurring in irregular five to seventy-five acre shapes, is concentrated throughout the west and northwest sectors of the planning area. Seasonal wetness and slow permeability are common characteristics of this soil type.

**B. Cardington silt loam.** This soil, occurring in irregular five to 300-acre shapes, occupies much of the uplands of the northern portions of the Lodi area. Surface runoff is moderate to rapid; consequently, erosion is a moderate hazard. Like the Bennington soils, seasonal wetness and slow permeability create limitations to many nonfarm uses.

**C. Carlisle muck.** This soil, ranging in size up to approximately 400 acres, is located primarily south of the Village. This extremely wet soil must be drained to be utilized. Crop production on this soil, if well managed, is well suited for vegetable and sod production. Due to the excessive instability of this soil it is limited to crop production.

**D. Chili-Urban land complex.** This gently, sloping soil is located primarily within the Village center. It consists of areas of Chili soils that have been partly disturbed as a result of grading and digging operations. The fill areas are characterized by approximately one to three feet of fill material overlying Chili soils. These areas are commonly low in organic matter and available water capacity; consequently, few limitations to most nonfarm uses exist.

**E. Jimtown-Urban land complex.** This nearly level soil area is one that also has been disturbed as a result of grading and digging operations. These soil areas consist of thin layers of sand and gravel having good drainage qualities.

**F. Wallkill silt loam.** This soil, occurring in oblong shapes of twenty-five acres or less, is located immediately south of the Village. Approximately sixteen inches of alluvium cover the lower organic matter in this soil; consequently, excessive wetness and flooding hazard exist, creating limitations for many nonfarm uses.

(**c** Major Land Use Patterns Within the Village.** The Village of Lodi covers an area of approximately 1,337 acres. Of this acreage, only 525 acres of 39.3 percent has been developed for urban or urban-related purposes. The remaining acreage is open and exists as either developable vacant land or areas of undevelopable steep topography and marshlands.**
Table I shows the various classifications of existing land use, acreage by type and percent of total Village acreage.

**TABLE I**

**EXISTING LAND USE**

Village of Lodi  
January, 1976

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Acres</th>
<th>Percent of Village</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>225</td>
<td>16.8</td>
</tr>
<tr>
<td>Commercial</td>
<td>47</td>
<td>3.5</td>
</tr>
<tr>
<td>Industrial</td>
<td>75</td>
<td>5.6</td>
</tr>
<tr>
<td>Other</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Streets</td>
<td>85</td>
<td>6.4</td>
</tr>
<tr>
<td>Railroads</td>
<td>32</td>
<td>2.4</td>
</tr>
<tr>
<td>Parks and Recreation</td>
<td>11</td>
<td>0.8</td>
</tr>
<tr>
<td>Hospital and Cemeteries</td>
<td>35</td>
<td>2.6</td>
</tr>
<tr>
<td>Schools and Churches</td>
<td>5</td>
<td>0.4</td>
</tr>
<tr>
<td>Public Facilities</td>
<td>10</td>
<td>0.8</td>
</tr>
<tr>
<td>Total Developed Land</td>
<td>525</td>
<td>39.3</td>
</tr>
<tr>
<td>Undeveloped Land</td>
<td>812</td>
<td>60.7</td>
</tr>
</tbody>
</table>

In 1990, Harrisville Township was ranked seventh in Medina County with 10,662.7 acres of agricultural land.
Primary development patterns within the Village consist of residential uses utilizing the greatest amount of developed land. Two hundred twenty-five acres, or 16.8 percent of the total Village area, is developed with either single-family, two-family, multifamily or mobile homes. Although the primary concentrations are still within the Village center, new development is occurring to the east and northeast of the Village.

Commercial development is concentrated in two areas: the Village square and the Medina Street-Highland road vicinity. The latter, being more recent, will in all probability realize further expansion due to its accessibility to U.S. 224 and the availability of land for expansion.

Industrial uses comprise the second greatest user of land in Lodi. Approximately seventy-five acres or 5.6 percent of the Village is utilized for light and heavy industrial purposes. Industrial lands are concentrated within the western and southern sections of the Village. Future expansion will be restricted to these same areas due primarily to excessive topographic variations throughout the remainder of Lodi.

Transportation is a predominant land use in Lodi. Street and railroad right of ways entail approximately 117 acres of land within the Village alone. Consequently, these facilities provide a good base for future growth. Access to Interstate 71 and U.S. 224 can be easily attained from Lodi. Good railroad accommodations exist within the west and southwest sectors of the Village where the need is greatest to facilitate existing and future industrial activity.

Land occupied by community facilities entails approximately fifty-one acres or 4.6 percent of the Village. Community facilities, for the purpose of this report, include schools, the fire station, water towers, the hospital, cemeteries, sewage treatment and public parks and recreational facilities. Several of these items, such as sewer and water facilities will require future detailed study and planning due to their direct relationship to future growth. The cost of these expanded facilities will have to be carefully evaluated when determining the desired growth and types of growth throughout the Village of Lodi.

The map titled "Generalized Land Use Patterns," following the text of this chapter, presents in a generalized graphic form the major land use patterns within the Village. The land uses indicated on the map have been restricted to three basic uses: residential, commercial and industrial.
1992 Replacement
(d) Conclusion. The land use patterns within the Lodi planning area can be directly related to the physical make-up of the area. As previously discussed, particular physical features, such as the extensive muck areas and the varying topography, have played a prominent role in the general shape of the Village of Lodi. The map titled "Areas With Severe Limitations for Development," following the text of this chapter, shows in a generalized form the three major types of physical restraints to development. These physical restraints (muck soils, flood hazard areas and steep topography) not only restricted past development to specific areas, but will in all probability do so in the future. Consequently, these physical data are utilized in the Lodi Development Policy Plan as formulated.

There has been no significant change in the percentage of land use through 1991. The small amount of development in the last sixteen years has not changed the percentage of land use, except for minor adjustments.

1212.04 POPULATION AND HOUSING DATA FOR THE LODI AREA.

(a) Population Growth and Trends. The following tables illustrate historical population growth and projected growth trends and estimates for the Lodi area.

<table>
<thead>
<tr>
<th>Year</th>
<th>Lodi Persons</th>
<th>% Change</th>
<th>Harrisville Persons</th>
<th>% Change</th>
<th>Medina County Persons</th>
<th>% Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>1890</td>
<td>568</td>
<td></td>
<td>950</td>
<td></td>
<td>19,569</td>
<td></td>
</tr>
<tr>
<td>1900</td>
<td>846</td>
<td>+49</td>
<td>987</td>
<td>+4</td>
<td>27,978</td>
<td>+43</td>
</tr>
<tr>
<td>1910</td>
<td>1,015</td>
<td>+20</td>
<td>992</td>
<td>+1</td>
<td>23,598</td>
<td>-16</td>
</tr>
<tr>
<td>1920</td>
<td>1,240</td>
<td>+22</td>
<td>958</td>
<td>-3</td>
<td>26,067</td>
<td>+11</td>
</tr>
<tr>
<td>1930</td>
<td>1,273</td>
<td>+3</td>
<td>989</td>
<td>+3</td>
<td>29,677</td>
<td>+14</td>
</tr>
<tr>
<td>1940</td>
<td>1,304</td>
<td>+2</td>
<td>944</td>
<td>-5</td>
<td>33,034</td>
<td>+11</td>
</tr>
<tr>
<td>1950</td>
<td>1,523</td>
<td>+17</td>
<td>966</td>
<td>+2</td>
<td>40,417</td>
<td>+22</td>
</tr>
<tr>
<td>1960</td>
<td>2,213</td>
<td>+45</td>
<td>1,002</td>
<td>+4</td>
<td>65,315</td>
<td>+62</td>
</tr>
<tr>
<td>1970</td>
<td>2,399</td>
<td>+8</td>
<td>1,122</td>
<td>+12</td>
<td>82,717</td>
<td>+27</td>
</tr>
<tr>
<td>1980</td>
<td>2,942</td>
<td></td>
<td>1,621</td>
<td></td>
<td>113,150</td>
<td></td>
</tr>
<tr>
<td>1990</td>
<td>3,042</td>
<td></td>
<td>1,734</td>
<td></td>
<td>122,354</td>
<td></td>
</tr>
</tbody>
</table>
As shown by the above, Lodi experienced the most substantial growth at the turn of the century and from 1950 to 1960.

Table 2. Projected Growth Trends and Population Estimates – Lodi Area

<table>
<thead>
<tr>
<th>Year</th>
<th>Lodi</th>
<th>Harrisville</th>
<th>Medina County</th>
</tr>
</thead>
<tbody>
<tr>
<td>1970</td>
<td>2,399</td>
<td>1,122</td>
<td>82,670</td>
</tr>
<tr>
<td>1980</td>
<td>2,942</td>
<td>1,621</td>
<td>113,085</td>
</tr>
<tr>
<td>1990</td>
<td>3,037</td>
<td>1,739</td>
<td>122,354</td>
</tr>
<tr>
<td>2000</td>
<td>3,579</td>
<td>2,172</td>
<td>138,932</td>
</tr>
</tbody>
</table>

Compiled by: Poggemeyer Design Group, Inc.

(b) Housing

CRITERIA FOR THE
MEDINA COUNTY REGIONAL PLANNING COMMISSION’S
HOUSING CONDITION SURVEY, JANUARY, 1976
OF THE VILLAGE OF LODI

<table>
<thead>
<tr>
<th>Class</th>
<th>Existing Conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>I. Sound</td>
<td>Housing having no apparent defects or major maintenance needs. A structure can be</td>
</tr>
<tr>
<td></td>
<td>considered sound even though it may be in need of cleaning or painting.</td>
</tr>
<tr>
<td>II. Deteriorating</td>
<td>Housing in need of substantial major repair above and beyond that usually done</td>
</tr>
<tr>
<td></td>
<td>during the course of regular maintenance.</td>
</tr>
<tr>
<td>III. Dilapidated</td>
<td>Housing having an apparent appearance of ruin or decay. This type of housing would</td>
</tr>
<tr>
<td></td>
<td>in all practicality be better removed than repaired. Dilapidated housing does not</td>
</tr>
<tr>
<td></td>
<td>provide safe and adequate shelter and in its present condition endangers the</td>
</tr>
<tr>
<td></td>
<td>health, safety or well-being of the occupants.</td>
</tr>
</tbody>
</table>
Although this survey indicated relatively few houses being in need of major rehabilitation, the need for additional housing exists for the Village of Lodi. A survey of housing needs within Medina County was recently performed relative to a Medina County Housing Policy Program. This survey, which utilized the Fourth Count Summary Data from the 1970 Census of Housing, indicated, among other things, that the County is in need of an additional 743 occupied units and 1,358 rental units for lower-income households. Although this need is County-wide, significant concentrations on this housing need were indicated for the Harrisville Township and Village of Lodi area. The recently approved forty-eight unit apartment being processed by the Farmers Home Administration for the northern sector of Lodi indicates that the need does exist in this area and is being partially alleviated according to the goals of the Housing Policy Program.

1212.05 PUBLIC SERVICES IN THE LODI AREA.

(a) Parks.

(1) Letha House Field, located in the southeast corner of the Village of Lodi, is situated on a 5.037 acre parcel on the south side of Wooster Street. The parcel is owned by the Village of Lodi and has been leased to the Lodi Chamber of Commerce. The park area is used for a variety of athletic field sports by clubs and organizations in the Lodi area. Also included on the site is a building, which had been used as a locker room for Lodi High School, and eight fifty-foot power poles with light banks and transformers.

(2) Lodi Community Park, situated on the east bank of the East Fork Tributary of the Black River, is a multi-purpose park centrally located within the Village. Facilities are provided for picnicking and recreation for children. The twelve-acre park is ideally situated, being surrounded by steep terrain formed by the East Fork Tributary.

(3) Central Park, a one-acre parcel located in the downtown portion of the Village, is used for a variety of community events, in addition to being a place of simple relaxation for persons in the Village. The location and nature of the park make it a focal point of the Lodi community.

(4) Of additional recreational significance for the Village of Lodi are the ball fields and courts which are part of the Cloverleaf Local School District Junior and Senior High Schools located in Westfield Township near the junction of U.S. 224 and C.R. 35 (Friendsville Road). Recreation facilities at the Cloverleaf Junior and Senior High Schools include two separate gyms, three tennis courts, one baseball diamond, two practice fields and one football field. Facilities at the Lodi Elementary School include a playground with standard playground.
equipment. These facilities (except for the Senior High School football field) are available for community use year-round. However, the facilities of Cloverleaf Junior and Senior High Schools, being nearly two and one-half miles from the concentration of population in Lodi, cannot be regarded as having major recreational potential for the residents of Lodi.

(b) School. Students from the Lodi area attend schools which are part of the Cloverleaf School District. This School District includes the following communities:

<table>
<thead>
<tr>
<th>Townships</th>
<th>Villages</th>
</tr>
</thead>
<tbody>
<tr>
<td>Harrisville</td>
<td>Lodi</td>
</tr>
<tr>
<td>Westfield</td>
<td>Westfield Center</td>
</tr>
<tr>
<td>Guilford</td>
<td>Seville</td>
</tr>
<tr>
<td>Chatham</td>
<td>Gloria Glens</td>
</tr>
<tr>
<td>Lafayette</td>
<td>Briarwood Beach</td>
</tr>
<tr>
<td></td>
<td>Chippewa-on-the-Lake</td>
</tr>
</tbody>
</table>

The following tables, supplied by the Superintendent of the Cloverleaf Local School District, illustrate trends in enrollment, 1965-1991, at schools within the Cloverleaf Local School District, and a breakdown of students by grade level at schools serving the Lodi area.

TABLE 1

CLOVERLEAF LOCAL SCHOOL DISTRICT- ENROLLMENT 1965-1991

(OCTOBER COUNT)

<table>
<thead>
<tr>
<th></th>
<th></th>
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<th></th>
<th></th>
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<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>3035</td>
<td>3156</td>
<td>3267</td>
<td>3362</td>
<td>3461</td>
<td>3490</td>
<td>3569</td>
<td>3675</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>3776</td>
<td>3740</td>
<td>3876</td>
<td>3904</td>
<td>3984</td>
<td>3705</td>
<td>3634</td>
</tr>
</tbody>
</table>

1992 Replacement
TABLE 2

CLOVER LOCAL SCHOOL DISTRICT - LODI ELEMENTARY SCHOOL AND
CLOVERLEAF JUNIOR AND SENIOR HIGH SCHOOLS - ENROLLMENT 1991

<table>
<thead>
<tr>
<th></th>
<th>K</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
<th>7</th>
<th>8</th>
<th>9</th>
<th>10</th>
<th>11</th>
<th>12</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lodi Elementary</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>(665 Total)</td>
</tr>
<tr>
<td>Cloverleaf Junior High</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>(794 Total)</td>
</tr>
<tr>
<td>Cloverleaf Senior High</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>(676 Total)</td>
</tr>
</tbody>
</table>

The above data for the Junior and Senior High Schools include all students, including those from Lodi.

It should also be noted that children from the Village of Lodi and Harrisville Township attend St. Francis Xavier School, a parochial school in Medina, Ohio.

The original structure of the present Lodi Elementary School, which formerly served grades K-12, was built in 1914, with additions in 1921, 1951 and 1954. The Cloverleaf Junior High School was opened in 1971, while the Senior High School was opened in 1960.

Thirty school buses serve the 120-square mile Cloverleaf Local School District, including most of the students from the Village of Lodi.

(c) Water Supply. The Village of Lodi is served by a three-well water system. Total capacity is 1,100 gallons per minute (GPM). Treatment of water is by filtration and softening. The plant design allows for a fifty percent expansion with the addition of wells. The water is stored in three elevated storage tanks totaling 310,000 gallons. Water is provided to the customers with a four-inch to eight-inch line distribution system.

The Lodi water system is a two-level service system based on the ground elevation, with a ground elevation of approximately 1,000 feet being the break point between the two systems. The high level system services the major residential area in the northeast portion of the Village.

As of November, 1991, the Lodi water system had approximately 1,475 customers. Average daily consumption in 1990 was 450,000 gallons per day (GPD). By the year 2000, consumption can be expected to total approximately 565,000 GPD, less than forty percent of the capacity of the three existing wells.

Consideration in the future will need to be given to ensuring adequate fire flows with anticipated population and economic growth.
(d) **Wastewater.** The original Lodi Wastewater Treatment Plant, consisting of an Imhoff tank and sand filters, was replaced by a mechanical aeration system in the early 1950's. Regulations regarding the quality of treated wastewater entering streams and lakes led to the addition of secondary, tertiary and chlorination facilities to the Lodi Wastewater Treatment facility in 1973 and 1988. A future expansion is expected to be completed in 1993.

The present facility, located at the end of Grandview Drive, discharges into the East Fork Tributary of the Black River. The plant will be capable of biologically treating the wastes from a population equivalent of 6,000. The average design flow will be 510,000 GPD after the 1993 expansion. The plant normally operates at 97% efficiency in the reduction of BOD (biochemical oxygen demand) and 95% efficiency in the removal of suspended solids.

(e) **Police Protection.** The Lodi Police Department has an average of 150 walk-ins (personal inquiries) and 300 phone inquiries per month. The police units make an average of 500 calls per month, with a breakdown as follows:

<table>
<thead>
<tr>
<th>Traffic</th>
<th>Cities</th>
<th>Building Checks</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>100</td>
<td>201</td>
<td>108</td>
<td>124</td>
</tr>
</tbody>
</table>

Over the past five pay periods the Police Department averaged 281 activities per period. This indicates a minimum average of 562 activities per month. The number one activity is the details that officers are assigned to do on a daily basis. The second activity is building checks, either business, industrial or residential. The third activity is traffic, with about 100 stops per month with an average of twenty citations per month. The most common calls relate to theft, domestic problems and such miscellaneous matters as barking and howling dogs, loose dogs, junk vehicles, high weeds, etc. During this time period an average of 4,132 miles were logged on the Police Department vehicles in 365.9 hours of running time. The present mobile units include one 1988 Ford and one 1989 Ford Crown Victoria. Both vehicles are in excellent condition.

The Village police force has the following manpower:
- Sworn officers (full-time) 4
- Radio operators (dispatchers) 0
- Auxiliary personnel 2
- Sworn officers (part-time) 3
- Volunteers

(f) **Fire Protection.** The Village of Lodi and Harrisville Township are serviced by a single Volunteer Fire Department centrally located in Lodi. The force is authorized for thirty persons, with the force level usually being approximately twenty to twenty-five persons, including the Chief and a first and second assistant.
The fire protection facility, which houses all fire apparatus, is located north of the Lodi downtown area on S.R. 421. The facility is fire-resistant and has five bays.

Fire protection apparatus includes the following, as of January, 1992:

<table>
<thead>
<tr>
<th>Year, Manufacturer And Type</th>
<th>G.P.M</th>
<th>Water Tank Gallons</th>
<th>Hose, Size and Length</th>
<th>Ladders and Length</th>
</tr>
</thead>
<tbody>
<tr>
<td>1980 Pierce Ford Pumper</td>
<td>1000</td>
<td>1000</td>
<td>3 in - 1200 ft</td>
<td>1 - 24 ft</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>1 ¾ in - 400 ft</td>
<td>1 - 14 ft</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>1 ½ in - 250 ft</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>2 ½ in - 250 ft</td>
<td></td>
</tr>
<tr>
<td>1986 Sutphen-Ford Triple Combination</td>
<td>750</td>
<td>750</td>
<td>3 in - 1200 ft</td>
<td>1 - 45 ft</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>1 ½ in - 150 ft</td>
<td>1 - 35 ft</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>1 ¾ in - 250 ft</td>
<td>1 - 14 ft</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>1 in - 400 ft</td>
<td>1 - 10 ft</td>
</tr>
<tr>
<td>1979 GMC</td>
<td>250</td>
<td>250</td>
<td>3 in - 500 ft</td>
<td>1 - 14 ft</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>1 ½ in - 400 ft</td>
<td>1 - 10 ft</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>1 in - 500 ft</td>
<td></td>
</tr>
<tr>
<td>1959 Local-International Tanker, Pumper</td>
<td>500</td>
<td>1600</td>
<td>3 in - 50 ft</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>2 ½ in - 300 ft</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>1 ½ in - 200 ft</td>
<td></td>
</tr>
<tr>
<td>1965 International-Scout Grasfire</td>
<td>H.P.</td>
<td>100</td>
<td>½ in - 40 ft</td>
<td></td>
</tr>
<tr>
<td>1980 Personnel Ford Van</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1991 Chevrolet Rescue Squad</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
The Norfolk and Western Railroad tracks crossing the Village create a significant potential problem of fire protection south of the railroad tracks, where industry is concentrated. If a train happens to be blocking access to the area south of the tracks where a fire is underway, fire trucks must take an alternative route, using the U.S. Routes 42 and 224 by-pass to reach the fire site. This potential delay in fire response time could be critical, especially for the industries located in the southwestern portion of the Village. The Village should assess the degree of seriousness of this problem and the relative cost of alternative measures necessary to correct it.

As noted in the analysis of existing public services, the southwest quadrant of the Lodi Planning Area, where industry is concentrated, can be cut off from direct fire protection service in the event a train is crossing the N & W railroad tracks at Bank Street. Fire equipment in these circumstances must travel north on S.R. 421, west of U.S. 224 and 42, south on Richman Road and east on Bank Street to reach a fire. One alternative to consider is the construction of a fire substation on Bank Street west of the N & W tracks to serve this section of the Lodi Planning Area.

(g) Library Services. The Lodi Library opened officially in 1960, the result of the efforts of various organizations and volunteers. In 1989 the present location at 226 Wooster Street was extensively remodeled. The Lodi Library is one of five community libraries which comprise the Medina County District Library System.

In 1989 the Medina County District Library finished automating the circulation system connecting Lodi Library with the other four community libraries, as well as with seventeen other library systems in northern Ohio which are part of the ClevNet automation system.

The Lodi Library offers a variety of materials and services: adult, young adult and children's books, fiction and nonfiction; large print books; magazines and newspapers; video cassettes; and audio cassettes and compact disks. Programs and activities for all ages are offered throughout the year. Services to the homebound are also available through Outreach Services.

The Lodi Library has a collection of 24,000 items. With the use of the Library's reserve and FAX systems, however, patrons have access to many more books, magazines and newspapers than can be found on the Library's shelves.

The Lodi Library employs a staff of five and is open every day except Friday and Sunday. For more information call 948-1885.

(h) Hospitals. The Lodi Community Hospital, a thirty-bed accredited, medical/surgical hospital, is located on a nine acre site on the west side of Elyria Street in Lodi near the central area of the Village. Care provided includes in-patient, out-patient and twenty-four hour emergency room physician's service. Additional services include specialized diagnostic capabilities; an industrial health program; respite care for
dependent adults; surgery; and community education. The Hospital also owns Century-of-Love Preschool located at 411 Medina Street in Lodi.

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The medical staff at Lodi Community Hospital includes twenty physicians. There are thirty-eight persons on the courtesy and consulting staff, including dental, podiatric and allied health professionals. A specialty physician's clinic provides the services of additional visiting specialists on a regular basis. There are a total of 140 additional Hospital employees, approximately twenty-five percent of whom are from Lodi.

Emergency ambulance service to the facility is provided through Lodi EMT and through local communities surrounding Lodi, including Westfield Center, West Salem, Chatham, Burbank, Sullivan, Spencer, Chippewa Lake and Seville. An emergency air transport system also services the Hospital on a call basis.

(i) Cemeteries. Lodi's main cemetery, Woodlawn Cemetery, is located on the northwest side of Medina Street (S.R. 421) north of the central area of the Village. The facility is managed by an independent cemetery board.

1212.06 LODI DEVELOPMENT POLICY PLAN RECOMMENDATIONS.

(a) Introduction. Development Policy Plan recommendations for the Lodi Planning Area include recommendations for future development of the Village of Lodi and the key areas of Harrisville Township which surrounds Lodi. These recommendations were originally developed by the Lodi Planning Commission with assistance from the staff of the Medina County Regional Planning Commission after a review of the characteristics of the Lodi Planning Area pertinent to the development of a guide for future growth in 1978. Existing development, the natural features of the land, the relationship of the planning area to the Cleveland and Akron Metropolitan Areas, and the advice of local officials were analyzed in developing plan recommendations. A total review of these recommendations was completed in 1992 and the same are set forth below.

The following recommendations are a summary of the final land use recommendations of the Lodi Planning Commission. These final recommendations are the result of several meetings during which a draft land use policy plan map was discussed and modified. At the same time, a draft zoning districts map was discussed and modified also.

In the following text, a footnote with an "A" references a modification to the draft land use policy plan map, while a footnote with a "B" references a modification to the draft zoning districts map. A summary of these referenced modifications is provided in Appendix A following the text of this chapter.
These modifications are reflected in the generalized Village of Lodi Development Policy Plan Map (one inch equals 1,000 feet) at the end of this chapter, and the more detailed Map (one inch equals 400 feet) on file at the Village Hall.

1992 Replacement

PLANNING AND ZONING CODE 1212.06

(b) General Concepts of the Lodi Policy Plan. The Development Policy Plan embodies the objective of maintaining the small town atmosphere in the Village of Lodi, while providing appropriate urban services to urbanizing areas at the periphery of the Village in a planned, orderly fashion. Residential development is proposed in a range of densities, each density based on existing residential development, the suitability of the land for development, and the efficiency with which services can be provided. Several varieties of commercial development are proposed at locations convenient to the market area the commercial activities would serve. Locations for industrial development are recommended based on existing industrial development, pending development, availability of transportation facilities, the potential availability of water and sewer facilities, and the suitability of land for industrial growth. The following subsections describe the plan proposals in more detail.

(c) Open Space and Planned Development Areas. Areas described in the Lodi Development Policy Plan as Open Space Areas include lands which, because of their unique natural characteristics and severe physical limitations for development, should remain predominantly open. Low land susceptible to flooding or having soils which are saturated most of the year are appropriate in the open space category. The lands bordering the East Fork and the West Fork of the Black River, Clear Creek and Little Killbuck Creek are examples of areas which should experience very limited development. Also, much of the land on both sides of Garden Isle Road should experience only very limited development due to the marshy conditions and due to the land's high value for agricultural purposes. Lands having slopes of fifteen to twenty percent and over also pose significant problems for development. These areas, including land along the East Fork of the Black River and a portion of the drainage area west of Harris Road, are recommended as open space areas. Open space areas should be used for extensive recreational activity (e.g. wooded parks, trails, golf courses), agriculture and selective planned larger lot residential development.

(d) Rural Residential Areas. The area surrounding the Village of Lodi is predominately agricultural or vacant, with scattered single-family residential development. As shown on the Development Policy Plan Map, this general area surrounding the Village should develop at a density of at least one dwelling unit (DU) per two acres. This scale of development is also recommended in the Medina County Development Policy (adopted December 4, 1975) which states that in the rural agricultural or rural residential western portion of the County "... in all but unique cases, residential lot
sizes of two acres or perhaps considerably more should be required." At this density, individual lot sizes are large enough so that individual

septic systems and wells will be adequate for the indefinite future should the designated rural density areas fully develop. In addition, development at this density will not create an unmanageable demand on Harrisville Township's road system in the foreseeable future.

With present knowledge and the resulting expectations, encouraging the maintenance of a rural character of development in the general area surrounding the Village of Lodi seems desirable. The Lodi Planning Area is not affected by the Cleveland or Akron Metropolitan Area to the extent of Brunswick, Medina or Wadsworth Cities. As a result, development pressures will not be as intense as in the northern and eastern portion of Medina County. It is appropriate, therefore, that the general area surrounding the Village of Lodi retain its rural/agricultural pattern of development.

(e) Urban Service Low Density Residential Areas. This recommended residential land use category consists of land that is, or can be, served with central sewer, water and storm drainage facilities from the Village of Lodi. In addition, these areas are accessible to highways which can accommodate traffic that could be expected from residential development at urban densities. The density of development recommended for these urban service low density residential areas is one to three DU per acre. (A-1)

Four general areas in the Lodi Planning Area are recommended for this lower density residential development, as follows:

(1) An area between Prospect Street/Redfield Street and Harris Road. This area, which is partially developed in single-family homes, has fairly irregular topography and has a high potential for additional attractive home sites. Several streets currently dead-end at the eastern end of the site. A steeply-sloped gully runs north/south along the eastern end of the site.

(2) Selected areas on the periphery of the Village. These areas are suitable for low-density residential development due to their distance from local shopping facilities and services provided in the central area of the Village. In addition, they are an appropriate transition area between outlying areas and the denser development near the core of the Village.

(3) An area north of the Hospital on both sides of Elyria Street. (A-2)

(4) An area north of the N & W railroad tracks on the west side of the Village. This area was proposed for development as part of an application to the U.S. Department of Housing and Urban Development in 1977. (A-3)
It can be anticipated that residential development in the above areas will consist of single-family homes. However, the potential exists for planned development which incorporates areas of open space or unique natural features as an integral component of the development. In particular, portions of the currently undeveloped area east of Prospect and Redfield Streets could develop in such a fashion carefully integrating the steeply-sloped gully area paralleling Harris Road as an open space component and accessible to persons living in the general area.

(f) **Urban Service Medium Density Residential Areas.** The medium density residential area comprises most of the existing residential area in the central portion of the Village and includes an area on the north side of Highland Avenue in the northeast portion of the Planning Area. An additional medium density residential area is proposed in the northeast area of the Lodi Planning Area served by Redfield Street, Vandemark Road, Medina Street and Buffham Road. The recommended density of development for these areas is from three to six dwelling units per acre (A-4). It can be anticipated that future residential development in these areas may consist of a mix of single-family and two-family units. As with the Urban Service Low Density Residential Areas, potential exists for larger scale planned unit developments which might incorporate clustered units of single-family homes or duplexes with selected open space areas, while still keeping the overall development densities at a relatively low level.

As indicated on the Lodi Development Policy Plan Map, urban service medium density residential areas are located with easy access to existing or proposed general and local commercial areas, thereby clustering higher density development in a relatively compact area.

(g) **Urban Service High Density Residential Areas.** The area on the west side of the junction of Medina Street and Redfield Street is proposed for high density residential development. Portions of this area have already been developed as mobile home parks. The recommended density for this area is from six to twelve dwelling units per acre (A-5). (For mobile home development the recommended density is six to eight dwelling units per acre.) With careful site planning, incorporating open space/recreation areas, this density of development can be accommodated. This area is easily accessible to shopping facilities and police and fire protection services, and is adequately buffered from adjacent development which may occur locally in the future.
A high density residential area is proposed along the south side of Highland Drive in the vicinity of the existing water tower. An existing apartment development is located on this site. Like the previously mentioned high density residential site, this area is close to shopping and other local services. Natural buffers should be provided between this high density area and the lower density residential area to the south.

Finally, a high density area is proposed for eventual development north of the N & W tracks north of Lee Drive on the west side of the Village. This area was proposed for development as part of an application to the U.S. Department of Housing and Urban Development.

(h) Central Commercial Area. The central commercial area in the Village of Lodi is really the core or heart of the Lodi Planning Area. Most of the area consists of existing businesses with several interspersed dwelling units. This commercial center provides a business and shopping area of significance for southwestern Medina County and portions of Wayne and Ashland Counties. Concentrations of comparison shopping facilities, financial and business services, personal services and entertainment facilities should be encouraged here.

Care needs to be taken in this area in developing regulations designed to facilitate pedestrian movement and to enhance the Village's small-town atmosphere. The Lodi Planning Commission has indicated that Central Park in the downtown area should remain the focal point for the Village.

(i) Local Commercial Areas. The purpose of this type of development in the Lodi Planning Area is to provide for uses principally to accommodate the sale of convenience retail goods and personal services purchased frequently for daily or weekly needs. It is intended that the design of these commercial areas will encourage groupings of establishments located on a unified site providing adequate off-street parking facilities as well as efficient and safe vehicular and pedestrian access. These areas are intended to serve primarily residents of the Lodi area, rather than a regional market.

In addition to existing local commercial areas, several other local commercial areas are suggested on the Lodi Development Policy Plan Map, including the following:

(1) A small area located at the intersection of Bank Street and West Drive. This area is currently developed in mixed light manufacturing and commercial uses. Because it is adjacent to a high density residential area on Sunset Street, the best use for this land is probably as a commercial center, rather than for manufacturing uses. As Lodi develops residentially to the north along West Drive, a cluster of carefully designed personal service and retail shops at the above intersection would be of significant value.
(2) The roughly triangular parcel of land on the south side of Bank Street between Sunset Street and Archer Street. This parcel includes a marshy area that should not be developed. Existing uses are commercial and residential.

(3) An area along the south side of Bank Street from Archer Street east to the N & W railroad tracks which currently is developed in mixed residential and commercial uses. Also, the area on the north side of Bank Street from the east boundary of the Mabry property to the east boundary of the Mong property near the railroad (B-6).

(4) The area on the north side of Wooster Street from Market Street east to approximately the intersection with Greenwich Road, including the small triangle formed by S.R. 83, Harris Road and Wooster Street. Access to the developing residential area to the north from Wooster Street should be reserved through this commercial area. Also, an area of land from the west side of Richman Field to the east side of the Donald Dearth property is designated for eventual commercial use. (B-7)

(5) The area of the intersection of Buffham Road, Medina Street and Redfield Street. This is a key area for carefully planned commercial development in that significant residential growth is occurring and planned in this northeast quadrant of the Lodi Planning Area. Several commercial uses already exist in the area. Without careful controls, however, this area could develop into a hazardous, unattractive area.

(j) Light Industrial Areas. The purpose of this land use is to accommodate light industrial uses such as repair, storage, manufacturing, processing, wholesaling and distribution, free from the encroachment of nonindustrial uses. The uses allowed are those which, because of their normally unobjectionable characteristics, can be in relatively close proximity to residential, retail and institutional uses.

Several areas are suggested as light industrial districts in the Lodi Planning Area, as follows:

(1) The general southern area of the Village. Expansion could occur to the south toward New Archer Street.

(2) An area in the southeast section of the Lodi Planning Area in the vicinity of S.R. 83, Harris Road, Greenwich Road and the B & O railroad tracks. An
existing light manufacturing plant on the site has potential for limited expansion to the southeast towards Harris Road.

(k) **Heavy Industrial Areas.** The purpose of this land use is to provide for certain manufacturing, assembling and fabricating activities, including large scale or specialized industrial operations which generate large volumes of truck or rail traffic. These activities have external physical characteristics which will significantly affect surrounding areas.

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(1) Two areas are designated for heavy industrial use in the Lodi Planning Area, as follows:

A. An existing heavy industrial area east of Garden Isle Road, north of the old Nickel Plate railroad tracks, and a small section south of the tracks. The remaining area south of the railroad tracks is poorly drained with muck soils evident.

B. The general area west of Billman Street to West Dr.

(2) The area south of the Village, surrounded almost entirely by the B & O and N & W railroad tracks, has soils with severe limitations for industrial use and fire equipment access problems, and is therefore recommended to remain undeveloped. The area is currently farmed.

(3) The above recommendations for industrial land are based on a detailed analysis of fifty potential sites in the Lodi Planning Area. Sites were rated against the following set of industrial development factors:
   A. Site configuration.
   B. Topography.
   C. Soils.
   D. Flooding potential.
   E. Air and water pollution impact potential.
   F. Sewer and water potential.
   G. Proximity to major transportation corridors.
   H. Existing land use/adjacent land use.
   I. Existing natural cover.
   J. Unique physical features.

(l) **Highway Improvements.**

(1) The Lodi Development Policy Plan Map specifies two major improvements to roads in the Lodi Planning Area that should be
considered in the near future. These improvements include:

A. Construction of a north-south collector street serving the eastern portion of the Village. Several east-west local streets currently dead-end in this area.

B. As discussed earlier, fire equipment access to present industries in the Ohio Street area could be delayed by trains using the N & W tracks across Bank Street. There is not apparent short-term, inexpensive solution to this problem. Providing access to land north of Ohio Street across the N & W tracks at Ohio Street will compound the accessibility problem for fire equipment.

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C. Consideration should be given to analyzing the potential of providing emergency access to this site from the property on the north side of Bank Street adjacent to the N & W tracks. A second alternative would be to provide emergency access to this site off Richman Road parallel to and north of the N & W Tracks. A third alternative is the extension of Railroad Street north and west eventually to Richman Road to open up this land area. These access provisions should be considered in conjunction with the eventual elimination of truck traffic in the Ohio Street area. It is suggested that Billman Street be connected with Bank Street to provide a new truck access to the existing and future industries in this area.

(3) Other areas for future transportation analysis include congestion in the area of the intersections of Medina and Redfield Streets south along Medina Street to the entrance to Woodlawn Cemetery. As commercial and residential growth occurs in this section of the Lodi Planning Area, consideration will need to be given to signalizing this intersection and adding turn lanes on Medina Street to reduce congestion from turning traffic.

(4) Additional improvements may be necessary in the near future in two areas proposed for clustered commercial development:

A. The developing area along Wooster Street in the vicinity of the Emerald Health Care office. If the proposed collector street is built to the north and if additional businesses locate along the north side of Wooster Street, an additional turning lane would alleviate potential congestion. Also, traffic hazards may increase at the intersection of S.R. 83 and Greenwich Road to the point where signalization may be necessary as a safety measure. Access drives to businesses in this area will need to be carefully located to minimize potential site distance problems, especially in the vicinity of the intersection of S.R. 83 and Greenwich Road.

B. The proposed local commercial area on the south side of Bank Street east of Sunset Street. Additional commercial development in this area may create a need for an additional turn lane. The congestion problem may be compounded if the proposed industrial access road is considered off the north side of Bank Street north to Billman Street.

(4) Special attention needs to be given to establishing a proper street classification system (see Section 1212.01(b)(4)). Currently, the Lodi Subdivision Regulations classify only local and cul-de-sac streets.
Major arterials and collector streets need to be considered for future addition to the existing street classification system. The suggested street classification system for existing streets is as follows:

A. Limited access thoroughfare - U.S. 224 and 42.
B. Major arterials - S.R. 83 (Elyria Street and Wooster Street); S.R. 421 (Medina Street and Bank Street).
C. Collector streets - Prospect Street/Redfield Street; Railroad Street/Academy Street; Garden Isle Road, Buffham Road; Harris Road (C.H. 149), Richman Road (C.H. 69).
D. Local streets - All remaining existing streets in the Village of Lodi.

(5) Growth can be more effectively managed by coordinating this local thoroughfare plan/street classification system with appropriate land uses as suggested in Section 1212.01, the Zoning Code and the Subdivision Regulations.

(m) Community Facilities.
   (1) Local and regional parks.

A. Four major areas for expansion of Lodi's existing park system are recommended. As discussed in an earlier section of this chapter, Lodi has approximately one-half the recommended acreage for public outdoor recreation areas. This shortfall can be alleviated through public acquisition of land in the following general areas:

1. Rugged topography and dense woods make the drainage area west of Harris Road a suitable location for a neighborhood park serving the residential area developing to the east.
2. Extension of Lodi’s Community Park to the northeast, to roughly surround the mobile home park area developing off Medina and Redfield Streets, is recommended.
3. Potentially, a linear park following the drainage area of the East Branch of the Black River north to Letha House Park (part of the Medina County Park District System) could be established through a phased development program, involving local, State and/or Federal cooperation.
4. A potential linear park following the East Branch of the Black River, serving the area proposed for residential development in a recent application to the U.S. Department of Housing and Urban Development, is recommended.
B. As part of the subdivision review process, special consideration should be given to requiring that land be set aside from well-designed recreation areas, tot lots or playgrounds. These types of recreation areas would be most appropriate in existing or new higher density residential areas (including mobile home parks).

(2) Fire and police protection. As noted in the analysis of existing public services, the southwest quadrant of the Lodi Planning Area, where industry is concentrated, can be cut off from direct fire protection service in the event a train is crossing the N & W railroad tracks at Bank Street. Fire equipment in these circumstances must travel north on S.R. 421, west of U.S. 224 and 42, south on Richman Road and east on Bank Street to reach a fire. One alternative to consider is the construction of a fire substation on Bank Street west of the N & W tracks to serve this section of the Lodi Planning Area.

(3) Village Hall. The current facility is in an ideal central location to serve the residents of the Lodi Planning Area. Handicap access is limited to the entrance to the Police Department and the Council Chambers.

1212.07 IMPLEMENTING THE LODI DEVELOPMENT POLICY PLAN.

(a) All areas of Medina County are facing development pressures which are scattering urban-type land use over the landscape, a little bit at a time; for the most part, on a lot by lot basis along existing roads. The rural atmosphere is thereby being obliterated bit by bit, and we are creating the need for public health and welfare related services and facilities in the most expensive and inefficient way. The changes and demands that population increases create need to be continuously identified and analyzed by the Lodi Planning Commission in its efforts to guide land use in the Village.

(b) The Development Policy Plan is one of many tools that can be used by Village officials and citizens in the land use planning process. It is important in making development decisions that the community officials realize the difference between a plan and the planning process. A plan is usually thought of as a definite course of action which may be set out in formalized policy statements, a map of future land use and public improvements, a definite program of capital improvement, or an actual budget for capital improvements. These plans all vary in the degree of specificity with which they treat local problems. With the exception of the goals and objectives statements, they all have a static character which, if misunderstood, can lead to problems in the use of plans as working tools in the decision-making process of government. A plan embodies judgments of what is one desirable future development pattern for an area and what public improvements and regulations are necessary to achieve that pattern. However sound these judgments may be, they nevertheless are made at a given point in time with imperfect knowledge of the cause and effect relationships of the past and only educated projections of the nature of future events. Consequently, a plan cannot account for all contingencies.
Competing interests in the community and events that affect the community but which are beyond its powers of control will result in a need to alter the plan at periodic intervals so that it may remain a realistic development guide. This is not to say that the plan should not be a strong development guide; it is vital to accept the plan as a firm but adaptable tool. Too often a plan is viewed as an inflexible course of action which is an effective tool only so long as no deviations from it occur. Such an attitude will lead to the plan being discarded as no longer realistic when deviations from the plan recommendations do take place.

(c) The approach that must be developed is to treat the Lodi Development Policy Plan as a tool in a continuing planning process. Planning should be a philosophy of approaching problems and of considering the broad spectrum of short-range and long-range development implications of every change in legislation, every public improvement and every proposed private development subject to review by Lodi officials. Treating planning as an integral part of all decisions is one of the most significant contributions officials can make in creating a community that can be transmitted with pride to succeeding generations. Future residents of Lodi will be affected by development decisions made today. A systematic and rational approach to public decisions affecting community development in the Lodi area must be taken. The Lodi Development Policy Plan, which should be revised periodically, should serve as a guide for making development decisions. It should be looked upon as a reference point against which the desirability of alternatives to plan recommendations and innovations in land development can be evaluated. When specific development proposals occur that do not coincide with Lodi Development Policy Plan recommendations, a number of questions should be asked by officials responsible for guiding land development, as follows:

(1) Does the specific proposal differ only in detail from Lodi Development Policy Plan proposals and substantially conform to the concepts and relationships guiding the Lodi Development Policy Plan in reference to topography, adequacy of roads, soils, existing and proposed land use, and community goals and objectives?

(2) Would the realization of the proposal work toward the goals of the Lodi area? Have the perceived objectives of the community changed since preparation of the Lodi Development Policy Plan?

(3) What would be the possible detriment to the Lodi area as a result of the specific development? Would the desirable attributes of the development outweigh the undesirable?

(4) Are the public improvements and utilities necessary to the proposed development available, or can they be made available without placing an undue burden on Lodi’s financial resources?
(5) Have marketing considerations or unexpected trends in the rate or type of development made Lodi Development Policy Plan recommendations unrealistic or undesirable?

(6) Is the proposed departure from the plan a precedent that is desirable for Lodi in view of the possibility of similar proposals in the future?

(7) Is the proposal desirable from an overall land planning standpoint, both in a short-range and a long-range sense?

(8) Have the many side effects of the proposed development on the Lodi area been considered, objective advice sought, and opinions gathered from residents? Does the proposed development continue to seem to be an asset to the community and sufficient reason to amend the Lodi Development Policy Plan?

If the answer to these questions in each case is "YES" then the flexibility of the Lodi Development Policy Plan probably should be recognized. The most important point is that indiscriminate departures from the Lodi Development Policy Plan with no evaluation of overall consequences should be avoided. Again, the vital considerations in approaching land development decisions are:

(1) To take a comprehensive approach to community development in the Lodi area, whereby the many implications of one development on other systems in the community can be evaluated, and

(2) To treat planning as a continuing process rather than an activity that begins and ends with a "program" or a "project."

(d) Other tools besides the Lodi Development Policy Plan are available to the Lodi Planning Commission in its land use planning efforts. These include those tools and powers that are currently available for use and those that could be initiated in the future, as follows:

(1) **Lodi Zoning Code and Subdivision Regulations.** In conjunction with the Lodi Development Policy Plan, these two tools are the key to the arrangement and quality of future land uses in the Village. It is through Lodi's Zoning Code and Subdivision Regulations that recommendations contained within the Lodi Development Policy Plan can be implemented by requiring, for example, that a collector street right of way be dedicated by a subdivision developer or that a proposed commercial development be located only in an appropriate section of...
Special notes should be made here of the administrative zoning responsibilities of the Planning Commission and Zoning Inspector vs. the legislative zoning responsibilities of the Village Council.

Section 713.11 of the Ohio Revised Code states "... the legislative authority of a municipal corporation may create an administrative board to administer the details of the application of the regulations ... and may delegate to such board ... the power to hear and determine appeals ... (and) to permit exceptions to and variation from the district regulations." In other words, the Village Council, being a law-making body, is ultimately responsible for enacting (or establishing) the local zoning ordinance and approving any amendments or rezonings which may be proposed, whereas the Village Planning Commission is responsible for implementing the ordinance. The Lodi Planning Commission has been charged with the responsibilities of

1. administering the Zoning Code and
2. acting as a board of zoning appeals.

The Planning Commission is also responsible for the issuance of conditional use permits.

The Lodi Planning Commission, acting as a board of zoning appeals, has powers very similar to those of the courts. Under the Ohio Revised Code, the Board of Zoning Appeals is given three basic powers:

A. To hear and decide appeals;
B. To grant variances; and
C. To grant conditional zoning permits.

Appeals and variances only go to the Board of Zoning Appeals upon appeal by an applicant, whereas the Board of Zoning Appeals is directly presented applications for conditional uses.

It is recommended, however, in the State of Ohio's Model Zoning Regulations, that the Board of Zoning Appeals be composed of different individuals from the Planning Commission. If the Planning Commission does function as the Board of Zoning Appeals, separate records must be maintained.

The duties of the Zoning Inspector, designated by the Mayor, lie in the administration and enforcement of zoning. As with the Planning Commission, the Inspector's duties are administrative only. These responsibilities do not include
determining whether conditions of the law, such as density, land use, etc., are or are not proper. These are legislative responsibilities.

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The Zoning Inspector is the key individual in the administration of zoning. He or she is the person the public will most directly associate with zoning. Also, the Inspector's work is essential in the fair and impartial enforcement of the regulations of the Zoning Code.

(2) Housing Code. The purpose of a housing code is to correct existing unsafe or substandard housing conditions and to prevent future deterioration due to improper maintenance. Housing codes may apply retroactively to existing dwelling units. The Village of Lodi may benefit from the adoption of a housing code.

(3) Federal and State Assistance.

   (a) A vast array of Federal and State programs are available for potential funding of many kinds of local improvement projects. These Federal and State programs often are in the form of grants-in-aid whereby the Federal and/or State government provides a grant or loan, for a portion or share of the project cost, and the local community shares the remaining cost of the project.

   Federal and/or State funding for projects is rarely for an extended period of time. Usually, funding is provided for initial (or front-end) costs of a project, with the local community expected to pay the long-term cost of operating the project. Caution must be exercised by a local community not to over-extend itself in these types of projects which have hidden long-term costs. The State of Ohio has a broad range of financing tools available for local community improvements, including the following:

   1. Community improvement corporations. A community improvement corporation (CIC) is a nonprofit corporation organized for the sole purpose of advancing, encouraging and promoting the industrial, economic, commercial and civic development of a community or area. A CIC can serve as the conduit through which tax-exempt public financing is made available to private enterprise. The Ohio Revised Code invests CIC's with a wide range of powers. Such a corporation may borrow money, issue bonds and secure them, make loans, acquire, lease and otherwise dispose of real and personal property and other assets, acquire real estate,
acquire, construct, operate, lease and dispose of industrial plants or business establishments, acquire and dispose of stock, etc., and mortgage or otherwise encumber property it acquires.

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A CIC may also become a member or a stockholder of an Ohio development corporation formed under Ohio R.C. Chapter 1726. By resolution or ordinance, any political subdivision (or combination of subdivisions) may designate a CIC as the agency of the subdivision(s) for industrial, commercial, distribution and research development, and may enter into an agreement with the CIC to provide for such development.

2. Nonprofit corporations. A nonprofit corporation may be formed for any purpose or purposes for which natural persons lawfully may associate themselves. The law defines "nonprofit corporation" as a corporation which is not formed for the pecuniary gain or profit of its members, trustees, officers or other private persons, and whose net earnings or any part thereof is not distributable to them. In general the authority of nonprofit corporations, subject to limitations prescribed by law or in its articles of incorporation, includes the following powers: to take property by gift, devise or bequest; to make donations for charitable and other purposes; to acquire, use, lease and dispose of property; to form or acquire control of other corporations, whether nonprofit or for profit; to become a member of another corporation; to borrow money and to issue bonds, etc., and to secure such obligations; to invest its idle funds; and to do all things permitted by law and to exercise its authority in this State and elsewhere. Historically, nonprofit corporations have provided valuable benefits and services to many communities. For example, numerous low and moderate-income housing developments throughout Ohio are a direct result of nonprofit sponsorship. For a variety of development and redevelopment projects, the nonprofit corporation may serve as a highly advantageous tool when used in various combinations with more specialized organizations.

3. Ohio Development Financing Commission. The Ohio Development Financing Commission was established by statute to promote the welfare of the people of the State, to
stabilize the economy, to provide employment, and to assist in the development within the State of industrial, commercial, distribution and research activities required for the people of the State and for their gainful employment.

The Commission is empowered to insure revenue bonds of the State and to receive grants, gifts and contributions for such purpose. It may also acquire property of any kind for its purposes, and may maintain, repair, improve, insure and dispose of such property by sale, exchange or lease. Funds obtained from the sale of revenue bonds issued or from other sources may be lent to community improvement corporations (CIC), to Ohio development corporations (ODC) and to other corporations, partnerships and persons for procuring and/or improving real property and for establishing, locating or expanding industrial, commercial, distribution research facilities in Ohio. The Commission may also make loans to a CIC or ODC for the purpose of loaning funds to other corporations, partnerships and other persons for the same purposes. The Commission loan may not exceed fifty percent of the total amount to be expended.

The Commission may also lend its funds to any political subdivision of the State for the purposes of expediting the creation, location or expansion of industrial, commercial, distribution or research facilities by the construction or installation of eligible public improvements (streets, water lines) and by land acquisition for such purposes. In addition, a political subdivision intending to borrow Commission funds may agree with a CIC, an ODC, a partnership, an individual, another corporation, or any combination thereof, to construct any one or more of the improvements for which funds are to be borrowed in return for a satisfactory commitment.

The Commission is further authorized to insure up to ninety percent of the mortgage payments required by a first mortgage on any project for which a CIC has loaned funds or upon which it has borrowed funds.

4. Ohio development corporations. An Ohio development corporation (ODC) is basically comprised of member financial institutions formed for the purposes of promoting, aiding, developing and advancing industrial and business ventures, cooperating with other organizations to promote
agricultural, industrial and business developments, and lending funds for the carrying on and development of business or industrial undertakings.

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Essentially, an ODC is empowered to borrow money for any of its corporate purposes and to issue bonds, etc., therefore; to make loans; to acquire real estate for construction of plants or businesses; to acquire, operate, lease, sell, etc., plants or business establishments; to acquire, sell, mortgage, etc., bonds and other securities; and to mortgage, pledge or otherwise encumber any property acquired. ODC members make loans to the corporation itself as and when called upon to do so on a prorated basis according to prescribed loan limits. Such loans are evidenced by bonds or other such evidence of the corporation and bear interest at not less than one-quarter of one percent above the current prime rate.

(b) Further information on the above State financing programs can be obtained from the State of Ohio Department of Economic and Community Development, P.O. Box 1001, Columbus, Ohio 43216.
APPENDIX A

SIGNIFICANT MODIFICATIONS TO ORIGINAL DEVELOPMENT POLICY PLAN DRAFTS

"A" - Based on changes to Policy Plan Map.

"B" - Based on changes to Zoning Districts Map.

(A-1) - Original recommendation was two to four DU per acre.

(A-2) - Originally, this area was designated for medium density residential development.

(A-3) - Same as A-2 above.

(A-4) - Original recommendation was four to eight DU per acre.

(A-5) - Original recommendation was eight to twelve DU per acre.

(B-6) - This area on the north side of Bank Street was originally designated for medium density residential development.

(B-7) - The area on both sides of Wooster Street from Market Street east to Prospect Street was originally designated as a medium density residential area.

(B-8) - This area was originally designated for light industrial use.
TITLE FOUR - Subdivision Regulations

Chap. 1222. Administration, Enforcement and Penalty.
Chap. 1224. Procedures.
Chap. 1226. Plan and Plat Specifications.
Chap. 1228. Design Standards.
Chap. 1230. Improvement Requirements and Specifications.
Appendix A - Examples of Certifications and Statements
Appendix B - Flowchart of Subdivision Review Procedures

CHAPTER 1220
General Provisions and Definitions

1220.01 Official name. 1220.05 Severability.
1220.02 Purpose. 1220.06 Conflicts.
1220.03 Authority. 1220.07 Definitions.
1220.04 Interpretation.

CROSS REFERENCES
Original plats - see Ohio R.C. 711.01 et seq.
Municipal corporation may adopt general rules and regulations; violations;
effective date - see Ohio R.C. 711.101 et seq.
Vacating plats - see Ohio R.C. 711.17 et seq.
Revision of plats – see Ohio R.C. 711.28 et seq.
Lost or destroyed records - see Ohio R.C. 711.34 et seq.
Subdivisions in flood hazard areas - see P. & Z. 1282.15(d)
1220.01 OFFICIAL NAME.
The official name of these regulations shall be the "Subdivision Regulations of The Village of Lodi, Medina County, Ohio" and the same shall be referred to herein as "these Regulations." (Ord. 1729. Passed 1-3-90.)

1220.02 PURPOSE.
The purpose of these Regulations shall be the equitable handling of all subdivision plats, by providing uniform procedures and standards for observance by both the approving authority and subdivider. (Ord. 1729. Passed 1-3-90.)

1220.03 AUTHORITY.
The authority for the preparation, adoption and implementation of these Regulations is derived from Ohio R.C. Chapter 711, which permits the adoption of uniform rules and regulations governing subdivision of land. (Ord. 1729. Passed 1-3-90.)

1220.04 INTERPRETATION.
The provisions of these Regulations shall be construed to be minimum requirements. (Ord. 1729. Passed 1-3-90.)

1220.05 SEVERABILITY.
If any article, section, paragraph, clause or part of these Regulations is held invalid by a court, such judgment shall not affect the validity of the remaining provisions of these Regulations. (Ord. 1729. Passed 1-3-90.)

1220.06 CONFLICTS.
These Regulations supersede any conflicting ordinance on record prior to their passage. (Ord. 1729. Passed 1-3-90.)

1220.07 DEFINITIONS.
(a) General Terms.
(1) Words used in the singular include the plural.
(2) Words used in the present tense include the future tense.
(3) The word "shall" is mandatory, and the word "may" is permissive.

(b) Specific Terms.
(1) "Building setback line" means a line establishing the limits of a yard which
abuts a street, and in which no building may be located.
(2) "Cul-de-sac" means a local street having one end open to vehicular traffic and the other end permanently terminated by a vehicular turn around.
(3) "Dead-end street" means a street temporarily having only one outlet for vehicular traffic and intended to be extended or continued in the future.

General Provisions and Definitions 1220.07

(4) "Easement" means a grant of the use of land for a specific purpose.
(5) "Improvements" means grading, sanitary and storm sewers, water mains, pavement, curbs and gutters, sidewalks, street signs, street lights, street trees, and the appropriate appurtenances required to render land suitable for the use proposed.
(6) "Land Use and Thoroughfare Plan" means mapped and/or written proposals for the future development of the area, as contained in the Lodi Development Policy Plan.
(7) "Lot, corner" means a lot at the point of intersection of, and abutting on, two intersecting streets.
(8) "Lot, double-frontage" means a lot, other than a corner lot, that abuts more than one street.
(9) "Lot lines" means the boundaries of a lot.
(10) "Lot, parcel" means a division of land which is separated or proposed to be separated from other divisions of land by description on a recorded subdivision plat or recorded survey map, or by metes and bounds, for purposes of sale, lease or separate use.
(11) "Minor subdivision" means a division of a parcel of land along an existing public street or road, not involving the opening, widening or extension of any street or road, and involving not more than five lots after the original tract has been completely subdivided.
(12) "Pedestrian walkway" means a dedicated public right of way limited to pedestrian use.
(13) "Planning Commission" or "Commission" means the Zoning Committee of the Village of Lodi Council or the Council.
(14) "Plat" means a final map of all or a portion of a subdivision which, if approved, may be recorded.
(15) "Preliminary plan" means a drawing for the purpose of study of a major
subdivision and which, if approved, permits proceeding with the preparation of the final plat.

(16) "Private survey plat" means a map of one or more parcels of land, prepared by a registered surveyor, for the purpose of providing information necessary or incident to the transfer of said parcels in cases not requiring the platting of said parcels.

(17) "Public utility" means any person, firm, corporation, governmental agency or board having a Public Utility Commission permit to furnish under regulations to the public, electricity, gas, steam, telephone, transportation, water or any other similar public utilities.

(18) "Regional land use plan" means a plan showing the proposed location of uses in the region.

(19) "Secretary" means the Secretary of the Planning Commission.

(20) "Staff " means persons so designated by the Commission.

(21) "Street" means a public or private right of way for vehicular and pedestrian use.

(22) "Subdivider" means any individual, firm, association, corporation or trust, or any legal entity, including agents commencing proceedings under these Regulations to subdivide land.

(23) "Subdivision" means the division of any parcel of land, shown as a unit or as contiguous units on the last preceding tax roll, into two or more parcels, sites or lots, any one of which is less than five acres, for the purpose, whether immediate or future, of transfer of ownership, provided, however, that the division or partition of land into parcels of more than five acres, not involving any new streets or easements of access, and the sale or exchange of parcels between adjoining lot owners, where such sale or exchange does not create additional building sites, shall be exempted; or the improvement of one or more parcels of land for residential, commercial or industrial structures or groups of structures involving the division or allocation of land for the opening, widening or extension of any street or streets, except private streets, serving industrial structures; or the division or allocation of land as open spaces for common use by owners, occupants or lease holders, or as easements for the extension and maintenance of public sewer, water, storm drainage or other public facilities.

(Ord. 1729. Passed 1-3-90.)
CHAPTER 1222
Administration, Enforcement and Penalty

1222.01 Administration.  
1222.02 Revision of plat after approval.  
1222.03 Fees.  
1222.04 Plan checking and field inspection fees.  
1222.05 Waivers.  
1222.06 Appeals.  
1222.99 Penalty.

CROSS REFERENCES
Original plats - see Ohio R.C. 711.01 et seq.
Municipal corporation may adopt general rules and regulations; violations; effective date - see Ohio R.C. 711.101 et seq.
Vacating plats - see Ohio R.C. 711.17 et seq.
Revision of plats - see Ohio R.C. 711.28 et seq.
Lost or destroyed records - see Ohio R.C. 711.34 et seq.
General provisions and definitions - see P. & Z. Ch. 1220
Subdivisions in flood hazard areas - see P. & Z. 1282.15(d)

1222.01 ADMINISTRATION.

The Village shall administer these Regulations, except where authority is given to other officials, as set forth in these Regulations. (Ord. 1729. Passed 1-3-90.)
1222.02 REVISION OF PLAT AFTER APPROVAL.

No changes, erasures, modifications or revisions shall be made in any plat of a subdivision after approval has been given by the Platting Commission and an endorsement is made in writing on a plat, unless the plat is first resubmitted and the changes approved by the Platting Commission.

1222.03 FEES.

Filing fees, if any, shall be in the amount fixed by Council, and shall be paid when the application is submitted. (Ord. 1729. Passed 1-3-90.)

1222.04 PLAN CHECKING AND FIELD INSPECTION FEES.

At the time plans, profiles and specifications are submitted for review, the Village Engineer shall prepare an estimate of costs for office checking of all improvement plans. The subdivider shall thereupon deposit an amount of money equal to said estimated cost. All work done by the Engineer, in connection with checking, computing and correcting such plans for improvements, shall be charged against such deposit. If, during the progress of the work, it appears that the cost thereof will exceed the amount so deposited, the Village Clerk shall notify the subdivider of this fact and the Village Engineer shall do no further work in connection with such review until the subdivider has deposited such additional sum of money necessary to cover the cost of the work.

The subdivider shall also pay to the office of the Village the total cost of field inspection of the improvements and legal expenses incurred by the Village resulting from the development. The inspection and legal fees shall be determined by the Village. The subdivider is held responsible for all inspection and legal fees. The performance bond posted by the subdivider guarantees the payment of all inspection and legal fees, and no bonds will be released until all inspection and legal fees have been paid in full.

(Ord. 1729. Passed 1-3-90. Am. Ord. 2036. Passed 1-5-98)

1222.05 WAIVERS.

The Platting Commission may waive certain provisions of these Regulations as specified herein where unusual or exceptional factors or conditions require such modification, provided that the Platting Commission shall find that:

(a) Unusual topographical or exceptional physical conditions exist.
(b) Any modification granted will not be detrimental to the public interest nor be in conflict with the intent and purpose of these Regulations.
(Ord. 1729. Passed 1-3-90.)

1222.06 APPEALS.
Rights of appeal shall be as set forth in the applicable sections of the Ohio Revised Code. (Ord. 1729. Passed 1-3-90.)

1222.99 PENALTY.
Any person, firm, corporation or entity who or which violates any rule, provision or section of these Regulations is guilty of a misdemeanor of the first degree and shall be subject to a maximum term of imprisonment of six months and a maximum fine of one thousand dollars ($1,000). (Ord. 1729. Passed 1-3-90.)

CHAPTER 1224
Procedures

1224.01 Classification and determination of subdivision types.
1224.02 Minor subdivisions, types.
1224.03 Major subdivisions, types.

CROSS REFERENCES
Original plats - see Ohio R.C. 711.01 et seq.
Municipal corporation may adopt general rules and regulations; violations; effective date - see Ohio R.C. 711.101 et seq.
Vacating plats - see Ohio R.C. 711.17 et seq.
Revision of plats - see Ohio R.C. 711.28 et seq.
Lost or destroyed records - see Ohio R.C. 711.34 et seq.
General provisions and definitions - see P. & Z. Ch. 1220 Administration, enforcement and penalty - see P. & Z. Ch. 1222 Subdivisions in flood hazard areas - see P. & Z. 1282.15(d)

1224.01 CLASSIFICATION AND DETERMINATION OF SUBDIVISION TYPES.
There are two basic types of subdivisions:
(a) **Minor Subdivision.** The Platting Commission may determine that a proposed subdivision of land is a minor subdivision if the proposed division of a parcel of land is along an existing public street, does not involve the opening, widening or extension of any street or road, and does not involve more than five lots after the original tract has been completely subdivided.

(b) **Major Subdivision.** Any subdivision that does not meet the requirements of a minor subdivision is a major subdivision.

### 1224.02 MINOR SUBDIVISIONS.

(a) **Authority of Review and Approval.** The Platting Commission may review and approve a minor subdivision and to endorse the conveyance of a parcel or parcels of land in a minor subdivision for transfer without plat.

(b) **Submission of Minor Subdivision.** Any person proposing to create a minor subdivision shall submit the following to the Platting Commission:

1. A legal description, of the parcel or parcels sought to be transferred, on a conveyance of said parcel or parcels.
2. Two copies of a property line survey, by a registered surveyor, of the parcel or parcels sought to be transferred.

### 1224.03 MAJOR SUBDIVISIONS.

(a) **General Procedure.** Major subdivisions shall be approved in four stages: the preliminary discussion stage; the preliminary plan stage; the improvement plan stage; and the final plat stage.

(b) **Submission of Preliminary Plan.** The subdivider shall make application to the Platting Commission for approval of a preliminary plan. All information required by Section 1226.02 shall be submitted to the Secretary of the Platting Commission. Such information shall include:

1. Two copies of an application for preliminary approval;
2. One copy of the preliminary steps certification form; and
3. Six copies of the preliminary plan, including a vicinity map.
(c) **Transmission of Preliminary Plan.** The Platting Commission shall file one copy of the preliminary plan and transmit a copy to the officials and agencies listed below for their review and recommendations. Prior to the Platting Commission meeting, a date on which the site will be viewed shall be established by the Platting Director. The officials and agencies listed below may be invited to attend this viewing along with the developer and his or her engineer.

1. The Platting Commission and the appropriate Council committee.
2. The Village Engineer.
3. The County Board of Health.
4. The Medina County Platting Commission.
5. The Lodi Board of Public Affairs.

The Platting Commission may transmit additional copies of the preliminary plan documents to utility companies and others deemed necessary. The officials and agencies listed in this subsection shall make their review and recommendations to the proper authorities within ten days from the date of transmission.

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(d) **Platting Commission Action.** The Platting Commission, within forty-five days of the date of official filing, shall approve, approve conditionally or disapprove the preliminary plan. The action shall be noted on both the preliminary plan and the preliminary plan application form, and a copy of each returned to the subdivider. The action shall also be entered on the official records of the Platting Commission and a copy of the preliminary plan, with action noted, kept on file.

(e) **Effect of Approval.** Approval of a preliminary plan by the Platting Commission is not an acceptance of the subdivision for record. It is an approval of a general plan as a guide for the preparation of improvement plans and a subdivision plat for final approval and recording upon fulfillment of all requirements of these Regulations. Approval of a preliminary plan shall be effective for a period of one year following the date of approval by the Platting Commission, unless an extension of time is granted. Upon expiration of preliminary plan approval, no approval of a final plat shall be given until the preliminary plan has been resubmitted and approved. Construction of improvements shall not begin until action on the final plat has been taken.

(f) **Submission of Improvement Plans.** The developer's engineer shall prepare improvement plans which include all phases of the work to be performed to make the land suitable for development into the use proposed. These plans shall be complete and precise in all details and eight copies shall be submitted to the Platting Commission.
(g) **Transmission of Improvement Plans.** The Platting Commission shall file one copy of the improvement plans and transmit one copy to each of the officials and agencies listed below for their review and recommendations.

1. The Lodi Board of Public Affairs
2. The Village Engineer.
3. The Lodi Utilities Director.
4. The Lodi Street Superintendent.
5. The Lodi Water Superintendent.
6. The Lodi Wastewater Superintendent.
7. The Lodi Electric Superintendent.

The officials and agencies listed in this subsection, other than the Village Engineer, shall review and make recommendations to the Village Engineer within ten days from the date of transmission. The Village Engineer shall review the improvement plans and the recommendations from the other officials and agencies and make compiled recommendations to the Platting Commission within twenty days from the date of transmission.

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**PLANNING AND ZONING CODE 1224.03**

(h) **Platting Commission Action.** The Platting Commission, within forty-five days of the date of submission of the improvement plans, shall approve, approve conditionally or disapprove the improvement plans. This action shall be entered on the official records of the Platting Commission, a copy of the improvement plans shall be kept on file, and the subdivider shall be notified in writing of the action taken. Platting Commission approval of the improvement plans shall be obtained prior to the commencement of construction of any improvements by the subdivider.

(Ord. 1729. Passed 1-3-90. Am. Ord. 2036. Passed 1-5-98)
CHAPTER 1226
Plan and Plat Specifications

1226.01 Purpose.
1226.02 Preliminary plan and discussion map.
1226.03 Final plat specifications.
1226.04 Final plat procedure.
1226.05 Improvement plan and specifications.
1226.06 Insurance.

1226.07 Platting Commission action.
1226.08 Approval without Board Action.
1226.09 Effect of approval.
1226.10 Recording of final plat.

CROSS REFERENCES
Original plats - see Ohio R.C. 711.01 et seq.
Municipal corporation may adopt general rules and regulations; violations; effective date - see Ohio R.C. 711.101 et seq.
Vacating plats - see Ohio R.C. 711.17 et seq.
Revision of plats - see Ohio R.C. 711.28 et seq.
Lost or destroyed records - see Ohio R.C. 711.34 et seq.
General provisions and definitions - see P. & Z. Ch. 1220
Administration, enforcement and penalty - see P. & Z. Ch. 1222
Subdivisions in flood hazard areas - see P. & Z. 1282.15(d)
1226.01 PURPOSE.

The purpose of this chapter is to inform the subdivider of the specific information he or she must provide to permit adequate review, approval and recording of plats. (Ord. 1729. Passed 1-3-90.)

1226.02 PRELIMINARY PLAN AND DISCUSSION MAP.

(a) Preliminary Plan Drawing. The plan shall be prepared in accordance with Chapter 1228 by a registered surveyor, Village planner, landscape architect or professional engineer. The plan shall be accurately and clearly drawn. The drawing shall include the proposed plan or alternate plans of the subdivision and shall show the following:

A map shall be submitted by the subdivider as a basis for informal discussion. The map shall show the following information:

1. Location: tract boundaries, township and north point.
2. Existing highways and proposed streets on and adjacent to the tract.
   (Several alternates if considered).
3. Statement of how sewage disposal and water supply will be provided.
4. Utility transmission lines and easements.
5. Existing zoning districts.
6. Topography (U.S.G.S. or better).

(b) Physical Considerations.

1. Flood hazard. Land subject to flooding and land otherwise uninhabitable shall not be platted for residential occupancy, nor for such other uses that may increase danger to health, life or property, or aggravate the flood hazard.
2. Natural land use. Subdivisions should be planned to take advantage of the topography of the land to economize in the construction of drainage facilities, to reduce the amount of grading and to minimize destruction to trees and topsoil. (Ord. 1729. Passed 1-3-90.)

(c) Bypass of Preliminary Plan Procedure. If, in the judgment of the Platting Commission, an applicant has substantially fulfilled all of the requirements set forth herein for preliminary plans, prior to the submission of a preliminary plan, then he or she may bypass the preliminary plan procedure set forth in these Subdivision Regulations and proceed with the final plan procedure as set forth in Sections 1226.03 and 1226.04.
1226.03 FINAL PLAT SPECIFICATIONS.

The subdivider shall furnish a final plat drawing. The final plat shall be drawn in ink on tracing cloth or mylar (sheet size eighteen inches by twenty-four inches within the border), and the preliminary and final plats shall be at a scale of not more than 100 feet to one inch and shall contain a north arrow and date. Where necessary, the plat may be on several sheets accompanied by an index sheet showing the entire subdivision. (Ord. 1729. Passed 1-3-90.)

1226.04 FINAL PLAT PROCEDURE.

(a) Submission of Final Plat. The subdivider shall make application to the Platting Commission for approval of a final plat. The final plat submitted shall conform to the approved preliminary plan. Subdivisions may be submitted for final approval in consecutive sections, provided that preliminary plan and improvement plan approval has been given for the entire subdivision.

All items required by Section 1226.05 shall be submitted to the Platting Commission as follows:

1. An original tracing and two copies of the final plat and vicinity map;
2. An original tracing and four copies of approved improvement plans; and
3. One copy of financial guarantees approved by the Solicitor and in an amount stated by the Village Clerk.

The Platting Commission may request additional copies of any of the above items and any other additional information deemed necessary.

(b) Existing Data Required. The following existing data shall be submitted with or as part of the final plat:

1. A boundary line survey, showing bearings and distances as surveyed by a registered surveyor;
2. Easements, showing location, width and purpose;
3. Streets on and adjacent to the subdivision, names, locations and right of way and roadway widths;
4. Utilities on and adjacent to the subdivision, including the location, size and invert elevations of sanitary and storm sewers, the location and size of water mains and fire hydrants. If water mains, sewers and/or culverts are not on or adjacent to the tract, the direction and distance to and the size of the nearest ones shall be indicated, showing the invert elevation of sewers and culverts.
5. Ground elevations on the subdivision, showing contours with an interval of not more than five feet if ground slope is in excess of four percent, and
two feet if ground slope is less than four percent;
(6) Other conditions on the subdivision, including:
   A. Wooded areas; and
   B. Any structures or other significant features;
(7) Other conditions on adjacent land within 200 feet, including
   A. The approximate direction and gradient of the ground slope, 
      including any embankments or retaining walls;
   B. The location and type of buildings, fences, tree lines, etc.;
   C. Railroad lines;
   D. Power lines and towers;
   E. Other nearby nonresidential uses of land; and
   F. Owners of adjacent unplatted land (for adjacent platted land, 
      reference shall be made to the subdivision plat by name, plat book 
      and pages);
(8) Zoning requirements, including:
   A. The zoning district;
   B. Lot size, yard requirements and minimum setbacks, as to 
      Village requirements; and
   C. Proof of any variances or special exceptions which may have been 
      granted.

(c) Proposals. Proposals shall contain the following information:
   (1) Identification.
      A. The proposed name of the subdivision (which must not duplicate 
         others in the County) and the township, tract and original lot or 
         section number in both the preliminary plan and the final plat 
         drawing;
      B. The names, addresses and telephone numbers of the owners, 
         the subdivider, the registered surveyor, the Village Planner 
         and the landscape architect or professional engineer;
      C. A vicinity map at a scale of approximately one inch equals 
         1,000 feet, with a north arrow;
   (2) Control points. All dimensions, angles and bearings, which shall 
       be referred to control points, the nearest established street line, 
       section lines or other established points;
   (3) Lines and boundaries. Centerlines and right-of-way lines of 
       streets, easements and other rights of way, natural and artificial 
       watercourses, streams, shorelines, corporation lines and property lines 
       of all lots and parcels, with distances, radii, arcs, chords and tangents of all 
       curves (to the nearest one-hundredth of a foot), bearings or deflection 
       angles, (to the nearest second shown);
(4) Building setback lines. Building setback lines accurately shown with dimensions;

(5) Lot identification. The Village lot number, to be assigned by the County Engineer prior to recording of the plat;

(6) Total site data. Acreage, number of residential lots, typical lot size and acres in parks and other public uses;

(7) Land for public use. Parcels which are to be dedicated or reserved for public use or easements, showing boundaries and identification;

(8) Monuments. The location and description of those found, set or to be set;

(9) Adjoining land. Names of recorded owners of adjoining unplatted land and reference to subdivision plats of adjoining platted land by name, volume and page of Recorder’s maps;

(10) Certification and seal of surveyor. Certification and seal by a registered surveyor to the effect that the plat represents a survey made by him or her which balances and closes and that the monuments shown thereon exist or shall be set as shown and that all dimensional and geodetic details are correct;

(11) Certification of owner. Notarized certification by the owner or owners of the subdivision that there are no unpaid taxes or special assessments against the land contained in the plat, and an offer of the dedication of streets and other public areas;

(12) Streets. Proposed streets (indicating each street by a letter except where the street is a continuation of an existing street), right-of-way widths, approximate grades and proposed improvements of each street within the proposed subdivision and those adjoining it, and street names (which must not duplicate or be similar to another street name within the Lodi postal delivery area);

Plat and Plan Specifications 1226.05

(13) Other right-of-way easements. Location, width and purpose;

(14) Lots. Numbers, dimensions and area of irregular lots in square feet. Final lot numbers will be assigned by the County Engineer just prior to recording;

(15) Setback lines. Minimum building setback lines;

(16) Parcels not to be divided. Land parcels within the subdivision not to be divided into lots;

(17) Public sites. Reserved or dedicated for parks, playgrounds or other public uses;

(18) Sites for other uses. Sites for other uses, including multifamily dwellings,
At the completion of the construction, and before acceptance, the subdivider shall furnish the Platting Commission with a set of linen or mylar tracings for permanent record, showing the locations, sizes and elevations of all improvements as constructed.

(b) **Contents of Plan.** An improvement plan shall include the following items:

1. **Identification.**
   A. The names, addresses and telephone numbers of the owners, the
subdivider, the registered surveyor, the Village Planner and the
landscape architect or professional engineer;

B. A vicinity map at a scale of approximately one inch equals 1,000
feet, with a north arrow.

(2) **Control points.** All dimensions, angles and bearings, which shall be
referred to control points, the nearest established street line, section lines
or other established points;

(3) **Lines and boundaries.** Centerlines and right-of-way lines of streets,
easements and other rights of way, natural and artificial water courses,
streams, shorelines, corporation lines, and property lines of all lots and
parcels, with distances, radii, arcs, chords and tangents of all curves (to
the nearest one hundredth of a foot), bearings or deflection angles (to the
nearest second) shown;

(4) **Streets.** Street names (which must not duplicate or be similar to
another in the Lodi postal delivery area) and the right-of-way width of each street
within the proposed subdivision and those adjoining it;

(5) **Building setback lines.** Building setback lines accurately shown with
dimensions; and

(6) **Lot identification.** The Village lot number, to be assigned by the
County Engineer prior to recording of the plat.

(Ord. 1729. Passed 1-3-90. Am. Ord. 2036. Passed 1-5-98)

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**1226.06 INSURANCE.**

The owner shall save the Village and its officers and agents harmless from all
claims of any nature whatsoever by any person, firm or corporation, whether for damages
to person or to property, arising out of the carrying out of the work, and/or from liability
from all claims relating to labor or materials furnished for the entire work and material
used in constructing the improvements. The owner shall, prior to recording of the record
plat, furnish the Village Clerk with evidence (a certificate) of paid-up insurance for the
protection of the owner, and the Village, which insurance provides public liability insurance and automobile insurance in the following minimum amounts and coverages:

<table>
<thead>
<tr>
<th>Coverage</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bodily Injury</td>
<td>$500,000</td>
</tr>
<tr>
<td>Bodily Injury</td>
<td>$1,000,000</td>
</tr>
<tr>
<td>Property Damage</td>
<td>$200,000</td>
</tr>
</tbody>
</table>

or

Bodily Injury/Property Damage, $1,000,000

Combined Single Limit:

(Ord. 1729. Passed 1-3-90. Am. Ord. 2036. Passed 1-5-98)

1226.07 PLATTING COMMISSION ACTION.

One of the following two actions shall be taken by the Platting Commission:

(a) Final Approval,

(1) Notation shall be provided for:

A. Certification of the Village Engineer that the required improvements have been satisfactorily installed;
B. Transfer and recording by the Tax Map Draftsman, the County Auditor and the County Recorder.
C. Certification of the Village Solicitor that adequate financial guarantees has been provided and easements, protective covenants, private restrictions and/or agreements have been approved.

(2) The Platting Commission may give final approval before all required improvements are installed, authorizing its Chairperson to sign the plat at such time as a construction agreement and a cash bond, or its equivalent acceptable to the Village solicitor and the Village Engineer, are provided for the purpose of assuring installation of such improvements.

1226.08

The amount of such case bond shall be sufficient to cover the cost of all improvements, based on an estimate by the Village Engineer. For the purpose of satisfying the cash bond requirement of this section, it shall be sufficient for the subdivider to submit the guarantee of a solvent bank or other financial institution that funds in the amount of the cash bond requirement have been committed to
the installation of such improvements, in accordance with Ohio R.C. Chapter 1305, and that such funds will not be disbursed by said bank or financial institution without the prior approval of the Village. Upon receipt of the Village Engineer's and Village Solicitor's certifications and determinations that all the requirements of these Regulations have been met, the Planning Commission may give final approval, and shall indicate such approval and the date thereof on the tracing of the final plat. The final plan shall then be submitted to Council for approval. A two-thirds vote of Council shall be required to override the recommendation of the Planning Commission. The Council shall endorse the subdivision by affixing the Clerk of Council's signature to the tracing of the final plat.

(3) If the owner desires protective covenants, private restriction and/or agreements, the record plat shall contain a reference thereto and the text thereof shall be filed and recorded with the plat.

(4) The Village Engineer cannot represent the subdivider.

(b) Disapproval. Should the Planning Commission determine to disapprove the final plat, notice of such action, including reference to the regulations or regulation violated by the plat, shall be mailed to the subdivider. The action shall also be entered on the official records of the Planning Commission.

(Ord. 1729. Passed 1-3-90. Am. Ord. 2036. Passed 1-5-98)

1226.08 APPROVAL WITHOUT BOARD ACTION.

In the event the Platting Commission fails to approve or disapprove the final plat within forty-five days from the date of its official filing, or within a mutually-agreed upon time extension, the final plat shall be deemed to have been approved.

(Ord. 1729. Passed 1-3-90.)

1226.09 EFFECT OF APPROVAL.

Final approval of a plat by the Platting Commission shall not be an acceptance by the public of an offer of dedication of any street, highway or other public way or open space upon the plat unless such acceptance is also endorsed by Council upon the tracing of the final plat.

(Ord. 1729. Passed 1-3-90.)
1226.10 RECORDING OF FINAL PLAT.

After the final approval of a plat by the Platting Commission, the subdivider shall deliver the tracing of such plat to the Mayor who, after rechecking and assigning a Village lot number, shall secure approval of the Tax Map Department in the County Recorder's Office. The Mayor shall then present the plat to the County Auditor for transfer and to the County Recorder for recording. All fees required in connection with the above process as well as the cost of reproductions of said plat shall be paid by the subdivider. Upon recording of the final plat, a copy of said plat shall be permanently retained by the Platting Commission and eight copies of the final plat shall be given to the Mayor for distribution to proper boards and commissions.

(Ord. 1729. Passed 1-3-90.)

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CHAPTER 1228
Design Standards

1228.01 Street arrangement. 1228.05 Intersections.
1228.02 Street classification. 1228.06 Utility easements
1228.03 Street right-of-way widths 1228.07 Horizontal street
1228.01 STREET ARRANGEMENT.

The design of proposed streets shall provide for both the continuation of existing streets and access to adjacent unplanned lands so that the entire area can be served with a coordinated street system. (Ord. 1729. Passed 1-3-90.)

1228.02 STREET CLASSIFICATION.

(a) Type A streets shall be all streets or sections of streets in commercial and industrial districts, all sections of streets on the state highway system, and all streets or sections of streets in residential districts which are or will be subject to frequent commercial or industrial traffic as determined by the Village of Lodi Platting Commission.

(b) Type B streets shall be all streets or sections of streets in residential districts not designated as Type A streets.

(c) Cul-de-sac streets are permitted in a residential area to discourage through traffic and promote public safety. Such streets should not be greater than 600 feet in length, except where existing topographic conditions discourage the use of an alternate street pattern. Cul-de-sac streets shall have a sixty-foot right of way terminating in a turn-around having a minimum outside paving radius of fifty feet and a property line radius of not less than sixty feet.

(d) Type A Streets in residential districts and all Type B Streets shall provide full and direct access to each lot.

(Ord. 1729. Passed 1-3-90. Am. Ord. 2036. Passed 1-5-98)

PLANNING AND ZONING CODE 1228.03

1228.03 STREET RIGHT-OF-WAY WIDTHS AND GRADES.

<table>
<thead>
<tr>
<th>Classification</th>
<th>Minimum Right-of-Way Width (ft.)</th>
<th>Grades (by %) Max.</th>
<th>Min</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type A Streets</td>
<td>70</td>
<td>8</td>
<td>1.0</td>
</tr>
</tbody>
</table>
Type B Streets 60 8 1.0
Cul-de-sac Streets 60 8 1.0
(Ord. 1729. Passed 1-3-90. Am. Ord. 2036. Passed 1-5-98)

1228.04 TEMPORARY TURN-AROUNDS AND DEAD-END STREETS.
If a dead-end street is of a temporary nature and a future extension into adjacent land is anticipated, then the required temporary turn-around beyond the normal street width shall be in the nature of an easement over the premises included in said temporary turn-around, but beyond the boundaries of the street property. Such easements shall be automatically vacated to abutting property owners when the dead-end street is legally extended into adjacent land. If a dead-end street extends only one lot depth past a street intersection, no turn-around shall be required.
(Ord. 1729. Passed 1-3-90. Am. Ord. 2036. Passed 1-5-98)

1228.05 INTERSECTIONS.
Streets shall be laid out to intersect as nearly as possible at right angles, and no street shall intersect any other street at an angle of less than seventy-five degrees. In no event shall an intersection containing streets in excess of four be approved.
(Ord. 1729. Passed 1-3-90.)

1228.06 UTILITY EASEMENTS.
Subdivider shall grant a five foot wide easement on both sides of streets immediately adjacent to the right-of-way line and outside of the public right- of-way for the purpose of installation of utilities by the Village of Lodi or other utility provider. The easements shall provide that no structures of any kind shall be erected or placed nor trees planted on said easement without the written consent of the Village of Lodi Board of Public Affairs.
(Ord. 2036. Passed 1-5-98)

1228.07 HORIZONTAL STREET ALIGNMENT
Angles in the alignment of street centerlines shall be connected by a curve having a minimum radius of 200 feet for residential streets and 300 feet for commercial and industrial streets. (Ord. 2036. Passed 1-5-98)

CHAPTER 1230
Improvement Requirements and Specifications

1230.01 Street improvements. 1230.08 Public sites.
1230.02 Sidewalks. 1230.09 Construction inspections.
1230.03 Sewer and water facilities. 1230.10 Final inspection.
1230.04 Oversize and/or off-site 1230.11 Construction
improvements.

1230.05 Drainage easements.

1230.06 Monuments.

1230.07 Blocks.

CROSS REFERENCES

Original plats - see Ohio R.C. 711.01 et seq.
Municipal corporation may adopt general rules and regulations; violations; effective date - see Ohio R.C. 711.101 et seq.
Vacating plats - see Ohio R.C. 711.17 et seq.
Revision of plats - see Ohio R.C. 711.28 et seq.
Lost or destroyed records - see Ohio R.C. 711.34 et seq.
General provisions and definitions - see P. & Z. Ch. 1220
Administration, enforcement and penalty - see P. & Z. Ch. 1222
Subdivisions in flood hazard areas - see P. & Z. 1282.15(d)
Sidewalk specifications - see P. & Z. Ch. 1286

1230.01 STREET IMPROVEMENTS.

(a) Pavement. The subdivider shall design and construct pavements as follows:

<table>
<thead>
<tr>
<th>Classification</th>
<th>Minimum Right-of-Way Width (ft.)</th>
<th>Grades (bv %) Max.</th>
<th>Min</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type A Streets</td>
<td>70</td>
<td>8</td>
<td>1.0</td>
</tr>
<tr>
<td>Type B Streets</td>
<td>60</td>
<td>8</td>
<td>1.0</td>
</tr>
<tr>
<td>Cul-de-sac Streets</td>
<td>60</td>
<td>8</td>
<td>1.0</td>
</tr>
</tbody>
</table>

Loads permitted on asphalt or nonreinforced concrete pavements shall not exceed seventy-five percent of the load limits permitted by law on the main thoroughfares.

(b) Curbs and Gutters. Concrete curbs and gutters shall be provided.
(Ord. 2036. Passed 1-5-98)

1230.02 SIDEWALKS.

The owner and the developer responsible to the owner for the development of
the subdivision shall be jointly and individually responsible for constructing concrete sidewalks, on both sides of any street, in accordance with the current Lodi Construction and material specifications and standard construction drawings.

Unless Council, in its ordinance approving the proposed plans of the subdivision, provides for a different time limit, all sidewalks in any approved subdivision or in any approved phase of a subdivision shall be completed within thirty-six months from the date of approval. (Ord. 1729. Passed 1-3-90; Ord. 1826. Passed 3-15-93. Am. Ord. 2036. Passed 1-5-98)

1230.03 SEWER AND WATER FACILITIES.

Adequate central sanitary sewer systems, including manholes, house laterals and other incidentals; storm sewer systems including catch basins, manholes, house laterals, and other incidentals; and water supply systems, shall be provided by the subdivider, either by the installation of new systems or by connection to existing systems which are deemed adequate by the Village to handle the additional demands and volume which will result from the proposed subdivision. The subdivider, prior to the submission of the plat for approval by the Planning Commission, must receive prior written approval for the extension or installation of the central water system and central sanitary sewer system from the Village or public utilities involved. (Ord. 1729. Passed 1-3-90. Am. Ord. 2036. Passed 1-5-98)

1230.04 OVERSIZE AND/OR OFF-SITE IMPROVEMENTS.

Oversize and/or off-site extensions of utilities, pavements and other improvements shall be designed and constructed to facilitate the orderly development of nearby land which is an integral part of the neighborhood service or drainage area. Where the Village determines that improvements in excess of the size needed to serve the proposed subdivision are necessary, the subdivider shall install all improvements required to serve his or her subdivision plus the additional oversize and/or off-site improvements required. The subdivider may contract with adjacent property owners and/or subdividers of adjacent land for reimbursement of the oversize and/or off-site improvements required. Such improvements shall be available for connection by individual property owners and/or subdividers of adjoining land. (Ord. 1729. Passed 1-3-90.)

1230.05 DRAINAGE EASEMENTS.

Where a subdivision is traversed by a drainage way, a storm water or drainage easement conforming substantially with the lines of such drainage way shall be provided. The easement shall be sixteen feet wide or shall generally follow, but not be centered upon, rear or side lot lines. Where deemed necessary by the Village Engineer, a wider easement may be required. (Ord. 1729. Passed 1-3-90.)

1230.06 MONUMENTS.
Permanent street monuments shall be installed on the centerline of all streets at intersections, points of curvature, points of tendency, and at not greater than 500 foot spacings. Monuments shall be adequate for a resurvey of the subdivision, shall be shown on the recorded plat and shall be installed in accordance with Ohio Department of Transportation requirements. (Ord. 1729. Passed 1-3-90. Am. Ord. 2036. Passed 1-5-98)

1230.07 BLOCKS.
(a) Residential Block Lengths. The long dimension of a residential block shall not exceed 1,500 feet.

(b) Pedestrian Walkways. Pedestrian walkways with not less than a six-foot right of way, or of such greater width as is deemed necessary by the Planning Commission, shall be required across blocks where the Planning Commission deems that pedestrian access to schools, playgrounds, shopping centers, transportation and other community facilities is necessary.

(c) Commercial or Industrial Blocks. Blocks intended to be used for commercial or industrial purposes shall be designed specifically for such uses with adequate space set aside for off-street parking and loading facilities, as required by Chapter 1274 of the Zoning Code. (Ord. 1729. Passed 1-3-90.)

1230.08 PUBLIC SITES.
(a) Parks and Playgrounds. The Planning Commission may require the dedication of land for parks and playgrounds.

(b) Preconstruction Meeting and Work Schedule. A preconstruction meeting will be held with the Planning Commission, the Council Committee to the Planning Commission and/or the Board of Public Affairs, prior to the commencement of any project. At this time the project will be discussed in regard to procedure, plans, materials, inspections, etc. (Ord. 1729. Passed 1-3-90.)

1230.09 CONSTRUCTION INSPECTIONS.
(a) Responsibility. The Village of Lodi Board of Public Affairs or its designated representative shall be responsible for the inspection of all water, sanitary and electric improvements. The Council of the Village of Lodi or its designated representative shall be responsible for the inspection of all other improvements within street right-of-way.
(b) **Authority and Duties of Inspectors.** Inspectors for the Village shall be authorized to inspect any work done and all materials furnished. Such inspection may extend to all or any part of the work and to the preparation, fabrication, or manufacture of the materials to be used. No inspector shall be authorized to revoke, alter or waive any requirement of the specifications or plans. Inspectors shall be authorized to call the attention of the contractor to any failure of the work or materials to conform to the specifications and contract. They shall have the authority to reject materials which do not meet specification requirements or suspend the portion of the work involved until any question at issue can be referred to and decided by the Village. No work shall be covered until it is inspected.

Inspection during the installation of improvements shall be made by the inspector to insure conformity with the approved plans and specifications as contained in the subdivider's construction agreement. (Ord. 1729. Passed 1-3-90. Am. Ord. 2036. Passed 1-5-98)

1230.10 **FINAL INSPECTION.**

Upon completion of all improvements, the subdivider shall request, in writing, a final inspection by the Village. The Village Engineer shall make a final inspection of improvements. (Ord. 1729. Passed 1-3-90.)

1230.11 **CONSTRUCTION RESPONSIBILITIES.**

(a) **Cooperation of Subdivider and/or Contractor.** The subdivider and/or contractor shall have available on the project, at all times, two approved copies of all required plans and specifications. He or she shall cooperate with the inspector and with other contractors in every way possible. The subdivider and/or contractor shall at all times have a competent superintendent acting as his or her agent on the project. The superintendent shall be capable of reading and thoroughly understanding the plans and specifications. He or she shall have full authority to execute the construction in accordance with the approved plans and specifications and to promptly supply such materials, tools, plant equipment and labor as may be required.

(b) **Repair of Damage.** Any damage to the improvements by construction traffic, local traffic or by any other means shall be repaired by the developer or contractor.

(c) **Final Clean-Up.** Upon completion of the work and before acceptance, the subdivider and/or contractor shall clean all ground occupied or affected by him or her in connection with the work. The entire area shall be left in a neat and presentable condition satisfactory to the Village.
(d) Maintenance of Improvements. The subdivider shall be responsible for the maintenance of the improvements during the construction period and shall be responsible for providing the services necessary to guarantee access to all occupied lots, until final acceptance of the improvements by the Village. The subdivider shall be notified by the Village or the Planning Commission of the need for said maintenance or service. If the subdivider fails to perform such necessary maintenance or service within a time specified by the Village, the Village may perform said maintenance or service and bill the subdivider for said service. Payment shall be guaranteed by the performance bond.

In addition, the subdivider shall maintain all improvements for such periods specified in Section 1230.12(f).

(e) Village Services. Services customarily rendered by the Village to residents thereof, such as garbage collection, snow removal and fire protection, will not be done by the Village until the paving is completed. The owner shall so inform all prospective buyers. (Ord. 1729. Passed 1-3-90. Am. Ord. 2036. Passed 1-5-98)

1230.12 AGREEMENTS AND GUARANTEES.

(a) Sureties: Custody of Bonds, Irrevocable Bank Letter of Credit and Insurance. All bonds and insurance required under this section shall be secured from companies authorized to do business in the State of Ohio and shall be deposited and remain at all times with the Village Clerk. Irrevocable bank letters of credit required under this section shall be secured from national or state banks licensed to do business in the State of Ohio.

(b) Construction Agreement. To insure construction and installation of improvements required by these Regulations, the subdivider shall execute a construction agreement with the Village in form and substance as determined by the Village and approved by the Solicitor. This agreement shall provide that all such improvements shall be constructed and installed at the subdivider's expense in compliance with the standards and specifications for each of the various types of improvements. Such improvements will be completed and installed within the time for completion as set forth in the ordinance approving the record plat. The construction agreement shall further provide that if the improvements are not completed within the specified time, the Village upon proper notice, may complete the improvements and recover full costs and expenses thereof from the subdivider and may appropriate such portion of money or bonds posted for the faithful performance of said works.
(c) **Commencement of Improvements.** No construction of any improvements, or clearing, grubbing or grading, shall be commenced prior to the approval of the construction agreement by Council.

(d) **Performance Guarantee.**

1. **Type of guarantee.** The subdivider, when requesting Council approval of the record plat, shall execute and file with the Village the construction agreement provided for herein and shall also file with the Clerk a full construction performance bond or an irrevocable bank letter of credit in an amount equal to the estimated cost of the improvements which he or she has agreed to build and install, plus an additional five percent of said cost. The additional amount shall provide for any margin of error in estimation and shall also be available to the Village to offset increased construction and administrative costs which the Village may incur if it is forced to complete the improvements under the forfeiture provisions hereof.

   The amount of the bond or irrevocable bank letter of credit is subject to approval by the Village. The bond itself shall be a cash bond, a surety bond executed by the subdivider and a corporate surety or an irrevocable bank letter of credit and shall be approved by the Village Solicitor.

2. **Term of guarantee.** The guarantee for improvements other than sidewalks shall be for a period of time at least six months longer than the time in which the subdivider is to complete his or her improvements. The guarantee for sidewalks shall be for a period of time at least six months longer than the time required for sidewalk installation. In the case of a surety bond, or an irrevocable bank letter of credit, it shall provide that no reasonable extension of time granted the subdivider by the Village, shall act as a release of the surety or sureties.

(e) **Final Inspection.** Upon completion of all of the various items of work, the subdivider may apply to the Village for final inspection. If the Village finds that all installments meet the requirements of the approved plans and specifications, and the same are approved and accepted by the Village, then the performance bond or irrevocable bank letter of credit may be discharged, provided, however, that the subdivider has first posted his or her maintenance bond as provided for herein.
(f) **Maintenance Guarantee.** A cash maintenance bond or a corporate surety bond, or an irrevocable bank letter of credit, shall be posted with the Village in the amount of ten percent of the cost of improvements and shall be arranged for a period of twelve months from the date of final inspection and approval of improvements by the Village Engineer. The bond or irrevocable bank letter of credit shall be subject to approval by the Village Clerk and the Solicitor.

The subdivider shall be responsible for routine maintenance of all improvements within twelve months and shall repair all failures due to faulty construction as soon as they become apparent.

The subdivider shall also make repairs due to erosion or abuse by utility companies and shall repair all failures for all other reasons during the maintenance guarantee period. The streets and other improvements shall be in a condition acceptable to the Village at the end of the maintenance period. If the subdivider fails to perform said maintenance to the complete satisfaction of the Village, the Village may use such cash maintenance guarantee to complete the required improvements.

(g) **Bond Release.** At the termination of the eighteen-month maintenance period, the subdivider may apply to the Village for an inspection of the various items of work. Before the inspection is made, the subdivider shall cause the sanitary sewers, storm sewers and the surface of the pavement and walk to be cleaned. The Village shall require the replacement of any defective work or materials or of any walk that has been damaged within said eighteen-month maintenance period. When the Village finds that any defects in workmanship or materials which might have developed within said eighteen-month maintenance period have been properly corrected and that other obligations of the bond have been satisfied, it shall notify the subdivider that the bond may be released, and the Village shall assume all maintenance thereafter.

(h) **Bond or Irrevocable Bank Letter of Credit Forfeiture.** If the improvements are not completed as proposed within the time limit that was established in the acceptance ordinance, or an extended time period approved by Council, the performance bond or irrevocable bank letter of credit shall be forfeited and the money shall be collected by the Village and used to complete the specified improvements. The money that is collected from the financial guarantee shall be used for no other purpose, except that the Village may charge ten percent in addition to the cost of improvements for administrative overhead, and any money remaining after the completion of the work shall be returned to the original depositor.
If, at the termination of the eighteen-month maintenance period, the subdivider fails to make the repairs, corrections or improvements which are ascertained by the Village, then the Village may declare the bond or irrevocable bank letter of credit and use the proceeds to make repairs and corrections necessary and to perform the maintenance required of the subdivider. The money so collected shall be used for no other purpose, except that the Village may charge ten percent in addition to the cost of repairs, corrections or maintenance to offset administrative overhead, and any remaining funds shall be returned to the original depositor.

(i) Miscellaneous. The guarantees for performance and maintenance provided for herein may be combined in a single document or instrument so long as the obligations are clearly stated and the Village is not prejudiced by combining them. Any such combination bond must be approved by the Solicitor.

At any time during the existence of the performance or maintenance obligations, the subdivider may exchange one form of guarantee for another, so long as the Village is not thereby prejudiced. Any application for such a substitution must first have the approval of the Solicitor. (Am. Ord. 2036. Passed 1-5-98)
APPENDIX A

EXAMPLES OF CERTIFICATIONS AND STATEMENTS

1. Notarized certification by owners:

We the undersigned owners of the lands embraced within this subdivision hereby acknowledge this plat and subdivision to be our free act and deed, and do hereby dedicate to public use forever the streets, easements, parks and other public sites and all improvements therein as shown upon this plat.

____________________________                    ______________________________
Witness                                                Owner/Developer

Witness                                                Owner/Developer

State of Ohio                        )
) ss
__________ County                     )

Before me, a Notary Public in and for said County and State, personally appeared the above named: __________________________ and __________________________ husband and wife, who acknowledged the making of the foregoing instrument and the signing of this plat to be their free act and deed. In testimony whereof I have set my hand and affixed my official seal at:

______________________________, Ohio, this ________ day of _____________ 20__. 
2. Certification by surveyor or engineer:

I hereby certify that I have surveyed the land shown on this plat, that this plat is a correct representation of the land surveyed, and the subdivision thereof, and that I have found or set the pins and monuments shown, and that all lots conform to the Village Zoning Ordinance.

_____________________________________________
Registered Surveyor

3. Approval statements:

Approved by the Village of Lodi Planning Commission on this day of

_______ day of _____________ 20___.

_____________________________________________
Planning Director

4. This plat was duly accepted by Ordinance No. _________of the Village of Lodi Council at a regular/special meeting held on the______________________ day of _____________, 20___.

_____________________________________________
Mayor

_____________________________________________
Clerk of Council

5. Received for transfer ________________, 20___.

_____________________________________________
Tax Map Draftsman

6. Received for transfer ________________, 20___.

(Seal)                                             _________________________________________
Notary Public
7. Received for record______________, 20___ at_______________A.M./P.M.

Recorded _________________, 20 ___

in volume _________________, page ______ fee ________________.

Medina County Recorder

8. Tree Plan Approved by Lodi Tree Commission:

Approval date: _________________, 20 ___.

Chairman, Lodi Tree Commission
APPENDIX B
FLOWCHART OF SUBDIVISION REVIEW PROCEDURE

A. Major Subdivision

<table>
<thead>
<tr>
<th>Subdivider</th>
<th>Requests to placed on P.C. agenda</th>
<th>For Preliminary Discussion</th>
<th>Presents Details To</th>
<th>Village of Lodi Platting Commission and Lodi Tree Commission</th>
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<tr>
<td>Subdivider</td>
<td>Subdivider prepares Preliminary Drawing for hearing.</td>
<td>If acceptable, the Lodi Platting Commission will advise the Subdivider to have his Engineer prepare a drawing for Preliminary Hearing.</td>
<td>Lodi Platting Commission holds a Preliminary Discussion with Subdivider. *</td>
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<td>Lodi Platting Commission who may invite: Appropriate Council Committee, Lodi BPA, County Planning Commission, County Board of Health.</td>
<td>Invited officials shall make their review and recommendations within ten (10) days to P.C.</td>
<td>Platting Commission.</td>
<td>Must approve, or conditionally approve, or disapprove Preliminary Plan within forty five (45) days of submission.</td>
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<tr>
<td>Village of Lodi Platting Commission</td>
<td>Submits plans to Platting Commission, after approval, submits Improvement Construction Plans to.</td>
<td>Village Engineer, who prepares written report to Subdivider /Platting Comm. and prepares estimate of costs for financial guarantee.</td>
<td>Village Engineer also submits estimate of construction costs to Village Solicitor who approves financial guarantee.</td>
<td>When Approved, Subdivider Instructs</td>
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<tr>
<td>Subdivider</td>
<td>Subdivider for signing Owner Certificates and appropriate financial guarantees.</td>
<td>Surveyor submits plans to Surveyor to prepare Final Plat. *</td>
<td>Surveyor to prepare Final Plat. *</td>
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<tr>
<td>Lodi Platting Commission for approval. review within forty five (45) days.</td>
<td>If approved, Lodi Platting Commission submits review recommendation to Council.</td>
<td>Lodi Village Council holds a public hearing on merits of the plan. Also, reviews Tree Commission recommendation.</td>
<td>Village Council approves final plan, or with 2/3 majority may override Platting Commission, approval.</td>
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<td>When Clerk signs Final Plat, will forward to Mayor for transmission.</td>
<td>When construction agreement is acceptable to Solicitor, the agreement and final plat is sent to Village Council for authority of Clerk to sign final plat.</td>
<td>Platting Commission submits construction agreement to Village Solicitor for approval.</td>
<td>Subdivider prepares construction agreement. Submits to Platting Commission.</td>
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<tr>
<td>Mayor submits to Tax Map Department</td>
<td>Mayor submits to County Auditor for transfer.</td>
<td>Mayor submits to County Recorder for recording.</td>
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</table>
*If in the judgment of the Planning Commission, the applicant has substantially fulfilled preliminary plat procedure, then said applicant may bypass the preliminary plat procedure and proceed with the final plat procedure. See Section 1226.02(c).

TITLE SIX - Zoning
Chap. 1242. Administration, Enforcement and Penalty.
Chap. 1244. Board of Zoning Appeals.
Chap. 1246. Amendments.
Chap. 1248. Districts Generally and Zoning Districts Map.
Chap. 1250. General Regulations.
Chap. 1252. CD Conservation District.
Chap. 1254. R-1 Low Density Residential District.
Chap. 1256. R-2 Medium Density Residential District.
Chap. 1258. R-3 High Density Residential District.
Chap. 1260. MH Mobile Home Park District.
Chap. 1262. C-1 Local Commercial District.
Chap. 1264. C-2 Central Commercial District.
Chap. 1266. I-1 Light Industrial-Commercial District.
Chap. 1268. I-2 General Industrial District.
Chap. 1270. PR Parks and Recreation District.
Chap. 1272. MU Multi-Use District.
Chap. 1274. Off-Street Parking and Loading.
Chap. 1276. Signs.
Chap. 1280. Nonconforming Uses.
Chap. 1284. Unsafe and Substandard Buildings.
Chap. 1286. Sidewalk Specifications.
Appendix A - Zoning Districts Map.
Appendix B - Zoning Districts Map Changes.
Appendix C - Form for Formal Complaint of Unsafe and Substandard Buildings.
Appendix D - Sidewalks.
Dwg. No. 2. Typical Sidewalk Re-Alignment Detail.
Dwg. No. 3. Curb Ramp Detail.
Village of Lodi Sidewalk Permit.

CHAPTER 1240
General Provisions and Definitions
1240.01 SHORT TITLE.  
This Title shall be known as the "Zoning Code of Lodi, Ohio," and is referred to herein as "this Zoning Code." It repeals existing Zoning Ordinance No. 1080, as amended. (Ord. 1533. Passed 8-11-80.)

1240.02 AUTHORIZATION.  
This Zoning Code is authorized by the Ohio Constitution and the Ohio Revised Code. (Ord. 1533. Passed 8-11-80.)

1240.03 PURPOSE.  
This Zoning Code has been enacted to promote the public health, safety, convenience, comfort, prosperity and general welfare by:
(a) Encouraging and facilitating orderly, efficient and appropriate growth and development;
(b) Establishing population densities to prevent or reduce congestion and to secure economy in the cost of providing water supply and sewerage systems, streets and highways, fire and police protection, schools, parks and recreation facilities, and other governmental services;
(c) Securing safety from fire, floods, traffic hazards, and other dangers;
(d) Protecting the tax base;
(e) Fostering well planned industrial and commercial growth;
(f) Stabilizing and improving property values; and
(g) Protecting both urban and rural development from the detrimental effects of incompatible surrounding uses.
1240.04 INTERPRETATION; CONFLICTS.

In their interpretation and application, the provisions of this Zoning Code shall be held to be minimum requirements. Where this Zoning Code imposes a greater restriction than is imposed or required by other provisions of law, rules, regulations or resolutions, or by private deed restrictions or covenants, the provisions of this Zoning Code shall prevail. (Ord. 1533. Passed 8-11-80.)

1240.05 VALIDITY AND SEPARABILITY.

It is hereby declared to be the intent of Council that if any provision of this Zoning Code, or the application thereof to any zoning lot, building or other structure, or tract of land, is declared by a court of competent jurisdiction to be invalid or ineffective in whole or in part, or to be inapplicable to any person or situation, the effect of such decision shall be limited to the provision or provisions which are expressly stated in the decision to be invalid or ineffective to the zoning lot, building or other structure, or tract of land, immediately involved in the controversy. All other provisions of this Zoning Code shall continue to be separate and fully effective, and the application of any such provision to other persons or situations shall not be affected. (Ord. 1533. Passed 8-11-80.)

1240.06 DEFINITIONS.

For purposes of this Zoning Code, certain words and terms are hereby defined. The word "person" includes a firm, association, organization, partnership, trust, company or corporation, as well as an individual; words in the present tense include the future and the future includes the present; the singular number includes the plural and the plural the singular; the word "lot" includes the word "plot" "tract" or "parcel" of land, as the sense may require it; the term "erected" means constructed, altered, moved or repaired; the words "shall" and "must" are always mandatory; the words "used" and "occupied," as applied to any land or building, shall be construed to include the words "intended, arranged or designed to be used or occupied"; the word "district" is synonymous with the word "zone"; and the term "Building Inspector" is synonymous with the term "Zoning Inspector."

(1) **Accessory building or use:** "Accessory building or use" means a subordinate building or use customarily incidental to, and located upon, the same lot occupied by the main building or use.

(2) **Agriculture:** "Agriculture" means the use of land for agricultural purposes, including farming, dairying, pasturage, apiculture,
horticulture, floriculture, viticulture, silviculture, and animal and poultry husbandry, and the necessary accessory uses for packing, treating or storing the produce, provided that the operation of such accessory use shall be secondary to that of the normal agricultural activities, and provided that the above uses shall not include the commercial feeding of garbage or offal to swine and other animals. A use shall be classified as agriculture only if agriculture is the principal or main use of the land.

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(3) Alley: "Alley" means a public way which affords only a secondary means of access to abutting properties.

(4) Alteration, structural: "Structural alteration" means any change in the supporting members of a building, such as bearing walls, columns, beams or girders.

(5) Apartment: See "Dwelling, row house or town house" and "Dwelling, multifamily."

(6) Automobile wrecking yard or graveyard: See "Junk yard."

(7) Basement: "Basement" means a story having more than one-half of its height below average grade.

(8) Boarding House: "Boarding house" means a dwelling where lodging and meals are provided to two or more persons, other than the members of the proprietor's family, by prearrangement, for definite periods of time.

(9) Buffer: "Buffer" means an area of open space that separates one use of land from another.

(10) Building: "Building" means any structure having a roof supported by columns or by walls and intended for the shelter, housing or enclosure of persons, animals or property.

(11) Building, accessory: "Accessory building" means a subordinate building detached from, but located on the same lot as, the principal building, the use of which is incidental and accessory to that of the main building or use.

(12) Building height: "Building height" means the vertical dimension, measured from the average finished grade at the front of the building to the highest point of a flat roof; to the deck line of a mansard roof; and to the average height between the plate and ridge of a gable, hip or gambrel roof.

(13) Building line: "Building line" means a line defining the minimum front, side and rear yard requirements, outside of which no building or structure may be located, except as otherwise provided herein.

(14) Building, principal: "Principal building" means the building on a lot
used to accommodate the primary use to which the premises are devoted.

(15) **Building setback line:** "See Minimum building setback line."

(16) **Central sewer system:** "Central sewer system" means a system in which individual units are connected to a common sewage disposal system.

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(17) **Central water system:** "Central water system" means individual units are connected to a common water distribution system.

(18) **Clinic:** "Clinic" means a place used for the care, diagnosis and treatment of sick, ailing, infirm or injured persons and those who are in need of medical and surgical attention, but who are provided with board or room or are kept overnight on the premises.

(19) **Club:** "Club" means a building or portion thereof, or premises, owned or operated by a person for a social, literary, political, educational or recreational purpose, primarily for the exclusive use of members and their guests.

(20) **Common land:** "Common land" means a parcel or parcels of land, together with the improvements thereon, the use and enjoyment of which are intended to be shared by the owners and occupants of the individual building units in a planned unit development.

(21) **Commercial vehicle:** "Commercial vehicle" means any motor vehicle designed and used for carrying merchandise or freight, or used as a commercial tractor for drawing other vehicles designed and used for carrying freight, or drawn by other motor vehicles.

(22) **Conditional use:** See "Use, conditionally permitted."

(23) **Condominium:** "Condominium," as defined in Ohio R.C. Section 5311.01, means an ownership arrangement whereby a party holds title to an individual dwelling unit and the undivided interest in the common areas and facilities of the development.

(24) **Density:** "Density" is a unit of measurement which describes the number of dwelling units per acre of land. Density may be expressed as follows:
A. Gross density: The number of dwelling units per acre of the total land to be developed.

B. Net density: The number of dwelling units per acre of land when the acreage involved includes only the land devoted to residential uses.

(25) **District**: "District" means an area of land for which there are uniform regulations governing the use of buildings and premises, density of development, yard requirements and height limitations.

(26) **Dwelling**: "Dwelling" means any building or structure (except a house trailer or mobile home, as defined in Ohio R.C. 4501.01) which is wholly or partly used, or intended to be used, for living or sleeping by one or more human occupants.

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(27) **Dwelling unit**: "Dwelling unit" means space, within a dwelling, comprising a living room, a dining room and a sleeping room or rooms, and storage closets, as well as space and equipment for cooking, bathing and toilet facilities, all used by only one family and its household employees.

(28) **Dwelling, single-family**: "Single-family dwelling" means a detached building designed and used exclusively for occupancy by one family.

(29) **Dwelling, two-family**: "Two-family dwelling" means a dwelling, consisting of two dwelling units, which may be either attached side by side or one above the other, each of which has a separate or combined entrance or entrances. (Ord. 1533. Passed 8-11-80.)

(30) **Dwelling, row house or town house**: "Row house or town house dwelling" means a building that has one-family dwelling units erected in a row as a single building, on adjoining lots, each being separated from the adjoining unit or units by a masonry party wall or walls extending from the basement floor to the roof along the dividing lot line, and each such building being separated from any other building by space on all sides.

(31) **Dwelling, multifamily**: "Multifamily dwelling" means a building designed and used exclusively by three or more families living independently of each other.

(32) **Dwelling, rooming house (boarding house, lodging house, dormitory)**: "Rooming house dwelling" means a dwelling, or part thereof, other than
a hotel, motel or restaurant, where meals and/or lodging are provided, compensation, for three or more unrelated persons, where no cooking or dining facilities are provided in the individual rooms.

(33) Family: "Family" means one or more person occupying a single dwelling unit, provided that, unless all members are related by blood, adoption or marriage, no such family shall contain over five persons.

(34) Flood plain: "Flood plain" means that land, including the flood fringe and the floodway, subject to inundation by the regional flood.

(35) Flood, regional: "Regional flood" means a large flood which has previously occurred, or which may be expected to occur, on a particular stream because of like physical characteristics. The regional flood generally has an average frequency of a 100-year recurrence interval flood.

General Provisions and Definitions 1240.06

(36) Floodway: "Floodway" means that portion of the flood plain, including the channel, which is reasonably required to convey the regional flood waters. Floods of less frequent recurrence are usually contained completely within the floodway.

(37) Floodway fringe: "Floodway fringe" means that portion of the flood plain, excluding the floodway, where development may be allowed under certain restrictions.

(38) Floor area (for determining floor area ratio): The "floor area" of a building is the sum of the gross horizontal area of every floor of a building, measured from the exterior faces of the exterior walls or from the centerline of walls separating two buildings. The "floor area" of a building shall include:

A. Elevator shafts and stairwells at each floor;
B. Floor space used for mechanical equipment, except equipment, open or enclosed, located on the roof;
C. Roofed porches, breezeways, interior balconies, and mezzanines and attics having headroom of seven feet, six inches or more; and
D. Floor area devoted to accessory uses. However, any space devoted
to off-street parking or loading which is uncovered, or any basement,

shall not be counted in the "floor area ratio," as defined below.

(39) **Floor area for living purposes:** The "floor area for living purposes" consists of the living room, bedroom, bathroom, dining room, kitchen, den, library and family room, but excludes porches, basements, terraces and garages.

(40) **Floor area ratio:** "Floor area ratio" means the total floor area of each floor (excluding the basement) of the building or buildings on a lot, divided by the area of that lot.

(41) **Garage, private:** "Private garage" means a detached accessory building, or portion of a principal building, for the parking or temporary storage of automobiles, travel trailers and/or boats of the occupants of the premises and wherein:

A. Not more than one space is rented for parking to a person not a resident on the premises;

B. No more than one commercial vehicle per dwelling unit is parked or stored; and

C. The commercial vehicle permitted does not exceed two tons capacity.

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**PLANNING AND ZONING CODE**

(42) **Garage, public:** "Public garage" means a principal or accessory building, or part thereof, other than a private garage, used for temporary storage of passenger automobiles and for which no service shall be provided.

(43) **Gasoline service station:** "Gasoline service station" means a building, or part of a building or structure or space, for the retail sale of gasoline, lubricants and motor vehicle accessories and for minor services and repairs not accompanied by objectionable noises, fumes, dust or odors.

(44) **Grade, finished:** "Finished grade" means the average level of the finished surface of the ground adjacent to the exterior walls of a building.

(45) **Hardship:** A "hardship," as related to requests for variances, shall be deemed to occur when:
A. Special conditions and circumstances exist that are peculiar to the land, structure or building involved and which are not applicable to other land, structures or buildings in the same district; and when

B. A literal interpretation of the provisions of this Zoning Code would deprive an applicant of rights commonly enjoyed by other properties in the same district under the forms of this Zoning Code. If the hardship is primarily economic, or is due to previous actions of the applicant, it shall not be considered a hardship which must necessarily lead to the granting of a variance by the Board of Zoning Appeals.

(46) **Height:** See "Building height."

(47) **Home occupation:** "Home occupation" means an occupation conducted in a dwelling unit, provided that: No more than one person, other than members of the family residing on the premises, shall be engaged in such occupation; the use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants; and not more than twenty percent of floor area of the dwelling unit shall be used in the conduct of the home occupation; There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation. No traffic shall be generated by such home occupation in greater volume than would normally be expected in a residential neighborhood and any need for parking generated by the conduct of such home occupation shall meet the off-street parking requirements as specified in this Zoning Code and shall not be located in a required front yard; No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors or electrical interference detectable to the normal senses off the lot, if the occupation is conducted in a single-family residence, or outside the dwelling unit if conducted in other than a single-family residence. In the case of electrical interference, no equipment or
process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises.

(48) **Hotel or motel**: "Hotel" or "motel" means a building in which lodging is provided and offered to the public for compensation, and which is open to transient guests.

(49) **Institution**: "Institution" means a building and/or land designed to aid individuals in need of mental, therapeutic or rehabilitative counseling, or other correctional services.

(50) **Junk yard**: "Junk yard" means the use of more than twenty-five square feet of any land, building or structure, whether for private and/or commercial purposes, where waste, discarded or salvaged materials such as scrap metals, used building materials, used lumber, used glass, discarded motor vehicles, paper, rags, rubber, cordage, barrels, etc., are sold, stored, bought, exchanged, baled, packed, sorted, disassembled, dismantled or handled.

(51) **Landscaping**: "Landscaping" means the use of natural materials (stone, shrubs, trees, etc.) in a planned fashion to enhance the visual appeal of a property.

(52) **Lodi Development Policy Plan**: "Lodi Development Policy Plan" means the mapped and written proposals for guiding the future development of the community. Such Plan indicates the projected population and its distribution; the planned density of development; the location and amount of land for residential, commercial, industrial, public and semipublic uses that will be needed; and the type, location and width of existing and proposed street systems.

(53) **Loading space**: "Loading space" means a space provided outside the public right of way, and on the same lot with a building or contiguous to a group of buildings, for the temporary parking of a commercial vehicle loading or unloading merchandise and materials, and which abuts on a street, alley or other appropriate means of access. Required loading space is not to be included as off-street parking space in the computation of required off-street parking space.

(54) **Lot**: "Lot" means a parcel of land of sufficient size to meet minimum zoning requirements for use, coverage and area, and to provide such yards.
and other open spaces as are herein required. Such lot shall have
frontage
on an improved public street, or on an approved private street, and may consist of:
A. A single lot of record;
B. A portion of a lot of record; or
C. A combination of complete lots of record, or complete lots of
record
and portions of lots of record, or of portions of lots of record.

(55) Lot, corner: "Corner lot" means a lot abutting two or more streets which intersect at an angle of 135 degrees or less.

(56) Lot coverage: "Lot coverage" means the portion of a lot area that is covered by any buildings.

(57) Lot depth: "Lot depth" means the mean horizontal distance between the right-of-way line of the street and the rear lot line.

(58) Lot line: "Lot line" means the line defining the limits of a lot.

(59) Lot, minimum area of: "Minimum area of lot" means the area of a lot, computed exclusive of any portion of any right of way, existing or planned, for any private or public road.

(60) Lot of record: "Lot of record" means a lot which is part of a subdivision, the plat of which has been recorded in the office of the Recorder of this County; or a parcel of land, the deed to which was of record on or prior to the actual date of this Zoning Code.

(61) Lot width: "Lot width" means the horizontal distance measured between the side lot lines along the minimum building setback line.

(62) Minimum building setback line: "Minimum building setback line"

means

a line, parallel to the street right-of-way line, at such distance from the street right-of-way line as is required by the minimum front yard depth in

the district in which it is located. Where the right-of-way line is not established, it shall be assumed to be sixty feet.

(63) Mobile home: "Mobile home" means any non-self-propelled vehicle designed, constructed, reconstructed or added to by means of accessories in such manner as will permit the use and occupancy thereof for human habitation, when connected to utilities, whether resting on wheels, jacks, blocks or other temporary foundation, and used or so construed as to permit its being used as a conveyance upon the public streets and highways.
(64) **Mobile home park**: "Mobile home park" means a plot of ground upon which mobile homes, occupied for dwelling or sleeping purposes, are located.

(65) **Nonconforming use**: "Nonconforming use" means the use of any building, structure or land which lawfully existed on the effective date of this Zoning Code, or any amendment or supplement thereto, which does not conform to the use regulations of the district in which it is located.

(66) **Parking space**: "Parking space" means one off-street parking space available for the parking of one motor vehicle, and with an area of not less than 180 square feet, exclusive of passageways and driveways giving access thereto. Truck loading space shall not be included in such area.

(67) **Planned unit**: "Planned unit" means a land area which has both individual building sites and common property, such as a park, and which is designed and organized to be capable of satisfactory use and operation as a separate neighborhood or community unit without necessarily having the participation of other building sites or other common property. (The ownership of the common property may be either public or private.)

(68) **Preliminary plan**: "Preliminary plan" means a drawing for the purpose of study of a major subdivision and which, if approved, permits proceeding with the preparation of the final plat.

(69) **Recreation facilities**: "Recreation facilities" means public or private facilities that may be classified as both “extensive” or “intensive,” depending upon the scope of services offered and the extent of use. Extensive facilities generally require and utilize considerable areas of land and include, but need not be limited to, hunting, fishing and riding clubs and parks. Intensive facilities generally require less land (used more intensively) and include, but need not be limited to, miniature golf courses, amusement parks, stadiums and bowling alleys.

(70) **Right of way**: "Right of way" means a strip of land taken or dedicated for use as a public way. In addition to the roadway, it normally incorporates the curbs, lawn strips, sidewalks, lighting and drainage facilities, and may include special features (required by the topography or treatment) such
grade separation, landscaped areas, viaducts and bridges.

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(71) **Row House**: See "Dwelling, row house or town house."

(72) **Screening**: "Screening" means the use of a natural or man-made barrier to partially or completely obstruct the view between adjacent properties.

(73) **Seat**: "Seat," for purposes of determining the number of off-street parking spaces for certain uses, means the number of seating units installed or indicated, or each twenty-four linear inches of benches, pews or space for loose chairs.

(74) **Story**: "Story" means that portion of a building between the surface of any floor and the surface of the floor next above it, or, if there is no floor above it, the space between such floor and the ceiling next above it.

(75) **Street right-of-way line**: "Street right-of-way line" means a line between a lot, tract or parcel of land and a contiguous street. Where the lot, tract or parcel of land has been conveyed to the center of the street, the street right-of-way line then becomes the inside line of land reserved for street purposes.

(76) **Structure**: "Structure" means anything constructed or erected, the use of which requires permanent location on the ground, or that is attached to something having a permanent location on the ground, including signs, billboards, and decks. (Ord. 2082. Passed 6-15-98)

(77) **Thoroughfare, street or road**: "Thoroughfare," "street" or "road" means the full width between property lines bounding every public way of whatever nature, with a part thereof to be used for vehicular traffic and designated as follows:

A. **Alley**: A minor street used primarily for vehicular service access to the back or side of properties abutting on another street.

B. **Arterial street**: A general term denoting a highway primarily for through traffic carrying heavy loads, and large volumes of traffic, which highway is usually a continuous route.

C. **Collector street**: A thoroughfare, whether within a residential,
industrial, commercial or other type of development, which primarily carries traffic from local streets to arterial streets, including the principal entrance and circulation routes within residential subdivisions.

D. Dead-end street: A street temporarily having only one outlet for vehicular traffic, and which is intended to be extended or continued in the future.

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E. Local street: A street primarily for providing access to residential or other abutting property.

F. Cul-de-sac: A local street of relatively short length with one end open to traffic and the other end terminating in a vehicular turn-around.

(78) Useable open space: "Useable open space" means an area substantially open to the sky which may be on the same lot with a building. The use may include, along with the natural environmental features, water areas, swimming pools and tennis courts, and any other recreational facilities that the Planning Commission deems permissive. Streets, parking areas, structures for habitation and the like shall not be included.

(79) Use: "Use" means the specific purpose for which land or a building is designed, arranged or intended, or for which it is or may be occupied or maintained.

(80) Use, conditionally permitted: "Conditionally permitted use" means a use of a conditional zoning certificate by the Planning Commission, provided that the Planning Commission finds that the proposed conditional use is listed in the conditional uses in the district, and that the conduct of the use meets, beyond any reasonable doubt, both the general and specific requirements listed in Chapter 1278.

(81) Use, permitted: "Permitted use" means uses permitted outright or as a matter of right upon issuance of a zoning certificate.

(82) Variance: A "variance" is a modification of the strict terms of the relevant regulations, where such modification will not be contrary to the public interest and where, owing to conditions peculiar to the property and not
the result of any action of the applicant, a literal enforcement of the
regulations would result in unnecessary and undue hardship.

(83) Veterinary animal hospital or clinic: "Veterinary animal hospital or
clinic" means a place used for the care, grooming, diagnosis and
treatment of sick, ailing, infirm or injured animals, and those who are in
need of medical or surgical attention, and may include overnight
accommodations on the premises for treatment, observation and/or
recovery. It may also include boarding that is incidental to the
primary activity.

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(84) Yard: "Yard" means a required open space, other than a court,
unoccupied and unobstructed by any structure or portion of a structure
from three feet above the general ground level of the graded lot upward.
However, accessories, ornaments and furniture may be permitted in any
yard, subject to height limitations and requirements limiting obstruction
of visibility. Yards may be classified as follows:

A. Front yard: A yard extending between lot lines across the front of
   a lot and from the front lot line to the front of the primary
   building.

B. Rear yard: A yard extending between side lines across the rear of
   a lot and from the lot line to the rear of the building.

(85) Zone: "Zone" is synonymous with "district."

(86) Zoning certificate: "Zoning certificate" means a document issued by the
Zoning Inspector authorizing the use of lots or structures, or land and
structures, and the characteristics of the use.

(87) Zoning Code: "Zoning Code" is a composite of the text of Ordinance
1533, passed August 11, 1980, as amended, which describes the
specific regulations for both private and public uses within each use
district, and the Zoning Districts Map adopted by Section 1248.02,
which Map indicates graphically and precisely the location and extent
of district or zone boundaries.
Passed 6-15-98)
CHAPTER 1242
Administration, Enforcement and Penalty

1242.01 Authority of Platting Commission.
1242.02 Authority of Zoning Inspector.
1242.03 Applications for and issuance of zoning certificates.
1242.04 Contents of applications; issuance and expiration of certificates; conditional certificates.

1242.05 Schedule of fees, charges and expenses.
1242.06 Violations a nuisance.
1242.07 Inspections; orders to correct.
1242.08 Correction period.
1242.09 Complaints regarding violations.
1242.99 Penalty; equitable remedies.

CROSS REFERENCES
Division of municipal corporations into zones - see Ohio R.C. 713.06
Restrictions on buildings, structures, lots and setbacks - see Ohio R.C.713.07 et seq. Restrictions on height of buildings and structures - see Ohio R.C.713.08
Restrictions on bulk and location of buildings and structures, percentage of lot
occupancy and setback building lines – see Ohio R.C. 713.09
Basis of districting or zoning; classification of buildings and structures - see Ohio R.C. 713.10
Administrative board; powers and duties - see Ohio R.C. 713.11
Violations may be enjoined - see Ohio R.C. 713.13

1242.01 AUTHORITY OF PLATTING COMMISSION.
The provisions of this Zoning Code shall be administered by the Platting Commission. (Ord. 1533. Passed 8-11-80.)

1242.02 AUTHORITY OF ZONING INSPECTION.
A Zoning Inspector shall be employed to enforce this Zoning Code. The term of employment rate of compensation and other such conditions shall be set by Council. For the purposes of enforcing this Zoning Code, the Zoning Inspector shall have the powers of a police officer. (Ord. 1533. Passed 8-11-80.)

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1242.03 APPLICATIONS FOR AND ISSUANCE OF ZONING CERTIFICATES.
All applications for zoning certificates shall be submitted to the Zoning Inspector, who may issue zoning certificates when all applicable provisions of this Zoning Code have been met.

1242.04 CONTENTS OF APPLICATIONS; ISSUANCE AND EXPIRATION OF CERTIFICATES; CONDITIONAL CERTIFICATES.
(a) Before constructing, changing the use of or altering any building, including accessory buildings, or structures which require a building permit from the Medina County Building Department, or changing the use of any premises, application shall be made to the Zoning Inspector for a zoning certificate. The applications shall include the following information:
(1) A plot plan drawn to scale, showing the exact dimensions of the lot to be built upon and accompanied by a deed of record;
(2) The location, dimension, height and bulk of the structures to be corrected;
(3) The intended use;
(4) The proposed number of sleeping rooms, dwelling units, occupants, employees and other uses;
(5) The yard, open area and parking space dimensions; and
(6) Any other pertinent data as may be necessary to determine and provide for the enforcement of this Zoning Code. (See Section 1250.07 for site
1242.05 SCHEDULE OF FEES, CHARGES AND EXPENSES.

(a) Council shall, by ordinance, establish a schedule of fees, charges and expenses, and a written procedure for zoning permits, amendments, appeals, variances, conditional use permits, plan approvals and other matters pertaining to the administration and enforcement of this Zoning Code requiring investigations, inspections, legal advertising, postage and other expenses. The schedule of fees shall be posted in the office of the Zoning Inspector and may be altered or amended only by Council. Until all applicable fees, charges and expenses have been paid in full, no action shall be taken on any application or appeal. (Ord. 1533. Passed 8-11-80.)

(b) Pursuant to subsection (a) hereof, there is hereby established the following schedule of fees and charges, to be paid by the applicant:

1. Zoning permits (Residential/Commercial) $ 50.00
2. Application for amendment to Zoning Code 200.00
3. Sign permit 25.00
4. Appeals to the Platting Commission 150.00
5. Conditional use permits 50.00
6. Applications for variances 50.00
7. Site plan review. Any and all costs associated with plan approval, investigations, inspections, legal advertising, legal fees and engineering fees shall be paid by the applicant. (Ord. 1553. Passed 3-8-82. Ord. Passed 4-20-98. Ord. 2082. Passed 6-15-98)
Buildings erected, altered, moved, razed or converted, or any use of land or premises carried on in violation of any provision of this Zoning Code, is hereby declared to be a nuisance per se. (Ord. 1533. Passed 8-11-80.)

1242.07 INSPECTIONS; ORDERS TO CORRECT.

It shall be the duty of the Zoning Inspector to see that any building erected, altered, moved, razed or converted, or any use of land or premises carried on in violation of any provision of this Zoning Code, is inspected. The Zoning Inspector shall declare each violation a nuisance and, in writing, order correction of all conditions which are found to be in violation of this Zoning Code. (Ord. 1533. Passed 8-11-80.)

1242.08 CORRECTION PERIOD.

All violations shall be corrected within a period of thirty days after the written order is issued, or for a longer period of time as indicated by the Zoning Inspector in the written order. Any violations not corrected within the specified period of time shall be prosecuted. (Ord. 1533. Passed 8-11-80.)

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1242.09 COMPLAINTS REGARDING VIOLATIONS.

Whenever a violation of this Zoning Code occurs, or is alleged to have occurred, any person may file a written complaint. Such complaint, stating fully the cause and basis thereof, shall be filed with the Zoning Inspector. The Zoning Inspector shall properly record such complaint, shall immediately investigate it and shall take action as provided by this Zoning Code. (Ord. 1533. Passed 8-11-80.)

1242.99 PENALTY; EQUITABLE REMEDIES.

Any person, firm or corporation violating any provision of this Zoning Code, or supplements or amendments thereto, for which no penalty is otherwise provided, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than fifty dollars ($50.00) nor more than one hundred dollars ($100.00). Each day's continuation of a violation of this Zoning Code shall be deemed a separate offense. Nothing herein contained shall prevent the Village from taking such other lawful action as is necessary to prevent or remedy any violation.

(Ord. 1533. Passed 8-11-80.)
CHAPTER 1244
Board of Zoning Appeals

1244.01  Authority of Platting
          Commission.
1244.02  Composition, appointments
          and organization.
1244.03  Quorum; voting.
1244.04  Meetings.
1244.05  Administration of oaths;
          witnesses.
1244.06  Powers and duties.
1244.07  General requirements for
          appeals and variances.
1244.08  Appeals generally,
1244.09  Stay of proceedings.
1244.10  Variances generally.
1244.11  Procedure for appeals and
          variances.

CROSS REFERENCES
Division of municipal corporations into zones - see Ohio R.C. 713.06 Restrictions
on buildings, structures, lots and setbacks - see Ohio R.C. 713.07 et seq.
Administrative Board; powers and duties - see Ohio R.C. 713.11
Violations may be enjoined - see Ohio R.C. 713.13

1244.01  AUTHORITY OF PLATTING COMMISSION.
The Platting Commission is hereby authorized to act as an administrative board and
a board of zoning appeals, as provided in Ohio R.C. 713.11 of the Ohio Revised Code,
unless the Council establishes a separate Board of Zoning Appeals to fulfill the duties
contained in this Section. Otherwise, the Platting Commission shall have all the powers and duties prescribed by law and by this Zoning Code.

1244.02 COMPOSITION, APPOINTMENTS AND ORGANIZATION.

The Board of Zoning Appeals shall consist of five members. Each member, except for the Mayor and Council representative, shall be appointed for a period of six years, and terms shall be so arranged that the terms of one member shall expire every two years. The Mayor and Council representative shall serve for their respective terms of office. Each member shall serve until his or her successor is appointed. The Board of Zoning Appeals shall elect a Chairperson from its membership, shall appoint a clerk, and shall prescribe rules for the conduct of its affairs.

1244.03 Members of the Board shall be removed for nonperformance of duty, misconduct in office or other cause, after a public hearing has been held regarding such charges. A copy of the charges shall be served upon the member so charged at least ten days prior to the hearing, either personally or by registered mail or by leaving the same at his or her usual place of residence. The member shall be given an opportunity to be heard and to answer such charges. In the event a vacancy occurs, such vacancy shall be filled by appointment for the balance of the unexpired term.

1244.03 QUORUM; VOTING.

The Board of Zoning Appeals shall require a quorum of three members at all its meetings, and the concurring vote of three members shall be necessary to effect any order. (Ord. 1533. Passed 8-11-80.)

1244.04 MEETINGS.

The Board of Zoning Appeals shall meet at the call of its Chairperson or of two other members, and at such other regular times as it may by resolution determine. (Ord. 1533. Passed 8-11-80.)

1244.05 ADMINISTRATION OF OATHS; WITNESSES.

The Chairperson or Acting Chairperson of the Board of Zoning Appeals (Planning Commission) may administer oaths and compel the attendance of witnesses in all matters coming within the purview of this Zoning Code. (Ord. 1533. Passed 8-11-90.)
1244.06 POWERS AND DUTIES.

The Board of Zoning Appeals shall:

(a) Hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by the Zoning Inspector in the enforcement of this Zoning Code;

(b) Authorize, upon appeal, in specific cases, variances from the specific requirements of this Zoning Code as will not be contrary to public interest, where, owing to special conditions, a literal enforcement of this Zoning Code will result in unnecessary hardship, and so that the spirit of this Zoning Code shall be observed and substantial justice done; and

(c) Grant conditional zoning certificates for the use of land, buildings or other structures as specifically provided for elsewhere in this Zoning Code.

(Ord. 1533. Passed 8-11-80.)

1244.07 GENERAL REQUIREMENTS FOR APPEALS AND VARIANCES.

Appeals and variances shall conform to the procedures and requirements of Sections 1244.08 through 1244.11. Under no circumstances shall the Board of Zoning Appeals grant an appeal or variance to allow a use not permissible under the terms of this Zoning Code in the district involved, or any use expressly or by implication prohibited by the terms of this Zoning Code in said district. In granting any appeal or variance, the Board of Zoning Appeals may prescribe appropriate conditions and safeguards in conformity with this Zoning Code. Violation of such conditions and safeguards, when made a part of the terms under which the appeal or variance is granted, shall be deemed a violation of this Zoning Code and shall be punishable under Chapter 1242 of this Zoning Code. (Ord. 1533. Passed 8-11-80.)

1244.08 APPEALS GENERALLY.

 Appeals to the Board of Zoning Appeals concerning interpretation or administration of this Zoning Code may be made by any person aggrieved by, or by any officer or bureau of the legislative authority of the Village affected by, any decision of the Zoning Inspector. Such appeal shall be made within thirty days after decision by filing, with the Zoning Inspector and with the Board of Zoning Appeals, a notice of appeal specifying the grounds upon which the appeal is being taken. The Zoning Inspector shall transmit to the Board of Zoning Appeals all papers constituting the record upon which the action appealed from was taken.
1244.09 STAY OF PROCEEDINGS.

An appeal stays all proceedings in furtherance of the action appealed from, unless the Zoning Inspector certifies to the Board of Zoning Appeals, after the notice of appeal is filed with him or her, that by reason of facts stated in the application, a stay would, in his or her opinion, cause imminent peril to life and property. In such case, proceedings shall not be stayed other than by a restraining order, which may be granted by the Board of Zoning Appeals or by a court of record on application, on notice to the Zoning Inspector from whom the appeal is taken on due cause shown. (Ord. 1533. Passed 8-11-80.)

1244.10 VARIANCES GENERALLY.

(a) Authority of Board. The Board of Zoning Appeals may authorize, upon appeal in specific cases, such variance from the terms of this Zoning Code as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this Zoning Code would result in unnecessary hardship. No nonconforming use of neighboring lands, structures or buildings in the same district, and no permitted or nonconforming use of lands, structures or buildings in other districts, shall be considered grounds for issuance of a variance.

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Variances shall not be granted on the grounds of convenience or profit, but only where strict application of the provisions of this Zoning Code would result in unnecessary hardship.

(b) Application and Standards. A variance from the terms of this Zoning Code shall not be granted by the Board of Zoning Appeals unless and until a written application for a variance is submitted to the Zoning Inspector and the Board of Zoning Appeals containing:

(1) The name, address and telephone number of each applicant.
(2) A legal description of the property.
(3) A description of the nature of the variance requested.
(4) A narrative statement demonstrating that the requested variance conforms to the following standards:
   A. That special conditions and circumstances exist which are peculiar to the land, structure or building involved, and which are not applicable to other lands, structures or buildings in the same district.
   B. That a literal interpretation of the provisions of this Zoning Code would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Zoning Code.
   C. That special conditions and circumstances do not result from the
actions of the applicant.
D. That granting the variance requested will not confer on the applicant any special privilege that is denied by this Zoning Code to other lands, structures or buildings in the same district. A variance shall not be granted unless the Board makes specific findings of fact, based directly on the particular evidence presented to it, which support conclusions that the standards and conditions imposed by paragraph (b)(4) hereof have been met by the applicant.

(Ord. 1533. Passed 8-11-80.)

1244.11 PROCEDURE FOR APPEALS AND VARIANCES.

(a) Public Hearing by Board. The Board of Zoning Appeals shall hold a public hearing within forty days after the receipt of an application for an appeal or variance from the Zoning Inspector or an applicant. Before holding the public hearing required, notice of such hearing shall be given in a newspaper of general circulation at least twenty-one days prior to the date of said hearing. Such notice shall set forth the time and place of the hearing and the subject of the proposed appeal or variance.

(b) Notice to Parties in Interest. Before holding the public hearing required in subsection (a) hereof, written notice of such hearing shall be mailed by first class mail, at least twenty-one days before the day of the hearing, to all parties in interest. The notice shall contain the same information required of notices published in newspapers as specified in subsection (a) hereof.

(c) Action by Board. Within forty days after the public hearing required, the Board shall either approve, approve with supplementary conditions as specified in Section 1244.10, or disapprove, the request for appeal or variance. The Board shall further make a finding that the reasons set forth in the application justify the granting of the variance and that the variance will make possible a reasonable use of the land, building or structure. Appeals from the decision of the Board may be made to the courts, as provided in Ohio R.C. Chapters 2505 and 2506.
CHAPTER 1246
Amendments

1246.01 General authority of Council and Planning Commission.
1246.02 Initiation of amendments.
1246.03 Contents of application.
1246.04 Transmittal to Planning Commission.
1246.05 Recommendation by Planning Commission.

1246.06 Public hearing by Council.
1246.07 Notice of public hearing in newspaper.
1246.08 Notice to property owners by Council.
1246.09 Effective date and referendum.

CROSS REFERENCES
Division of municipal corporations into zones - see Ohio R.C. 713.06
Restrictions on buildings, structures, lots and setbacks - see Ohio R.C. 713.07 et seq.
Restrictions on height of buildings and structures - see Ohio R.C. 713.08
Restrictions on bulk and location of buildings and structures, percentage of lot occupancy and setback building lines - see Ohio R.C. 713.09
Basis of districting or zoning; classification of buildings and structures - see Ohio R.C. 713.10
Notice and hearing on zoning regulations - see Ohio R.C. 713.12

1246.01 GENERAL AUTHORITY OF COUNCIL AND PLANNING COMMISSION.
   (a) This Zoning Code may be amended utilizing the procedures specified in Sections 1246.02 through 1246.09.
   (b) Whenever the public necessity, convenience, general welfare or good zoning practice requires it, Council may, by ordinance, after receipt of a recommendation thereon from the Planning Commission, and subject to procedures provided by law, amend, supplement, change or repeal the regulations, restrictions and boundaries or classification of property set forth in this Zoning Code.
(Ord. 1533. Passed 8-11-80.)

1246.02 INITIATION OF AMENDMENTS.
   Amendments to this Zoning Code may be initiated in one of the following ways:
   (a) By adoption of a motion by the Planning Commission;
   (b) By adoption of a resolution by Council; or
   (c) By the filing of an application by at least one owner or lessee of property within the area proposed to be changed or affected by said amendment. (Ord. 1533. Passed 8-11-80.)

1246.03 CONTENTS OF APPLICATION.
   Applications for amendments to the Official Zoning Map, which is adopted as part of this Zoning Code by Section 1248.02, shall contain at least the following information:
   (a) The name, address and telephone number of the applicant.
   (b) The proposed amending ordinance, approved as to form by the Village Solicitor.
(c) The present use.
(d) The present zoning district.
(e) The proposed use.
(f) The proposed zoning district.
(g) A vicinity map, at a scale approved by the Zoning Inspector, showing property lines, thoroughfares, existing and proposed zoning and such other items as the Zoning Inspector may require.
(h) A list of all property owners, and their mailing addresses, who are within, contiguous to or directly across the street from the parcel(s) proposed to be rezoned and other that may have a substantial interest in the case, except that addresses need not be included where more than ten parcels are to be rezoned.
(i) A statement on how the proposed amendment relates to the Lodi Development Policy Plan.
(j) A fee as established by Council in accordance with Section 1242.05. Applications for amendments proposing to amend, supplement, change or repeal portions of this Zoning Code, other than the Official Zoning Map, shall include items (a), (b), (i) and (j) listed above.

Ord. 1533. Passed 8-11-80.

1246.04 TRANSMITTTAL TO PLANNING COMMISSION.
Immediately after the adoption of a resolution by Council, or after the filing of an application by at least one owner or lessee of property, said resolution or application shall be transmitted to the Planning Commission.
(Ord. 1533. Passed 8-11-80.)

1246.05 RECOMMENDATION BY PLANNING COMMISSION.
Within sixty days from the receipt of the proposed amendment, the Planning Commission shall transmit its recommendation to Council.
(Ord. 1533. Passed 8-11-80.)

1246.06 PUBLIC HEARING BY COUNCIL.
Upon receipt of the recommendation from the Planning Commission, Council shall schedule a public hearing. Said hearing shall be held not more than forty days from the receipt of the recommendation of the Planning Commission.
**1246.07 NOTICE OF PUBLIC HEARING IN NEWSPAPER.**

Notice of the public hearing required by Section 1246.06 shall be given by Council by at least one publication in a newspaper of general circulation. Said notice shall be published twice at least twenty-one days before the date of the required hearing. The published notice shall set forth the time and place of the public hearing and the proposed amendment.

**1246.08 NOTICE TO PROPERTY OWNERS BY COUNCIL.**

If the proposed amendment intends to rezone or redistrict ten or less parcels of land, as listed on the tax duplicate, written notice of the hearing shall be mailed by first class mail, at least twenty-one days before the day of the public hearing, to all owners of property within, contiguous to and directly across the street from such area proposed to be rezoned or redistricted; to the address of such owners appearing on the County Auditor's current tax list or the Treasurer's mailing list; and to such other list or lists as may be specified by Council.
Failure to deliver the notification, as provided in this section, shall not invalidate any such amendment. The notice shall contain the same information required of notices published in newspapers as specified in Section 1246.07.

**1246.09 EFFECTIVE DATE AND REFERENDUM.**

An amendment adopted by Council shall become effective thirty days after the date of such adoption, unless within thirty days after the passage of the ordinance there is presented to the Village Clerk a petition, signed by a number of qualified voters residing in the Village equal to not less than ten percent of the total vote cast in such area at the last preceding general election at which a Governor was elected, requesting Council to submit the zoning amendment to the electors of the Village for approval or rejection at the next general election.
No amendment for which such referendum vote has been requested shall be put into effect unless a majority of the vote cast on the issue is in favor of the amendment. Upon certification by the Board of Elections that the amendment has been approved by the voters, it shall take immediate effect. (Ord. 1533. Passed 8-11-80.)

CHAPTER 1248

Districts Generally and Zoning Districts Map

1248.01 Establishment of districts.  1248.03 Interpretation of district boundaries.
1248.02 Zoning districts map.

CROSS REFERENCES
Division of municipal corporations into zones - see Ohio R.C. 713.06
Restrictions on buildings, structures, lots and setbacks - see Ohio R.C. 713.07 et seq.
Restrictions on height of buildings and structures - see Ohio R.C. 713.08
Restrictions on bulk and location of buildings and structures, percentage of lot occupancy and setback building lines - see Ohio R.C. 713.09
Basis of districting or zoning; classification of buildings and structures - see Ohio R.C. 713.10

1248.01   ESTABLISHMENT OF DISTRICTS.
For the purpose of promoting the public health, safety, morals, convenience, comfort, prosperity and general welfare of the Village of Lodi, the following zoning districts are hereby established:
CD Conservation District
R-1 Low Density Residential District
R-2 Medium Density Residential District
R-3 High Density Residential District
MH Mobile Home Park District
C-1 Local Commercial District
C-2 Central Commercial District
1-1 Light Industrial District
1-2 General Industrial District
PR Parks and Recreation District
MU Multi-Use District
(Ord. 1732. Passed 3-19-90.)
SR School Reuse- See Chapter 1288
(Ord. 3055-13. Passed 7-22-13.)

1248.02   ZONING DISTRICTS MAP.
The zoning districts established in Section 1248.01 are bounded and defined as shown on a map entitled "Zoning Districts Map of Lodi, Ohio," and said Map, with all the notations, references and other pertinent material shown thereon, is hereby declared to be a part of this Zoning Code. (Ord. 1732. Passed 3-19-90.)
The real property located at 301 Mill Street shall be included in the newly created School Reuse (SR) District, contained in Chapter 1288.

1248.03   INTERPRETATION OF DISTRICT BOUNDARIES.
Where uncertainty exists with respect to the boundaries of any of the zoning districts shown on the Zoning Map, the following rules shall apply:

(a) Where Boundaries Approximately Follow Streets. Where zoning district boundaries are indicated as approximately following the centerlines or right-of-way lines of streets, such lines shall be construed to be the zoning district boundaries.

(b) Where Boundaries Approximately Follow Lot Lines. Where zoning district boundaries are indicated as approximately following lot lines, these lot lines shall be construed to be the zoning district boundaries.

(c) Where Boundaries Parallel Street Lines. Where zoning district boundaries are indicated as approximately parallel to the centerlines or right-of-way lines of streets, such district boundaries shall be construed as being parallel to such lines. (Ord. 1732. Passed 3-19-90.)
1250.01 APPLICATION OF CHAPTER; CONFLICTS.

The provisions of this chapter apply to all zoning districts. Where requirements of a general regulation and a district regulation differ, the more restrictive requirement shall prevail. (Ord. 1732. Passed 3-19-90.)

1250.02 PERMITTED USES.

No building shall be converted, enlarged, reconstructed or structurally altered, nor shall any building be used, designed or arranged for any purpose other than that specifically permitted in the district in which the building or land is located. The Planning Commission may issue conditional zoning certificates for any conditionally permitted uses authorized in any district. The Planning Commission may certify new construction that is not a conditionally permitted use in the following areas: MU, C-1, C-2, and 1-2. No deviation shall be permitted in R-1, R-2, R-3, CD, MH or PR Districts. (Ord. 1732. Passed 3-19-90.)

1250.03 LOTS.

(a) Reduction or Division. No parcel of land shall be so reduced or divided as to provide less than the minimum lot size required in the zoning district in which the land is situated.

(b) Corner Lots. Corner lots in all districts are required to have the minimum front yard requirements, as indicated in that district, facing both streets.
(c) **Lot Area Exception for Existing Substandard Lots.** Any lot or parcel of land under one ownership and of record at the time of adoption of this Zoning Code, and where no adjoining land was under the same ownership on said date may be used as a building site even when of less area or width than that required by the regulations for the zoning district in which it is located, provided the building conforms to other lot regulations in the district. (Ord. 1732. Passed 3-19-90.)

**1250.04 YARDS.**

(a) **General Requirements.** Except as herein provided, every yard shall be open and unobstructed and shall not be reduced or diminished in area so as to be smaller than the minimum area prescribed by this Zoning Code.

(b) **Measurements.**

(1) The minimum front yard depth shall be measured on the perpendicular from the street right-of-way line to the building setback line. Streets having no established right of way shall have such right of way established by classifying the streets according to classifications in the Subdivision Regulations. All front and side street yards shall be measured from the right-of-way lines so established.

(2) The minimum side yard width and rear yard depth shall be measured on the perpendicular from the lot lines to the nearest point of any structure on the lot.

(c) **Visibility at Intersections.** On a corner lot in any district, nothing shall be erected, placed, planted or allowed to grow in such a manner as to materially impede vision between a height of two and one-half and ten feet above the centerline grades of the intersecting streets, in the area bounded by the right-of-way lines of such corner lots and a line joining points along said street lines twenty-five feet from the point of intersection. (Ord. 1732. Passed 3-19-90.)

(d) **Fences and Walls.** (EDITOR’S NOTE: Subsection (d) was repealed by Ordinance 1961, passed April 15, 1996.)

(e) **One-Story Garages and Accessory Buildings in Residential Districts.** In Residential Districts, one story detached garages or other accessory buildings shall be located at least five feet from side and rear property lines when located in back of the principal building.

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<table>
<thead>
<tr>
<th>General Regulations</th>
<th>1250.05</th>
</tr>
</thead>
</table>

(f) **Sale, Lease, or Use of Required Space.** No space needed to meet the width, yard, area, coverage, parking or other requirements of this Zoning Code for a lot or building to be sold, leased or used from such a lot or building unless other space is available to comply with said requirements.

(g) **Parking and Storage in Front Yards.**
(1) Permanent or temporary parking of a motor vehicle in the front yard, side yard, or building or accessory building having a roof supported by columns (excluding gravel or paved driveways) of a lot in a residential district is prohibited. Storage of a boat, trailer and/or recreational vehicle for a period of longer than six months is prohibited in a front yard, side yard or building having a roof supported by columns up on any lot in a residential district.

(2) Whoever violates any provisions of this section shall be fined not more than $100. A separate offense shall be deemed committed each day during or on which a violation occurs or continues to occur. The provisions of this section shall be enforced by the Village Zoning Inspector.

(3) Parking of RV’s, trailers, and motor vehicles is permitted in the back yard in a residential area as long as it is on a pad that is suitable for the manufacturer’s gross vehicle weight plus 10%.

(4) RV’s, trailers and motor vehicles may be parked in the front or side yard in a residential district to load and unload such vehicles after a Parking Permit has been obtained from the Village Hall. A Parking Permit shall permit an owner up to 72 consecutive hours to load such vehicle and 72 consecutive hours to subsequently unload such vehicle.

(5) This does not relieve owner of any local, state or federal weight restrictions.

(6) Commercial vehicles are not included in this code.

   a. Parking Permits must be visible from the roadway at all times.

1250.05 HEIGHT EXCEPTIONS.

No structure shall be erected, converted, enlarged, reconstructed or structurally altered to exceed the height limit hereinafter established for the zoning district in which the structure is located, except that:

   (a) Roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building, and fire and parapet walls, skylights, towers, steeple chimneys, smokestacks or similar structures may be erected to exceed by not more than fifteen feet in height the limits of the zoning district in which it is located, provided that such structure shall not have a total area greater than twenty percent of the roof area of the building and shall not be used for any residential purposes.

(b) Radio, television and similar aerials, or masts and flagpoles, may be erected to exceed by not more than fifteen feet in height the limits of the zoning district in which they are located. These uses shall be conditionally permitted in all districts, subject to Section 1278.03(c)(18). (Ord. 1732. Passed 3-19-90.)
1250.06 BUILDINGS.

(a) **Compliance Required.** No building shall be erected, converted, enlarged, reconstructed or structurally altered to:

1. Exceed the maximum height allowed for structures in the district in which it is located;
2. Accommodate a prohibited use or house a greater number of families than that allowed in the district in which such building is located;
3. Occupy a greater percentage of lot area than that allowed in the district in which such building is located; or
4. Have a narrower or smaller rear, front or side yard than is specified herein for the district in which such building is located.

(b) **Principal Buildings.** No more than one principal building shall be permitted on any one lot unless otherwise specifically stated in this Zoning Code.

(c) **Accessory Buildings.** An accessory building, unless attached to and made structurally a part of the main building, shall not be closer than five feet to the main building.

(d) **Buildings Under Construction.** Nothing in this Zoning Code shall be deemed to require any change in plans, construction or designated uses of any building upon which actual construction was lawfully begun prior to the adoption of this Zoning Code, provided that such building shall be completed within one year from the date of passage of this Zoning Code.

(e) **Town House, Multifamily, Commercial and Industrial Developments.** When more than one town house, multifamily, commercial or industrial building is located on one lot, the buildings shall be considered as one building for the purpose of determining front, side and rear yard requirements.

(f) **Minimum Living Area Per Dwelling Unit (DU): Foundations: Garages.** No structure shall be erected, reconstructed, remodeled or converted for use as a dwelling in a district zoned R-1, R-2, R-3 or MU unless the minimum ground floor living area (sq. ft.) per dwelling unit, per zone, is provided.
## Dwelling Unit Requirements

<table>
<thead>
<tr>
<th>Dwelling Unit (Bedrooms/Units)</th>
<th>Required Square Footage (With Basement)</th>
<th>Required Square Footage (Without Basement)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>1,200</td>
<td>1,200</td>
</tr>
<tr>
<td>3</td>
<td>1,200</td>
<td>1,200</td>
</tr>
<tr>
<td>4</td>
<td>1,200</td>
<td>1,400</td>
</tr>
<tr>
<td>5 (or more)</td>
<td>1,400</td>
<td>1,600</td>
</tr>
</tbody>
</table>

(2) R-2. R-3. MU Residential Districts.

Single-family residence (dwelling unit), one story:

<table>
<thead>
<tr>
<th>Dwelling Unit (Bedrooms/Units)</th>
<th>Required Square Footage (With Basement)</th>
<th>Required Square Footage (Without Basement)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>1,000</td>
<td>1,000</td>
</tr>
<tr>
<td>3</td>
<td>1,000</td>
<td>1,200</td>
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<tr>
<td>4</td>
<td>1,200</td>
<td>1,400</td>
</tr>
<tr>
<td>5 (or more)</td>
<td>1,400</td>
<td>1,600</td>
</tr>
</tbody>
</table>

Two-family residence (two dwelling units):

<table>
<thead>
<tr>
<th>Dwelling Unit (Bedrooms/Units)</th>
<th>Required Square Footage (With Basement)</th>
<th>Required Square Footage (Without Basement)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>1,000 ea. unit</td>
<td>1,000 ea. unit</td>
</tr>
<tr>
<td>3</td>
<td>1,000 ea. unit</td>
<td>1,200 ea. unit</td>
</tr>
<tr>
<td>4</td>
<td>1,200 ea. unit</td>
<td>1,400 ea. unit</td>
</tr>
<tr>
<td>5 (or more)</td>
<td>1,400 ea. unit</td>
<td>1,600 ea. unit</td>
</tr>
</tbody>
</table>

Multifamily residence (three or more family dwelling units):

<table>
<thead>
<tr>
<th>Dwelling Unit (Bedrooms/Units)</th>
<th>Required Square Footage (With Basement)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>600 ea. unit</td>
</tr>
<tr>
<td>2</td>
<td>800 ea. unit</td>
</tr>
<tr>
<td>3</td>
<td>1,000 ea. unit</td>
</tr>
<tr>
<td>4 (or more)</td>
<td>1,250 ea. unit</td>
</tr>
</tbody>
</table>
Minimum living floor area per unit shall not include porches, greenhouses, steps, terraces, breezeways, attached or built-in garages, basements or other attached structures not intended for human occupancy.

A residential building shall have a complete foundation installed to a depth below the frost line and must be at least one story above ground level. A residence in an R-1, R-2, R-3 or MU District must include at least a one-car garage.

(Ord. 1732. Passed 3-19-90.)

1250.07 SITE PLAN REVIEW AND CONFORMANCE.

(a) Review of Site Plan. No multifamily, commercial, industrial or recreational use, nor any planned unit development specified in Chapter 1252, shall be permitted until review and approval of the site plans therefore by the Planning Commission, with a finding by the Planning Commission that the plan is consistent with the purposes and general requirements of this Zoning Code, and that the specific standards set forth in Chapter 1252 and the following general requirements will be met. The Commission may seek expert advice or cause special studies to be made. The cost of securing such advice or studies shall be borne by the applicant, which sum shall be on deposit with the Village Clerk upon request of the Commission.

In order to promote the orderly development of the site plan to required specifications, the Commission and the Zoning Inspector shall encourage informal discussions by and with the applicant prior to formal application for a zoning certificate or conditional zoning certificate. The formal application submitted shall include the following:

(1) The site plan shall be drawn to a legible scale, shall show topographical features of the lot, building placement, activity area, and shall include a circulation and parking plan, planting and landscape plan and architectural plans with engineering and constructional information. A description of the proposed development or operation shall be provided in sufficient detail to indicate possible emission of energy or matter beyond the lot lines, with engineering plans for the handling of any excesses thereof.

(2) The site plan shall show that the proper relationship will exist between thoroughfares, service roads, driveways and parking areas, to encourage pedestrian and vehicular traffic safety on both public and private lands.

(3) All the development features, including the principal buildings, open spaces, service roads, driveways and parking areas shall be so located and related as to minimize the possibility of adverse effects upon adjacent development.
(4) The architectural design of buildings shall be developed with consideration given to the relationship of adjacent development in terms of building height, mass, texture, materials, line and pattern, and character.

(5) Building location and placement shall be developed with consideration given to minimizing removal of trees and change of topography.

(6) Maximum possible visual and auditory privacy for surrounding properties and occupants shall be provided through good design and use of proper building materials and landscaping.

(7) In large parking areas, visual relief shall be provided through the use of trees, planted and landscaped dividers, islands and walkways.

(8) Screening of parking areas and service areas from surrounding properties shall be provided through landscaping and/or ornamental walls or fences where necessary to promote harmony with adjacent development.

(9) On-site traffic circulation shall be designed to make possible adequate fire and police protection.

(10) In the case of industrial uses, adequate provision shall be made for the disposal of industrial wastes. Waste containing poisonous, corrosive, flammable or explosive solids, oils, liquids or gases shall not be discharged into sanitary sewers. Waste areas shall be adequately screened by solid fencing capable of being secured against unauthorized entry.

(11) Parking and loading provisions shall meet the requirements of Chapter 1274.

(12) All building and occupancy shall meet all applicable codes.

(13) Grading and surface drainage provisions shall be designed to minimize adverse effects on abutting properties, streams and public streets and to minimize the possibility of erosion. The Commission may require that such grading plans be reviewed by the Village Engineer with any costs borne by the developer. The costs of any unusual means necessary to alleviate surface drainage problems on adjacent property due to development shall be borne by the developer of the property causing the problem.

(14) The design and construction standards of all private streets, driveways and parking areas shall conform to the provisions of the Subdivision Regulations.
(b) **Conformance With Site Plan.**

   (1) The use, placement and dimensions of all buildings, driveways, sidewalks, parking areas, truck loading and unloading areas, curb cuts, traffic control devices and activity areas, and the installation of landscaping, fences and walls, shall conform to the approved site plan. No injurious or offensive effects shall result from the development or operation; and control of effects such as noise, smoke, dust, fumes, odors, electrical interference and storage and disposal of waste, shall meet accepted current standards, where such standards are in effect.

   (2) A performance bond or other financial guarantee shall be placed on deposit with the Village Clerk to insure that the landscaping will be installed, that the hard surfacing of the private drives and parking areas will be installed, and that the surface water drainage will be installed, all in conformance with approved plans. Such bond or guarantee shall be in an amount equal to the cost of the construction of the improvements, based on an estimate approved by Council, shall be for a period not to exceed one year, and shall provide for the complete construction of the improvements within that period.

   (Ord. 1732. Passed 3-19-90.)

**1250.08 FRONTAGE REQUIRED FOR BUILDING.**

No principal building shall be erected on a lot which does not abut on at least one street. (Ord. 1732. Passed 3-19-90.)

**1250.09 GRADING AND SEEDING.**

Proper grading and seeding from the street pavement shall be required of all residential, commercial and industrial lots. In the case of a grade of greater than one foot for twenty-five feet of distance from existing pavement, a suitable drain shall be provided, subject to approval by the proper Village authority.

(Ord. 1732. Passed 3-19-90.)

**1250.10 USES NOT SPECIFICALLY CONTROLLED BY DISTRICT REGULATIONS.**

   (a) **Official Notices Exempt.** This Zoning Code shall not apply to signs established by any court or public body exclusively for legal or official notice, directional warning or public information.

   (b) **Temporary Buildings.** Temporary buildings or uses for purposes incidental to construction work shall be permitted, provided such buildings or uses shall not be continued as permanent structures or uses. The period of continuance shall be for not more than one year from the date of issuance of a permit.
(c) Surface of Parking Lots. Off-street parking shall be surfaced and maintained with a durable and dustless surface consisting of oiled crushed gravel, asphalt or concrete, and shall be so graded and drained as to dispose of all surface water. In no case shall drainage be permitted across sidewalks. Surfacing and drainage shall be subject to approval by the proper Village authority. (Ord. 1732. Passed 3-19-90.)

1250.11 ANNEXATION.
All property annexed shall be regulated by the zoning regulations which governed the property prior to annexation, until Council shall officially adopt zoning regulations for such territory. (Ord. 1732. Passed 3-19-90.)

1250.12 DANGEROUS AND EXOTIC ANIMALS.
(a) No person shall keep, maintain or have in his or her possession or control within the Village, unless properly caged or housed to prevent escape or injury, any of the animals listed below:
   (1) Any poisonous animal, fish or reptile
   (2) Apes, including chimpanzees, gibbons, gorillas, orangutans and siamangs
   (3) Baboons
   (4) Bears
   (5) Bison
   (6) Cheetahs
   (7) Crocodilians
   (8) Constrictor snakes
   (9) Deer
   (10) Elephants
   (11) Game cocks and other fighting birds
   (12) Hippopotami
   (13) Hyenas
   (14) Jaguars
   (15) Leopards
   (16) Lions
   (17) Lynxes
   (18) Ostriches
   (19) Piranha fish
   (20) Pumas, also known as cougars, mountain lions and panthers.
   (21) Rhinoceroses
   (22) Sharks
   (23) Snow leopards
(24) Tigers

(b) Before bringing any one of the above named animals into the Village, a person shall first construct a cage or other structure to confine the animal intended to be located within the Village limits. Further, before bringing the animal into the Village limits, the cage, pen or other housing shall first be inspected by the Zoning Inspector of the Village. The cage, pen or other housing shall be constructed so as to assure that the animal will not escape and that unauthorized persons will not be able to enter. A cage, pen or other housing containing such animal shall be enclosed on all sides and the top, with a gate locked with a padlock or other locking device requiring a key to open. The bottom of the cage or pen shall be constructed of concrete, blacktop or other material sufficient to prevent the animal from digging itself out of the enclosure. The person intending to have one of the animals listed above located within the Village limits shall only do so upon receiving written approval of the Zoning Inspector.

No such animal shall be removed from its enclosure, unless it is going to be permanently removed from the Village limits or for purposes of veterinary treatment. If another animal is intended to be housed in the same structure which was previously approved, approval must first be obtained from the Zoning Inspector prior to bringing the animal into the Village.

An inspection fee of fifty dollars ($50.00) will be paid to the Zoning Inspector when the Zoning Inspector is contacted to inspect the cage, pen or other housing, as required by this chapter. In addition, an annual inspection fee of twenty-five dollars ($25.00) will be paid to the Village, through the Zoning Inspector, on or before January 5 of each calendar year.

Before any of the animals listed in subsection (a) hereof is brought into the Village, the owner, keeper or harborer of such animal, in addition to the above requirements, shall procure personal injury and property damage liability insurance with a reputable insurance carrier and have evidence of the same posted with the Village by filing the same with the Zoning Inspector. Such liability insurance shall be in the amount of two hundred fifty thousand dollars ($250,000) and shall contain a provision or commitment from the insurer that the Village will be notified by the insurer if the coverage is cancelled.

Commercial exhibitors who have complied with the rules and licensing requirements established by the United States Department of Agriculture are exempt from this section.

(c) Whoever violates any provision of this section is guilty of a minor misdemeanor and shall be fined not more than one hundred dollars ($100.00). Each day the violation continues shall be treated as a separate offense. If a person has been previously convicted of a violation of this section, the subsequent violation shall constitute a misdemeanor of the first degree and the person shall be fined not more than one thousand dollars ($1,000) or imprisoned not more than six months, or both. (Ord. 1563. Passed 9-27-82.)
1250.13 DISH-TYPE SATELLITE ANTENNAS.

(a) Definition. As used in this section, "dish-type satellite antenna," also known as an "earth station" or "ground station," means a satellite signal receiving antenna characteristically shaped like a saucer or dish and designed to receive communication or other signals from satellites in earth orbit and from other transmitting sources for the purpose of viewing these signals on a television receiver. This antenna may also include a low-noise amplifier (L.N.A.) which is situated at the focal point of the receiving component, the purpose of which is to magnify, store, transfer and/or transmit electronic or light signals.

(b) Maximum Size. No person, firm, partnership, corporation, trust or other legal entity, except a cable company under agreement with the Village, shall construct an earth station larger than thirty-six inches in diameter within the Village. The cable company shall be governed by the terms and conditions of its agreement with the Village.

(c) Appeals. Appeals from decisions of the Zoning Inspector under this section shall be made to the Board of Zoning Appeals as provided in Chapter 1244.

(d) Penalty. Whoever violates any of the provisions of this section shall be fined not more than one hundred dollars ($100.00). A separate offense shall be deemed committed each day during or on which a violation occurs or continues.

(Ord. 1961. Passed 4-15-96.)

1250.14 FENCES.

(a) Definitions. As used in this section:

(1) "Enforcement authority" means the Zoning Inspector or his or her duly authorized deputy or assistant.

(2) "Front yard" means the area abutting the street right of way between the street right of way and the front building line. Corner lots shall be considered as having front yards abutting two streets.

(4) "Privacy fence" means a structure serving as an enclosure, barrier or boundary, obscuring vision, usually made of posts, boards, wire, stakes or rails, or an upright structure of masonry or other building materials serving to divide, enclose or protect an area, or a row of closely planted shrubs or low growing trees forming a boundary or enclosure, or any combination of such materials forming a boundary or enclosure.

(4) "Rear yard" means the area between the rear of the building and the side lot lines extending to the rear lot line.

(5) "Side yard" means the area between the side lot line and the building, extending from the front building line to the rear line of a building.
PLANNING AND ZONING CODE

1250.15

(b) Erection or Construction: Permit Required. The contractor or owner shall obtain a permit to erect or construct a fence prior to the erection or construction of such fence.

(c) Permit Fee. The fee for a permit to erect or construct a fence shall be thirty dollars ($30.00).

(d) Permitted Fencing: Height Limits. Fencing may be permitted in any yard and along the edge of any yard, not to exceed height limits set forth in the following table and with exceptions thereto:

<table>
<thead>
<tr>
<th>Area</th>
<th>Front Yard (ft.)</th>
<th>Side Yard (ft.)</th>
<th>Rear Yard (ft.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>3</td>
<td>6</td>
<td>6</td>
</tr>
<tr>
<td>Commercial</td>
<td>3</td>
<td>10**</td>
<td>10**</td>
</tr>
<tr>
<td>Industrial</td>
<td>6**</td>
<td>10**</td>
<td>10**</td>
</tr>
<tr>
<td>Public Facilities (parks, playgrounds etc.)</td>
<td>8</td>
<td>8**</td>
<td>8**</td>
</tr>
</tbody>
</table>

Exceptions: *Fences more than three-feet high may be permitted when located at least twenty-two feet from the inside sidewalk line.
**Barbed wire not to exceed twelve inches in height may be added to the top of a fence.

(e) Issuance of Permit. A permit may be obtained upon payment of the application fee herein set forth. (Ord. 1961. Passed 4-15-96.)

1250.15 SWIMMING POOLS.

(a) Pools as Structures. Public or private in-ground or above-ground swimming, wading or other pools, capable of containing three feet or more of water in depth, shall be considered structures for the purpose of permits and fencing requirements.

(b) Fences Required. The owners and/or operators of any swimming pool located within the Village shall construct and maintain fences of such type and description as will effectively deny ingress to animals and persons not specifically admitted to such swimming pools by the owner or operator thereof.

(c) Fence Specifications. Fences referred to in subsection (b) hereof shall be constructed so that not more than three inches of open space exists between the bottom of the fencing material and the ground, measured vertically, and shall have not more than
three inches of clear opening in any dimension except for doors or gates. Such fencing shall be not less than four feet in height and not more than six feet in height.

(d) Locks Required. Fences shall be equipped with locks so as to comply with the intent specified in subsection (b) hereof. (Ord. 1961. Passed 4-15-96.)

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General Regulations 1250.16

1250.16 YARD SALES

(a) The purpose of this Section is to protect the public health, welfare and safety by regulating yard, garage, and porch sales that occur in areas zoned Residential and Multi-Use Districts. It is intended to protect property values, create a more attractive economic and business climate, enhance and protect the physical appearance of the community, and preserve the scenic and natural beauty of designated areas. It is further intended to eliminate distractions and obstructions that may contribute to traffic accidents, and enhance community development in these areas.

(b) Definitions: As used in this section:

1. “Dwelling Unit” means a structure or the part of a structure that is used as a home, residence, or sleeping place by one person who maintains a household or by two or more persons who maintain a common household.

2. “Multiple Dwelling Unit Property” means any single parcel or jointly owned contiguous parcels of property that contain more than one dwelling units on that property. Multiple Dwelling Unit Properties include but are not limited to: multi-family homes, duplexes, apartment units, or manufactured home communities.

3. “Organized Private Sale” or OPS means any garage, porch, yard sale or any sale of goods by an individual person organized to occur on a person’s private property, residential premises, or dwelling unit. An OPS does not include retail or commercial sales of goods that occur at a business or commercial property that is in compliance with the Zoning Code.

4. “Permit” means the permit required for an OPS event, by each residential premises or dwelling unit participating in the sale of goods at the OPS. Each Permit shall comply with the form on file with the Clerk/Treasurer of the Village of Lodi, in order to be valid.

5. “Residential Premises” means a dwelling unit for residential use and occupancy and the structure of which it is a part, the facilities and appurtenances in it, and the ground, areas, and facilities for the use by a single family to reside. This definition does not include a unit, structure, or facility
for the use by the owner or of tenants solely for commercial or business activity.

(6) “Sign” means any structure, vehicle, or natural object, such as a tree, rock, bush or the ground itself, or part thereof, or device attached thereto or painted or represented thereon, which shall be used to attract attention to any Organized Private Sale, or which is in the nature of, an announcement, direction or advertisement for an OPS event or events.

(7) The word “shall” is mandatory, and the word “may” is permissive.

PLANNING AND ZONING CODE 1250.16

(c) Limitations. The following limitations shall apply to any OPS or any Sign within the territorial limits of the Village of Lodi.

(1) No Organized Private Sale shall be permitted in any area zoned Commercial, Industrial, or Parks and Recreation Districts.

(2) An Organized Private Sale may be permitted only in areas zoned Residential or Multi-Use Districts, so long as each Organized Private Sale complies with Section 1250.16.

(3) No Organized Private Sale shall be permitted unless the Permit from the Village of Lodi is obtained at least seven (7) days before the start of each Organized Private Sale event, and the Organized Private Sale shall:

(A) Not to exceed a maximum duration of three (3) consecutive days per OPS event;

(B) Not take place on lots, parcels, or properties not specified in the Permit;

(C) Not be staffed by or operated by a person or persons who are not identified by name and residential address in the Permit;

(D) Not permit vehicle parking that does not comply with Section 1250.04 of the Planning and Zoning Code, or the other standards contained in the other Sections herein;

(E) Not negatively affect neighboring properties by excessive trash, refuse, or parking that impedes the flow of traffic on nearby streets;

(F) Be limited to a maximum of two (2) OPS events each calendar year, per residential premises or dwelling unit;

(G) Be limited to a maximum of two (2) OPS events each calendar year, per Multiple Dwelling Unit Property;
(H) Post the Permit in a location on the Residential Premises, Multiple Dwelling Unit Property, or individual dwelling unit that is visible from the public right-of-way during the OPS event.

(4) No Signs relating to an OPS shall be placed, erected, affixed or overhung in any public right of way or supported, braced or guyed from or to a public sidewalk, street, alley or public thoroughfare, to traffic control, directional, or public right of way identification signs, to the surface of a public mailbox located in a public right of way, or to the property of publicly owned utilities.

(A) No Signs directing and guiding traffic and parking onto private property for an OPS event shall be placed, erected, affixed, or overhung on public property.

<table>
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<tr>
<th>General Regulations</th>
<th>1250.16</th>
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(B) No signs relating to an OPS event shall be placed, erected, affixed, or overhung that exceed three (3) square feet in area.

(C) No signs relating to an OPS event shall be placed, erected, affixed, or overhung that violate the provisions of Chapter 1276 of the Planning and Zoning Code.

(5) Any Sign relating to an OPS event shall only be placed, erected, affixed, or overhung on private property with the written permission of the true property owner where the sign is located.

(A) Any person who obtains written permission pursuant to this Section shall maintain a copy of any written authorization, and disclose the written authorization to the Village Zoning Inspector upon request.

(B) No Sign relating to an OPS event shall be placed, erected, affixed, or overhung more than forth-eight (48) hours before the first day of the OPS event. Any person responsible for a Sign relating to an OPS event shall remove such Signs within twenty-four (24) hours after the conclusion of the OPS event.

(6) Any property manager for a Multiple Dwelling Unit Property, that is participating in the operation of an OPS, shall obtain the Permit, and each participating dwelling unit shall also obtain the Permit, pursuant to Sections 1250.16 (C), (3), (4), and (5).

(A) Any member of another residential premises or another dwelling unit who participates in the operation of an OPS at another residential
premises or another dwelling unit, shall also obtain the Permit pursuant to Sections 1250.16 (C), (3), (4), and (5).

(d) **Exceptions.** The provisions of Section 1250.16 (C), (3) shall not apply to the annual Village of Lodi yard, garage, and porch sales that occur in June of each calendar year.

(e) **Violations.**

1. Any person who violates any provision of this section shall be fined not more than One Hundred Dollars ($100.00). A separate offense shall be deemed committed each day during or on which a violation occurs or continues to occur.
   1. (A) Any non-compliant Signs are subject to immediate removal.
   2. (2) This section shall be enforced by the Village Zoning Inspector.

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**PLANNING AND ZONING CODE**

1250.17 **DRIVEWAYS**

(a) **Definitions.** A “driveway” means a roadway to provide access and egress primarily for travel of vehicles between private property and the traveled portion of a public street, alley, or other public thoroughfare.

(b) **Approval of the Zoning Inspector and Utility Inspector.** No person shall construct, expand, or extend a driveway until:

1. the owner submits an application for a driveway permit to the Village of Lodi Clerk/Treasurer;
2. the Village of the Lodi’s Zoning Inspector and its Utility Inspector approve the construction, expansion, or extension and
3. a permit is secured from the Village of Lodi.

In reviewing the application to construct, expand, or extend a driveway, the Village of Lodi shall apply accepted principals of traffic safety engineering, such as the quantity and quality of traffic, the existence of on-street parking, sight distance, adjacent land use, development of access away from arterial streets and onto side streets, anticipated development in the area, and speed limits.

(c) **Driveway Specifications.**

1. **Minimum Length and Width.** A driveway shall have a minimum length of twenty (20) feet and a minimum width of ten (10) feet.
2. **Maximum Surface Coverage.** The maximum surface coverage in the front yard on residential parcels with a width of 70 feet or greater, and on panhandle lots, it 35%. On lots with a width of 50-70 feet, the maximum impervious surface coverage in the front yard is 40%. On irregularly shaped lots with reduced footage at the end of a cul-de-sac, the maximum surface coverage in the front yard is 50%.

3. Driveway shall be no closer than two (2) feet from the side or rear property line.
   A. Notwithstanding Section 1250.17(c)(3), if a property zoned for commercial use is adjacent to a residential property (R-1, R-2, or multi-use being used as residential), the driveway for the commercial use property shall be no closer than ten (10) feet from a side or rear property line.

4. Extension to an existing driveway entering from the roadway must have a curb cut to allow access.

(d) **Driveway Extensions and New Constructions.** A resident can construct, expand, or extend a driveway with the following approved surfaces:
   1. *Concrete.* Concrete driveways shall have compacted stone fill and concrete not less than four (4) inches thick.

General Regulations 1250.17

2. *Asphalt.* Asphalt driveways shall have compacted stone fill and have at least two (2) inches of base material and at least two (2) inches of top material.

3. *Road-Type Paver Brick.* Road Type Paver Brick driveways shall have a compacted stone fill and/or sand base and, in addition, the top layer of the driveway shall have a brick depth of no less than three (3) inches.

4. *Gravel.* Gravel driveways shall have compacted fill at least two (2) inches thick and, in addition, the top layer of the driveway shall have a minimum of two (2) inches of compacted top material. Gravel driveways shall have barriers on all sides to keep the gravel in place and avoid expansion of the driveway. Gravel driveways must be maintained and free of vegetation and periodically top dressed with more compacted materials.

(e) **Sidewalk Grade.** The grade of any existing sidewalk shall not be altered by the work done. If the driveway abuts an existing sidewalk, the driveway shall be at the same grade as any existing sidewalk. All new driveways shall provide for sidewalks. All sidewalks shall be four feet wide with an expansion joint on each for abutting the driveway. All sidewalks crossing a driveway shall have no more than one-fourth inch per foot cross slope and shall be the same thickness as the driveway to be constructed, but in no case less than five inches thick.
(f) **All Action Taken in Open Meetings.** It is found and determined that all formal actions of the Council for the Village of Lodi concerning and relating to the passage of this Ordinance were taken in an open meeting of this Legislative Authority, and that all deliberations of this Legislative Authority and of any of its committees that resulted in those formal actions were in meetings open to the public and in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

(g) **Effective Date.** Except as otherwise provided herein, this Ordinance shall be in force and take effect after the earliest period allowed by law.

PRESENTED, PASSED, APPROVED this____day of___________, 2015.

PASSED: ____________________________

__________________________                ___________________________
Robert Geissman, Mayor                          Irving Sugarman, Village Solicitor

**CHAPTER 1254**

R-l Low Density Residential District

1254.01 Purpose.  
1254.025 Conditionally permitted uses.  
1254.02 Permitted uses.

**CROSS REFERENCES**

Division of municipal corporations into zones - see Ohio R.C. 713.06 Restrictions on buildings, structures, lots and setbacks - see Ohio R.C. 713.07 et seq.

Restrictions on height of buildings and structures - see Ohio R.C. 713.08

Restrictions on bulk and location of buildings and structures, percentage of lot occupancy and setback building lines - see Ohio R.C. 713.09

Basis of districting or zoning; classification of buildings and structures - see Ohio R.C. 713.10

**1254.01 PURPOSE.**
This District is established to provide for single-family residential uses at a net density of two to four dwelling units per net acre. This is the density which
comprehensive planning studies have indicated is most suitable to prevent excessive demands on sewerage and water systems, congestion of traffic on streets and highways, and overloading the capacity of schools and other community facilities. (Ord. 1732. Passed 3-19-90.)

1254.02 PERMITTED USES.
The following uses are permitted in an R-I District:
(a) Single-family dwellings.
(b) Accessory buildings, incidental to the principal use, which do not include any activity conducted as a separate business.
(c) Parking and loading, as regulated by Chapter 1274.
(d) Signs, as regulated by Chapter 1276. (Ord. 1732. Passed 3-19-90.)

1992 Replacement

PLANNING AND ZONING CODE 1254.025

1254.025 CONDITIONALLY PERMITTED USES.
The Planning Commission may issue conditional zoning certificates for uses listed herein, subject to the general requirements of Section 1278.03(b) and other sections of Chapter 1278 referred to hereafter: condominiums, subject to paragraphs 1278.03(b)(l) through (9) and paragraphs 1278.03(c)(4), (6), (12) and (14). Condominiums shall also be subject to the requirements of Sections 1250.06(f), 1254.03(d), (f) and (h) and 1258.06

1254.03 AREA AND HEIGHT REGULATIONS.
(a) Minimum Net Lot Area Per Dwelling Unit (Exclusive of Road Right of Way). Single-family dwellings - (12,000) Twelve Thousand square feet.

(b) Minimum Lot Width at Building Setback Line. (75) Seventy-five feet.

(c) Minimum Lot Frontage at Street Right of Way. (50) Fifty feet.

(d) Minimum Front Yard Depth. (30) Thirty feet. (50) Fifty feet from a State highway.
(e) **Minimum Side Yard Depth.** (10) Ten feet.

(f) **Minimum Rear Yard Depth.** (30) Thirty feet.

(g) **Maximum Lot Coverage.** (30) Thirty percent.

(h) **Maximum Building Height.** (35) Thirty-five feet.

(Ord. 1732. Passed 3-19-90.)

1992 Replacement

CHAPTER 1256
R-2 Medium Density Residential District

1256.01 Purpose.
1256.02 Permitted uses.
1256.03 Conditionally permitted uses.
1256.04 Area and height regulations.

CROSS REFERENCES
Division of municipal corporations into zones - see Ohio R.C. 713.06 Restrictions on buildings, structures, lots and setbacks - see Ohio R.C. 713.07 et seq.
Restrictions on height of buildings and structures - see Ohio R.C. 713.08 Restrictions on bulk and location of buildings and structures, percentage of lot occupancy and setback building lines - see Ohio R.C. 713.09 Basis of districting or zoning; classification of buildings and structures - see Ohio R.C. 713.10
1256.01 PURPOSE.

The purpose of this District is to provide for single and two-family residences at a net density of four to six dwelling units per net acre. This is the density which comprehensive planning studies have indicated is most suitable to prevent excessive demands on sewerage and water systems, congestion of traffic on streets and highways and overloading the capacity of schools and other community facilities. (Ord. 1732. Passed 3-19-90.)

1256.02 PERMITTED USES.

The following uses are permitted in an R-2 District:

(a) Single-family dwellings.
(b) Two-family dwellings.
(c) Accessory buildings, incidental to the principal use, which do not include any activity conducted as a separate business.
(d) Parking and loading, as regulated by Chapter 1274.
(e) Signs, as regulated by Chapter 1276. (Ord. 1732. Passed 3-19-90.)

1256.03 CONDITIONALLY PERMITTED USES.

The Planning Commission may issue conditional zoning certificates for uses listed herein, subject to the general requirements of Section 1278.03(b) and other sections of Chapter 1278 referred to below:

1992 Replacement

PLANNING AND ZONING CODE 1256.04

(a) Park, playground or golf course, subject to Section 1278.03(c) (2) through (6), (13) and (14), excluding miniature golf courses and commercial amusement parks.

(b) Cemetery, subject to Section 1278.03(c) (2), (5) and (14).

(c) Church and other buildings for the purpose of religious worship, subject to Section 1278.03(c) (2), (5) and (14).

(d) Home occupation, subject to Section 1278.03(c) (15).

(e) Planned unit development, subject to Section 1278.04.

(f) Multifamily use, subject to Section 1278.03(c) (2), (4) and (6) through (8).

(g) Town house, including condominium, subject to Section 1278.03(c) (4) and (6) through (8). (Ord. 1732. Passed 3-19-90.)

1256.04 AREA AND HEIGHT REGULATIONS.

(a) Minimum Net Lot Area Per Dwelling Unit (Exclusive of Road Right of Way).
(1) Single-family dwellings - 7,260 square feet.
(2) Two-family dwellings - 5,445 square feet.
(3) Town house dwellings - 5,445 square feet per DU.
(4) Multifamily dwellings - 5,445 square feet per DU.

(b) **Minimum Lot Width at Building Setback Line.**
(1) Single-family dwellings – (60) Sixty feet.
(2) Two-family dwellings – (90) Ninety feet.
(3) Town house dwellings – (90) Ninety feet.
(4) Multifamily dwellings (three or more units) – (90) Ninety feet.

(c) **Minimum Lot Frontage at Street Right of Way.** (40) Forty feet.

(d) **Minimum Front Yard Depth.**
(25) Twenty-five feet.
(50) Fifty feet from a State highway.

(e) **Minimum Side Yard Depth.**
(10) Ten feet.

(f) **Minimum Rear Yard Depth.**
(20) Twenty feet.

(g) **Maximum Lot Coverage.**
(1) Single-family and two-family dwellings – (30) Thirty percent.
(2) Town house dwellings – (30) Thirty percent.
(3) Multifamily dwellings (three or more units) – (30) Thirty percent.

(h) **Maximum Building Height.**
(35) Thirty-five feet.

(Ord. 1732. Passed 3-19-90.)

**CHAPTER 1258**
**R-3 High Density Residential District**

1258.01 Purpose.
1258.02 Permitted uses.
1258.03 Conditionally permitted uses.
1258.04 Area and height regulations.
1258.05 Site plan review and conformance.
1258.06 Supplemental requirements for town houses and condominiums.

1258.07 Supplemental requirements for senior citizen multifamily units.
1258.08 Supplemental requirements for multifamily units.

**CROSS REFERENCES**
Division of municipal corporations into zones - see Ohio R.C. 713.06
Restrictions on buildings, structures, lots and setbacks - see Ohio R.C. 713.07 et seq.
1258.01 PURPOSE.
The purpose of this District is to encourage residential development at a net density of six to eight dwelling units per net acre. This is the density which comprehensive planning studies have indicated is the most suitable to prevent excessive demands on sewerage and water systems, congestion of traffic on streets and highways and the overloading of schools and the capacities of other facilities.
(Ord. 1732. Passed 3-19-90.)

1258.02 PERMITTED USES.
The following uses are permitted in an R-3 District:
  (a) One-family dwellings.
  (b) Two-family dwellings.
  (c) Accessory buildings, incidental to the principal use, which do not include any activity conducted as a separate business.
  (d) Parking and loading, as regulated by Chapter 1274.
  (e) Signs, as regulated by Chapter 1276. (Ord. 1732. Passed 3-19-90.)

1258.03 CONDITIONALLY PERMITTED USES.
The Planning Commission may issue conditional zoning certificates for uses listed herein subject to the general requirements of Section 1278.03(b) and other sections of Chapter 1278 referred to below:

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<th>PLANNING AND ZONING CODE</th>
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<tr>
<td>1258.04</td>
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</table>

  (a) Park and playground, subject to Section 1278.03(c) (2) through (6), (13) and (14).
  (b) Cemetery, subject to Section 1278.03(c) (2), (5) and (14).
  (c) Church and other buildings for the purpose of religious worship, subject to Section 1278.03(c) (2), (4) and (7).
  (d) Governmentally owned and/or operated building or facility subject to Section 1278.03(c) (4), (7) and (8).
  (e) Public and private schools, subject to Section 1278.03(c) (2) and (5).
  (f) Institutions for medical care, including hospitals, clinics, sanitariums, convalescent homes, nursing homes and homes for the aged, subject to Section 1278.03(c) (l) through (4), (6), (7) and (10).
  (g) Planned unit development, subject to Sections 1278.03(c) and 1278.04.
  (h) Senior citizen multifamily use, subject to Section 1278.03(c) (2), (4) and (6) through (8).
  (i) Town house dwelling, including condominium, subject to Section 1278.03(c) (4) and (6) through (8).
Multifamily use, subject to Section 1278.03(c) (2), (4) and (6) through (8).

Ord. 1732. Passed 3-19-90.)

### 1258.04 AREA AND HEIGHT REGULATIONS.

(a) **Minimum Net Lot Area Per Dwelling Unit (Exclusive of Road Right of Way and Usable Open Space).**

<table>
<thead>
<tr>
<th>Type of Dwelling</th>
<th>Minimum Net Lot Area per DU (sq ft)</th>
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<tbody>
<tr>
<td>Single-family</td>
<td>7,260</td>
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<tr>
<td>Two-family</td>
<td>5,445</td>
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<tr>
<td>Town house</td>
<td>5,445</td>
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<tr>
<td>Senior citizen</td>
<td>5,445</td>
</tr>
<tr>
<td>Multifamily</td>
<td>5,445</td>
</tr>
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</table>

(b) **Minimum Lot Width at Building Setback Line.**

<table>
<thead>
<tr>
<th>Type of Dwelling</th>
<th>Minimum Lot Width (ft)</th>
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<tbody>
<tr>
<td>Single-family</td>
<td>60</td>
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<tr>
<td>Two-family</td>
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<tr>
<td>Town house</td>
<td>20</td>
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<td>Senior citizen</td>
<td>90</td>
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<tr>
<td>Multifamily</td>
<td>90</td>
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(c) **Minimum Lot Frontage at Street Right of Way.**

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<thead>
<tr>
<th>Type of Dwelling</th>
<th>Minimum Lot Frontage (ft)</th>
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</thead>
<tbody>
<tr>
<td>Single-family</td>
<td>40</td>
</tr>
<tr>
<td>Two-family</td>
<td>25</td>
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<tr>
<td>Town house</td>
<td>20</td>
</tr>
<tr>
<td>Senior citizen</td>
<td>40</td>
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<tr>
<td>Multifamily</td>
<td>90</td>
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(d) **Minimum Front Yard Depth.**

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<tr>
<th>Type of Dwelling</th>
<th>Minimum Front Yard Depth (ft)</th>
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<tbody>
<tr>
<td>Town house</td>
<td>25</td>
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<tr>
<td>Senior citizen</td>
<td>25</td>
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<tr>
<td>Multifamily</td>
<td>25</td>
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(e) **Minimum Side Yard Depth.** (applies to end units only for town house developments).

<table>
<thead>
<tr>
<th>Minimum Side Yard Depth (ft)</th>
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<tr>
<td>10</td>
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(f) **Minimum Rear Yard Depth.**

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<th>Minimum Rear Yard Depth (ft)</th>
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<td>20</td>
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(g) **Maximum Lot Coverage.**

<table>
<thead>
<tr>
<th>Type of Dwelling</th>
<th>Maximum Lot Coverage (%)</th>
</tr>
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<tbody>
<tr>
<td>Single-family</td>
<td>30</td>
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<tr>
<td>Two-family</td>
<td>30</td>
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<tr>
<td>Town house</td>
<td>15</td>
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<td>Senior citizen</td>
<td>25</td>
</tr>
<tr>
<td>Multifamily</td>
<td>25</td>
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(h) **Minimum Usable Open Space.**

<table>
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<th>Minimum Usable Open Space (%)</th>
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<td>25</td>
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(i) **Maximum Building Height.**

<table>
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<th>Maximum Building Height (ft)</th>
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<tr>
<td>35</td>
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R-3 High Density Residential District 1258.05

Multifamily uses and town house developments specified under Section 1258.03 shall be permitted only after review and approval of the site plans therefor by the Planning Commission and upon a finding by the Commission that the specific standards set forth in
this chapter and the requirements of Section 1250.07 will be met. (Ord. 1732. Passed 3-19-90.)

1258.06 SUPPLEMENTAL REQUIREMENTS FOR TOWN HOUSES AND CONDOMINIUMS.

(a) Town house units need meet only front and rear yard requirements for single-family dwellings. No side yards are required except for end dwelling units.
(b) Individual town house lots need meet lot area requirements in the R-3 District, but development must not exceed an overall density of eight dwelling units per acre.
(c) There shall be no more than five units per building.
(d) Front facades shall be offset from one another by twelve inches or more.
(e) One-story dwelling units shall be placed only on the end of a building.
(f) Homeowner's agreements and protective covenants shall be submitted to the Planning Commission for review and approval with the site plan. Town house condominiums shall be subject to the requirements of Ohio R.C. Section 5311.01, as amended.
(g) Individual town house lots shall not be recorded until occupancy permits have been issued by the Village.
(h) Where five or more town house units are proposed, such development shall be subject to the Subdivision Regulations of the Village.
(i) Minimum total development area proposed for town house development shall be three acres.
(j) At least two and one-half parking spaces per dwelling unit shall be approved. (Ord. 1732. Passed 3-19-90.)

1258.07 SUPPLEMENTAL REQUIREMENTS FOR SENIOR CITIZEN MULTIFAMILY UNITS.

(a) Senior citizen multifamily units shall include senior citizen apartments and congregate housing (which may provide common social, eating, health and recreation facilities).
(b) Accessory uses necessary for the health and welfare of the occupants shall be permitted, subject to approval by the Planning Commission.
(c) The area for development shall be at least five acres.
(d) Minimum living area per dwelling unit shall be as follows:
   (1) Congregate unit, no kitchen: 300 sq. ft.
   (2) Efficiency unit: 400 sq. ft.
   (3) One-bedroom unit: 490 sq. ft.
   (4) Two-bedroom unit: 715 sq. ft.
(e) If there are more than two buildings in a development area, the distance between
the walls of any two buildings shall be not less than the height of the highest building, and such distance between shall be increased ten feet for each increase of one story in height. Where main walls of buildings face each other across an open court, the distance between such walls shall not be less than one and one-half times the height of the highest building.

(f) Each building shall be served by a local drive connecting onto a main street at a location where the traffic can be effectively controlled. Access for occupants and visitors shall be provided near the entrance or entrances of the building.

(g) One parking space shall be provided for each dwelling unit. The Village may grant permission that not more than twenty-five percent of the required parking area of one space per suite be planted in grass and shrubs, upon the condition that the Village may, at any time upon giving of sixty days written notice to the owner, require installation of the additional parking spaces, if the need arises. Outside parking facilities may be open if provided with walkways and islands for trees and other landscape planning. Such facilities shall not be closer than twenty feet to the main residence building.

(h) If services and shops are developed as an additional use, such facilities shall be designed and constructed integrally with, and managed as a part of, a building or buildings. Delivery facilities to such services and shops shall be separated and concealed from normal pedestrian circulation routes of the building. All buildings of two or more stories shall be served by at least two elevators, the minimum size of which shall be five feet by seven feet each.

(i) Exterior illumination shall be provided for the safety and convenience of residents and their guests and employees, but shall not be placed in such a way as to cause annoying glare or reflections on neighboring premises, public streets or the occupants of the building.

(j) In addition to the standards and criteria set forth above, a senior citizens multifamily housing project shall be designed especially for such age group, incorporating necessary safety and convenience features. In general, the site amenities provided shall be more attractive than for multifamily projects, since these people spend nearly all their time inside or on the site.
The yards and passive recreation areas shall be fully landscaped. There should be a composition or small intimate, private yard and court areas for a variety of passive activities. Safety must be emphasized in the design. The interior of the site shall be assigned generally to pedestrian use. Vehicular circulation drives shall be located at the perimeter of the project. Parking areas may penetrate into the interior of the site. Abrupt grades shall be avoided, and all changes in grades in the walk system shall be accomplished by ramps.

(k) Every senior citizen's building shall comply with the following special requirements, and a statement under oath shall be made part of the certificate of occupancy that these requirements will be met:

1. An applicant desiring to live in a senior citizen's building must have a personal interview with the owner of the building or its agents.
2. At least one registered or licensed practical nurse will be available twenty-four hours per day in each development containing either assisted living apartments or rest or nursing homes.
3. An agreement with at least one local hospital for emergencies shall be provided.
4. At least one elevator shall be equipped with emergency power and be large enough to handle a stretcher.
5. Interior assembly and recreational areas must total at least twenty feet per dwelling unit.
6. The following eleven safety features shall be provided in each dwelling unit, plus any other features required by local, State or Federal regulations:
   A. Ramps or elevators in place of steps;
   B. Nonskid floors;
   C. Doors of sufficient width to accommodate wheelchairs in all rooms;
   D. Electric cooking stoves (if stoves are provided);
   E. Showers in place of tubs for more than fifty percent of the dwelling units;
   F. Electric outlets at levels at least twenty-four inches above the floor;
   G. Grab bars around tubs (where tubs are provided) and toilets;
H. Central heating;
I. Handle-type spigots and doorknobs;
J. Emergency signals which ring in adjoining apartments or at a central location;
K. One smoke alarm per dwelling unit.

(7) The developer will provide a guarantee of occupancy, such that for the life of the development all units will be occupied only by persons who are sixty-two years of age or older, with the following exceptions:
   A. A spouse under sixty-two years of age who is married to one over that age.
   B. Adults under sixty-two years of age, if their presence is required to minister to occupant over sixty-two years of age.

(Ord. 1732. Passed 3-19-90.)

1258.08 SUPPLEMENTAL REQUIREMENTS FOR MULTIFAMILY UNITS.
(a) Multifamily units shall include congregate housing, which may provide common social and recreational activity.
(b) The area for development shall be at least five acres.
(c) If there are more than two buildings in a development area, the distance between the walls of any two buildings shall not be less than the height of the highest building. Where main walls of buildings face each other across an open lot, the distance between such walls shall not be less than one and one-half times the height of the highest building.
(d) Each building shall be served by a local driveway, providing easy access to a main street without creating undue congestion.
(e) Three parking spaces shall be provided for each dwelling unit.
(f) Exterior illumination shall be provided for the safety and convenience of the residents, but shall not be such as to be annoying to residents inside or to adjacent properties.
(g) Interior recreational/assembly areas must total at least twenty square feet per dwelling unit. (Ord. 1732. Passed 3-19-90.)
MH Mobile Home Park District

1260.01 Purpose. This District will be regulated in accordance with Ohio R.C. 3733.01 to 3733.09 and Rules of the Ohio Department of Health, Public Health Council, Chapters 3701-27-01 to 3701-27-31 of the Ohio Administrative Code, all as amended. (Ord. 1725. Passed 8-21-89.)

1260.02 Permitted uses. Mobile homes shall be the only permitted use in an MH District. (Ord. 1725. Passed 8-21-89.)

1260.03 Development. Mobile home parks shall be located only in the MH Mobile Home Park District and shall be developed according to the State laws and regulations referenced in Section 1260.01. (Ord. 1725. Passed 8-21-89.)

1260.04 Specific standards for mobile home parks.
   (a) The minimum mobile home park site area shall be fifty acres.
   (b) Individual mobile homes within the MH District shall have a minimum floor area of 672 square feet.

CROSS REFERENCES
Division of municipal corporations into zones - see Ohio R.C. 713.06
Restrictions on buildings, structures, lots and setbacks - see Ohio R.C. 713.07 et seq.
Restrictions on height of buildings and structures - see Ohio R.C. 713.08
Restrictions on bulk and location of buildings and structures, percentage of lot occupancy and setback building lines - see Ohio R.C. 713.09
Basis of districting or zoning; classification of buildings and structures - see Ohio R.C. 713.10
Manufactured home parks - see Ohio R.C. Ch. 3733
Mobile homes in flood hazard areas - see P. & Z. 1282.16(d)
(c) Exposed ground surface in all parts of every mobile home park shall be paved, or covered with stone or screenings, or other solid material, or protected with vegetation growth that is capable of preventing soil erosion, mud or objectionable dust.
(d) No entrance to the park shall be within 200 feet of intersecting public streets.
(e) Signs as specified in Chapter 1276 shall be permitted.
(f) All utilities shall be underground, and no aerials or antennas shall be visible from the outside, except for one or more adequately guyed towers necessary to transmit signals by underground cable to homes for radio and television reception.
(g) No burning of refuse shall be permitted.
(h) The park and the registry of the occupants thereof shall, at all reasonable hours, be open for inspection by the Village or its agents, and Chapter 1242 is applicable to any violation committed by the licensee. (Ord. 1725. Passed 8-21-89.)

1260.05 REMOVAL OF MOBILE HOME.
(a) Upon removal of a mobile home from any mobile home park within the village defined in Chapter 1260 of the Zoning Code, the owner of said mobile home park must notify the Superintendent of the Board of Public Affairs that said mobile home has been removed and must permit the Superintendent of the Board of Public Affairs to inspect the site of said mobile home to insure the proper termination of utilities to the site.
(b) The provisions of this section shall be enforced by the Lodi police department.
(c) Whoever violates any provision of this ordinance shall be fined not more than $100.00.
(Ord. 2027. Passed 6-16-97)
CHAPTER 1262
C-l Local Commercial District

1262.01 Purpose. The purpose of this District is to:
   (a) Encourage planned and integrated groupings of stores outside of the central
       business district that will provide for retail convenience goods and provide
       personal services for local neighborhood areas;
   (b) To prevent commercial intrusion into established residential areas; and
   (c) To discourage the strip pattern of commercial development that has
       historically occurred in growing areas. (Ord. 1732. Passed 3-19-90.)

1262.02 Permitted uses. The following uses are permitted in a C-l District:
   (a) Establishments engaged primarily in the fields of insurance and real estate,
       e.g.:
       (1) Real estate offices.
       (2) Insurance agencies.
   (b) Establishments engaged in providing a variety of services to individuals and
       business establishments, e.g.:
       (1) Personal services such as barber and beauty shops, tailor and shoe repair
           shops, laundries and dry cleaning shops;
       (2) Medical and other health services;
       (3) Engineering and architectural services;
       (4) Legal services;
       (5) Nonprofit professional and charitable organizations;
       (6) Bowling alleys; and
       (7) Indoor motion picture theaters.

CROSS REFERENCES
Division of municipal corporations into zones - see Ohio R.C. 713.06
Restrictions on buildings, structures, lots and setbacks – see Ohio R.C. 713.07 et seq.
Restrictions on height of buildings and structures - see Ohio R.C. 713.08
Restrictions on bulk and location of buildings and structures, percentage
of lot occupancy and setback building lines - see Ohio R.C. 713.09
Basis of districting or zoning; classification of buildings and structures - see Ohio R.C. 713.10
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(c) Establishments engaged in retail trade, e.g.:
   (1) Drug stores;
   (2) Florist shops;
   (3) Antique stores;
   (4) Restaurants, excluding drive-in, fast food and take-out restaurants; and
   (5) Food stores, including supermarkets.
(d) Motels.
(e) Accessory uses clearly incidental to the principal uses permitted on the
    same premises.
(f) Other uses similar in character to those listed above.
(g) Parking and loading, as regulated by Chapter 1274.
(h) Signs, as regulated by Chapter 1276. (Ord. 1732. Passed 3-19-90.)

1262.03 CONDITIONALLY PERMITTED USES.
   The Planning Commission may issue conditional zoning certificates for uses listed
   herein, subject to the general requirements of Section 1278.03(b) and other sections of
   Chapter 1278 referred to below:
   (a) Churches and other buildings for the purpose of religious worship, subject
       to Section 1278.03(c) (2), (4) and (7).
   (b) Governmentally owned and/or operated buildings and facilities, subject to
       Section 1278.03(c) (2), (4), (7) and (8).
   (c) Clubs, lodges and fraternal, charitable and social organizations, subject to
       Section 1278.03(c) (2), (5), (14) and (17).
   (d) Drive-in, fast food and take out restaurants, subject to Section 1278.03(c)
       (2), (5), (7), (8), (17) and (19).
   (e) Drive-in banks, subject to Section 1278.03(c) (2) through (8), (17) and (20).
   (f) Gasoline service stations, subject to Section 1278.03(c) (2) through (8),
       (16), (17) and (20).
   (g) Automotive and truck service repair shops, subject to Section 1278.03(c)
       (2) through (8), (16) A., C. and D. and (17).
       (Ord. 1732. Passed 3-19-90.)

1262.04 AREA AND HEIGHT REGULATIONS.
   (a) Minimum Lot Width at Building Setback Line.
      (1) One use per parcel - 150 feet.
      (2) Two uses per parcel - 250 feet.
      (3) Three uses per parcel - 300 feet.
      (4) Four or more uses per parcel - 375 feet plus seventy-five feet for each use
          over four.
(b) **Minimum Lot Frontage at Street Right of Way.**
   (1) One use per parcel - 150 feet.
   (2) Two uses per parcel - 200 feet.
   (3) Three uses per parcel - 250 feet.
   (4) Four or more uses per parcel - 325 feet plus seventy-five feet for each use over four.

(c) **Minimum Front Yard Depth.** (30) Thirty feet.

(d) **Minimum Side Yard Depth.** (10) Ten feet.

(e) **Minimum Rear Yard Depth.** (20) Twenty feet.

(f) **Maximum Lot Coverage.** (40) Forty percent.

(g) **Maximum Building Height.** (35) Thirty-five feet.

(h) **Yards Adjacent to Residential Districts.** When adjacent to a Residential District, the front, side and rear yards shall meet the requirements of the Residential District if these are more stringent. The side yard shall meet the residential requirement on the side facing the Residential District only.

(Ord. 1732. Passed 3-19-90.)

1262.05 **SITE PLAN REVIEW AND CONFORMANCE.**

All business uses specified in Sections 1262.02 and 1262.03 shall be permitted only after review and approval of the site plans therefore by the Planning Commission and upon a finding by the Commission that the specific standards set forth in this chapter and the requirements of Section 1250.07 will be met. (Ord. 1732. Passed 3-19-90.)
CHAPTER 1264
C-2 Central Commercial District

1264.01 Purpose.
The purpose of this District is to provide for a variety of centralized retail, service and administrative establishments which serve a large trading area population. This District is also intended to accommodate retail trade establishments in the community which cannot be practicably provided for in local neighborhood developments. The permitted business within this District should be compatible to, and not generate traffic which will be to the detriment of, the central business area of the Village. (Ord. 1732. Passed 3-19-90.)

1264.02 Permitted uses.
The following uses are permitted in a C-2 District:
(a) Department stores.
(b) Parking lots.
(c) Establishments engaged in retail trade such as:
   (1) Drugstores;
   (2) Book and stationery stores;
   (3) Apparel stores;
   (4) Antique stores;
   (5) Sporting goods stores;
   (6) Jewelry stores;
   (7) Optical goods stores;
   (8) Furniture, home furnishings, office equipment and office supplies stores; and (Ord. 1732. Passed 3-19-90.)
(9) Restaurants.

1264.04 Area and height regulations.

1264.05 Site plan review and conformance.

CROSS REFERENCES
Division of municipal corporations into zones - see Ohio R.C. 713.06
Restrictions on buildings, structures, lots and setbacks - see Ohio R.C. 713.07 et seq.
Restrictions on height of buildings and structures - see Ohio R.C. 713.08
Restrictions on bulk and location of buildings and structures, percentage of lot occupancy and setback building lines - see Ohio R.C. 713.09
Basis of districting or zoning; classification of buildings and structures - see Ohio R.C. 713.10
(d) Establishments engaged primarily in the fields of finance, insurance and real estate such as:
   (1) Banks, excluding drive-in facilities;
   (2) Credit agencies, other than banks;
   (3) Investment firms;
   (4) Insurance agencies; and
   (5) Real estate offices.

(e) Establishments engaged in providing a variety or types of services to individuals and business establishments, such as:
   (1) Personal services such as barber and beauty shops, shoe repair shops, laundries and dry cleaning shops;
   (2) Miscellaneous business services such as advertising news syndicates and employment agencies;
   (3) Medical and other health services;
   (4) Engineering and architectural services;
   (5) Legal services;
   (6) Accounting, auditing and bookkeeping services;
   (7) Nonprofit, professional, charitable and labor organizations;
   (8) Dance studios and schools; and
   (9) Bowling alleys.

(f) Accessory buildings incidental to the principal use.

(g) Other uses similar in character to those listed herein,

(h) Parking and loading, as regulated by Chapter 1274.

(i) Signs, as regulated by Chapter 1276. (Ord. 1732. Passed 3-19-90.)

**1264.03 CONDITIONALLY PERMITTED USES.**

The Planning Commission may issue conditional zoning certificates for uses listed herein, subject to the general requirements of Section 1278.03(b) and other sections of Chapter 1278 referred to below:

(a) Church and other buildings for the purpose of religious worship, subject to Section 1278.03(c) (2), (4) and (7).

(b) Governmentally owned and/or operated buildings and facilities, subject to Section 1278.03(c) (2), (4), (7) and (8).

(c) Garden supply stores.

(d) Motion picture and theatrical playhouse, subject to Section 1278.03(c) (3), (4) and (6).

(e) Clubs, lodges and fraternal, charitable and social organizations, subject to Section 1278.03(c) (2), (5), (14) and (17).

(Ord. 1732. Passed 3-19-90.)
(f) Residential use, which may be permitted in areas above the ground floor, provided that off-street parking is available as provided in Sections 1274.01 and 1274.03(a) (l).
No resident living in an area permitted by this section shall take up a parking space or spaces that are intended for the general public in the C-2 District. Residential uses below ground level or on ground level are prohibited in C-2 Districts. (Adopting Ordinance)

(g) Drive-in and fast food restaurants. (Ord. 1961. Passed 4-15-96.)

1264.04 AREA AND HEIGHT REGULATIONS.
(a) Maximum Lot Coverage. (85) Eighty-five percent.
(b) Maximum Building Height. (75) Seventy-five feet.
(c) Yards Adjacent to Residential Districts. When adjacent to a Residential District, the front, side and rear yards shall meet the requirements of the Residential District if these are more stringent. The side yard shall meet the residential requirement on the side facing the Residential District only. (Ord. 1732. Passed 3-19-90.)

1264.05 SITE PLAN REVIEW AND CONFORMANCE.
All business uses specified under Sections 1264.02 and 1264.03 shall be permitted only after review and approval of the site plans therefore by the Planning Commission and upon a finding by the Commission that the specific standards set forth in this chapter and the requirements of Section 1250.07 will be met. (Ord. 1732. Passed 3-19-90.)
### CHAPTER 1266

#### I-1 Light Industrial District

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#### CROSS REFERENCES

Division of municipal corporations into zones - see Ohio R.C. 713.06
Restrictions on buildings, structures, lots and setbacks - see Ohio R.C. 713.07 et seq.
Restrictions on height of buildings and structures - see Ohio R.C. 713.08
Restrictions on bulk and location of buildings and structures, percentage of lot occupancy and setback building lines - see Ohio R.C. 713.09
Basis of districting or zoning; classification of buildings and structures - see Ohio R.C. 713.10

#### 1266.01 PURPOSE.

The purpose of the I-1 District is to provide for:

(a) Certain limited retail uses compatible with the permitted industrial uses in this District; and

(b) Industrial operations engaged in the fabrication, repair or storage of manufactured goods of such a nature that no objectionable by-products of the activity (such as odors, smoke, dust, refuse, electromagnetic interference and noise) are noticeable beyond the lot on which the facility is located. (Ord. 1732. Passed 3-19-90.)

#### 1266.02 PERMITTED USES.

The following uses are permitted in an I-1 District:

(a) Gasoline service stations.

(b) Automobile and truck service and repair shops.

(c) Warehousing industrially related wholesale establishments and trucking facilities.

(d) Yards of general contractors engaged in building or heavy construction.

(e) Building materials storage and sales.

(f) Administrative, executive, financial, accounting, clerical and drafting offices.

(g) Accessory buildings, incidental to the principal use, which do not include any activity conducted as a separate business.
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(h) Outdoor storage may be permitted, provided the area used for storage is located in the rear yard and is either completely screened from adjoining properties by a solid fence or wall six feet in height (more or less, as determined by the Planning Commission), or is in an enclosed structure. No materials shall be stored in such a manner as to project above the wall, with the exception of vehicles and mechanical equipment.
(i) Parking and loading, as required by Chapter 1274.
(j) Signs, as regulated by Chapter 1276. (Ord. 1732. Passed 3-19-90.)

1266.03  CONDITIONALLY PERMITTED USES.

The Planning Commission may issue conditional zoning certificates for uses listed herein, subject to the general requirements of Section 1278.03(b). Any of the following uses may be permitted, provided the Planning Commission determines beyond a reasonable doubt that the operation will have no noticeable physical effects beyond the lot on which the facility is located. The Planning Commission may seek expert advice as to what conditions should be imposed on a particular operation to carry out the purposes of this chapter. The cost of such expert assistance shall be borne by the applicant.

(a) The manufacture, compounding, processing, packaging or treatment of such products as bakery goods, candy, cosmetics, pharmaceuticals, toiletries, food products, hardware and cutlery.
(b) A tool, die, gauge or machine shop.
(c) The manufacture, compounding, assembling or treatment of articles or merchandise from previously prepared materials such as canvas, cellophane, cloth, cork, glass, leather, paper, plastics, precious or semiprecious metals or stones, sheet metal (excluding large stampings such as automobile fenders or bodies), shell, textiles, tobacco, wax, wire, wood (excluding saw and planning mills) and yarns.
(d) The manufacture of pottery and figurines or other similar ceramic products using only previously pulverized clay, and kilns fired only by suitable fuel.
(e) The manufacture of toys, novelties and other similar products of metal, plastic or rubber.
(f) Laboratories (experimental, film or testing).
(g) The manufacture and repair of electric or neon signs and light sheet metal products, including heating and ventilating equipment, cornices or eaves.
(h) Other uses of a similar character, subject to such conditions as the Planning Commission may impose. (Ord. 1732. Passed 3-19-90.)
1266.04 AREA AND HEIGHT REGULATIONS.

(a) **Minimum Lot Width at Building Setback Line.** (100) One Hundred feet.

(b) **Minimum Lot Frontage at Street Right of Way.** (80) Eighty feet.

(c) **Minimum Front Yard Depth.** (50) Fifty feet.

(d) **Minimum Side Yard Depth.** (20) Twenty feet.

(e) **Minimum Rear Yard Depth.** (25) Twenty-five feet.

(f) **Maximum Lot Coverage.** (40) Forty percent,

(g) **Maximum Building Height.** (45) Forty-five feet.

(h) **Yards Adjacent to Residential Districts.** When adjacent to a Residential District, the minimum side yard (facing the R District) and the rear yard depth shall be fifty (50) feet, and the minimum front yard shall be at least as great as the Residential District, if this is more stringent. An obscuring fence, wall or solid hedge, at least six (6) feet in height, shall be located along all side or rear lot lines adjacent to a Residential District. The side or rear yard area within the wall, fence or hedge may be used for off-street parking and loading space. (Ord. 1732. Passed 3-19-90.)

1266.05 SITE PLAN REVIEW AND CONFORMANCE.

All industrial uses specified in Sections 1266.02 and 1266.03 shall be permitted only after review and approval of the site plans therefore by the Planning Commission and upon a finding by the Commission that the specific standards set forth in this chapter and the requirements of Section 1250.07 will be met. (Ord. 1732. Passed 3-19-90.)
CHAPTER 1268
I-2 General Industrial District

1268.01  Purpose.

The purpose of the 1-2 District is to provide for certain manufacturing, assembling and fabricating activities, including large scale or specialized industrial operations which generate large volumes of truck or rail traffic and whose external physical effects will be felt to some degree by surrounding areas.

(Ord. 1732. Passed 3-19-90.)

1268.02  PERMITTED USES.

The following uses are permitted in an 1-2 District:

(a) Any permitted use in an I-1 District.

(b) Accessory buildings incidental to the principal use which do not include any activity conducted as a separate business.

(c) Outdoor storage may be permitted, provided the area used for storage is located in the rear yard and is in an enclosed structure or wall at least six feet in height (more or less, as determined by the Planning Commission). No materials shall be stored in such a manner as to project above the wall, with the exception of vehicles and mechanical equipment.

(d) Parking and loading, as regulated by Chapter 1274.
1268.03 CONDITIONALLY PERMITTED USES.

The Planning Commission may issue conditional zoning certificates for uses listed herein, subject to the general requirements of Section 1278.03(b) and other sections of Chapter 1278 referred to below:

(a) Manufacturing, processing, cleaning, servicing, testing or repair of materials, goods or products which will not be materially injurious or offensive to the occupants of adjacent premises or the Village by reason of the emission or creation of noise, vibration, smoke, dust or other particulate matter, toxic and noxious materials, odors, fire or explosive hazards, glare or heat. In the interests of the community and other industries within the I-2 District, the Planning Commission may, in regard to an industrial operation whose effects on adjacent premises are not readily known, seek expert advice on what conditions should be imposed on the particular industrial operation to reasonably modify any injurious or offensive effects likely to result from such an operation. The cost of securing such expert assistance shall be borne by the applicant.

(b) Residences for occupancy only by caretakers or watchmen employed for the protection of the principal permitted use, only when located on the parcel occupied by the principal permitted use, and only as an accessory use. (Ord. 1732. Passed 3-19-90.)

1268.04 AREA AND HEIGHT REGULATIONS.

(a) Minimum Front Yard. (50) Fifty feet.

(b) Minimum Side Yard. (20) Twenty feet.

(c) Minimum Rear Yard. (25) Twenty-five feet.

(d) Maximum Lot Coverage. (60) Sixty percent.

(e) Maximum Building Height. (75) Seventy-five feet.

(f) Yards Adjacent to Residential Districts. When adjacent to a Residential District, the minimum side yard (facing the R District only) and rear yard depth shall be 150 feet and the minimum front yard shall be at least as great as the Residential District if this is more stringent. An obscuring fence, wall or solid hedge shall
be located along the rear side lot lines adjacent to the Residential District and shall be at least (6) six feet in height. The side and rear yard area within the wall may be used for off-street parking and loading space. (Ord. 1732. Passed 3-19-90.)

I-2 General Industrial District 1268.05

1268.05 SITE PLAN REVIEW AND CONFORMANCE.

All industrial uses specified under Sections 1268.02 and 1268.03 shall be permitted only after review and approval of the site plans therefore by the Planning Commission and upon a finding by the Commission that the specific standards set forth in this chapter and the requirements of Section 1250.07 will be met. (Ord. 1732. Passed 3-19-90.)
CHAPTER 1270
PR Parks and Recreation District

1270.01 Purpose. The purpose of the PR District is to provide a proper zoning classification for governmental, civic and private recreational facilities in proper locations, to protect such public and semi-public facilities from the encroachment of certain other uses, and to provide an environment for the proper functioning of public and semipublic facilities in relation to the overall plan for the community.
(Ord. 1732. Passed 3-19-90.)

1270.02 Permitted uses. The following uses are permitted in a PR District:
(a) Parks.
(b) Recreational fields.
(c) Playgrounds.
(d) Pools.
(e) Accessory buildings and uses, including refreshment stands, designed and located to attract primarily the persons using the facilities, and maintenance and heating facilities.
(f) Parking, as regulated by Chapter 1274.

CROSS REFERENCES
Division of municipal corporations into zones - see Ohio R.C. 713.06
Restrictions on buildings, structures, lots and setbacks - see Ohio R.C. 713.07 et seq.
Restrictions on height of buildings and structures - see Ohio R.C. 713.08
Restrictions on bulk and location of buildings and structures, percentage of lot occupancy and setback building lines - see Ohio R.C. 713.09
Basis of districting or zoning; classification of buildings and structures - see Ohio R.C. 713.10
Parks and recreation - see Ohio R.C. Ch. 755
(g) Signs, as regulated by Chapter 1276. (Ord. 3115-14, Passed 12-22-2014)
(h) Solar Electric Systems, pursuant to and in accordance with a written agreement between the solar electric provider and the Village of Lodi.

1270.03 AREA AND HEIGHT REGULATIONS.
There are no area and height regulations in a PR District.
(Ord. 1732. Passed 3-19-90.)

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1270.04 ILLUMINATION.
Flood lighting and other lighting of picnic provisions, playfields, buildings, bulletin boards and parking areas shall be located and designed so as to shield the light source from adjoining residences. (Ord. 1732. Passed 3-19-90.)

1270.05 SITE PLAN REVIEW AND CONFORMANCE.
(a) All uses specified under Section 1270.02 shall be permitted only after review and approval of the site plans therefore by the Planning Commission and upon a finding by the Commission that the specific standards set forth in this chapter and the requirements of Section 1250.07 will be met.
(b) A residence fronting on a State highway shall be set back from the street right of way not less than fifty feet. If there is no established street right of way, said line shall be deemed to be thirty feet from the center line of the road.
(c) There shall be a minimum of ten feet between structures.
(d) When adjacent to a Residential District, the property shall meet the front, side and rear yard requirements of the adjacent Residential District.
(e) The following are requirements for property adjacent to Residential Districts:
The minimum side yard width and rear yard depth shall be fifty feet when said yard is adjacent to a Residential District and the minimum front yard shall be at least as great as that required for the Residential District, if this is more stringent.
An obscuring fence, wall or solid hedge, at least six feet in height, which is attractive and harmonious to the surrounding area, shall be located along all side or rear lot lines adjacent to a Residential District. The side or rear yard area within the wall, fence or solid hedge may be used for off-street parking and loading space. (Ord. 1732. Passed 3-19-90.)
CHAPTER 1272
MU Multi-Use District

1272.01 Purpose.
The purpose of this District is to establish an area of limited commercial and residential uses in areas adjacent to commercial areas that indicate a changing trend. The purpose is to maintain the present residential streetscape, while allowing alternative commercial uses that are compatible with the remaining residential uses. (Ord. 1732. Passed 3-19-90)

1272.02 Permitted uses.
The following uses are permitted in an MU District:
(a) One-family dwellings.
(b) Two-family dwellings.

1272.03 Conditionally permitted uses.

1272.04 Area and height regulations.

1272.05 Site plan review and conformance.

CROSS REFERENCES
Division of municipal corporations into zones - see Ohio R.C. 713.06 Restrictions on buildings, structures, lots and setbacks - see Ohio R.C. 713.07 et seq. Restrictions on height of buildings and structures - see Ohio R.C. 713.08 Restrictions on bulk and location of buildings and structures, percentage of lot occupancy and setback building lines - see Ohio R.C. 713.09 Basis of districting or zoning; classification of buildings and structures - see Ohio R.C. 713.10
(c) Multifamily dwellings of the row house and town house types, as defined in Section 1240.06.

(d) Establishments engaged in the fields of insurance and real estate, e.g. real estate offices and insurance offices.

(e) Establishments engaged in providing a variety of services to individuals and business establishments, e.g.:
   (1) Personal services such as barber and beauty shops, tailor or shoe repair shops and photographers.
   (2) Physicians’ offices, including medical doctors, dentists, psychologists and other health care professionals.
   (3) Engineering and architectural services.
   (4) Legal services.
   (5) Accountant services

(f) Establishments engaged in retail trade, e.g.:
   (1) Craft shops, antique stores, art galleries.
   (2) Sports equipment stores, bicycle repair shops.
   (3) TV, radio and VCR sales, services and rental establishments.
   (4) Computer sales, services and rental establishments.
   (5) Travel agencies.
   (6) Appliance stores.
   (7) Camera and photographic equipment stores.
   (8) Carpet, wallpaper, paint and decorating stores
   (9) Day care centers.
   (10) Health or exercise clubs or studios.
   (11) Fabric stores
   (12) Upholstering shops.
   (13) Ticket Agencies, such as “Ticketron” locations.

(g) Parking and loading, as regulated by Chapter 1274 and Section 1250.04(g)

(h) Signs, as regulated by Chapter 1276. (Ord. 1732. Passed 3-19-90)

1272.03 CONDITIONALLY PERMITTED USES.
(a) Nonprofit professional and charitable organizations are conditionally permitted uses in an MU District.

(b) The Planning Commission may issue conditional zoning certificates for other uses on a case-by-case basis. Such conditional uses are subject to the general requirements of Chapter 1278. (Ord.1732. Passed 3-19-90.)
**1272.04 AREA AND HEIGHT REGULATIONS.**

(a) **Minimum Net Lot Area Per Unit (Exclusive of Road Right of Way).**

1. Single-family dwelling - 7,260 square feet
2. Two-family dwellings - 5,445 square feet per DU
3. Town house dwellings - 5,445 square feet per DU
4. Multifamily dwellings - 5,445 square feet per DU
5. Commercial buildings – 7,260 square feet per unit

(b) **Minimum Lot Width at Building Setback Line.**

1. Single-family dwelling - (60) Sixty feet
2. Two-family dwellings - (90) Ninety feet
3. Town house dwellings - (90) Ninety feet
4. Multifamily dwellings - (three or more units) (90) Ninety feet
5. Commercial buildings - (60) Sixty feet

(MU Multi-Use District)

(c) **Minimum Lot Frontage at Street Right of Way.** (50) Fifty feet.

(d) **Minimum Front Yard Depth.** (30) Thirty feet. (50) Fifty feet from a State Highway.

(e) **Minimum Side Yard Depth.** (10) Ten feet.

(f) **Minimum Rear Yard Depth.** (30) Thirty feet.

(g) **Maximum Lot Coverage.** (30) Thirty percent.

(h) **Maximum Building Height.** (35) Thirty-five feet.

(Ord. 2214. Passed 4-17-00)

**1272.05 SITE PLAN REVIEW AND CONFORMANCE.**

All business uses and two family and multifamily dwellings of the row house and town house variety shall be permitted only after review and approval of the site plans therefore by the Planning Commission. New construction for a business use shall be built similarly to the construction of a single-family dwelling, so that the building will be compatible with remaining residential uses.

(Ord. 1732. Passed 3-19-90.)
CHAPTER 1274  
Off-Street Parking and Loading

1274.01 Application of chapter determination of requirements by Planning Commission.  
1274.02 Floor area defined for purposes of computation.  
1274.03 Schedule of required spaces.  
1274.04 Parking area design and construction.

CROSS REFERENCES  
Division of municipal corporations into zones - see Ohio R.C. 713.06  
Restrictions on buildings, structures, lots and setbacks - see Ohio R.C. 713.07 et seq.  
Municipal off-street parking facilities - see Ohio R.C. 717.05, 727.171

1274.01 APPLICATION OF CHAPTER; DETERMINATION OF REQUIREMENTS BY PLANNING COMMISSION.  
Off-street parking facilities shall be provided for every use, or part thereof, in all districts as prescribed in this chapter. Where the parking requirements for a use are not specifically defined herein, or a use is not mentioned, the parking requirements for such use shall be determined by the Planning Commission, and such determination shall be
based upon the requirements for the most comparable use specified herein and based on review and consultation with the applicant when necessary. (Ord. 1726. Passed 8-21-89.)

1274.02 FLOOR AREA DEFINED FOR PURPOSES OF COMPUTATION.

For the purpose of computing the number of parking spaces required, floor area shall mean that area used for service to the public in offices, merchandising and service types of uses; excluded are areas used principally for nonpublic purposes such as storage, incidental repair, processing, show windows, rest rooms and dressing rooms. (Ord. 1726. Passed 8-21-89.)
### 1274.03 SCHEDULE OF REQUIRED SPACES.

<table>
<thead>
<tr>
<th>Type of Use</th>
<th>Parking Spaces Required</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>(a) Residential.</strong></td>
<td></td>
</tr>
<tr>
<td>(1) Single-family and two-family dwelling units.</td>
<td>Two for each unit</td>
</tr>
<tr>
<td>(2) Town house dwellings</td>
<td></td>
</tr>
<tr>
<td>(including condominiums)</td>
<td>Two for each dwelling</td>
</tr>
<tr>
<td>(3) Senior citizen multi-family dwellings</td>
<td>One for each unit</td>
</tr>
<tr>
<td>(4) Rooming houses, lodging houses, boarding houses, and bed and breakfast-type dwellings</td>
<td>One for each sleeping room</td>
</tr>
<tr>
<td>(5) Hotels, motels, tourist homes or cabins</td>
<td>One for each sleeping room</td>
</tr>
<tr>
<td><strong>(b) Commercial and Commercial Use In Multi-Use District.</strong></td>
<td></td>
</tr>
<tr>
<td>(1) Business and professional offices and banks</td>
<td>One for each 200 sq.ft. of floor area</td>
</tr>
<tr>
<td>(2) Funeral homes and mortuaries</td>
<td>One per 100 sq.ft. of floor area</td>
</tr>
<tr>
<td>(3) Retail stores, supermarkets, etc.</td>
<td>One for each 250 sq.ft. of floor area</td>
</tr>
<tr>
<td>(4) Furniture and appliance hardware, builders supply, plumbing, decorator, electrician or similar trades, shoe repair and other similar uses</td>
<td>One for each 800 sq.ft. of floor area .</td>
</tr>
<tr>
<td>(5) Motor vehicle sales and service</td>
<td>One for each 400 sq. ft. of floor area of salesroom, and one additional space for each auto service stall in the service room</td>
</tr>
<tr>
<td>(6) Auto service station</td>
<td>One for each stall, rack or pit, and one for each single or dual gasoline pump</td>
</tr>
<tr>
<td>(7) Beauty parlor and barber shops</td>
<td>Two for each chair</td>
</tr>
</tbody>
</table>
(8) Laundromats
One for each two washing machines.

(9) Restaurant, standard
One for each 200 sq.ft. of floor area.

(10) Restaurant, fast-food, drive-in, take-out
One for each 25 sq.ft. of floor area.

(c) Recreational or Entertainment.
(1) Indoor theaters
One for every four seats.

(2) Dance halls, skating rinks, private clubs and other assembly facilities without fixed seats
One for every 100 sq.ft. of floor area.

(3) Bowling alleys
Four for each alley plus one for each 100 sq.ft. of floor area used for restaurant, cocktail lounge or similar use.

(4) Outdoor swimming pools, public or community or club
One for each five persons public or community or club capacity, plus one for each 30 sq.ft. of floor area used for seating, whichever is greater.

(5) Clubs and lodges
One space per 200 sq.ft. of floor area or one space per four seating spaces in the assembly room, whichever is greater.

(6) All other types of business or commercial uses permitted in any Commercial District or Multi-Use District
One for each 300 sq.ft. of floor area.

(d) Institutional.
(1) Churches and other places of religious assembly
One for each five seats.

(2) Hospitals
One for each two beds.

(3) Medical, veterinary and offices
One for every 200 sq.ft. of dental floor area of examination, treating room, office and waiting room.
(4) Sanitariums, homes for the aged, nursing homes and convalescent homes
One for each two beds.

(5) Libraries, museums and art galleries
One for each 400 sq.ft. of floor area.

(e) Schools (Public. Private or Parochial).

(1) Elementary and junior high schools
Two for each classroom and one for every eight seats in auditoriums or assembly halls.

(2) Senior high schools
One for every ten students and one for each teacher and employee.

(3) Kindergartens, child care centers, nursery schools and similar uses
Two for each classroom, but not less than six for the building.

(4) Business, technical and trade schools
One for every two students

(f) Industrial.

(1) All types of manufacturing, storage and wholesale uses permitted in any Industrial District
One for every two employees (on the largest shift for which the building is designed), plus one for each motor vehicle used in the business.

(2) Cartage, express, parcel delivery and freight terminals
One for every two employees (on the largest shift for which the building is designed), plus one for each motor vehicle used in the business

(Ord. 1726. Passed 8-21-89.)

1274.04 PARKING AREA DESIGN AND CONSTRUCTION.

(a) Off-street parking areas shall have parking spaces not less than 200 square feet in area, exclusive of access drives or aisles, and shall be functionally arranged and provided with adequate maneuvering lanes.

(b) Ingress and egress points shall be located to minimize traffic congestion and avoid undue interference with pedestrian movement. There shall be no more than two access ways abutting on any one street. Access ways shall not be less than twenty feet in width at the sidewalk line, nor more than thirty feet at the curb cut line of the street. Residential uses shall not have access ways of less than eight feet.
(c) Off-street parking lot areas shall be improved with asphalt, concrete or gravel. Lots shall be so graded and drained as to dispose of all surface water accumulation within the parking area. Wheel guards or bumper guards, as may be necessary, shall be provided in connection with any off-street parking facility of five parking spaces or more, to contain cars on sloping surfaces and to prevent the bumpers of cars from projecting over sidewalks or property lines. All lighting used to illuminate parking areas shall be so arranged as to direct the light away from adjoining properties or streets. No open light sources, such as the stringing of light bulbs, shall be permitted.

(d) Off-street parking areas for nonresidential uses shall be provided with a completely obscuring wood or masonry wall or fence four feet, six inches in height, measured from the surface of the parking lot on all sides abutting on a Residential District. (Ord. 1726. Passed 8-21-89.)

1274.05 PARKING AREA LOCATION.

(a) Parking spaces for dwelling units shall be located on the same lot as the dwelling unit. Parking spaces required for purposes other than dwelling units shall be located within 500 feet of the use, measured along lines of public access to the property.

(b) Parking spaces already provided to meet off-street parking requirements for places of public assembly or commercial and industrial establishments, lying within 500 feet of a church or temple measured along lines of public access, which parking spaces are not normally used between the hours of 6:00 a.m. and 6:00 p.m. on days and times of worship services, and which are made available for other parking, may be used to meet not more than seventy-five percent of the off-street parking requirements of such church or temple. (Ord. 1726. Passed 8-21-89.)

1274.06 OFF-STREET LOADING FACILITIES.

On the same lot with every building, structure or part thereof, erected hereafter to be used for other than exclusively dwelling purposes, adequate space for standing, loading and unloading of motor vehicles shall be provided to avoid undue interference with the public use of streets and sidewalks. (Ord. 1726. Passed 8-21-89.)

1274.07 OFF-STREET LOADING AREA DESIGN AND CONSTRUCTION.

(a) Off-street loading space, as provided in Section 1274.06, unless otherwise adequately and specifically provided for, shall include a twenty by fifty-foot loading space, plus fifteen feet of height clearance for the first 5,000 square feet of gross floor area, plus one additional space for each 10,000 square feet of gross floor area.
(b) Access to truck loading and unloading space shall be provided directly from a public street or alley or from any right of way that shall not interfere with public convenience and that will permit the orderly and safe movement of trucks.

(c) All loading areas in view of any Residential or Conservation District, or public street or thoroughfare, shall be enclosed by a six-foot masonry wall. A solid board fence or other suitable screening may be substituted if approved by the Planning Commission. (Ord. 1726. Passed 8-21-89.)

1274.08 LOADING SPACE AND PARKING SPACE MUTUALLY EXCLUSIVE.

Loading space, as required under this chapter, shall not be considered as supplying off-street parking space. Loading space shall be provided as an area in addition to off-street parking spaces. (Ord. 1726. Passed 8-21-89.)
CHAPTER 1276
Signs

1276.01 Purpose.
1276.02 Definitions
1276.03 General Provisions
1276.04 Signs Not Requiring Permits
1276.05 Prohibited Signs
1276.06 Permitted Signs
1276.07 Sign Permits
1276.08 Application Procedure
1276.09 Inspection and Maintenance
1276.10 Fees
1276.11 Nonconforming Signs

CROSS REFERENCES
Division of municipal corporations into zones - see Ohio R.C. 713.06
Restrictions on buildings, structures, lots and setbacks - see Ohio R.C. 713.07 et seq.
Restrictions on height of buildings and structures - see Ohio R.C. 713.08
Restrictions on bulk and location of buildings and structures, percentage of lot occupancy and setback building lines – see Ohio R.C. 713.09
Basis of districting or zoning; classification of buildings and structures - see Ohio R.C. 713.10

1276.01 PURPOSE.
The regulations of this chapter are intended to protect and further the health, safety and welfare of the residents of the Village of Lodi; to maintain and improve the appearance of the community; to conserve community character; to prevent traffic hazards; to provide safe conditions for pedestrians; and to promote economic development by regulating the construction, alteration, repair, maintenance, size, location and number of signs. It is further determined that to allow signs of excessive number and size in the Village would unduly distract pedestrians and motorists, create traffic hazards and reduce the effectiveness of signs needed to direct the public. The regulations of this chapter are intended to provide reasonable identification for businesses and other uses within the community; but are not intended to serve as a means of advertising.
1276.02 DEFINITIONS.

For purposes of this chapter, certain terms are defined for use herein. Unless specifically defined below, words or phrases used in this Chapter shall be interpreted so as to give them the meaning they have in common usage and to give these regulations the most reasonable application. The word “building” shall include the word “structure” the word “used” shall include the words “arranged, designed, constructed, altered, converted or intended to be used.

(a) **Advertising Sign.** A sign which directs attention to the name of the business or establishment, the goods or commodities sold, and/or services rendered on the premises on which the sign is located.

(b) **Animated Sign.** A sign employing actual motion, the illusion of motion or light and/or color changes achieved through mechanical, electrical or electronic means to include one of the following:

1. Environmentally Activated: Animated signs or devices motivated by wind, thermal changes or other natural environmental input. Includes spinners, pinwheels, pennant strings and/or other devices or displays that respond to naturally occurring external motivation.

2. Mechanically Activated: Animated signs characterized by repetitive motion and/or rotation activated by mechanical system powered by electric motors or other mechanically induced means.

3. Electrically Activated: Animated signs producing the illusion of movement by means of electronic, electrical, or electromechanical input and/or illumination capable of simulating movement through employment of the characteristics of one or both of the classifications noted below:

   (a) **Flashing:** Animated signs or animated portions of signs whose illumination is characterized by a repetitive cycle in which the period of illumination is either the same as or less than the period of non-illumination. For the purpose of this ordinance, flashing will not be defined as occurring if the cyclical period between on-off phases of illumination exceeds (4) seconds.

   (b) **Patterned Illusionary Movement:** Animated signs or animated portions of signs whose illumination is characterized by simulated movement through alternate or sequential activation of various illuminated elements for the purpose of producing repetitive light patterns designed to appear in some form of constant motion.
(c) **Announcement Sign.** A sign directing attention to the use or event of a public institution and which is located upon the premises of the institution.

(d) **Awning.** An architectural projection from and supported by the exterior wall of a building and composed of a covering of rigid or non-rigid materials and or fabric on a supporting framework that may be either permanent or retractable.

(e) **Awning Sign.** Displayed on or attached flat against the surface or surfaces of an awning. See also: Wall Sign. An awning that contains a “sign” section or copy area shall comply with the applicable sign area requirements for parallel signs. Only the sign or copy are displayed on an awning shall be used to determine the permitted sign area. The entire awning shall not be included in a Sign Area calculation.

(f) **Banner.** A flexible substrate on which a copy or graphics may be displayed.

(g) **Banner Sign.** A sign utilizing a banner as its display surface.

(h) **Bench Sign.** A sign applied or affixed to the seat or back of a bench.

(i) **Billboard.** See: Off-Premise Sign and Commercial Outdoor Advertising Sign.

(j) **Candle Power or Candela.** The basic unit of measurement of light. (SI-Metric Units)

(k) **Canopy (Attached).** A multi-sided overhead structure of architectural projection supported by attachment to a building on one or more sides and either cantilevered from such building or also supported by columns at additional points. The surface and/or soffit of an attached canopy may be illuminated by means of internal or external sources of light.

(l) **Canopy (Freestanding).** A multi-sided overhead structure supported by columns, but not enclosed by walls. The surface and soffit of a freestanding canopy may be by means of internal or external sources of light.

(m) **Changeable Sign.** A sign with the capability of content change by means of manual or remote input.

(n) **Commercial Outdoor Advertising Sign.** A permanent off-premise sign erected, maintained or used in the outdoor environment for the purpose of providing copy area for commercial or noncommercial messages.

(o) **Copy.** The graphic content or message of a sign.

(p) **Copy Area of Sign.** The actual area of the sign copy as applied to any background. Copy area on any individual background may be expressed as the sum of the geographically computed shape or shapes encompassing separate individual letters, words, or graphic elements on the background.

(q) **Directional Sign.** Any sign that is designed and erected for the purpose of providing direction and/or orientation for pedestrian or vehicular traffic.

(r) **Display Time.** The amount of time a message and/or graphic is displayed on an Electronic Message Sign.
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(s) **Electric Sign.** Any sign activated or illuminated by means of electrical energy.
(t) **Exterior Sign.** Any sign placed outside a building.
(u) **Flashing Sign.** Animated signs or animated portions of signs whose illumination is characterized by a repetitive cycle in which the period of illumination is either the same as or less than the period of non-illumination.
(v) **Font.** A set of letters, numerals, symbols, or shapes conforming to a specific set of design criteria.
(w) **Foot Candle.** An English unit of measurement of the amount of light falling upon a surface (illuminance). One foot candle is equal to one lumen per square foot. Can be measured by means of an illuminance meter.
(x) **Frame.** A complete static display screen on an Electronic Message Sign.
(y) **Freestanding Sign.** A sign principally supported by one or more columns, poles, or braces placed in or upon the ground. May also be referenced as a Ground or Monument sign.
(z) **Frontage (Building).** The length of an exterior building wall or structure of a single premise along either a public way or other properties that it faces.
(aa) **Frontage (Property).** The length of a property line of any single premise along either a public way or other properties on which it borders.
(bb) **Ground Sign.** See: Freestanding Sign.
(cc) **Illuminated Sign.** A sign characterized by the artificial light, either projecting through its surface(s) or reflecting off its surface(s).
(dd) **Marquee/Marquee Sign.** See: Canopy
(ee) **Non-Conforming Sign.** A sign that was legally installed by permit in conformance with all municipal sign regulations and ordinances in effect at the time of its installation, but which may no longer comply with subsequently enacted laws and ordinances having jurisdiction relative to the sign.
(ff) **Off-Premise Sign.** See: Outdoor Advertising Sign.
(gg) **On-Premise Sign.** A sign erected, maintained or used in the outdoor environment for the purpose of the display of messages appurtenant to the use of, products sold on, or lease of, the property on which it is displayed.
(hh) **Outdoor Advertising Sign.** A permanent sign erected, maintained or used in the outdoor environment for the purpose of the display of commercial or non-commercial messages not appurtenant to the use of, products sold on, or the sale or lease of, the property on which it is displayed. May also be referenced as an Off-Premise Sign, Billboard, or Commercial Outdoor Advertising Sign.
(ii) **Pole Cover or Pylon Cover.** An enclosure designed to conceal poles and/or other structural supports of a sign.

(jj) **Pole Sign.** See: Freestanding Sign.

(kk) **Political Sign.** A temporary sign intended to advance a political statement cause, or candidate for office.

(ll) **Portable Sign.** Any cord-connected sign not permanently attached to the ground and can be removed without the use of tools.

(mm) **Projecting Sign.** A sign other than a Wall Sign that is attached to or projects more than Eighteen (18) inches from a building face or wall or from a structure whose primary purpose is other than the support of a sign.

(nn) **Real Estate Sign.** A temporary sign advertising the sale, lease, or rental of the property or premise upon which it is located.

(oo) **Revolving Sign.** A sign that has the capability to revolve Three Hundred and Sixty (360°) degrees about an axis.

(pp) **Roof Line.** The uppermost line of the roof of a building or, in the case of an extended faced or parapet, the uppermost point of said façade or parapet.

(qq) **Scroll.** A mode of message transition on an Electronic Message Sign in which the message appears to move vertically across the display surface.

(rr) **Sign.** Any device visible from a public place whose essential purpose and design is to convey either commercial or noncommercial message by means of graphic presentation of alphabetic or pictorial symbols or representations. Noncommercial flags or any other flags displayed from flagpoles or staffs will not be considered to be signs.

(ss) **Sign Area.** The area of the smallest geometric figure, or the sum of the combinations of regular geometric figures, which comprises the sign face. The area of any double-sided or V shaped sign shall be the area of the largest single face only. The area of a sphere shall be computed as the area of a circle. The area of a multi-sided sign shall be computed as Fifty (50) percent of the sum of the area of all faces of the sign.

(tt) **Sign Copy.** The physical sign message including any words, letters, numbers, pictures, and symbols.

(uu) **Sign Face.** The surface upon, against or through which the sign copy is displayed or illustrated, not including structural supports, architectural features of the building or sign structure, nonstructural thematic or decorative trim, or any areas that are separated from the background surface upon which the sign copy is displayed by a district delineation, such as a reveal or border.
Special Event Sign. A temporary sign pertaining to any civic, patriotic, or special event of general public interest.

Temporary Sign Area. A sign intended to display either commercial or noncommercial messages of a transitory or temporary nature. Portable signs or any sign not permanently embedded in the ground, or not permanently affixed to a building or sign structure that is permanently embedded in the ground, are considered temporary signs.

Wall Sign. Any sign attached to or erected against the wall of a building or structure and having the exposed face of the sign in a plane parallel to the plane of such wall.

Window Sign. A sign affixed to the surface of a window with its message intended to be visible to the exterior environment.

1276.03 GENERAL PROVISIONS.
The following regulations are applicable to all signs in all zoning districts.

(a) Signs, Structure and Placement.
(1) Signs shall be constructed to withstand all wind and vibration forces which can normally be expected to occur.
(2) Signs shall not be placed in, upon or over any public right-of-way, alley, or other place, except as may be otherwise permitted by the Village Authority or Ohio Department of Transportation (ODOT).
(3) A light pole, utility pole, tree, fence or other supporting member shall not be used for the placement of any sign, except as may be specifically permitted by this chapter.
(4) A sign shall not be erected in any location where it may, by reason of its position, shape, color, lighting or other characteristics, interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal, or device or constitute a nuisance per se.
(5) No sign shall be placed in a manner as to obstruct any fire escape, any required exit, door or window or any ventilation system or other operational necessities of a building.
(6) A sign attached to a building shall not be placed in any location that would cause significant architectural features of a building to be covered, hidden or obscured.
(7) A wall sign shall not extend past the edge of the wall to which it is
affixed and no wall sign shall extend above the roof line of a building.

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(8) A sign and its supporting mechanism shall not extend beyond any lot lines of the property on which it is located.

(9) All signs shall be stationary and shall pertain only to the business or activity conducted on the premises, except for permitted community special event signs.

(10) One changeable message display may be permitted on either a permitted freestanding ground sign or wall sign on a parcel, within the maximum size limits permitted for the sign; provided the message is static and is not changed more than once in any Twelve (12) hour period.

(11) Any vehicle which, in the opinion of the zoning administrator, has the intended function of serving as a sign shall conform to the provisions of Section 1276.05 (f)

(12) All signs in all districts must be behind the road right-of-way.

(13) Any signs placed on Village owned property need to be approved by council before placement.

(14) All banners require a sign permit with the exception of banners permitted in Section 1276.06 under Community Special Event Signs and Banners. Applications may be made to council to extend banner permits for up to six (6) months.

(b) Measurement of sign area.

No sign shall exceed the maximum sign area allowed for the district in which it is located. The sign area is to be expressed in square feet, computed to the nearest tenth of a square foot, and shall be calculated as follows;

(1) **Area.** The area of a sign shall be measured as the area within a single, continuous perimeter composed of any straight line geometric figure which encloses the extreme limits of writing, representation, emblem, logo or any other figure of similar character, together with any frame or other material or color forming an integral part of the display or used to differentiate the sign from the background against which it is placed, excluding only the structure necessary to support the sign.
(2) **Double-Faced Sign.** The area of the ground or projecting sign that has two or more faces shall be measured by including the area of all sign faces, except if two faces are placed back-to-back and are no more than two feet apart at any point, the area of one face shall be counted toward the maximum size requirement. If the two back-to-back faces are of unequal size, the larger of the two sign faces shall be counted as one face.

(3) **Wall Sign.** For a sign consisting of individual letters and/or a logo affixed directly onto a building, the area of the sign shall be computed by measuring the area of the envelope required to enclose the lettering logo.

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1276.04 **Height.** The height of a sign shall be measured as the vertical distance from the highest point of the sign to the finished grade of the ground immediately beneath the sign, excluding any artificially constructed earthen berms.

5 **Multi-Tenant Buildings.** For building with multiple tenants, the sign area for wall, projecting, canopy or awning signs shall be determined by taking that portion of the wall of the building applicable to each tenant and computing the sign requirements for that portion of the total wall.

(c) **Illumination and Movement.**

1 Unless otherwise provided, signs shall not be illuminated internally. The source of the light for the externally illuminated signs shall be enclosed and directed to prevent light from shining onto traffic or neighboring property and shall be directed in a downward manner to prevent light pollution into the night sky.

2 A sign shall not contain any moving or animated parts including lighting, nor have the appearance of having moving or animated parts, except for time and temperature signs, standard sized barber pole signs, and gasoline price signs as otherwise permitted.

3 Neon signs shall only be permitted within the C-2 District, but not within Fifty (50) feet of a Residential District unless the sign is not visible from adjacent property within the Residential District.

1276.04 **SIGNS NOT REQUIRING PERMITS**

The following signs shall not require a permit, as otherwise required by Section 1276.07, but shall be subject to all other applicable general requirements of this chapter.

**Table 1276.04 Signs Exempt From Permit**
<table>
<thead>
<tr>
<th>Type of Sign</th>
<th>Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address Sign</td>
<td>Numeral height no greater than Six (6) inches for residence and Eighteen (18) inches for businesses and other nonresidential uses.</td>
</tr>
<tr>
<td>Barber Pole</td>
<td>The bottom of the barber pole must be at least Eight (8) feet from the ground or sidewalk and the top must be lower than the height of the building. The barber pole must not extend more than Twelve (12) inches from the exterior face of the wall to which it is attached.</td>
</tr>
</tbody>
</table>

### 1276.04 SIGNS NOT REQUIRING PERMITS cont…

#### Table 1276.04 Signs Exempt From Permit

<table>
<thead>
<tr>
<th>Type of Sign</th>
<th>Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bulletin Board</td>
<td>Not over Twenty (20) square feet in area for public, charitable, or religious institutions; provided that if such signs are electrically illuminated, an electrical permit must be obtained</td>
</tr>
<tr>
<td>Community Event Sign</td>
<td>Signs advertising community events or activities or public awareness as permitted by the Village Authority. Community event signs may be placed on Village Property with permission of the Village Authority.</td>
</tr>
<tr>
<td>Device Sign</td>
<td>Permanent signs on gas pumps or ice containers indicating only that the sign area of each device shall not exceed Three (3) square feet in area, limit of One (1) sign per vending machine, gas pump or ice container.</td>
</tr>
<tr>
<td>Directional Sign</td>
<td>The sign shall not exceed Two (2) square feet in area and Three (3) feet in height; shall be set back from the street right-of-way line and the edge of any driveway at least Five (5) feet; and may contain a logo</td>
</tr>
</tbody>
</table>
or trademark up to one-third of the sign area, but shall not contain a name or commercial message. Only words such as “enter,” “exit,” “one way,” “do not enter,” and similar traffic directions may be displayed.

**Employment Sign**

“Help Wanted” signs soliciting employees for the place of business where posted, provided that the maximum area for all such signs shall be Four (4) square feet with a maximum height of Two (2) feet.

**Flag**

Flags or insignia of any nation, state, local government, community organization or educational institution.

### 1276.04 SIGNS NOT REQUIRING PERMITS cont…

<table>
<thead>
<tr>
<th>Type of Sign</th>
<th>Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Garage and Estate Sales</td>
<td>Garage sale and estate sale signs announcing the sale of household goods, provided the following: A maximum of Four (4) signs may be placed off-premise and One (1) on-premise; the signs shall not exceed Four (4) square feet in area and Three (3) feet in height above grade; the signs shall not be affixed to other signs, utility poles, fire hydrants or trees; the signs are erected no more than Three (3) days before and removed within one day after the announced sale.</td>
</tr>
<tr>
<td>Historic Marker</td>
<td>Historical marker including plaques or signs describing a property’s designation as a historical site or structure and containing narrative, not exceeding Two (2) square feet in area, unless an official state or federal historical marker.</td>
</tr>
<tr>
<td>Incidental Sign</td>
<td>Incidental signs not exceeding a total of Two (2) signs per business indicating acceptance of credit cards, the location of restrooms, restrictions on smoking and restrictions on building entrances or describing business affiliations and are</td>
</tr>
<tr>
<td>Type of Sign</td>
<td>Requirements</td>
</tr>
<tr>
<td>-----------------</td>
<td>--------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Interior Sign</td>
<td>Any sign which is located completely within an enclosed building, and which is not visible from outside the building or which is primarily directed at persons within the premises upon which the sign is located.</td>
</tr>
<tr>
<td>Memorial Sign</td>
<td>Memorial signs or tablets not exceeding Two (2) square feet in area, having the name of a building and/or the date of erection and cut, cast or engraved into a masonry or metal surface and made an integral part of the structure.</td>
</tr>
</tbody>
</table>

**1276.04 SIGNS NOT REQUIRING PERMITS cont...**

**Table 1276.04 Signs Exempt From Permit**

<table>
<thead>
<tr>
<th>Type of Sign</th>
<th>Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Murals</td>
<td>Murals not containing any logos, product or service representations are exempt; provided the name of the use, business or entity located on the premises to which the mural is affixed may be displayed if it occupies no more than Ten (10) percent of the area of the mural. Any other mural shall be regulated as a wall sign.</td>
</tr>
<tr>
<td>Nameplate</td>
<td>Signs identifying the occupants of the building and/or their profession, provided the sign shall not exceed Two (2) square feet in area; the sign must be attached to an exterior building wall.</td>
</tr>
<tr>
<td>Political Sign</td>
<td>Signs shall not be placed in the street right-of-way.</td>
</tr>
<tr>
<td>Real Estate Sign</td>
<td>Only One (1) sign is permitted per lot. However, Two (2) signs are permitted if the lot is a corner lot; The size of each sign may not exceed Four (4) square feet per side and a maximum height of Four (4) feet for residential districts and single family and two family dwellings in a MU district or Sixteen (16) square feet per...</td>
</tr>
</tbody>
</table>
side and a maximum height of Eight (8) feet for all other uses; They must be non-illuminated. The sign shall not be affixed to other signs, utility poles, fire hydrants or trees; The sign must be located outside of the public right-of-way; and the sign must be removed within Thirty (30) days of the property’s sale or lease.

### Table 1276.04 Signs Exempt From Permit

<table>
<thead>
<tr>
<th>Type of Sign</th>
<th>Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Real Estate Open House Sign</td>
<td>A maximum of Two (2) signs may be placed off-premise and one on-premise; The signs shall not exceed Four (4) square feet in size and Three (3) feet in height above grade; The signs shall not be affixed to other signs, utility poles fire hydrants or trees; Any person or firm placing the signs shall obtain the written permission from the owner or occupant of all properties on which the signs are placed; The sign shall not be displayed for more than Eight (8) hours per day; and the signs must be removed within One (1) hour following closing of the open house.</td>
</tr>
<tr>
<td>Religious Symbols</td>
<td>Religious symbols incorporated into the architecture on places of worship or structure owned and operated by religious organizations shall not be considered a sign unless accompanied by text.</td>
</tr>
<tr>
<td>Residential Contractor</td>
<td>One temporary sign identifying the contractor performing major home repairs or remodeling such as roofing, siding,</td>
</tr>
</tbody>
</table>
landscaping and similar work of limited duration. The sign shall be a maximum of Four (4) square feet in area and Three (3) feet in height. It should be located on the premises where the work is being performed and shall be removed within Two (2) weeks of the completion of the work.

<table>
<thead>
<tr>
<th>Type of Sign</th>
<th>Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sign on Vehicle</td>
<td>Signs on a bus, truck, trailer, or other vehicle while operated and used for transport in the normal course of a business, provided that the primary use of the vehicle displaying the sign shall not be for the purpose of advertising a business on the premises where the vehicle is parked.</td>
</tr>
<tr>
<td>Traffic Control Sign</td>
<td>Traffic or other municipal signs, legal notices, danger signs and such temporary emergency or non-advertising signs, or private traffic control signs which conform to the requirements of the Manual of Uniform Traffic Control Devices and may be approved by the Village.</td>
</tr>
<tr>
<td>Warning Sign</td>
<td>Publicly authorized warning signs, such as no trespassing, warning of electrical currents or animals, provided the sign does not exceed Two (2) square feet in area.</td>
</tr>
<tr>
<td>Window Signs</td>
<td>The total area of all signs within One (1) foot of the window shall not obscure</td>
</tr>
</tbody>
</table>
1276.05 PROHIBITED SIGNS.

Signs not specifically allowed under this chapter, unless exempt per Section 1276.04, are prohibited in the Village of Lodi. Further, the following sign types are expressly prohibited:

(a) Balloons, balloon signs, strings of light bulbs, pennants, streamers, banners or flags, except banners or flags specifically permitted by the Village Authority related to permitted events.

(b) Any sign, including window signs, employing flashing, moving or oscillating lights, excluding time-temperature signs.

(c) Internally lit signs, with the exception of permitted neon signs that comply with the applicable regulations.

(d) Roof Signs

(e) Pole Signs

(f) Off premises signs, with the exception of the multi-business signs at the entrance to business districts or business directional signs when businesses are located off major thoroughfares and community special event signs as permitted by the Village Authority.

(g) Billboard Signs

(h) Portable trailer signs.

(i) The use of vehicles, trailers or similar movable structures as signs is prohibited when the vehicle, trailer or similar movable structure is parked on a public or private property within Fifty (50) feet of any property line abutting a public street, except for those:

   (1) Lawfully parked overnight or during non-business hours in a place not visible from a public street or designated truck parking or loading area;
(2) Making deliveries, sales calls, or other customary practices relating to doing business;
(3) Making trips to transport persons or property
(4) In conjunction with active construction operations on the site; or
(5) Passenger vehicles, pick-up trucks, and vans, containing signs that do not exceed Sixteen (16) square feet in area painted on or permanently affixed to the doors or integral body panels and such vehicles are of a size fully fit within a standard parking space.

1276.06 PERMITTED SIGNS.

The following signs are permitted in combination, unless noted otherwise, in each district, subject to the requirements described in Table 1276.05, issuance of a sign permit and all other applicable regulations. In any B or I, a maximum of two types of signs and three total signs per principal building shall be permitted on any lot, regardless of the number of tenants.

<table>
<thead>
<tr>
<th>Table 1276.06 Permitted Signs by District</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Residential Districts</strong></td>
</tr>
<tr>
<td>Gateway Sign</td>
</tr>
<tr>
<td><strong>Number</strong></td>
</tr>
<tr>
<td>One (1) per street frontage</td>
</tr>
<tr>
<td><strong>Size</strong></td>
</tr>
<tr>
<td>Twenty-Four (24) square feet</td>
</tr>
<tr>
<td><strong>Location</strong></td>
</tr>
<tr>
<td>Minimum Fifteen (15) feet from all lot lines</td>
</tr>
<tr>
<td><strong>Height</strong></td>
</tr>
<tr>
<td>Six (6) feet maximum</td>
</tr>
<tr>
<td><strong>Development Sign-Promoting a Newly-Developed Subdivision of at Least Ten (10) Dwelling Units.</strong></td>
</tr>
<tr>
<td><strong>Number</strong></td>
</tr>
<tr>
<td>One (1) non-illuminated</td>
</tr>
<tr>
<td><strong>Size</strong></td>
</tr>
<tr>
<td>Maximum Forty-Eight (48) square feet</td>
</tr>
<tr>
<td><strong>Location</strong></td>
</tr>
<tr>
<td>Minimum Ten (10) feet from all property lines</td>
</tr>
<tr>
<td><strong>Height</strong></td>
</tr>
<tr>
<td><strong>Other</strong></td>
</tr>
</tbody>
</table>

**Business District**

**Canopy, Projecting or Awning (C-1 + C2)**

| **Number** | One (1) per property. |
| **Size** | Eight (8) square feet of advertising area |
| **Location** | Projecting out from building wall not more than Three (3) feet. |
| **Height** | A clearance of at least Eight (8) feet is required between the sidewalk and the bottom of the sign. |

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**PLANNING AND ZONING CODE** 1276.06

**Table 1276.06 Permitted Signs by District cont...**

**Business District cont...**

**Commercial Districts (C-1 + C2)**

| **Number** | One (1) per property. No other freestanding sign shall be permitted on the property of individual businesses. |
| **Size** | Forty-Eight (48) square feet |
| **Location** | Minimum Ten (10) feet from front lot line, Minimum Twenty-Five (25) feet from all other lot lines |
| **Height** | Six (6) feet maximum |

**Ground Sign (C-2 Only)**

| **Number** | One (1) per street frontage. |
| **Size** | Thirty-Two (32) square feet. |
| **Type** | Ground projecting or wall signs |
| **Location** | Minimum Ten (10) feet from front lot line, Minimum Ten (10) feet from all other lot lines. |
| **Height** | Six (6) feet maximum. |

**Wall Sign (C-1 and C-2)**

| **Number** | One (1) per street frontage, but only one per wall. |
### Size
Five (5) percent of wall area to which it is attached, not exceeding Twenty-Five (25) square feet total aggregate for wall signs.

### Location
Mounted flat against the wall.

### Window Sign
Permanent window signs are limited to Fifty (50) percent coverage of the window that they are posted within.

## Light Industrial and General Industrial Districts
### Business Signs (I-1 and I-2)

<table>
<thead>
<tr>
<th>Number</th>
<th>One (1) per property. No other freestanding sign shall be permitted on the property for individual businesses.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Size</td>
<td>Forty-Eight (48) square feet.</td>
</tr>
<tr>
<td>Location</td>
<td>Minimum Ten (10) feet from front lot line, Minimum Twenty-Five (25) feet from all other lot lines.</td>
</tr>
<tr>
<td>Height</td>
<td>Six (6) feet maximum.</td>
</tr>
</tbody>
</table>

## Signs 1276.06

<table>
<thead>
<tr>
<th>Table 1276.06 Permitted Signs by District cont…</th>
</tr>
</thead>
<tbody>
<tr>
<td>Light Industrial and General Industrial Districts</td>
</tr>
<tr>
<td>Gateway Signs</td>
</tr>
<tr>
<td>Number</td>
</tr>
<tr>
<td>Size</td>
</tr>
<tr>
<td>Location</td>
</tr>
<tr>
<td>Height</td>
</tr>
</tbody>
</table>

| Ground Signs                                      |
| Number                                           | One (1) per street frontage.                                                                                       |
| Size                                             | Thirty-Two (32) square feet.                                                                                       |
| Location                                         | Minimum Ten (10) feet from all lot lines, Minimum Ten (10) feet from all other lot lines.                          |
| Height                                           | Six (6) feet maximum.                                                                                              |

<p>| Wall Sign                                         |
| Number                                           | One (1) per street frontage, but only One (1) per wall.                                                           |
| Size                                             | Five (5) percent of wall area to which it is attached, not exceeding Sixty-Four (64) square feet total aggregate for wall signs. |</p>
<table>
<thead>
<tr>
<th>Location</th>
<th>Mounted flat against the wall.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>All Districts</strong></td>
<td></td>
</tr>
<tr>
<td>Community Special Event Signs and Banners</td>
<td></td>
</tr>
<tr>
<td><strong>Number</strong></td>
<td>No Limit</td>
</tr>
<tr>
<td><strong>Size</strong></td>
<td>Twenty-Four (24) square feet.</td>
</tr>
<tr>
<td><strong>Location</strong></td>
<td>On or off the property on which the event will occur; set back at least Fifteen (15) feet from any side or rear property line and set back from the front property line the same distance as required for a ground sign in the district in which the sign is located.</td>
</tr>
<tr>
<td><strong>Height</strong></td>
<td>Four (4) feet maximum.</td>
</tr>
<tr>
<td><strong>Other</strong></td>
<td>The sign shall be installed no more than Fourteen (14) days prior to the scheduled event and must be removed within Forty-Eight (48) hours of the event’s conclusion.</td>
</tr>
</tbody>
</table>

---

**PLANNING AND ZONING CODE 1276.06**

**Table 1276.06 Permitted Signs by District cont…**

| **All Districts cont…** | |
| Construction Sign | |
| **Number** | One (1) per street frontage, but only on each street. |
| **Size** | Thirty-Two (32) square feet maximum. |
| **Location** | Minimum Six (6) feet from all street right-of-way lines and at least Ten (10) feet from any other lot line. |
| **Height** | Ten (10) feet maximum. |
| **Other** | The sign shall be posted from the time the building permit is issued and removed within Ten (10) days after certificate of occupancy is issued for the building to which the sign refers or when at least Fifty (50) percent of the lots within a development have been sold. |

<p>| Temporary Construction Sign | |
| <strong>Number</strong> | One (1) per street frontage, but only one each street. |
| <strong>Size</strong> | Twelve (12) square feet. |</p>
<table>
<thead>
<tr>
<th>Location</th>
<th>Minimum Five (5) feet from front lot line.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Height</td>
<td>Four (4) feet maximum.</td>
</tr>
<tr>
<td>Other</td>
<td>Temporary signs may be displayed for a maximum of (14) consecutive day for any single permit period and a maximum of (3) permit period may be permitted in a calendar year. The sign shall be removed by the permit holder upon expiration of the permit period.</td>
</tr>
</tbody>
</table>

1276.07 SIGN PERMITS

(a) Permits Required. A sign permit shall be required for the erection, use, construction or alteration of all signs, except those specifically exempted by Section 1276.04. For purposes of this section alteration shall mean any change to an existing sign including changing the copy to promote, advertise, or identify another use. Alteration shall not mean normal maintenance of a sign nor apply to changeable.

(b) Electrical Signs. All signs requiring electrical service shall be reviewed for compliance with the applicable electrical code. Approval of signs requiring electrical service shall be noted on or attached to the sign permit.

(c) Issuance of Sign Permit. The zoning administrator shall issue a sign permit if all provisions of this code and other applicable Village regulations are met. A sign authorized by a permit shall be installed or be under construction within six months of the date of issuance of the sign permit or the permit shall expire. A new permit may be issued upon filing of a new application and fee.

1276.08 APPLICATION PROCEDURE

An application for a sign permit shall be made to the zoning administrator along with a fee as established by the Village Council. The application, at minimum, shall include the following:

(a) Name, address, and telephone number of applicant and the person, firm or corporation erecting the sign.

(b) Address or permanent parcel number of the property where the sign will be located.
A sketch showing the location of the building, structure or lot upon which the
sign is to be attached or erected and showing the proposed sign in relation to
buildings and structures along with setback from lot line.

Two sets of plans and specifications showing all dimensions, method of
construction and attachment to structures or ground.

The zoning district in which the sign is to be located.

Any other information in which the sign is to be located.

Signature of applicant or person, firm or corporation erecting the sign.

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1276.09 INSPECTION AND MAINTENANCE

(a) Sign Inspection

(1) Responsibility for Compliance. The owner or tenant of any property on
which a sign is located is declared to be responsible for the permit, erection,
inspection, safety, condition and removal of a sign.

(2) Inspection of New Signs. All signs for which a permit has been issued shall
be inspected by the Zoning Inspector when erected. Approval shall be
granted only if the sign has been constructed in compliance with the
approved plans and applicable requirements of all codes.

(3) Inspection of Existing Signs. The Zoning Inspector may, at times as deemed
necessary, inspect any sign allowed under this section and, if upon
inspection, a sign is found to be unsafe or in a condition that does not
comply with all the provisions of this section, the Zoning Inspector shall give
notice of that condition to the owner of the and cause the necessary repairs or
alterations to be made, or require removal of the sign.

(b) Sign Maintenance

(1) Maintenance of Signs. All signs for which a permit is required, as well as
those that are exempted from the requirement of a permit, as set forth in
Section 1276.04, and all structural supports shall:

   A. Be kept in compliance with the plans and specifications filed and
      approved for issuance of the construction permit;
B. Be kept and maintained in a safe condition, consistent with adopted building and mechanical codes; and
C. At times conform to all provisions of this chapter.

(2) Correction of Defects. If the Zoning Inspector finds that any sign is unsafe, insecure, improperly constructed, or poorly maintained, the owner of the sign shall make the sign safe and secure by completing any necessary reconstruction or repairs, or entirely remove the sign in accordance with the timetable established by the Zoning Inspector. Existing signs determined to be unsafe and an immediate hazard to health or safety shall be removed or repaired within 24 hours of notification.

(3) Obsolete Signs.
A. All non-conforming signs must be removed upon sale of the property or within Thirty (30) days of notification of non-compliance.
B. Signs which are no longer functional, in despair, or are abandoned for more than Sixty (60) days, shall be removed, at the expense of the owner of the property on which the sign is located, within Thirty (30) days following notice of non-compliance. The owner shall be notified by certified mail. If the sign is not removed within Thirty (30) days, the Zoning Official may cause the sign to be removed and assess the cost of removal against property.
C. A sign which no longer identifies a use, product, business or entity located on the property, but is otherwise in conformity with the other provisions of this ordinance, may remain in place if the sign face is completely covered or obscure by a blank panel attached within the frame of the sign. In such case, the sign shall be permitted to remain for a period not to exceed One Hundred and Twenty (120) days. Following expiration of the One Hundred and Twenty (120) days, the sign shall be removed, at the expense of the owner of the property on which the sign is located, unless identifying a new use, product, business or entity located on the property.

1276.09 INSPECTION AND MAINTENANCE cont…
(c). Sign Removal.

The Zoning Official may obtain a court order to compel removal of a sign that is obsolete or otherwise in violation of this section. The cost of removal shall be added as a lien on the property tax rolls.

1276.10 FEES

Any application for a sign permit or other request for action pursuant to the regulations of this chapter shall be subject to and accompanied by a fee as established by the Village Council. Such fees shall be collected in advance of any application review, inspection, or issuance of any permit, or approval. Upon notification of defiant payment of fees, the Zoning Official shall cause any permits to be suspended and reject applications for new permits directly associated with the request.

1276.11 NONCONFORMING SIGNS

(a) Any permanent sign or sign structure which was legally established, but no longer conforms to the height, size, area or location requirements of this chapter is deemed to be nonconforming.

(b) Nonconforming signs may not be altered, expanded, enlarged, or extended; however, nonconforming signs may be maintained and repaired so as to continue the useful life of the sign.

(c) For the purpose of this chapter, a nonconforming sign may be diminished in size or dimension or the copy of the sign amended or changed without jeopardizing nonconforming status.

(d) Any nonconforming sign destroyed by fire or other casualty loss shall not be restored or rebuilt if reconstruction will constitute more than Fifty (50) percent of the value of the sign on the date of loss.

(e) Any sign which for a period of Sixty (60) days or more no longer identifies a bona fide business conducted or product sold on the premises shall be removed by the owner of the building, structure, or property upon which the sign is located within Thirty (30) days of receipt of written notice from the Zoning Inspector.

(f) A sign accessory to nonconforming use on the premises may be erected, in accordance with the sign regulations for the district in which the property is located.
CHAPTER 1278
Conditional Zoning

1278.01 Purpose.

1278.02 Procedure for obtaining conditional zoning certificates.

1278.03 Standards and requirements for conditional uses.

1278.04 Planned Unit Development (PUD).

1278.041 Establishment.

CROSS REFERENCES
Division of municipal corporations into zones - see Ohio R.C. 713.06
Restrictions on buildings, structures, lots and setbacks - see Ohio R.C. 713.07 et seq.
Restrictions on height of buildings and structures - see Ohio R.C. 713.08
Restrictions on bulk and location of buildings and structures, percentage of
lot occupancy and setback building lines - see Ohio R.C. 713.09
1278.01 PURPOSE.

The functions and characteristics of an increasing number of new kinds of land uses, combined with conclusive experience regarding some of the older, familiar kinds of uses, call for a more flexible and equitable procedure for properly accommodating these activities in the community. It should be recognized that the forces that influence decisions regarding the nature, magnitude and location of such types of land use activities are many and varied, and are dependent upon the functional characteristics of the use, competitive situations and the availability of land. Certain kinds of uses need to be reasonably controlled by specific requirements that provide practical latitude for the investor but, at the same time, maintain adequate provision for the security of the health, safety, convenience, comfort, prosperity or general welfare of the community's inhabitants.

In order to accomplish such a dual objective, provision is made in this chapter for a more detailed consideration of each conditionally permitted use as it relates to location, design, size, method of operation and intensity of land use, which, in turn, affects the volume of traffic generated and traffic movements, the concentration of population, and the kinds of public facilities and services required. Land and structure uses possessing these particularly unique characteristics are designated as "conditionally permitted uses" and are permitted through the issuance of a conditional zoning certificate, with conditions and safeguards attached as may be deemed necessary for the protection of the public welfare.

(Ord. 1533. Passed 8-11-80.)

1278.02 PROCEDURE FOR OBTAINING CONDITIONAL ZONING CERTIFICATES.

(a) Application Submitted to Planning Commission.

(1) An application shall be submitted to the Planning Commission and it shall contain the following data:

A. The form, as supplied by the Planning Commission, completed by the applicant.

B. A site plan, plot plan or development plan of the entire property being considered, drawn to a reasonable scale and showing the location of all abutting streets, the location of all existing and proposed structures, and the types of buildings and uses proposed.

(2) The Planning Commission may refer the application to qualified consultants when it deems expert advice to be necessary, and the applicant shall pay for the cost of said expert advice.

(b) Review by Planning Commission. The Planning Commission shall review the proposed development, as presented on the submitted plans and specifications, in terms of
the standards established in this chapter. Such review shall be completed and made public within thirty days of the first regular monthly meeting of the Planning Commission following the submission of such application. If the application is submitted at a regular monthly meeting of the Planning Commission, then the thirty-day period shall begin with the date of submittal.

(c) **Hearing: Public Notice.** After adequate review and study of any application, the Planning Commission shall hold a public hearing or hearings upon every application after at least one publication in a newspaper of general circulation, at least twenty-one days prior to the date of the hearing. Such notice shall indicate the place, time and subject of the hearing.

(d) **Notice to Parties in Interest.** Before holding the public hearing required in subsection (c) hereof, written notice of such hearing shall be mailed by first class mail, at least twenty-one days before the day of the hearing, to all parties in interest, including adjacent property owners. The notice shall contain the same information as required of notices published in newspapers pursuant to subsection (c) hereof.

(e) **Reapplication.** No application for a conditional zoning certificate, which had been denied wholly or in part by the Planning Commission, shall be resubmitted until the expiration of one year or more from the date of such denial, except on grounds of newly discovered evidence or proof of changed conditions which would be sufficient to justify reconsideration by the Planning Commission.

(f) **Issuance and Revocation of Certificates: Violations.** Only upon conclusion of hearing procedures relative to a particular application may the Planning Commission issue a conditional zoning certificate. The breach of any condition, safeguard or requirement shall constitute a violation of this Zoning Code, punishable as provided in Section 1242.99.

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### 1278.03 STANDARDS AND REQUIREMENTS FOR CONDITIONAL USES.

(a) **Authority of Planning Commission.** The Planning Commission shall establish beyond reasonable doubt that both the general standards and the specific requirements pertinent to each conditional use indicated herein shall be satisfied by the establishment and operation of the proposed conditional use. The Planning Commission may also impose such additional conditions and safeguards as it deems necessary for the general welfare, for the protection of individual property rights and for insuring that the intent and objectives of this Zoning Code will be observed.

(b) **General Requirements.** The Planning Commission shall review the particular facts and circumstances of each proposed use in terms of the following standards, and shall find adequate evidence that such use on the proposed location:

1. Is in fact a conditional use established under the provisions of Chapter 1252 through 1272.
2. Will be harmonious with and in accordance with the general objectives, or with any specific objective, of the Lodi Development Policy Plan and
this Zoning Code.

3) Will be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity, and will not change the essential character of the same area, will not be hazardous or disturbing to existing or future neighboring uses, and will not be detrimental to property in the immediate vicinity or to the community as a whole.

4) Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer services and facilities, and schools, or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately for any such service.

5) Will be in compliance with the Lodi Subdivision Regulations, the Regulations of the Medina County Health Department, and the Medina County Building Code.

6) Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public streets or roads.

7) Will not result in the destruction, loss or damage of a natural/scenic or historic feature of major importance.

8) Will not create excessive additional requirements, at public cost, for public facilities and services, and will not be detrimental to the economic welfare of the community.

9) Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.

The Planning Commission shall establish as a condition of approval, any other requirements, including guarantees that any conditions will be fulfilled, that it deems necessary to fulfill the purposes and intent of this Zoning Code.

(c) Specific Requirements.

1) Sanitariums, convalescent homes, nursing homes and homes for the aged shall have a net residential density which shall not exceed three times the
number of dwelling units indicated in the "Purpose" section of that district
in which the proposed housing is to be located.

(2) All structures, except minor structures such as utility poles and meters,
and activity areas, shall be located at least fifty feet from all property lines.

(3) Loudspeakers which cause a hazard or annoyance shall not be permitted.

(4) All points of entrance or exit shall be located no closer than 200 feet from
the intersection of two major streets, and no closer than 100 feet from the
intersection of a major street and a minor street, or two minor streets.

(5) There shall be no more than one directional identifying sign oriented to each abutting road identifying the activity.

(6) No lighting shall constitute a nuisance or in any way impair safe movement of traffic on any street or highway.

(7) The use should be located on major thoroughfares or at intersections of major and/or secondary thoroughfares.

(8) The use should be located adjacent to nonresidential uses such as churches,
parks, utility stations and Industrial and Commercial Districts.

(9) The structures shall not be continued as permanent structures. The period of continuance shall be set by the Planning Commission.

(10) The use shall not require costly or uneconomic extensions of utility services at the expense of the community.

(11) All facilities and equipment, such as derricks, pumps, tanks, etc., shall be enclosed or fenced off where their operation creates a potential safety
(12) All areas shall be rehabilitated progressively as they are worked out, and shall be left in a condition entirely lacking in hazards, inconspicuous and blended with the general surrounding ground form so as to appear reasonably natural. All slopes and banks shall be reasonably graded and treated to prevent erosion or any other potential deterioration.

(13) Routes for truck movement shall be established and followed in such a way that traffic and other hazards and damage to other properties shall be minimized.

(14) All permitted installations shall be maintained in a neat, orderly condition so as to prevent injury to any single property or individual, or to the community in general.

(15) As regards home occupations:
   A. The use shall be secondary in importance to the use of the dwelling for dwelling purposes.
   B. The use shall be conducted by the occupant with a maximum of one additional employee.
   C. The use shall be carried on entirely within the dwelling and not in an accessory building.
   D. The home occupation shall not occupy more than twenty percent of the floor area of the dwelling unit.
   E. The use shall not constitute primary or incidental storage facilities for a business, industrial or agricultural activity conducted elsewhere.
   F. No activity, materials, goods or equipment indicative of the proposed use shall be visible from any public way or adjacent property.
   G. The proposed use shall not generate noise, odor, dust, smoke or vehicular or pedestrian traffic in an amount which would depreciate the residential character of the neighborhood in which the proposed use is located.

(16) As regards any facility providing services for automobiles, the use shall be permitted under the following conditions:
A. The use shall be located so as not to interfere with the pedestrian interchange between stores in the immediate area.

B. The use shall be for the purpose of servicing motor vehicles under one and one-half tons rated capacity, including the dispensing of fuel and lubricants, cooling system and ignition service, sale and installation of batteries, lamps, fan belts, spark plugs, tires and accessories, not requiring a change in the chassis, body or engine of the vehicle, and the repair of flat tires.

C. All activities, except those required to be performed at the fuel pumps, and car washing, shall be carried on inside a building. If work is performed on a vehicle, such vehicle shall be entirely within a building.

D. No more than two driveway approaches shall be permitted directly from any major thoroughfare, nor more than one driveway approach from any minor street, each of which shall not exceed thirty feet in width at the property line.

E. The property of the facility shall be maintained in a neat, orderly fashion to ensure the health, safety and appearance of the community and to minimize visual blight.

(17) To secure the optimum effect of transition from a Residential District to a nonresidential district, the Planning Commission, with the approval of Council, shall have the power to determine the need for and amount of plant materials, walls or fences, or any combination of these, on any property line of land under consideration. The plans and specifications, including density and height figures for the overall site development, shall include the proposed arrangement of such plantings and structures.

(18) Antennas, aerials and masts must be securely fastened to the ground or structure and shall be securely anchored so as to prevent damage to adjacent property or structures.

(19) Where such use borders a Residential District, the distance between the use and the District boundary shall not be less than 200 feet in the R-1 and R-2 Districts. (Ord. 1533. Passed 8-11-80.)
It is the intent of this Section to recognize and permit in a uniform manner the use of creative and imaginative residential development techniques that are in the best interests of the Village.

(a) In order to accomplish this purpose, it is the intent in establishing this subsection to achieve:

(1) A variety of dwelling types including single-family and multiple-family dwellings compatible with the purposes of planned unit developments (PUDs)

(2) Flexible spacing of lots and buildings in order to encourage;
   A. The preservation of the natural character of the land;
   B. The separation of pedestrian and vehicular circulation;
   C. The conservation of natural amenities of the landscape;
   D. The provision of readily accessible recreation areas and green spaces.
   E. The creation of functional and interesting residential areas; and
   F. The availability of a greater variety of housing types.

(3) In large-scale PUDS, suitable associated commercial and other nonresidential uses consistent with demand created by the PUD and compatible with existing and proposed land uses adjacent to the PUD.

(4) A more efficient use of land than is generally achieved through conventional development, resulting in substantial savings through shorter utility lines and streets.

(b) Special provisions governing PUDS. Because of the special characteristics of planned unit developments, special provisions governing the development of the land for this purpose are required. Whenever there is a conflict or difference between the provisions of this section and those of the other chapters of the zoning codes, the provisions of this Section shall prevail. Subjects not covered by this Section shall be governed by the respective provisions found elsewhere in this Code. Except as specially noted, nothing in this section shall be interpreted to exempt PUDs from all provisions of the Subdivision Regulations of the Village. All PUDS are subject to site plan review by the Planning Commission.
(c) Uses. With an approved PUD, compatible residential, commercial, institutional and open space uses may be combined as it will enhance the living environment of the planned development. All such uses shall be arranged to be compatible with each other and not to adversely affect adjacent property and/or the public health, safety and general welfare.

(1) The full residential dwelling types shall be permitted, including all types of dwelling ownership and physical arrangements as judged by the Planning Commission to be compatible with the purpose of the project.

(2) Commercial uses may be limited to those types judged by the Planning Commission to be compatible with purpose and the predominantly residential nature of planned unit developments. Commercial uses shall only be permitted in those PUDs of fifty acres or more, provided that such commercial development shall not exceed the tenth of the total number of acres used or purposed for residential use.

(3) Institutional uses may be permitted within a planned unit development as will be compatible with the predominantly residential nature of a PUD. Such uses should be limited to five percent of the total PUD area and shall be limited to uses, such as schools, churches and cultural facilities, judged appropriate by the Planning Commission and compatible with the predominantly residential nature of a PUD. Institutional uses shall be further controlled by the standard in subsection (k) (1) and (2) hereof.

(d) Minimum project area:

(1) The gross area of a tract of land to be developed in a PUD shall be a minimum of twenty-five acres. Smaller parcels may be considered for approval as a PUD on the basis of their potential to meet objectives of this Section as stated in Subsection 1278.04(a).

(2) All land within the PUD shall be contiguous in that it shall not be divided into segments by:

(A) any limited access highway, or

(B) any tract of land (other than streets or rights-of-way for pipelines or electric transmission lines) not owned by the developer of the planned development.
(e) Density:

(1) The minimum area regulations for planned unit developments are modified from conventional developments in the R-3 districts as follows:

Single or Two Family Dwelling Units

<table>
<thead>
<tr>
<th></th>
<th>R-3</th>
<th>PUD</th>
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<tbody>
<tr>
<td>Minimum Lot area per</td>
<td>7,260</td>
<td>6,000</td>
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<td>dwelling unit</td>
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<td>Minimum Lot width</td>
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<td>at the building line:</td>
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<tr>
<td>single family</td>
<td>60</td>
<td>50</td>
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<tr>
<td>two-family</td>
<td>80</td>
<td>80</td>
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<tr>
<td>Minimum front yard depth</td>
<td>25</td>
<td>25</td>
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<td>Minimum rear yard depth</td>
<td>20</td>
<td>20</td>
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<tr>
<td>Minimum side yard depth</td>
<td>20</td>
<td>14*</td>
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<td>(both sides)</td>
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*Provided however that the yard heights and flood regulations, lot widths, setbacks, side yards and building heights are flexible in order to allow for a variety of structural design arrangements. In reviewing building spacing proposals in PUD plans, the Planning Commission shall be guided by factors such as spacing necessary for adequate visual and acoustical privacy, adequate light and air, fire and emergency access, glassed wall areas, building configurations, energy efficient sitting principles and relationship of building sites to circulation patterns. Provided that the wall of the dwelling unit on zero lot lines has no openings. Zero lot line development is not permitted on the property lines of the perimeter of the PUD or between lots having detached single family dwelling units.
(2) Multi- Family Dwelling Units. (Structures containing 3 or more dwelling units).
   (A) No greater than fifty percent of the total number of dwelling units in a planned unit development may be multi- family units.
   (B) Such units shall be located so as not to cause traffic congestion.
   (C) Minimum lot areas for multi-family dwelling structures in all districts shall be 3,630 square feet for each of the first three units, plus 2,500 square feet for each dwelling unit over three.
   (D) Yard depth shall not be less than those listed in subsection (e) (1) of this section.

(3) In no instance may the overall density of the planned unit development exceed the maximum density stipulated for an R-3 zoning district.

(f) Commercial and Institutional Uses:
   (1) The Planning Commission may approve an amount of commercial acreage up to the maximums specified in subsection (e) (1), and shall be guided by such considerations as whether the location is appropriate for such uses, the relationship of such uses to the adjoining circulation patterns adjoining the PUD.
   (2) Commercial activities will be limited to the following kinds of uses:
       (A) Personal services such as barber and beauty shops, dry cleaning and laundry agencies, tailor and dressmaker, and shoe repair shops.
       (B) Food sales of the grocery store and/or dairy store type, but not exceeding 5,000 square feet of floor area in any single space of building.
       (C) Drugstore.
       (D) Florist and gift shop.
       (E) Preparation and processing of food and drink to be retailed on premises including bakery, delicatessen, meat market, confectionery, restaurant, ice cream parlor and soda fountain, but not exceeding 5,000 square feet of floor area for any single or combination of the above activities in a single space or building.
       (F) Accessory uses clearly incidental to the uses permitted on the same premises.
(3) When planned unit development districts include commercial or institutional uses, such as buildings and establishment shall be planned as groups having common parking areas and common ingress and egress points in order to reduce the number of potential accident locations at intersections with thoroughfares. Planting screens or fences shall be provided on the perimeter of the commercial or institutional areas abutting residential areas. The plan of the project shall provide for the integrated and harmonious design of buildings and for adequate and properly arranged facilities for internal vehicular and pedestrian circulation, landscaping, and such other features and facilities as may be necessary to make the project attractive and efficient from the standpoint of the adjoining and surrounding noncommercial areas. All areas designed for future expansion or not intended for immediate improvement of development shall be landscaped or otherwise maintained in a neat and orderly manner.

(h) Open space. A minimum of twenty percent of the net area of the PUD shall be reserved in perpetuity for common open space and recreational facilities. Such open space shall be available to and accessible to all residents of the PUD and shall be designed primarily for their use. Open space shall be exclusive of all streets, non-recreational buildings and individually owned land. Design of common open space areas shall be governed by the following standards:

(1) The Planning Commission may require a bond in lieu of dedication of the required open space in cases where final subdivision plats are approved in stages, the amount of which shall be determined by the Planning Commission.

(2) Permanent water bodies should comprise no more than thirty percent of the required open space, at the discretion of the Planning Commission, depending on the water body’s utility as a recreation or open space asset to the PUD.

(3) Open space areas and recreation areas shall be distributed throughout the PUD and located so as to be readily accessible, available to, and usable by all residents of the PUD. Each parcel within the PUD should be designed to abut common open space areas.

(4) Common open space may be improved with appropriate recreation facilities and structures as long as total paved or roofed areas do not exceed five percent of the total open space area.

(5) Significant natural amenities such as outcroppings, tree stands, ponds, ravines and stream channels should be left in their natural state and
considered part of the required open space, subject to the above standard.

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(i) Disposition of common open space. Planned unit developments shall receive approval subject to submission, prior to final subdivision approval, of legal instruments setting forth a plan or manner of permanent care and maintenance of common open spaces and recreation facilities. Approval by the Planning Commission of such instruments shall be based on the following standards:

(1) The instruments shall guarantee that open space as shown on the final development plan will remain as such. The Planning Commission may require that all development rights to the open space be deeded to The Village if the Village Council will accept said deed or deeded to another appropriate public body, or that permanent restrictive covenants be attached to the open space.

(2) Common open space and recreation facilities shall be deeded to the homeowners association, funded community trust or similar entity. If a private entity is to hold title to common open space and recreation facilities such entity shall not be dissolved nor shall it dispose of any common open space or recreation facility without first offering to dedicate the same to the Village.

(3) Such instruments shall convey to the Village and other appropriate governmental bodies the right of entrance to the common open space and recreation facilities for emergency purposes or in the event nonperformance of maintenance or improvements affecting the public interest. Such governments shall have the right, after proper notice under applicable law enforcement ordinances, to make improvements and perform maintenance functions if the cost levied as a lien against the property if such a lien may lawfully be levied. Advanced notice is not necessary for emergency entrance onto such common areas and facilities.

(j) Private streets. Private streets shall conform to the Village Subdivision Regulations for minor residential streets except that standards for private streets on which twenty or fewer dwelling units have immediate access may be modified upon approval of the Planning Commission after the Commission obtains a recommendation from the Village Engineer.
(k) Collector streets and major thoroughfares. Collector streets and major thoroughfares shall be designated as such by the developer upon submission of general plans as provided in Section 1278.04(a). Such designations shall be subject to modification by the Planning Commission so that an efficient traffic circulation system is established. There shall be no direct access from single-family detached residential lots to a major thoroughfare, and direct access from single-family detached residential lots to collector thoroughfares shall be minimized. When there are more than thirty dwelling units in a grouping they shall have primary access to such dwelling units from a public or dedicated street.

(l) Off street parking. There shall be provided outside the public or private right-of-way, parking as required in Chapter 1274. These spaces may be located in the vicinity of the dwelling unit or in an area designated for guest parking as deemed appropriate by the Planning Commission. All parking spaces and service drives shall be improved with bituminous, concrete, or equivalent surfacing and so drained as to dispose of all surface water accumulation within the area.

(m) The pedestrian and bicycle circulation system and their related walkways shall be insulated as much as possible from the vehicular system in order to provide separation of pedestrian and bicycle movement from vehicular movement. This may include pedestrian and bicycle overpasses or underpasses in the vicinity of schools, commercial areas and such other areas and such other areas likely to generate a considerable amount of pedestrian and bicycle traffic.

(n) Height regulations for single-family detached dwellings, single-family attached and two-family dwellings. No structure shall exceed 35 feet in height above the average finished grade line.

(o) Height regulations for multi-family dwellings. No structure shall exceed 35 feet in heights above the average finished grade line. All structures will conform to the state fire marshal’s requirements.

(p) Minimum living space for single-family attached, two-family and multi-family dwellings. In a planned unit development, not more than 20 percent of the dwelling unit shall have less than 800 square feet of living space.

(q) All utilities shall be installed underground.
(r) Erosion and Sedimentation control. Effective erosion and sedimentation control. Effective erosion and sediment controls shall be planned and applied according to the following principles:

1. The smallest practical area of land should be exposed at any one time during development.
2. When land is exposed during development, the exposure should be kept to the shortest practical period of time.
3. Temporary vegetation and/or mulching shall be used to protect critical areas exposed during development.
4. Sediment basins, debris basins, desilting basins or silt traps shall be installed and maintained to remove sediment from running off waters from land undergoing development.
5. Provisions shall be made to effectively accommodate the increased run-off caused by changed soil and surface conditions during and after development.
6. The permanent final vegetation and structures shall be installed as soon as practical in the development.
7. The development plan shall be fitted to the topography and soil so as to create the least erosion potential.
8. Whenever feasible, natural vegetation should be retained and protected.

1278.041 ESTABLISHMENT.

(a) General Plan Approval. At the time of the application for a conditional zoning certificate, a General Plan for the development of the land shall have been filed with the Planning Commission by the owner or owners of the land involved. The General Plan, which may be set forth on one or more maps or in one or more instruments, shall have been signed by all owners of property within the project, shall have been drawn to scale, shall have been prepared by an architect, landscape architect, engineer or planner-in-charge authorized to practice in the State of Ohio, and shall show the following:

1. The date;
2. The boundaries of the project;
3. A north arrow
4. The topography of the project using two-foot contour intervals;
5. The proposed street system for the project, including designation of collector thoroughfares agreeable to the Planning Commission;
(6) The areas of the project to be used for single-family detached dwellings, single-family attached dwellings, apartment buildings, and commercial buildings and/or uses;

(7) The area or areas of the project to be preserved as open space;

(8) Descriptive data as to the methods to be employed to preserve and maintain such open space and recreational facilities, such as public dedication, homeowners associations, condominiums owners associations, etc;

(9) The areas into which such project is to be divided for different uses, the use purposed for each such area, the number of housing units by type and size, in any given area, the location and size of school, church and/or fire station sites proposed.

(10) The total population density for the project in number of housing units;

(11) The acreage of the project;

(12) The location and landscaping of the proposed parking lots within the project;

(13) Descriptive data concerning the sewer, water and storm drainage facilities within the project, identifying the entity whether public or private to whom such facilities are to be dedicated or transferred;

(14) The location and acreage of the commercial uses proposed within the project; and

(15) A plan showing provisions for control of erosion and sedimentation during and after construction; such plan to be accompanied by documentation indicating the review and recommendation on such plan by the Medina County Soil and Water Conservation district, and Department of Natural Resources Division of Lands and Soil, or other competent public agency or soil scientist.

Upon arrival of the General Plan by the Planning Commission, a conditional zoning certificate may be issued for the project. The implementation of the project is then subject to the further qualifications, requirements and provisions set forth in subjection (b) hereof. No substantial change from the approved General Plan shall be made without prior approval by the Planning Commission.
(b) **Final Approval.** Before such uses as were authorized by the Planning Commission’s, approval of the General Plan and the issuance of the conditional zoning certificate for the overall project may be begun, a zoning certificate must be obtained for each structure, and only after a final approval of uses has been obtained from the Planning Commission. For a final approval of uses, the owner shall file a final development plan for any specific area within the project or the overall project with the Commission together with a letter of application for such approval. Such final development plan must show the following:

1. The area to be developed and the area to be devoted to open spaces for the use of all residents of the area with accurate acreage, courses and distances, as determined by a licensed engineer or surveyor who shall sign such plan and certify to the accuracy thereof. The boundaries of any area for which final development plan approval is requested shall not be divided to comply with the density and open space acreage criteria, but shall be proportioned and allotted so that required open space is convenient of the residential properties included in the area submitted for final approval.
2. The location and floor plans of all multi-family dwelling and apartment buildings, descriptive data as to the type of buildings, the number of dwelling units in each separate type and bedrooms per unit of apartment or multi-family dwelling building, the number and type of all retail establishments and the number of bedrooms in each apartment unit.
3. A title guarantee or rider to an existing policy, prepared by a reputable title company, showing the legal description of the land which has been set aside for the open space, and showing appropriate restrictions limiting the use of such land to recreation and open space in perpetuity, granting owners and residents of the area to be developed a right and easement of use in such open spaces.
4. A detailed plan setting forth the manner, means and proposed time of transfer of the land reserved for open space to a nonprofit entity and the
obligations and rights of use of such open space by all residents of the area.

(5) A detailed landscaping plan for all areas proposed for parking, commercial, single family attached and multifamily development.
performance bond may be allowed to substitute for actual construction in accordance with section____________________. This bond shall be in effect no longer than one year. The amenities included in each phase shall be, in effect, completed prior to the issuance of occupancy permits.

(7) Site plan approval by the Planning Commission shall be automatically revoked if the construction approved has not been begun within one year from the date of approval. When construction has been delayed due to circumstances beyond the control of the developer, the Planning Commission may grant an extension not exceeding one hundred and eighty (180) days, during which construction may be begun.

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(8) Supplementary conditions and safeguards. In approving any PUD, the Planning Commission may prescribe appropriate conditions and safeguards in conformity with this resolution. Violation of such conditions or safeguards, when made a part of the term under which the final development plan is approved, shall be a violation of this code.

(9) Amendments and extensions. Minor amendments to the approved final plan (such as slight changes in a building location or in the landscaping plan) may be approved over the signature of the Zoning Inspector. Major changes in the approved site plan (such as revised density or alterations in common open space areas) must be approved by the Planning Commission.

(d) Additions to Planned Unit Developments. Any area of land contiguous to a planned unit development may be added thereto and shall be subject to all procedural and substantive regulations applicable to planned unit developments. The gross density in a planned unit development, including additions, shall not exceed the maximum density established for the original planned unit development.
CHAPTER 1280
Nonconforming Uses

1280.01 Continuation of lawful uses; compliance required.
1280.02 Alterations, extension and restoration.
1280.03 Continuation of Nonconforming construction.

1280.04 Placement prohibited.
1280.05 Discontinuance or abandonment.
1280.06 Nonconforming lots of record in combination.

CROSS REFERENCES
Division of municipal corporations into zones - see Ohio R.C. 713.06
Restrictions on buildings, structures, lots and setbacks - see Ohio R.C. 713.07 et seq.
Restrictions on height of buildings and structures - see Ohio R.C. 713.08
Restrictions on bulk and location of buildings and structures, percentage of lot occupancy and setback building lines – see Ohio R.C. 713.09
Basis of districting or zoning; classification of buildings and structures - see Ohio R.C. 713.10
Nonconforming signs - see P. & Z. 1276.07
Wall signs pertaining to nonconforming uses - see P. & Z. 1276.11

1280.01 CONTINUATION OF LAWFUL USES; COMPLIANCE REQUIRED.
The lawful use of any building or land existing on the effective date of this Zoning Code may be continued, although such use does not conform with the provisions of this Zoning Code, provided the conditions of this chapter are met.
(Ord. 1533. Passed 8-11-80.)

1280.02 ALTERATIONS, EXTENSION AND RESTORATION.

A nonconforming building or structure may be altered, improved or reconstructed, but not enlarged or extended, provided such work does not exceed, in aggregate cost, fifty percent of the total replacement value of the building or structure. The extension of a lawful use to any portion of a nonconforming building or structure which existed prior to the enactment of this Zoning Code shall not be deemed the extension of such nonconforming use.

Nothing in this Zoning Code shall prevent the reconstruction, repair, rebuilding and continued use of any nonconforming building or structure damaged by fire, collapse, explosion or Acts of God, subsequent to the date of this Zoning Code. Such uses may be rebuilt or restored, provided the area is not increased or extended.
(Ord. 1533. Passed 8-11-80.)

1280.03 CONTINUATION OF NONCONFORMING CONSTRUCTION.

Nothing in this Zoning Code shall prohibit the completion of construction and use of a nonconforming building for which a building permit has been issued prior to the effective date of this Zoning Code, provided that construction is commenced within ninety days after the issuance of such permit; construction is carried on without interruption for a continuous period in excess of thirty days; and that the entire building shall have been completed within one year after the issuance of said building permit. (Ord. 1533. Passed 8-11-80.)

1280.04 DISPLACEMENT PROHIBITED.

No nonconforming use shall displace a conforming use.
(Ord. 1533. Passed 8-11-80.)

1280.05 DISCONTINUANCE OR ABANDONMENT.

(a) Whenever a nonconforming use has been discontinued for a period of six months or more, such discontinuance shall be considered conclusive evidence of an intention to legally abandon the nonconforming use. At the end of the six-month period of abandonment, the nonconforming use shall not be re-established, and any further use shall be in conformity with the provisions of this Zoning Code.
(Ord. 3134-15. Passed 6-8-2015)
(b) The Board of Public Affairs shall provide a list of new utility customers and a list of addresses that have had the occupants move out. This list shall be provided monthly to the Zoning Inspector.

The Zoning Inspector shall use the list to keep track of nonconforming uses and to determine when the six-month discontinuance anniversary has expired. The Zoning Inspector will endeavor to notify the property owner after the six-month period has expired. Failure to notify such property owners shall impose no obligation to waive discontinuance. (Ord. 1715. Passed 12-19-88.)

1280.06 NONCONFORMING LOTS OF RECORD IN COMBINATION.

If two or more lots, or a combination of lots and portions of lots, with continuous frontage in single ownership are of record at the time of passage or amendment of this Zoning Code, and if all or part of the lots with no buildings do not meet the requirements established for lot width and area, the lands involved shall be considered to be an individual parcel for the purposes of this Zoning Code, and no portion of said parcel shall be used or sold in a manner which diminishes compliance with lot width and area requirements of this Zoning Code, nor shall any division of any parcel be made which creates a lot with a width or area below the requirements stated in this Zoning Code. (Ord. 1533. Passed 8-11-80.)

CHAPTER 1282
Flood Damage Prevention

1282.01 Findings of fact.
1282.02 Purpose.
1282.03 Methods of reducing flood losses.
1282.04 Definitions.
1282.05 Application of chapter.
1282.06 Areas of special flood hazard.
1282.07 Compliance required.
1282.08 Conflicts with easement, covenant or deed restrictions and ordinances.
1282.09 Interpretation of chapter; conflicts with State Law.
1282.10 Warning and disclaimer of liability.
1282.11 Development permit required; application; exceptions.
1282.12 Enforcement.
1282.13 Duties of Zoning Inspector
1282.14 Appeals; variances.
1282.15 Standard for flood hazard reduction.
1282.16 Flood proofing standards.
1282.17 Floodways.
1282.99 Penalty; equitable remedies.
1282.01 FINDING OF FACT.

(a) The Village of Lodi has special flood hazard areas that are subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base.

(b) Additionally, structures that are inadequately elevated, flood proofed, or otherwise protected from flood damage also contribute to the flood loss. In order to minimize the threat of such damages and to achieve the purposes hereinafter set forth, these regulations are adopted.

1282.02 PURPOSE

It is the purpose of this Chapter to promote the public health, safety and general welfare, and to:

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

1282.03 METHODES OF REDUCING FLOOD LOSS

In order to accomplish its purposes, this Chapter includes methods and provisions for:

(a) Restricting or prohibiting uses which are dangerous to health, safety, and property due to water hazards, or which result in damaging increases in flood heights or velocities;
(b) Requiring that uses vulnerable to floods, including facilities, which serve such uses, be protected against flood damage at the time of initial construction;
(c) Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;

1282.04 DEFINITIONS

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

(a) **Accessory Structure** means a structure on the same lot with, and a natural customarily incidental and subordinate to, the principle structure.
(b) **Appeal** means a request for a review of the Floodplain Administrator’s and/or Zoning Inspector’s interpretation of any provision of these regulations or a request for a variance.
(c) **Base Flood** means the flood having a one percent chance of being equaled or exceeded in any given year. The base flood may also be referred to as the 1% chance annual flood or one-hundred (100) year flood.

(d) **Base (100) Year Flood Elevation (BFE)** means the water surface elevation of the base flood in relation to a specified datum, usually the National Geodetic Vertical Datum of 1929 or the North American Vertical Datum of 1988, and usually expressed in Feet Mean Sea Level (MSL). In zone AO areas, the base flood elevation is the natural grade elevation plus the depth number (from 1 to 3 feet).

(e) **Basement** means any area of the building having its floor subgrade (below ground level) on all sides.

(f) **Development** Any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavating, or drilling operations or storage of equipment or materials.

(g) **Enclosure Below the Lowest Floor** See “Lowest Floor”

(h) **Executive Order 11988 (Floodplain Management)** Issued by President Carter in 1977, this order requires that no federally assisted activities be conducted in or have the potential to affect identified special flood hazard areas, unless there is no practicable alternative.

(i) **Federal Emergency Management Agency (FEMA)** means the agency with the overall responsibility for administering the National Flood Insurance Program.

(j) **Fill** means a deposit of earth material placed by artificial means.

(k) **Flood or Flooding** means a general and temporary condition of partial or complete inundation of normally dry land areas from:
   (1) The overflow of inland or tidal waters, and/or
   (2) The unusual and rapid accumulation or runoff of surface waters from any source.

(l) **Flood Hazard Boundary Map (FHBM)** Usually the initial map, produced by the Federal Emergency Management Agency, or U.S. Department of Housing and Urban Development, for a community depicting approximate special flood hazard areas.

(m) **Flood Insurance Rate Map (FIRM)** means an official map on which the Federal Emergency Management Agency or the U.S. Department of Housing and Urban Development has delineated the areas of special flood hazard.
(n) **Flood Insurance Risk Zones** Zone designations on FHBMs and FIRMS that indicate the magnitude of the flood hazard in specific areas of a community. Following are the zone definitions:

**Zone A:**
Special flood hazard areas inundated by the 100-year flood; elevations are not determined.

**Zones A1-30 and Zone AE:**
Special flood hazard areas inundated by the 100-year flood; elevations are determined.

**Zone AO:**
Special flood hazard areas inundated by the 100-year flood; with flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths are determined.

**Zone AH:**
Special flood hazard areas inundated by the 100-year flood; flood depths of 1 to 3 feet (usually areas of ponding); base flood elevations are determined.

**Zone A99:**
Special flood hazard areas inundated by the 100-year flood to be protected from the 100-year flood by a Federal flood protection system under construction; no base flood elevations are determined.

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**(o) Flood Insurance Study (FIS)** means the official report in which the Federal Emergency Management Agency of the U.S. Department of Housing and Urban Development has provided flood profiles, floodway boundaries (sometimes shown on Flood Boundary and Floodway Maps), and water surface elevations of the base flood.

**(p) Flood Protection Elevation** The Flood Protection Elevation, or FPE, is the base flood elevation plus one (1) foot of freeboard. In areas where no base flood elevations exist from any authoritative source, the flood protection...
elevation can be historical flood elevations, or base flood elevations
determined and/or approved by the floodplain administrator.

(q) **Floodway** means the channel of a river or other watercourse and the
adjacent
land areas that have been reserved in order to pass the base flood discharge.
A floodway is typically determined through a hydraulic and hydrologic
engineering analysis such that the cumulative increase in the water surface
elevation of the base flood discharge is no more than a designated height. In
no case shall the designated height be more than one foot at any point within
the community.

(r) **Freeboard** means a factor of safety usually expressed in feet above a flood
level for the purposes of floodplain management. Freeboard tends to
compensate for the many unknown factors that could contribute to flood
heights greater than the height calculated for a selected size flood and
floodway conditions, such as wave actions, obstructed bridge openings,
debris
and ice jams, and the hydrologic effect of urbanization in a watershed.

(s) **Historic Structure** Any structure that is:

(1) 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;

(2) Certified or preliminarily determined by the Secretary of the Interior
as contributing to the historical significance of a registered historic
district or a district preliminarily determined by the Secretary to
qualify as a registered historic district; or

(3) Individually listed on the State of Ohio’s inventory of historic places
maintained by the Ohio Historic Preservation Office.

(4) Individually listed on the inventory of historic places maintained by
Village of Lodi’s historic preservation program, which program is
certified by the Ohio Historic Preservation Office.

(t) **Hydrologic and Hydraulic Engineering Analysis** means an analysis
performed by a professional engineer, registered in the State of Ohio, in
accordance with standard engineering practices as accepted by FEMA, used to determine flood elevations and/or floodway boundaries.

(u) **Letter of Map Change (LOMC)** A letter of Map Change is an official FEMA determination, by letter, to amend or revise effective Flood Insurance Rate Maps, Flood Boundary and Floodway Maps, and Flood Insurance Studies. LOMCs are broken down into the following categories:

- **Letter of Map Amendment (LOMA)**
  A revision based on technical data showing that a property was incorrectly included in a designated special flood hazard area. A LOMA amends the current effective Flood Insurance Rate Map and establishes that a specific property is not located in a special flood hazard area.

- **Letter of Map Revision (LOMR)**
  A revision based on technical data that, usually due to manmade changes, shows changes to flood zones, flood elevations, floodplain and floodway delineations, and planimetric features. One common type of LOMR, a LOMR-F, is a determination concerning whether a structure or parcel has been elevated by fill above the base flood elevation and is, therefore, excluded from the special flood hazard area.

- **Conditional Letter of Map Revision (CLOMR)**
  A formal review and comment by FEMA as to whether a proposed project complies with the minimum National Flood Insurance Program floodplain management criteria. A CLOMR does not amend or revise effective Flood Insurance Rate Maps, Flood Boundary and Floodway maps, or Flood Insurance Studies.

(v) **Lowest Floor** means the lowest floor of the lowest enclosed area (including basement) of a structure. This definition excludes an “enclosure below the lowest floor” which is an unfinished or flood resistant enclosure usable solely for parking of vehicles, building access or storage, in an area other than a basement area, provided that such enclosure is built in accordance with the applicable design requirements specified in these regulations for enclosure below the lowest floor.

(w) **Manufactured Home** means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities.
The term “manufactured home” does not include a “recreational vehicle”. For the purpose of these regulations, a manufactured home includes manufactured homes and mobile homes as defined in Chapter 3733 of the Ohio Revised Code.

(x) **Manufactured Home Park** As specified in the Ohio Administrative Code 3701-27-01, a manufactured home park means any tract of land upon which three or more manufactured homes, used for habitation are parked, either free of charge or for revenue purposes, and includes any roadway, building, structure, vehicle, or enclosure used or intended for use as part of the facilities of the park. A tract of land that is subdivided and the individual lots are not for rent or rented, but are for sale or sold for the purpose of installation of manufactured homes on the lots, is not a manufactured home park, even though three or more manufactured homes are parked thereon, if the roadways are dedicated to the local government authority.

(y) **National Flood Insurance Program (NFIP)** The NFIP is a Federal program enabling property owners in participating communities to purchase insurance protection against losses from flooding. This insurance is designed to provide an insurance alternative to disaster assistance to meet the escalating costs of repairing damage to buildings and their contents caused by floods. Participation in the NFIP is based on an agreement between local communities and the Federal government that states if a community will adopt and enforce floodplain management regulations to reduce future flood risks to all development in special flood hazard areas, the Federal government will make flood insurance available within the community as a financial protection against flood loss.

(z) **New Construction** means structure for which the “start of construction” commenced on or after the initial effective date of the Village of Lodi Floodplain Regulations, dated May 18, 1987, and includes any subsequent improvements to such structures.

(aa) **Person** includes any individual or group of individuals, corporation, partnership, association, or other entity, including state and local governments and agencies. An agency is further defined in the Ohio Revised Code Section 111.15 as any governmental entity of the state and includes, but is not limited to, any board, department, division, commission, bureau, society, council, institution, state college or
university, community college district, technical college district, or state
community college. “Agency” does not include the general assembly, the
controlling board, the adjutant general’s department, or any court.

(bb) **Recreational Vehicle** means a vehicle which is (1) built on a single
chassis, (2) 400 square feet or less when measured at the largest horizontal
projection, (3) designed to be self-propelled or permanently towable by a
light duty truck, and (4) designed primarily not for use as a permanent
dwelling but as temporary living quarters for recreational, camping, travel,
or seasonal use.

(cc) **Registered Professional Architect** means a person registered to engage in
the practice of architecture under the provisions of sections 4703.01 to
4703.19 of the Revised Code.

(dd) **Registered Professional Engineer** means a person registered as a
professional engineer under Chapter 4733 of the Revised Code.

(ee) **Registered Professional Surveyor** means a person registered as a
professional surveyor under Chapter 4733 of the Revised Code.

(ff) **Special Flood Hazard Area** Also known as “Area of Special Flood
Hazard”, it is the land in the floodplain subject to a one percent or greater
chance of flooding in any given year. Special flood hazard areas are
designated by the Federal Emergency Management Agency on Flood
Insurance Rate Maps, Flood Insurance Studies, Flood Boundary and
Floodway Maps and Flood Hazard Boundary Maps as Zones A, AE, AH,
AO, A1-30, and A99. Special flood hazard areas may also refer to areas
that are flood prone and designated from other federal state or local sources
of data including but not limited to historical flood information reflecting
high water marks, previous flood inundation areas, and flood prone soil
associated with watercourse.

(gg) **Start of Construction** The date the building permit was issued, provided
the actual start of construction, repair, reconstruction, rehabilitation,
addition, placement, or other improvement was within 180 days of the
permit date. The actual start means either the first placement of permanent
construction of a structure on a site, such as the pouring of slab or footings,
the installation of piles, the construction of columns, or any work beyond
the stage of excavation; or the placement of a manufactured home on a
foundation. Permanent construction does not include land preparation,
such as clearing, grading, and filling; nor does it include the installation of
streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of a building.

(hh) **Structure** means a walled and roofed building, manufactured home, or gas or liquid storage tank that is principally above ground.

(ii) **Substantial Damage** mean damage of any origin sustained by a structure whereby the cost of restoring the structure to its condition before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

(jj) **Substantial Improvement** means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the “start” of construction” of the improvement. This term includes structures, which have incurred “substantial damage”, regardless of the actual repair work performed. The term does not, however, include:

1. Any improvement to a structure that is considered “new construction,”

2. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified prior to the application for a development permit by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or

3. Any alteration of a “historic structure,” provided that the alteration would not preclude the structure’s continued designation as a “historic structure”.

(kk) **Variance** means a grant of relief from the standards of this Chapter consistent with the variance conditions herein.

(ll) **Violation** means the failure of a structure or other development to be fully compliant with this Chapter.
1282.05 LANDS TO WHICH THIS CHAPTER APPLIES AND SEVERABILITY
(a) This Chapter shall apply to all areas of special flood hazard within the jurisdiction of the Village of Lodi as identified in Section 1282.06(a), including any additional areas of special flood hazard annexed by Village of Lodi.
(b) Should any Section or provision of this Chapter be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of this Chapter as a whole, or any part thereof other than the part so declared to be unconstitutional or invalid.

1282.06 BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD
For the purposes of this Chapter, the following studies and/or maps are adopted:
(a) Flood Insurance Study Medina County, Ohio and Incorporated Areas and Flood Insurance Rate Map Medina County, Ohio and Incorporated Areas both effective August 4, 2008.
(b) Other studies and/or maps, which may be relied upon for establishment of the flood protection elevation, delineation of the 100-year floodplain, floodways or delineation of other areas of special flood hazard.
(c) Any hydrologic and hydraulic engineering analysis authored by a registered Professional Engineer in the State of Ohio which has been approved by the Village of Lodi for subdivisions and large scale developments, as in Section 1282.25.
(d) Any revisions to the aforementioned maps and/or studies are hereby adopted by reference and declared to be a part of this Chapter. Such maps and/or studies are on file at 108 Ainsworth Street Lodi, Ohio 44254.

1282.07 COMPLIANCE REQUIRED
(a) Unless specifically exempted from filing for a development permit, as stated in Section 1282.13 and 1282.14, no structure or land shall be located, erected, constructed, repaired, extended, converted, enlarged or altered without full compliance with this Chapter and all other applicable regulations which apply to uses within the jurisdiction of this Chapter.
(b) Failure to obtain a floodplain development permit shall be a violation of this Chapter and shall be punishable in accordance with Section 1282.35.

(c) Floodplain development permits issued on the basis of plans and applications approved by the Floodplain Administrator authorize only the use, and arrangements, set forth in such approved plans and applications or amendments thereto. Use, arrangement, or construction contrary to that authorized shall be deemed a violation of these regulations and punishable in accordance with Section 1282.35.

1282.08 ABROGATION AND GREATER RESTRICTIONS

(a) This Chapter is not intended to repeal any existing ordinance including subdivision regulations, zoning or building codes, unless specifically stated herein. In the event of a conflict between this chapter and any other ordinance, the more restrictive shall be followed.

(b) This Chapter shall impair any deed restriction covenant or easement but the land subject to such interests shall also be governed by the regulations. In the event of a conflict between this Chapter and any other easement, covenant, or deed restriction, the more restrictive shall be followed.

1282.09 INTERPRETATION

In the interpretation and application of this Chapter, all provisions shall be:
(a) Considered as minimum requirements;
(b) Liberally construed in favor of the governing body; and
(c) Deemed neither to limit nor repeal any other powers granted under state statutes. Where a provision of these regulations may be in conflict with a state or Federal law, such state or Federal law shall take precedence over these regulations.

1282.10 WARNING AND DISCLAIMER OF LIABILITY

The degree of flood protection required by this Chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This Chapter does not imply that land outside the areas of special
flood hazard or uses permitted within such areas will be free from flooding or flood
damage. This Chapter shall not create liability on the part of the Village of Lodi, any
officer or employee thereof, or the Federal Emergency Management Agency, for any
flood damage that results from reliance on these regulations or any administrative
decisions lawfully made thereunder.

1282.11 DESIGNATION OF THE FLOODPLAIN ADMINISTRATOR

The Zoning Inspector is hereby appointed to administer and implement this Chapter
by granting or denying a development permit application or otherwise, and is referred to
herein as the Floodplain Administrator.

1282.12 DUTIES AND RESPONSIBILITIES OF THE FLOODPLAIN
ADMINISTRATOR

The duties and responsibilities of the Floodplain Administrator shall include but are
not limited to:
(a) Evaluate applications for permits to develop in special flood hazard areas.
(b) Interpret floodplain boundaries and provide flood hazard and flood protection
elevation information.
(c) Issue permits to develop in special flood hazard areas when the provisions of
this Chapter have been met, or refuse to issue the same in the event of
noncompliance.
(d) Inspect buildings and lands to determine whether any violations of these
regulations have been committed.
(e) Make and permanently keep all records for public inspection necessary for the
administration of these regulations including Flood Insurance Rate Maps,
Letters of Map Amendment and Revision, records of issuance and denial of
permits to develop in special flood hazard areas, determinations of whether
development is in or out of special flood hazard areas for the purpose of
issuing
floodplain development permits, elevation certificates, variances, and records of
enforcement actions taken for violations of these regulations.
(f) Enforce the provisions of these regulations.
(g) Provide information, testimony, or other evidence as needed during variance
hearings.

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

**1282.13 FLOODPLAIN DEVELOPMENT PERMITS**

(a) It shall be unlawful for any person to begin construction or other development activity including but not limited to filling; grading; construction; alteration; remodeling, or expanding any structure; or alteration of any watercourse wholly within, partially within or in contact with any identified special flood hazard area, as established in Section 1282.06, until a floodplain development permit is obtained from the Floodplain Administrator.

(b) Such floodplain development permit shall show that the proposed development activity is in conformity with the provisions of this Chapter.

(c) No such permit shall be issued by the Floodplain Administrator until the requirements of these regulations have been met.

(d) An application for a floodplain development permit is not required for:

   (1) maintenance work such as roofing, painting, and basement sealing, or for small nonstructural development activities (except for filling and grading) valued at less than five thousand dollars ($5,000.00)

   (2) development activities in an existing or purposed manufactured home park that under the authority of the Ohio Department of Health and subject to the flood damage reduction provisions of the Ohio Administrative Code Section 3701.

   (3) major utility facilities permitted by the Ohio Power Siting Board under Section 4906 of the Ohio Revised Code.

   (4) hazardous waste disposal facilities permitted by the Hazardous Waste Siting Board under Section 3734 of the Ohio Revised Code.

   (5) development activities undertaken by a federal agency and which are subject to Federal Executive Order 11988- Floodplain Management.

   (6) any proposed action exempt from filing for a floodplain development permit is also exempt from the standards of these regulations.
1282.14 APPLICATION REQUIRED

(a) An application for a floodplain development permit shall be required for all development activities, except those contained in Section 1282.13 (d), located wholly within, partially within, or in contact with an identified special flood hazard area. Such applications shall be made by the owner of the property or his/her authorized agent, herein referred to as the applicant, prior to the actual commencement of such construction on a form furnished for that purpose. Where it is unclear whether a development site is in a special flood hazard area, the Floodplain Administrator may require an application for a floodplain development permit to determine the development’s location. Such applications shall include, but not be limited to:

1. Site plans drawn to scale showing the nature, location, dimensions, and topography of the area in question; the location of existing or proposed structure, fill, storage of materials, drainage facilities, and the location of the foregoing.

2. Elevation of the existing, natural ground where structures are proposed

3. Elevation of the lowest floor, including basement, of all proposed structures.

4. Such other material and information as may be requested by the Floodplain Administrator to determine conformance with, and provide enforcement of these regulations.

5. Technical analyses conducted by the appropriate design professional registered in the State of Ohio and submitted with an application for a floodplain development permit when applicable:
   (A) Flood proofing certification for a non-residential flood proofed structure as required in Section 1282.27.
   (B) Certification that fully enclosed areas below the lower floor of a structure not meeting the design requirements of Section 1282.26(e) are designed to automatically equalize hydrostatic flood forces.
   (C) Description of any watercourse alteration or relocation that the flood carrying capacity of the watercourse will not be diminished, and maintenance assurances as required in Section 1282.312 (c).
(D) A hydrologic and hydraulic analysis demonstrating that the cumulative effect of proposed development, when combined with all other existing and anticipated development will not increase the water surface elevation of the base flood by more than one foot in special flood hazard areas where the Federal Emergency Management Agency has provided base flood elevations but no floodway as required by Section 1282.31 (b)

(E) A hydrologic and hydraulic engineering analysis showing impact of any development on flood heights in an identified floodway as required by Section 1282.32

(F) Generation of base flood evaluation(s) for subdivision and large-scale developments as required by Section 1282.25.

1282.15 REVIEW AND APPROVAL OF A FLOODPLAIN DEVELOPMENT PERMIT APPLICATION

(a) After receipt of a complete application, the Floodplain Administrator shall review the application to ensure that the standards of these regulations have been met. No floodplain development permit application shall be reviewed until all information required in Section 1282.14 has been received by the Floodplain Administrator.

(b) The Floodplain Administrator shall review all floodplain development permit applications to assure that all necessary permits have been received from those federal, state or local governmental agencies from which prior approval is required. The applicant shall be responsible for obtaining such permits as required including permits issued by the U.S. Army Corps of Engineers under Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act, and the Ohio Environmental Protection Agency under Section 401 of the Clean Water Act.

(c) Within thirty (30) days after receipt of a complete application, the Floodplain Administrator shall either approve or disapprove the application. If an application is approved, a floodplain development permit shall be issued. All floodplain development permits shall be conditional upon commencement of work within one (1) year. A floodplain development permit shall expire one (1) year after issuance unless the permitted activity has been substantially begun and is thereafter pursued to completion.

1282.16 INSPECTIONS

The Floodplain Administrator shall make periodic inspections at appropriate times throughout the period of construction in order to monitor compliance with permit conditions.
1282.17 POST-CONSTRUCTION CERTIFICATIONS REQUIRED

The following as-built certifications are required after a floodplain development permit has been issued:

(a) For new or substantially improved residential structures, or nonresidential structures that have been elevated, the applicant shall have a Federal Emergency Management Agency Elevation Certificate completed by a registered surveyor to record as-built elevation data. For elevated structures in Zone A and Zone AO areas without a base flood elevation, the elevation certificate may be completed by the property owner or owner’s representative.

(b) For all development activities subject to the standards of Section 1282.19 (a), a Letter of Map Revision.

1282.18 REVOKING A FLOODPLAIN DEVELOPMENT PERMIT

A floodplain development permit shall be revocable, if among other things, the actual development activity does not conform to the terms of the application and permit granted thereon. In the event of the revocation of a permit, an appeal may be taken to the Appeals Board in accordance with Section 1282.33 and 1282.34 of these regulations.

1282.19 MAP MAINTENANCE ACTIVITIES

To meet National Flood Insurance Program minimum requirements to have flood data reviewed and approved by FEMA, and to ensure that the Village of Lodi’s flood maps, studies and other data identified in Section 1282.06 accurately represent flooding conditions so appropriate floodplain management criteria are based on current data, the following map maintenance activities are identified:

(a) For all development proposals that impact floodway delineations or base flood elevations, the community shall ensure that technical data reflecting such changes be submitted to FEMA within six months of the date such information becomes available. These development proposals include:

(1) Floodway encroachments that increase or decrease base flood elevations or alter floodway boundaries;

(2) Fill sites to be used for the placement of proposed structures where the applicant desires to remove the site from the special flood hazard area;

(3) Alteration of watercourses that result in a relocation or elimination of the special flood hazard area, including the placement of culverts; and

(4) Subdivision or large scale development proposals requiring the establishment of base flood elevations in accordance with Section 1282.25
(b) It is the responsibility of the applicant to have technical data, required in accordance with Section 1282.19 (a), prepared in a format required for a Conditional Letter of Map Revision or Letter of Map Revision, and submitted to FEMA. Submittal and processing fees for these map revisions shall be the responsibility of the applicant.

(c) The Floodplain Administrator shall require a Conditional Letter of Map Revision prior to the issuance of a floodplain development permit for:
   (1) Proposed floodway encroachments that increase the base flood elevation; and
   (2) Proposed development which increases the base flood elevation by more than one foot in areas where FEMA has provided base flood elevations but no floodway.

(d) Floodplain development permits issued by the Floodplain Administrator shall be conditioned upon the applicant obtaining a Letter of Map Revision from FEMA for any development proposal subject to Section 1282.19 (a) (1).

(e) The Floodplain Administrator may request changes to any of the information shown on an effective map that does not impact floodplain or floodway delineations or base flood elevations, such as labeling or planimetric details. Such a submission shall include appropriate supporting documentation made in writing by the Mayor of Village of Lodi, and may be submitted at any time.

(f) Upon occurrence, the Floodplain Administrator shall notify FEMA in writing whenever the boundaries of the Village of Lodi have been modified by annexation or the community has assumed authority over an area, or no longer has authority to adopt and enforce floodplain management regulation for a particular area. In order that the Village of Lodi’s Flood Insurance Rate Map accurately represent the Village of Lodi boundaries, include within such notification a copy of a map of the Village of Lodi suitable for reproduction, clearly showing the new corporate limits or the new area for which the Village of Lodi has assumed or relinquished floodplain management regulatory authority.
1282.20 DATA USE AND FLOOD MAP INTERPRETATION

The following guidelines shall apply to the use and interpretation of maps and other data showing areas of special flood hazard:

(a) In areas where FEMA has not identified special flood hazard areas, or in FEMA identified special flood hazard areas where base flood elevation and floodway data have not been identified, the Floodplain Administrator shall review and reasonably utilize any other flood hazard data available from a federal, state, or other source.

(b) Base flood elevations and floodway boundaries produced on FEMA flood maps and studies shall take precedence over base flood evaluations and floodway boundaries by any other source that reflect a reduced floodway width and/or lower base flood elevations. Other sources of data, showing increased base flood elevations and/or larger floodway areas than are shown on FEMA flood maps and studies, shall be reasonably used by the Floodplain Administrator.

(c) When Preliminary Flood Insurance Rate Maps and/or Flood Insurance Study have been provided by FEMA:

(1) Upon the issuance of a Letter of Final Determination by the FEMA, the preliminary flood hazard data shall be used and replace all previously existing flood hazard data provided from FEMA for the purposes of administering these regulations.

(2) Prior to the issuance of a Letter of Final Determination by FEMA, the use of preliminary flood hazard data shall only be required where no base flood elevations and/or floodway areas exist or where the preliminary base flood elevations or floodway area exceed the base flood elevations and/or floodway widths in existing flood hazard data provided from FEMA. Such preliminary data may be subject to change and/or appeal to FEMA.

(d) The Floodplain Administrator shall make interpretations, where needed, as to the exact location of the flood boundaries and areas of special flood hazard. A person contesting the determination of the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in Section 1282.33, et seq., Appeals and Variances.

(e) Where a map boundary showing an area of special flood hazard and field elevations disagree, the base flood elevations or flood protection elevations (as found on an elevation profile, floodway data table, establishing high water marks, etc.) shall prevail.
1282.21 SUBSTANTIAL DAMAGE DETERMINATIONS

Damages to structure may result from a variety of causes including flood, tornado, wind, heavy snow, fire, etc. After such a damage event, the Floodplain Administrator shall:

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

1282.22 USE AND DEVELOPMENT STANDARDS FOR FLOOD HAZARD REDUCTION

The following use and development standards contained in Sections 1282.23 through 1282.32 for flood hazard reduction and floodproofing apply to any development wholly within, partially within, or in contact with any special flood hazard area as established in Section 1282.06 or Section 1282.20(a).

1282.23 USE REGULATIONS

(a) All uses not otherwise prohibited in this section or any other applicable land use regulation adopted by Village of Lodi are allowed provided they meet the provisions of this Chapter.
(b) The following uses are prohibited:
   (1) Private water supply systems in all special flood hazard areas identified by FEMA, permitted under Section 3701 of the Ohio Revised Code.
(2) Infectious waste treatment facilities in all special flood hazard areas, permitted under Section 3734 of the Ohio Revised Code.

1282.24 WATER AND WASTEWATER SYSTEMS
The following standards apply to all water supply, sanitary sewerage and waste disposal systems not otherwise regulated by the Ohio Revised Code:
(a) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems;
(b) New and replacement sanitary sewerage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharge from the systems into flood waters; and,
(c) On-site waste disposal systems shall be located to avoid impairment to or contamination from them during flooding.

1282.25 SUBDIVISIONS AND LARGE DEVELOPMENTS
(a) All subdivision proposals shall be consistent with the need to minimize flood damage and are subject to all applicable standards in these regulations;
(c) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;
(c) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage; and
(d) In all areas of special flood hazard where base flood elevation data are not available, the applicant shall provide a hydrologic and hydraulic engineering analysis that generates base flood elevations for all subdivision proposals and other proposed developments containing at least 50 lots or 5 acres, whichever is less.
(e) The applicant shall meet the requirement to submit technical data to FEMA in Section 1282.19 (a) (1) and (4) when a hydrologic and hydraulic analysis is completed that generates base flood elevations as required by Section 1282.25 (d).

1282.26 RESIDENTIAL STRUCTURES
(a) New construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy. Where a structure, including its foundation members, is elevated on fill to or above the base flood elevation, the
(b) New construction and substantial improvements shall be constructed with methods and materials resistant to flood damage.

(c) New construction and substantial improvements shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or elevated so as to prevent water from entering or accumulating within the components during conditions of flooding.

(d) New construction and substantial improvement of any residential structure, including manufactured homes, shall have the lowest floor, including basement, elevated to or above the flood protection elevations. In Zone AO areas with no elevation specified, the structure shall have the lowest floor, including basement, elevated at least two feet above the highest adjacent natural grade.

(e) New construction and substantial improvements, including manufactured homes, that do not have basements and that are elevated to the flood protection elevation using pilings, columns, posts, or solid foundation perimeter walls with openings sufficient to allow unimpeded movement of flood waters may have an enclosure below the lowest floor provided the enclosure meets the following standards:
   (1) be used only for the parking of vehicles, building access, or storage; and
   (2) be designed and certified by a registered professional engineer or architect to automatically equalized hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters; or
   (3) have a minimum of two openings on different walls having a total net area not less than one square inch for every square foot of enclosed area, and the bottom of all such openings being no higher than one foot above grade. The openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

(f) Manufactured homes shall be affixed to a permanent foundation and anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy. Methods of anchoring may include, but are not limited to, use of over- the- top or frame ties to ground anchors.
(g) In AO Zones, new construction and substantial improvement shall have adequate drainage paths around structures on slopes to guide floodwaters around and away from the structure.

(h) Repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure’s continued designation as a historic structure and is the minimum necessary to preserve the historic character and design of the structure, shall be exempt from the development standards of Section 1282.26 (a)-(h).

1282.27 NONRESIDENTIAL STRUCTURES

(a) New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall meet the requirements of Section 1282.26(a)-(g).

(b) New construction and substantial improvements of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated to or above the level of the flood protection elevation; or, together with attendant utility and sanitary facilities, shall meet all of the following standards:

1. Be dry flood proofed so that the structure is watertight with walls substantially impermeable to the passage of water to the level of the flood protection elevation;
2. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and,
3. Be certified by a registered professional engineer or architect, through the use of a Federal Emergency Management Agency Floodproofing Certificate, that the design and methods of construction are in accordance with Section 1282.27 (b) (1) and (2).

(c) In Zone AO areas with no elevations specified, the structure shall have the lowest floor, including basement, elevated at least two feet above the highest adjacent natural grade.

1282.28 ACCESSORY STRUCTURES

(a) Relief to the elevation or dry floodproofing standards may be granted for accessory structures containing no more than 600 square feet. Such structures must meet the following standards:

1. They shall not be habitation;
2. They shall be constructed of flood resistant materials;
3. They shall be constructed and placed on the lot to offer the minimum resistance to the flow of floodwaters;
4. They shall be firmly anchored to prevent flotation;
(5) Service facilities such as electrical and heating equipment shall be elevated or flood proofed to or above the level of the flood protection elevation; and
(6) They shall meet the opening requirements of Section 1282.26(e) (3).

1282.29 RECREATIONAL VEHICLES
Recreational vehicles must meet at least one of the following standards:
(a) They shall not be located on sites in special flood hazard areas for more than 180 days, or
(b) They must be fully licensed and ready for highway use, or
(c) They must meet all standards of Section 1282.26.

1282.30 ABOVE GROUND GAS OR LIQUID STORAGE TANKS
All above ground gas or liquid storage tanks shall be anchored to prevent floatation or lateral movement resulting from hydrodynamic and hydrostatic loads.

1282.31 ASSURANCE OF FLOOD CARRYING CAPACITY
Pursuant to the purpose and methods of reducing flood damage stated in this Chapter, the following additional standards are adopted to assure that the reduction of the flood carrying capacity of watercourses is minimized:
(a) Floodways shall be developed as follows:
(1) In floodway areas, development shall cause no increase in flood levels during the occurrence of the base flood discharge. Prior to issuance of a floodplain development permit, the applicant must submit a hydrologic and hydraulic analysis, conducted by a registered professional engineer, demonstrating that the proposed development would not result in any increase in the base flood elevation; or
(2) Development in floodway areas causing increases in the base flood elevation may be permitted provided all of the following are by the applicant:
(A) Meet the requirements to submit technical data in Section 1282.19(a);
(B) An evaluation of alternatives, which would not result in increased base flood elevations and an explanation why these alternatives are not feasible;
(C) Certification that no structures are located in areas that would be impacted by the increased base flood elevation;
(D) Documentation of individual legal notices to all impacted
property owners within and outside the community, explaining the impact of the proposed action on their property; and

(E) Concurrence of the Mayor of the Village of Lodi and the Chief Executive Officer of any other communities impacted by the proposed actions.

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(b) Riverine Areas with Base Flood Elevations but no Floodways shall be developed as follows:

(1) In riverine special flood hazard areas identified by FEMA where base flood elevation data are provided but no floodways have been designated, the cumulative effect of any proposed development, when combined with all other existing and anticipated development, shall not increase the base flood elevation more than 1.0 (one) foot at any point. Prior to issuance of a floodplain development permit, the applicant must submit a hydrologic and hydraulic analysis, conducted by a registered professional engineer, demonstrating that this standard has been met; or

(2) Development in riverine special flood hazard areas identified by FEMA where base flood elevation data are provided but no floodways have been designated causing more than one foot increase in the base flood elevation may be permitted provided all of the following are completed by the applicant:

(A) An evaluation of alternatives which would result in an increase of one foot or less of the base flood elevation and an explanation why these alternatives are not feasible;
(B) Section 1282.31 (a) (2) (A) and (C) through (E).

1282.32 ALTERATIONS OF A WATERCOURSE

(a) For the purpose of these regulations, a watercourse is altered when any change occurs within its banks shall be established by a field determination of the “bankfull stage.” The field determination of “bankfull stage” shall be based on methods presented in Chapter 7 of the USDA Forest Service General Technical Report RM-245, Stream
Channel Reference Sites: An Illustrated Guide To Field Technique or other authoritative source. For all proposed developments that alter a watercourse, the following standards apply:

(1) The bankfull flood carrying capacity of the altered or relocated portion of the watercourse shall not be diminished. Prior to the issuance of a floodplain development permit, the applicant must submit a description of the extent to which any watercourse will be altered or relocated as a result of the proposed development, and certification by a registered professional engineering that the bankfull flood carrying capacity of the watercourse. Evidence of such notification must be submitted to the Federal Emergency Management Agency.

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(2) Adjacent communities, the U.S. Army Corps of Engineers, and the Ohio Department of Natural Resources, Division of Water, must be notified prior to any alteration or relocation of a watercourse. Evidence of such notification must be submitted to the Federal Emergency Management Agency.

(3) The applicant shall be responsible for providing the necessary maintenance for the altered or relocated portion of said watercourse so that the flood carrying capacity will not be diminished. The Floodplain Administrator may require the permit holder to enter into an agreement with Village of Lodi specifying the maintenance responsibilities. If an agreement is required, it shall be made a condition of the floodplain development permit.

(4) The applicant shall meet the requirements to submit technical data in Section 1282.19(a) (3) when alteration of a watercourse results in the relocation or elimination of the special flood hazard area, including the placement of culverts.

1282.33 APPEALS FOR FLOOD DAMAGE PREVENTION

(a) Procedure

(1) The Platting Commission, as established by the Village of Lodi, shall hear and decide appeals and requests for variances from the requirements of this Chapter.

(2) The Platting Commission shall hear and decide appeals where it is alleged there is an error in any requirement, decision or determination or
enforcement of these regulations.

(3) Records for the Platting Commission shall be kept and filed at 108 Ainsworth Street, Lodi, Ohio 44254

(b) Any person affected by any notice and order, or other official action of the Floodplain Administrator and/or Platting Commission may request and shall be granted a hearing on the matter before the Board of Zoning Appeals provided that such person shall file, within 14 days of the date of such notice and order, or other official action, a brief statement of the grounds for such hearing or for the mitigation of any item appearing on any order of the Floodplain Administrator’s decision. Such appeal, shall be in writing, signed by the applicant, and be filed with Attn: Platting Commission, Village of Lodi at 108 Ainsworth Street, Lodi, Ohio 44254. Upon receipt of the appeal, the notice of appeal shall be transmitted with all pertinent information on which the Floodplain Administrator’s decision was made to the Platting Commission.

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(c) Upon receipt of the notice of appeal, the Board of Zoning Appeals shall fix a reasonable time for the appeal, give notice in writing to parties in interest, and decide the appeal within a reasonable time after it is submitted.

(d) Persons aggrieved by the decision of the Platting Commission, and/or Board of Zoning Appeals, may appeal such decision to the Medina County Court of Common Pleas, as required by Chapter 2506 of the Ohio Revised Code.

1282.34 VARIENCES FOR FLOOD DAMAGE PREVENTION

(a) Any person believing that the use and development standards of these regulations would result in unnecessary hardship may file an application for a variance.

(b) The Platting Commission shall have the power to authorize, in specific cases, such variances from the standards of these regulations, not inconsistent with Federal regulations, as will not be contrary to the public interest where, owning to special conditions of the lot or parcel, a literal enforcement of the provisions of these regulations would result in unnecessary hardship:

(1) Any owner or agent thereof, of property for which a variance is sought shall make an application for a variance by filing it with the Village of Lodi, at 108 Ainsworth Street, Lodi, Ohio 44254, who upon receipt of the variance shall transmit it to the Platting Commission.

(2) Such application at a minimum shall contain the following information:
Name, Address, and Telephone Number of the applicant; Legal
Description of the Property; Parcel Map; Description of the Variance sought; and Reason for the Variance request.

(c) At such hearing the applicant shall present such statements and evidence as the Platting Commission requires. In considering such variance applications, the Platting Commission shall consider and make findings of fact on all evaluations, all relevant factors, standards specified in other sections of these regulations and the following factors:

1. The danger that materials may be swept onto other lands to the injury of others.
2. The danger to life and property due to flooding or erosion damage.
3. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.
4. The importance of the services provided by the proposed facility to the community.

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5. The availability of alternative locations for the proposed use that are not subject to flooding or erosion damage.
6. The necessity to the facility of a waterfront location, where applicable.
7. The compatibility of the purposed use with existing and anticipated development.
8. The relationship of the purposed use to the comprehensive plan and floodplain management program for that area.
9. The safety of access to the property in times of flood for ordinary and emergency vehicles.
10. The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site.
11. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.

(d) Variances shall only be issued upon:

1. A showing of good and sufficient cause.
2. A determination that failure to grant the variance would result in
exceptional hardship due to the physical characteristics of the property. Increased cost or inconvenience of meeting the requirements of these regulations does not constitute an exceptional hardship to the applicant.

(3) A determination that the granting of a variance will not result in increased flood heights beyond that which is allowed in these regulations; additional threats to public safety; extraordinary public expense, nuisances, fraud on or victimization of the public or conflict with existing local laws.

(4) A determination that the structure or other development is protected by methods to minimize flood damages.

(5) A determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

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(e) The Platting Commission shall also consider the following conditions for variances:

(1) Variances shall not be issued within any designated Floodway if any increase in flood levels during the base flood discharge would result.

(2) Variances may be issued for new construction and substantial improvements to be erected on a lot of one-half (1/2) acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, if Section 1282.34(c) (1)-(11) have been fully considered. As the lot size increases beyond one-half acre, the technical justification required for issuing the variance increases.

(f) Upon consideration of the above factors and the purposes of these regulations, any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be developed with such conditions as it deems necessary to further the purposes of these regulations. That person shall also be given written notice that the structure will be permitted with a lowest floor elevation below the base flood elevation and the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

1282.35 ENFORCEMENT
(a) Whenever the Floodplain Administrator determines that there has been a violation of any provision of these regulations, he shall give written notice of such violation to the person responsible therefore and order compliance with this Chapter and a reasonable time for performance.

(b) Notice shall be deemed to be properly served upon the owner, occupant, or agent if a copy thereof is sent by registered or certified mail to the person’s last known mailing address, residence, or place of business, and/or a copy is posted in a conspicuous place in or on the dwelling affected.

(c) Violation of the provisions of this Chapter or failure to comply with any of its requirements shall be deemed to be a strict liability offense and shall constitute a misdemeanor of the fourth degree. Any person who violates this Chapter or fails to comply with any of its requirements (including violations of conditions of and safeguards established in connection with conditions) shall, upon conviction thereof, be fined or imprisoned as provided by the laws of the Village of Lodi. Each day such violation continues, shall be considered a separate offense. Nothing herein contained shall prevent the Village of Lodi from taking such other lawful action as is necessary to prevent or remedy any violation. The Village of Lodi shall prosecute any violation of these regulations in accordance with the penalties stated herein.

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1282.99 PENALTY; EQUITABLE REMEDIES.

Violation of the provisions of this chapter, or failure to comply with any of its requirements, shall constitute a misdemeanor of the fourth degree. Any person who violates this chapter or fails to comply with any of its requirements (including violations of conditions of and safeguards established in connection with conditions) shall, upon conviction thereof, be fined or imprisoned as provided by the laws of the Village. Each day such violation occurs or continues shall be considered a separate offense. Nothing herein contained shall prevent the Village from taking such other lawful action as is necessary to prevent or remedy any violations.

(Ord. 1678. Passed 5-18-87.)
CHAPTER 1284
Unsafe and Substandard Buildings

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CROSS REFERENCES
Division of municipal corporations into zones - see Ohio R.C. 713.06 Restrictions on buildings, structures, lots and setbacks - see Ohio R.C. 713.07 et seq.
Restrictions on height of buildings and structures - see Ohio R.C.713.08
Restrictions on bulk and location of buildings and structures, percentage of lot occupancy and setback building lines – see Ohio R.C. 713.09
Basis of districting or zoning; classification of buildings and structures - see Ohio R.C. 713.10
Removal of unsafe structures - see Ohio R.C. 715.26(B), 715.261

1284.01 DEFINITIONS.
As used in this chapter:
(a) "Building" and "structure" include any building or structure in its entirety, or any part, portion or land thereof.
(b) "Unsafe building" means a building or structure in its entirety, or any part, portion or land thereof, that:
   (1) Has been damaged by fire, wind or other cause so as to be dangerous to the life, safety, morals, or the general health and welfare of the occupants thereof or the people of the Village of Lodi; or
   (2) Has parts thereof that are so attached that they might fall and injure members of the public or adjoining property.

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(c) "Substandard building" means any building or structure in its entirety, or any part, portion or land thereof, that:
   (1) By reason of deterioration of materials or lack of repair or maintenance, is or will become a blighting or deteriorating factor in the neighborhood, or will impair or adversely affect the value of neighboring property; or
   (2) By reason of lack of adequate garbage and/or rubbish storage or removal from the premises, is or will become a blighting or deteriorating factor in the neighborhood, or will impair or adversely affect the value of neighboring property.

1284.02 UNSAFE OR SUBSTANDARD BUILDINGS AS NUISANCES.
All unsafe or substandard buildings are hereby declared to be public nuisances and shall be repaired, vacated or demolished as hereinafter provided.

1284.03 INVESTIGATION PROCEDURES; REPORT BY ZONING INSPECTOR.
(a) Whenever it is reported, in writing by a formal complaint, to any Village official or police officer that there is cause for believing that any building or structure, completed or in the process of construction, is in an unsafe or substandard condition, such official or officer having knowledge thereof shall report the same to the Chairperson of the Village of Lodi Planning Commission. The form for such complaints shall be as set forth in Appendix C following the text of this Zoning Code.

(b) The Chairperson of the Lodi Planning Commission shall immediately cause an investigation and an examination to be made of such building or structure. Such investigation and examination shall be made by the Village of Lodi Zoning Inspector as provided for in Section 1242.02. If, in the course of said investigation, additional expertise is needed from other Village officials, the Zoning Inspector may request such assistance from the Village Mayor. The Village Mayor may assign any Village official to assist in the investigation.

(c) Such Zoning Inspector shall make a careful and thorough investigation and examination of the building or structure alleged to be in an unsafe or substandard condition and make a written report to the Village Council within forty days (unless the time for filing such report is extended by the Chairperson of the Lodi Planning Commission), indicating such findings.

(d) If the investigation finds that such building or structure, or part or land thereof, is unsafe or substandard, the Zoning Inspector shall specify the details of the condition upon which the findings are based, and the report shall indicate whether, in the judgment of the Zoning Inspector, the building or structure, or part or land thereof, is capable of being properly repaired or whether it should be removed as an unsafe structure.

1284.04 HEARING PROCEDURES.

(a) Substandard Structures. Upon receipt of the Zoning Inspector's report, pursuant to Section 1284.03, stating that, in his or her opinion, the structure is in substandard condition, the Village Council shall:

1) Direct the Chairperson of the Village Planning Commission to give written notice to all persons known to have an interest in such building or structure, including the owner, occupant, mortgagee, lessee, agent and all other persons having an interest in such building as shown by the official records of the Medina County Tax Map Department and the Lodi Village Board of Public Affairs office. Such notice will instruct such persons as herein specified to appear before the Lodi Village Council at the time, date and place specified in the notice to show cause why the building or structure reported to be in substandard condition should not be repaired.

2) Hold one or more hearings at the time specified in the notice given pursuant to paragraph (a)(1) hereof and hear such testimony as the owner, occupant, mortgagee, lessee or any other party in interest offers relative to the building or structure or land in question. Such hearings may be adjourned, continued or postponed one or more times for cause shown, at
the discretion of the Mayor, without the giving of a new written notice, provided that the public announcement of such adjournment, postponement or continuance is made at the time and place of any regularly scheduled hearing or adjourned hearing.

(b) Unsafe Structures. Upon receipt of the Zoning Inspector's report, pursuant to Section 1284.03, stating that, in his or her opinion, the structure is in an unsafe condition, the Village Council shall:

(1) Direct the Chairperson of the Village Planning Commission to give written notice to all persons known to have an interest in such building or structure, including the owner, occupant, mortgagee, lessee, agent and all other persons having an interest in such building as shown by the official records of the Medina County Tax Map Department and the Lodi Village Board of Public Affairs office. Such notice will instruct such persons as herein specified to appear before the Lodi Village Council at the time, date and place specified in the notice to show cause to why the building or structure reported to be in an unsafe condition should not be repaired, vacated or demolished.

(2) Hold one or more hearings at the time specified in the notice given pursuant to paragraph (b)(1) hereof and hear such testimony as the owner, occupant, mortgagee, lessee or any other party in interest offers relative to the building or structure or land in question. Such hearings may be adjourned, continued or postponed one or more times for cause shown, at the discretion of the Mayor, without the giving of a new written notice, provided that the public announcement of such adjournment, postponement or continuance is made at the time and place of any regularly scheduled hearing or adjourned hearing.

1284.05 ACTION BY COUNCIL RE SUBSTANDARD BUILDINGS.

(a) If, after completion of the hearings as prescribed in Section 1284.04, the Village Council finds the structure in question to be a substandard building, its findings shall specify the repairs needed to rehabilitate said building.

(b) Council shall issue a repair order based on findings of fact made pursuant to this chapter. Such order shall require the owner, occupant, mortgagee, lessee, agent or any other person known to have an interest in such building or land to make the required
repairs to such building. Such repair order shall specify the date on which all required repairs must be completed.

1284.06 ACTION BY COUNCIL RE UNSAFE BUILDINGS.
   (a) If, after completion of hearings as prescribed in Section 1284.04, the Village Council finds the structure in question to be an unsafe building, its findings shall specify if such building should be repaired, vacated or demolished.
   (b) Council shall issue an order to repair, vacate or demolish buildings determined to be unsafe. Such order, based on findings of fact made pursuant to this chapter, shall notify the owner, occupant, mortgagee, lessee, agent or any other person known to have an interest in such building or land.

1284.07 AMENDMENTS TO FINDINGS OR ORDERS.
   Any finding of fact or order of the Lodi Village Council made pursuant to Sections 1284.05 and 1284.06 may be amended from time to time to the end that such finding or order may conform to changes in circumstance or later discovered evidence.

1284.08 STANDARDS FOR REPAIR, VACATION OR DEMOLITION.
   The following standards shall be followed in substance by the Lodi Village Council in ordering the repair, vacation or demolition of an unsafe building.
   (a) If the unsafe building can be repaired, as determined by the Lodi Village Council, so that it will no longer exist in violation of the provisions of this chapter, it shall be ordered repaired.
   (b) If the unsafe building is in such condition as to make it dangerous to the health, morals, safety or general welfare of its occupants, if any, such occupants shall be ordered to vacate any such building.
   (c) In any case where a dangerous building cannot reasonably be repaired, as determined by the Lodi Village Council after a hearing pursuant to Section 1284.04, it shall be ordered demolished.

1284.09 ENFORCEMENT PROCEDURES; POSTING OF NOTICE.
   If, after a hearing, the Lodi Village Council finds any building or structure to be unsafe or substandard, according to the criteria set forth in Section 1284.04, the Lodi Village Council shall forthwith direct the Village Mayor to cause written notice to be
served upon all persons known to have an interest in such building, including the owner, occupant, lessee, mortgagee, agent and all other persons having an interest in such building as shown by the official records of the Medina County Tax Map Department or the Lodi Board of Public Affairs pertaining to such building.

(a) The notice required by this section shall be served personally by the Zoning Inspector, or a Lodi police officer, on the owner of an unsafe or substandard building and all other persons known to have an interest therein who are residents of Lodi. If personal service cannot be obtained, or if the owner or any other party in interest resides outside the Village, such notice shall be sent by certified mail to his or her last known address.

(b) Such notice shall be accompanied by a copy of the findings of fact and the order of Council made pursuant to Sections 1284.05 and 1284.06.

(c) Such notice shall require any person notified to repair any substandard building and to commence and complete the work required by such notice within such time period as determined by Council and specified in such notice. Such time period may be extended by Council for good and sufficient cause.

(d) Such notice shall require any person notified to repair, vacate or demolish any unsafe building, to commence and complete the work required by such notice within such time period as determined by Council and specified in such notice. Such time period may be extended by Council for good and sufficient cause.

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Council shall direct the Village Mayor to cause to be placed on all buildings, determined by Council to be unsafe buildings, a notice reading substantially as follows:

This building has been found to be an unsafe building by the Village of Lodi Council.

This notice is to remain on said building until it is repaired, vacated, or demolished in accordance with the order of Council and the notice which has been given to the owner, occupant, lessee, mortgagee or agent of said building. It is unlawful to remove said notice until there has been compliance with the order of the Village Council and the aforementioned notice.
1284.10 DISCRETION OF COUNCIL.

Anything herein contained to the contrary notwithstanding, nothing in this chapter shall obligate Council to cause the repair, vacation or demolition of any unsafe building or the repair of any substandard building if, in the judgment of Council, the cost of such action would be prohibitively excessive, or if for any other reason such use would not be in the best interest of the Village of Lodi.

1284.11 DEMOLITION OF BUILDINGS.

If the owner, occupant, mortgagee, lessee or other person having an interest in an unsafe building, as shown in the official records, fails to comply with any notice or order to repair, vacate or demolish any said building within thirty days, Council may take appropriate action to demolish and remove an unsafe structure pursuant to Ohio R.C. 715.261, or may advise the Village Solicitor of the facts in the case, who, in turn, may institute an appropriate action in court to cause the correction of such structure pending rehabilitation. Costs shall be levied as a special assessment against such property.

1284.99 PENALTY.

(a) Whoever fails to comply with any order of council to cause the repair of a substandard building shall be guilty of a misdemeanor of the fourth degree and shall be confined to the County Jail for a definite term of not more than 30 days and shall be fined not more than $250.00 for each offense. A separate offense shall be deemed committed on the first calendar day of each month on which a noncompliance occurs or continues.

(b) Whoever fails to comply with any order of Council to cause to repair, vacate or demolish, or to cause the repair, vacation or demolition of, any unsafe building, shall be guilty of a misdemeanor of the first degree and shall be fined not more than one thousand dollars ($1,000) or imprisoned not more than six months, or both, for each offense. A separate offense shall be deemed committed each day during or on which a noncompliance occurs or continues.

(c) Whoever removes the notice provided for in Section 1284.09 shall be guilty of a minor misdemeanor and shall be fined not more than one hundred dollars ($100.00). (Am. Ord. 2055, passed 1-5-98)
## CHAPTER 1286
### Sidewalk Specifications

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### CROSS REFERENCES
Control and supervision of by municipality - see Ohio R.C. 723.01, 723.011
Construction and repair of sidewalks - see Ohio R.C. 729.01 et seq.
Ramped curbing for the handicapped - see Ohio R.C. 729.12
Sidewalks in subdivisions - see P. & Z. 1230.02

1286.01 ESTABLISHMENT; APPLICATION.
   (a) Sidewalk specifications are hereby established for streets and avenues in the Village. When constructed, they shall be constructed and maintained in good repair by the abutting property owners at their expense, as is and may be provided by law.
   (b) The adoption of these specifications does not mandate the installation of sidewalks for developed lots. Rather, these specifications apply only to the repair or replacement of existing sidewalks and to the installation of new sidewalks when a new lot is developed (built on), or when, by separate legislation of necessity, new installation is determined to be required. (Ord. 1826. Passed 3-15-93.)

1286.02 ELEVATIONS AND CROSS-SLOPE.
   Sidewalk elevations will be determined by the Village. When constructed or repaired, sidewalks shall be constructed or repaired so as to have a cross-slope of one-fourth inch vertical to one foot horizontal, sloped toward the curb or roadway. (One-fourth inch means one inch to four feet.) (Ord. 1826. Passed 3-15-93.)

1286.03 RESPONSIBILITY OF ABUTTING LANDOWNERS; INCORPORATION OF STATE LAW; NOTICE AND COMPLIANCE.
   When constructed or repaired, each and every sidewalk, or part thereof, shall be constructed or repaired by the owner of the abutting property, within such time as is provided for in an ordinance requiring the same, after legal notice of the passage of such ordinance, according to the specifications set forth herein or as they may be amended. The provisions of the Ohio Revised Code are hereby incorporated by reference, and all acts, procedures and requirements provided for therein shall be complied with by the Village. Notice shall be served on the property owner by April 1 of each year for the work to be performed and completed by September 1 of each year. (Ord. 1826. Passed 3-15-93.)

1286.04 INSPECTIONS.
The construction and/or repair of sidewalks shall be inspected by the Village Street Superintendent or other designated representative, in accordance with the specifications and plans on file with the Village. (Ord. 1826. Passed 3-15-93.)

1286.05 PERMIT REQUIRED; FEE.

No person shall construct, install or repair any sidewalk on any street until he or she has first obtained a permit from the Village for such purposes. There shall be no fee for the permit. (Ord. 1826. Passed 3-15-93.)

1286.06 SPECIFICATIONS FOR CONSTRUCTION, REPAIR AND INSTALLATION.

All sidewalks within the Village shall be constructed, repaired and installed in accordance with the current Lodi Construction and Material Specifications and Standard Construction Drawings.

(a) Destruction or Removal of Sidewalks. No person shall dig, remove, carry away or cause to be dug any stone, earth, sand, gravel, cement or other material constituting a sidewalk. However, permission may be given by the Village to remove and/or replace a portion of any sidewalk upon the applicant executing and delivering to the Village a surety company bond in the sum of one thousand dollars ($1,000), conditioned to the effect that the applicant and his or her sureties will save the Village harmless from any claim, action or demand arising, either directly or indirectly, from the removal, excavation or repair of such sidewalk. In the alternative, a bank letter of credit may be posted as set forth in Section 1230.12(a) of the Subdivision Regulations, or a bank cashier's check made payable to the Village of Lodi in the sum of one thousand dollars ($1,000) may be posted to satisfy this requirement.

The foregoing shall not apply to a person making repairs in sidewalks adjacent to his or her property.

(b) Criteria for Replacement.

(1) An existing sidewalk section shall be deemed unacceptable and required to be removed and replaced when any one of the following conditions exists

A. The sidewalk holds water.
B. Five percent of any sidewalk section is missing.
C. Twenty-five percent of a sidewalk section is cracked.
D. There is minimum of one inch vertical separation of a section.

If a section can be raised or lowered to make the sections adjacent
to it conform with the standard set forth herein, the section may be raised or lowered and need not be replaced.

E. There is an existing obstruction in the present sidewalk (i.e. a fire hydrant, tree, pole, guy wire, etc.) requiring pedestrians to maneuver to avoid the obstruction.

(2) If seventy-five percent of the frontage is in need or repair, the entire frontage shall be replaced or repaired to conform to the specifications if the sidewalk does not so conform.

(c) Replacement Standards. Removal and replacement of an existing sidewalk shall be done in accordance with the current Lodi Construction and Material Specifications and Standard Construction Drawings.


1286.07 CURB RAMPS.

(a) Concrete curb ramps shall be required at all street intersection locations and/or where a proposed crosswalk will be located, so as to provide a uniform slope between the sidewalk elevation and the street elevation.

(b) The construction materials for curb ramps shall conform to the requirements as described for sidewalk construction and installation. The finish shall be rougher than the adjacent sidewalk and obtained by coarse brooming transversely to the curb ramp slope.

(c) Installation of curb ramps shall conform to the standard detail as shown on drawing No. 3 of Appendix D following the text of this Zoning Code.

1286.08 REPAIR OF EXISTING SIDEWALKS.

(a) Destruction or Removal of Sidewalks. No person shall dig, remove, carry away or cause to be dug any stone, earth, sand, gravel, cement or other material constituting a sidewalk. However, permission may be given by the Village to remove and/or replace a portion of any sidewalk upon the applicant executing and delivering to the Village a surety company bond in the sum of one thousand dollars ($1,000), conditioned to the effect that the applicant and his or her sureties will save the Village harmless from any claim, action or demand arising, either directly or indirectly, from the removal, excavation or repair of such sidewalk. In the alternative, a bank letter of credit may be posted as set
forth in Section 1230.12(a) of the Subdivision Regulations, or a bank cashier's check made payable to the Village of Lodi in the sum of one thousand dollars ($1,000) may be posted to satisfy this requirement.

The foregoing shall not apply to a person making repairs in sidewalks adjacent to his or her property.

(b) Criteria for Replacement.

(1) An existing sidewalk section shall be deemed unacceptable and required to be removed and replaced when any one of the following conditions exists:

A. The sidewalk holds water.
B. Five percent of any sidewalk section is missing.
C. Twenty-five percent of a sidewalk section is cracked.
D. There is minimum of one inch vertical separation of a section. If a section can be raised or lowered to make the sections adjacent to it conform with the standard set forth herein, the section may be raised or lowered and need not be replaced.
E. There is an existing obstruction in the present sidewalk (i.e. a fire hydrant, tree, pole, guy wire, etc.) requiring pedestrians to maneuver to avoid the obstruction.

(2) If seventy-five percent of the frontage is in need of repair, the entire frontage shall be replaced or repaired to conform to the specifications if the sidewalk does not so conform.

(c) Replacement Standards. Removal and replacement of an existing sidewalk shall conform to the standard detail as shown on Drawing No. 1 or No. 2 of Appendix D following the text of this Zoning Code. (Ord. 1826. Passed 3-15-93.)

1286.09 UNIFORMITY REQUIRED.

The placement of all new and existing sidewalks shall be as uniform as possible, giving due consideration to existing structures, construction engineering considerations, the slope of the land, and other features of the property and road right of way, so as to provide for a continuous and reasonable path for the sidewalks.
(Ord. 1826. Passed 3-15-93.)

1286.10 APPEALS.
Should a property owner disagree with a determination of the Street Superintendent, such property owner may appeal the decision of the Superintendent to Council. The appeal must be made, in writing, to the Village Clerk within fifteen days of notice or within fifteen days of the event giving rise to the disagreement with the Street Superintendent. Once the notice of appeal is filed, the deadline as specified herein shall be extended by the amount of time needed by Council to make a determination of the appeal. (Ord. 1826. Passed 3-15-93.)

CHAPTER 1288
School Reuse District

1288.01 SR- School Reuse
1288.02 Purpose
1288.03 Permitted Uses
1288.04 Conditionally Permitted Uses
1288.05 Area and Height Regulations
1286.06 Site Plan Review and Conformance
1286.07 Other Regulation
1288.01 SR- SCHOOL REUSE

These regulations and this District shall be known as SR District. 301 Mill Street shall be included in the newly created School Reuse (SR) District.

1288.02 PURPOSE

The purpose of this District is to provide for limited commercial development of the former Lodi Elementary School that can exist in harmony with the surrounding residential neighborhood.

1288.03 PERMITTED USES.

The following uses are permitted in a SR District:

(a) Establishments engaged in providing a variety of services to individuals and business establishments, such as:
   (1) Personal services such as barber, beauty shop, tailor shop, shoe repair and photographers;
   (2) Engineering and Architectural services;
   (3) Legal services, real estate, and insurance offices;
   (4) Accounting, design, advertising services, banking and financial services (excluding drive thru services);
   (5) Nonprofit professional and charitable organizations (No inpatient alcohol or drug rehabilitation services will be permitted);
   (6) Outpatient medical services, including medical doctors, dentists, optical services and other health care professionals;
   (7) Church or religious organizations;
   (8) Public or Private School (K-12)
   (9) Preschool, Day Care services
   (10) Senior citizen housing (age 55 and older) or assisted living housing (age 55 and older)
   (11) Single family homes subject to Chapter 1254 zoning requirements.

1288.03 PERMITTED USES Cont...

(b) Establishments engaged in retail trade such as:
   (1) Craft shops, antique stores, art galleries (indoors only);
   (2) Sports equipment stores;
   (3) TV, radio and electronic sales, services and rental establishments, and broadcast studio facility;
   (4) Computer sales, service and rental establishments;
(5) Travel agencies;
(6) Camera and photographic equipment stores;
(7) Carpet, wallpaper, paint, and decorating stores;
(8) Health and exercise clubs and dance studios;
(9) Movie theater or live theater/music productions;
(10) Fabric stores;
(11) Upholstering shops;
(12) Ticket agencies, such as “Ticketron” locations;
(13) Restaurant/Café (eat in or carry out) and catering or banquet facilities;
(14) Flea markets (indoors)
(15) Book, stationery, apparel, jewelry, office equipment stores;
(16) Florist, furniture, and home goods stores;
(17) Drug/pharmacy store.

(c) Parking and loading, shall comply with and be regulated by Chapter 1274 and Section 1250.04(g)
(d) Signs shall comply with and be regulated by Chapter 1276.

1288.04 CONDITIONALLY PERMITTED USES.

The following uses are conditionally permitted in a SR District, after approval from the appropriate entity, and continued compliance with conditional zoning certificates for use;

(a) Convenient store or grocery store;
(b) Outpatient psychologists or any counseling services;
(c) Municipal offices;
(d) Adult educational services;
(e) The Planning Commission may issue conditional zoning certificates for other uses on a case by case basis. Such conditional uses are subject to the general requirements of Chapter 1278.

1288.05 AREA AND HEIGHT REGULATIONS.

(a) Any change in footprint, parking, or green space area to be reviewed and approved by the planning commission.
(b) Each business establishment shall be limited to 6,500 square feet.

1288.06 SITE AND PLAN REVIEW AND CONFORMANCE

Because of the historical significance of the former school building, no person or entity shall cause changes to the exterior of the building without prior plan review and approval from the Planning Commission.
1288.07 OTHER REGULATIONS.
   (a) All outdoor refuse storage areas shall be located adjacent to the structure and opaquely screened from view from adjacent properties. All refuse shall be stored in rodent proof containers or enclosures. Refuse storage areas shall be maintained in a neat and orderly fashion so as to not attract insects, rodents and other pests.
   (b) Accessory buildings or structures are not permitted.

APPENDIX B
Zoning District Map Changes

<table>
<thead>
<tr>
<th>Ord. No.</th>
<th>Date</th>
<th>Description</th>
</tr>
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<tbody>
<tr>
<td>1546</td>
<td>4-13-81</td>
<td>Property owned by the Lodi Medical</td>
</tr>
<tr>
<td>Year</td>
<td>Date</td>
<td>Description</td>
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<td>------</td>
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<td>---------------------------------------------------------------------------------------------------------------------------------------------</td>
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<tr>
<td>1585</td>
<td>9-26-83</td>
<td>Lots 7 to 9 and 13 to 20 in the area of River St., from C-2 to R-1.</td>
</tr>
<tr>
<td>1843</td>
<td>8-16-93</td>
<td>Out Lot 18 (east of Lot 010) on Wooster St., from C-1 to MU.</td>
</tr>
<tr>
<td>1867</td>
<td>2-7-94</td>
<td>600 Wooster St., from I-1 to MU.</td>
</tr>
<tr>
<td>1875</td>
<td>4-18-94</td>
<td>Portion of Out Lot 28, from C-1 to R-1.</td>
</tr>
<tr>
<td>1969</td>
<td>6-17-96</td>
<td>Lots 313, 314, 315 and the corner of Lot 316, from I-2 to MU.</td>
</tr>
<tr>
<td>1970</td>
<td>6-17-96</td>
<td>Approximately 7.5 acres on Archer St., being parts of Out Lots 9 and 10, from I-1 to R-2.</td>
</tr>
</tbody>
</table>

1996 Replacement

APP C.

APPENDIX C

Form for Formal Complaint of Unsafe and Substandard Building
COMPLAINT

To: The Village of Lodi, Ohio

From: ________________________, Complainant

Date: ______________________

The Complainant states that, to his or her knowledge and belief, the building or structure known as (set forth street address number or, if none, or if unknown and the same cannot be ascertained, the location and a description of the building or structure)

_______________________________________________________________

_______________________________________________________________

completed or in the process of construction, is in an unsafe or substandard condition contrary to the laws of the Village of Lodi, Ohio.

This formal Complaint is submitted pursuant to Section 1284.03 of the Codified Ordinances of the Village of Lodi, Ohio.

________________________                           ____________________________
Witness                               Complainant

________________________
Witness                               Address

________________________
Telephone Number

1996 Replacement
APP D.

APPENDIX D

SIDEWALKS
• DWG. NO. 1. R-1  Sidewalk Construction.
• DWG. NO. 2. R-2  Typical Sidewalk Re-Alignment Detail.
• DWG. NO. 3. R-3  Curb Ramp Detail.

Village of Lodi Sidewalk Permit.
Issued to:

a. Name: ______________________________________________________

b. Address: ____________________________________________________

________________________________________________________________

________________________________________________________________

c. Telephone:
   Daytime: ________________________________
   Evenings and Weekends: __________________________

For sidewalk to be constructed, installed or repaired at: ________________________

________________________________________________________________

1. This permit constitutes authority for the person to whom it is issues to construct, install or repair a sidewalk at the location stated above, provided that such construction, installation or repair is in full compliance with the provisions of the Codified Ordinances of Village of Lodi, Ohio and particularly Chapter 1286 of the Planning and Zoning Code. This permit is issued pursuant to Section 1286.05 of said Planning and Zoning Code and is issued without fee.

2. Construction, installation and repair of sidewalks by a property owner upon his/her or its own property do not require the posting of financial security. Contractors constructing, installing or repairing sidewalks on premises other than their own must post financial security as set forth in Section 1286.08(a) of the Planning and Zoning Code of the Village.

By: ____________________________
   Zoning Inspector
   Village of Lodi, Ohio

1993 Replacement

VILLAGE OF LODI SIDEWALK SPECIFICATIONS

CONSTRUCTION AND INSTALLATION OF SIDEWALKS FOR NEW RESIDENCES AND SPECIFICATIONS FOR THE REPAIR OF EXISTING SIDEWALKS AND FOR NEW COMMERCIAL OR INDUSTRIAL DEVELOPMENT.
Sec. 1 Sidewalk Specifications Established

Sidewalk specifications hereby established for streets and avenues in the Village. When constructed, they shall be constructed and maintained in good repair by the abutting property owners at their expense, as is and may provided by law.

The adoption of these specifications does not mandate the installation of sidewalks for developed lots. These specifications apply to the repair or replacement of existing walks, installation of the new walks, when a new lot is developed (built on), and when, by separate legislation of necessity, new installation is determined to be required.

Sec. 2. Elevation

The Village will determine sidewalk elevations. When constructed or repaired, sidewalks shall be constructed and repaired so as to have a cross-slope of one-fourth inch vertical to one-foot horizontal, sloped toward the curb or roadway. (1/4” means 1 inch to 4 feet)

Sec. 3 Owner to build or repair; Remedy of Village of Lodi.

When constructed or repaired, each and every sidewalk or part thereof shall be constructed or repaired by the owner of the abutting property within such tie after legal notice of the passing of an Ordinance requiring the same according to the specifications set forth herein or as they may be amended. Reference and all acts, procedures hereinafter incorporate the provisions of the Ohio Revised code, and the Village shall adhere to requirements.

Sec. 4 Sidewalks to be inspected

The construction and/or repair of sidewalks shall be inspected by the Village Street Commissioner or other designated representative, and in accordance with the specifications and plans on file with the Village of Lodi. (PRIOR TO BEING POURED)

Sec. 5 Permit to Install Sidewalk

No person, firm or corporation shall construct, install or repair any sidewalk on any street until he has first obtained a permit from the Village of Lodi for such purposes. There shall be no cost for the permit.

Sec. 6 Sidewalk Construction; Installation

All sidewalks hereinafter constructed or repaired along accepted streets and avenues of the Village shall be of Portland Cement concrete.
The following specifications and standards for the construction, repair, and installation of concrete sidewalks are hereby adopted for the Village.

1. “Village” - the Village of Lodi or its authorized representative or other person appointed by it.

2. “Contractor” - the party or parties contracting to do any work described herein, or authorized representatives of such party or parties, or the owner of the adjacent property doing his own work.

3. “Specifications” - the State of Ohio Department of Transportation (ODOT) Construction and Material Specifications, latest edition. A copy is available for inspection at the Village of Lodi, Planning Commission office or by direct purchase from the:

   Ohio Dept. of Transportation  
   Bureau of Contract Sales  
   P.O. Box 899  
   Columbus, Ohio 43216-0899  
   Phone: 614-466-3778

4. “Sidewalk Sections”: - Sidewalk Sections shall be set forth in Appendix “D” in accordance with the drawings and notes contained therein.

   A. Materials

   1. **Portland Cement Concrete**  
      ODOT 499- Class “C” Limestone  
      a. Cement 600Lbs./cy  
      b. Entrained Air 6+2percent  
      c. Maximum slump 4”

   2. **Preformed Filler (Joint)**  
      ODOT 705.03

   3. **Curing Materials**  
      ODOT 705.07 (Type #2)

   4. **Forms**  
      Wood or steel profiled to suit conditions.

   5. **Thickness Proportions**
The sidewalk shall consist of one course of concrete of not less than four inches in thickness. When the location of driveways are known, the thickness of the walks shall be increased to not less than six inches.

6. **Width**

   Sidewalks on all new streets shall have a width of 4’ ft. Sidewalks on existing streets should be as wide as the existing walks, but not less than 3’5”. On new or existing streets, where a sidewalk is required to be constructed directly adjacent to the curb, the minimum width shall be five (5) feet. These sidewalk widths shall be enforced unless otherwise provided by Ordinance.

B. **Execution**

   1. **Forming**
      a. Secure forms to correct location, dimensions and profile.
      b. Assemble form-work to permit easy stripping and dismantling without damaging concrete.
      c. Place preformed filler vertical in position in straight lines. Secure to form work during concrete replacement.
      d. Coat concrete contract surfaces of forms with release oil to prevent bond with sidewalk.

   2. **Preparation**
      a. Moisten sub base to minimize absorption of water from fresh concrete.
      b. Notify Village Street Commission a minimum of 24 hours prior to concrete placement (for inspection purposes).

   3. **Concrete Placement**
      a. The freshly mixed concrete shall be placed immediately on the prepared subgrade. The edges adjacent to the forms shall be thoroughly spaded and the entire area tamped sufficiently to produce a compacted single layer slab. It shall then be struck with a crosswise sawing motion and subsequently floated until the surface is true and has a sandy texture.

   4. **Joints**
      a. Place preformed joints at 20-foot intervals. Align with curb, gutter and sidewalk joints.
b. Place preformed joint filler between paving components and buildings or other appurtenances.
c. Provide scored or sawn joints in accordance with the standards as set forth in Appendix “C”.
d. Place curing compound on exposed concrete surfaces immediately after finishing per manufacturer’s instructions.

5. **Protection**
   Immediately after placement, protect side work from premature drying, rainfall, excessively hot or cold temperatures (below 40 degrees F), and physical or mechanical injury.

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**Sec.7. Curb Ramps**

1. Concrete curb ramps shall be required at all street intersection locations and/or where a proposed crosswalk will be located so as to provide a uniform slope between the sidewalk elevations and the street elevation.

2. The construction materials for curb ramps shall conform to the requirements as described for sidewalk construction and installation. The finish shall be rougher than the adjacent sidewalk and obtained by coarse brooming transversely to the curb ramp slope.

3. Installation of curb ramps shall conform to the standard detail as shown on Drawing No. 3.

4. All construction, installation, and repair shall be in accordance with all state and federal laws and regulations as they presently exist or as they may hereafter be adopted or amended. Therefore, any such laws or regulation shall supersede these specifications.

5. If curbs are to be installed on existing dedicated streets, the Village will pay the cost of the curb installation. For any new development, the developer will install and pay for curb installation according to these specifications.

   In order to accommodate the placement of any sidewalk, the Village will pay for the expenses of moving fire hydrants, poles, guy wires, or other utilities. further, if a tree is located in the right-of-way and in order to complete the installation the tree must be moved, the Village will pay for the cost of the removal.

   6. The Village Street Commissioner shall make available the Village Map information and certify to the owner or the owner’s contractor the street right-of-way location.

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**Sec. 8 Existing Sidewalk Repair**

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**1. Destruction or removal of sidewalk**

No person, firm or corporation shall dig, remove, carry away or caused to be dug any stone, earth, sand gravel, cement or other material constituting a sidewalk. However, permission may be given by the Village to removal and/or replace a portion of any sidewalk upon the applicant executing and delivering to the Village a surety company bond in the sum of One Thousand Dollars ($1,000.00) conditioned to the effect that the applicant and his sureties will save the Village harmless from any claim, action, or demand arising either directly or indirectly from the removal, excavation, or repair of such sidewalk. In the alternative, a bank letter of credit may be posted as ascribed in Section 1230.12 paragraph A of the Zoning Code or, a bank cashier’s check made payable to the Village of Lodi in the sum of One Thousand Dollars ($1,000.00) may be posted to satisfy this requirement.

The foregoing shall not apply to a person making repairs in sidewalks adjacent to his property.

**2. Criteria for Sidewalk Replacement**

The existing sidewalk section or sections shall be deemed unacceptable and required to be removed and replaced when any one of the following conditions exists:

a. The sidewalk holds water.
b. Five percent of any sidewalk section is missing.
c. Twenty-five percent of a sidewalk section is crackled.
d. There is a minimum of one-inch vertical separation of a section. If a section can be raised or lowered to make the sections adjacent to it conform to the standard set herein, the section may be raised or lowered and need not be replaced.
e. There is an existing obstruction in the present sidewalk (i.e. fire hydrant, trees, pole, guy wire, etc.) requiring pedestrians to maneuver to avoid the obstruction.
f. If seventy-five percent of the frontage is in need of repair, the entire frontage shall be replaced or repaired to conform with the specifications if the sidewalk does not so conform.

**3. Sidewalk Replacement**

Removal and replacement of existing sidewalk shall conform to the standard detail as shown on drawing No. 1 or No. 2.

**Sec. 9 Miscellaneous**

1. The placement of all new and existing sidewalks shall be as uniform as possible, giving due consideration to existing structures, construction engineering considerations, the slope of the land, and other features of the property and road right-of-way, so as to provide for a continuous and reasonable path for the sidewalks.

2. Should a property owner disagree with the determination of the Street Superintendent, the property owner may appeal the decision of the superintendent to
Council. The appeal must be made in writing to the Village Clerk within fifteen (15) days of notice or within fifteen (15) days of the event giving rise to the disagreement with the Street Superintendent. Once the notice of appeal is filed, the deadline as specified herein shall be extended by the amount of the time needed by Council to make determination of the appeal.

Harold Kasten-Krause, Superintendent
330-948-2040
Village of Lodi
P.O. Box 95
Lodi, Ohio 44254
EDITOR'S NOTE: References are to individual chapters, sections and subsections. As additional aids for locating material, users are directed to:

(a) The Table of Contents preceding the Code, and the sectional analyses preceding each chapter.
(b) The cross references to related material following the chapter analysis.

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<th>AREA REGULATIONS</th>
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<td>(see also LOTS; YARDS)</td>
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<td>ADMINISTRATION</td>
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<td>R-3 Districts, in</td>
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| AMENDMENTS | BLOCKS |
| Zoning Code, of | Subdivision, in |
| Ch. 1246 | 1230.07 |
| | BOARD OF ZONING |
| | APPEALS |
| | Ch. 1244 |
| | BOUNDARIES |
| | Zoning districts, of |
| | 1248.03 |
| | BUILDING PERMITS |
| | 1282.11 |

Subdivision
Regulations, of Ch. 1222
Zoning Code, Ch. 1242

ANNEXATION
1250.11

APARTMENTS
(see under DWELLINGS, at multifamily)

APPEALS
Sidewalk Construction or repair, re
1286.10
Subdivision Regulations, from
1222.06
Zoning Code, from et seq.,
1250.13(c),
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