

PART FOUR
ADDITIONAL ZONING REQUIREMENTS

ARTICLE XXIV

GENERAL DEVELOPMENT STANDARDS

Section 24.01 Lot Width

A. Frontage Required

No building, structure, or improvement shall be constructed or altered nor any new lot be established, unless such lot fronts on a publicly dedicated and improved thoroughfare within the Township.

B. Lot Width

Lot width shall be measured along the front lot line that abuts such thoroughfare as designated in Section 24.01A above and at the minimum front yard setback. Any lot shall have the full required lot width along the entire distance of the front yard depth.

Notwithstanding the above, if a lot fronts along a thoroughfare with a center line degree of curvature greater than thirty (30) degrees (such as a cul-de-sac) lot width shall be measured at the front yard setback line.

Section 24.02 Front Yards

A. Front Yard Measurements

Front yard depth shall be measured from the centerline of the adjacent highway or road to the building line, unless otherwise indicated in this Resolution.

B. Corner Lots

Lots fronting on more than one street or roadway shall provide the required front yard on both roads. Any new building or structure shall not be located closer to the centerline of an adjacent highway or road, at any point, than the front yard setback for the district in which the property is located.

Section 24.03 Side Yards

A. Measurement

Side yard width shall be measured from the nearest side lot line to the building line.

B. Accessory Uses or Structures

Accessory uses or structures may be allowed in a side yard, subject to requirements of Article XXV of this Resolution.

Section 24.04 Rear Yards

A. Measurement

Rear yard depth shall be measured from the rear lot line to the building line. Where a lot abuts a service street or alley, the rear yard shall be measured from the right-of-way line of the existing street or alley.

B. Accessory Uses or Structures

Accessory uses or structures may be allowed in a rear yard, subject to requirements of Article XXV of this Resolution.

Section 24.05 Yard Requirements

All front, side and rear yards shall be maintained in a neat and orderly state and be kept free of any trash, junk or debris

Section 24.06 Open Porches and Architectural Features

In a residential district, an open, uncovered porch, deck or terrace and/or cornices, canopies, eaves, pilasters, sills or other similar architectural features may project into a required side or rear yard, as established in the district, not more than ten (10) feet so long as a minimum of three (3) feet is maintained to the property line.

Section 24.07 Height

Height regulations specified in the various zoning districts shall not apply to chimneys, tanks, cupolas, domes, spires, antennae for amateur radio service communications or similar structures attached to a primary structure, so long as

such height does not interfere with the safe landing, takeoff or other operations of any established airport or landing strip.

Section 24.08 Drainage

All construction shall be accomplished in a manner consistent with maintenance of proper drainage. In all improvements, every reasonable effort shall be made to ensure that proper drainage on the subject property and adjacent properties is maintained.

In order to preserve proper drainage and prevent surface flooding, the filling of established roadside ditches is prohibited, unless specific written approval is obtained from the Township Trustees.

ARTICLE XXV

ADDITIONAL RESIDENTIAL DISTRICT STANDARDS

Section 25.01 Regulation of Agriculture on Specific Lots

Section 519.21(B) of the Ohio Revised Code allows a township zoning resolution, or an amendment thereof, to regulate agricultural use within any platted subdivision approved under Section 711.05, 711.09, or 711.10 of the Ohio Revised Code, or any area consisting of fifteen (15) or more lots approved under Section 711.131 (711.13.1) of the Ohio Revised Code, that are contiguous to one another and adjacent to one another and adjacent to one side of a dedicated public road, and the balance of which are contiguous to one another and adjacent to the opposite side of the same public road.

- A. Pursuant to Section 519.21(B) of the Ohio Revised Code, animal and/or poultry husbandry, including the raising, boarding, housing, or grazing of horses, cattle, sheep, goats, swine, poultry or similar animals shall not be permitted on lots meeting the standards of ORC 519.21(B) above, and which are also one (1) acre or less in size. The processing of any such animals or their products shall also not be permitted.
- B. Animal and/or poultry husbandry shall not be permitted on lots greater than one (1) acre but not greater than five (5) acres if such lots meet the standards of ORC 519.21(B) above, and if at least thirty-five percent (35%) of the lots in the subdivision are developed with at least one (1) building, structure, or improvement that is subject to real property taxation or that is subject to the tax on manufactured homes pursuant to Section 4503.06 of the Ohio Revised Code. After thirty-five percent (35%) of the lots are so developed, any existing animal and/or poultry husbandry operation shall be considered a nonconforming use pursuant to Article V of this Resolution.

Section 25.02 Manufactured Housing

Permanently sited manufactured homes, as defined in Article II of this Resolution, shall be considered as a permitted use in any district that permits single-family dwellings. Manufactured homes not meeting the standards for permanently sited manufactured homes are addressed as a permitted use in the LRR District. Mobile homes, as defined in Article II of this Resolution, shall not be considered as a permitted or conditional use in any zoning district.

Section 25.03 Home Occupations

"Home occupation" means an activity, profession, occupation, service, craft, or revenue-producing hobby which is clearly incidental and subordinate to the use of the premises as a dwelling, and is conducted entirely within building or buildings on the premises without any significant adverse impact upon surrounding properties. Home occupations shall be regulated as accessory or conditional uses in the various residential districts.

Any home occupation established after the effective date of this amendment to this Resolution shall require a separate zoning certificate. The application for such zoning certificate shall include drawings, a narrative and other material certifying current and future compliance with the standards in Section 25.03 A - G below.

A home occupation shall comply with the following standards:

- A. The use shall be conducted by the owner/occupant of the premises and such use shall be clearly incidental and secondary to residential use of the dwelling and not more than twenty-five percent (25%) of dwelling unit floor area is devoted to the home occupation. The size of any accessory building used totally or in part for a home occupation shall meet the requirements for accessory structures in Section 25.04 below.
- B. The home occupation shall primarily occur entirely within the confines of the dwelling unit and/or accessory structures.
- C. Areas used for outside activities or storage of materials or equipment associated with the home occupation shall not exceed two percent (2%) of the area of the lot or 2,000 square feet, whichever is less. In addition, all such areas shall be enclosed or fenced so as to effectively screen them from view from any adjacent property within 500 feet zoned in the RR or LRR District.
- D. The home occupation shall not generate more than ten (10) vehicle trips per day.
- E. External indication of such home occupation shall be limited to one non-illuminated sign not more than twenty (20) square feet. Such sign shall be not closer than fifty (50) feet from the center line of the roadway and shall not exceed ten (10) feet in height.
- F. Not more than one (1) person, other than immediate family residing at the premises, shall be employed in such occupation.
- G. The home occupation business activity shall be conducted primarily during daylight hours.

- H. No equipment or process shall be used which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to normal senses off the lot.

Any home occupation that subsequently exceeds the above standards shall be required to seek rezoning of the property to the GB, PRB or SU districts, as appropriate.

Section 25.04 Accessory Buildings and Structures

"Accessory building or structure" shall mean a structure and/or use which is subordinate, secondary, incidental to and customary in connection with the principal building or use and located on the same lot as the principal building or use. Residential accessory structures include detached garages, storage sheds, tennis courts, swimming pools and similar facilities. Such accessory structures are subject to the following additional requirements:

- A. An unattached use or structure shall be located within any side or rear yard to the rear of the principal structure, but not closer to any side or rear lot line than the distance required for principal structures in the to the specific district.
- B. The use of all accessory structures shall conform to the definition above, and no accessory structure shall be used for human habitation or for commercial purposes.
- C. Not more than one (1) portable storage building shall be allowed on any single residential property, and such structure shall comply with the location requirements of Section 25.04 A. above.
- D. The total area of all accessory uses or structures shall not exceed two percent (2%) of the total area of the lot, except for swimming pools, ponds and/or tennis courts and similar uncovered areas which shall be exempt from these area requirements. An accessory building shall not exceed twenty (20) feet in height.
- E. No zoning permit shall be required for a temporary accessory structure or portable storage structure located on any property for less than sixty (60) consecutive days during any single calendar year. No portable storage structure shall be located on any property for a period exceeding sixty (60) consecutive days.

Section 25.05 Driveways

The entrance to any driveway from the public roadway shall be designed so as to prevent surface runoff from the driveway from flowing onto the public roadway. In addition, all driveways serving any residential structures must comply with the driveway standards as adopted by the Pickaway County Engineer and/or the Madison Township Board of Trustees, as may be subsequently amended.

Section 25.06 Lakes and Ponds

Lakes and ponds shall be considered as an accessory use where so indicated in the district regulations. A zoning certificate shall be required for the construction and installation of a lake or pond when the normal high water surface area of the body of water exceeds 100 square feet. Such zoning certificate shall be required prior to any construction activity on the lake or pond. In addition, such lakes and/or ponds shall meet the following requirements:

- A. The applicant shall provide a site plan for the property, indicating the location of the lake and/or pond, as well as the location of inlets, outlets, subsurface drainage, septic lines, and/or secondary leach fields.
- B. The lake and/or pond shall be located not less than sixty (60) feet from any side or rear property line, residential structures, leach field, secondary leach field, and subsurface tile drainage passing through the property, and not less than 120 feet from any front property line.
- C. The applicant shall provide specific evidence that the lake or pond will be constructed in full compliance with adequate and appropriate engineering standards. The Township may require certification by a Professional Engineer that the lake or pond meets such standards. At a minimum, the lake or pond shall meet the standards and specifications of the Natural Resources Conservation Service (NCRS) of the U.S. Department of Agriculture (USDA). These standards and specifications are available through the Pickaway County Soil and Water Conservation District.

Section 25.07 Telecommunications Towers

Telecommunications towers, as defined in Article II of this Resolution, may be allowed as a conditional use in the RR, LRR and FS Districts. The process to be used in processing an application for such a tower shall be as specified in Section 519.211 of the Ohio Revised Code. Telecommunications towers shall be subject to the following conditions:

- A. The maximum height of the tower shall not exceed 150 feet.
- B. Any stabilization structures or guide wires shall not be located less than twenty-five (25) feet from any side or rear property line.
- C. The tower shall be located not less than 300 feet from any existing residential dwelling or any public roadway.
- D. The minimum lot size for the site of the tower shall be one (1) acre.
- E. Security fencing at least ten (10) feet in height and affixed with an operable lock shall be provided to prevent uncontrolled access to the tower site.
- F. A landscaping plan shall be submitted and approved by the Board of Zoning Appeals.
- G. The tower shall not be lighted except to assure safety or as required by the FAA.
- H. The applicant or tower provider shall demonstrate that the telecommunication tower must be located where it is proposed in order to service the applicant's service area, that other sites have been considered, and that location at the proposed site is technically necessary.
- I. The applicant shall provide a signed statement indicating that he/she agrees to allow for the potential co-location of other similar facilities on the tower, the removal of the tower within 180 days after the site's use is discontinued, and proof of notice has been provided as required in Section 519.211 of the Ohio Revised Code, as may be subsequently amended.
- J. The applicant shall demonstrate that the placement and height of the tower shall comply with the standards of Title 14 of the Code of Federal Regulations, Part 77 (*14 CFR Part 77*)

If a public telecommunications service provider desires to co-locate its facility either on an existing tower or utility structure, the location of such facility shall be addressed as a permitted use.

Section 25.08 Individual and Multiple Wind Turbine Systems

For the purposes of these regulations, a “wind turbine system” shall mean a wind energy conversion system consisting of a tower, a unit consisting of blades, generator and tail, and associated control or conversion electronics which have a rated capacity appropriate for on-site electrical generation and use.

A. Individual Small Wind Turbine Systems

Not more than one (1) wind turbine system shall be allowed as a conditional use on a single property or parcel in the RR and FS Districts, provided evidence is submitted, by the applicant to the Board of Zoning Appeals, that the following requirements are met:

- 1) The height of the tower of the wind turbine system shall not exceed 100 feet on parcels of three to five acres, and 250 feet on parcels of more than five acres. Wind turbine systems shall not be allowed on parcels of less than three (3) acres in size
- 2) Notwithstanding the above, the height of the system shall not exceed the height recommended by the manufacturer or distributor of the system.
- 3) The base of the tower shall be located not less than 250 feet from any property line, and not less than 750 feet from any residential dwelling not participating in the wind energy project of which the wind turbine is a component.
- 4) The noise from the system shall not exceed 50 decibels (dBA) measured at the most proximate inhabited residential dwelling.
- 5) The application shall include standard drawings and an engineering analysis of the structural stability of the tower, and certification of same by a Professional Engineer.
- 6) The system will comply with applicable Federal Aviation Administration (FAA) requirements, including Part 77 of Title 14 of the Code of Federal Aviation Regulations.

B. Multiple Wind Turbine Systems

More than one (1) wind turbine system and/or systems that do not fully comply with the standards of Section 25.08 A above shall be considered as a permitted use only in the SU District shall be subject to the requirements of that district, as well as the following:

- 1) The height of the tower of the wind turbine system shall not exceed 250 feet.
- 2) Not more than one (1) wind turbine system shall be permitted for each two (2) acres of the property.
- 3) The requirements of Section 24.06 A 3) through 5) shall apply.

Section 25.09 Group Residential Facilities

"Group residential facilities" shall be defined and classified in Article II of this Resolution. A Class I Type B group residential facility, as defined in Article II, is permitted by right in any zoning district that permits single-family dwellings. A Class I Type A group residential facility shall be considered as a conditional use in the LRR or GB Districts, subject to the standards below. A Class II Type A or Type B group residential facility shall be treated as a conditional use in the GB or PRB Districts subject to the standards below:

- A. The facility shall obtain all approvals and/or licenses as required by state and local laws.
- B. The facility shall provide 24-hour supervision by trained and qualified professional personnel.
- C. No exterior alterations of the structure shall be made which would be inconsistent with the residential character of the residential structures in the surrounding neighborhood.
- D. The facility shall comply with the district regulations applicable to other properties in the zoning district in which they are located.
- E. Such facilities shall be required to provide appropriate sleeping quarters without using normal living areas, such as living rooms, dining room or kitchen for sleeping.
- F. Such facilities shall meet all applicable local and/or state building, safety and fire safety requirements for the proposed use and level of occupancy.

- G. The applicant shall provide a plan indicating the manner in which the facility will maintain contact with neighborhood residents, including a structured procedure whereby their grievances may be filed and resolved.

ARTICLE XXVI

OFF-STREET PARKING REQUIREMENTS

Section 26.01 Purpose

The purpose of these requirements is to encourage the orderly development of parking and loading areas within Madison Township and to promote the safety of residents and visitors by insuring the efficient handling of vehicular traffic.

Section 26.02 Provision for Parking Required

Unless otherwise indicated in this Resolution, in all zoning districts, off-street parking shall be addressed in accordance with the provisions of this Article.

Section 26.03 General Requirements

A. Surfacing and Drainage

All off-street parking areas for commercial or industrial projects shall be properly graded, marked and surfaced so as to provide a hard, durable and dustless surface. All parking areas shall be graded and drained so as to dispose of surface water which might accumulate within or upon such area, and shall be designed to prevent the excessive drainage of surface water onto adjacent properties or public roadways. The developer of the project shall demonstrate that adequate provisions have been made to direct storm runoff to a suitable and adequate storm water drainage system.

B. Lighting

Any lighting used to illuminate any off-street parking area shall be so arranged as to reflect light away from any adjoining premises in any zoning district where residences are a permitted use. In addition, such lighting shall be so arranged as not to interfere with traffic on any adjoining street or to be confused with any traffic control lighting.

C. Location of Parking Spaces

A five foot (5') clear zone shall be maintained between the roadway right-of-way and any parking space. Parking areas shall be so designed and arranged so as not to allow

the protruding of any vehicle, or portion thereof, over the clear zone.

D. Parking of Recreational Equipment

The storage of travel trailers, motor homes, pick-up campers, folding tent trailers, boats or boat trailers and similar recreational equipment shall be subject to the following requirements:

1. Not more than two (2) pieces of such equipment, or vehicles, shall be permitted to be stored outside on a parcel containing a single family or two-family dwelling. For the purpose of this Section, a boat stored on a boat trailer shall be deemed one piece of recreational equipment.
2. Recreational equipment shall not be used for permanent occupancy.
3. Recreational equipment may be used for temporary occupancy for a period of time not exceeding three (3) months.

Section 26.04 Parking and/or Storage of Junk Motor Vehicles

The exterior parking or storage of junk motor vehicles, as defined in Section 505.173(E) of the Ohio Revised Code (ORC) and Article II of this Resolution, for a period of time exceeding fourteen (14) consecutive days, outside of an approved and licensed scrap metal processing facility, motor vehicle salvage dealer, salvage motor vehicle auction or salvage motor vehicle pool licensed and regulated pursuant to Chapters 4734, 4737 and/or 4738 of the Ohio Revised Code (ORC), shall be prohibited.

Madison Township reserves the right to remove junk cars from public or private property pursuant to the authority of, and consistent with the standards and procedures cited in ORC Sections 507.173 and 507.871 of the ORC and any other legally adopted local resolution(s).

ARTICLE XXVII

SIGNS

Section 27.01 Purpose

The purpose of these regulations is to encourage the proper development of signs and signage systems in Madison Township. It is the intent of these regulations:

- to control the size, location and design of signs so that the overall appearance of such signs will be aesthetically harmonious with their surroundings
- to reduce sign clutter
- to prevent signs from becoming a distraction or obstruction to the safe flow of pedestrian and vehicular traffic
- to prevent signs from becoming a nuisance to adjacent properties or uses
- to encourage the development of signage that promotes a healthful economic and business environment and thereby protect the general health, safety, and welfare of the citizens of Madison Township.

Section 27.02 Definitions

As used in this Article, the following words or phrases shall have the meanings herein:

- A. "Sign" means any device for visual communication which is designed, intended, or used to convey a message, advertise, inform or otherwise direct attention to a person, institution, organization, activity, business, place, object or product.
- B. Other Definitions
 1. "Billboard" means an off-premises outdoor advertising sign that is more than two-hundred (200) square feet in area.
 2. "Changeable copy sign" means a sign which, in whole or in part, provides for periodic changes in the material or message composing the sign. This definition includes both electronically and manually changeable signs, but does not include digital display signs.
 3. "Digital display sign" means a sign which uses digital technology to produce a bright clear image which automatically changes on a programmed interval.

4. "Flashing sign" means a sign or graphic which in any manner, as a whole or in part, physically changes in light intensity or gives the appearance of such change
5. "Freestanding sign" means a sign which is wholly independent of any building for support.
6. "Off-premises sign" means any sign that identifies or provide information related to a good, service or event that is not located on the property where such sign is located.
7. "Permanent sign" means a sign intended to be erected or used, or in fact which is used for time period in excess of 120 days.
8. "Portable sign" means a sign designed or constructed in such a manner that it can be moved or relocated without involving any structural or support changes and shall include signs that are constructed on a chassis or trailer intended for the mounting of wheels, thereby permitting the sign to be moved
9. "Temporary sign" means a sign intended to be used, or in fact used, for a time period of 120 days or less.
10. "Wall sign" means a sign attached to a building face, with the exposed face in a plane parallel to the plane of the wall. Wall signs include painted murals, messages, graphics and other designs painted along with any letters or numerals mounted directly on buildings.
11. "Window sign" means a sign, graphic, poster, symbol or other identification which is physically affixed to or painted on the glass or other structural component of the window.

Section 27.03 Prohibited Signs

Signs that are not specifically permitted in this Article shall be considered as prohibited. Without restricting or limiting the generality of the foregoing provisions, the following signs are specifically prohibited:

- A. Signs mounted on motor vehicles or semi trailers that are parked in a manner and location so as to serve as a sign.
- B. Banners, streamers, pennants and similar air-activated moving signs intended for permanent display
- C. Flashing or high intensity lights mounted on a sign
- D. Any sign that obstructs any part of a doorway, exit or fire escape.

- E. Any sign that resembles or is intended to resemble a traffic control device, or is located in such a manner so as to obscure or impact the effectiveness of such traffic control device or signal.
- F. Any sign attached to a utility pole or fence or otherwise extending into the right-of-way of any public roadway.

Section 27.04 Signs Excluded from Regulations

The following signs are excluded from the regulations and requirements of this Article, provided such signs are not located within the right-of-way or easement of any public roadway.

- A. Signs or posters concerning candidates for elective office, public issues and similar matters to be decided by public election, provided such signs shall not exceed sixteen (16) square feet in area, shall not be illuminated and shall not be located within a public right-of-way nor be affixed to any public utility pole or street tree. In addition such sign shall not be located in any manner so as to create a safety or visibility hazard.
- B. Signs not exceeding two (2) square feet in area that are customarily associated with residential use and are not of a commercial nature, including address and/or name of occupants of the structure, signs on mailboxes or newspaper tubes, signs posted on property related to private parking, and signs warning against trespassing or danger from animals. Signs associated with home occupations shall not be excluded from these regulations.
- C. Signs erected by a governmental entity for a recognized public purpose and duly authorized by any law, statute or ordinance. Such signs include legal notices and traffic control or safety devices, provided such signs carry no supplementary advertising.
- E. Signs located on the inside of a structure or building, that are not designed or located so as to be typically visible from outside the building.
- F. Signs which are in the nature of cornerstones, commemorative tables and historic designations, provided such signs are less than nine (9) square feet in size and not illuminated.
- G. Signs clearly in the nature of decorations customarily associated with a national, local or religious holiday. Such signs shall be of any illumination or animation provided that a safety and/or visibility hazard is not clearly created.
- H. Flags or insignias of any governmental entity when not displayed as an advertising device, or in connection with any commercial

promotion, and provided that not more than four (4) such flags or banners are displayed at any one time.

- I. Farm signs identifying the name and address of the occupant of the premises and agricultural commodities or products for sale or used on the premises.

Section 27.05 Sign Permits and Administration

A. Permit Required

No permanent or temporary sign, except as exempted in Sections 27.04 or 27.06 of this Ordinance shall hereafter be erected, constructed or maintained within Madison Township unless a permit for the same has been issued by the Zoning Inspector. A sign for which a permit has been issued shall not be modified, changed or amended so as to differ from that approved in the permit unless a new or amended permit is issued.

B. Contents of Application

Application for a permit to construct or erect a sign shall be made by the owner of the property upon which the sign is proposed, or his agent. The fee shall be established by separate Resolution. Each application for a sign permit shall be made on forms provided by the Zoning Inspector, and shall include the following information:

1. Name, address, and telephone number of the applicant.
2. Drawings to an appropriate scale, showing at a minimum:
 - a. The design and layout of the proposed sign, including the total area of the sign and the size, height, character, materials and color of letters, lines, and symbols.
 - b. The exact location of the sign in relation to the building and property.
 - c. The method of illumination, if any.
3. Details and specifications for the construction, erection and attachment of the sign.
4. Name, address and telephone number of the sign contractor or company.

5. Other information as may be required by the Zoning Inspector to ensure compliance with the provisions of this Resolution.

C. Action on Sign Permit

The Zoning Inspector shall issue a sign permit upon submittal of a completed application and payment of applicable fees if he/she determines that the provisions of this Ordinance have been met. If the application for a sign permit is denied, the applicant shall be given written notice of such denial, along with the reasons therefore.

D. Appeals

Any decision made by the Zoning Inspector under the terms of this Article may be appealed to the Board of Zoning Appeals in the manner set forth in Article VII of this Resolution.

Section 27.06 Signs Which Do Not Require a Permit

The following signs may be erected without a permit; such signs, however, shall be subject to all other provisions of this Article:

- A. Signs that indicate the sale, development, rental or lease of a particular structure or land area, to be limited to one sign allowed per road front. Such signs shall not be located in a public right-of-way.
- B. Temporary window signs in the GB District which promote special business sales, promotion or occasions, provided such signs are not displayed for a period exceeding thirty (30) days in any consecutive six month period.
- C. Signs, which are less than four (4) square feet in size and mounted or attached flat or parallel onto a building face of an administrative, business or professional office building, which denote the name and address of an occupant in a building where more than one tenant is located.
- D. Signs which advertise the sale of personal property, such as a garage, yard, porch or moving sales, provided such signs are displayed for a time period not greater than three (3) within a public right-of-way.

- E. Signs promoting community events and programs which last for a time period of fourteen (14) days or less and which are sponsored by nonprofit, public, educational, religious and charitable entities. Such signs shall be removed not later than seven (7) days after the scheduled activity.
- F. Temporary construction signs which display the identification of the construction project, including identification of the contractors, architects and other construction principals provided that such construction sign is removed upon the completion of construction or the commencement of occupancy, whichever event occurs first.
- G. Signs determined by the Board of Zoning Appeals to be similar to those specified in A-F above.

Section 27.07 General Requirements

Temporary and/or permanent signs erected after the date of this Resolution shall comply with the following standards and requirements:

A. Off-Premises Signs and Outdoor Advertising

Outdoor advertising and other signs promoting a product or service not located on the premises shall be considered a business use and shall be permitted in the GB District, subject to the development standards of that district, and the following:

1. Not more than two (2) off-premises directional signs shall be permitted, directing persons to a business located elsewhere. Each such directional sign shall not exceed four (4) square feet in area.
2. The height of an outdoor advertising sign shall not exceed twenty-five (25) feet above natural grade and shall not exceed 200 square feet in area.
3. Outdoor advertising signs exceed this standard shall be considered billboards and subject to the provisions of Section 27.07 B below.
4. Outdoor advertising signs shall be located behind the building setback line for the district in which they are located.

5. Outdoor advertising signs shall be located not less than 200 feet from any adjacent residential zoning district.
 6. All permitted outdoor advertising signs shall be licensed or permitted as may be required by other local, federal or state agencies.
 7. No outdoor advertising shall be erected or maintained in trees, or constructed, drawn or painted directly onto rocks or other natural features.

B. Billboards

Billboards, including digital display signs, as defined in Section 27.02B, are listed as a conditional use in the GB District, requiring approval by the Board of Zoning Appeals, and shall be subject to the following conditions:

1. Billboards shall be allowed only on properties having direct frontage on federal highways designated as on the primary system. Not more than one (1) billboard shall be allowed on any single property existing as of the effective date of this amendment. The erection of all billboards shall comply with all federal and state requirements.
2. Any billboard shall maintain a maximum height of thirty-five (35) feet. The maximum display area for any billboard shall not exceed 300 square feet per side.
3. Said billboard structures must be set back from the established right-of-way of any roadway not less than one hundred (100) feet.
4. At a property at any intersection, any billboard structure shall not be located less than two hundred (200) feet from the established right-of-way line of each highway or thoroughfare, or in such other manner as to interfere with, or obstruct clear vision of such intersection in any direction for a distance of 250 feet.
5. No such billboard structure shall be permitted which faces the front or side lot line of any lot or parcel of land in any RR, LRR or FS District and is within three hundred (300) feet of such lot line. No billboard shall be located less than 1,000 feet from any residence.
6. No billboard shall be erected within 1,000 feet from any other billboard.

C. On-Premises Signs

Free-standing, wall-mounted, window or projecting signs identifying and/or promoting uses or activities on the premises are permitted as part of the principal use in the GB, PRB and SU Districts. In the PRB and SU Districts, the location of such sign must be in strict compliance with the Development Plan submitted as part of the approval process.

1. No single sign shall have an area of area of more than forty (40) square feet per side.
2. No single use of property shall maintain a total sign area for *all* signs of more than 100 square feet.
3. No on-premises sign shall be erected closer than fifty feet (50') from the centerline of the road.
4. No on-premises sign shall exceed twenty-five (25) feet in height, as measured from ground level.

D. Portable Signs

Portable signs, as defined in Section 27.02E, shall be permitted as temporary signs, so long as the gross sign area for the property, as specified in Section 27.07C.2 above, is not exceeded.

E. Permanent Subdivision Identification Signs

Permanent signs identifying a residential subdivision shall be limited to not more than two (2) signs located at the entrance to the subdivision.

F. General Requirements for All Signs

1. When a sign is proposed to be illuminated, such illumination shall be from a concealed or indirect light source and shall not flash, blink, fluctuate in intensity, travel, move or in any manner fail to provide constant illumination, and shall not create a hazard or visibility problem or interfere with or impair vehicular traffic. The level of illumination emitted from a sign shall not be of an intensity to constitute a demonstrable safety hazard to vehicular movement on any street. Illuminated signs shall be constructed and maintained so that the source of illumination is shielded or otherwise prevented from beaming directly onto adjacent properties or streets.

2. Moving signs and/or signs that change or alter the display surface using mechanical, electronic or any other available technology shall be considered as a conditional use within the GB and PRB Districts and shall require specific approval of the Board of Zoning Appeals.
3. All signs and parts thereof, including any electrical wiring, shall be erected, constructed, and maintained so as not to constitute a safety hazard.
4. No sign nor part of any of a sign be placed in, over, or extend onto any public right-of-way or any public roadway nor shall any part of a sign be placed over, or extend above the roof of any structure.
5. No sign shall be located so as to hinder clear sight within fifty (50) feet in both directions at the intersection of any roadway with a federal or state highway.

Section 27.08 Measurement of Sign

For the purposes of this Resolution, the measurement of sign area shall comply with the following standards:

- A. Sign area shall include the face(s) of all the display area(s) of the sign not including bracing, framing and structural supports of the sign, unless such support members are made part of the message or face of the design. Unless otherwise indicated in these regulations, where a sign has two or more display faces back-to-back, the area of each of the faces of the sign shall be used in determining the area of the sign.
- B. The area of the letters, numbers or emblems mounted on a building wall or wall extension shall be computed by enclosing such sign with the smallest single continuous perimeter consisting of rectangular or series of rectangles around the letters, number or emblems, and determining the area.

Section 27.09 Nonconforming Signs

- A. Abandonment

The continuance of an existing sign which does not meet the regulations and requirements of this Article shall be deemed a nonconforming sign which shall terminate by abandonment when any of the following conditions exist:

1. When the sign is associated with an abandoned use.

2. When the sign remains after the termination of a business. A business has ceased operations if it is closed to the public for at least ninety (90) consecutive days. Seasonal businesses are exempt from this requirement.
3. When the sign is not maintained or does not conform to the following:
 - a) All signs, together with all supports, braces, guys and anchors shall be kept in a proper state of repair.
 - b) Every sign and the immediately surrounding premises shall be maintained by the owner, or his agent, in a clean sanitary and inoffensive condition, free from all obnoxious substances, rubbish and weeds.

Upon finding that the sign is abandoned, the right to maintain and use such sign shall terminate immediately. The removal of an abandoned sign shall be the responsibility of the owner of the property.

B. Relocation or Replacement

A nonconforming sign shall not be structurally relocated or replaced unless it is brought into compliance with the provisions of this Section.

C. Maintenance

A nonconforming sign shall be maintained or repaired in accordance with the following provisions:

1. The size and structural shape of the sign shall not be changed or altered. The copy may be changed provided that the change applies to the original use associated with the sign at the time the sign became nonconforming. The copy area shall not be enlarged.
2. In case damage occurs to the sign to the extent that more than fifty percent (50%) of the replacement value is lost, the sign shall be removed within sixty (60) days.

ARTICLE XXIII

ADULT ENTERTAINMENT BUSINESSES

Section 28.01 Purpose

The purpose of this Article is to promote the public health, safety and welfare of the residents of Madison Township through the regulation of adult entertainment businesses. It is the intent of this Article to regulate businesses, as defined herein, in such a manner as to prevent the erosion of the character of the surrounding neighborhoods and to prohibit the establishment of such businesses within close proximity to schools, churches, residential areas, parks and playgrounds within the Township.

Section 28.02 Definitions

A. “Adult Entertainment Facility” means any establishment which is involved in one or more of the following listed categories.

1. “Adult Book Store” means an establishment which utilizes fifteen percent (15%) or more of its retail selling area for the purpose of retail sale or rental, or for the purpose of display by coin or slug-operated, or motion picture machines, projectors, or other image-producing devices, or both, books, magazines, other periodicals, films, tapes and cassettes which are distinguished by their emphasis on “specified sexual activities” or “specified anatomical areas” as defined below.
2. “Adult Motion Picture” means a facility for the display of motion pictures which is regularly used or utilizes fifteen percent (15%) or more its total viewing time for presenting material distinguished or characterized by an emphasis to “specified sexual activities” or “specified anatomical areas,” for observation by patrons therein.
3. “Adult Entertainment Business” means any establishment involved in the sale or services of products characterized by the exposure or presentation of “specified anatomical areas” or physical contact of live male or females, and which is characterized by salacious conduct appealing to prurient interest for the observation or participation in by patrons. Services or products included within the scope of adult entertainment business are photography, dancing, reading, massage, and similar functions which utilize activities as specified above.

B. “Specified Sexual Activities” means any of the following:

1. Human genitals in a state of sexual stimulation or arousal.
2. Acts, real or simulated, or human masturbation, sexual intercourse, sodomy, cunnilingus, fellatio, or sadomasochistic sexual abuse.

3. Fondling or other erotic touching of human genitals, pubic regions, buttocks, or female breasts.
- C. “Specified Anatomical Areas” mean any of the following:
1. Less than completely covered human genitals, pubic region, buttocks, and female breasts below a point immediately above the top of the areola.
 2. Human male genitals in a discernible turgid state.
- D. “Fine Art Gallery” means any display of art work which is individually crafted and signed by the artist or which is limited in edition to 1,000 or less.
- E. “Sexually explicit nudity” means the sexually oriented and explicit showing of nudity, including, but not limited to, close-up views, poses, or depiction in such position or manner which present or expose such nudity to prominent, focal, or obvious viewing attention.
- F. “Visibly displayed” means the material is visible on any sign, viewing screen, marquee, newsstand, display rack, window, show case, display case, or other similar display area that is visible from any part of the general public or otherwise, or that is visible from any part of the premises where a juvenile is or may be allowed, permitted, or invited, as part of the general public or otherwise, or that is visible from a public street, sidewalk, park, alley, residence, playground, school, or other place to which juveniles, as part of the general public or otherwise, has unrestrained and reasonable anticipated access and presence.

Section 28.03 Exceptions

Nothing in this Article shall be construed to pertain to:

- A. The purchase, distribution, exhibition and/or loan of any work of art, book, magazine or other printed material or manuscript by an accredited museum, library, fine art gallery, school or museum of higher learning.
- B. The exhibition and/or performance of any play, drama tableau, or motion picture by any theater, museum, library, fine art gallery, school, or institution of higher learning either supported by public appropriation or which is an accredited institution supported by private funds.

Section 28.04 Location

Adult Entertainment Facilities shall be considered a conditional use in the GB District, and shall be subject to the following conditions:

- A. No adult entertainment facility shall be established within 1,500 feet of any residence or district where residences are a permitted use.
- B. No adult entertainment facility shall be established within a radius of 1,500 feet of any school, library, or teaching facility, whether public or private, when such school, library, or teaching facility is attended by persons under 18 years of age.
- C. No adult entertainment facility shall be established within a radius of 1,500 feet of any park or recreational facility attended by persons under 18 years of age.
- D. No adult entertainment facility shall be established within a radius of 1,500 feet of any church, synagogue, or permanently established place of religious services attended by persons under 18 years of age.
- E. No adult entertainment facility shall be established within a radius of 1,500 feet of any other adult entertainment facility.
- F. No advertisements, displays or other promotional materials displaying specified sexual activities or specified anatomical areas shall be shown or exhibited so as to be visible to the public from pedestrian sidewalks or walkways, or from other public or semi-public areas.
- G. All building openings, entries, windows, etc. for adult entertainment uses shall be located, covered, or serviced in such a manner as to prevent a view into the interior from any public or semi-public area, sidewalk or street.
- H. No screens, loudspeakers or sound equipment shall be used for adult motion picture theaters (enclosed or drive-in) that can be seen or discerned from public or semi-public area.

ARTICLE XXIX

(RESERVED FOR FUTURE USE)