



LEGISLATIVE COVER MEMO

Introduction: October 20, 2025

Public Hearing: November 5, 2025

Effective Date: December 5, 2025

Agenda Item: **Ordinance 2025-26**

AMENDING THE UNIFIED DEVELOPMENT ORDINANCE OF THE CITY OF FRANKLIN, OHIO

Submitted by: Jonathan Westendorf, City Manager

Scope/Description: The Ordinance proposes various amendments to Chapter 1103 Definitions, Table 1107.04-1: Agricultural, Residential, and Parks and Recreation Districts Use Table, Table 1107.04-2: Nonresidential Districts Use Table, and Sections 1107.12(d) and 1103.01 regarding the addition of “Model Home” as a temporary use. increase the notification requirements to properties that are within 250 feet of any part of the subject parcel.

The City of Franklin is proposing text amendments to the City’s Municipal Code to add “Model Home” as a permitted temporary use in the R-1, R-2, R-3, R-4, MU-1, RMU, TN-1, and TN-2 zoning districts. Use-specific standards are proposed for the use to limit model homes during the construction of the subdivision. A definition for “Model Home” is also proposed.

Planning Commission recommended approval of the text amendments to Council during its September 10, 2025, meeting.

Exhibits: Exhibit A: Sections 1107.04, 1107.12, 1103.01

CITY OF FRANKLIN, OHIO
ORDINANCE 2025-26

AMENDING THE UNIFIED DEVELOPMENT ORDINANCE OF THE CITY OF FRANKLIN, OHIO

WHEREAS, pursuant to Section 1115.04 of the City of Franklin UNIFIED DEVELOPMENT ORDINANCE (the “UDO”), the City of Franklin Planning Commission moved to initiate certain zoning text amendments to Chapter 1115 of the UDO during a public meeting of Planning Commission held on September 10, 2025;

WHEREAS, Planning Commission reviewed the proposed amendments during its September 10, 2025, meeting and recommended that City Council approve the text and map amendments in substantially the same form attached as Exhibit A, to this Ordinance; and

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

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Franklin, Ohio, a majority of members present concurring, that:

Section 1. Council hereby adopts Planning Commission’s recommendation to amend Chapter 1107 and 1103 of the City’s Codified Ordinances, and said Chapters are hereby amended as set forth in the attached Exhibit A.

Section 2. All City ordinances, or parts thereof, that conflict with this Ordinance are hereby repealed.

Section 3. It is found that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including Chapter 121 of the Ohio Revised Code, and the Rules of Council.

INTRODUCED: October 20, 2025

ADOPTED: November 5, 2025

ATTEST: _____
Khristi Dunn, Clerk of Council

APPROVED: _____
Brent Centers, Mayor

CERTIFICATE

I, the undersigned Clerk of Council for the Franklin City Council, do hereby certify that the foregoing is a true and correct copy of Ordinance 2025-26 passed by City Council on November 5, 2025.

Khristi Dunn, Clerk of Council

APPROVED AS TO FORM: _____
Ben Yoder, Law Director

1107.04 Permitted Use Table

- (a) Regulation of the Use and Development of Land and Structures: These regulations are established and adopted governing the use and physical development of land and/or structures.
- (b) Rules of Application: These regulations shall be interpreted and enforced according to the following rules:
- (1) **Identification of Uses:** Listed uses are to be defined by their customary name or identification, except where they are specially defined or limited in this UDO.
 - (2) **Permitted Uses:** Only a use designated as a permitted use shall be allowed as a matter of right in a zoning district and any use not so designated shall be prohibited except, when in character with the zoning district, such other additional uses may be added to the permitted uses of the zoning district by an amendment to this UDO.
 - (3) **Conditional Uses:** A use designated as a conditional use may be allowed in a zoning district when such conditional use, its location, extent and method of development will not substantially alter the character of the vicinity or unduly interfere with the use of adjacent lots in the manner prescribed for the zoning district. To this end the Planning Commission may, in addition to the development standards for the zoning district, set forth such additional requirements as will, in its judgment, render the conditional use compatible with the existing and future use of adjacent lots and the vicinity.
 - (4) **Accessory Uses:** A use designated as an accessory use shall be permitted in a zoning district when such use is subordinate in area, extent, and purpose to the principal use and is located on the same lot and in the same zoning district as the principal use.
 - (5) **Prohibited Uses:** If a use is not listed on Table 1107.04-1 or Table 1107.04-2, then it shall also be considered prohibited, unless approved specifically through the similar use determination as established in section 1115.09(f): Determination of Similar Uses.
 - (6) **Additional Standards:** The section reference contained in the "REF" column on Table 1107.04-1 and Table 1107.04-2 are references to additional standards are requirements that apply to uses listed in the respective row. Standards referenced in the table apply to all the zoning districts in which the use is permitted or conditionally permitted, unless otherwise expressly stated. In the table a "PS" represents a permitted use that has additional standards, and a "CS" represents a conditional use that has additional standards.
 - (7) **Development Standards:** The development standards shall be the minimum required for development in a zoning district unless otherwise stated. If the development standards are in conflict with the requirements of any other lawfully adopted rules, regulations or laws, the more restrictive or higher standards shall govern.

TABLE 1107.04-1: Agricultural, Residential, and Parks and Recreation Districts Use Table

Agricultural Uses	A-1	PAR	R-1	R-2	R-3	R-4	REF
Agriculture	P		PS				1107.06(a)
Residential Uses	A-1	PAR	R-1	R-2	R-3	R-4	REF
Dwelling, Four Family						P	
Dwelling, Live/Work					CS		1107.07(a)
Dwelling, Multi-Family 5+ Units						P	
Dwelling, Row House					CS		1107.07(b)
Dwelling, Single-Family	P		P	P	P	P	
Dwelling, Three Family					P	P	

Dwelling, Two Family				C	P	P	
Elderly Housing					CS	CS	<u>1107.07(d)</u>
Residential Living Facility, Large						CS	<u>1107.07(e)</u>
Residential Living Facility, Medium					CS	CS	<u>1107.07(e)</u>
Residential Living Facility, Small	PS		PS	PS	PS	PS	<u>1107.07(e)</u>
Residential Treatment Facility, Large						CS	<u>1107.07(e)</u>

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Accessory Uses	PS	PS	PS	PS	PS	PS	1107.11
Antennas and Towers	PS		PS	PS	PS	PS	1107.11(b)
Day Care Home, Type A	CS		CS	CS	CS	CS	1107.11(d)
Day Care Home, Type B	PS		PS	PS	PS	PS	1107.11(e)
Decks, Patios, Porches, and Balconies	PS	PS	PS	PS	PS	PS	1107.11(f)
Dwelling, Accessory Unit	CS		CS	CS	CS	CS	1107.11(h)

Electric Vehicle (EV) Charging Stations, Accessory	PS	PS	PS	PS	PS	PS	1107.11(i)
Fences and Walls	PS	PS	PS	PS	PS	PS	1107.11(j)
Garages and Carports, Detached	PS	PS	PS	PS	PS	PS	1107.11(k)
Home Occupation, Type A	PS		PS	PS	PS	PS	1107.11(l)
Home Occupation, Type B	CS		CS	CS	CS	CS	1107.11(l)
Open-Sided Structure	PS	PS	PS	PS	PS	PS	1107.11(m)
Parking Area, Accessory	P	P	P	P	P	P	
Parking of Recreational Vehicles and Watercraft	PS		PS	PS	PS	PS	1107.11(s)
Playground Equipment	PS	PS	PS	PS	PS	PS	1107.11(u)
Solar Panels, Roof Mounted	PS	PS	PS	PS	PS	PS	1107.11(v)
Storage Structure	PS	PS	PS	PS	PS	PS	1107.11(w)
Swimming Pools and Hot Tubs, Private	PS	PS	PS	PS	PS	PS	1107.11(x)
Temporary Uses	A-1	PAR	R-1	R-2	R-3	R-4	REF
Construction Trailer	PS	PS	PS	PS	PS	PS	1107.12(a)
Farm Market, Temporary	P						
Festivals and Circuses	PS	PS	PS	PS	PS	PS	1107.12(b)
Mobile Uses	PS	PS					1107.12(c)
Model Home			PS	PS	PS	PS	1107.12(d)
Residential Sales	PS		PS	PS	PS	PS	1107.12(e)
Residential Storage Units (PODs)	PS		PS	PS	PS	PS	1107.12(f)
Seasonal Sales	PS						1107.12(g)

Temporary Structures	P	P	P	P	P	P	
P= Permitted Use, PS= Permitted Use with Use Specific Standards, C= Conditional Use, CS= Conditional Use with Specific Standards							

TABLE 1107.04-2: Nonresidential Districts Use Table

Residential Uses	C-1	C-2	DC-1	MU-1	RM U	CV-1	TN-1	TN-2	O-1	O-RP	O-S	I-1	I-2	REF
Dwelling, Four Family		CS					P	P						
Dwelling, Live/Work	CS	CS	PS				PS	PS						1107.07 (a)
Dwelling, Multi-Family 5+ Units	C			C	C		C	C						
Dwelling, Row House	CS	CS		CS	CS		PS	PS						1107.07 (b)
Dwelling, Single Family							P	P						
Dwelling, Three Family		C					P	P						
Dwelling, Two Family							P	P						
Dwelling, Upper Floor	CS	CS	PS	PS	PS		PS	PS						1107.07 (c)
Elderly Housing							CS	CS						1107.07 (d)
Residential Treatment Facility, Medium							CS	CS						1107.07 (e)
Residential Treatment Facility, Small							PS	PS						1107.07 (e)
Residential Treatment Facility, Medium							CS	CS						1107.07 (e)
Residential Treatment Facility, Small							PS	PS						1107.07 (e)
Public/Institutional Uses	C-1	C-2	DC-1	MU-1	RM U	CV-1	TN-1	TN-2	O-1	O-RP	O-S	I-1	I-2	REF

Alcohol and Drug Addiction Treatment Facilities												CS	CS	1107.08 (a).
Cemeteries and Mortuaries	PS													1107.08 (b).
Educational Facilities (Pre-K thru 12th Grade)	CS	CS				CS			CS					1107.08 (c).
Essential Services	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	1107.08 (d).
Government Facility	P	P	P	P	P	P	P	P	P	P	P	P	P	

Public Parks, Open Spaces, Recreation, and Preserves, Outdoor			PS	PS	PS	PS	PS	PS	PS	CS	CS			1107.08 (e).
Public Plazas, Gathering, and Eating Areas		P	P	P	P	P		P						
Public Recreation and Event Space, Indoor			CS		PS	PS								1107.08 (f).
Religious and Cultural Facilities	CS	CS	CS	CS	CS	CS	CS	CS	CS					1107.08 (g).
Secondary Education, Colleges, and Universities	CS	CS		CS		CS				CS				1107.08 (c).
Transportation or Communication Utility												P	P	
Commercial Uses	C-1	C-2	DC-1	MU-1	RMU	CV-1	TN-1	TN-2	O-1	O-RP	O-S	I-1	I-2	REF

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Exhibit A

Alcohol Production and Sales, Large	PS	CS												<u>1107.09 (a).</u>
Alcohol Production and Sales, Small	PS	PS	PS	PS	PS									<u>1107.09 (a).</u>
Artist Studio and Gallery	P	P	P	P	P			P						
Assisted Living and Skilled Nursing Care	PS	PS					CS							<u>1107.09 (b).</u>
Automobile Fueling/Charging Stations	CS												CS	<u>1107.09 (c).</u>
Automobile Sales/Rental	CS													<u>1107.09 (d).</u>
Automobile Service/Repair, Heavy													CS	<u>1107.09 (e).</u>

Automobile Service/Repair, Light	CS													1107.09 (f)
Automobile Washing Facility	C													
Bar, Lounge, Tavern	PS		PS	PS	PS			PS						1107.09 (g)
Bed and Breakfast		CS	CS		CS		CS	CS						1107.09 (h)
Business Retail	PS	PS							CS	CS	PS			1107.09 (u)
Business Service	CS	CS										PS	PS	1107.09 (i)
Clubs, Private or Membership	P	P												
Commercial Entertainment	PS	CS	CS	CS	CS			CS						1107.09 (j)
Commercial Recreation/Fitness, Indoor	CS	CS	CS	CS	CS							CS		1107.09 (k)
Commercial Recreation/Fitness, Outdoor	CS	CS	CS	CS	CS									1107.09 (k)
Commercial Training	P	P		C		C			C					
Day Care Center	CS	CS				CS	CS	CS	CS	CS	CS			1107.09 (l)
Event Venue, Indoor or Outdoor	CS			CS	CS									1107.09 (m)
Financial Institution, General	P	P												
Food Service/Catering	P	P												
Hospitals	P													
Hotels	PS		CS	CS			CS	CS	CS	CS	PS			1107.09 (n)
Information Technology/Data Center										P		P		
Makerspace	P	C	P	P	P	P		P						

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Large Equipment and Truck Retail, Rental, and Repair												P	P	
Material Sciences										P		P	P	
Research and Development Facility										P		P	P	
Warehouse, Primary Use													CS	1107.10 (e)
Warehouse, Secondary Use												PS	PS	1107.10 (f)
Accessory Uses	C-1	C-2	DC-1	MU-1	RM U	CV-1	TN-1	TN-2	O-1	O-RP	O-S	I-1	I-2	REF
Accessory Structures	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	1107.11
Accessory Uses	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	1107.11
Antennas and Towers	PS	PS							PS	PS	PS	PS	PS	1107.11 (b)
Automated Teller Machine (ATM), Outdoor	PS	PS												1107.11 (c)
Day Care Home, Type A			CS	CS	CS		CS	CS						1107.11 (d)
Day Care Home, Type B			PS	PS	PS		PS	PS						1107.11 (e)
Decks, Patios, Porches, and Balconies	PS	PS	PS	PS	PS	PS	PS	PS						1107.11 (f)
Drive-Thru for Retail or Restaurant Use	PS	CS												1107.11 (g)
Dwelling, Accessory Unit							CS	CS						1107.11 (h)

Electric Vehicle (EV) Charging Stations	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	1107.11 (i)
Fences and Walls	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	1107.11 (j)
Garages and Carports, Detached							PS	PS						1107.11 (k)
Home Occupation, Type A			PS	PS	PS		PS	PS						1107.11 (l)
Home Occupation, Type B			CS	CS	CS		CS	CS						1107.11 (l)
Open-Sided Structures			PS	PS	PS		PS	PS						1107.11 (m)
Outdoor Dining	PS	PS	PS	PS	PS	PS								1107.11 (n)
Outdoor Retail and Display	PS	PS	PS	PS	PS	PS								1107.11 (o)
Outdoor Storage	PS	PS										PS	PS	1107.11 (p)
Parking Area	P	P	PS	PS	PS	PS	PS	PS	P	P	P	P	P	1107.11 (q)
Parking Garage	P	P	PS	PS	PS	PS	PS	PS	P	P				1107.11 (q)
Parking of Recreational Vehicles and Watercraft							PS	PS						1107.11 (s)
Pick-Up Window for Retail or Restaurant Use	PS	PS	PS	PS	PS			PS						1107.11 (t)
Playground Equipment					PS	PS								1107.11 (u)
Solar Panels, Roof-Mounted	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	1107.11 (v)
Storage Structure	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	1107.11 (w)
Swimming Pools and Hot Tubs, Private						PS	PS	PS						1107.11 (x)

Temporary Uses	C- 1	C-2	DC -1	MU- 1	RM U	CV- 1	TN- 1	TN- 2	O-1	O- RP	O-S	I-1	I-2	REF
Construction Trailer	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	1107.12 (a).
Farm Market			P	P	P	P								
Festivals and Circuses	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	1107.12 (b).

Mobile Uses	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	1107.12 (c)
Model Home				PS	PS		PS	PS							1107.12(d)
Residential Sales			PS		PS		PS	PS							1107.12 (e)
Residential Storage Units (PODs)			PS		PS		PS	PS							1107.12 (f)
Seasonal Sales	PS	PS	PS	PS	PS	PS									1107.12 (g)
Special Event			PS	PS	PS	PS	PS	PS							1107.12 (h)
Temporary Structure	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
P= Permitted Use, PS= Permitted Use with Use Specific Standards, C= Conditional Use, CS= Conditional Use with Specific Standards															

1107.12 Temporary Use Standards

(a) **Construction Trailers:** Construction trailers are subject to the following regulations:

- (1) A construction trailer and offices, with fixed connections to utilities such as electric and telephone, may be used for temporary office and storage use during the duration of construction on a site. Such uses are required to get the approval of the Zoning Official prior to locating on a site.
- (2) The storing of construction materials and equipment, both incidental and necessary for construction, is permitted during the period of construction and development for a maximum of 18 months.

(b) **Festivals and Circuses:** Festivals and circuses are subject to the following regulations:

- (1) Festivals and circuses, which are sponsored by a governmental, educational, or religious entity, are exempt from the requirements of this section.
- (2) The operator, if not the owner of the property, shall provide a written agreement from the property owner to the City of Franklin stating the owner's permission for the proposed use of the property.
- (3) Festivals, circuses, and other similar special events are permitted for a maximum of 14 days.
- (4) No activities shall take place in the public right-of-way.

(c) **Mobile Uses:** Mobile uses (such as food trucks, blood drive trucks, or pop-up clothing shops) are subject to the following regulations:

- (1) Mobile uses may be located on private property if the property owner has granted permission. Such mobile food uses shall be located in a designated spot and for a length of time as determined by the property owner and approved by the city manager or their designee.
- (2) Mobile uses may locate in the public right-of-way if the right-of-way is closed for a special event or if the mobile use is located in a designated parking spot for mobile uses and the location and duration is approved by the city manager or their designee.
- (3) Mobile uses may be allowed at events on public property with the approval of the city manager or their designee.
- (4) Waste shall be contained and disposed of in a manner required by law.

- (5) The applicant shall be responsible for obtaining all permits and approvals that may be necessary for the mobile food use including, but not limited to, health, fire, police, and zoning department approvals.

(d) Model Home: Model homes are subject to the following regulations:

- (1) Model homes, with or without a sales/leasing center may be used during the duration of construction for the residential development.
- (2) The model home shall either be removed or converted into a permanent residence upon the construction of the final dwelling in the development.
- (3) Any signage on the model home property must comply with the regulations in Section 1111.08.
- (4) A maximum of one model home is permitted per phase of development.

(e) Residential Sales: Residential sales are subject to the following regulations:

(1) **Prohibitions**

- (A) No person shall sell, or offer for sale, at such home sale any merchandise that has been purchased, consigned or otherwise acquired for purposes of resale. The offering of new merchandise for sale shall be evidence that such merchandise was acquired by the resident for purpose of resale. No person shall sell, or offer for sale, at such home sale any personal property except such as has been owned and maintained by such person or members of his family on or in connection with the premises on which such sale is held.
- (B) This prohibition shall not apply to not-for-profit corporations, churches, temples, schools, fraternities, sororities, associations, clubs or lodges. Such organizations may conduct sales of personal property donated to them on real estate owned or occupied by such organizations.

- (2) **Frequency and Duration of Sales**: Only one such sale may be conducted on any parcel of real estate in any two month period, which sale shall be limited to not more than four consecutive days or two consecutive weekends of two days each. No sale may commence before the hour of 8:00 a.m. or extend later than 8:00 p.m.
- (3) **Other Conditions of Sales**: No sign advertising a home sale may be displayed at any place except on the premises on which the sale is held. Only one such sign may be displayed, and its display shall be limited to the dates and hours during which the sale is held. Such sign shall not be larger than four square feet in area, shall not be illuminated or animated, and shall not contain any advertising material unrelated to the conduct of the sale.
- (4) **Exemptions**: Except as provided in (3) above, these provisions shall not apply to a sale of property publicized solely by classified advertising by newspaper or internet, which describes or identifies the specific property offered for sale and does not designate the date, hours or location of the sale other than by stating the name, address or telephone number of the seller.

(f) Residential Storage Units (PODs): Residential storage units are subject to the following:

- (1) Residential storage units shall be permitted as a temporary use for a period not to exceed 30 days within any one year period.
- (2) Residential storage units shall be located on a hard, durable paved surface and out of the public right-of-way.
- (3) If the portable storage unit is being used to store personal property as a result of a major calamity at the residence (e.g., fire, flood, or other event where there is significant property damage), the Zoning Official may extend the time period up to one year at their discretion.
- (4) Residential storage units shall not exceed a size of 1,200 cubic feet on the interior. All residential storage units in excess of 1,200 cubic feet are prohibited in residential areas.

(g) Seasonal Sales: The seasonal sale of items pertaining to a holiday, event, or season such as the sale of Christmas trees or pumpkins is subject to the following:

- (1) Seasonal sales, which are sponsored by a governmental entity, are exempt from the requirements of this section.
- (2) The operator, if not the owner of the property, shall provide a written agreement from the property owner to the City of Franklin stating the owner's permission for the proposed use of the property.
- (3) A seasonal sale is limited to a maximum of 60 cumulative days per calendar year.

(h) Special Event: Special events that are not classified as a festival, circus, or farm market may be permitted in the Downtown Districts subject to the approval of the City. Such events may take place on private or public property for a duration that is specified in the approval.

1103.01 Definitions

“Model Home.” A dwelling unit constructed within an approved residential subdivision or development that is temporarily used for the purpose of demonstrating building techniques, floor plans, interior finishes, or design features, and that may also serve as a temporary sales or leasing office for the sale or lease of lots or dwelling units. A model home is not intended as a permanent commercial use and shall be converted to a conforming residential use upon completion of sales activity.