

WALNUT TOWNSHIP ZONING RESOLUTION UPDATE

BACKGROUND:

In May 2008, the Walnut Township Zoning Commission (Zoning Commission) contacted the Fairfield County Regional Planning Commission (RPC) regarding the possibility of completing a comprehensive revision to the township zoning resolution. RPC staff reviewed the township's existing zoning resolution and provided a proposal to the township. The township accepted the RPC's proposal, and the work to update the township's zoning code began in July 2008.

The process began with two organizational meetings for RPC staff to obtain input from the township. After the organizational meetings, RPC staff began drafting the proposed text. In all, RPC staff created five drafts of the proposed code and held 5 working sessions between RPC staff and township officials to discuss each draft.

In between the second and third draft, the Walnut Township Zoning Commission also held a series of workshops on its own to discuss the proposed code and provide written comments to RPC staff. RPC staff incorporated these written comments into the next several drafts of the code.

At this time, the Walnut Township Zoning Commission would like to hold an Open House for the public to view and provide input on the proposed zoning text, which is attached. This Open House will be held on **Tuesday, May 18, 2010 at 7 p.m. in the Millersport High School Cafeteria (11850 Lancaster Street, Millersport, OH)**. The existing Walnut Township Zoning Resolution is shown in regular text. Proposed deletions are shown with a ~~strike through~~. Proposed additions are shown in **bold**.

The following paragraphs also provide a summary of the major changes being proposed.

SUMMARY OF MAJOR CHANGES

1. Updated Zoning Districts and Uses in Each District.

Uses and development standards within each zoning district have been updated to reflect more recent land use practices. For example, Adult Family Homes and Family Day-Care Homes have been added to the residential districts per the requirements of the Ohio Revised Code. Stand alone parking lots have also been identified as a conditional use in each of the residential zoning districts based upon discussions with the township.

There are four other major changes to the zoning districts:

a. Added a Recreational Mixed Use District.

Under the township's current zoning resolution, to open a pizza shop or other similar use near Buckeye Lake, it would require a rezoning to very intense business use. Once a property is rezoned to such district, then any use within that district would be permitted. This could potentially open up the doors for other more intense uses to locate next to residential areas of Buckeye Lake.

This proposed code includes the Recreational Mixed Use District to provide for limited business activity intertwined with residential uses within the vicinity of Buckeye Lake. The business uses found within this proposed district are smaller personal service uses, such as an ice cream shop, drug store or beauty shop. The district does not include the intense uses found within the other business districts. Recreational uses, such as marinas, are also permitted within this district, but only after a conditional use permit is granted by the Board of Zoning Appeals. The conditional use process requires a plan to be submitted to ensure that the proposed development will blend with the surrounding area and will not have a negative impact on adjacent residential areas.

- b. Limited the applicability of the B-2 and B-3 Districts to only those properties zoned B-2 and B-3 on the effective date of the proposed text.

As currently proposed, any parcel not currently zoned B-2 or B-3 (that wants to develop with commercial uses) would be required to pursue a rezoning to the B-1 district. If the proposed commercial use would not fall within the permitted uses for the B-1 district, then the applicant would need to pursue the PUD, Planned Unit Development District. This change has been made based upon discussions with the Township Zoning Commission who wants to ensure more intense business uses blend with the surrounding area by requiring a development plan to be reviewed and approved by the Zoning Commission.

The B-2 and B-3 zoning districts have been retained with minimal changes within the proposed text per the request of the Township Zoning Commission. However, the B-2 and B-3 District is limited to only those parcels currently zoned as such on the effective date of the proposed text. As currently proposed, any future rezonings for business uses, after the effective date of the text, would be limited to the B-1 or PUD districts.

- c. Substantially revised the permitted and conditional uses in the I-1 and I-2 districts.

The uses within these districts have been substantially revised. The I-1 district now permits "Service Industries" which include an office, showroom or workshop for trade occupations for electricians, plumbers, heating and drilling services, masonry, carpentry, roofing, welling drilling

and servicing, welding and other similar uses when such use is conducted completely within an enclosed building and there is not outdoor storage of material.

The permitted and conditional uses within both the I-1 and I-2 have also been revised per the recommendations from the Township Zoning Commission.

d. Revised the procedure requirements of the PUD district.

The township's current PUD procedures include a convoluted process that RPC staff has streamlined. At the request of the Township Zoning Commission, the proposed PUD requires an informal sketch plan to be submitted prior to a formal rezoning application being submitted. It also requires the township to forward this sketch plan to various interested parties, such the Regional Planning Commission and the Health Department, in order for the applicant and the township to understand the requirements of other agencies prior to entering into the rezoning process.

Once a sketch plan has been reviewed, if the applicant chooses to proceed, then a formal zoning amendment application must be submitted along with a development plan prepared by a registered surveyor, registered engineer, and/or licensed landscape architect. The zoning amendment application and development plan follow the normal rezoning procedures required by the Ohio Revised Code. However, the development plan becomes a part of the zoning approval, and the applicant must develop in accordance with the approved development plan.

2. Created a General Development Standards Article.

A general development standards article has been established. This Article includes, but is not limited to standards for fences, home occupations, signs, parking, and wind energy conversion systems.

3. Added Wind Energy Conversion System Regulations.

The proposed text includes regulations for Wind Energy Conversion Systems. Individual Wind Energy Conversion Systems are permitted uses in the residential districts, business and industrial districts. The Small Wind Farms are only permitted as conditional uses in the Rural Residential and Industrial Districts.

4. Update Non-Conforming Uses.

The non-conforming use regulations have been updated based upon state law and comments received from the Township Zoning Commission.

5. Updated Conditional Use Requirements.

The Conditional Use Article (Article XI) includes criteria for each use listed as a conditional use in any zoning district. The criteria for such use must be met before the Board of Zoning Appeals can issue a conditional use permit. The township's current text includes some criteria for conditional uses, but RPC staff has updated and expanded upon these criteria. Also, the proposed code includes criteria for any newly listed conditional use (i.e. stand alone parking lots).

6. Updated Telecommunication Tower and Satellite Dish Antennae Regulations.

Regulations for Telecommunication Towers have been added per the requirements of the ORC. The township's current text includes regulations for satellite dish antennae. These regulations have been brought up to date with current state and federal laws for satellite dishes.

7. Updated Administrative and Procedural Sections.

The administrative and procedural sections have been updated to ensure they comply with current state law. The submittal requirements for a rezoning, conditional use, or other similar application have been updated based upon feedback from the Township Zoning Commission.

8. Updated Definition Section.

All definitions scattered throughout the existing zoning text have been consolidated into the definition section. The definitions within the existing text have also been updated to reflect more recent zoning practices. For example, the definitions for front and rear of a lot have been more clearly defined for the different types of lots that exist (i.e. lake front lots) to address concerns raised by the townships. The definition of height has also been more clearly defined at the request of the township. A definition for Agriculture Implement Business has also been added. Such uses are listed as a conditional use in the RR district.

9. Zoning Map.

The Zoning Map has been updated to include all proposed districts in the key of the zoning map. Please note, although the Recreational Mixed Use District is proposed within the text of the code, it is only being shown within the key on the zoning map at this time. No property will be zoned RMU with this proposed code update. A property owner must request such zoning after the proposed update goes into effect.

This summary has been provided to give a basic understanding of the major changes being proposed with this code update, and it is not intended to be a comprehensive list of

all proposed changes. The attached draft document includes a comparison of existing text to proposed text and should be utilized to determine the exact changes being proposed.