

## **MINUTES**

**June 1, 2021**

The minutes of the Regional Planning Commission meeting held at the Fairfield County Courthouse, Commissioner's Hearing Room, 210 E. Main Street, Third Floor, Lancaster, Ohio, and also via livestream and conference call.

Presiding: Betsy Alt, President

Present: Joe Ebel, Todd Edwards, Gail Ellinger, Jonett Haberfield, Charles Hockman, Kent Huston, Randy Kemmerer, Robert Landis, Jennifer Morgan, Ira Weiss, Bill Yaple, Dave Levacy (County Commissioner), Carri Brown (County Administrator), Tony Vogel (County Utilities Director), James Mako (Executive Director), Tamara Ennist (Planner), and Sharlene Bails (Adm.Asst.).

### **ITEM 1. MINUTES**

The Minutes of the May 4, 2021, Fairfield County Regional Planning Commission meeting, were presented for approval. Randy Kemmerer made a motion for approval of the minutes. Bill Yaple seconded the motion. Motion passed.

### **ITEM 2. PRESIDENT'S REPORT**

Betsy Alt welcomed everyone to the meeting and she introduced Joe Ebel from the Fairfield County Health Department.

Jonett Haberfield from the Fairfield County Visitors & Convention Bureau gave a presentation to the board about the services the visitors center provides to the community.

### **ITEM 3. REZONING-TOWNSHIP TEXT AMENDMENTS**

James Mako presented the following report:

**ITEM 3a). Applicant:** Violet Township Trustees

**Proposed Revisions:** Violet Township is interested in amending Sections 3Q and 3AA2 of its zoning code. The proposed revisions are listed below.

#### **1. Article 3Q C-2 District - Limited Commercial**

*Article 3Q shall be amended by adding subsection (2) to Section 3Q1-06 as follows:*

(2) Auto-Related Establishments

*Article 3Q shall be amended by revising subsection 3Q3-01 as follows:*

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3Q3-01: Yards for storage of scrap or used materials, junk yards, or automobile graveyards are not permitted. On any lot or unit of property, the storage in the open of unlicensed motor vehicles shall be limited to not more than one (1), unless being offered for sale by a State of Ohio licensed motor vehicle dealer (as that term is defined in Chapter 4517 of the Ohio Revised Code). Storage in the open of a larger number of unlicensed motor vehicles, unless being offered for sale by a State of Ohio licensed motor vehicle dealer (as that term is defined in Chapter 4517 of the Ohio Revised Code), is permitted only in M-3 Districts in this township and shall be expressly prohibited in all other districts. Unlicensed motor vehicles, including tractors and farm implements, which are used for agricultural purposes as defined by the laws of Ohio, are exempt from this paragraph. No motor vehicle, including any recreational vehicle, boat, or trailer, and no motorcycle, motorized bicycle, or all-terrain vehicle may be stored closer than twenty-five feet (25') to any property line, even if licensed.

*Article 3Q shall be amended by adding subsections 3Q3-07, 3Q3-08, 3Q3-09, 3Q3-10, and 3Q3-11 to Section 3Q3 as follows:*

3Q3-07: Motor vehicle repair work or similar services of any kind performed outside of an enclosed building or structure, except emergency repairs.

3Q3-08: Outdoor storage of any goods, materials, or merchandise that is discarded, unused, broken, scrap, and/or damaged, including, but not limited to, vehicle parts, tools, components, containers, trash, and debris.

3Q3-09: Yards for storage in the open of obsolete motor vehicles or any other obsolete merchandise or the disassembly of such obsolete merchandise to salvage usable parts or the reduction of such obsolete merchandise to usable scrap.

3Q3-10: Automotive body shops, including, but not limited to, those performing collision repairs, refinishing, major mechanical or body work, straightening of body parts, painting, or welding, unless all on-site vehicles that are damaged or in the process of being serviced are stored completely inside an enclosed building or structure.

3Q3-11 Storage outside of an enclosed building or structure of any visibly damaged motor vehicle, recreational vehicle, boat, trailer, motorcycle, motorized bicycle, or all-terrain vehicle.

## **2. Article 3AA2 Conditional Uses**

*Article 3AA2 shall be amended by revising the first sentence of the second paragraph of Section 3AA2-07, as follows:*

The specific requirements of the following subsections shall be applicable to those conditionally permitted uses as referenced in Sections 3A1-02, 3B1-02, 3C1-02, 3D1-02, 3G1-04, 3J1-02, 3K1-02, and 3Q1-06.

*Article 3AA2 shall be amended by adding subsection (13) to Section 3AA2-07(A) as follows:*

(13) Auto-Related Establishments

Auto-Related Establishments are subject to the specific development standards of the C-2, Limited Commercial zoning district (3Q) to the extent they are not in conflict with Section 3AA2-07(A)(13). In the event these development standards conflict with Section 3Q2, the regulations specified herein shall prevail. For the purposes of this Section, "Auto-Related Establishments" means dealerships of new or used vehicles operated by State of Ohio-licensed motor vehicle dealers (as that term is defined in Chapter 4517 of the Ohio Revised Code); automotive repair shops performing customary routine service, engine repair, muffler repair, or the like, for personal and commercial vehicles, excluding vehicles having more than two axles; and car washes that are either self-service or automated.

(a) General Regulations for all Auto-Related Establishments -

(1) Off-Street Parking: All off-street parking and loading shall be accomplished in accordance with Section 3X of this Zoning Resolution.

(2) Lot Size: An Auto-Related Establishment located in the C-2, Limited Commercial District shall be located on a lot or portion of a lot containing a minimum of 1 acre but not greater than 5 acres in size.

(3) Yard and Building Setback Requirements: Yard and building setback requirements for Auto-Related Establishments shall be maintained in accordance with the provisions of this Zoning Resolution.

(4) Signage: Signs or other advertising mediums shall not be placed upon, attached to, or painted on fencing or screening. All signage shall be accomplished in accordance with Section 3W of this Resolution and a signage plan shall be submitted along with an application for a Conditional Use for an Auto-Related Establishment. The provisions of Section 3W notwithstanding, surface signs shall only be permitted when located in and planned in conjunction with a landscape bed or landscaped area.

(5) Landscaping: All Areas on the site not covered by pavement or structures must be brought to finished grade and planted with turf or other appropriate ground cover(s) and with deciduous and/or coniferous plant materials. The area located between a street and an Auto-Related Establishment shall be fully landscaped including trees, shrubbery, lawn area, and/or decorative block wall or earth mound treatment. A landscape plan shall be submitted along with an application for a Conditional Use for an Auto-Related Establishment. The contents of the plan shall include:

(a) A plot plan, drawn to an easily readable scale (no smaller than one inch equals thirty feet) showing and labeling by name and dimensions all property lines, easements, buildings and other structures, parking areas and access drives, storm drainage outlets and landscape materials, installation size and quantities for all plants and existing trees to be retained as a part of the landscaping plans.

(6) Lighting: All outdoor lights shall be shielded to direct light and glare only to the Auto-Related Establishment premises and may be of sufficient intensity to discourage vandalism and theft. Said lighting and glare shall be deflected, shaded, and focused away from all adjoining property and streets.

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(7) Direct access. The site shall have direct access to a major collector or higher functional class road as defined by Ohio Department of Transportation.

(8) Required assessment of traffic impact. An assessment shall be made of the probable impact of the proposed facility on the prevailing and projected traffic on the adjacent thoroughfare and the adjacent neighborhood.

(9) Required fencing/screening. Wherever the property abuts a residential use, whether single-family or multi-family, a continuous planting hedge and tree combination shall be installed and maintained to provide screening from the commercial use. The required planting hedge and tree combination shall be a minimum of six (6) feet in height at the time of installation. Mounding may be used to achieve the required height and fencing may be incorporated to provide additional screening. Any surface parking areas adjacent to an existing or planned public right-of-way shall be screened from the respective right-of-way with a minimum of a thirty (30) inch continuous planting hedge and tree combination.

(10) At the time at which a conditional use permit is applied for an Auto-Related Establishment, the property shall adjoin, in whole or in part, commercially zoned property on at least three sides and have road frontage on a major collector or higher functional class road as defined by Ohio Department of Transportation.

(11) Yards for storage in the open of obsolete motor vehicles or any other obsolete merchandise or the disassembly of such obsolete merchandise to salvage usable parts or the reduction of such obsolete merchandise to usable scrap shall be prohibited.

(12) No motor vehicle, including any recreational vehicle, boat, or trailer, and no motorcycle, motorized bicycle, or all-terrain vehicle may be stored closer than twenty-five feet (25') to any property line, even if licensed.

(13) All trash containers shall be completely screened from view and not located on a side of a building or structure adjacent to a residential use.

(14) Any additional information as may be required by the Board of Zoning Appeals.

(b) Automotive Repair Shops. There shall be at least one driveway located along the frontage(s) providing both ingress and egress to the property. Driveways shall not exceed thirty (30) feet in width at the property line. No such driveway shall be located closer than twenty-five (25) feet to an adjacent property line in any other zoning district. On corner lots, no such driveway shall be located closer than thirty (30) feet to the intersection of the right-of-way lines of the two streets.

(1) Lot size shall be a minimum of 20,000 square feet.

(2) All repair work shall be carried on in a totally enclosed building or structure.

(3) No equipment, process, or storage associated with the use shall create odor, noise, vibration, glare, electrical interference, or other nuisances detectable to normal senses off the lot.

(4) Subject to the General Regulations for all Auto-Related Establishments, storage of licensed motor vehicles shall be permitted on the premises for periods of time not exceeding seven (7) days. Motor vehicles may be stored for periods of time in excess of seven (7) days if stored entirely within an enclosed building or structure.

(c) Sales of Automobiles and Automobile Equipment.

(1) Lot size shall be a minimum of 20,000 square feet.

(2) Any sale of automobiles shall be conducted by a State of Ohio-licensed motor vehicle dealer (as that term is defined in Chapter 4517 of the Ohio Revised Code).

(3) Automobiles for sale by a State of Ohio-licensed motor vehicle dealer (as that term is defined in Chapter 4517 of the Ohio Revised Code) may be stored out of doors at all times.

**RPC STAFF RECOMMENDATION:**

RPC staff recommends approval of the proposed amendments.

A motion was made by Bill Yaple to approve the RPC staff recommendation. Kent Huston seconded the motion. Motion passed.

**ITEM 3b). Applicant:** Liberty Township

**Proposed Revisions:** Liberty has submitted several minor proposed changes to their zoning text. The proposed changes include the following language:

Under Article VII (Administrative Procedures-Procedures for Amending to a Planned Unit Development District):

- **Strike and Replace Section 7.5(C)(7) – Sketch Plan Contents**

7. Existing drainage patterns on the property, ~~existing wells and well sites;~~

And replace with:

7. Existing drainage patterns on the property, public sanitary, public storm sewer, and public water;

**Under Article IX (Use Districts):**

- **Strike and Replace Section 9.9(F)(6) – PUD Planned Unit Development District / Development Standards / Utilities**

6. Utilities

~~Potable water and adequate sewage facilities shall be provided to accommodate the development.~~

And replace with:

Must be serviced by public sanitary, public storm sewer, and public water.

**RPC STAFF RECOMMENDATION:**

RPC staff recommends approval of the proposed text amendment with the following comments:

1. It does not seem unreasonable for the township to require public utilities be provided to future PUD developments especially if densities are to be limited to one dwelling per acre.

A motion was made by Bill Yapple to approve the RPC staff recommendation. Kent Huston seconded the motion. The board discussed what the procedure would be if no utilities are available. After the discussion, the motion passed with Randy Kemmerer abstaining.

**ITEM 4. REZONING-TOWNSHIP MAP AMENDMENTS**

**ITEM 4a). APPLICANT:** ACT Investments LLC

**LOCATION & DESCRIPTION:** The property proposed to be rezoned is located in Walnut Township on the north side of State Route 256 (Baltimore-Somerset Road). The property consists of one parcel (parcel # 049-02528-00). The parcel is 79 acres in size.

**EXISTING ZONING:** R-R Rural Residential: The purpose of this district is to provide for single family homes on large tracts within areas suitable for agricultural production, and to control indiscriminate urban development in such areas. Areas within this district will not normally be served by public water and sewer.

**EXISTING LAND USE:** Residential. There is an existing residential structure on the parcel.

**PROPOSED REZONING:** R-2 (One and Two Family Residential District) It is the intent of this district to provide for an area for one and two family dwelling units on smaller lots adjacent to urban areas where central water and sewer are provided.

**PROPOSED LAND USE:** New Residential Subdivision

**ADJACENT ZONING**

NORTH	R-R Rural Residential
EAST	I-1 Light Industrial
	I-2 General Industrial
WEST	R-R Rural Residential
SOUTH	R-R Rural Residential

**ADJACENT USE**

Agricultural; Railroad ROW  
Baltimore Industrial Park

Agricultural/ Single Family Home  
Village of Baltimore  
Single Family Homes

**RPC STAFF RECOMMENDATION:**

RPC Staff recommends approval of the rezoning with the following comments:

1. The site falls within a Growth Area as designated by the Future Land Use Plan where development is encouraged.
2. If the rezoning is approved, the proposed development would constitute a major subdivision. The development would have to follow the Major Subdivision requirements of the Fairfield County Subdivision Regulations. A Preliminary Plan, Construction Drawings and Final Plat will have to be submitted to Regional Planning.

A motion was made by Charles Hockman to approve the RPC staff recommendation. Todd Edwards seconded the motion. The board discussed runoff and drainage in the area. After the discussion, the motion passed.

**ITEM 5. PRELIMINARY 2022 BUDGET**

James Mako reviewed the budget and financial data with the board. The budget was reviewed and approved by the Executive Committee on May 5, 2021.

A motion was made by Todd Edwards to approve the preliminary budget. Kent Huston seconded the motion. Motion passed.

**ITEM 6. BUILDING DEPARTMENT APPLICATIONS UNDER REVIEW FOR BUILDING PERMITS**

RPC staff presented a list of building permit applications under review.

**ITEM 7. BILLS**

James Mako presented the following bills for payment:

558000	TRAVEL & EXPENSES	<u>\$116.73</u>
	TOTAL	\$116.73

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A motion was made by Todd Edwards to approve the bills for payment. Randy Kemmerer seconded the motion. Motion passed.

**ITEM 8. OTHER BUSINESS**

There being no further business, a motion was made to adjourn the meeting by Kent Huston and seconded by Todd Edwards. Motion passed.

Minutes Approved By:

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Betsy Alt, President

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Kent Huston, Secretary