

## **MINUTES**

**June 4, 2019**

The minutes of the Regional Planning Commission meeting held at the Fairfield County Courthouse, 210 E. Main Street, Third Floor, Lancaster, Ohio.

Presiding: Phil Stringer, President

Present: Betsy Alt, Todd Edwards, Craig Getz, Charles Hockman, Kent Huston, Darrin Monhollen, Jennifer Morgan, Mitch Noland, Jerry Rainey, Karen Roberts, Melissa Tremblay, Bill Yapple, Dave Levacy (County Commissioner), Carri Brown (County Administrator), Rick Szabrak (County Economic Development Director), Loudan Klein (Executive Director), James Mako (Assistant Director), and Gail Beck (Adm. Asst.).

### **ITEM 1. MINUTES**

The Minutes of the May 7, 2019, Fairfield County Regional Planning Commission meeting were presented for approval. Bill Yapple made a motion for approval of the minutes. Todd Edwards seconded the motion. Motion passed.

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

Phil Stringer welcomed everyone to the meeting.

### **ITEM 3. PRESENTATION**

James Mako gave a CDBG Update and Fair Housing Presentation

### **ITEM 4. SUBDIVISION ACTIVITIES**

Loudan Klein presented the following report:

**ITEM 4a). Subdivision:** Rolling Hills Storage – Preliminary Plan

**Owner/Developer:** Walter Beatty

**Engineer:** Willis Engineering

**Location and Description:** The parcel (PN #0140096700) is located along S.R. 158, however, the access to this site will be from Rolling Hills Street in the River Valley Highlands subdivision within the corporation of boundary of Lancaster. The preliminary plan proposes the extension of Rolling Hills Street into the site and build a cul-de-sac. The applicant has rezoned a portion of his property (just over 2 Acres) to Planned Rural Business for 17 individual storage units. There is no plan to extend utilities onto the site, the applicant has discussed onsite septic and or well for the sales office. The preliminary plan was tabled by the applicant at our April 29<sup>th</sup> Sub. Regs. Committee meeting and has since been revised.

**SUBDIVISION REGULATIONS COMMITTEE RECOMMENDATION: The Subdivision Regulations Committee recommends approval of the preliminary plan, subject to the following conditions:**

1. Per Section 3.3 of the Subdivision Regulations, the applicant must acknowledge in writing that there are no plans to develop all adjacent land under ownership within 3 years to permit this land from being absent on the preliminary plan.
2. Additional requirements within Section 3.3.8 (Preliminary Plan Requirements) have still not been met. Please refer to FCEO comments #1 and SWCD #2 for further clarification.
3. Sidewalk dimension should be increased to 5' from 4'. Sidewalks should be extended to the edge of the cul-de-sac bulb.
4. Future sanitary easements will be need to be increased to 20'.
5. The preliminary plan must be revised to comply with the requirements of the Technical Review Committee, County Engineer, GIS Department, and Fairfield SWCD.

Loudan Klein explained the RPC is reviewing the Preliminary Plan to ensure it complies with the Subdivision Regulations. The RPC had previously reviewed as a proposed rezoning and recommended disapproval. The Greenfield Township Trustees approved the rezoning, and they are the authority over land use so that is now set in place.

A motion was made by Kent Huston to approve the Subdivision Regulations Committee recommendation. Bill Yaple seconded the motion. Discussion followed regarding the micropool and where it drains. The applicant responded to the question that the micropool drains at the northeast corner of the property and will be privately maintained.

Residents of River Valley Highlands Subdivision: Diane Burnside, George Burnside, Velma Pearson, Don McDaniel, Tom Del Pozzo, Kim Anderson, and Albert Gallis were present at the meeting and expressed their concerns to the RPC about the proposed development. Their concerns were: heavy traffic in the subdivision already and this would add more traffic, the

Subdivision: Rolling Hills Storage – Preliminary Plan – Continued

streets aren't wide enough to handle this kind of traffic, the school buses are having difficulty driving through the subdivision, and safety concerns because children regularly play in the streets. The residents of the subdivision also talked about Greenfield Township stating at their meeting that this would be a private road and the township would not maintain it. Residents questioned if the zoning approval was contingent on it being privately maintained. They also felt that another storage facility is not needed as there are currently 13 in Lancaster -- a different location would be better for the storage facility; possibly off of SR 158.

Betsy Alt asked if the property owners were notified of the proposed development. Loudan Klein responded that the adjacent property owners were to be notified through Greenfield Township's rezoning process. Loudan Klein explained that the plat will dedicate it as a public road. If the township does not support it, they do not have to sign and it does not get recorded. Rick Szabrak suggested that based on this information, would it be best to table this agenda item. Rick Szabrak then made a motion to amend the previous motion to lay it upon the table to delay consideration until the next RPC meeting so that a discussion can be made with Greenfield Township. Melissa Tremblay seconded the motion.

Melissa Tremblay asked if this would be considered spot zoning. James Mako and Loudan Klein responded that this would be spot zoning. Jennifer Morgan asked about a traffic study at our previous meeting when it was a rezoning recommendation. She felt that safety and security would be a concern with a storage facility located next to an elementary school. Mitch Noland with the City of Lancaster said that the city did not recommend the rezoning. Mitch also said that traveling through a city street to get to a township road is very common and gave several examples in this area. Melissa Tremblay asked what are we going to ask the township for before our next meeting. Loudan Klein responded that staff can reach out and discuss the public road requirement and maintenance. Melissa Tremblay stated that the Greenfield Township minutes regarding the rezoning make it sound like the RPC suggested the spot zoning. James Mako responded by reading the RPC recommendation to Greenfield Township on the proposed rezoning. Bill Yaple suggested that the County Prosecutor needs to be involved in this matter. After discussion, a vote was taken on the amended motion and the amended motion passed.

**ITEM 5. PROPOSED ZONING AMENDMENTS**

James Mako presented the following report:

**ITEM 5a. Applicant:** Liberty Township

**Proposed Revisions:** Liberty Township has submitted a list of text amendments to their zoning code. The amendments are on file at the RPC office and summarized below:

1. Article III, DEFINITIONS. Add several definitions including:

Applicant: Liberty Township - Continued

- a. Agricultural Production
- b. Agritourism
- c. Agritourism Provider
- d. Farm
- e. Watchman Quarters
- f. Solar Energy System/Solar Panels

Also under Article III, the township wishes to modify the following definitions:

- a. Dwelling, Unit Addition
2. Article IX, USE DISTRICTS. Text has been added to allow solar energy systems/solar panels as accessory or permitted uses in the RR, PRCD, MHP, PRB/CS, B-1, B-2, I-1, PUD, F-C and PR-1 zoning districts. The solar energy systems/solar panels must comply with the standards listed in Section 10.15.
  3. Article X GENERAL DEVELOPMENT STANDARDS.
    - a. Language has been added that will allow one pre-existing Accessory Structure on lot splits provided the accessory structure meets certain area requirements.
    - b. The township wishes to add standards for solar energy systems/solar panels.
    - c. The township wishes to add standards for agritourism.

**REGIONAL PLANNING COMMISSION STAFF RECOMMENDATION:**

RPC staff recommends modifying the proposed text amendments with the following comments:

1. Under Article III, the proposed addition for the definition for Agritourism Provider should make reference to the definition found in the Ohio Revised Code. The definition should reference ORC Section 901.80 (A) (3).
2. RPC Staff believes that the proposed change to Section 9.10 C (F-P Permitted Uses) is not necessary due to the fact that this is an overlay district and any permitted/accessory use in the underlying district is already allowed.
3. RPC staff would not be supportive of the proposed amendments to Section 10.3, which would allow one pre-existing accessory structure on new lot splits. Staff believes that allowing accessory buildings to be split off of lots with the primary structure would create a non-conforming use. Further, staff believes these two sections would contradict the definition of an accessory structure found in Article III and is also in conflict with Section 10.3 (A) which states "Accessory structures shall be located on the same lot as the Primary Building to which it is subordinate. No lot shall contain an Accessory Structure without a Principal Building."

Applicant: Liberty Township – Continued

4. The proposed requirements for solar energy systems/ solar panels is similar to what other townships in the county have adopted. RPC staff does have additional language available on renewable energy standards if the township is interested.
5. Ohio Revised Code § 303.21(C)(4) and § 519.21(C)(4) state that county and township zoning officials have no power to prohibit the use of land for agritourism in any zoning district. However, Ohio's Agritourism law does allow townships to regulate some factors related to agritourism if necessary to protect public health and safety. These factors include the size and setback lines for structures used primarily for agritourism, egress or ingress for the agritourism parcel, and size of parking areas. RPC staff would recommend that the township review the proposed agritourism text with the Prosecutor's Office to ensure compliance with the ORC.

A motion was made by Kent Huston to approve the RPC staff recommendation. Bill Yaple seconded the motion. Discussion followed regarding lot splits being approved with only an accessory building on the lot. After discussion, a vote was taken and the motion passed with Melissa Tremblay, Betsy Alt and Craig Getz abstaining.

**ITEM 5b. APPLICANT:** MI Homes

**LOCATION & DESCRIPTION:** The property proposed for rezoning is approximately 61 acres located on Pickerington Road in Violet Township, Section 25, Township 16, Range 20. There is one parcel included within this development, PID # 0360090700.

**EXISTING ZONING:** R-2 Single Family Residential (Low Density) Land and buildings in the R-2 District shall only be used for the following purposes: 1. Single family dwellings, provided such structures comply with the following requirements: (a) shall be permanently attached to solid foundations; and (b) shall be constructed of conventional building materials equal to or better than materials used in existing buildings in the adjacent area; and (c) shall be subject to real estate tax.

**EXISTING LAND USE:** Agricultural

**PROPOSED REZONING:** PD Planned Residential District- It shall be the policy of the Township of Violet to promote progressive and orderly development of land construction thereon by encouraging Planned Residential Districts to achieve:

(a) a maximum choice of living environments by allowing a variety of housing and building types and permitting an increased density per acre and a reduction in lot dimensions, yards, building setbacks and acre requirements;

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(b) a more useful pattern of open space and recreation areas and, if permitted as part of the project, more convenience and neighborhood compatibility in the location of accessory commercial uses and services;

(c) a development pattern, which preserves and utilizes natural topography and geologic features, scenic vistas, trees and other vegetation and prevents the disruption of natural drainage patterns;

(d) a more efficient use of land than is generally achieved through conventional development resulting in substantial savings through shorter utility lines and streets.

**PROPOSED USE:** 138 lot subdivision

	<b>ADJACENT ZONING</b>	<b>ADJACENT USE</b>
NORTH	R-2 District -Single Family Residential (Low Density)	Single Family Homes
EAST	P-D, Planned Residential District	Heron Crossing Subdivision
WEST	R-2 District -Single Family Residential (Low Density)	Agricultural/ Single Family Homes
SOUTH	R-2 District -Single Family Residential (Low Density)	Agricultura

**SUBDIVISION REGULATIONS COMMITTEE COMMENTS**

1. The Engineer’s Office has come to an agreement on an MOU for the Traffic Impact Study.
2. A preliminary sight distance exhibit is required for the new intersection at Pickerington Road.
3. A variance will be needed for the minimum radius of centerline (250’) at the stub of Coleman Trail.
4. Coleman Trail stub street being greater than one lot deep will require temporary turn arounds per Exhibit 3A of the Subdivision Regulations.
5. The Reserve C retention pond will need an offsite easement for an adequate outlet.
6. The Preliminary Plan should follow the outline of requirements in Subdivision Regulations Section 3.3.8.
7. The developer will need to ensure there is adequate access around the detention ponds for maintenance.
8. Other review agency comments.

APPLICANT: MI Homes – Continued

**RPC STAFF RECOMMENDATION**

The development, as proposed, appears to be similar in nature to the existing Heron Crossing Subdivision and will comply with the county future land use plan recommendations. RPC Staff recommends approval of the proposed development subject to the Subdivision Regulations Committee comments listed above.

A motion was made by Mitch Noland to approve the RPC staff recommendation. Bill Yaple seconded the motion. Motion passed with Melissa Tremblay and Darrin Monhollen abstaining.

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

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

Loudan Klein presented the following bills for payment:

**ITEM 7. BILLS**

561000	OFFICE SUPPLIES	\$ 196.34
543000	REPAIR & MAINTENANCE	\$ 52.20
558000	TRAVEL & EXPENSES	<u>\$ 154.22</u>
	TOTAL	\$ 402.76

A motion was made by Carri Brown to approve the bills for payment. Melissa Tremblay seconded the motion. Motion passed.

**ITEM 8. OTHER BUSINESS**

Carri Brown talked about the Leadership Conference to be held at the Wigwam on September 26, 2019. She stated that there will be cyber training at the conference and there is no charge to attend. Please RSVP, if planning to attend the conference.

Loudan Klein stated that the maintenance bonds requirement committee held a second meeting. The review group is putting together a recommendation that will go to the Technical Review Committee. A public hearing on this matter will be held on July 2, 2019 and then it will go to the Commissioners in August for approval. The committee is recommending 3 years with requirement 80% lots are occupied with maximum of 5 years. A pros and cons list was distributed to the RPC members.

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

Minutes Approved By:

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Phil Stringer, President

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Kent Huston, Secretary