



Staff Report – Millcreek Township (U) Zoning Amendment

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| <p>Applicant:</p> | <p>Millcreek Township Zoning Commission c/o Joni Orders / Ronn Todd (614) 309 – 1158 / (937) 644-3449 joniorders@gmail.com / zoning@millcreektwpohio.us</p> |
| <p>Request:</p> | <p>The Zoning Commission initiated an amendment to the text of the Zoning Resolution. The proposal amends Chapter 6 -Standard Zoning Districts and addresses changes regarding minimum lot frontage/width and depth-to-width ratios. It also amends Chapter 20 – Definitions by adding definitions for Small Off Site Battery Energy Storage System and Data Center, and amending the definitions of Service Business, Public Service Facilities, and Lot Measurements.</p> |
| <p>Location:</p> | <p>Millcreek Township is located in southeast Union County, bordering Jerome Township to the south and Delaware County to the east, and contains part of the City of Marysville.</p> |
| <p>Staff Analysis:</p> | <p>The proposed amendments address several zoning districts and several topics. Minor changes such as formatting and section numbering are not addressed in this report, as Staff did not find any issues.</p> <p>U-1 & R-1 District Changes</p> <ul style="list-style-type: none"> • Remove language that allows for narrowing of lot width and frontage if it is developed on a common access drive. • Add language that road classification shall be determined by the County Engineer, from which lot width/frontage requirements are determined. • Add clarity that the minimum depth to width ratio of “1:1” means that no lot shall have a minimum depth of less than the required minimum lot frontage/width. This also applies to the M-2 District. <ul style="list-style-type: none"> ○ Staff recommends changing the proposed text of Section 6137(A), 6237(A), and 6171(A) to read: “No lot shall have a minimum depth which is less than the required minimum lot frontage/width”. • Remove the exception that the lot depth to width ratio of 3:1 does not apply to lots developed on a common access drive. <p>U-1, R-1, B-2, & M-2 District Changes</p> <ul style="list-style-type: none"> • Add language that mimics the requirement found in the definition of “Lot Width” that lots of 10 acres or less cannot narrow any less than 80% of the required width/frontage at any point. |



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- Add language that mimics the requirement found in the definition of “Lot Depth”.
 - Staff recommends changing the proposed text of Sections 6137(B), 6237(B), 6537(B), and 6761(B) to read: “For lots containing ten (10) acres or less in area, no lot shall have a depth which is more than three (3) times its width measured at the street or road right-of-way line”.

B-2 Neighborhood Business District

The Township is proposing several changes to the B-2 District:

- Add clarity that while there is no minimum width/frontage requirement, each lot must still have frontage on an improved public street or an approved private street.
- Add language that the minimum depth to width ratio of “1:1” means that no lot shall have a minimum depth of less than the required minimum lot frontage/width.
 - Staff recommends changing the language of proposed Section 6537 (A) to state that there is no minimum depth, however, all lots must have adequate depth to provide yard space required by the development standards of the B-2 District.

M-2 Manufacturing District

The Township is proposing several changes to the M-2 District:

- Remove language that states that the minimum lot width shall follow the Union County Engineer’s Access Management Regulations.
- Add language that establishes a minimum lot width/frontage of 250 feet.

Chapter 20 – Definitions

- Addition of a definition for “Small Off-Site Battery Energy Storage System”, which was provided by LUC Staff.
- Addition of a definition of “Data Center”, which LUC has recommended to other Townships. After further analysis of the definition with the prosecutor’s office, LUC staff believes the definition could be improved upon by using different language.
 - Staff recommends changing the definition of “Data Center” to the following: "An establishment engaging in the storage, management, processing, and/or transmission of digital data, and housing computer and/or network equipment, systems, servers, appliances, and other associated components related to digital data operations."
- Modification of the definitions of “Lot Depth” and “Lot Width” to clarify how to measure those dimensions. The



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| | <p>proposed language matches text that LUC is drafting for model text.</p> <ul style="list-style-type: none"> ○ Staff recommends modifying the 2nd and 3rd sentence of “Lot Depth” to read: “When applicable, depth is measured at the street or road right-of-way line. For lots containing ten (10) acres or less in area, no lot shall have a depth which is more than three (3) times its width measured at the street or road right-of-way line. ● Modification of the definition of “Service Business” to specify that other separately defined uses are not to be considered service businesses. <ul style="list-style-type: none"> ○ Staff recommends removing the proposed last sentence of the definition of “Service Business”, in parallel with recommended changes to Section 2020 (addressed later in this report). ● Modification of the definition of Public Service Facility based on old model text and makes clearer uses specified elsewhere like principal solar energy are not included in the definition. <p>Prosecutor’s Office</p> <p>A copy of this proposal was forwarded to the County Prosecutor’s Office for consideration and comment. The Prosecutor’s Office has given feedback about similar proposals. That feedback, adapted for Millcreek Twp’s Zoning Resolution is:</p> <ul style="list-style-type: none"> ○ Staff recommends replacing the language of Section 2020 with the following: “Any use not defined by this Resolution shall be prohibited. No specific use which is defined by this Resolution shall be construed as being included within the definition of any other defined use.” |
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| <p>Staff Recommendations:</p> | <p>Staff recommends <i>APPROVAL WITH MODIFICATIONS</i> of the proposed zoning text amendment. Those modifications are:</p> <ul style="list-style-type: none"> ○ Change the proposed text of Section 6137(A), 6237(A), and 6171(A) to read: “No lot shall have a minimum depth which is less than the required minimum lot frontage/width”. ○ Change the proposed text of Sections 6137(B), 6237(B), 6537(B), and 6761(B) to read: “For lots containing ten (10) acres or less in area, no lot shall have a depth which is more than three (3) times its width measured at the street or road right-of-way line”. ○ Modify the 2nd and 3rd sentence of “Lot Depth” to read: “When applicable, depth is measured at the street or road right-of-way line. For lots containing ten (10) acres or less in area, no lot shall have a depth which is more than three |
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| | <p>(3) times its width measured at the street or road right-of-way line.</p> <ul style="list-style-type: none"> ○ Modify the language of proposed Section 6537 (A) to state that there is no minimum depth, however, all lots must have adequate depth to provide yard space required by the development standards of the B-2 District. ○ Modify the definition of “Data Center” to the following: "An establishment engaging in the storage, management, processing, and/or transmission of digital data, and housing computer and/or network equipment, systems, servers, appliances, and other associated components related to digital data operations." ○ Remove the proposed last sentence of the definition of “Service Business”, in parallel with recommended changes to Section 2020. ○ Replace the language of Section 2020 with the following: “Any use not defined by this Resolution shall be prohibited. No specific use which is defined by this Resolution shall be construed as being included within the definition of any other defined use.” |
| <p>Z&S Committee Recommendations:</p> | <p><i>Options for action:</i></p> <ul style="list-style-type: none"> • <i>Approval</i> • <i>Approval with Modifications (state modifications)</i> • <i>Denial</i> |