



Logan-Union-Champaign
regional planning commission

Director: Jenny R. Snapp

Zoning & Subdivision Committee

Thursday, June 13, 2013 12:45 pm

Start Time: _____

- Minutes from last meeting of May 9, 2013

1st: _____ 2nd: _____

1. Review of Johnson Township, Champaign County – Various Zoning Text Amendments including changes to the Official Schedule of District Regulations (Champaign County) - Staff Report by Wes Dodds

- Adjourn End Time: _____

1st: _____ 2nd: _____

Members:

Scott Coleman – Logan County Engineer
Greg DeLong – Marysville Planning
Charles Hall – Union County Commissioner
Jeff Stauch – Union County Engineer
Paul Hammersmith – Dublin Engineer
Steve McCall – Champaign County Engineer
Brad Bodenmiller – Urbana Zoning
Robert A. Yoder – North Lewisburg Administrator
Joel Kranenburg- Village of Russells Point
Jenny Snapp – LUC
Wes Dodds – LUC
Heather Martin – LUC

Guests:

9676 E. Foundry St, PO Box 219
East Liberty, Ohio 43319

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STAFF REPORT

FOR CONSIDERATION BY LUC REGIONAL PLANNING COMMISSION EXECUTIVE
COMMITTEE
June 13, 2013

JOHNSON TOWNSHIP TEXT AMENDMENTS – Various Text Amendments Including Changes to Official Schedule of District Regulations (2nd Review)

- APPLICANT:** Johnson Township Zoning Commission
- REQUEST:** Review of various Zoning Text Amendments to the *Johnson Township Zoning Resolution*.
- PROPOSED AMENDMENT:** The LUC Executive Committee reviewed and made a recommendation of approval to this set of amendments from Johnson Township in January of 2013. The Johnson Township Zoning Commission then held a public hearing and recommended approval of the amendments to the Township Trustees. However, the Trustees indicated that they were not comfortable with several of the changes to the Official Schedule of District Regulations and voted to deny the set of amendments in their entirety. The Johnson Township Zoning Commission then met and made several revisions to their proposed changes to the Official Schedule of District Regulations.
- STAFF ANALYSIS (W. Dodds):** Although this current set of amendments includes the changes to the various sections of Article 10, the township has made no changes to the language since LUC's review in January, so the staff comments below are identical to those made in January.
- Staff has the following comments regarding the proposed changes to the Johnson Township Official Schedule of District Regulations:



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Changes to Official Schedule of District Regulations

- **Headings**
 - Staff has no issues with changes to the headings in the Official Schedule of District Regulations.

- **U-1 Rural**
 - The township is adding "Public Uses" to the list of permitted uses, adding "Mining commercial quarries, sand and gravel extraction" to conditional uses, and removing "Farm implement sales and service" and "Agricultural product sales & service" from conditional uses.
 - ✓ Staff has no issues with these changes.

- **B-2 Local Business**
 - The township is adding Kennels to permitted uses.
 - ✓ Staff recommends that the township consider moving Kennels to conditional uses so that the Board of Zoning Appeals has an opportunity to set conditions if necessary to protect neighboring property owners from potentially undesirable conditions, including noise and odor.

- **M-2 Heavy Manufacturing**
 - The Township is adding "Single-Family Dwellings" to permitted uses in the M-2 district.
 - ✓ Staff has no issues with this.



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The following comments below regarding changes to various sections of Article 10 are taken from the previous staff report in January. There have been no changes to these proposed amendments since that review.

Section 1006 Uninhabitable Dwellings

- The township is removing the option to fence properties within 30 days of said property being declared uninhabitable. This will require the dwelling to either be cleaned up or demolished within 30 days. Staff has no issues with this section.

Section 1013 Swimming Pools

- The Township is removing their requirements for private and community swimming pools and combining them under one section, where the only requirement will be that all pools comply with Champaign County Building Regulations. While staff does not have a problem with using the Building Requirements for technical and safety specifications for pools, staff is worried the township is giving up their power to regulate the location of pools on property (setbacks). Staff recommends keeping the section on pools and rewording it as follows:
 - *Section 1013 Swimming Pools – Swimming pools are a permitted accessory use in all districts, provided that:*
 1. *All pools shall be installed to meet Champaign County Building Regulations Requirements.*
 2. *Pools may not be located, including any walks, paved areas, or accessory structures adjacent thereto, closer than ten (10) feet to any property*



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*line of the property on
which it is located.*

Section 1014 Ponds

- The Township has removed their own requirements for ponds and deferred to the Champaign County Soil and Water Conservation District and State of Ohio regulations. As with swimming pools above, staff has no issues with deferring to other agencies for technical specifications, but is concerned about the township giving up their authority to regulate the location of ponds on a lot. Staff recommends rewriting this section as follows:

- *Section 1014 Ponds – Ponds are permitted in all districts subject to the following conditions:*
 1. *The construction and use of all ponds shall be in accordance with requirements established by the Champaign County Soil and Water Conservation District (CCSWCD) and State Regulations.*
 2. *The pond setback shall be at least thirty (30) feet from any lot property line to the high water mark. Should one of the property lines be a roadway, the setback shall be at least one hundred (100) feet from the road right of way to the high water mark. The setback shall be at least fifty (50) feet from the road right of way to the high water mark should earth mounds or tree lines be used.*

Article X Renumbering

- Staff has no issues with the renumbering of the sections found under Article X

✓



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STAFF RECOMMENDATIONS:

- ✓ Based on the above staff analysis, LUC staff has recommends ***APPROVAL*** of the proposed zoning text amendments with the incorporation of staff recommendations. These proposed amendments and staff report have been forwarded to the Champaign County Prosecutor's Office for comments also. The Township should consider any comments received from that office as well.

ZONING & SUBDIVISION COMMITTEE RECOMMENDATIONS:



Zoning Text Amendment Checklist

Date: 6/3/13

Township: Johnson

Amendment Title: Zoning Districts; Terminology; Simplification; Articles II, III, V, and X;

Notice: Incomplete Amendment requests **will not** be processed by our office. LUC Regional Planning Commission will return them to the requestor, stating the reason the amendment was not accepted.

Each Zoning Text Amendment change must be received in our office along with a cover letter, explaining the proposed zoning text change (s). All items listed below must be received **no later than 10 days** before the next scheduled LUC Regional Planning Commission Executive Board Meeting (second Thursday of every month). It is recommended that a person who is able to provide further information on the amendment attend the Zoning and Subdivision Committee meeting to answer any additional questions that may arise.

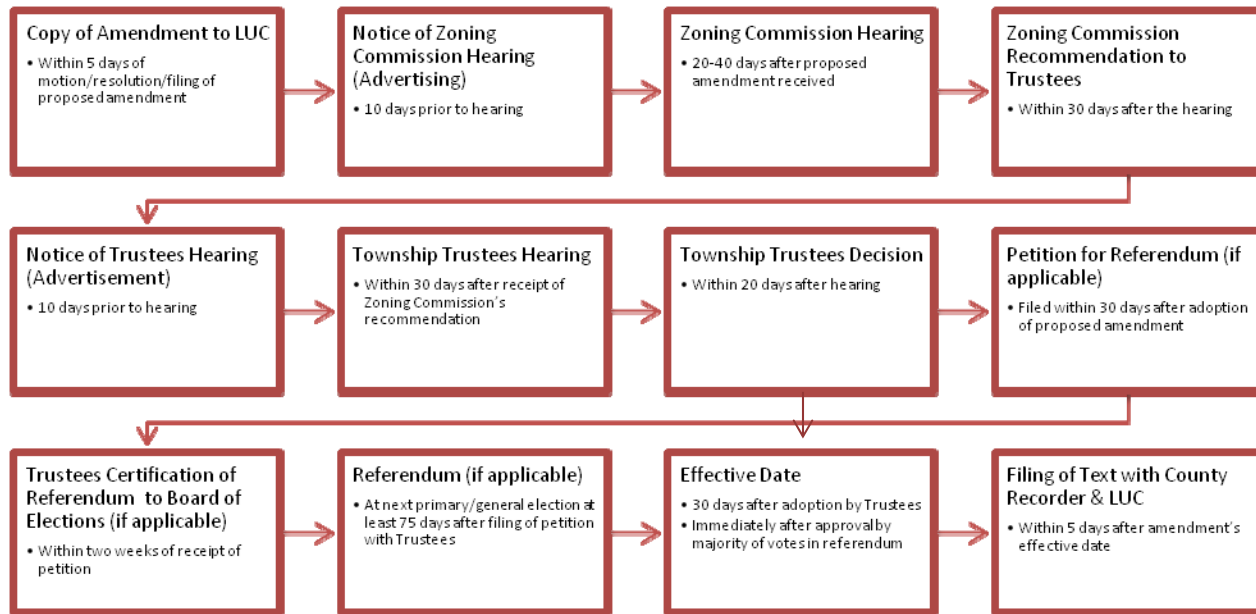
Required Item:	Completed by Requestor:	Received by LUC:
Cover Letter & Checklist	x	<input type="checkbox"/>
Date of Request (stated in cover letter)	x	<input type="checkbox"/>
Description of Zoning Text Amendment Change (s)	x	<input type="checkbox"/>
Date of Public Hearing (stated in cover letter)	x	<input type="checkbox"/>
Township Point of Contact and contact information for zoning amendment (stated in cover letter)	x	<input type="checkbox"/>
Attachment of Zoning Text Amendment with changes highlighted or bolded	x	<input type="checkbox"/>
Copy of current zoning regulation, or section to be modified for comparison	x	<input type="checkbox"/>
Non-LUC Member Fee, If applicable	<input type="checkbox"/>	<input type="checkbox"/>

Additionally, after final adoption regarding this zoning text amendment, please provide LUC with a letter stating the results of the Trustees vote, along with a copy of the adopted language.

Please see reverse side for a timeline of the Township Zoning Amendment Process, per ORC 519.12



Township Zoning Amendment Process (ORC 519.12)



To: Jenny Snapp
Date: June 3, 2013

Subject: Request Review of Johnson Township Proposed Zoning Resolution Changes

The Johnson Township Zoning Commission recently completed another (2nd) editing of portions of the existing Resolution following a Township Hearing (March 2013) on changes previously submitted to your organization on December 26, 2012. Changes submitted at that time involved Article X and Conditional Uses in Zoning Districts (the "Official Schedule" table).

When the same changes were reviewed by the Johnson Township Trustees following their Public Hearing in March 2013, these proposed changes were denied for the reasons identified in the file "Email_re_TrusteeResultsfromHearing_22513.doc". In summary, changes to Article X were considered acceptable, though needed to be submitted to the Trustees independent of the changes to the "Official Schedule". Changes to the "Official Schedule" can be grouped into additions and deletions involving Conditional Uses and Permitted Uses.

Since proposed changes to Article X will not change from our previous submittal to you, it is not hereby resubmitted. Proposed amended portions of the "Official Schedule" are, however, respectfully submitted for your review. Commission responses to the Township Trustees 'concerns' are given in the file "Commission Response to Trustee Disapproval of Latest Amendments_42213.doc" for your additional consideration and review.

The revised "Official Schedule..." for Zoning District changes is provided with the file name "Revised Zoning Districts_May2013.xls". Changes are identified in the color 'red'. A 'clean' copy of the same document with all changes 'accepted' is included in the file with the same file name followed by an 'a'. Our present (yet to be changed) Zoning Resolution is still available on the website: www.johnsontownship.org.

We have scheduled the public hearing for June 24, 2013 at the Johnson Township Building on Apple Rd, St Paris OH. The township Point of Contact for these zoning amendments is Earl Newell, 937.663.4024 or email at et7137@gmail.com.

If there is any additional information you may need, please contact Earl Newell. He'll be glad to help in any way possible.

We understand your next meeting to be on June 13, 2013. Please let us know if this date is incorrect or has been changed. Please let us know whether you would need a representative from the Commission to attend your review meeting.

Thank you very much.

Dave Ozimek
Secretary
Johnson Township Zoning Commission

-----Original Message-----

From: earl newell [mailto:et7137@gmail.com]

Sent: Monday, April 15, 2013 8:41 PM

To: undisclosed-recipients:

Subject: I went to the meeting tonight

This is what they said: The Articles would have been passed had they not been tied to the schedule. Next time don't bind them.

The schedule's main problem is found in U1 in what was removed from permitted to conditional or left out completely. example "kennels" Implement and agricultural should be in permitted because the first owner would probably have to add buildings for the projected business. They then would be unable to pass the business on to continue to service the customer.

Public and quasi should not be conditional ie water plants and/or sewage plants. churches etc.

Mineral/mining needs to be kept in provisional.

noncommercial recreation permitted - hunting

Single dwelling in M2????

And finally in the last column they want what is there now.

On another matter: Jason Hoelscher is the new appointee

**Commission Response to
Trustee Disapproval of
Latest Proposed Amendments**
(Article X and “Official Schedule”)

The Johnson Township Trustees held their latest Public Hearing in March 2013. The Hearing addressed the latest changes proposed by the Commission and provided to the public via the Commission Hearing held in February 2013. The Commission recommended approval of the proposed amendments. Trustee response to the recommendation was provided to Mr. Earl Newell (Commission Chairperson) during the Trustee meeting held on April 15, 2013. Mr. Newell summarized their response in an email (see file: “Email_re_TrusteeResultsfromHearing_22513.doc”). The Commission then reviewed and provided comments and suggested actions during their meeting on April 22, 2013. Those comments were further reviewed, with minor changes, and unanimously approved, during the May 22, 2013 Commission Meeting. Monday, June 24, 2013 was selected as the date for the next Public Hearing.

Topics covered by the Trustees, as provided in the email response (file), are given below. These topics all pertain to the “Official Schedule”. Commission comments and actions follow each topic.

- #1. Main problem with the Schedule is in U-1: what was removed from permitted to conditional or left out completely. ‘Kennels, implement and agriculture’ should be permitted since the first owner would probably need to add buildings for the projected business.
 - a. The question immediately raised is: ‘why have businesses in U-1’? To have a business, the owner would have to place the business in B-2 or submit a request for rezoning. The proper procedures would need to be followed before any business ‘island’ could be considered in any of the other zones (other than B-2).
 - b. Agriculture is already permitted in U-1 (was not taken out of original Schedule). No change required.
 - c. Farm implement sales and service should be removed from proposed U-1 since it wasn’t there in original and is already covered in B-2 Permitted (was not taken out of original schedule).
 - d. Agricultural products sales and service will be removed from proposed U-1 since it wasn’t there in original and needs to be placed in B-2 Permitted.
 - e. Kennels will be restored in the Schedule and placed in B-2 Permitted since, by definition, monetary exchange would be involved. Also, should kennels even be considered as ‘Permitted’ for any other zone, potential noise issues would be a concern.

- #2. Public and quasi-public uses should not be conditional (ie. Water plants and/or sewage plants, churches, etc)
- a. Public Uses. This portion of the compound term will be removed from U-1 Conditional and placed in U-1 Permitted.
 - b. Quasi-public Uses. This portion of the compound term will be kept as conditional since this term refers to non-profit type uses including such things as private schools. For any type of non-profit considered, it would be in best interest of the township to know what type of non-profit is involved so a good decision can be made on a case-by-case basis.
- #3. Mineral/mining needs to be kept in provisional.
- a. Just what the Trustees meant by 'provisional' was not clear, but the consensus thought was that it was meant to be 'conditional'.
 - b. The Trustees noted that two sand and gravel pits already exist in the township. Commission members were not aware of these. Trustees also noted that the entire township could be used for strip 'mining' to extract sand and gravel. It was not know if any mineral extraction has ever been done, let alone where.
 - c. The Commission understands that state and federal permits are needed to secure mineral and mining extractions, which could trump any township requirements.
 - d. Mining, commercial quarries, sand and gravel pits are already included in M-2 Conditional. They will be added to U-1 Conditional as well.
- #4. Noncommercial recreation permitted – hunting.
- a. The Commission questions why this should even be considered for zoning. It is understood that this is an area under state regulation.
 - b. Property owners can presently allow anyone to hunt on their property that they personally give permission to. No zoning is required for that purpose. The township should only get involved, or set up a requirement, in the event a person or group wants to do hunting as a commercial enterprise, for instance, or for profit.
 - c. The Commission agrees that no new zoning use for hunting is necessary.
- #5. There is no need for 'Single dwelling' in M-2.
- a. The Commission understands that no one can tell someone where they can and cannot live. The type of housing conditions are another matter, addressed by zoning and building regulations.

b. It is possible that housing can be arranged above, or to the side of, existing business or manufacturing structures, particularly for those running the business or manufacturing operations. Therefore, the Commission will keep 'Single family dwellings' in each zone.

- #6. Keep the last column in the Schedule as it was previously.
- a. One item in the Schedule's last column was changed. That item pertained to mobile homes. The state specifies requirements for modular homes; they are no longer governed by local requirements.
 - b. Both the LUC and the Prosecuting Attorney's office informed the Commission that this requirement no longer belonged in the Zoning Resolution. Therefore, it will not be reinstated.

OFFICIAL SCHEDULE OF DISTRICT REGULATIONS

<p>ZONING DISTRICTS (Symbols as used on the official zoning map)</p> <p align="center">1</p>	<p>PERMITTED USES (Accessory uses and essential services are included) See Sections 561 through 568 for uses other than permitted.</p> <p align="center">2</p>	<p>CONDITIONAL USES (Permitted upon issuance of a Conditional Use Permit by the Board of Zoning Appeals)</p> <p align="center">3</p>
<p>U-1 RURAL</p>	<p>Single-family dwellings, Agriculture, Forestry, Home occupation, Public uses</p>	<p>Personal services, Farm implement sales & service, Agricultural product sales & service, Craft & gift shop, Service business, Public & Quasi public uses, Animal hospital & clinic, food processing, Mining, commercial quarries, sand and gravel pits, Non-commercial recreation, Mobile homes individually***</p>
<p>R-1 LOW DENSITY RESIDENTIAL</p>	<p>Single-family dwellings, Home Occupation, Public & Quasi-Public uses</p>	<p>Multi-family dwelling, Public service facility, Service business, Personal services, Mobile homes individually***</p>
<p>R-2 MEDIUM DENSITY RESIDENTIAL</p>	<p>Single-family dwellings, Home Occupation, Public & Quasi-Public Uses</p>	<p>Multi-family dwelling, Service business, Personal services, Mobile homes individually***, Public service facility</p>
<p>R-5 GRANDVIEW HEIGHTS & LaBon Acres Residential</p>	<p>Single-family dwellings, Home Occupation, Public & Quasi-Public Uses</p>	
<p>B-2 LOCAL BUSINESS</p>	<p>Personal Services, Offices, Service Business, Eating & Drinking Establishments, Food Processing, Commercial Recreation, Travelers' Lodgings, Farm Implement Sales & Service, Kennels, Single-family dwellings, *</p>	<p>Business; Public service facility; Animal hospital clinic; Drive-in; Club or fraternal organization; Nursing home; Food processing; Nursery; Light manufacturing; Commercial recreation; Printing & publishing; Signs & advertising structures; Mining, commercial quarries, sand & gravel pits; Mobile homes</p>

OFFICIAL SCHEDULE OF DISTRICT REGULATIONS

		individually***
M-2 HEAVY MANUFACTURING	Light & Heavy Manufacturing & directly related offices & retail sales, Wholesale & Warehousing, Transport Terminals, Food Processing, Home Occupation, Supply Yards, Service Business, Animal Hospital, Clinic, Single-family dwelling,*	Low density residential; Storage facility; Public service facility; Junk storage & sales; Shopping type retail business; Adult entertainment; Mining, commercial quarries, sand & gravel pits; Mobile homes individually***

***See Section 1441.

THIS IS TO CERTIFY THAT THIS IS THE OFFICIAL SCHEDULE OF DISTRICT REGULATIONS REFERRED TO IN SECTION 910 AND ARTICLE IX OF THE ZONING RESOLUTION OF THE TOWNSHIP OF JOHNSON, CHAMPAIGN COUNTY, OHIO.

Chairperson, Township Trustees

Clerk, Township Trustees

Date Adopted

Effective Date

NOTE: Changes from previous version are shown in red

OFFICIAL SCHEDULE OF DISCTICT REGULATIONS

PLANNED UNIT DEVELOPMENT USES (Permitted upon Approval by the ZONING COMMISSION AND ISSUANCE OF CERTIFICATE BY THE BOARD OF ZONING APPEALS)	MINIMUM LOT SIZE			MAXIMUM PERCENTAGE OF LOT TO BE OCCUPIED (Principal and accessory buildings)	MINIMUM FLOOR AREA (Square feet)
	(Square feet per household)		FRONTAGE Width (feet)		
	With On-Site Sewage Treatment	With Group or Central Sewage Treatment			
4	5	6	7	9	10
	87,120	20,000	300 150	25	1,100
Residential, Commercial, Public & Quasi-public uses individually or in combination	43,560	10,800	200 80	25	1,100
Residential, Commercial, Public & Quasi-public uses individually or in combination	43,560	5,400 (multi)	200 60	25	1,100
Residential, Commercial, Public & Quasi-public uses individually or in combination	43,560 4,500 Lot of record	None	200 50	25	1,100
Residential, Commercial, Public & Quasi-public uses individually or in combination	43,560	none	200 60	50	none*

OFFICIAL SCHEDULE OF DISCTICT REGULATIONS

Commercial, Industrial, Public & Quasi-public uses individually or in combination	120,000	40,000	200 150	50	none*

OFFICIAL SCHEDULE OF DISTRICT REGULATIONS

MAXIMUM HEIGHT OF (PRINCIPAL) BUILDINGS		MINIMUM YARD DIMENSIONS (feet)				ACCESSORY BUILDINGS		
		Front	Side Yards		Rear	Maximum height (feet)	Minimum Distance In Feet To	
			One Side Yard	Sum of Side yards			Side Lot Line	Rear Lot Line
11 Stories	12 Feet	13	14	15	16	17	18	19
2 1/2	35	50	20	40	40			
2 1/2	35	35	10	20	40			
2 1/2	35	30**	4	10	30			
2 1/2	35	*	*	*	*			
2	40	30	none*	none*	30			

OFFICIAL SCHEDULE OF DISCTICT REGULATIONS

4	50**	40	25	50	50			

OFFICIAL SCHEDULE OF DISTRICT REGULATIONS

<p>MINIMUM (MANDATORY) OFF-STREET PARKING SPACE</p> <p>20</p>	<p>MINIMUM (MANDATORY) OFF-STREET LOADING SPACE</p> <p>21</p>	<p>SIGNS PER- MITTED</p> <p>22</p>	<p>OTHER PROVISIONS AND REQUIREMENTS (Supplimentary regulations, prohibitions, notes, etc.) 23</p>
<p>Two spaces for each dwelling unit.</p>	<p>none</p>	<p>Yes, under Article XII</p>	<p>Use of land or buildings for agriculture purposes are not affected by this Resolution and no zoning certificate shall be required for any such building or structure or use of land, Residential structures do require a permit. **</p> <p>Refer to R-2 regs for multi-family.</p>
<p>Two spaces for each dwelling unit.</p>	<p>none</p>	<p>Yes, under Article XII</p>	<p>**Refer to R-2 regs for multi-family.</p>
<p>Two spaces for each dwelling unit.</p>	<p>none</p>	<p>Yes, under Article XII</p>	<p>**Front setback for lots of record may be same as nearest adjoining residential structure.</p>
<p>Two spaces for each dwelling unit.</p>	<p>none</p>	<p>Yes, under Article XII</p>	<p>*See Section 813</p>
<p>See Article XI</p>	<p>One space for the first 5,000 sq. ft. of floor area or less and one additional for each additional 10,000 sf. Or fraction thereof of ground floor area.</p>	<p>Yes, under Article XII</p>	<p>*For residential, refer to R-2 regs.</p>

OFFICIAL SCHEDULE OF DISCTICT REGULATIONS

See Article XI	One space for the first 5,000 sq. ft. of floor area or less and one additional for each additional 10,000 sf. Or fraction thereof of ground floor area.	Yes, under Article XII	Mineral extraction cannot be conducted closer than 500 feet from any residential district and no other manufacturing operation shall be less than 200 feet to any residential structure. *Refer to R-2 regs. **50; provided that, in the case of a principal building which has been set back: a mini-
			mum depth of 200 feet from the front from the rear lot line and a minimum width on either side of the principal building of 100 feet from the side lot lines with the combined minimum width of both sides of 200 feet, then the maximum height of a principal building shall not exceed 65 feet.

No new dwelling shall be constructed within 1500' of an existing animal feed lot.



Zoning & Subdivision Committee
Tuesday, June 13, 2013

The Zoning and Subdivision Committee met in regular session on Thursday, June 13, 2013, at 12:51 pm at the LUC East Liberty Office. Zoning & Subdivision Committee Members were in attendance as follows: Brad Bodenmiller, Scott Coleman, Greg DeLong, Wes Dodds, Heather Martin, Jenny Snapp, Jeff Stauch, and Andy Yoder. Absent Members were Charles Hall, Paul Hammersmith, Joel Kranenburg, and Steve McCall.

Guests included: Matt Parrill, ODOT District 6; Aaron Smith, Union County Engineer's Office Intern; Jeff Baird, City of Urbana Intern; Bill Narducci, Union County Engineer's Office.

Scott Coleman chaired the Zoning & Subdivision Committee Meeting.

Minutes of the May 9, 2013, meeting were approved as written with Greg DeLong making the first motion to approve, and Andy Yoder making the second motion to approve. All in favor.

1. Review of Johnson Township, Champaign County – Various Zoning Text Amendments including changes to the Official Schedule of District Regulations (Champaign County) - Staff Report by Wes Dodds
 - Brad Bodenmiller made the first motion to recommend approval of the Various Zoning Text Amendments for Johnson Township with the comments made by the staff and Jeff Stauch made the second motion to recommend approval of the Various Zoning Text Amendments for Johnson Township with the comments made by the staff, committee and reviewing agencies. All in favor.

The Zoning and Subdivision Committee adjourned at 12:55 pm with Andy Yoder making the first motion to adjourn, and Jeff Stauch making the second motion to adjourn. All in favor.