



Staff Report – Jerome Township Zoning Amendment

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| Jurisdiction: | Jerome Township Zoning Commission c/o Eric Snowden 9777 Industrial Parkway Plain City, Ohio 43064 (614) 873-4480 |
| Request: | This text amendment is initiated by the Board of Township Trustees. It amends Article 6 General Development Standards by adding 600.02 Economic Development. |
| Location: | Jerome Township is in Union County. |

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| Staff Analysis: | <p><u>Township Zoning in Ohio</u></p> <p>In Ohio, townships are often referred to as “Creatures of Statute”, meaning, that townships have only those powers expressly conferred upon them by statute.</p> <p>The zoning enabling act for townships can be found in Chapter 519 of the Ohio Revised Code. ORC 519.02(A) outlines the purposes for which zoning may be established.</p> <p>A zoning resolution must be developed in accordance with a comprehensive plan. Jerome Township has had several iterations of a comprehensive plan with the most recent dated 2008. Union County has had comprehensive plans, the most dated 2013. LUC has a regional plan dated 1970. It has been established through case law, the Zoning Resolution itself may be considered comprehensive.</p> <p>A township, “in the interest of the public health and safety,” may regulate:</p> <ul style="list-style-type: none"> • Buildings and other structures <ul style="list-style-type: none"> ○ Location, height, bulk, number of stories, and size of buildings and other structures. • Lots or parcels <ul style="list-style-type: none"> ○ Percentage of lot areas which may be occupied, set back building lines, sizes of yards, courts, and other open spaces, and density of population. • Uses <ul style="list-style-type: none"> ○ Uses of buildings and other structures + the uses of land for trade, industry, residence, recreation, or other purposes. |
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A township “in the interest of the **public convenience, comfort, prosperity, or general welfare**” may regulate:

- Buildings and other structures
 - Location and setback lines
- Uses
 - Uses of buildings and other structures + the uses of land for trade, industry, residence, recreation, or other purposes.

A township, for non-residential property only, “in the interest of the **public convenience, comfort, prosperity, or general welfare**” may regulate:

- Buildings and other structures
 - Height, bulk, number of stories, size
- Lots or parcels
 - Percentage of lot areas which may be occupied, sizes of yards, courts, and other open spaces, and density of population.

Staff Analysis

The resolution (Resolution No. 23-048) passed by the Jerome Township Trustees to initiate this zoning text amendment, contains the statement: “Whereas, from time to time, it becomes necessary to make revisions to the text of Township’s Zoning Resolution in order to further the purposes stated in Section 519.02”. LUC staff believe this to be the closest thing to a purpose statement as to why the proposed amendment was initiated,.

Upon reviewing the language of ORC 519.02, the initiating resolution (Resolution No. 23-048), and the Jerome Township Zoning Resolution, LUC Staff (as planners) do not believe that the proposed text advances the purposes outlined.

Further, upon examination of the rest of ORC 519, the Jerome Twp Zoning Resolution, Jerome Twp Comprehensive Plan (2008), Union County Comprehensive Plan (2013), and the LUC Regional Plan (1970), planning staff were unable to locate any language that permitted or encouraged the Township to enact language along the lines of what the Township has proposed.



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| Staff Recommendations: | Staff recommends <i>DENIAL</i> of the proposed zoning text amendment. Staff does not believe that the proposed text advances the purposes for which townships may enact zoning, found in ORC 519.02, and does not appear to follow guidance or recommendations found in local comprehensive planning documents. |
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| Z&S Committee Recommendations: | |
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