

Millcreek Township Zoning Commission

Regular Meeting Minutes

Tuesday, July 16, 2019

DATE & TIME: Tuesday, July 16, 2019 @ 7:00 pm

LOCATION: Millcreek Township Hall, 10420 Watkins Road, Marysville, OH 43040

CALL TO ORDER: Vice-Chair Bryant called the meeting to order at 7:06 pm

ROLL CALL: The Interim Zoning Administrator called the roll.

ZC Members Present:	Kevin Bryant, Chair Joni Orders	Eryn Staats Freeman Troyer
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ZC Members Absent:	Tim Belmonte	Jim Lawrenz
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Trustees Present:

Others Present:

MINUTES APPROVAL:

There was not a quorum of members present from the 04/16/19 meeting for approval of minutes. Approval was tabled until the August meeting.

Eryn Staats moved to approve the minutes of 06/18/2019 as presented. Kevin Bryant seconded the motion. All voted ayes. Minutes were approved and signed by Chair.

TRUSTEE COMMENTS: NONE

CITIZEN COMMENTS: NONE

ZONING ADMINISTRATOR REPORT: Ms. Orders gave the Zoning Administrator report. Activity has continued with new zoning permit requests for new home construction, room additions, and pole barns. Zoning enforcement has focused on CUP storage requirements and tall grass at several residences.

The Trustees hired Mr. Ron Todd as the new Millcreek Township Zoning Administrator. Due to other personal commitments, Mr. Todd will begin work with the Township on 09/01/2019. Ms. Orders suggested that the Zoning Commission host a joint meeting with the BZA in October to allow the BZA to meet Mr. Todd and for the Zoning Commission to gain some input on proposed changes to the Zoning Resolution from BZA. All members agreed that this would be beneficial. Ms. Orders will coordinate this through Trustees and Jason Comstock, BZA Chair.

OLD BUSINESS:

Medical Marijuana – Sample language from LUC in 2017 was presented. It was determined that members will review and make personal notes on the text provided and bring comments to the August meeting. At the August meeting, the Zoning Commission will discuss and recommend proceeding with developing language for either Version 1 (strictly prohibiting all) or Version 2 (with regulation).

OLD BUSINESS (Continued):

Agri-Tourism – Ms. Orders provided answers / comments from Ms. Tangeman on the questions / points to clarify on the following items. The answers are in bold italics after A:

- a) Where to place within the current Resolution **A: *After existing Agriculture language.***
- b) Reference Exemption form – do we need a new form? Can we add language to existing Ag Exemption form? **A: *A new form is not required, can add to existing or create new at discretion.***
- c) Need to add selection on permit form or create new stand-alone permit. **A: *Same as above.***
- d) 100.1 – Why 10 acres? Per Courts? **A: *Per statute 10 acres.***
- e) 100.2 – “relation of the agritourism operation to the existing use...” – How is relationship determined and who determines? **A: *The Zoning Administrator would use a “reasonableness” standard to determine if the proposed use is reasonably related to the agricultural use.***
- f) 100.3 – In order to be exempt they need to provide the floor plan? Can we specify a maximum occupancy (of people or vehicles)? Can we require portable sanitation? How to monitor and regulate? Bathroom formula like parking? **A: *No can only regulate 4 standards that include parking area size.***
- g) 100.4 – “primarily” – is it 51% - again who determines? **A: *Zoning Administrator determines; could remove primarily in this case.***
- h) 100.4 – Why 10,000 square feet? **A: *Just a suggestion, size can be regulated by Zoning.***
- i) 100.5 – 100 feet from an adjacent property line; should we state, “all adjoining property lines”? What about if property owned by same individual? Or state “from the shared lot line with residential use” **A: *Can state “from all adjoining property lines”***
- j) 100.6 – Parking – need to do line by line review and comparison of 12260 (Zoning Commission); What about areas for loading and garbage? **A: *Statute does not allow to regulate anything other than parking***
- k) 100.7 – Can we always defer to County / ODOT? Change “satisfaction” to “approval”; how to prove that approval (form?); change “street” to “road(s)”. **A: *Can require an applicant to provide proof of approval from the appropriate agency.***
- l) Can we regulate hours of operation and/or lighting? **A: *No, only the four items. See comment below.***

Per Ms. Tangeman, the four “allowable factors” that a township may regulate per R.C. 519.21 (C) (4) are: 1) Size of a structure used primarily for agritourism, 2) Setback building lines for structures used primarily for agritourism; 3) Size of the parking areas that may be required; 4) Egress or ingress

33 Corridor Planned Overlay District – Kevin Bryant will head a subcommittee and asked for a volunteer from Zoning Commission to assist in the review of the recommended language from LUC to see how it aligns with current Planned Districts, specifically Planned Industrial and Planned Commercial. Joni Orders announced that she has contacted Brad Bodenmiller of LUC and invited him to an upcoming meeting of the Zoning Commission to present and discuss the proposed language. Once he confirms availability, she will update the full Commission.

OLD BUSINESS:

Working List of Updates / Items to Address:

- 1) Reformatting of Resolution for easier navigation in print and online, create searchability online, updating and page numbering
- 2) Section 12260 – Parking Requirements
- 3) Create better metrics for maximum building size, lot coverage and size to ensure Resolution is not in conflict with itself
- 4) Architectural Review Boards through a recent Court decision may not be enforceable so need to seek legal input on this within the Resolution
- 5) Telecommunication Towers – This text was largely just copied and pasted from Court cases and other Townships in the proposed language from the Planner. It was suggested that the Commission review this Article to see if any updates are needed in the past 10 years.
- 6) Review and revise PUD articles and create a checklist for submission based upon the requirements listed in Resolution. All members agreed that a checklist style system will allow a very cumbersome application to be reviewed and create a basis for decision making.
 - a. Especially important to review density calculation and Open Space requirements

In preparation for the review, the Zoning Administrator will break out the PUD article from the Resolution and prepare a reformatted draft to members. Members should review and bring comments to the next regular meeting.

NEW BUSINESS: NONE

NEXT MEETING: August 20, 2019 7:00 pm

In expectation of a joint BZA / Zoning Commission meeting in October, it was determined there may be some conflicts with members’ schedules for 10/15/2019. Eryn Staats motioned to move the regularly scheduled Zoning Commission meeting to 10/22/2019 at 7:00 pm and invite the BZA members to attend. Tim Belmonte seconded the motion. All voted ayes. Ms. Orders will invite BZA and advertise the meeting change points.

No further business. Eryn Staats moved to adjourn. Tim Belmonte seconded the motion. Mr. Bryant declared the meeting to be adjourned at 8:23 pm

PREPARED BY: _____
 Joni Orders, Interim Zoning Administrator Date

APPROVED: _____
 Kevin Bryant, Vice-Chair Date