

RECORD OF PROCEEDINGS

WALNUT TOWNSHIP, FAIRFIELD COUNTY, OH – ZONING COMMISSION (ZC)

11420 Millersport Rd., Millersport, OH 43067

REGULAR MEETING MINUTES

FEBRUARY 15, 2024 – 7:00 PM

Zoning Commission members present/absent:

Members present - Charles Pillon, Greg Groves, Ben Patterson, Dick Williams, Alternate – Daria Arbogast
Members absent – Jim Upp

Zoning Inspector: Mike Berry - present

Invited guests: Holly Mattie, Interim Director for Regional Planning of Fairfield County. Walnut Township Trustees: Bill Yates, Doug Leith, Terry Horn.

Number of members of the public present: 12 as recorded on sign-in sheets.

1. Wayne Harris, 4185 Canal Rd. NE
2. Ron Sharpe 3660 S. Bank Rd. NE
3. Greg Willis 4160 Canal Rd. NE
4. Mike Brison 212 New Salem
5. Ruth Ann Taylor 724 Baltimore-Somerset Rd NE
6. Kay Williamson 1835 Baltimore-Somerset Rd NE
7. Sherry Pymmer 3464 South Bank Rd NE
8. Carol King
9. Bill Yates
10. Tim Boggs 13400 Cedar Rd.
11. Jennifer Brown 13400 Cedar Rd.
12. Holly Mattie, Regional Planning Commission
13. Parker Webb
14. Seth Asman

The meeting was called to order at 7:00 PM, by Zoning Commission Chairman Charles Pillon and the pledge of Allegiance to the flag was recited.

Approval of Minutes:

The minutes for the January 18, 2024 Re-organization meeting were presented for approval. Charles Pillon made motion to approve the minutes, changing the 2nd Thursday of the month to the 3rd Thursday of the month for ZC meeting. Greg Groves seconded the motion. The motion passed with 5 yes votes.

The minutes for the January 18, 2024 Hearing #23-136 hearing were presented for approval. Charles Pillon made a motion to approve the minutes as presented. Dick Williams seconded the motion. The motion passed with 5 yes votes.

The minutes for the January 18, 2024 Informal Hearing were presented for approval. Charles Pillon made a motion to approve the minutes as presented. Ben Patterson seconded the motion. The motion passed with 5 yes votes.

The minutes for the January 18, 2024 Regular meeting were presented for approval. Charles Pillon made a motion to approve the minutes as presented. Dick Williams seconded the motion. The motion passed with 5 yes votes.

Special Guest: Hollie Mattie, Interim Director, Fairfield County Regional Planning Commission. Ms. Mattie was former Director of the FCRPC for 9 years and is now contracted through the FCRPC and owns her own business. FCRPC has requested that Ms. Mattie help through this transition period. She is currently under contract with FCRPC.

Hollie Mattie addressed the Zoning Commission and Walnut Township Trustees and members of the public.

Ms. Mattie presented a power point on overlay districts created for Hamilton County, but could be utilized for various county/villages. In the mid-2000's, Ms. Mattie went to each township and village to work on overlay districts, but with growth happening so quickly in the areas she came up with an overlay zoning district to be considered as a model zoning code that can be utilized for different communities.

This overlay district would allow the zoning to have a residential overlay district, a commercial overlay district and a residential mixed-use district. It would be specific for a village and/or townships. Ms. Mattie stated that it would differ from each village and township, for example, Buckeye Lake is unique, so that would be specific. She used graphics to show encroachments and stated different areas would use different guidelines. She showed examples how you would measure lots for setbacks on front, back and sides.

The presentation reflected the separate zoning districts organized by color; residential in yellow, mixed use as green and commercial as blue, planned districts in red. She stated that for Walnut Township they may need to add lake front districts. She said that this replaces the redundancy of all the zoning codes.

Everything is laid out in table form, so you would know setbacks, encroachments, eaves for each district. This spells out what guidelines need to be followed for each district.

PUD's: The example Ms. Mattie had was an administrative PUD, but she said you just take out the work Administrative. The standards of the PUD are actually built out in the code and the township decides where the PUD would reside in the township. It would be a legislative act by the township, however, the underlying zoning remains the same. For example, if the township had an area that they wanted to target for commercial development, they could put the PUD overlay on that area and then pull down the zoning restrictions and that changes it to the PUD. The applicant would still have to submit their development plan to the zoning commission and the criteria would have to meet all of the requirements. It is then presented to the Trustees or the Zoning Commission or Trustees, the deciding Board to be determined by the Trustees. This is a way to make certain that zoning requirements are met and avoiding a 3-month legislative process and to ensure that the zoning requirements set forth by the township are met.

General development standards that she presented that would be modeled for Fairfield County, for example, fences, landscaping and buffering between incompatible uses. Buffer standards residential buffering a commercial standard, there are examples of layouts of what those buffers look like. There is a separation of how the districts are laid out specifically for township and/or village.

Violations, enforcement and fees; Ms. Mattie said this would first need input from the Fairfield County Prosecutor's Office and then have set layout and then escalating fees. She stated that OTA is working on ORC requirements for enforcement.

Ms. Mattie is trying to get as many townships and villages to participate in this process as an individual contract would cost each township/village approximately \$25,000.00 each. Her goal is having as many communities participate and she thinks she currently has about 15 communities to participate which would reduce the amount required by each community. Her goal is to reduce the amount to \$2500-\$5,000 per community but it will be determined by participation.

Bill Yates, Walnut Township Trustee Chair shared his concern that by adopting this overlay district, it would take away the public input on zoning. Ms. Mattie said that the Trustees and Zoning Commission would still have control, its just that if an applicant came before the board and met all of the requirements in the overlay, it would be difficult for them to deny the application. Ms. Mattie responded that there would be negotiations on what requirements are set forth, the applicant would have to comply or the application would not be considered. Chair Yates is concerned at limitations for input by the Trustees.

Chair Pillon asked Ms. Mattie if she felt the overlay district was more encouraging or discouraging for developers. She replied that the overlay district provides more certainty to a developer as well as the township because the requirements are spelled out. Trustee Horn commented that developers are more willing to invest into the area with the overlay district, as a developer is hesitant to invest in the community, but with a PUD overlay district, the requirements that they need to meet are spelled out and the developer would be more comfortable in their investment.

Ms. Mattie was asked to explain the difference between a Legislative and Administrative PUD. She explained that an Administrative PUD is where there is no standard text included and a developer would come before the township and negotiate the text. An Administrative PUD would have certain standards that the developer would have to meet. If the developer meets those standards, there would still be a public hearing.

Ben Patterson asked if this is basically a template that could be placed over the zoning codes of the township. Ms. Mattie explained that once the model code is set for the villages/townships by the steering committee, the individual townships and villages can put into place the requirements that are unique to their community. She said that a member from each township/village would nominate a representative to the steering committee. Each individual township/village would present the zoning codes unique to their community. The steering committee would have the Fairfield County Regional Planning approve and then develop the model code specific for Fairfield County. She further stated that the Walnut Township Zoning Commission would decide what codes they want in the overlay district. Public Hearings would then be held. Mike Berry asked Ms. Mattie to state the types of overlay district. She replied they are Residential, Commercial, Industrial or

Mixed Use. Greg Groves asked if the zoning commission would still have to have hearings with this overlay district and have approval from the residents of the township. She replied that the public hearings would still take place, but the township needs to determine which Board will approve the zoning. It could be the Trustees, or it can be the Zoning Commission. One of these two boards must make the final decision. However, the Zoning Commission could make a determination and send it to the Trustees for final approval. Trustee Horn commented that this process is not to change the current zoning, but to be able to add the district overlay on top of the current zoning.

Trustee Doug Leith asked if they could take an existing adopted code, for example, short-term rentals. This overlay district wouldn't change what is already in the zoning code. Ms. Mattie said that the zoning commission would make a resolution for the parts that they want to change, but not change the zoning that currently exists on the books, you are only replacing what the zoning commission wants.

Trustee Horn asked for the Zoning Commission members to state their opinion on the overlay district.

Discussion: Ben Patterson said he felt the zoning commission should make the decision to present it to the Trustees; Daria Arbogast said that she is open thought there should be additional thought and discussion before any decision; Dick Williams said that he was impressed with Hollie's presentation, and appreciates her guidance and experience. He further stated he supported sending it up to the Trustees for their recommendation. Ben Patterson stated he supports the overlay district and said that this overlay district has been implemented in other areas so it is already operating in other townships. Trustee Chair Bill Yates said that he likes the concept of the overlay district, but is concerned about it changing public input.

Trustee Horn asked Ms. Mattie how a motion would be worded for approval. Example: Motion: to participate in the model zoning code with the Fairfield County Regional Planning Commission and to appropriate \$ to help offset the costs to townships. This Motion must be made by the Walnut Township Trustees. Trustee Chair Bill Yates said he did not support making a decision tonight, and would suggest that the motion be tabled until a later date.

Motion by Chair Pillon to do a review of Ms. Mattie's proposed model zoning and make a recommendation to the Trustees for an overview. Second offered by Daria Arbogast.

Discussion: Ben Patterson stated that he has seen enough from the presentation to support the recommendation to the Trustees; Daria Arbogast said that she feels there should be additional thought and discussion; Dick Williams supported sending it to the Trustees without delay, he had seen enough to support participation.

Chair Pillon said he wanted to rescind the previous motion and made a new motion for recommendation to the Trustees to participate in the model zoning code for their review. Second offered by Ben Patterson.

Roll call: Pillon, - yes, Groves – yes, Patterson, - yes, Patterson – yes, Williams, - yes, Arbogast – abstain

Motion passed with 4 votes.

The zoning commission must have a representative to the steering committee to represent the township. Trustee Horn asked if someone should be appointed or a volunteer. Trustee Horn asked Mr. Williams if he would be interested in volunteering for the steering committee. Mr. Williams said he would be honored to represent Walnut Township on the proposed steering committee. Chair Charles Pillon said that he would be willing to serve on the steering committee as well. The Trustees will make the determination as to who will represent them on the steering committee.

OLD BUSINESS

Chair Pillon stated that the signage is ready for recommendation to the Trustees; Chair Pillon made a motion to submit the signage portion of the zoning code for recommendation for approval by the Trustees on the signage Resolution 2202-? section 9 of the signage, Dick Williams seconded the motion; Motion passed with 5 yes votes.

Chair Pillon referred to the previous discussion by Hollie Mattie as to why B2 and B3 Districts were removed from the zoning resolution. He stated that with the overlay district discussion, he would table any discussion about the B2 and B3 being re-instated.

NEW BUSINESS

No new business to discuss.

Adjournment: Chair Pillon made a motion to adjourn at 9:05 PM, second by Dick Williams. Motion passed with 5 yes votes.

Minutes Recorded By: Patricia McLoughlin

Charles Pillon - Chair

Greg Grove – Acting Vice Chair