

CONCORD TOWNSHIP BOARD OF TRUSTEES

APRIL 11, 2018

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The Concord Township Board of Trustees met in special session on April 11, 2018 at 5:30 pm at the Concord Township Administrative Building. Chairman Johnson called the meeting to order and the roll was called. In attendance were Trustees Bart Johnson and Joe Garrett, Fiscal Officer Jill Davis, Zoning Commission Chairperson Connie Resanovich, and several guests.

The purpose of the meeting was to hear the recommendations of the Concord Township Zoning Commission, case #ZC012018, regarding changes to the Comprehensive Plan and Zoning Code. The procedure and processes to amend a zoning resolution per Ohio Revised Code 519.12 have been met. This is the Board of Trustees public hearing portion of the process. The Trustees will either adopt, deny or modify the amendments presented.

The Fiscal Officer performed the swearing in of meeting attendees.

Zoning Commission (ZC) Chairperson, Connie Resanovich, walked the Trustees through the changes recommended and the background for the changes. The ZC process began last July when changes were sent to the Delaware County Regional Planning Commission and legal counsel, but due to exceeding ORC 519.12 time frame requirements, the process was started a second time. The final proposed changes were reviewed by the township's zoning attorney, approved by Regional Planning on February 22, 2018, and formally recommended by the ZC to the Board of Trustees on March 6, 2018.

Comprehensive Plan Changes

The following proposed changes to the Concord Township 2014 Comprehensive Plan were made (*see attached Exhibit A*):

- P. 62 Fire Protection - amend the Fire Station address to "7990 Dublin Road";
 - P. 64 Former State of Ohio Correctional Institutions - amend the language on the township opportunity for development due to Columbus City purchasing the correctional facility; delete the language "while the township and county want to see at least part of the site be available for development";
 - P. 103 Concord Township's Planned Residential District requires the following design characteristics - remove provisions for 0.5 units per acre; delete the second bullet "Additional density allowed of one-half unit per acre for each of the following features: adjacency to major thoroughfares; adjacency to publicly controlled and maintained recreational facilities; provision of usable parks or public open or recreational space; provision of pedestrian or bike trails as part of the design; retention and protection of natural or historic areas";
 - P. 126, subarea II - change the density to 1.5 units per (gross) acre to remain consistent;
 - P. 126 subarea III - change density of "1.5"; Action steps - delete the verbiage regarding the Scioto Juvenile Corrections and Freedom Center, and change the Action Steps density to "1.5 units per gross acre";
 - P.129 subarea IV - PRD density changes to 1.5 units per gross acre;
 - P. 130, subarea V - same as IV above;
 - P. 132, subarea VI - same as V above.
- Trustee Johnson questioned the Comprehensive Plan non-residential use section. After discussion, Mr. Garrett moved and Mr. Johnson seconded to approve the Comprehensive Plan changes as recommended and approved by the Delaware County Regional Planning and Zoning Commission. Upon roll call vote: Garrett-yes, Johnson-yes.

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Zoning Code Resolution

The Zoning Code change discussion began with Extension of Time/Modification of Final Development Plan sections. After several minutes, the Zoning Commission Chairperson requested to strike the zoning code current conversation, and to re-begin with a different section.

Section 11.07 Development Standards (*see attached Exhibit B*). In addition to any other provisions of this Resolution, the following standards for arrangement and development of lands and buildings are required in the Planned Residential District (PRD):

- a. Intensity of Use - The maximum density shall be one and one-half (1.5) dwelling units per gross acre within the area to be developed, *unless a divergence is approved in accordance with Section 11.06 of this Article. Under no circumstance will any divergences allow a density exceeding three (3) units per gross acre.*
- b. Arrangement of Structures -
 1. Setback Line (*no changes*)
 2. Building Height Limits (*no changes*)
 3. Structure Separation (*add this item*) - No structure shall be located closer than twenty (20) feet to another structure and shall be measured from the greater of roof overhangs, cantilevers of the structure, generators, egress window wells, and all other structures attached to a primary residence.
- c. Building Dimension (Floor space requirements) - (*revised*) Each single family dwelling hereafter erected in this district shall have the following living area based upon the design of the structure:

Ranch / Single Story Dwelling with No Loft	1,500 square feet
Single Story Dwelling with Loft	1,500 square feet
Two Story Dwelling	2,000 square feet

Any other design of dwelling not referenced herein shall have a living area not less than one thousand five hundred (1,500) square feet. All such living areas shall be exclusive of basements, porches, or garages.
- (*same*) All multi-family buildings constructed within this district shall contain the following minimum living area, to-wit:

One (1) bedroom 800 square feet
Two (2) bedroom 950 square feet
Three (3) or more bedroom units 1,000 square feet
- d. Landscape (*revised*)- All yards, front, side and rear, shall be landscaped, and all organized open spaces or non residential use areas, including but not limited to, road setbacks and subdivision entrances, shall be landscaped. *The boundaries of the development shall reasonably incorporate screening to limit the view of the development from adjacent properties, with features such as mounding, fencing, low walls, trees, and shrubs.* Such landscape plans shall be submitted with the zoning application and shall meet the requirements of Article XXIII.
- e. Building Materials (*new*) - All residential structures proposed in this district shall incorporate natural finishes or synthetic materials as approved by the Zoning Commission and/or the Board of Trustees. Any approved materials must be incorporated on the final approved development plan.
- f. Multi-Use Paths (*new*) - All developments in this district must incorporate multi-use paths with a minimum width of eight (8) feet and shall, to the extent reasonably possible, connect with other multi-use paths and/or sidewalks on adjacent properties.

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(g... The remaining eight items in this section [site development through accessory building] had no changes.)

Planned District, p. 64 (see attached Exhibit C) - item b) 11) Specific statements of divergence from the development standards in Article XXI, Section 11.07 of Article XI, or existing county regulations or standards, and the justification therefor. Unless a variation from these development standards is specifically approved, the same shall be complied with.

Include a new section in each of the following Planned Districts (see attached Exhibit D): Planned Residential Article XI, Section 11.08; Planned Commercial and Office Article XIX, Section 19.08; and Planned Industrial Article XX, Section 20.08; as follows.

Modification of Final Development Plan (Add)

- a) A request for minor changes to the final development plans shall be submitted to the Zoning Inspector for recommendation to the Board of Trustees, who will have final approval of all minor changes to the final development plans.
- b) In the case of a request for a modification or amendment to the approved final development plan that represents a substantial departure from the intent of the original proposal, said modification or amendment shall be subject to the same procedure and conditions of development plan approval as the original application. The following shall be considered substantial departures from the original application:
 - 1. A change in the use of character of the development.
 - 2. An increase in overall lot coverage of structures and off-street parking.
 - 3. An increase in the density.
 - 4. A reduction in approved open space.
 - 5. A reduction of off-street parking and loading space.
 - 6. A reduction in required pavement widths.
 - 7. A reduction of the acreage in the planned development.
 - 8. Any other departure from the approved development plan which is deemed substantial by the Zoning Commission.

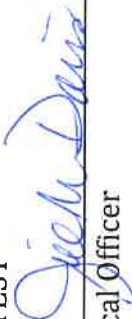
Additional discussion was held on Section 11.07, about placing a cap on density maximum for divergences. Zoning Chair Resanovich explained divergences allow flexibility, whereas the previous incentives were mandatory density increases. A maximum was determined and the last sentence of Section 11.07 a. (above) was added to the section.

Action

Mr. Johnson moved to adopt the changes as presented by the Zoning Commission, and to also incorporate the changes by the Trustees as noted by the Township Fiscal Officer (see attached Exhibits A, B, C, and D). Mr. Garrett seconded this motion. Upon roll call vote: Garrett-yes, Johnson-yes.

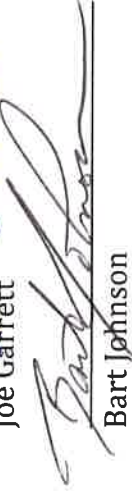
Mr. Garrett moved and Mr. Johnson seconded to adjourn the meeting. Motion passed unanimously.

ATTEST


Fiscal Officer

BOARD OF TRUSTEES


Joe Garrett


Bart Johnson

Proposed Changes to the Concord Township 2014 Comprehensive Plan

Page 62; Fire Protection, Amend the Fire Station address to; "7990 Dublin Road".

Page 64; Former State of Ohio Correctional Institutions, Amend the language on township opportunity for development due to Columbus City purchasing the correctional facility.
Delete the language; "*while the township and county want to see at least part of the site be available for development.*"

Page 103; Concord Township's Planned Residential District requires the following design characteristics:

Delete the second bullet;

" *Additional density allowed of one-half unit per acre for each of the following features:*

Adjacency to major thoroughfares;

Adjacency to publically controlled and maintained recreational facilities;

Provision of usable parks or public open or recreational space;

Provision of pedestrian or bike trails as part of the design;

Retention and protection of natural or historic areas."

Page 126; Subarea 2 change the density to 1.5 units per acre to remain consistent.

Page 126; Subarea 3 change the density to "1.5"

Action Steps; Delete the verbiage regarding the Scioto Juvenile Corrections and Freedom Center.
Change the Action Steps density to "1.5 per gross acre"

Page 129; Subarea IV; PRD density changes to 1.5 units per gross acre

Page 130; Subarea V; same as IV

Page 132; Subarea VI; same as V

Section 11.07 – DEVELOPMENT STANDARDS. In addition to any other provisions of this Resolution, the following standards for arrangement and development of lands and buildings are required in the Planned Residential District:

a. Intensity of Use – The maximum density shall be one and one-half (1½) dwelling units per gross acre within the area to be developed, unless a divergence is approved in accordance with Section 11.06 of this Article. Under no circumstance will any divergences allow a density exceeding three (3) units per gross acre.

b. Arrangement of Structures

1. Setback Line – The physical relationship of buildings and uses and their minimum yard spaces shall be developed in compliance with the approved plan and the provisions of Article XXI unless a variance is approved.

2. Building Height Limits – No building in this district shall exceed thirty-five (35) feet in height measured from the finished grade established not closer than fifteen (15) feet to the exterior wall of the structure. Barns, silos, grain bins, grain handling conveyors, church spires, domes, flag poles and elevator shafts are exempted from any height regulation and may be erected to any safe height. No windmill, aerial, antenna or tower shall be constructed to a height greater than the distance from the center of the base thereof to the nearest property line of said lot.

3. Structure Separation – No structure shall be located closer than twenty (20) feet to another structure and shall be measured from the greater of roof overhangs, cantilevers of the structure, generators, egress window wells and all other structures attached to a primary residence.

c. Building Dimension (Floor space requirements) – Each single family dwelling hereafter erected in this district shall have the following living area based upon the design of the structure:

Ranch / Single Story Dwelling with No Loft	1,500 square feet
Single-Story Dwelling with Loft	1,500 square feet
Two-Story Dwelling	2,000 square feet

Any other design of dwelling not referenced herein shall have a living area not less than one thousand five hundred square feet (1,500) square feet. All such living areas shall be exclusive of basements, porches or garages.

All multi-family buildings constructed within this district shall contain the following minimum living area, to-wit:

One (1) bedroom	800 square feet
Two (2) bedroom	950 square feet
Three (3) or more bedroom units	1,000 square feet

- d. Landscape – All yards, front, side and rear, shall be landscaped, and all organized open spaces or nonresidential use areas, including, but not limited to, road setbacks and subdivision entrances, shall be landscaped. The boundaries of the development shall reasonably incorporate screening to limit the view of the development from adjacent properties, with features such as mounding, fencing, low walls, trees, and shrubs. Such landscape plans shall be submitted with the zoning application and shall meet the requirements of Article XXIII.
- e. Building Materials – All residential structures proposed in this district shall incorporate natural finishes or synthetic materials as approved by the Zoning Commission and/or the Board of Trustees. Any approved materials must be incorporated on the final approved development plat.
- f. Multi-Use Paths – All developments in this district must incorporate multi-use paths with a minimum width of eight (8) feet and shall, to the extent reasonably possible, connect with other multi-use paths and/or sidewalks on adjacent properties.
- g. Site Development – To the maximum extent possible, all natural drainage courses, vegetation, and contours in excess of six percent (6%) shall be maintained.
- h. Parking – Off-street parking shall be provided at the time of construction of the main structure or building with adequate provisions for ingress and egress according to the development plan. In preparing and approving the parking plan, provisions of Article XXI shall be incorporated when appropriate.
- i. Signs – Except as provided under the provisions of this article for home occupation or as controlled by Article XXII and except as permitted by the Board of Zoning Appeals incident to Conditional Uses, no signs shall be permitted in this district except a “For Sale” or “For Rent” or “For Lease” sign advertising the tract on which the said sign is located. Such sign shall not exceed four (4) square feet in area on either side.
- The owner or developer of a subdivision or similar area, upon the conditions and for the time period established by the Zoning Commission, may erect one sign not exceeding thirty-two (32) square feet in area per side advertising said subdivision, development or lot for sale.
- j. Construction and Maintenance of Improvements Within Right-of-Way – Unless otherwise specifically required by applicable law, the construction and maintenance of all improvements behind the curb line or the edge of pavement including but not limited to drainage improvements, landscape improvements, sidewalks and/or driveway approaches shall be the responsibility of the abutting property owner.
- k. Special Additional Conditions – The Zoning Commission may recommend and the Board of Trustees may impose special additional conditions relating to the development with regard to type and extent of public improvements to be installed; landscape, development, improvement, and maintenance of common open space any other pertinent development characteristics.

1. Exterior Lighting – All exterior lighting fixtures will be shaded wherever necessary to avoid casting direct light upon any adjoining property located in a Residential District.
- m. Performance Standards – All uses within this district shall be in compliance with the provisions of Article XXI, Section 21.11.
- n. Accessory Building – No part of any accessory building shall be located in the front yard.

Exhibit C.

- 5) The proposed traffic patterns showing public and private streets and other transportation facilities, including their relationship to existing conditions, topographically.
 - 6) The relationship of the proposed development to existing and probable uses of surrounding areas during the development timetable. Include a list of owners and addresses whose property is contiguous to and directly across from the applicant's property according to the most recent County Auditor's tax list.
 - 7) The proposed size, location, and use of nonresidential portions of the lot including usable open areas, parks, paths, school sites, and other areas with their suggested ownership.
 - 8) The proposed time schedule for development of the site including streets, buildings, utilities and other facilities.
 - 9) If the proposed timetable for development includes developing the land in phases, all phases to be developed after the first, which in no event shall be less than five (5) acres or the whole tract (whichever is smaller), shall be fully described in textual form in a manner calculated to give township officials definitive guidelines for approval of future phases.
 - 10) The ability of the applicant to carry forth his/her plan by control of the land and the engineering feasibility of the plan. If the applicant is not the owner, the applicant must have written authorization from the owner.
 - 11) Specific statements of divergence from the development standards in Article XXI, Section 11.07 of Article XI or existing county regulations or standards and the justification therefor. Unless a variation from these development standards is specifically approved, the same shall be complied with.
 - 12) Evidence of the applicant's ability to post a bond if the plan is approved ensuring completion of public service facilities to be constructed within the project by the developer.
- c) Criteria for Approval - In approving an application for a Planned Residential District, the reviewing authority shall determine:
- 1) If the proposed development is consistent in all respects with the purpose, intent, and general standards of this Zoning Resolution.
 - 2) If the proposed development is in conformity with the comprehensive plan or portion thereof as it may apply.
 - 3) If the proposed development advances the general welfare of the township and the immediate vicinity.
- d) Effect of Approval - The Development Plan as recommended for approval by the Zoning Commission and approved by the Township Trustees shall constitute all amendment to the Zoning Resolution as it applies to the lands included in the approved amendment. The approval shall be for a period of three (3) years to allow the preparation of plats required by the Subdivision Regulations of Delaware County, Ohio.

Where the land is to be developed in phases, plans for phases subsequent to the first phase shall be submitted in accordance with the timetable in the approved development plan. Unless the required plats are properly recorded and work on said development commenced within three (3)

Exhibit D.

Add the following new section as:

Planned Residential Article XI Section 11.08,
Planned Commercial and Office Article XIX Section 19.08, and
Planned Industrial Article XX Section 20.08

Modification of Final Development Plan

- a.) A request for minor changes to the final development plans shall be submitted to the Zoning Inspector for recommendations to the Board of Trustees, who will have final approval of all minor changes to the final development plans.
- b.) In the case of a request for a modification or amendment to the approved final development plan that represents a substantial departure from the intent of the original proposal, said modification or amendment shall be subject to the same procedure and conditions of development plan approval as the original application. The following shall be considered substantial departures from the original application.
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 - 8.) Any other departure from the approved development plan which is deemed substantial by the Zoning Commission.