

Zoning Commission

1 **Land Use Update Meeting**

February 28, 2018

2
3 **LEGAL NOTICE**
4

5 Notice is hereby given that the Orange Township Zoning Commission will hold their 2nd special meeting
6 on Wednesday, February 28th, 2018 beginning at 6:30 p.m. to discuss the Comprehensive Land Use Plan
7 Update.
8

9 **Comprehensive Land Use Update**

10
11 The Township was awarded the opportunity to partner with students from the Ohio State University's
12 Master of City & Regional Planning (MCRP) program to help update our current 2010 Comprehensive
13 Land Use Plan. The students have completed the first draft and will now be presented to Orange
14 Township Zoning Commission.
15

16 Therefore, the purpose of this meeting is to review and discuss possible revisions to the Orange Township
17 Comprehensive Plan 2010, with the assistance of the Zoning Commission's contractual land use planning
18 consultant, the Delaware County Regional Planning Commission.
19

20 We encourage all residents and community members to attend.
21

22 The 2018 Orange Township Comprehensive Plan Draft is available for examination at the Zoning
23 Office, 1680 East Orange Road, Lewis Center, Ohio or our website at www.orangetwp.org. Zoning
24 Office hours are Monday through Friday, 8:00 a.m. to 4:30 p.m.
25

26 The meeting will be held at the Orange Township Hall, 1680 East Orange Road, Lewis Center, Ohio,
27 43035.
28

29
30 The person responsible for the publication of this notice is Michele Boni, Orange Township Zoning
31 Department.
32

33 *Mark Duell, Chairman*

34 *Michele Boni, Orange Township Zoning Department*
35

36 *Please publish one time, on or before Sunday, February 18, 2018 in The Delaware Gazette*
37

38 Roll: Mark Duell, Todd Dove, Christine Trebellas, Katie Stenman-absent, Roy Wilson-absent, Dennis
39 McNulty
40

41 Township Officials Present: Michael McCarthy Township Counsel
42 Michele Boni Planning and Zoning Director
43

44 Ms. Boni: We also have two of our Board of Zoning Appeals members here, Punitha Sundar and Jerry
45 Miller, and we have Scott Sanders from Regional Planning, Bob Lamb from Economic Development,
46 Evans Farm and other members from the community.
47

48 Mr. Duell: We were going to begin going thru some of the implementation strategies from the last time.
49 We will have some discussions on suggestions, at least the ones that relate to zoning, the ones we can
50 actually make some comments on.
51

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52 Ms. Boni: The first section is Page 97 of the Comp Plan on utilities and infrastructure. We provided 5
53 recommendations. Does anyone have any questions, anything stand, think anything should be taken out
54 or anything added? Recently I went to a seminar, Delaware Partnership, and we talked about wireless
55 infrastructure; that's an upcoming trend and something zoning would have an impact on, so I'd like to
56 incorporate that in this section at some point just so we can be able to regulate that up front and avoid any
57 issues in the future. We haven't added that yet, but I'll be talking to Bob Lamb soon about it. We
58 mentioned telecommunications briefly in this but nothing to that length of detail.

59
60 Mr. McCarthy: As far as UI1.1, I would say it's been done. We've coordinated with the County and Del-
61 Co for quite a while but you might want to add the Commissioners to the list of responsible parties simply
62 because they have somewhat of a say on what's going to happen with sewers. Maybe as a partner rather
63 than responsible party.

64
65 Ms. Boni: And that column (Responsible Parties) is not necessary; I don't know that we have to keep that
66 in there. I've never seen that before; that's something the students provided. I think it just identifies
67 whose roll it is, but that's an option if we want to keep that or not.

68
69 Mr. Duell: I think its fine as long as it's correct.

70
71 Ms. Trebellas: It might help identify as this proceeds forward who is going to take a lead on something
72 because if there are 5 people, I feel there might be a game of it's not my responsibility.

73
74 Mr. McCarthy: I would consider adding the Commissioners as either a partner or responsible party. UI
75 2.1, we've got the Trustees, Zoning Department and Parks Department involved; you might also bring the
76 Zoning Commission into that as far as any possible zoning amendment that would address that directly or
77 their consideration of the various plans. Obviously, the final word would lie with the Trustees. UI 2.2,
78 think about adding Zoning Commission because again, it's during the hammering out of those develop-
79 ment plans because that's going to be a component of what goes to the Board.

80
81 Mr. Duell: Before we go past 2.1 and 2.2, we started to have the ad hoc discussion about this before.
82 There are a couple of issues with regard to those. Who is paying to light these paths, who is paying to
83 maintain those lights, and how does it impact dark skies and do we need to reconsider dark skies? Is dark
84 skies written down anywhere as a Township....

85
86 M. McCarthy: I'm pretty sure it's in the 2010 plan.

87
88 Mr. Duell: Is it just in the plan?

89
90 Mr. McCarthy: If you run a search on the Zoning Resolution for the phrase dark skies, I think you're
91 going to find it come back.

92
93 Ms. Boni: That's something we need to reconsider.

94
95 Mr. Duell: Yes.

96
97 Ms. Trebellas: I have it as low ranking. In terms of downlighting, I question the cost, the feasibility of
98 how it's going to be maintained. I approve of working with developers to make sure there are pedestrian
99 paths to the community and making sure those paths link up to other areas of the Township or maybe
100 beyond. Paths, sidewalks, I'm fine with; the lighting of them, a little more problematic.

101

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102 Mr. Duell: We did the lighting in Evans Farm but we haven't seen it yet because they're still in the early
103 stages, so perhaps it's a wait and see how things turn out in Evans Farm and is there any clamor for
104 lighting in other developments after people see what happens there.

105
106 Dan Griffin, Evans Farm Development, you said originally who is paying for it; we are but the rest of the
107 crew you're going to have trouble getting anyone to pay for it.

108
109 Tony Eyerman, Evans Farm Development, as there's a hierarchy in vehicular circulation, there's probably
110 a hierarchy in pedestrian circulation as well, and if there's a, and I'm just throwing out an example, bike
111 trail parallel to the railroad as your most important pedestrian trail, maybe that should be lit. But there are
112 probably many trails and sidewalks thru the community that aren't going to warrant that and probably
113 wouldn't justify the cost to light them. That's something to think about as far as how to make that break.

114
115 Ms. Trebellas: That's a good plan for me also. Safety is a good point if you have pedestrians and
116 automobiles; hopefully they'll be separated, but it would be nice to know they're well lit so incidents
117 don't occur. So I approve it for safety but still question the feasibility of the cost, maintenance, so it's not
118 really a high priority for me.

119
120 Mr. Duell: I think I'm leaning your way; it's just issues that we need to discuss.

121
122 Ms. Boni: It's something whether or not we need to keep in this plan. This plan doesn't say we're going
123 to do that starting today; it's something we're going to consider, more of a vision for what we want to be.

124
125 Mr. Dove: We might consider start going thru applications as they come in, and I think there's still a lot
126 of conversation, where are they going to be located, then if they're on the path, there's snow removal
127 problems and if it's off the path we've got grass trimming problems.

128
129 Mr. Duell: I would also be concerned if we light some pathways and not others and an incident occurs on
130 a non-lit pathway, does it open the Township up to any liabilities?

131
132 Mr. Bodnar: On our trails, do we have any known problems, lots of people complaining about the dark?

133
134 Ms. Boni: Based on survey results, we just had a general overview; they didn't pinpoint a certain area.

135
136 Mr. Duell: Maybe that's a question to direct to Ms. Hugh.

137
138 Mr. McCarthy: UI 3.1, I suggest caution here, at least I was surprised recently with the FR-1 that there
139 was no real push back; I thought there would be a fire storm. But the question for the Commission is is
140 this something you want in your residential areas? Right now you've got 519.21 which has a notice
141 process in residential areas where adjacent owners are notified and under the Code as it exists now, if they
142 object, the zoning applies which essentially means you don't put it here. Or, the Code provides that if a
143 Trustee objects, again, the prohibition of the Zoning Resolution would apply and it would not go there.
144 Be aware if it's in there, someone's going to point out it's in there and say they must have meant it, so if
145 you mean it, leave it in, if you don't, don't; don't do it on accident

146
147 Mr. Duell: The prohibitions, what kind of cell towers are we talking about?

148
149 Mr. McCarthy: The small cell, from my understanding, is something strapped to a phone pole.

150
151 Mr. Lamb: Currently we're in a 4G network type system. What that is is a network system that is an
152 operable data and voice system, so old school radio and new age wireless data transfer technology. Those

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153 require the old process of the 1G network coupled with what's called a macro type cellular, your 250'
154 tower put on the highest place you can find. As you transition to the micro technology, the 4G which is
155 launching you to the new 5G world, and 5G is going to be the first data network constructed solely for
156 data purposes. That 5G network is sitting on sites that are more than 25' in nature and relayed from that
157 hard fiber backbone to devices that are maybe about the size of a traffic light or smaller, in fact, some are
158 driving down to relays as small as bricks right now. Those are looking to go on flag posts, traffic lights
159 within the right-of-way, so what we're looking at from a County perspective is how do we put in place
160 policies that will facilitate the investment of these 5G networks in the County because we think it's what
161 people want, and we think the data clearly showcases that, while at the same time we're making sure
162 we're not getting a 20' wooden pole put in the ground every 100-300' because that's the distance that
163 these relays are going to have to have in order to carry the 5G technology.

164
165 Mr. Miller: Isn't there a proposed implantation to do that via satellite as they do in the Pacific Rim in
166 Europe to be a more reliable system in lieu of the repeater relays?

167
168 Mr. Lamb: My understanding is that right now the only way which that's being proposed in the US is
169 thru the relay system and that's required and based on the amount of data that's driven thru the network as
170 it changes. I haven't heard about this satellite system. For the major amount of power that's broadcasting
171 outward, all I've heard from Verizon, AT&T and other providers is they have to move to this relay system
172 in order to provide service.

173
174 Mr. Duell: Is there something we would have to change in our Zoning Code?

175
176 Mr. McCarthy: If you're going to permit it, obviously you want to move it off the prohibited list in your
177 residential districts, so it won't be an insignificant change.

178
179 Mr. Duell: We're not talking, like he said, the big towers but the relays just to make sure the...

180
181 Mr. McCarthy: The way I recall 519.21, there's a notice requirement within a certain radius, across the
182 street, abutting. If someone objects, then the provisions of the Zoning Resolution apply. If your
183 provisions of the Zoning Resolution say you can do it, we've gone in a complete circle there. Right now,
184 the provisions of the Zoning Resolution say if anyone objects, it's not permitted. So it's going to be a big
185 difference.

186
187 Ms. Boni: Can you create some type of aesthetic standard, like you can make it look like a tree or
188 something?

189
190 Mr. Lamb: We've seen other communities look for an aesthetic requirement on these items, that they
191 have to meet certain criteria. I have a meeting next Wednesday with the County Administrator and our
192 legal team, and we're exploring a contract with a consultant team that specializes in wireless development
193 and they'd help us draft some of these policies and we'll get a County-wide system. We want to put in
194 place the large framework and then structure it in a manner that Townships, Villages, Cities that want to
195 can take the parts they like, leave parts they don't like and just provide some framework for trying to
196 move this forward. We know the 5G investment grounds are available right now; they'll be closing out
197 probably by the end of this year as they tee-up construction because they want to go live with the 5G
198 network in 2020. They're testing in 13 cities right now, the majority are going very well, and the next
199 round of funding for that won't be available probably until 2023. If we're not in this front end round as a
200 community, we won't have the true 5G network until 2025 or so, at least not in a coherent, well spread
201 out manner that will provide services across the County. I think we struggle to be a premier community.
202 By 2022 or 2023 if we don't have this type of framework in place, we're just seeing it move to such a
203 level of standard operation that everybody's going to expect it and want it, and the example I always give

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204 on the public health side is pacemaker technology. Pacemakers today have the ability where you can
205 download an app to your smart phone, hold the phone up to your chest at the pacemaker and it will relay
206 information to your phone which is then sent to your doctor's office. The next round of pacemakers, I
207 believe are already out in Europe and have approval here next year, will have a constant wi-fi connection
208 that if it detects a problem, it'll notify 911 thru that wi-fi network and send your phone a text letting you
209 know to stay where you are, it's detecting a problem. This is where medical technology is moving; if we
210 don't have the framework in place to support that technology, it won't work, and I think where you have
211 that technology is where more people choose to live.

212
213 Ms. Trebellas: You mentioned the relay stations someone puts one in on a pole, 100' later you need
214 another one.

215
216 Mr. Lamb: 100-300'.

217
218 Ms. Trebellas: Let's say Comcast does one. Does that mean someone like WOW can come in and do
219 100' here, 300' there?

220
221 Mr. Lamb: Or right next to each other.

222
223 Ms. Trebellas: I have an issue with aesthetics and control because I don't want to see 5 cable or broadcast
224 companies putting in their posts wherever they want in the Township without some sort of guidance.

225
226 Mr. Lamb: And that's the key part we want in that framework, a policy that says you have to construct
227 these poles, if you are constructing a pole, that isn't a single provider pole. These are the same require-
228 ments generally used for macro sites for cellular construction, that you can't go in and put in a macro site
229 that only accommodates one user. It has to have the box and capability to expand for other users.

230
231 Ms. Trebellas: For me, that is an issue.

232
233 Ms. Boni: And I think that's stated as a strategy in this UI.

234
235 Mr. Duell: How is this going to be seamless like with Franklin County and everything they're doing?

236
237 Mr. Lamb: I would like to not tie this to actions and activities being carried out by Franklin County at
238 this time because I think our needs are going to be different than theirs. A lot of their smart city grant and
239 smart city concept is incredible for the region, however it is focusing on some things that I think are much
240 further out there. Right now 5G is the system rolling out today; let's try and get in place a system a year
241 or two at a time, and we can build on it as we go forward.

242
243 Mr. Duell: That's the reason I asked because it's probably something I would have to step aside some in
244 talking about too much since I work for Honda.

245
246 Mr. McNulty: This 5G that's coming requires poles at 100-300', that's the current technology?

247
248 Mr. Lamb: Yes, they're going to have a hub which is a 45-50' tower backed by fiber and repeaters that
249 go out from there to provide coverage. Currently those repeaters are not expected to need a fiber
250 backbone. If technology does not change, it is very likely those repeaters will require a fiber connection
251 as well which would completely change the look and feel of things. I can't tell you what the future is
252 going to bring from that perspective; I can just give you an idea of where we're trending.

253

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254 Mr. McNulty: About how many poles are required, where would you put them in Orange Township, how
255 big of an area do they cover? I think the technology is great and being ahead of it is the right thing to do,
256 but it depends on what this could look like.

257
258 Mr. Miller: My reason for asking about 5GBS network, I just got back from Norway, and they are rolling
259 big time with the 5G with implementation next year, and it's all satellite based. They're not using the
260 relay towers and their big reason is because so much of Norway is mountainous; they can't run the wires
261 to the towers, and a lot of Europe is like that. They're jumping leaps and bounds over us as well as the
262 Pacific Rim where a lot of the phones are being made now.

263
264 Mr. McNulty: And that's what it seems to me, that wires and boxes are going away, everything gets to be
265 in a wireless development.

266
267 Mr. Lamb: There is absolutely no technology that exists today that will replace fiber optics, that is going
268 to be key with us for the next 20, 30, 50 years. The only question is how far can you expand without
269 having to have that fiber backbone?

270
271 Mr. McNulty: But those are all underground.

272
273 Mr. Lamb: Not always. Showed examples of 2G; 3 and 4 G, which is what we currently exist under; and
274 a picture of a downtown area with a fully functioning 5G network.

275
276 Mr. McNulty: I like the satellite idea. I think a lot of stuff is going to come to that.

277
278 Mr. Lamb: I think we'll move in that direction one day, but Verizon's and AT&T's of the world are not.

279
280 Mr. McNulty: Maybe not yet.

281
282 Mr. Lamb: Maybe it's an issue in Norway you can have a large massive planning structure that is run by
283 a federal government. Here it's run mostly by local with some ability to be affected by the State, so this
284 is the process that our investors are going.

285
286 Mr. Duell: Satellites are expensive, and Norway can be covered by one satellite.

287
288 Mr. Lamb: We're very fortunate here from a fiber backbone standpoint; we have a lot of fiber connec-
289 tions, we have great data centers that are able to support it, so we do have that over other locations.

290
291 Mr. Duell: I would rank this one as high.

292
293 Mr. McNulty: I would rate this as high as well because the cable company and all that is all going to
294 streaming anyway versus having hard wired cables, so some of this stuff probably lends itself to fitting
295 into those kinds of technology as well.

296
297 Ms. Boni: So that would be high for 3.1 and 3.2 and I'll work on the language on that.

298
299 Mr. Lamb: One of the numbers I think kind of brings it home is the expectation that by 2025 a standard
300 user of a cell phone will be at 25 GBS of data per month, so those with your 5 GBS plan or less, it's going
301 to be a very different world.

302
303 Mr. Eyerman: At Evans Farm we are talking with a provider of 5G and we've been presented with 20'
304 towers at the corner and will serve as a corner light but also have the box attached to it and in conversa-

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305 tions we've had with them, depending on the length of the lot, every 3-5 blocks or so. There will be
306 lights between them, but these poles might have a little bit more of a diameter but still be in character of
307 the community. It's something we see our buyers are looking for, as much for home uses as home
308 business use too.

309
310 Mr. McCarthy: The small cell exists now?

311
312 Mr. Lamb: The small cell that carries true 5G network does exist, it's being test marketed in 13 cities and
313 tests are going well. Some cities have wrapped up and there's not a phone currently available today in the
314 US that carries and handles a true 5G system though.

315
316 Mr. McCarthy: Was that the technology you were saying we'd see in place in 25 years?

317
318 Mr. Lamb: No, that's going to be rolled out in the next 2 years, and by 2020 you should have full 5G
319 networks in a few locations.

320
321 Mr. McCarthy: I point out to the Commission that it says devise a plan for cell towers or small cell tech-
322 nology to be placed within residential areas. Right now you have prohibition. If there's an objection and
323 if you're going to change the Code, you might have the Zoning Resolution indicate or the product of your
324 goal be a small cell plan because otherwise you're going in a circle back to cell towers, which is ok if
325 that's what you want. Once it's changed, it will be changed and that's true with all this. The dark skies
326 right now is in Section 21.12 of the Zoning Resolution, a relatively recent incorporation of a long
327 standing policy, so I don't know what you want to do. As far as cable and fiber optic, the Township's
328 been very fortunate; we have 2 providers, not just 1. I don't know if they've gotten 100% coverage yet so
329 you certainly wouldn't want to change that one.

330
331 Mr. Duell: Any other comments under utilities and infrastructure?

332
333 Mr. McCarthy: On 3.2 under partners, I again suggest adding the Commissioners. The County has led
334 the way as far as fiber optic down 23 and also working cooperatively with the Township as to the fiber
335 optic we've got, so they probably ought to be on some list.

336
337 Ms. Boni: Is there anything else we should add in that section? Right now I have lighted paths are
338 maybe not a priority. We'll adjust the language to encourage aesthetic requirements for telecommuni-
339 cations and then just the standard continue working with a couple utilities for future growth, kind of the
340 obvious ones. Does anyone else have any comments?

341
342 Ms. Trebellas: UI 3.1 and the matrix and on Page 34 of the text differ. One is just simple, create a plan
343 for wi-fi technology; the other gets more into the whole cell tower/small cell technology issue, so for the
344 sake of being consistent.

345
346 Ms. Boni: I think once I get a grasp of what you guys want for each of the strategies, we'll look back at
347 the challenges and then adjust them from there.

348
349 Mr. Miller: If they're going to make a change to the zoning entity, and Mike, this is more directed to you
350 from a legal standpoint, maybe have the verbiage as technology evolves so you don't have to keep going
351 back to change it.

352
353 Mr. McCarthy: The problem is you've got the short term and long term; this has been categorized as a
354 long term so far. Doesn't mean someone won't show up with a cell tower next week. There's nothing
355 wrong with putting yourself in these situations if that's where you want to be. The problem comes when

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356 you put yourself in a situation you don't want to be there, you have no intention of being there and now
357 you're there. Maybe that qualifier at the front wouldn't hurt, as technology evolves or is judged to be
358 satisfactory or judged to have evolved to a sufficient degree, in there. It still gives you wiggle room,
359 they're not quite there yet if we don't think it's there yet, and some day when it is, then you can imple-
360 ment your policy and it's listed as long term. I'd still be careful of leaving cell tower in there. Maybe if
361 they use wi-fi or some other descriptor; that might be beneficial as well.

362
363 Ms. Boni: I'll review this with Bob too.

364
365 Mr. Duell: When they have their standards, we can put the standards in.

366
367 Mr. McNulty: Would you say cell towers are going away except maybe in some extreme rural areas? If
368 everyone goes to 5G or other technology, there would be no reason for these large cell towers any longer.

369
370 Mr. Lamb: The 250' towers are not optimal for delivering 5G which would mean shorter, tighter lines in
371 which to carry that. I don't know that they completely go away. We use them for some public safety
372 services, radios for EMS, so I can't tell you they will serve no purpose going forward, at least not today.

373
374 Mr. McNulty: Because if one came in, should we even consider it?

375
376 Mr. McCarthy: Technically you have considered it and right now, if they're entitled to notice and they
377 object under existing Code, the Code prohibition falls into place, there would be no tower there.

378
379 Ms. Boni: And it's different in a commercial district.

380
381 Mr. McCarthy: Commercials and industrials you can't keep it out; you need them somewhere.

382
383 Mr. Dove: What neighborhood is not going to come in and someone's going to object?

384
385 Ms. Boni: We've seen one...

386
387 Ms. Trebellas: How many times do people not come in until the last minute complaining after 3 months,
388 6 months of the review process and say they didn't get any notice until yesterday?

389
390 Mr. Dove: Every application we receive we get utility letters that say we can provide services, and it
391 seems like sewer was the only concern and they said if we basically stated we're 2 units per acre, they
392 feel confident they can provide service but we're looking at applications of bigger density, so I don't
393 know at what point we go we're capped out.

394
395 Mr. McCarthy: We're going to have a lot of density discussion later.

396
397 Mr. Dove: I don't know how we come to that realization or how we know, but it's coming.

398
399 Ms. Boni: I can meet with Sanitary and get their thoughts too and share that with you and see what we
400 can get from that. Scott, do you have any thoughts on the utilities and infrastructure section as of now?

401
402 Mr. Sanders: I want to study the telecommunications towers because my understanding was they are
403 prohibited in platted subdivisions. If they're not in platted subdivisions and you receive an objection, you
404 have to meet the provisions which just means you have to design it correctly. But if you use the word
405 prohibition, I'm not sure....

406

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407 Mr. McCarthy: Technically the language in the section says if there is an objection, then the provisions of
408 the Zoning Resolution apply; it doesn't say the design standards or anything of that sort. Whatever the
409 Zoning Resolution provides is going to be operative and that can include a prohibition which is where
410 they came out when the amendment went in. I'm not saying it shouldn't be re-studied, I'm just saying
411 right now you've got that default if there's an objection and certainly the Township can change that. The
412 provisions of the Resolution shall apply, so if you change that to aesthetic definitions, I don't know what
413 else beyond that. There's a tower at Alum Creek on the east side of the tracks, at least one north of
414 Orange Road, below Polaris Parkway there's a big one, but in residential areas, nothing. We had at least
415 one instance where a school which was zoned within part of an SFPRD was proposing to do it and the
416 residents objected and that did not go forward. So in our residential areas right now to my knowledge
417 don't have one. As Michele indicated, recently there was a request, notices went out and no one objected,
418 but it's also in the area of a big electric easement, so I don't know how much you would see it opposed to
419 the tower that's already there.

420
421 Mr. Lamb: From the County's standpoint, the Commissioners' standpoint, we're at a 60,000' level right
422 now and in discussing with the possible consultant, our attorneys, construction group, what does that
423 framework look like from a legal standpoint where everyone can turn to a service type agreement and are
424 comfortable with that framework. Once we have that sorted out, it's then going to go to County
425 departments for further engagement, to Scott's group, County Engineer, other key components
426 consolidated, the co-op private sectors/AEP since they run a lot of the fiber. Next we'll engage
427 Townships and other local partners to help build this plan. Right now we're just sorting thru the legalities
428 of how you enter into this type of a partnership when everyone's trying to figure out the technology side
429 of things. There's going to be a lot of opportunity to engage in this; we really want to make this a
430 community effort to get to be where we need to be.

431
432 Ms. Boni: Moving on to transportation, the first one to adopt a complete streets requirement, or that
433 should be more of a policy, for all new developments coming into Orange Township. This is something
434 Beth Hugh and I are working on. We're collaborating with the Prosecutor's Office to see what we can
435 put together to initiate that. This would be more for new developments; we can't really require any
436 existing zoning to go complete street. And just so everyone is aware, complete street is a street that all
437 users can access, bikers, pedestrians, vehicular, all modes of transit. We can add more requirements in
438 terms of landscaping or street aesthetics. At least from Beth's perspective, trying to initiate the trail
439 development and more pedestrian paths is something that this policy can help.

440
441 Mr. Dove: Is that just public or will that be for private as well?

442
443 Ms. Boni: It could be both; we're not sure on that. I don't know that we'd need a trail going thru every
444 private street but at least have sidewalks in place.

445
446 Mr. Dove: What are the requirements for it?

447
448 Ms. Boni: From my understanding, if the County is building a road, it has to be a complete street at this
449 point now, so they have to have some type of trail or pedestrian path. So the S. Old State expansion is
450 now complete street.

451
452 Mr. Lamb: It depends on where the funding is coming from.

453
454 Ms. Boni: Yes, if it's Federal dollars, it has to be complete street.

455
456 Mr. Lamb: If it's just a County project, using County funds that are open to other funders who might be
457 able to contribute.

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458 Mr. McCarthy: As far as streets, one entity missing is the County Engineer. Their authority as far as road
459 standards, you can say whatever you want but if the Engineer's not going to require it or expressly
460 prohibits it, and you might move them into at least as a partner, make sure the County's comfortable with
461 that. We do not dictate streets; the County Engineer runs that. So maybe policy would be a better word
462 that we'd like to see it rather than require it because I don't think you have that authority.

463
464 Ms. Trebellas: How will complete streets be implemented? Are we talking about bike paths separate
465 everywhere, how we're going to integrate pedestrian versus bike versus vehicular transportation modes?
466

467 Ms. Boni: I don't have that answer now.

468
469 Ms. Trebellas: That has me concerned because all of a sudden we could go from a standard street width
470 to something that has to accommodate two bike paths, two pedestrian paths, all separated.

471
472 Mr. McCarthy: They also have choke points, mandated benches...

473
474 Ms. Trebellas: And that's why I want to discuss what we mean by complete streets, what our policy is in
475 term of all 3 of those components and how they work together, are they necessary in every location to
476 have all 3 modes. We questioned once when I think Beth wanted to have a pedestrian path along 23 and
477 we wondered if that was really a good location for a pedestrian path.

478
479 Mr. Dove: It was back by Kohl's...

480
481 Mr. Duell: Yes, back in the Industrial District.

482
483 Ms. Trebellas: We question the utility of some of these, so I don't know how to approach a policy but I
484 think some of these aspects ought to be considered.

485
486 Ms. Boni: And I think this recommendation isn't saying exactly how we want the policy to be; it's just
487 saying consider it, and once that is being considered, we will share that. The second one, I don't know
488 that this really pertains to us at all.

489
490 Mr. Lamb: Having scanned 2.1 and 3.1, it would be beneficial if either responsible parties or potential
491 partners, adding in the County Commissioners.

492
493 Ms. Boni: My guess, and I'm not blaming the students, but I don't think they considered the County
494 Commissioners during this review process.

495
496 Mr. Lamb: I also think the Delaware County Engineer's standards be in there per se, maybe at least a
497 reference that they have to approve the project.

498
499 Mr. Sanders: Which sections?

500
501 Mr. Lamb: 2.1 and 3.1.

502
503 Ms. Trebellas: I think both of them are important to the Township. I don't know quite how we can
504 further them.

505
506 Mr. Sanders: I'll be happy to talk about that.

507
508 Ms. Trebellas: I'm sure you had a public hearing about the Big Walnut Interchange.

Zoning Commission

509 Mr. Sanders: Quite a few.

510

511 Mr. Duell: I thought there was some movement from Congressman Tiberi's office on the Big Walnut
512 Interchange; wasn't that the case at one point?

513

514 Mr. McCarthy: That was the rumor anyway.

515

516 Mr. Duell: But he's not there anymore.

517

518 Ms. Boni: So 2.1 we know it's important. Do you have any more comments on that, Mike?

519

520 Mr. McCarthy: You might have the Zoning Commission in there if you're going to have any
521 incorporation of that into the Zoning Resolution itself. This implementation listing, and you indicated
522 Parks commented as well, I think we want to sort out the land use components from the economic
523 development components from the park components and leave the latter two to their own vices rather than
524 have them listed as something that's relevant to our land use.

525

526 Mr. Duell: Yes.

527

528 Mr. McCarthy: A lot of them are more operational or goal directed in terms of operational, one way or
529 the other.

530

531 Ms. Boni: On the next page, 2.2, reduce curb cuts on US 23 and encourage cross access between private
532 developments.

533

534 Mr. McCarthy: That has actually been going on since probably about 1986.

535

536 Ms. Boni: So maybe continue...

537

538 Mr. McCarthy: Yes, continue, and I think ODOT has taken it light years from where it was. There used
539 to be one serious wreck every week on 23. You can go up and down 23 and see the difference and also if
540 you break Shanahan Road, you can see what it used to be more like.

541

542 Ms. Trebellas: And that would help with potential congestion.

543

544 Ms. Boni: 2.3, reduce dead ends and increase connections between neighborhoods by requiring new
545 developments to access existing developments; I think that's another continuing.

546

547 Mr. McCarthy: We've done it but the history, certainly the High Meadows connection, high drama there.
548 Eventually that did all become public. Villages of Bale Kenyon stub street, now you've got a private
549 condo road, you're never going to connect that unless you condemn it and the Commissioners would have
550 to help us with that. A lot of people living on stubs were successful in going to the Board and asking not
551 to pursue this. I think the policy is a great policy though. I know the County Engineer endorses it.

552

553 Mr. Duell: We have an active case before us that's a connection.

554

555 Ms. Boni: Do we want to encourage that or do we need to....

556

557 Ms. Trebellas: I think we need to encourage it.

558

559 Mr. McCarthy: Absolutely.

Zoning Commission

560 Ms. Trebellas: I think some of the reasons we have traffic problems on 23 is because things don't
561 connect.

562
563 Mr. McCarthy: It forces them out on the main roads.

564
565 Ms. Boni: The map on Page 38, they identified in yellow all the dead ends in the Township and I thought
566 it was interesting to see how many there are.

567
568 Mr. Sanders: There could be 2 different colors, ones that are still remaining to be continued, like Green
569 Meadows. I noticed in the back there are a couple of pages that repeated the maps larger but some of them
570 missed the legend.

571
572 Ms. Boni: I have all the GIS files and maps for this, so we could tweak them.

573
574 Mr. Dove: I thought there was a conversation once with the Fire Department trying to get rid of dead
575 ends.

576
577 Mr. McCarthy: The Fire Department, particularly Inspector Gholson who recently retired, was hell on
578 wheels and the vast majority of our commercial areas, you can drive one user to the next and there will be
579 a connection, so that connection between commercial developments has been pursued in the past. I'm not
580 aware personally of where there are any exceptions. Even the Get Go on the corner of Powell and 23 has
581 a connection and that goes way back to when it was a Sohio Station.

582
583 Ms. Boni: T3.1, pursue grants and tax increment financing to fund construction of an under/overpass of
584 existing active railroad crossings. This may not be a Zoning Commission per se issue...

585
586 Mr. McCarthy: I suggest that be left to the political process.

587
588 Ms. Boni: But this was a very discussed topic during the surveys and open house meetings.

589
590 Mr. McCarthy: About the only impact the Zoning Commission could have on TIF funding would be to
591 refuse to zone. Beyond that, the TIF funding lies with either the Commissioners or the Township
592 Trustees, so I don't know that zoning's involvement would be.

593
594 Mr. Duell: I'm under the impression there is some more TIF funded stuff potentially coming our way.

595
596 Ms. Boni: Yes.

597
598 Ms. Boni: T3.2, find possible solutions for reducing accident risks at the Franklin Street railroad
599 crossing.

600
601 Ms. Trebellas: How many accidents have occurred at that railroad crossing?

602
603 Mr. McCarthy: In my recollection, none.

604
605 Ms. Trebellas: Exactly, and that's the railroad crossing that's in Old Lewis Center behind where the EMS
606 and all that stuff is.

607
608 Mr. Griffin: Last year there was one.

609
610 Ms. Trebellas: Last year one; I've lived here 14 years and can't recall any.

Zoning Commission

611 Mr. Griffin: There have been some close calls. I heard it was an issue, so I went to a Trustees' meeting,
612 and they were talking about closing it.

613

614 Audience Member: The railroad company's desire to close it as a redundant crossing, and the safest
615 crossing is one that prohibits traffic, and I see that as reducing accident risks, not reducing accidents, so
616 they see it as an accident risk. Their alternative is to put up lights and throw dollars at it for perpetuity
617 and that may have to be a partnership with the Township to pony up those dollars, so that will be
618 announced down the road by those in control of that project.

619

620 Mr. McCarthy: But again, that lies with the Board?

621

622 Audience Member: Yes.

623

624 Ms. Trebellas: The residents still want to use it, the railroad wants to get rid of it, so somebody has to
625 throw money at it to put up the appropriate warning devices.

626

627 Len Fisher: One of the biggest users of that street are bicyclists and pedestrians, so if you get rid of that
628 street, you need to have a bike path crossing the railroad tracks, especially being quid pro quo on that and
629 I don't think there's any other good answer, otherwise you're running a bad road in a bad area.

630

631 Mr. McCarthy: I think there's been a little bit of a quid pro quo direction in terms of Orange Road and
632 that's been in discussion for at least 5 years with the railroad. They're great at closing your crossing but
633 as far as you getting across their rail bed, they want no part of it.

634

635 Mr. Fisher: I sure wouldn't take down Franklin Street without getting something for something.

636

637 Mr. McCarthy: I don't know that that really falls into our purview in zoning.

638

639 Ms. Boni: 4.1, create design principles that encourage better street design and building for on street
640 parking, street trees, landscaping and other characteristics, especially in commercial areas. I know street
641 trees are not allowed in the right-of-way.

642

643 Mr. McCarthy: They're allowed, but not in the right-of-way. At some point you can debate that. As far
644 as an amendment to the Zoning Resolution, that encourages that or provides for that request.

645

646 Ms. Trebellas: Isn't that basically also complete streets?

647

648 Ms. Boni: Yes, so maybe we don't need that?

649

650 Ms. Trebellas: Or combine it with the complete streets. My understanding of complete streets was that it
651 was everything, not just the road but the landscaping...

652

653 Mr. McCarthy: Christine has a good idea; just take that one out and leave it at complete streets.

654

655 Mr. Duell: There's perhaps more to it than just that because it does talk about commercial areas. That
656 may not be a streets issue, that may be parking lots issues. We had a recent application where we
657 requested trees in the parking lot so it didn't look like a sea of asphalt. But there are other areas in the
658 Township where we have a sea of asphalt parking and....

659

660 Ms. Trebellas: I think there's one that actually addresses parking later on.

661

Zoning Commission

662 Mr. Duell: This is specifically mentioning trees and landscaping in commercial areas; that's why I
663 brought it up. It doesn't have to be the parking, it can be around the buildings, etc. That may be an
664 interesting thing to consider, more green space in commercial areas.

665
666 Ms. Boni: I'll combine that with the complete street and add some more language to it.
667

668 Mr. McCarthy: A lot of our commercial developments, without pressuring from the Township, have
669 come in for far less than 75% lot coverage, so there might well be a place for your comment. Some
670 people have maxed it out; you can kind of pick those out.

671
672 Mr. Duell: We're seeing more applications where people are trying to max out, even go over.
673

674 Mr. McCarthy: The one I think you're talking about has an odd lot. Typically up and down 23 the
675 Township's buffered with outparcels. Children's has one row of parking in the front, the rest is in the
676 back or along the side which is kind of where you ended up on the one I think you're talking about. But
677 the idea of breaking it up, there was some push back on that particular application, let's just gang it
678 somewhere, are you solving the issue you were trying to address, so that's probably a worthwhile
679 discussion when you get there.

680
681 Mr. Duell: That's why I'm a little hesitant to just take it out because what we can do in commercial areas,
682 especially when it calls out commercial area.

683
684 Mr. McCarthy: Better street design with the goal of buffering those acres and acres of parking.
685

686 Ms. Boni: So how do we want to word that?
687

688 Mr. Duell: I think we can leave it the way it is.
689

690 Mr. Sanders: I don't think there's anything wrong with the way it's worded, it's just a matter of doing the
691 companion design guide that has 3 or 4 different types of cross-sections to choose from

692
693 Mr. McCarthy: To date they've had to say go drive 23 and take a look around and they've all done it.
694

695 Ms. Boni: The last transportation issue, 4.2, explore using alternative intersection designs to increase
696 traffic flow.

697
698 Mr. McCarthy: Is that roundabouts?
699

700 Ms. Boni: Yes.
701

702 Mr. McCarthy: Have the Engineer in there. Again, the Commissioners and the Subdivision Regs, ought
703 to get them on the list somewhere.

704
705 Ms. Boni: Does anyone have any additional transportation thoughts, comments?
706

707 Ms. Trebellas: I noticed when looking in some of the beginning commentary for comprehensive land use
708 planning, people were talking about public transportation. It may be great for Columbus but I didn't think
709 we had the density for issues such as that.

710
711 Mr. McCarthy: And no one has had the nerve to put it on the ballot in Delaware County.
712

Zoning Commission

713 Mr. Fisher: Would it just be a matter of expanding the Data Bus service as needed?
714
715 Ms. Boni: Yes.
716
717 Ms. Trebellas: Because it seemed to be a concern of people who came to the focus meetings.
718
719 Mr. Sanders: The map showed a route that comes down 23; there's a sign in front of Meijer.
720
721 Mr. McCarthy: At the Business Appreciation Day there was a comment made that Data had gone out of
722 it's way to try and come up with a route to bring workers in, and no one was using it. They did it within
723 the first year of when it was brought up there.
724
725 Ms. Trebellas: My understanding was, before I read this, that Data was on demand, it wasn't I go to a
726 stop, get picked up, get dropped off somewhere; I don't know if they have timetables.
727
728 Mr. Fisher: They have both, and my wife was just saying that a couple of lines have been dismissed
729 because no one was using them.
730
731 Ms. Trebellas: I just say we move on; I retract it.
732
733 Ms. Boni: The next section, and we can either go into this or not, the economic development section.
734
735 Mr. McCarthy: I suggest we leave that for the Trustees and Commissioners because zoning doesn't deal
736 with that.
737
738 Mr. Dove: What about 1.5?
739
740 Mr. McCarthy: What's the Zoning Commission going to do about that?
741
742 Mr. Dove: Reducing obstacles?
743
744 Mr. McCarthy: What obstacles? You're in a statutory process; that's the question.
745
746 Ms. Boni: They mean the planning process is an obstacle.
747
748 Mr. Dove: It's our standards, our timeframe, our process.
749
750 Ms. Boni: Yes.
751
752 Mr. McCarthy: Are you saying consider reducing the standards?
753
754 Ms. Boni: No, I'm saying trying to find efficiencies to create a smoother planning process.
755
756 Mr. Duell: I think it's certainly something we can discuss, efficiencies in the zoning process. Mr. Bodnar
757 and I had a discussion about that.
758
759 Ms. Boni: Maybe that shouldn't be in economic development; maybe that should be put in the zoning
760 section. Is that something the Commission would agree to?
761

Zoning Commission

762 Ms. Trebellas: There was one in the zoning section already to evaluate the existing zoning/rezoning
763 permitting process and try to make it more efficient, so I don't know if it should be added to that or as a
764 separate one within the zoning.

765
766 Ms. Boni: And then 1.4 was the other question.

767
768 Mr. Duell: I have it flagged. It just says strategically zoned open space for desired commercial activity.
769 We don't zone anything on our own, we only do it upon application, so I'm not really sure there's
770 anything to address on that.

771
772 Ms. Boni: Because we talk about open space requirements in other sections.

773
774 Mr. Duell: I don't think they're using open space as we use open space. I have a big question mark next
775 to that one.

776
777 Mr. McCarthy: I'm not sure what that meant.

778
779 Mr. Eyerman: Shovel ready property? I didn't understand the open space.

780
781 Mr. McCarthy: You're not talking about reducing open space by zoning it commercial though?

782
783 Ms. Boni: I'm not sure what that meant. I will look into that and if anything, I might cross it out.

784
785 Mr. Fisher: What are you going to do with 1.4 and 1.5?

786
787 Ms. Boni: 1.5 will be moved or merged into the zoning chapter. Was there anything else in this section?
788 Otherwise, I will probably waive that to the Trustees.

789
790 Ms. Trebellas: Isn't there also an Economic Advisory Board for the Township or something?

791
792 Audience Member: Outreach Committee.

793
794 Ms. Trebellas: Would they be interested in this?

795
796 Audience Member: Absolutely.

797
798 Ms. Boni: I'll be attending the next Outreach Committee meeting and share the recommendations with
799 the Committee. We'll probably go over the economic development and community identity piece. Do we
800 want to continue on with zoning? Before we begin with that, Scott Sanders did update the Land Use Map
801 with information as of January 25, 2018. I know last time we talked we were considering to still have a
802 sub-area chapter exception into the plan, and having this updated plan in front of you today, maybe we
803 can discuss that now; I don't know how the Chair wants to do that. Do we identify that we have to have
804 new sections or change sections?

805
806 Mr. Duell: I think we should ask Mr. Sanders if he has any recommendations. The old Comprehensive
807 Plan has different sub-areas called out and you have them called out here in the map. Is there any benefit
808 in redefining those sub-areas now that development has occurred since the last time we reviewed the
809 Comprehensive Plan?

810
811 Mr. McCarthy: The far north probably because we're putting Evans Farm there now.

812

Zoning Commission

813 Mr. Sanders: I didn't think there was a huge need to split anything up.

814

815 Mr. Duell: It's more of a question of combining.

816

817 Mr. Sanders: Yet, however, maybe in the Alum Creek Valley area, it doesn't have to be a separate sub-
818 area, it could ??? having to do with once you get down there. I guess we'd actually have to get into and
819 look at the active recommendations and see if there's a lot of repetition in that section and just to clarify I
820 set up the map and took all the existing zoning which we've tracked and then I tinkered with some of the
821 future road connections and some of them had been completed and others I have no clue so it isn't really
822 accurate as to what the zoning development plan says. Everything else I tried to adjust to the actual lots
823 and actual roads that are now in place. And then I tried to catch, there's an additional school property and
824 church property; I tried to reflect those as well. So I didn't change any recommendation; I just reflected
825 on what's there.

826

827 Mr. McCarthy: I think the recommendations by sub-area have always provided a useful starting point at a
828 minimum for discussion regarding a development, and I think it has assisted the Commission into saying
829 for some of the proposals, that just doesn't go there rather than every day dawns a new morning and you
830 wake up knowing nothing, so I think it might be useful to run A to B, the sub-area description against the
831 map, see if you have any changes, if you do, fine, if you don't, fine,; it shouldn't take that long because as
832 Scott pointed out, part of it's zoned and a lot is built now, so it's not going anywhere for a while. I think
833 that would be a good exercise personally.

834

835 Mr. Sanders: I've seen a couple kind of in-fill higher density condo type approaches, I don't know if you
836 have a policy in mind of how you want to treat those in the future.

837

838 Mr. McCarthy: At a minimum it needs to be discussed.

839

840 Mr. Duell: Yes, definitely. So do we keep the current sub-areas for now and we can review them, and if
841 it doesn't get changed then we just muzzle it up.

842

843 Ms. Boni: Do you want to do that type of exercise at our next meeting?

844

845 Mr. Duell: I can see some areas where nothing's probably changed since the last time and then there's
846 probably some areas where the activity is either happening according to what the plan was or something
847 has changed and at that point it's probably worth identifying the change and making the change. So we'll
848 do that next time.

849

850 Ms. Boni: Do you want to go over those zoning and land use recommendations tonight as well; it is 8:00.
851 It's up to you.

852

853 Mr. Duell: We can start.

854

855 Ms. Boni: Because if we want to add that as something to review when we compare the maps of the
856 southern areas for the next meeting, we can try and not get so confused, I don't know if we want to talk
857 about housing tonight.

858

859 Mr. Duell: Why don't we go with the first three and then we'll stop there?

860

861 Ms. Boni: How about if we go to Page 101? So Z1.1, create a new mixed-use zoning district and apply
862 to key targeted areas.

863

Zoning Commission

864 Mr. Sanders: I think we need to define what are key targeted areas.

865

866 Mr. McCarthy: I talked to some of the students during the process and the real question is as to a new
867 mixed use zoning district, you've got Evans Farm which is about as mixed use as you can get. What is to
868 be the future of the balance of the Township, both in terms of all the way across the board but tradition-
869 ally there have been certain principles that have guided your development. The mixed use has kind of
870 dropped pretty much everything anywhere and is there an interest in doing that in view of the fact that
871 you have 555 acres but, as to the balance of the Township, is the prior pattern going to be abandoned and
872 this will be the new normal or what? I think that discussion needs to occur.

873

874 Ms. Trebellas: I think we need to have the discussion of what mixed use means and then if we do mixed
875 use, which areas would it be appropriate in? It seems like from some of the meetings and some of the
876 comments we've gotten that have come before the Commission all this aging in place, housing for empty
877 nesters and how nice it would be if they had mixed use so they could walk everywhere...

878

879 Mr. McCarthy: 3300 sf retirement homes....

880

881 Ms. Trebellas: We won't go into that but that has to be discussed as well.

882

883 Ms. Boni: Scott, with any of your experience with the Land Use Plans or Comprehensive Plans, have
884 they defined the mixed use in the plan itself or have they even used that type of language before?

885

886 Mr. Sanders: Nothing beyond what your previous plan said, which talked about a town center and the
887 walkable core area with potential multi-family and then surrounded by single family.

888

889 Mr. McCarthy: And do you want pockets of that infilling the balance of the Township? It might not be
890 sustainable.

891

892 Mr. Duell: When I saw this, what immediately came to mind was a more flexible district that could
893 handle many different things because the single biggest things coming before us are single family
894 detached condominiums which do not fit anywhere in our current Zoning Resolution and it's the
895 divergences required to try and fit those in that's creating a lot of issues on the Board and with the
896 developers.

897

898 Mr. McCarthy: I agree but the question is do you want to get in the business because right now, since
899 there is some uncertainty as to whether or not this is even something that should be talked about,
900 whatever conclusion you come to is going to assist everyone going forward either a, yes consensus wise
901 we're going to get in the business or b, no, we're not in the business, get on down the road.

902

903 Mr. Duell: We're kind of in the business a little bit; we have approved some.

904

905 Mr. McNulty: Not really, we just had a couple pass by that the Zoning Code restricted us from taking
906 care of. The Pulte Homes and the commercial development in front wanted a hotel....

907

908 Mr. McCarthy: The one last night; I don't know what the Trustees will do with that.

909

910 Mr. McNulty: They wanted that mixed use and our zoning wasn't flexible enough to make that happen.

911

912 Mr. Duell: There was a lot going on with that, including height.

913

Zoning Commission

914 Mr. McNulty: But that could have been managed even within our Code. There are plenty of hotels
915 within that...

916
917 Mr. Duell: No, it was height.

918
919 Mr. McCarthy: The thing is, that is a related issue. One issue is are you going to allow for increased
920 density beyond that that at least for the last several years has been considered?

921
922 Mr. Duell: Density is a question that comes later.

923
924 Mr. McCarthy: But it's part of the parcel mixed use though.

925
926 Mr. Duell: True, but density can be a separate issue.

927
928 Mr. McCarthy: But building height, there's a point. Appearances going to change; is that where you see
929 this place going or not? I think those are all good questions.

930
931 Ms. Boni: I think when we go to amend the Zoning Code, we'll be able to define that much more
932 thoroughly and create standards.

933
934 Ms. Trebellas: I think it's a discussion that has to happen but where it ends up is a different story, and the
935 discussion we have to have comes before the Commission and with developers coming into this com-
936 munity wanting to do these things...

937
938 Mr. McNulty: Developers are coming in not really interested in building those 2 story homes that Orange
939 Township is full of. It's not that they're not totally interested but the things we've been seeing are again
940 the higher density, retirement homes, people live here and snow birds go to Florida. A whole other
941 concept that our Zoning Codes does not allow for. And I get it's because of the density among other
942 problems.

943
944 Mr. Duell: Density is a separate bullet point which I think is going to be important to discuss because
945 we're going to have something come to us eventually that is going to at first not be well received but I
946 hate to go into it in greater detail because it was part of an informal meeting, but this is coming and to the
947 extent that we can get ahead of these issues here, I think it's going to help the discussions that are coming
948 to us in the future. So the issue of single family detached, the issue of apartments, the issue of....

949
950 Mr. McNulty: Hotels

951
952 Ms. Trebellas: And single family detached condos.

953
954 Mr. McCarthy: One thing pertinent here, and I don't think we have a figure available tonight, but you've
955 had 3 plans, this is what the market wants and I asked Michele are they pulling any permits in our 2 unit
956 an acre developments and the answer was yes, so apparently not everyone wants to be 10' from their
957 neighbor. I think that's a side of the public demand that is not coming out at these hearings from the
958 applicant's side and there's no one speaking on the other side, so there is discussion to be had.

959
960 Mr. Miller: In Westerville they've developed the "medical mile". If things come down the road that parts
961 of Orange Township from a multi-use scenario may be a technology area that is big dollars from an
962 employment standpoint which in time, whether we like it or not, there's going to be a need for tax
963 revenue coming into the Township and the County, and some of those multi-use scenarios are going to
964 have to be addressed sooner than what people think.

Zoning Commission

965 Ms. Boni: Is this something the Commission wants to consider?

966

967 Mr. Duell: Yes; I think we need to, whether...

968

969 Ms. Trebellas: Whether we're happy about it or not, it needs to be discussed.

970

971 Mr. Duell: I'm not trying to predetermine what the answer is going to be but it needs to be discussed.

972

973 Mr. McNulty: What I've seen with my limited time on zoning, we get to be a reactionary body because
974 we really don't know. The developers in my opinion are on the front end, they're out there selling this,
975 they see it work. They're bringing it to us and we haven't caught up with where they are, with where the
976 new market and new things are, and I'm not sure how we do that. I don't know that there's anyone out
977 there saying let's attract these kind of businesses or let's attract this development; we're reactionary to
978 whoever walks in. We're going to consider what you're presenting to us when you bring us the plans.

979

980 Mr. Duell: There are some entities that are asking for certain types of developments.

981

982 Mr. Dove: But we also never know what's coming in. The ??? residential district we created was for a
983 piece of property where someone came in and we went thru the steps to create that, so if they had come in
984 and said we want to build this on Old State, we still probably wouldn't have it. Now we know we're
985 getting higher density coming in, so we need to address that now.

986

987 Mr. McNulty: My point was always that Orange Township needs a hotel and I think it's still possible to
988 build that within our height structure. Now you have to go to Columbus or other spots and that's what
989 this other development wanted which we did not allow but that's just a matter of opinion between you
990 and I and others.

991

992 Mr. Duell: They were pretty clear that the type of hotel that we would want would want to be higher.

993

994 Mr. McCarthy: And then the problem is that the type that you don't want is also higher in some areas.

995

996 Mr. Dove: In my opinion, we need to talk about it, but I think we need to cover the density for the mixed
997 use conversation because that's in front of us now. The mixed use we have already kind of worked thru
998 at least for that because that's in front of us.

999

1000 Ms. Boni: Next, Z-1.2, Create new commercial overlay district with development standards/design
1001 guidelines that encourage walkability and build community identity. There has been discussion with
1002 some developers, and I don't know full details but I know there was a group considering doing an
1003 overlay district on 23; they're going to try and get that just to have a consistent framework for them
1004 when it comes to any new development.

1005

1006 Mr. McCarthy: That brings us back to the Commission's position previously regarding what PUD
1007 process you want to implement in Orange Township. For the overlay, typically you're going to have a
1008 base zoning put in place, that base zoning will be a legislative decision subject to referendum. The
1009 overlay is going to be an administrative process that will not be subject to referendum and historically
1010 the Township has wanted that process of referendum to apply to a known product rather than a future
1011 unknown. Right now if they were to assemble property and bring it in in a single application as a PC,
1012 they could define that district, it would be a zoning change subject to referendum so they could get what
1013 they want. Be aware if you flip from the legislative to the administrative fields, you change the whole
1014 process. It's difficult, demanding, burden of proof to assault a zoning resolution and administrative
1015 decision 25.06 appeal, particularly if you can argue the record is incomplete and slide a little bit more in
1016 but be aware there's a reason you haven't used overlays; not to say you can't and shouldn't. Encourage

Zoning Commission

1017 walkability and build community identity is a process; how should you do that, and I would think
1018 carefully on that. That would be a shift from historical precedence.

1019
1020 Ms. Boni: From an enforcement standpoint, having an overlay district in some of our older areas would
1021 be helpful for me. There are times I spend hours looking for an old PUD just to figure out what the
1022 setback is, so if we did an overall for a larger development, create a district for that, it would, at least
1023 from a staff's perspective, be easier to enforce rather than me pulling every PUD to look at the text.

1024
1025 Ms. Trebellas: Michele has a point because how many times have we gone to Mike and said we have
1026 this Planned Commercial District, we're building one next to it, what's the setback there, what's the
1027 parking, what provisions did we have for....

1028
1029 Mr. McCarthy: That is in part the approach the Township took. The point I'm making is if you create
1030 an overlay, don't think you're going to have the same degree of control that you have under the process;
1031 that is why they use it. There were several re-writes where I brought up mixed use, and the Zoning
1032 Commission had a very strong demand unrelenting position that they wanted to do it a certain way.
1033 Certainly on the enforcement end it does increase the burden, and Michele and I have talked about it.

1034
1035 Mr. Duell: They also had a lot less development...

1036
1037 Mr. McCarthy: They pretty much got you at this point. Looking at the map they've done a lot of
1038 development but you might as well go back to Euclidian districts then. Just be aware of the difference if
1039 you're getting into that. Overlays are not new, they've been around for a good while.

1040
1041 Mr. Duell: Is it possible to see an example of one?

1042
1043 Mr. McCarthy: I think Liberty has an overlay; you can see what it looks like. Basically you're going to
1044 zone it first and then you're going to find out what's going to go there later and when you get to that
1045 point if you don't like it, OK.

1046
1047 Mr. Duell: To some degree, that's a lot of what we're getting now.

1048
1049 Mr. Sanders: I guess it's how you define it. A lot of Townships have a 2 step process. It depends on
1050 how many safeguards you put in that second step; it's not get it zoned and then you're free for all for the
1051 second step. You could probably do some of this now by either tinkering with your Planned Commercial
1052 District to bring in some of those standards, so it wouldn't be an overlay, it would just be higher
1053 standards but then your commercial area. But once you come up with this sort of massing and the kind of
1054 design standards, then you can say, when you want to rezone, we want you to use these design standards.

1055
1056 Mr. McCarthy: The one I'm familiar with is the true 2 part, so would this be something that say Michele
1057 is approached and someone's proposing an overlay, she says these are the standards you've got to design
1058 to and then the whole package comes back to the Zoning Commission in one fell swoop. Over the years
1059 on both sides of the table the administrative process does not give you the same discretion as the legisla-
1060 tive. You're doing 2 different things, they're essentially 2 different authorities. One you're administering
1061 the Code, the other, you're making the rules. You guys control what goes there together with the Board
1062 but be aware that is the rationale for what's being done now and there are no two of our districts that are
1063 exact matches. Each has been planned to the property involved and requires a higher level of enforce-
1064 ment than if you were running Euclidian districts and everybody knew what the standards were for
1065 everyone everywhere, and that's just asking who are you, what do you want to be and how do you want
1066 to control it.

1067
1068 Mr. Duell: It would still be nice to see an example of one.

1069

Zoning Commission

1070 Ms. Boni: I'll provide an example and we can discuss more then. Z1.3, review and consider changing
1071 density requirements to achieve the community's vision to the Township's physical development.

1072

1073 Mr. Dove/Ms. Trebellas: Yes.

1074

1075 Mr. Dove: What I still don't understand about our density requirements, and it stems from the first day I
1076 sat in as an alternate on an application on Bale Kenyon, the condos they wanted increased density, and
1077 we were using property across the street as open space for the density. I don't understand how we're
1078 using non-buildable as part of our density requirements.

1079

1080 Mr. Sanders: I agree.

1081

1082 Mr. Dove: We can jam a 5.2 units per acre because there's a ravine behind it that we're not able to build
1083 on and we complain about a 4.2 across the street that's built, so there needs to be some sort of
1084 consistency. Then we have this thing in there that there's so many units per acre for multi-family, and
1085 we really don't know what that means. Do you have a little scaled box and if it's more than 2 units, then
1086 it's a no?

1087

1088 Mr. McCarthy: I've seen that done a few times; nobody knows what that means. As far as open space,
1089 go with the 401 definitions along with the provisions in XXI; that lies in the discretion of the Board. So
1090 if the Commission said that's not really usable, that's not acceptable as open space, the discussion would
1091 have to shift. There was a proposal in Olentangy Crossings and that property on North Road the Town-
1092 ship is currently building a park on was twice as big when originally given to the Township. The
1093 Township for free gave ½ of it to the schools, subject to reverter, and that was proposed to count toward
1094 the open space in Olentangy Crossings and Roy Wilson said no way. They reconfigured the plan and
1095 went forward. The latest you may be thinking about, the ravine's unbuildable, but go to Hidden Ravines,
1096 the old condo development on the west side, you'll see it can be done, and the Code on one hand says
1097 we're going to preserve ravines; on the other hand, if ravines are not acceptable as open space, ravines
1098 are going to get developed. That is the only one I can think of where they actually went in and
1099 developed in a ravine area.

1100

1101 Mr. Dove: The question is, do we change our cluster housing to a bigger density where we know they'll
1102 be closer together and setbacks are going to be different and we don't say you have to have 2 units per
1103 acre and it's cluster housing, and do we come up with a number? Personally I think it needs to be
1104 something buildable. We can't take a property across the street....

1105

1106 Mr. McCarthy: So you would just eliminate an open space requirement and have a higher residential
1107 density? They'll build that, they'll fill acres with that.

1108

1109 Ms. Boni: Can you say that open space requirements should not include non-buildable area?

1110

1111 Mr. McCarthy: Some Codes do; Scott, you've probably seen some of that.

1112

1113 Mr. Sanders: Yes, well the phrase is undevelopable acreage, but we'd still require open space.

1114

1115 Mr. McCarthy: So absolutely you can do that.

1116

1117 Mr. Eyerman: But you have to be careful. Berlin Township has some faction of that and you take

Zoning Commission

1118 percentage of slope where over 8% slopes aren't considered, and I'm not real certain of the number, or
1119 land under a transmission line or floodplain; Westerville has them all over the place. That's where their
1120 parks are, so you have to be careful of how you apply it but certainly it's done elsewhere.

1121
1122 Mr. Sanders: My problem with that is they all have calculations that take out 15% for right-of-way, and
1123 it's automatic and it's ok if you want to do that but that's probably higher than you're actually going to
1124 dedicate for right-of-way and then you don't have 2 units per acre any more. You say we let you have 2
1125 units per acre minus 15%. But that is part of your calculation.

1126
1127 Mr. Duell: The school district is complaining about our density requirements because under our
1128 traditional density, every house in a traditional district that gets built, and this is Raiff's number, that's
1129 under \$750,000 is a net loser for the school district which raises everybody's property taxes because
1130 then they come knocking on your door for a levy. They want apartments and they're pushing hard
1131 because in their statistics, apartments don't yield as many kids to the school district but they yield lots of
1132 tax dollars whereas the single family homes are flooding the school district, in fact they're building a
1133 fourth high school now.

1134
1135 Mr. Dove: Apparently all these developments are empty nesters and not bringing any kids.

1136
1137 Mr. McCarthy: Empty nesters and young professionals.

1138
1139 Mr. Eyerman: It wasn't that many years ago when Wade Lucas was the superintendent and I told him
1140 the old rule of thumb was 2 kids per household and then it dropped down to 1.1 children per household
1141 and we were told in Evans Farm when we were working with Dr. Lucas and then Dr. Raiff, it's now
1142 down to 7/10 of a child per household, so it seems to be coming down in single family as well.

1143
1144 Mr. McCarthy: In late 90's or early 2000's when we were having annexation wars, there was a glimmer
1145 of hope briefly from the Fifth District based on the impact to schools and we worked with a gentleman
1146 out of Otterbein as a consultant and at that point the information that he brought indicated 8/10 of a child
1147 per single family home and 8/100 of a child per apartment unit, so that's what we ran with, so 7/10 is the
1148 last I heard.

1149
1150 Ms. Boni: So we'll keep that.

1151
1152 Mr. McCarthy: That needs considered.

1153
1154 Mr. Sanders: It says change, it doesn't say increase or decrease.

1155
1156 Mr. Dove: But we also haven't had people coming in asking for apartments; we can't force people to....

1157
1158 Mr. McCarthy: How many apartments have you sent down the road?

1159
1160 Mr. Duell: We've had several informal meetings.

1161
1162 Mr. McCarthy: I know of at least one on it's own for 650 units.

1163
1164 Mr. Duell: There was another meeting we had recently.

Zoning Commission

1165 Mr. McCarthy: Over the last couple of years, thousands of apartments have been sent down the road. If
1166 you open that market, you can cover this place in apartments probably in a year, year and half, if that's
1167 the direction you want to go, but then you're going to be there, so just be serious if you do it.

1168
1169 Ms. Boni: We can identify areas where we would be more....

1170
1171 Mr. McCarthy: Put them down by Columbus.

1172
1173 Mr. Dove: The 23 corridor, south.

1174
1175 Ms. Boni: Z1.4, encourage infill development through use of incentives and an interactive online map
1176 that identifies all available parcels with infill and redevelopment opportunities. That's a very big project.

1177
1178 Mr. McCarthy: Mr. Lamb, I think that's what you're working on at the County.

1179
1180 Mr. Lamb: We're working on a new digitalized development software system so that applications can be
1181 tracked and reviewed thru a digital process and not thru the current submittal process. It will also tie into
1182 GIS mapping system so you can see the information readily on line. Obviously we want to target certain
1183 uses for those locations where communities want to see those uses. A lot of what you'll have in Orange
1184 Township is infill type development so I think that's really what you've been talking about is what are
1185 those uses, where are they used, how do we do that zoning.

1186
1187 Mr. McCarthy: I believe you indicated that the information in this project would also include these
1188 zonings, the zoning text for the parcel which might help on the review end of it.

1189
1190 Mr. Lamb: When you click on a parcel, you'll also be able to pull up the zoning information history for
1191 that parcel as well. At the County level especially our own offices will include our local partners in that
1192 as well.

1193
1194 Mr. Sanders: We can do that now if we had it all scanned and we have a layer that shows particularly the
1195 23 corridor and everything that's zoned but not developed and everything that's recommended for
1196 commercial or industrial but not yet zoned to try to show what level of development each parcel is.

1197
1198 Mr. McCarthy: If we could do that and if there would be a way to link that or somehow share that, then
1199 when they call it up, see that plan, what the standards are, they're not getting surprised when they show
1200 up, and I thought that's what Mr. Lamb was talking about.

1201
1202 Ms. Boni: Scott, are we able to add those applications on your end, when you click the parcel?

1203
1204 Mr. Sanders: It depends on band width and where it's stored. We already have a link that shows the
1205 graphic that was provided to us at the time of zoning and that's for any active subdivisions but those
1206 books are very thick, so I'm not sure how we would file all that.

1207
1208 Mr. McCarthy: It will be searchable.

1209
1210 Ms. Boni: Even if I just had, because you guys have a different case number than we do, our case
1211 numbers on there, that would be helpful.

Zoning Commission

1212 Mr. McCarthy: Do they have a translation for that at the County? You have your ZON whatever, and
1213 there was a Township number; is there any correlation existing physically anywhere between the two,
1214 either the Township or the County?

1215
1216 Ms. Boni: If you search an RPC case, would it pull our case number as well?

1217
1218 Mr. Sanders: Not currently, but if you tell me what they are we could.

1219
1220 Mr. Boni: But nothing prior, right?

1221
1222 Mr. Sanders: Right.

1223
1224 Ms. Boni: What should we do with that strategy?

1225
1226 Mr. McCarthy: Unless you're going to give them density incentives or eliminate open space.

1227
1228 Mr. Duell: We can discuss whether to provide incentives, not just for commercial but for any
1229 development for activities that we like.

1230
1231 Mr. McCarthy: Right now you have that incentive that was somewhat controversial in a recent
1232 application where if you were contiguous to or directly across the street from a certain type of project
1233 you would get 2/3 of their density and that acted as an incentive; it didn't work, but it's still there.

1234
1235 Ms. Boni: That's the following one, providing incentives to attract specific commercial uses.

1236
1237 Mr. Duell: That is talking about commercial uses but I'm talking about incentives in general for
1238 behavior that we like. Just like the government may give tax incentives, we could give density
1239 incentives.

1240
1241 Mr. McCarthy: How about if you change it to consider?

1242
1243 Mr. Duell: That was one the representative of an applicant brought up as a possibility.

1244
1245 Ms. Boni: Consider density incentives?

1246
1247 Mr. McCarthy: Or just incentives period, whether it's open space or...

1248
1249 Mr. Duell: He was talking density.

1250
1251 Mr. Dove: So give us 2.4 and we'll give you a park? Is that the kind of...

1252
1253 Mr. McCarthy: No, you can't quid pro quo on that. You would not make it specific to an applicant but
1254 you could say if they happen to have a restaurant and group associated with each other, then the parking
1255 requirement goes out the window or they can cover 100% of the lot or whatever. It would be a Code
1256 revision, similar to what I just described in that 2/3 thing. That was intended for a property just under
1257 the rail underpass on Lazelle on the north side. They were trying to keep it in the Township and it didn't
1258 work, but there are all kinds of incentives you could offer for certain things. You can't get to users but

Zoning Commission

1259 as far as trying to incentivize those uses, you've already done it. I don't know about the local part; that's
1260 one thing I would note. It's the use you're zoning, not the user. That would be a word I suggest you
1261 take out. As far as favored uses, if one would come to mind it would be offices. The Township's been
1262 chasing offices as far back as I remember.

1263

1264 Ms. Boni: I think we could take out the last part, just provide incentives to attract specific commercial
1265 uses that are lacking in the Township that provide a sense of place.

1266

1267 Mr. McCarthy: You better define that. The intent there is that you're wanting to limit the ownership to
1268 non-chain users; that's what it sounds like to me. And there's nothing in 519 that says we control
1269 ownership, so that local, and I have no objection to what you were saying either, but I would not try and
1270 control ownership. As far as targeting specific uses thru incentives in the Code, it's done.

1271

1272 Mr. Boni: So what did we decide on that one?

1273

1274 Mr. Duell: Consider it.

1275

1276 Mr. McCarthy: Take local out, but commercial uses that are lacking in the Township probably, period.

1277

1278 Mr. Duell: I think that's a pretty good place to stop.

1279

1280 Ms. Boni: Tonight we hashed out most of the utility and transportation sections, so I will edit those and
1281 show to you at the next meeting. The sub-area exercise and finish the zoning land use section for the
1282 next one. Do we also want to make the goal to talk about housing too since that will be relative?

1283

1284 Mr. Duell: You can make that goal.

1285

1286 Ms. Boni: The regularly scheduled March 13 meeting has been cancelled; we don't have any cases that
1287 night.

1288

1289 Mr. Duell: That would be fine.

1290

1291 Ms. Boni: I don't think there's really much preparation we need to do for that one. We'll go over the
1292 sub-areas compared to the map Scott provided and then see what we'll revise from there.

1293

1294 Mr. Duell: Do you want to schedule it at 6:30 again?

1295

1296 Ms. Boni: And I will let Roy know personally.

1297

1298 Audience member: Just for the record, Outreach is March 14, our next meeting.

1299

1300 Meeting adjourned at 8:40 p.m.

1301

1302 Minutes prepared by Cindy Davis, Zoning Secretary

1303

Zoning Commission

1304 At their September 4, 2018 meeting, Ms. Trebellas made a motion to approve the meeting minutes of
1305 the Orange Township Zoning Commission dated February 28, 2018 for the Comprehensive Plan Update
1306 as written; seconded by Ms. Ault
1307
1308 Vote on Motion: Mr. Duell-yes, Ms. Trebellas-yes, Mr. McNulty-yes, Ms. Ault-yes
1309 Motion carried