

Zoning Commission

1 **Comprehensive Land Use Update Meeting**

March 13, 2018

2
3 **LEGAL NOTICE**
4

5 Notice is hereby given that the Orange Township Zoning Commission will hold their 3rd special meeting
6 on Tuesday, March 13th, 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 Saturday, March 3, 2018 in The Delaware Gazette*
37

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

40 Ms. Boni: Mr. Wilson indicated that he would not be able to attend this evening and Ms. Trebellas will
41 be here but it will be later.
42

43 Township Officials Present: Michael McCarthy Township Counsel
44 Michele Boni Planning and Zoning Director
45

46 Ms. Boni: We started with Implementation Strategies, and finished Implementation Strategy T-2.1.
47 When I say finished, we had discussion and hopefully by the end of all these strategies we'll provide
48 another draft and go over it again. We can start at Z-2.2, strategically encourage commercial and office
49 development in targeted areas.
50

51 Mr. McCarthy: Are you talking about identifying areas like what was done on the town center and, aside
52 from the designation, would that likely involve an incentive?

Zoning Commission

53 Ms. Boni: I believe it was kept broad for a reason.

54

55 Mr. Dove: Isn't that our Land Use Plan, isn't that what we're doing?

56

57 Mr. McCarthy: That's part of what you've traditionally done when you've called out the areas and style
58 of development you wanted. The town center ended up being relocated but it's been in your plan since
59 2001, so it's something you've done before but I wasn't sure and wanted to clarify. Are they talking
60 about adding some new areas or in what manner?

61

62 Mr. Dove: How do you encourage?

63

64 Mr. McCarthy: That's where the word incentives came up and then that goes counterproductive to some
65 other things.

66

67 Ms. Boni: I believe that was discussed in the economic development section and you decided to keep that
68 and have the Trustees and Outreach Committee work on that, so we may not need the strategy.

69

70 Mr. Duell: I don't think so.

71

72 Ms. Boni: Z-2.3, implement the economic development strategies outlined in the Comprehensive Plan.
73 That's kind of the same thing, so we can cross that off. Z-2.4, adopt the updated proposed land use map
74 and adhere to it in guiding the Township's development. We're going to update the land use map with
75 Regional Planning, so I don't think we'll adopt the map the students made but I would like to keep that as
76 a recommendation so when we look at the proposed land use map it will be the final product.

77

78 Mr. McCarthy: Especially in the Fifth District land use plans are regards as somewhat of a guide people
79 will or won't follow according to what I've read from the courts. I think Orange has done better than
80 most. Maybe say as a guide in bringing the Township's development forward rather than say it's an
81 unofficial Zoning Code.

82

83 Mr. Dove: What we're adopting is the B.3, the proposed land use map that takes the categories down to
84 11 not counting water or counting water? Is that what we're talking about; adopting that plan?

85

86 Ms. Boni: We'd be revising the current land use map. Z-3.1, adopt a unified development ordinance to
87 make the development process efficient and guide the Township's growth in a sustainable manner.

88

89 Mr. McCarthy: Unless Regional Planning cedes it's authority over subdivisions, which probably isn't
90 going to happen, I don't know how realistic that is. Municipalities, particularly chartered ones, get away
91 with just about anything in the zoning constitution, and they will wrap their platting and zoning into one
92 process; we don't have that luxury.

93

94 Mr. Sanders: It could say work with other agencies to make the development process efficient.

95

96 Ms. Boni: Any further comments? And anyone in the audience, if you have comments, please feel free
97 to share them as well. Z-3.2, create a taskforce including the Planning & Zoning Director, Zoning
98 Commission, Board of Zoning Appeals members, and other stakeholders to review the current
99 procedures, evaluate the existing zoning/rezoning and development permitting process, identify
100 inefficiencies, and recommend efficiency improvements. Before deciding to update our Land Use Plan,
101 we talked about creating a Steering Committee, having one member of each board, staff, and any other
102 key stakeholders to help guide us through Comprehensive Plan updates, any new processes that you want
103 to work on. From a staff's perspective, I highly encourage it, I think it would be a great opportunity

Zoning Commission

104 because when we do adopt this plan, it's not something we want to revisit every year. When I worked in
105 Florida, we were required to update our maintenance plan every five years and we had a Steering Com-
106 mittee for that. They helped make a few changes here and there. That may be something we want to
107 consider. My goal would be to create that type of committee, if that is something the Commission would
108 favor, so do we keep this in this text or not?

109
110 Mr. McCarthy: Sort of collect rough points as they're seen and least identify although maybe not a
111 solution to all of them, because if you haven't had an issue show up for 2, 3, or 5 years, it's easy to forget
112 the pain from when it did show up.

113
114 Ms. Boni: Rather than going thru this entire process every year, we can identify issues along the way, it
115 would help having a Steering Committee.

116
117 Mr. Dove: They're recommending the efficiencies; they're not saying here's the new process, that
118 Steering Committee?

119
120 Ms. Boni: Correct. They wouldn't legally be able to define or make a change; either way it has to go thru
121 the Zoning Commission and ultimately the Board of Trustees to adopt changes, but just to have the addi-
122 tional board to review those materials.

123
124 Ms. Stenman: It feels a lot more efficient than what we do now.

125
126 Mr. Sanders: I always hear no matter what the community is that it's so hard to get thru zoning.

127
128 Ms. Boni: And I'm not saying this is the solution to all, but this would be an option to...

129
130 Mr. Dove: I have it as a 4 in your 1 thru 3 ranking.

131
132 Mr. McCarthy: Any community input on zoning is always the same, it costs too much, takes too long,
133 and I don't think you're going to eliminate that.

134
135 Ms. Boni: I don't think it would be unbeneficial to add though. If anything I think it's going to help in
136 some fashion. Z-3.3, encourage staff and zoning commission board members to attend training
137 opportunities on zoning best practices and innovative land use controls, and require Board of Trustees,
138 Zoning Commission, Board of Zoning Appeals, and staff to attend annual training on the zoning process
139 and related issues. This was something we offered to commission and board members in previous
140 years. There are always new zoning trends and innovative styles, techniques you can learn, best
141 practices. I don't know we should have it as required but have as an option. I plan on inviting you
142 all to some conferences and workshops this year because it's always a learning experience. That was
143 something we included in here that we could have always done but never thought about until
144 recently to offer to board members.

145
146 Mr. Dove: Who heads up training?

147
148 Ms. Boni: The American Planning Association holds an annual workshop and we can ask board
149 members if they would like to attend; we would pay for attendance if you're interested. Our
150 Trustees attend trainings; Trustee Rivers was at the OTA conference this year and that's something
151 we can offer to other members as well. As a new Trustee, I think he found that quite beneficial.

152
153 Mr. Rivers: Absolutely.

154

Zoning Commission

155 Mr. Bodnar: Typically, when Board members attend things like that, they also receive their payment
156 for attending a meeting on top of it.

157

158 Ms. Boni: Z-3.4, encourage implementing staff reports that identify key goals/objectives related to the compre-
159 hensive plan for commercial, mixed-use and large-scale residential proposals. To not provide a staff report to the
160 Zoning Commission was a deep thing for me when I first started here. I never realized staff didn't make recom-
161 mendations, but I always worked for cities before this. This is an extra job for me but I think we can provide a
162 report of staff findings and show what is said in the Comprehensive Plan to what the applicant is proposing. That's
163 something we can work on in my department if you would find that beneficial. For the Board of Zoning Appeals we
164 provide a staff report to the members. My predecessor started that a few years ago, they find it helpful and it's easy
165 for them to go thru the application. The applications they review are not as detailed and in-depth as ones you
166 receive but I could provide a general overview if you find that of interest.

167

168 Mr. McNulty: I think that would be helpful. In the BZA it was incredibly helpful, absolutely a plus if you have the
169 time and staff to do that because I know those took time to put together.

170

171 Ms. Boni: I provide a staff report for the Trustees when these applications get to them but we haven't for the Zoning
172 Commission, and I don't know if you've ever received them before.

173

174 Ms. Stenman: I think it's a wonderful idea because you've got someone who is kind of impartial giving you the lay
175 of the land.

176

177 Mr. Duell: I would say that's up to you. You attend our meetings so if you have something to say, you're free to
178 say it at any time.

179

180 Mr. Dove: And that would be different than what we get from Regional Planning?

181

182 Ms. Boni: Yes. Scott provides a staff report in his review and we would probably say similar things.

183

184 Mr. Dove: Can we go back to 3.3, annual training? Do we have anything for new members that come on board? If
185 they come from Zoning Appeals, they kind of have a flavor of what we do.

186

187 Mr. McCarthy: The only thing I'm aware of is typically I meet with them for 1 to 1-1/2 hours and go thru the
188 process, a little history, the style and direction of the development, etc. Beyond that, I'm not aware of anything.

189

190 Mr. Bodnar: I think APA, in their annual workshops provide for new members.

191

192 Ms. Boni: And I think LTA had a new board member seminar.

193

194 Mr. Bodnar: I think that was Board of Trustees, not Zoning, but there are some similarities as far as procedural, not
195 so much content or subject matter.

196

197 Ms. Boni: I think all we have right now is what Mr. McCarthy does.

198

199 Mr. Bodnar: That's a canned speech too, isn't it?

200

201 Mr. McCarthy: Pretty much, but there's always new history and development, but a lot of it sounds the same.

202

203 Ms. Boni: Z-3.5, invest in new permitting software that will ensure an efficient application process and facilitate
204 record keeping. We are working on this to have something lined up maybe later this year. I don't know that it
205 necessarily needs to be in the plan; that's something we all know needs to happen. My guess is the students put it
206 in because when I explained my challenges, they addressed that in here.

207

208 Mr. Bodnar: At the Commissioners' state of the county meeting today, they shared their goal of having a
209 tracking system in place, so they did speak to it.

Zoning Commission

210 Ms. Boni: For this year?

211

212 Mr. Bodnar: They didn't give a timeline but they did acknowledge it was on their list of to do's.

213

214 Ms. Boni: Does anyone have any questions or comments on the last page? I think a lot of these are more
215 administrative things we're going to work on and we'll get into the details soon. Z-4.1, amend parking
216 requirements for commercial districts.

217

218 Mr. Duell: This is interesting because we get a lot of new and imaginative parking requests.

219

220 Ms. Boni: And I would think of allowing shared parking depending on hours of operation. If you have a
221 place that runs primarily in the evening and one that runs primarily in the day, can they share parking?
222 Another thing, and we're going to get this on the BZA, requesting a parking space size divergence. Ms.
223 Trebellas brought that up last meeting but an applicant is proposing 9 x 19; we're at 9 x 20 right now, just
224 tweaking it there. I know we deal with required in planned districts, the landscape islands, making sure
225 it's stated in the standards; these are just ideas I'm thinking of. Again, this is just a vision, guide; we'd
226 have to get into details.

227

228 Mr. McCarthy: What direction are you thinking it's going to go; reducing size of spots, reduce number of
229 spots required? The shared parking, I'd consider amending the requirements. This is a vehicle community
230 by necessity if not design, and aside from the big boxes, I don't know I've ever felt we're over-parked.

231

232 Mr. McNulty: Did this come from residents that raised this issue? Where would the problems come up?

233

234 Ms. Boni: I found a few issues with some applicants when we receive their commercial permits and they
235 don't have enough parking based on our standards. We're supposed to be getting an industrial warehouse
236 behind Menard's, and they only have maybe 6 employees on site and would require 30 spaces for that, so
237 they have to seek a variance.

238

239 Mr. Dove: We have a minimum of case by case. Like the nursing home, we said the residents aren't
240 driving, so I know we...

241

242 Ms. Boni: We did that for a planned district, so if we have a planned district that says refer to Article
243 XXI, general standards for parking requirements, when I get the permit, that's what I look at. Creekside
244 was a planned district, but it just refers to that section, so they have to go thru the variance route. I don't
245 know whether or not it's an issue.

246

247 Mr. Duell: I'd like to look at this Code section on parking and try to adapt it to more best practices. I
248 know we did shared parking at Evans Farm because half the thing would have been parking and we didn't
249 want that. But we also don't want to end up in another situation like what Wal-Mart or Meijer look like,
250 just a sea of spaces. Even Casto came in and broke up that parking lot; it's not all developed yet, they've
251 got outlots to develop.

252

253 Mr. McCarthy: And they still meet the Code.

254

255 Mr. Duell: They meet it by leaps and bounds.

256

257 Mr. McCarthy: The problem with the big boxes was they wanted more. What you're seeing is after it
258 was reduced by over 100, maybe more. Originally it was unbelievable what Wal-Mart asked for.

259

Zoning Commission

260 Mr. Duell: We had the Clear Creek case the Commission passed that had shared parking, and we spent a
261 lot of time discussing parking, islands and different ways to make it look like it wasn't a sea of asphalt,
262 and I think there's opportunity to make sure there's plenty of parking but implement some best practices
263 that are maybe not the norm.

264
265 Mr. McNulty: There must be standards in the Code with respect to the big box stores that say there has to
266 be this quantity of spaces for this much square footage.

267
268 Mr. Dove: Retailers also have their own requirement, that they need so many paved spaces per thousand
269 square feet, so they tend to require more personally than what we may require.

270
271 Mr. McNulty: I think outside of Christmas, Wal-Mart and Meijer are using much less than half of those
272 spaces most of the year, so maybe that does need to be re-thought.

273
274 Ms. Boni: Again, we don't have to get into the details; I'm asking the Commission if this is something
275 we should look into when we do the update.

276
277 Ms. Stenman/Mr. Dove: Yes.

278
279 Mr. Duell: It would be defining formulas we can defend and we want to stick to, so we can inform people
280 of the formulas going forward and don't have to consider odd formulas all over the Township, and it's
281 easier on her when she has to look at them.

282
283 Mr. Dove: How do we handle it if corporate comes in and they have a higher requirement than we have?

284
285 Ms. Boni: If they want more, we don't have a maximum.

286
287 Mr. Duell: We don't want to see a sea of parking but lately it's been people wanting less and less. It's
288 time to consider what the best practices are for parking.

289
290 Ms. Boni: The following one may be something we can include in 4.1, but it's require parking be set to
291 the side or the back of buildings and be properly screened in commercial / mixed-use districts.

292
293 Mr. McCarthy: That might be on areas we've got left, and Clear Creek would be an example. Pretty
294 much up and down 23 you've used outparcels to do that. With Children's, there wasn't room for an
295 outparcel, there was barely room for the facility. To some extent Clear Creek, there were only so many
296 outparcels you could run across there, so maybe incorporate that with the use of the outlots. It may not be
297 appropriate everywhere. The lot north of Northpointe is going to be a tough parcel when it comes in, but
298 you've got some areas where the outlot isn't going to work, so I would say add it.

299
300 Mr. Dove: I think it's going to be tough just to say it's on the side and back; a restaurant drive-thru is
301 going to want parking all around it.

302
303 Ms. Boni: This could be reworded. I think the intent is to have the building closer to the main street and
304 have the parking behind it.

305
306 Mr. McCarthy: And buffer the asphalt. Didn't we do that in Clear Creek within a certain area from the
307 right-of-way of 23 building, they're allowed one row of parking in the front building and then everything
308 else goes on the side and rear? So maybe that's a moot point.

309
310 Mr. Dove: Tony, Mt. Carmel, why was that setback on the property with the parking in front?

Zoning Commission

311 Mr. Eyerman: It was the owner and developer, who are 2 different entities, their wishes. Originally it
312 was designed to have it up closer to the street.

313
314 Mr. Dove: Do they have a reason?

315
316 Mr. Eyerman: Nothing that they shared with me.

317
318 Ms. Boni: I'll adjust that strategy. Z-4.3, review and amend the signage requirements to ensure that they
319 are legal and consistent with planning best practices, community character, and recommendations provided
320 in the Community Image chapter of this document.

321
322 Mr. Duell: Our sign requirements are getting pushed and pulled in all different directions.

323
324 Ms. Boni: I think that's one of our most common variance requests.

325
326 Mr. McNulty: I think our signage requirements are good. I've been thru Dublin enough times where some of that
327 gets so restrictive you can't tell what the businesses are because they didn't allow their logos and logo colors, and I
328 think that's a huge mistake. I want to be able to drive thru and if I'm looking for something, be able to find it. I
329 think we have to make allowances within reason to the size of those logos, even if they push outside a little bit of
330 our color requirements or fonts, which some of those typically have and seem to always be one of those dilemmas,
331 there's pros and cons.

332
333 Ms. Boni: I think sign requirements are something to consider.

334
335 Mr. McCarthy: I would be careful when we put this together as to what we mean by best practices because just what
336 does it mean?

337
338 Ms. Boni: I would like to think that would be up to our interpretation.

339
340 Mr. McCarthy: But when it gets thrown back in our face, we're going to get this is the best practice.

341
342 Mr. Duell: I'm curious as to how our sign requirements are compared to other communities.

343
344 Ms. Boni: There was a Supreme Court case recently where a church applied for a sign permit and the town of
345 Gilbert didn't like what the sign said, so the church took it to the Supreme Court and the Court decided they couldn't
346 regulate the sign content, so a lot of jurisdictions had to amend their Codes. We have some parts currently in our
347 Code that regulate content, so either way it has to get amended sooner or later. No one has fought that at this point
348 but I expect it to happen too. We've had one person come in and complain about it.

349
350 Mr. McCarthy: I went to a conference where they touched on Reed v. Gilbert and it has to be neutral control so you
351 can't give one group a privilege; it has to be literally one size fits all no matter what you're doing with it. You can
352 probably get away distinguishing between temporary and permanent signs but beyond that, if you're getting into
353 area or location, things of that sort, no.

354
355 Mr. Dove: Didn't we do that with a certain cross on 23? There was an informal meeting and it was a size
356 requirement because it was considered a sign.

357
358 Mr. McCarthy: It was given the definition that we've got.

359
360 Ms. Boni: I'll use the same language for the parking, consider amending signage requirements to assure
361 they're legal and consistent with community character.

362
363 Mr. Duell: I'd like to review the sign so we can tell applicants the sign requirement is the sign
364 requirement.

Zoning Commission

365 Ms. Boni: Z-4.4, review existing development standards in all zoning districts and amend as needed to
366 ensure that they correspond with current best practices, encourage walkability, and incorporate high-
367 quality design principles, such as four-sided architecture.

368
369 Mr. Dove: Don't we do that now?
370

371 Ms. Boni: Do we want to consider amending all the zoning districts though when we do the update?
372

373 Mr. McCarthy: There are some things that need to happen, most of them bring us more clearly into the
374 fold with what you and your predecessors have said we live in for the last 20-30 years. Beyond that,
375 development standards themselves would be a separate area; it's not the development standards per se but
376 making it more clear that we're upgrading 519.021 b) and this is it because how many times have we had
377 an applicant say we'll take care of that in the final development plan and you don't have one.
378

379 Ms. Boni: If we keep the language as review the existing development standards in all zoning districts
380 and add as needed, especially because we're talking about housing shortly and if we want to have some
381 type of new zoning that allows common product we're doing, we're going to have to amend and add
382 districts.
383

384 Mr. McCarthy: Or just take a hard line that it's not going to happen. But the decision has to happen.
385

386 Ms. Boni: Z-4.5, require sustainable development practices in all new developments including, but not
387 limited to, renewable energy, water conservation, and stormwater management.
388

389 Mr. Dove: Stormwater we have to do, right?
390

391 Mr. McCarthy: The County is doing it now, so I would say that's with the County.
392

393 Mr. Dove: Can you require renewable energy?
394

395 Ms. Stenman: Do we want renewable energy?
396

397 Ms. Trebellas: That was the question because it's been brought up about solar panels or wind turbines,
398 things of that nature.
399

400 Ms. Stenman: You don't want to get people fired up talking about putting up wind turbines.
401

402 Ms. Trebellas: Or the visual aspects of panels on houses.
403

404 Ms. McCarthy: As far as dictating or requiring, you're getting on a field you don't belong on. 519.02
405 lays out your authority, and dictating energy policy isn't on the list. Probably the same with water
406 conservation.
407

408 Ms. Trebellas: I agree with the requirement part. My concern is what do we do when someone comes in
409 and wants to put in a big turbine?
410

411 Ms. Boni: We could cross out 4.5.
412

413 Mr. Duell: I would cross it out.
414

Zoning Commission

415 Ms. Boni: Z-5.1, create area plans to improve existing neighborhoods / commercial areas and strategically
416 encourage new development with enhanced features. Areas for consideration can include subareas
417 identified in the 2010 Land Use Plan. I think that's what we've talked about doing and we can potentially
418 move forward on that at our next meeting.

419

420 Mr. McCarthy: What do you mean by improve? I don't know what you would do to improve if they're
421 in place unless it's going to be a re-development.

422

423 Ms. Boni: The sub-area plans would have existing neighborhoods.

424

425 Mr. Sanders: It depends on your definition of neighborhood.

426

427 Mr. McCarthy: Subdivisions.

428

429 Mr. Dove: Because they have Homeowners' Associations as the potential, so...

430

431 Mr. Sanders: I feel the intent was instead of updating the entire Township, in the future, it just be by area-
432 wise.

433

434 Ms. Trebellas: You think the intent was just to create area plans to identify goals and needs in certain
435 areas of the community?

436

437 Mr. Sanders: Since it was long term; I don't know how many enhanced features you could put in an
438 existing neighborhood.

439

440 Mr. McCarthy: Zoning is set; we've used those planned developments exclusively with about 2 or 3
441 exceptions that were relics. Plans are set, rules are set; as far as going back and requiring it, unless the
442 owners came forward, then you can do a zoning amendment. We've seen that happen a bit, not so much
443 in residential.

444

445 Ms. Boni: They may have put this in because we didn't include a sub-area plan in this current draft, so if
446 we are going to have a sub-area plan in the next chapter, do we need this?

447

448 Ms. Trebellas: Because it's redundant?

449

450 Ms. Boni: Yes. There's not too many Evans Farm-like areas where we could create a whole area...

451

452 Mr. McCarthy: You might be right.

453

454 Ms. Boni: We will get to that. Z-5.2, work with home owners associations to identify grants for the installation
455 and maintenance of physical improvements such as street furniture and lighting.

456

457 Mr. Duell: That's not us.

458

459 Ms. Trebellas: That's more a Parks Department thing as far as I'm concerned.

460

461 Mr. McCarthy: Or a street thing for the Trustees under their road authority.

462

463 Ms. Boni: Z-5.3, consider adopting residential conservation guidelines to preserve the residential character
464 of Orange Township.

465

Zoning Commission

466 Mr. McCarthy: What are those?
467

468 Ms. Boni: Maybe having a higher open space requirement or...
469

470 Ms. Trebellas: I always thought Orange Township had a rural farm land character at one time and that's why
471 people moved out there, not it's subdivisions.
472

473 Mr. McCarthy: And that is part of why a lot of our open space is unmaintained; they wanted to bring some of
474 that forward.
475

476 Ms. Trebellas: I don't think we necessarily want to preserve our subdivision sprawl.
477

478 Mr. McCarthy: Residential conservation, would that be in an area, existing Lewis Center for example, where
479 you're likely going to start seeing requests for people along Lewis Center Road to convert those residential
480 structures into offices, etc., like what's been done in Powell?
481

482 Ms. Trebellas: Is that more of a historical preservation for old Lewis Center by the railroad tracks or are you
483 talking about the ranch houses?
484

485 Mr. McCarthy: I think it's going to be difficult until the town center is about 3 or 4 years old, then you might
486 see a press for this kind of thing. In Delaware by the courthouse, the County bought a couple of homes for
487 Children's Services next to the parking lot of the Common Pleas Court. But there are a number of com-
488 munities where residential has been converted to some form of commercial use. I'm wondering if that's what
489 they were referring to.
490

491 Mr. McNulty: That was something we bumped into in the BZA. Our Zoning Code addresses this to keep all
492 those setbacks essentially where they were put in zoning, the 35', the distance from the highway because
493 people wanted to build something and were only 10' from the house next door, but we want those distances
494 between structures. I think the Zoning Code, if adhered to, for the most part is a good part of that.
495

496 Mr. McCarthy: One thing that might be related, and this came up in an informal meetings not long ago, was
497 the concept of turning single family districts into essentially two family homes on existing structures. So
498 again, residential conversion might be not permitting that sort of thing.
499

500 Ms. Boni: It could be what we want it to be or...
501

502 Mr. Duell: No commercial along Old State.
503

504 Mr. Eyerman: There is a planning concept that's residential conservation guidelines where, say you have 20
505 acres and the western half of it is wooded and the eastern half is open, and you cluster all the housing in the
506 open area to lessen the impact on the wooded area. You could unplug the woods and put wetlands or any-
507 thing environmentally sensitive. If you have 2 units per acre across that 20 acres and you put 4 units on the
508 open space and kept the environmentally sensitive area, it's pretty effective. It wasn't our driving factor, but
509 at Evans Farm that's what we did because the open areas are in the sensitive areas, big wood lots are the areas
510 we saved, but that's the only time I've ever seen anything like residential conservation guideline use.
511

512 Ms. Trebellas: I don't consider that residential conservation; that is natural resource conservation or there's
513 even farmland conservation or land bank public trust where you can buy properties or get funds for properties
514 to set them aside so they're not developed. The only time I hear of residential preservation or conservation
515 it's historic districts. There's probably a historic district in downtown Delaware, German Village, or
516 Victorian Village, but I'm not sure that Lewis Center downtown is historic.

Zoning Commission

517 Mr. Eyerman: Our approach was if you have a 10 acre wooded lot and a 10 acre open space, rather than
518 tearing out all the trees to put in a traditional subdivision and your reward for that you still get the density
519 across the entire site but you're able to cluster it and the amenity for the community is preserving that.

520

521 Ms. Trebellas: We have the cluster provision in our Zoning Code that should perhaps be revisited, which we
522 have issues with.

523

524 Mr. McCarthy: Clustering isn't to grant more density, the idea is to preserve something on the site that would
525 otherwise have to go, so density is kind of a separate issue.

526

527 Mr. Sanders: It becomes ??? to use existing density; the benefit is you don't have to rezone it, you just
528 get that same density. We found once you get sewer, which you kind of have to have to prevent not
529 having 2 acre lots, you're not going to zone it to anything lower than the maximum you can get, so from
530 our standpoint, we don't see enough undeveloped areas to go to the effort to come up with a new district
531 because people say we have to rezone anyway and pay the acreage fee, so we may as well shoot for 2
532 units per acre.

533

534 Ms. Boni: Do we want to keep this, elaborate more?

535

536 Mr. Dove: I don't know we understand it enough to know what to do with it.

537

538 Mr. Sanders: Don't try and do something with what you don't understand.

539

540 Mr. McCarthy: Where did we end up on that, Michele?

541

542 Ms. Boni: Done with it; we don't know what it means, don't go there. H1.1, encourage efficient utilization of
543 unused developed land with appropriate infill and selective preservation. Is that the same question we had?

544

545 Mr. Sanders: I think it's the same. It's general enough to be all infill.

546

547 Mr. McCarthy: That's kind of what you recommended in 2010.

548

549 Ms. Boni: Wouldn't that go into zoning in general and not specifically housing?

550

551 Mr. McCarthy: It's not saying residential infill.

552

553 Ms. Trebellas: It could also apply to commercial which I think is...

554

555 Mr. McCarthy: Kind of what was done out in front of Kohl's, so it's something you've kind of had. You
556 considered it once; why not consider it again?

557

558 Ms. Trebellas: But is that housing?

559

560 Ms. Boni: I'm going to move it to zoning. 1.2, Establish a more comprehensive review process that
561 accounts for impacts on other community amenities, such as transportation and commercial employment
562 and activity.

563

564 Mr. McCarthy: We already know we can't zone solely for transportation.

565

566 Ms. Trebellas: And what does commercial employment and activity have to do with housing unless
567 you're trying to house near....

Zoning Commission

568 Mr. Duell: Some of the discussion is making sure you have all the proper amounts and types of housing
569 for the commercial people in your area.

570
571 Ms. Boni: Some of the retailers along 23, can they afford to live in the Township? Probably not.
572

573 Mr. Duell: Because that's the argument we're going to see when the apartments come in.
574

575 Ms. Trebellas: I thought that was addressed in another housing...
576

577 Mr. Duell: It may come up somewhere else but I think that's what the gist is here. I don't know what
578 they mean by more comprehensive.

579
580 Ms. Boni: I was going to recommend we address what we like from that and the others, just scratch off.
581

582 Mr. Duell: The overall affect we would consider, so I'm not sure what kind of more comprehensive
583 review they're looking for. I think it's a true statement but as for what we do with it as to how it's written,
584 I don't know what to tell you. We've had some discussions on public transportation in the past but I'm
585 not sure of the viability of that in there, maybe opening the door for transportation for special needs.
586

587 Ms. Boni: 1.3, Set technical review meetings and invite developers to better communication between
588 county/township departments. I try and set up meetings with the applicants....
589

590 Mr. Duell: There are meetings you have with them as far as technical aspects; there are also informal
591 meetings that we have with the Commission.
592

593 Ms. Boni: Maybe I'll say continue to but sometimes they don't want to; they'll just submit the
594 application.
595

596 Mr. Sanders: And for the record, we do that for subdivisions.
597

598 Mr. Dove: Is that something we might add to our Steering Committee, if we have a developer who does a
599 lot of work in our community, talk about their pains and struggles in the process?
600

601 Ms. Boni: I don't think that would hurt, get both the public and private together.
602

603 Mr. Dove: I know what their comments are going to be already, but..
604

605 Ms. Boni: At least they have a voice. So you want that language I was talking about...
606

607 Mr. Dove: With the Steering Committee because just generally we do do that now.
608

609 Ms. Boni: 1.4, revise Zoning Code to include mixed-use to allow for more flexible housing options as
610 additional development strains community amenities, such as transportation and commercial employment
611 and activity. We talked about that last line, but we want to revise our Code to allow more flexible
612 housing options.
613

614 Ms. Trebellas: Part of me says yes, part says no. Evans Farm was a mixed-use community and we had to
615 zone it in two separate capacities because that's the way our current Code allowed for it, so obviously
616 there was a need for it.
617

618 Mr. Duell: This one and the next one kind of go hand in hand.

Zoning Commission

619 Ms. Boni: Which is 1.5, explore density options to encourage open space opportunities such as allowing an
620 extra floor on a building proposal in exchange for more open space kept on the lot.

621

622 Mr. Duell: Or just general different uses and different densities.

623

624 Mr. McCarthy: The density is going to follow the mixed-use.

625

626 Ms. Boni: Would the Commission consider a true mixed use zoning, meaning commercial and
627 residential in one zoning?

628

629 Mr. McCarthy: Historically, and I'm not saying it's right, that's been chased out of the room.

630

631 Mr. Duell: We did it on Evans Farm.

632

633 Ms. Boni: Yes, but do we want one type of zoning that would allow multi-uses in one zone?

634

635 Ms. Trebellas: I would be open to look into it but I know this Township has been resistant in the
636 past, and I don't know if everyone in the Township is ready for it. We have Evans Farm and that's
637 sort of our first experiment.

638

639 Mr. McCarthy: In more recent informal meetings there seems to be a consistent inquiry from private
640 parties as to whether or not Evans Farm is now going to be the new normal up and down 23 as far as
641 infill areas, and that's a question I suggest you answer.

642

643 Mr. Eyerman: You have Planned Single Family and Planned Commercial, Planned Senior Housing,
644 Planned Industrial, if you simply came in with a Planned Unit Development as a potential mixed use.
645 If someone came in with a pure Single Family, then it would obviously be in the wrong category as a
646 PUD but if it was a mixed use taking the same format of all other planned districts, just have it as a
647 Planned Unit District for potential mixed use, it allows you the opportunity to consider that if that's
648 what you want to do and your standards, lighting, parking, etc. would still apply. It simply allows an
649 applicant the opportunity to craft something that would be proposed to the Township as a potential
650 mixed use under one umbrella. We took the Planned Commercial and had to ask a variance just to
651 put the multi-family, row houses and things like that in there where you would avoid that variance
652 and have a simple Planned Unit application.

653

654 Mr. Duell: I have thought about something like that too because that would solve our single family
655 detached condo problem.

656

657 Mr. Eyerman: Obviously the Zoning Commission and Trustees would have to weigh each applica-
658 tion on it's own merits but you do that already; it simply allows for just one application package and
659 allows you opportunity to negotiate the whole thing instead of each application separately.

660

661 Mr. McCarthy: At one time you just had a PRD. Now we also have Multi-Family Planned
662 Residential, Single Family Planned Residential. I think part of that was the result and Evans Farm
663 would certainly be a massive use of land that would be unusual. The only other I've seen that might
664 have been thicker was Polaris back when they were going to stay in the Township. My impression
665 was they wanted to maintain more control than the mixing of it gave them, but there really was not a
666 true PUD district with standards as to respective uses, so maybe if you had a specific definition by
667 use. If it's included, here's the standard.

668

Zoning Commission

669 Ms. Boni: Or you could allow just a general PUD in certain areas, so when we update the Land Use
670 Plan, where do we want to accept or have the opportunity to have a flat zoning? That's something
671 we could do too instead of creating standards for every use. Typically in a Planned District you
672 create your own standards.

673
674 Mr. McCarthy: That's part of the discussion and that's essentially what we end up doing a lot of the
675 time. If you don't have a starting point; we had this experience and I would not encourage them to
676 go in without a template that identifies the responses and maybe even suggested limits if not required
677 limits as to each nature.

678
679 Mr. Duell: We need some flexibility; the current styles we have are too restrictive for what we're
680 being asked to do. So either we need to send all that development away, perhaps at our detriment, or
681 we need to come up with a more flexible approach.

682
683 Mr. McCarthy: Things have gone down the road over the years, but whether that was to the
684 detriment I would leave to the residents.

685
686 Mr. Duell: Or sometimes when we send things down the road, they end up being built a lot worse
687 than what we would have had under our control.

688
689 Mr. McCarthy: You've got to assess where you're at and how much of that do you want to change in a
690 certain manner and that's you together with the Trustees and that's going to be the ultimate discussion.

691
692 Ms. Trebellas: This warrants more discussion.

693
694 Mr. Duell: I think this requires a Code rewrite, so that's a big job.

695
696 Ms. Boni: And this isn't saying we're going to have mixed use everywhere from now on, it's just
697 something to consider.

698
699 Mr. McCarthy: And if we could start with consider instead of revise.

700
701 Ms. Boni: That's the same for explore density options too. 1.6, explore accessory dwelling units as an
702 alternative to multi-family housing or amend the zoning code to allow them in single-family-zoned lots
703 under specified conditions.

704
705 Mr. Duell: This is that special case. I still don't believe it's a true statement, that this is necessary.

706
707 Ms. Boni: I just saw where some nearby jurisdiction allowed it.

708
709 Mr. McCarthy: The down side is once you convert one to a single family, if you're going to do it going
710 in, that's your business, but once you've got an existing Single Family District and you allow it to shift to
711 a one or two family, it will have an effect that the Board better be ready to accept. Potentially, you're all
712 dealing with your own personal neighborhoods.

713
714 Ms. Trebellas: Do we really have the housing need here to start doing this because where I see this
715 happening is German Village or Victorian Village or other neighborhoods where you take a big house...

716
717 Mr. Duell: There was a request related to a special needs situation that came in.

718

Zoning Commission

719 Mr. Dove: An adult that needed assistance in their own residence, there was something with insurance or
720 Medicaid or something.

721

722 Mr. Duell: I still don't know if it was necessary.

723

724 Ms. Stenman: And if it is necessary, it's something we want to take a close look at because the details
725 were a little sketchy.

726

727 Mr. McCarthy: The problem was they weren't limiting their language solely to that. When he moved
728 out, it could be a rental.

729

730 Mr. Trebellas: So it was almost like when people talk about in-law suites where you have a separate
731 detached residence for your...

732

733 Ms. Stenman: But it doesn't have to be a separate address.

734

735 Ms. Trebellas: This one wanted a separate address?

736

737 Ms. Stenman: That was the purpose, they wanted the separate address

738

739 Mr. McCarthy: Just walk carefully because people really rose up; they felt their investment was being
740 threatened by conversion of the area.

741

742 Mr. Dove: I'm surprised they haven't come back because they started with the Trustees.

743

744 Ms. Boni: The last discussion we had was that we wanted documentation...

745

746 Mr. McNulty: I'd like to avoid it; I think it's a big no. I think we're crossing way too many lines.

747

748 Ms. Boni: H2.1, the zoning code should be revised to allow for alternate housing unit types in single-
749 family districts to allow for 'empty-nesters' style development, such as more clustered condominiums.

750

751 Mr. Dove: It's another four for me.

752

753 Ms. Trebellas: Because how many empty nester requests do we get and we have trouble defining it?

754

755 Mr. McCarthy: The problem is an empty nester request for a 3300 square foot house.

756

757 Mr. Duell: I think it just goes back again to that flexible housing options.

758

759 Ms. Boni: 2.2, amend a Detached Condos Zoned District, such as "R-3" zoning district in Liberty
760 Township: One- and Two-Family Residence District, and implement in areas buffering US-23 to serve
761 'empty-nesters', thus avoiding multi-family while serving a community need in areas that will be developed
762 regardless of a zoning amendment.

763

764 Ms. Trebellas: I think it was linked with the one above.

765

766 Mr. McCarthy: It is and one thing on both of them is that if we're going to get into this empty nesters
767 development, we know what it means, we've seen the applications, there's probably more coming; we
768 shouldn't take the age restricted. If they're not age restricted then basically you've got the ones that are
769 3300 square foot houses that are empty nesters.

Zoning Commission

770 Mr. Dove: I don't think we need to make it age restricted but there are other restrictions we could make.

771

772 Mr. Sanders: This is a question that comes up a lot; how are you going to make it age restricted?

773

774 Mr. McCarthy: In the PERD, enforcement....

775

776 Ms. Trebellas: We don't enforce it.

777

778 Mr. McCarthy: I think we've only done enforcement twice, and what they've done is require that the
779 developer is responsible while he's on the scene and records, and when they go, the responsibility falls on
780 HOA. I think I'm pretty clear on record about how I feel long term difficulties could come up, and I
781 don't think that opinion is going to change.

782

783 Mr. Duell: I don't like age restrictions normally.

784

785 Mr. McNulty: There's no way to make it work; there's no enforcement, so if the HOA goes down the
786 road and there's a violation, who is going to enforce it?

787

788 Ms. Boni: Maybe we can find examples of how communities have defined empty nesters and see....

789

790 Ms. Stenman: Do we really need to limit it to empty nesters? Why don't we consider the development as
791 a whole and consider it on resource usage?

792

793 Mr. Sanders: There is an age restriction of sorts just in the fact that there is no yard.

794

795 Ms. Stenman: I pulled up behind a bus at the community behind Kroger, and the number of children that
796 got off that bus, that is not age restricted at all; there was a half a bus full of kids.

797

798 Ms. Trebellas: Yet it's supposed to be for retirees and empty nesters.

799

800 Mr. McCarthy: They're also going to be small.

801

802 Mr. Dove: They say they don't want to put more stress on our roads and our schools, so they say it's an
803 empty nester community and then they bring in a 3300 square foot house across from the school and a
804 pool community, but they're not going to have kids; I'd move there with kids.

805

806 Mr. McNulty: This is a part of that same general discussion as to the Code and the whole density
807 question we bump into almost every time, where you go with that and that's the bigger issue right now.

808

809 Mr. McCarthy: Would you rather just deal with that head on? I think we're going to have to.

810

811 Mr. McNulty: That's either an agreement as a Code rewrite or something that's written in because it gets
812 very difficult to come in as it's presented. I've already seen some issues with that sitting here on zoning,
813 plus and minus, and then there's Pulte in New Albany and Dublin. They had green space to give them
814 and then they can say they're almost at 2-1/2, at 3 per acre because of the green space we include. It's the
815 game that gets played.

816

817 Mr. Sanders: Didn't you guys try to move single detached into multi-family to allow those?

818

819 Mr. McCarthy: I think there was one.

820

Zoning Commission

821 Ms. Trebellas: The one behind Aldi was zoned multi-family and we allowed it because it also had
822 duplexes in there.

823

824 Mr. McCarthy: I think the most recent trend has been that if it's a single family structure, it's going into a
825 single family district. And then the suggestion is, should we create a district to accommodate this which
826 is a discussion they're going to have to have.

827

828 Ms. Trebellas: And those we had attached by fences, walls; they had to have some type of linkage
829 between the single family home.

830

831 Mr. McNulty: The other big difference for that one is that they manage everything; the roads, the whole
832 concept. Those weren't Township roads thru that development. That was another issue that made it more
833 acceptable to zoning.

834

835 Ms. Trebellas: And it was already next to existing zoned multi-family.

836

837 Mr. McCarthy: I think the attitude more recently has been if it's single family, it's single family, and this
838 discussion follows it; is everything going to be 2 units per acre in Orange Township or is there going to
839 be a new district created? If you increase the other, you'll have trouble staying below the maximum.

840

841 Ms. Boni: Do you know if Liberty Township adopted that new district because isn't it the same type....

842

843 Mr. Sanders: That's not what it is. It is, using one of your terms, a relic of an old street district. But
844 nobody's zoning to Arthur, even Liberty.

845

846 Ms. Boni: I think Arthur was just an example, but didn't Liberty create a new district to allow ???

847

848 Mr. Sanders: They may have made that if it's a condo within their multi-family PERD they allowed for
849 the detached but I don't think it was that Township that did that.

850

851 Ms. Boni: H-2.3, amend a PUD stipulation that allows developers to more easily build housing diversity
852 and flexibility in each subdivision with regard to design and consumer cost. I think a lot of these are going
853 together in a way, but do we want them separate? I think this one was saying be flexible if you're more
854 strict on design.

855

856 Mr. McCarthy: There are some areas in Glen Oak that are higher density. You'll find the further back
857 you go, the density weans out to sort of balance it out overall. So that's been done but I don't think it's
858 something that was in any plan; I think it was just something that was considered. So you make them do
859 it; they just have to show the overall density meets whatever your standard is going to be and work out
860 the other with you, but you've done it in Evans Farm.

861

862 Mr. Dove: Are we talking about cheaper materials so they're more cost effective?

863

864 Mr. McCarthy: Probably.

865

866 Mr. Sanders: Or smaller square footage I would imagine.

867

868 Mr. McCarthy: Our minimum is 1000.

869

870 Ms. Boni: What do you guys think; yes, no, maybe?

871

Zoning Commission

872 Ms. Trebellas: If we're talking about looking at the Zoning Code for mixed use PUD's, this might be
873 rolled into that whole PUD on how we handle all these...

874

875 Mr. McCarthy: Address them all in one place kind of thing.

876

877 Ms. Trebellas: Yes. All these housing issues of empty nesters, what do we do with detached condos?

878

879 Mr. McCarthy: So create a major heading and list these underneath it as considerations.

880

881 Ms. Trebellas: Something like that. Right now the Township has 2 things; single family, your nice
882 residential, 2 units per acre; that's what everyone sees. Then we have the occasional apartment
883 complexes but we really don't seem to have much leeway in the middle.

884

885 Mr. McCarthy: Outside the Town Center, we haven't done apartments in a long time.

886

887 Ms. Trebellas: They're going to come, so maybe we need to think of something in between.

888

889 Ms. Boni: 2.4, create a floating PUD zoning code, subject to referendum.

890

891 Mr. McCarthy: You can't. You can create a floating zone but the zone itself, when you place it in a PUD
892 classification, will be subject to referendum, but the ultimate plan would be administrative and that is the
893 option as I recall under the 021 section, so strike those last couple of words.

894

895 Mr. Sanders: Someone got PUD right and describing what is allowed in a PUD and what's the point of it.
896 Is it a mix of residential uses or is it commercial use that has residential in it?

897

898 Mr. McCarthy: Light industrial? We had some of those discussions.

899

900 Ms. Boni: 2.5, reduce code barriers to cluster housing within gross acreage of planned development
901 districts, such as reducing setbacks and other code language that constrains cluster housing development.

902

903 Mr. McCarthy: Would you want to add while maintaining overall density limits?

904

905 Ms. Boni: Would we consider increasing the density if it's more in a cluster?

906

907 Ms. Trebellas: I thought part of the issue with clusters was you were trying to preserve something, like
908 some sort of conservation feature.

909

910 Ms. Boni: Right, but if there were ravines or some type of natural preservation area and they wanted to
911 group it all on the other side, would we allow more than 2 dwelling units per acre?

912

913 Mr. Dove: I think we would overall. I think we would set a limit as to how many units per buildable acre
914 and what other restrictions we're going to allow or not allow.

915

916 Ms. Trebellas: So it's another density issue?

917

918 Ms. Boni: It's definitely a density issue.

919

920 Mr. Dove: Yes, it's density, but what else are they going to come in with?

921

Zoning Commission

922 Ms. Boni: If we had something in our Code that said they can have a higher density to whatever we
923 decide in a cluster; is that something...

924

925 Mr. Dove: But as soon as we say 2.5, they're going to come in at 3 and where are we going to go? We
926 say 2 and they come in at more than that, so we're somewhat flexible in what we allow, we don't always
927 stick right at 2 depending on what else they have or haven't met, so I don't know that we want to raise it a
928 whole bunch because they're going to come in at more than that.

929

930 Ms. Boni: We've had discussions with other applications, but I think we need to be just 2.0 and that's it
931 or if we're going to allow higher density, we need to modify that part of our Code.

932

933 Mr. McCarthy: Something along the lines of some kind of exemption possibly.

934

935 Ms. Boni: When we get applications that offer incentives to have higher density than 2, what would we
936 consider to make that density ok? That's what we need to define in our Code. We've had applications
937 where we've said more than 2 is ok, but we need to have some type of definition we can refer to. If it
938 doesn't meet this, this, and this, then...

939

940 Mr. Dove: All the other standards. You have on street parking, you have 20 parking spaces; you have
941 complete streets....

942

943 Ms. Trebellas: I thought with cluster housing you're trying to preserve green space, open space,
944 resources, etc., so wouldn't the density still be the same? You've just taken however many units you're
945 supposed to put on a lot and put it on half of it, then it's not so much reducing density but modifying the
946 setbacks between buildings. Incentive might also be that you don't have to build as many roads, don't
947 have to put in as much infrastructure short of roads, etc., all your infrastructure savings you're making by
948 not having to develop half the parcel.

949

950 Ms. Boni: I don't want the Board to think I'm saying we need to have higher density; I'm just saying we
951 need to have some type of standard that we know it's a yes or no because when I get the zoning calls to
952 set up a meeting, I can say this is what we have, I can almost guarantee what the Commission will say.

953

954 Mr. Dove: I think it's tough because the Commission doesn't say this is our hard line. We've always
955 said we don't like blanket divergences so they come back and give a little. We want 2; if they're at 2.1,
956 2.2, 2.25 and they meet everything else, we might be more open to approving that. If we say it's 2.25 and
957 they come back at 3 and have a bunch of other divergences, then maybe we don't. But I don't know
958 personally that there's a hard line that I could say ok, it's this.

959

960 Ms. Stenman: And I think it depends on the layout of the property too. I struggle more with we're not
961 going to develop half, we're going to develop half versus you have a natural ravine running down the
962 middle that gives the appearance of yards where there aren't any but still you have that appearance of
963 open space; just the layout on a map of what's acceptable.

964

965 Ms. Dove: I think the location; if it's along 23, I'm going to accept a higher density than at the railroad
966 tracks.

967

968 Mr. McCarthy: We had a recent application where our only incentive was the product to the forefront. It
969 was dealing with a single family request and the Code section they brought indicated if you were adjacent
970 to another single family project, you could get 2/3's of whatever they had. That was an incentive offered
971 by one developer and it didn't work. It was never taken out of the Code but you could look at if there's
972 an amenity they're providing that that might bump it 5% or whatever, you'll see Codes like that. But then

Zoning Commission

973 you have to decide what are the incentives going to be, and maybe it would just be a location in certain
974 areas or something like that. That would be up to you; it could be pretty much anything that you want.

975
976 Mr. Sanders: I haven't seen clustering in the underlot of regular zoning, the greater density of something
977 in Alum Creek as you're coming down into Alum Creek, but maybe higher density coming down 23.
978 That may not take a major change to your Zoning Code.

979
980 Mr. McCarthy: We may have to revamp the planned districts anyway.

981
982 Ms. Trebellas: I think you need a definition of what that zone is along 23 because if not, that zone's
983 going to creep all the way to Old State.

984
985 Ms. Boni: When we get to the sub-area sections, maybe we can add or take away ????. 3.1, avoid multi-
986 family zoning for dense senior living (currently, this is the only other way to achieve any type of density
987 greater than 2.0 units per acre) by revising the zoning code to encourage more PERD districts, thus avoiding
988 inflating schools, increasing traffic flow, and other outcomes from multi-family districts. I guess this is
989 just saying to encourage PERD Districts.

990
991 Mr. McCarthy: When they say multi-family zoning, a dense senior family living, I think they're talking
992 about apartments that are not age restricted, where people of any sort and age can live.

993
994 Ms. Boni: I think so.

995
996 Mr. Sanders: Does the PERD have to be a single facility or can it be...

997
998 Mr. McCarthy: We have not had a request yet like that and personally I've only dealt with one some-
999 where else but it had the independent living, assisted living and nursing home all in one application.

1000
1001 Mr. Sanders: Should this be worded to just say encourage senior living to utilize the PERD District
1002 because it seems like that's what its saying.

1003
1004 Mr. Dove: Is that done when they do an application and there's an informal meeting?

1005
1006 Ms. Trebellas: I thought this was referring to empty nesters since that seems to be what everything else is
1007 talking about because I was wondering what are difficulties with PERD Districts in the first place?

1008
1009 Ms. Boni: I think, like Scott said, encourage senior living in the PERD District is probably what they
1010 were trying to say. 3.2, increase the affordability of senior/retiree housing by increasing the supply, thus
1011 lowering demand.

1012
1013 Mr. McCarthy: Can you really do affordable housing in Orange Township anymore? What would it sell
1014 for even if it was identical to affordable housing somewhere else? I think it's a real issue but if you think
1015 you're going to cover it with PERD and the price is going to come down, I don't think that's true.

1016
1017 Ms. Boni: So cross off?

1018
1019 Mr. Duell: Yes.

1020
1021 Ms. Boni: 3.3, PERD faces barriers that must be removed.

1022
1023 Mr. Duell: What barriers are they talking about because we developed this with the developers...

Zoning Commission

1024 Ms. Boni: I'm just reading what they wrote. Orange Township Planning and Zoning staff and boards
1025 should hold review meetings with developers to see to an increase of PERD districts by reducing barriers
1026 faced by these developers. See Figure 106 for locations of this district in addition to other residential
1027 districts. My understanding is they did research and found we hadn't had a PERD application in quite
1028 some time, so they think there's barriers to that which is why developers aren't applying for a PERD.
1029

1030 Mr. McCarthy: The barrier is that the PERD requires it to be age restricted and they don't want to limit
1031 their market. You can build all 3 of those in your PERD; in fact, I don't think you can build a standalone
1032 nursing home unless you've got assisted living with it.
1033

1034 Ms. Trebellas: So you can do nursing, assisted living and independent living; as long as it allows all
1035 those stages, I don't know what the obstacles are.
1036

1037 Mr. Dove: Have you had any calls of anyone who has requested senior housing?
1038

1039 Ms. Boni: I have and they wanted to talk about it in a residential single family district. I'll have to look
1040 at the PERD text, but there was always something they couldn't follow thru with and it was probably the
1041 age restriction.
1042

1043 Mr. McCarthy: It could be age restriction but it's also 50% open space. I think it was defined to be
1044 confined to a corner when you guys wrote it.
1045

1046 Mr. Dove: There's a reason it's called an elderly residential district; that's what it's for. I'd be curious as
1047 to what the barriers are that they can't meet.
1048

1049 Ms. Boni: I have not looked at that district because I've never really had to, so I can see what I find as a
1050 challenge and report back. But, we also want to reflect on how we want to consider amending all of our
1051 zoning districts, so we don't have to point this one out specifically unless you think it's necessary. The
1052 following one says create a path for developers may increase the future supply of PERD zoned housing units. I think
1053 they saw the survey results when they did their research for this chapter and all they heard was we don't want more
1054 people driving, don't want more children, so what should we do? Senior housing is what I think the students thought
1055 when they put those sections together.
1056

1057 Mr. Duell: It was created to be somewhat restrictive because it allows us to put what would otherwise be a
1058 commercial building in a no commercial zone like on S. Old State.
1059

1060 Mr. Dove: I'm curious as to if that one is at capacity.
1061

1062 Ms. Boni: The Inn at Bear Trail, the first phase is and they may have started their second phase.
1063

1064 Mr. McCarthy: What about the one on Green Meadows?
1065

1066 Ms. Trebellas: In the last couple of years they expanded that one and put another unit behind it by the library.
1067

1068 Ms. Boni: We can review the PERD section and if anybody has any thoughts, let me know. Otherwise, get rid of
1069 those sections because the whole point of this housing element is to know that we need to amend our housing
1070 districts, create something more flexible and that's really the intent of that section. The next section is Community
1071 Image, I'm meeting with the Outreach Committee tomorrow and we'll go over that section iff anyone has any
1072 thoughts that I should take to them.
1073

1074 Mr. McCarthy: On CI-1.2, if we start messing with fire hydrants, put the Fire Department as one of the responsible
1075 parties.
1076

Zoning Commission

1077 Mr. Dove: I wouldn't paint them orange.

1078

1079 Mr. Duell: I wonder what certain people would think about orange colors all over the Township.

1080

1081 Ms. Trebellas: Especially since we've had an issue with high chroma colors.

1082

1083 Ms. Boni: There's a natural resources and conservation section. I think whoever was over this section went far
1084 above and beyond but I don't know who wants to be responsible to review this or if it's just something we can
1085 compare to the 2010 plan.

1086

1087 Ms. Trebellas: I'm a natural resource person from my background, so if there is a discussion, I will participate in
1088 said discussion.

1089

1090 Mr. Duell: In NR-1.4, there was a discussion about trying to geographically distribute natural resources, but I'm
1091 not sure how we're supposed to do that.

1092

1093 Ms. Trebellas: That's already been done for us; it's beyond our control.

1094

1095 Mr. Duell: In the original document on Page 109 under natural resources, there are a number of
1096 zoning items we may want to watch for; a lot of things I'm not sure we can do or things that are out
1097 of our control, Like wetlands, those are out of our control and are the Army Corps of Engineers.

1098

1099 Mr. McCarthy: If you do want to enforce someone else's regulations, think about it because you
1100 will be called upon to do it almost inevitably.

1101

1102 Mr. Duell: So I would be careful about those.

1103

1104 Ms. Trebellas: And they're not going to want you to do that; they want to....

1105

1106 Mr. McCarthy: And stay totally away from a supremacy issue.

1107

1108 Mr. Sanders: I'll talk with Soil and Water. You can encourage someone to design a planned
1109 residential around a wetland without necessarily taking over someone else's authority.

1110

1111 Ms. Boni: Maybe Scott and I can meet with them before our next meeting and then come back and
1112 do this section. That will essentially go with the Outreach Board as well.

1113

1114 Mr. Dove: Would the Park Board be involved with the natural resources as well?

1115

1116 Ms. Trebellas: It depends. If it's Parks, you have active areas and passive conservation areas, so
1117 obviously not an active area within a playground in the middle of your wetland; however, there
1118 could still be linkages.

1119

1120 Ms. Boni: For our next meeting, Scott has offered to set up his GIS software and go thru the sub-
1121 areas to see what we'd like to change; that will give us a better visual. We need to schedule our
1122 next meeting and from there I'll start working on all these edits we've discussed. Our next Zoning
1123 Commission meeting is the 27th and we have one on April 10, so April 3, we don't have anything.

1124

1125 Ms. Stenman: I have something, but go ahead with it; it might move.

Zoning Commission

1126 Ms. Boni: Will schedule for 6:30 on April 3.

1127

1128 Mr. Duell: I will not be able to attend the Zoning Commission meeting for next Wednesday.

1129

1130 Meeting adjourned at 8:20 p.m.

1131

1132 Cindy Davis, Zoning Secretary

1133

1134 On September 26, 2018, Ms. Trebellas made a motion to approve the March 13, 2018 meeting minutes of
1135 the Orange Township Zoning Commission for the Comprehensive Land Use Plan with the following
1136 corrections:

1137

- 1138 • Line 89: the word “seats” should be changed to “cedes”
- 1139 • Line 350: the word “content” should be changed to “neutral”.
- 1140 • Line 498: the word “conversation” should be changed to “conversion”

1141

1142 Seconded by Ms. Stenman.

1143

1144 Vote on Motion: Mr. Duell-yes, Ms. Trebellas-yes, Ms. Stenman-yes, Mr. Dove-yes, Mr. McNulty-yes
1145 Motion carried