



Planning Commission
App. No. 093-2018 TA

Zoning Text Amendment

Wadsworth Township

Meeting: December 5, 2018
Applicant: Wadsworth Township Zoning Commission (WTZC)
Hearing: November 12, 2018 (Zoning Commission)
Amendments: Section (§) 306-4 Access Driveway Requirements
§ 307 Site Plan Review
Article XI Board of Zoning Appeals
Article XII Amendments
Reviewer: Rob Henwood

Proposed Amendments: The WTZC has submitted the above listed text change for Planning Commission review. Proposed new text is underlined and deleted text is ~~struck through~~.

SEC. 306-4 ACCESS DRIVEWAY REQUIREMENTS.

The minimum distance between rear lot access driveway locations shall be four hundred (400) feet along the adjacent public thoroughfare. No more than two (2) adjacent rear lot driveways are permitted.

SEC. 307-2 PROJECTS REQUIRING SITE PLAN REVIEW.

~~The Zoning Commission shall conduct a site plan review for all projects to come before it, as set forth in this Section and all other applicable sections of this Zoning Resolution. The Board of Zoning Appeals shall conduct a site plan review for all projects and/or development types that come before it including those projects that are appealing a decision to disapprove the proposed site plan by the Zoning Commission, as set forth in this Section and all other applicable sections of this Zoning Resolution. Site plan review shall be required for the following types of projects/developments:~~

A site plan review shall be conducted for all projects as set forth in this Section and all other applicable sections of this Zoning Resolution.

Site plan review shall be required for the following types of projects/developments:

3. Projects listed in Sections ~~402404~~ through Section ~~405407~~, which are contemplating an addition or expansion, which have at least one of the following effects:

If the project represents a permissible use for the Zoning District in which it is located, the Zoning Inspector shall perform the site plan review. The application shall include documentation as detailed in section 307-3 items 1 through 5. Three (3) hard copies or a PDF file of the Architectural plans (section 307-3 (2)) and Site Plans (section 307-3 (3)) shall be included with the application for site plan review.

- *Second sentence should read “The application shall include...”*
- *Capitalize “Section”*

If the project requests a change in Zoning District, the Zoning Inspector shall refer the matter to the Zoning Commission, which shall conduct a site plan review for all projects to come before it, as set forth in this Section and all other applicable sections of this Zoning Resolution. If the Zoning Commission conducts the site plan review, the application shall include documentation as detailed

in section 307-3 items 1 through 7, including seven (7) hard copies or a PDF file of the Architectural plans (section 307-3 (2)) and Site Plans (section 307-3 (3)). The Zoning Commission shall conduct a hearing as detailed in Article XII of this Zoning Resolution.

- **Capitalize “Section”**

The Board of Zoning Appeals shall conduct a site plan review for all projects and/or development types that come before it including those projects that require a Conditional Zoning Certificate or are appealing a decision to disapprove the proposed site plan by the Zoning Commission, as set forth in this Section and all other applicable sections of this Zoning Resolution. If the Board of Zoning Appeals conducts the site plan review, the application shall include documentation as detailed in section 307-3, items 1 through 7 with seven (7) hard copies or a PDF file of the Architectural plans (section 307-3 (2)) and Site Plans (section 307-3 (3)). The Board of Zoning Appeals shall conduct a hearing as detailed in Article XI of this Zoning Resolution.

- ***Simplify the first sentence as follows: “The Board of Zoning Appeals shall conduct a site plan review for all projects and/or development types that come before it including those projects that require a Conditional Zoning Certificate...”***

SEC. 307-3 SITE PLAN APPLICATION REQUIREMENTS.

The application for site plan review shall include the following items:

2. ~~Architectural plans three (3) copies~~(copies as detailed in Section 307-2) showing exterior elevations and floor Plans. ~~If exterior elevations are not available, reasonable graphic representations may be submitted;~~ the following items and drawn at a scale of either one hundred feet or fifty feet to the inch:
5. ~~A list of the name and addresses of all property owners within 200 feet of the property lines of the subject property, as they appear on the County Auditor’s current tax list or Treasurer’s mailing list.~~ Project cost estimates for site improvements. ***Why does the ZC need cost estimates for site improvements?***
6. ~~Copies of current tax map pages for the subject and above properties. (Zoning Commission or Board of Zoning Appeals, only.)~~ A list of the name and addresses of all property owners within 200 feet of the property lines of the subject property, as they appear on the County Auditor's current tax list or Treasurer's mailing list. ***The writing of numbers in the text is not handled consistently. One style for writing numbers should be used consistently; words only (nineteen), numbers or digits only (19), or a combination of words and numbers (nineteen (19)).***
7. ~~Project cost estimates for site improvements.~~ (Zoning Commission or Board of Zoning Appeals, only.) Copies of current tax map pages for the subject and above properties.

SEC. 307-4 REVIEW PROCESS.

Once a complete application for site plan review has been filed, the Zoning Inspector shall:

2. ~~Within five (5) working days of the return date of all comments the Zoning Inspector shall arrange for a meeting with the applicant if there are any comments to discuss. Any necessary revisions should be made prior to the Zoning Commission or Board of Zoning Appeals meeting.~~ If the project represents a permissible use for the Zoning District, any necessary revisions should be made prior to the Zoning Inspector approving the application. If the project is being referred to the Zoning Commission of the Board of Zoning Appeals, any necessary revisions should be made prior to the scheduled hearing.

3. ~~The Zoning Inspector shall notify the identified property owners, applicant and other interested parties by mail, no less than fifteen (15) days prior to the Zoning Commission meeting, or Board of Zoning Appeals meeting (if the applicant is contesting a decision of the Zoning Commission or if the applicant is seeking a conditional use permit requiring site plan review), at which the subject site plan will be considered. The notice shall indicate an interested party may review a case file by contacting the Zoning Inspector to arrange a time when the case file may be reviewed.~~ If the project is being referred to the Zoning Commission of the Board of Zoning Appeals, the identified property owners, applicant and other interested parties shall be contacted by mail, no less than ten (10) days prior to the Zoning Commission meeting, or Board of Zoning Appeals meeting (if the applicant is contesting a decision of the Zoning Commission or if the applicant is seeking a conditional use permit requiring site plan review), at which the subject site plan will be considered. The notice shall indicate an interested party may review a case file by contacting the Zoning Inspector to arrange a time when the case file may be reviewed.

~~SEC. 307-6 — STAGED DEVELOPMENT.~~

~~Where a proposed site plan indicates a staged site development approach, the later stages of the proposed development may be constructed within ten (10) years of the initial approval providing that the initial stage is completed in conformance with Section 1001-4.3, and at the latter stages are constructed in conformance with all applicable local, state and federal regulations. Upon the expiration of this ten (10) year period any and all development which has not commenced shall be subject to the application and review requirements stated within this Section and amendments thereto.~~

~~SEC. 307-7 — FINANCIAL GUARANTEES.~~

~~Prior to issuance of zoning or building permits, a cash performance bond or other acceptable financial guarantee shall be placed on deposit with the Township to ensure that site improvements, landscaping, surface drainage, sidewalks, etc. are installed in conformance with the approved site plan. The bond or guarantee shall be for the total construction cost estimate of the site improvements plus 10% of the estimate, in lieu of increased costs, and shall be for a period not to exceed two (2) years, providing for the complete construction of the site improvements within that period. If the development is to be developed in stages, each stage shall have a separate financial guarantee.~~

ARTICLE XI
BOARD OF ZONING APPEALS

SEC. 1101 A Board of Zoning Appeals is hereby created and shall have all the powers and duties prescribed by law and by this Resolution.

SEC.1101-1 COMPOSITION AND APPOINTMENT.

The Board shall consist of five (5) members appointed by.... The members of the Board shall be residents of the unincorporated territory in the Township ~~and shall serve without compensation.~~

SEC. 1101-2 ORGANIZATION.

The Board of Zoning Appeals shall elect a chairman and a vice- chairman from its membership; ~~shall appoint a secretary~~ and shall prescribe rules for the conduct of its affairs.

ARTICLE XII
AMENDMENTS

SEC.1201-4 HEARING AND NOTICE BY ZONING COMMISSION.

Upon the adoption of such motion, or the certification of such resolution or the filing of such application, the Zoning Commission shall hold a public hearing.... Notice of such hearing shall be given as follows:

1. A notice shall be published in one (1) or more newspapers of general circulation in the township at least ~~fifteen (15)~~ten (10) days before the date of such hearing. ***This change is consistent with Ohio Revised Code (ORC) Section (§) 519.12(A)(2).***
2. If the proposed amendment or supplement intends to rezone or redistrict ten (10) or less parcels of land, as listed on the tax duplicate, written notice of the hearing shall be mailed by the Zoning Commission, by first class mail, at least ~~twenty (20)~~ten (10) days before the date of the public hearing.... ***This change is consistent with ORC § 519.12(B).***

SEC. 1201-7 HEARING AND NOTICE BY BOARD OF TRUSTEES.

The Board of Trustees, upon receipt of such recommendation from the Zoning Commission, shall hold a public hearing thereon. The Board of Trustees shall set a time for the public hearing.... Notice of such public hearing shall be given by the Board of Trustees by one (1) publication in one (1) or more newspapers of general circulation in the township, at least ~~fifteen (15)~~ten (10) days before the date of such hearing. ***This change is consistent with ORC § 519.12(E).***

Recommendation: Staff recommends the Planning Commission **APPROVE** the proposed text amendment to the Wadsworth Township Zoning Resolution.