



## PLAIN TOWNSHIP ZONING COMMISSION

### MEETING MINUTES

June 13, 2019

Vice Chair Chad Blind called the Plain Township Zoning Commission Meeting to order at 7:00 p.m.

#### **ROLL CALL**

Attending the Plain Township Zoning Commission Regular Meeting were Chad Blind, Mark Sowle, and Greg Eller. Scott Harper and Rick Wieland were absent. Zoning Officer, Ben Collins was also in attendance. Assistant Zoning Officer, Mary Fee was absent.

#### **ADDITIONS OR CORRECTIONS TO AGENDA**

None

#### **APPROVAL OF MINUTES**

##### **February 14, 2019 Meeting Minutes**

Mr. Eller made a motion to approve the February 14, 2019 meeting minutes as submitted. Mr. Blind seconded the motion. All in Favor. Motion carried.

#### **RECOGNITION OF VISITORS/ CITIZEN'S COMMENTS**

None

#### **ZONING OFFICER'S REPORT**

Mr. Collins stated that we have not convened since February 2019. Staff has been working on an Agritourism zoning text amendment, which is the bulk of the content tonight. Other township business includes a dedication ceremony for the new Fire Department Ladder Truck on June 19<sup>th</sup> at 8:30am.

The City of New Albany has issued its Strategic Plan revision. That is a process and should take 18 months. There is supposed to be a number of public forums, those will be published with a notice in the paper.

There are a couple of big projects out on Beech Road, Google has started their site work; there is an AEP substation that will be in that area; Facebook has committed to add another section, they are completing the second part of their data center.

There is a Trustee position and the Fiscal Officer position that will be on the ballot this November election. The State Operating Budget passed through the house, went to the Senate;

there is a small increase in local government funding. On the zoning front, it has been rather quiet. There have been some variance applications this year, mostly for additions.

## **NEW BUSINESS**

Mr. Collins stated that tonight is an opportunity to discuss the process and introduce but not take any formal action on an Agritourism zoning text amendment. A flow chart has been provided that Mr. Collins helped produce while working with Delaware County. It walks you through the process for a zoning text amendment.

There is a document that is also in the format of a final document that shows specifically what is being amended and the zoning text. There are a couple examples of other efforts to adopt Agritourism standards from other townships in Ohio.

By way of introduction, Agritourism is a new concept that has been captured in Ohio Law through a 2017 amendment. Your materials include a couple of revised code sections that have captured this. One is township zoning 519.21 the other is the revised code definition of agritourism 929.101 This is a new concept being tried in Ohio courts, what the extend of the regulation is and how the new language for township zoning interacts with existing language for building and fire regulations. Agriculture activities could be regulated by local zoning. It depends on the specifics of the activity.

There is one example of an existing activity in Plain Township we have been treating as just agriculture, it is an active 100 acre farm with quite a bit of the acreage being used for production. The owner has been engaging in agritourism for a number of years. The new language in the revised code allows the township to regulate it. An application was made for an addition on one of the buildings on the property for the agritourism activity and made an application to the township for a zoning permit. Without any language in the current zoning text, the township did not have any option but to allow the activity.

Adopting language to regulate agritourism and develop some standards for the township is the goal.

The process of amending the zoning text starts with either 1) a motion by the Board of Zoning Commission, 2) an application by a resident, typically for a development project, planned development is actually an amendment to the zoning text itself, or 3) by resolution of the Board of Township Trustees.

There is a timeline included in the materials including a flow chart. Once the application is made there are some things that must take place. It must be forwarded to the county and regional commissions. We use Franklin County Planning Commission. We are also part of the Rocky Fork Blacklick Accord, but because this is not a property rezoning or change in zoning designation, we would not typically submit through the RFBA. The planning commission would take a look and make a recommendation back to our zoning commission and then there would be a public hearing. There are some interested parties and we would want to give notice and publicize the public hearings. The Zoning Commission Board makes a recommendation to the Plain Township Board of Trustees. They have to schedule the matter for public hearing.

This is a pretty standard process. Plain Township has not gone through a complete rezoning since 2011.

As far as the recommended text, there are a couple of other items to address in the zoning amendment, one is for recreational vehicles. Our zoning text has no specific regulations regarding the use of recreational vehicles for dwelling, living or sleeping. We have had a couple of issues recently where this language would be helpful. It is included in the Franklin County Zoning text.

Mr. Collins recommended adding this additional language to the text “Recreational vehicles, camping trailers and similar recreational vehicles and equipment, shall not be used as a dwelling unit or for living, sleeping or housekeeping purposes outside an approved recreational park or campground area.” This would prohibit someone from setting up an RV on their property for themselves, family or friends to sleep in, live in, or reside in long term. There is an instance where someone has been doing this for the past year. This language would help make it easier to say it is a specific violation of township zoning. We would still have to go through the process of making a case that they are living in the RV. We have another instance where a traveling preacher would like to set up an RV at a local church for an undetermined amount of time. We don’t have anything to regulate it.

Mr. Collins asked the board to go out into the community and look around and observe agricultural activities in the area. Pay attention to the agritourism activities that are taking place. Submit questions, ideas and/or comments to him.

**OLD BUSINESS**

None

**HEARINGS**

None

**BOARD MEMBER COMMENTS**

None

**ADJOURNMENT**

Mr. Blind made a motion to adjourn the meeting. Mr. Eller seconded the motion. All in favor. Motion Carried. The regular meeting of the Plain Township Zoning Commission was adjourned.

**\*\*AS APPROVED\*\***

  
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Ben Collins  
Zoning Commission Secretary