Planning Commission
App. No. 050-2023-TA

Zoning Text Amendment

Westfield Township

Meeting:	August 2, 2023
Applicant:	Westfield Township Zoning Commission (ZC)
Hearing:	TBD
Amendments:	Section 205 Accessory Structures and Uses Section 207 Oil and Gas Wells Section 606 Specific and Supplementary Conditions
Reviewer:	Rob Henwood
Recommendation:	**APPROVAL WITH MODIFICATIONS**

Proposal: In a letter dated May 10, 2023, Amy Banfield, Westfield Township and Zoning Secretary, requested a review of the proposed edits to the Westfield Township Zoning Resolution.

New text is underlined, and text to be deleted is shown as ~~strikethrough~~. Staff comments are ***bold and italicized***.

ARTICLE II
GENERAL REGULATIONS

205 ACCESSORY STRUCTURES AND USES

A. General.

1. An accessory structure ~~building~~ shall comply with all yard setback regulations applicable to the principal building. ***Staff recommends the Zoning Commission use either of the terms "building" or "structure" consistently in the Zoning Resolution. The existing and proposed text amendments use the terms interchangeably.***
2. Accessory uses and structures shall be permitted in all districts in conformance with the provisions of this Resolution.
3. An accessory use or structure shall only be established on a lot having a principal building ~~use or structure~~. ***Staff recommends the Zoning Commission use either of the terms "building" or "structure" consistently in the Zoning Resolution.***
4. ~~An accessory structure shall only be used for a use which is accessory to the principal use.~~
5. ~~All accessory structures and uses shall be:~~
   a. ~~Clearly subordinate to the principal use or structure.~~
   b. ~~Directly serve the principal use or structure.~~
   c. ~~Located on the same lot as the principal use or structure.~~
   d. ~~Reasonably and customarily incidental to the principal use or structure.~~

The proposed deleted text is appropriate for removal as the Zoning Resolution defines accessory structures and uses as follows:

A structure or use customarily incidental and subordinate to the principal use or building and located on the same lot or premises as the principal use or building. Accessory structures include but not limited to: fence, sign, storage shed, swimming pool, satellite dish. Accessory uses include but not limited to: home occupations, parking storage of home maintenance equipment.

While not part of the submitted Text Amendment, staff recommends the second and third sentences of the definition for accessory structures and uses read as follows, "Accessory structures include but are not limited to fence, sign, storage shed, swimming pool, and satellite dish. Accessory uses include but are not limited to home occupations, parking, and storage of home maintenance equipment."

L. Solar Panels.
   2. Ground mounted solar panels shall:
      a. Be located in accordance with the side and rear yard setbacks established for all accessory structures of the district.
      b. Be permitted in the front yard with a one hundred (100) foot ~~door~~ setback from the road right-of-way and shall not exceed twelve (12) feet in height.
      c. Not exceed ¼ (0.25) acre in all zoning districts. (Except in the Highway Commercial District **(HC)** – See **606.A.35.b**.) ***The number ¼ should be spelled out (one quarter) to be consistent with other numbers included in the text.***

207 OIL AND GAS WELLS

No building used for human occupancy shall be erected within one hundred (100) feet from any oil or gas well, storage tanks, and/or separator units, abandoned or not abandoned. No building used for human occupancy shall be erected within fifty (50) feet of a well that has been properly plugged (as defined by the ***ORC***).

~~No building shall be erected within two hundred (200) feet from any oil and gas well, storage tank and/or separator units abandoned or not abandoned.~~

ARTICLE VI
CONDITIONAL USES

606 SPECIFIC AND SUPPLEMENTARY CONDITIONS

35. Solar Energy Commercial Installations.
    b. Shall be conditionally permitted on a parcel of ten (10) acres or ~~more~~ less in the HC District.

Recommendation: Planning Services staff recommends the Planning Commission **APPROVE WITH MODIFICATIONS** the proposed amendments to the Westfield Township Zoning Resolution.