



Engineering, Planning and Zoning
City Hall, 209 S. Main Street
Marysville, Ohio 43040-1641
(937) 645-7350
FAX (937) 645-7351
www.marysvilleohio.org

LEGAL NOTICE

Notice of Public Hearing for Planning Commission in the City of Marysville. The Public Hearing will be held on March 7, 2023 at 6:30 p.m., in the Council Chambers on the second floor located at 209 S. Main Street, Marysville, Ohio 43040.

NEW BUSINESS:

1. Vote on Rules and Procedure
2. To hear an application for a Zoning Code Amendment to Part Eleven - Zoning Code, Appendix - Glossary of Terms.
3. To hear an application regarding Zoning Code Amendment to Part Eleven - Zoning Code District Typology Charts from Sections 1121.07, 1121.08, 1121.09, 1121.10, 1121.11, 1121.12, 1121.13, 1121.14, 1121.15, 1121.16, 1121.17, 1121.18, 1121.20, 1121.21, and 1121.22.
4. To hear an application regarding Zoning Code Amendment to Part Eleven - Zoning Code District Typology Charts from Sections 1121.07, 1121.08, 1121.09, 1121.10, 1121.11, 1121.12, 1121.13, 1121.14, 1121.15, and 1121.22.
5. To hear an application regarding Zoning Code Amendment to Part Eleven - Zoning Code Section 1121.18 Uptown Commercial District (UC).
6. To hear an application regarding Zoning Code Amendment to Part Eleven - Zoning Code Section 1121.21 Uptown Transitional District (UT).
7. To hear an application regarding Zoning Code Amendment to Part Eleven - Zoning Code Section 1123 Generally Applicable District Regulations.
8. To hear an application regarding Zoning Code Amendment to Part Eleven - Zoning Code Section 1125 Landscape Requirements.

9. To hear an application regarding Zoning Code Amendment to Part Eleven - Zoning Code Section 1133.10 Design Review Standards for Office, Institutional, Mixed-Use and Commercial Building Typologies.
10. To hear an application regarding Zoning Code Amendment to Part Eleven - Zoning Code Section 1139.06 Standards for Solar Energy System.
11. To hear an application regarding Zoning Code Amendment to Part Eleven - Zoning Code Section 1141 Administration and Procedures.

Copies of the above application(s) are on file and may be viewed on the City's Website, Boards & Commissions, Planning Commission:

<https://www.marysvilleohio.org/155/Planning-Commission>

If you have any questions, you may contact the Marysville Engineering Department at (937) 645-7361 or (937) 645-7328 or via email at agaver@marysvilleohio.org or jbeard@marysvilleohio.org.



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PLANNING COMMISSION AGENDA
Tuesday, March 7, 2023 6:30 p.m.
Council Chambers, 209 S. Main Street, 2nd Floor

CALL MEETING TO ORDER:

Time In: _____

Roll Call:

Chad Wolniewicz

Lesley Verbus

Matthew Fisher

Michael Nickoson

Scott Hunter

Steve Stolte

Robert Stillion

APPROVAL OF MINUTES:

February 7, 2023 Regular Meeting Minutes

SWEARING OF CITIZENS & APPLICANTS: All applicants speaking before the Planning Commission tonight will have to stand and raise their right hand (if unable to stand, you may be seated). The designated chair for the Planning Commission will administer the swearing in statement.

CITIZEN COMMENTS: Citizen speaking is limited on comments to five (5) minutes, unless written permission prior to the meeting. (If the chair feels that they would like to authorize them to speak another five minutes later in the item, they may allow them to do so).

REPORT OF ADMINISTRATION:

NEW BUSINESS:

1. Vote on Rules and Procedure
2. To hear an application for a Zoning Code Amendment to Part Eleven - Zoning Code, Appendix - Glossary of Terms.
3. To hear an application regarding Zoning Code Amendment to Part Eleven - Zoning Code District Typology Charts from Sections 1121.07, 1121.08, 1121.09, 1121.10, 1121.11, 1121.12, 1121.13, 1121.14, 1121.15, 1121.16, 1121.17, 1121.18, 1121.20, 1121.21, and 1121.22.
4. To hear an application regarding Zoning Code Amendment to Part Eleven - Zoning Code District Typology Charts from Sections 1121.07, 1121.08, 1121.09, 1121.10, 1121.11, 1121.12, 1121.13, 1121.14, 1121.15, and 1121.22.
5. To hear an application regarding Zoning Code Amendment to Part Eleven - Zoning Code Section 1121.18 Uptown Commercial District (UC).
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9. To hear an application regarding Zoning Code Amendment to Part Eleven - Zoning Code Section 1133.10 Design Review Standards for Office, Institutional, Mixed-Use and Commercial Building Typologies.
10. To hear an application regarding Zoning Code Amendment to Part Eleven - Zoning Code Section 1139.06 Standards for Solar Energy System.

11. To hear an application regarding Zoning Code Amendment to Part Eleven - Zoning Code Section 1141 Administration and Procedures.

DISCUSSION ITEMS:

COMMENTS OF INDIVIDUAL BOARD MEMBERS:

Chad Wolniewicz

Lesley Verbus

Matthew Fisher

Michael Nickoson

Scott Hunter

Steve Stolte

Robert Stillion

ADJOURNMENT:

Time Out: _____

**PLANNING COMMISSION
MINUTES OF MEETING
February 7, 2023**

TIME IN: The meeting was called to order at 6:30 p.m.

MEMBERS PRESENT: Scott Hunter, Matthew Fisher, Michael Nickoson, Lesley Verbus, Chad Wolniewicz, Steve Stolte, Rob Stillion

OTHERS PRESENT: Russell Fischer, Meg Michel, Stephanie Van Bourgondien, Jeff Beard, Ashley Gaver

APPROVAL OF THE MINUTES: The minutes from the December 6, 2022 meeting were approved as submitted.

CITIZEN COMMENTS:

REPORT OF ADMINISTRATION: Ms. Gaver introduced our new Planning Commission board member, Matthew Fisher.

NEW BUSINESS:

1. Vote on Chair, Vice Chair, and Rules and Procedure

a. Vote of Chairperson

Mr. Nickoson

Motion: Mr. Stillion

VOTE: Mr. Stolte **YES**; Mr. Stillion **YES**; Mr. Nickoson **YES**; Ms. Verbus **YES**;
Mr. Wolniewicz **YES**; Mr. Hunter **YES**; Mr. Fisher **YES**

Approved 7 - 0

b. Vote of Vice-Chairperson

Mr. Hunter

Motion: Mr. Wolniewicz

VOTE: Mr. Stillion **YES**; Mr. Nickoson **YES**; Ms. Verbus **YES**; Mr. Wolniewicz **YES**;
Mr. Hunter **YES**; Mr. Fisher **YES**; Mr. Stolte **YES**

Approved 7 - 0

c. Vote on Rules and Procedure

The Planning Commission members discussed a few minor changes to the Rules and Procedures. City staff will incorporate these revisions and present at the next meeting.

Motion to table: Mr. Nickoson

VOTE: Mr. Nickoson **YES**; Ms. Verbus **YES**; Mr. Wolniewicz **YES**; Mr. Hunter **YES**; Mr. Fisher **YES**; Mr. Stolte **YES**; Mr. Stillion **YES**

Tabled 7 – 0

2. Vote on the Community Reinvestment Area Housing Council Representative.

Mr. Stolte and Ms. Verbus were nominated.

Mr. Stolte

VOTE: Ms. Verbus **Ms. Verbus**; Mr. Wolniewicz **Mr. Stolte**; Mr. Hunter **Mr. Stolte**; Mr. Fisher **Mr. Stolte**; Mr. Stolte **Mr. Stolte**; Mr. Stillion **Ms. Verbus**;

Mr. Nickoson **Ms. Verbus**

Mr. Stolte 4 – 3

3. To hear a Conditional Use Application for a park located at the Southwest corner of the intersection of Vine Street and E. 5th St. (Parcel Number: 2900041310000).

Ms. Gaver presented the application to the board. The City is proposing a passive park to occupy this site which was previously a gas station. There will be several benches, raised plant beds, irrigation and lighting and possible a sculpture. Ms. Verbus expressed how this would enhance the entrance to our Uptown and extend walkability down Fifth Street; She also suggested adding bike racks. Mr. Wolniewicz questioned the location of this park and suggested a community garden. Mr. Fisher suggested moving some of the property line landscape to hide the cars in the driveway of neighboring residents. Ms. Michel and Mr. Fischer had the same concern regarding parking; requested to possibly add designated parking spaces for the park.

Motion to approve: Mr. Stillion

VOTE: Mr. Wolniewicz **YES**; Mr. Hunter **YES**; Mr. Fisher **YES**; Mr. Stolte **YES**; Mr. Stillion **YES**; Mr. Nickoson **YES**; Ms. Verbus **YES**

Approved 7 - 0

4. Administrative report regarding Zoning Code Amendments to Part Eleven – Planning and Zoning Code.

Ms. Gaver presented several amendments to the Zoning Code for discussion with the board. The City performed a comprehensive Zoning Code update in 2020. With continual evaluation of the Zoning Code, there are some minor changes that city staff has requested; some of the items provide better clarification of code requirements and definitions or glossary terms. The topics discussed were lot coverage, open space definition, substantial expansion definition, zoning code section 1139.06 (d)(2)(b), build-to-line adjustments, typology charts and code section amendments to Uptown Commercial and Uptown Transitional. The board did not have any major issues with these changes; the members will vote to approve at the next meeting with the recommendation to proceed to City Council.

DISCUSSION ITEMS:

COMMENTS OF INDIVIDUAL BOARD MEMBERS:

ADJOURNMENT: The meeting was adjourned at 7:56 p.m.



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RULES OF PROCEDURE FOR THE CITY OF MARYSVILLE PLANNING COMMISSION

1. The day and hour of the Planning Commission meetings shall be the first Tuesday of each month at 6:30 pm. When a conflict occurs with the meeting date, it shall be adjusted to the first Wednesday of the month at 6:30 pm, and noted in the yearly calendar. If there are no applications submitted for 'old business' or 'new business', the meeting shall be postponed until the following month. Special meetings shall be publicly announced in the local newspaper **and the city website** at least 48 hours in advance.
2. The order of business for the Planning Commission meetings shall be:
 - a. **Call Meeting to Order**
 - b. **Roll Call**
 - c. **Approval of Minutes**
 - d. **Swearing in of Citizens & Applicants**
 - e. **Comments of Citizens - Citizen Comments are limited to five (5) minutes, unless prior permission is granted by the designated Chairmen.**
 - f. **Report of Administration**
 - g. **Old Business**
 - h. **New Business**
 - i. **Discussion Items**
 - j. **Boards and Committees Representative Report**
 - k. **Individual Commissioners Comments**
 - l. **Adjournment**
3. Each Commissioner and citizens, before speaking upon any subject, shall address the presiding officer and be recognized by him or her.
4. Unless a conflict(s) of interest is recognized, each member of the Commission shall be required to vote upon all questions before the Commission. When such conflict(s) are recognized the member shall refrain from any conversation or discussion on the issue. Commission members shall notify the Chairperson prior to any discussion on a subject where a conflict of interest may exist where the member's personal interests or concerns may affect his/her loyalty to the public interest. After notification the stated conflict of interest shall be made public by inclusion in the meeting minutes. The Commission Member shall then exclude him/herself from any discussion or vote on the subject. If the Chairperson has a conflict of interest, the same procedure shall be followed by notifying the next officer in succession.

5. An agenda as well as administration comments for each meeting shall be delivered to the Commission seven (7) days prior to the regularly scheduled meeting.
6. The meeting agenda shall be delivered to all applicants for items on the agenda seven (7) days prior to the regularly scheduled meeting. A copy of the meeting minutes or a decision letter outlining all decisions of the application shall be mailed to the applicant(s) no later than two (2) weeks after the meeting occurred.
7. Any item not on the agenda may be considered with the majority consent of the members present. This shall not include any item requiring a deadline as specified in Chapter 1100 of the Planning & Zoning Code.
8. Prior to any official application updates/changes associated with the Planning Commission along with all zoning and sign permits, staff shall present the updates to the Commission during a regularly scheduled meeting for review and approval.
9. Chairperson and Vice-Chairperson shall be elected at the first meeting of the calendar year. In the absence of both, the members present shall select an interim chair to serve as Chairperson until the return of the Chairperson and/or Vice Chairperson. If the Chairperson position becomes vacant after being elected then the Vice Chairperson will become Chair for the remainder of the year. If the Vice Chairperson position becomes vacant during the year then the board shall elect a new Vice Chairperson.
10. A Majority of all members of the Commission shall be considered a quorum for the conducting of business. A lesser number may meet to adjourn to a later date and time. A majority vote of all members is necessary for the passage of matters for sketch plan, preliminary and final plats, density bonus, conditional uses, and zoning amendments (including, rezoning, zoning code amendments and PUD) and matters that directly affect an applicant's property rights. A majority vote of all members present is required for all other matters put to motion.
11. Motions do not require a second.
12. The Planning Commission Chairperson may appoint Ad Hoc Committees as necessary to deal with matters needing attention. These committees shall then report their findings back to the Planning Commission as a whole. After the matter has been addressed, the committee may be dissolved by a majority vote from the Commission. Committee meetings must be advertised at least 48 hours prior to the meeting. Minutes for the committee will be completed by a member of the committee and a copy given to the Chairperson.
13. Per Rules of Council, the Chairperson or appointee will provide Planning Commission updates at the second City Council meeting of each month **when applicable**.
14. These Rules of Procedure shall be available for public inspection. These rules may be amended by majority consent of all the members of the Commission.



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March 7, 2023

To: City of Marysville
Planning Commission Members

From: Ashley Gaver
City Planner

RE: Part Eleven - Zoning Code, Appendix - Glossary of Terms

To hear an application for a Zoning Code Amendment to Part Eleven - Zoning Code , Appendix - Glossary of Terms.

Planning and Zoning Staff Analysis:

The City's current code provides a glossary of terms. The current code does not provide definitions for lot coverage or open space within the general glossary section of the code. The definitions of setback and specialty food and/or beverage facility need to be updated to help with clarity of the code. There have been some enforcement concerns with the missing and current language which this amendment will address.

Proposed Text Amendment:

The addition of the terms to the glossary will provide clarification to applicants on potential uses within the Zoning Code.

- **LOT COVERAGE:** means the ratio of enclosed ground floor area of all buildings, structures *and surfaces, regardless if it is pervious or impervious*, on a lot to the horizontally projected area of the lot, expressed as a percentage.
- **OPEN SPACE:** Does not currently have a general definition for the entire general code in the glossary. Currently the only open space definition is listed under telecommunications requirements. Proposed Definition:
 - *An area of land unoccupied by buildings, structures, storage or vehicular use areas, except for recreational structures and which is generally used for the purpose of active or passive recreation, natural features, environmental protection, preservation of scenic views or similar purposes. Open space does not include street rights-of-way or setbacks.*

- **SETBACK:** means a line established by these regulations and/or Planning and Zoning ordinance or resolution, generally parallel with and measured from the front(s), side(s), and rear lot line, defining the limits of a **front-yard parcel** in which no building or structure may be located above ground, except as may be provided in such Codes.
- **SPECIALTY FOOD AND/OR BEVERAGE FACILITY:** means a facility wherein food and/or beverage is produced and is: sold on a wholesale and/or retail basis; distributed; and/or consumed on the premises. This may include but is not limited to a winery, brew pub, micro-brewery, **tap room**, distillery, coffee roaster, bakery, charcuterie, cheese making and/or other facilities producing crafted alcoholic or non-alcoholic beverages and/or artisan food.

Staff Comments

City Staff recommend amending the Zoning Code *Part Eleven - Appendix Glossary of Terms* and submit the new revised chapters. Refer to 'Exhibit A' for the glossary additions.

If you have any questions about the aforementioned items, please feel free to contact us by phone at (937) 645-7361 or (937) 645-7328 or by email: agaver@marysvilleohio.org or jbeard@marysvilleohio.org.

EXHIBIT A

LOT COVERAGE: means the ratio of enclosed ground floor area of all buildings, structures and surfaces, regardless if it is pervious or impervious, on a lot to the horizontally projected area of the lot, expressed as a percentage.

OPEN SPACE: An area of land unoccupied by buildings, structures, storage or vehicular use areas, except for recreational structures and which is generally used for the purpose of active or passive recreation, natural features, environmental protection, preservation of scenic views or similar purposes. Open space does not include street rights-of-way or setbacks.

SETBACK: means a line established by these regulations and/or Planning and Zoning ordinance or resolution, generally parallel with and measured from the front(s), side(s) and rear lot line, defining the limits of a parcel in which no building or structure may be located above ground, except as may be provided in such Codes.

SPECIALTY FOOD AND/OR BEVERAGE FACILITY: means a facility wherein food and/or beverage is produced and is: sold on a wholesale and/or retail basis; distributed; and/or consumed on the premises. This may include but is not limited to a winery, brew pub, micro-brewery, tap room, distillery, coffee roaster, bakery, charcuterie, cheese making and/or other facilities producing crafted alcoholic or non- alcoholic beverages and/or artisan food.



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March 7, 2023

To: City of Marysville
Planning Commission Members

From: Ashley Gaver
City Planner

RE: Zoning Amendments

To hear an application for a Zoning Amendment to Sections 1121.07, 1121.08, 1121.09, 1121.10, 1121.11, 1121.12, 1121.13, 1121.14, 1121.15, 1121.16, 1121.17, 1121.18, 1121.20, 1121.21, and 1121.22 - Setback language and Single Family Attached standards.

Planning and Zoning Staff Analysis:

The current zoning code has varying setback language based on the type of use in each district. This amendment would provide for a more consistent setback language of the use in those districts and allow for a more uniform enforcement of the code.

The current zoning code has varying language regarding standards for Single Family Attached building typology in multiple districts. This amendment would provide for more consistent language regarding continuous building frontage along with building separation in the Zoning Code when reviewing single family attached proposals.

Proposed Code Amendments:

The amendments would be outlined in Sections 1121.07, 1121.08, 1121.09, 1121.10, 1121.11, 1121.12, 1121.13, 1121.14, 1121.15, 1121.20, 1121.21, and 1121.22 typology charts as specified in "Exhibit A", whereas below is the current zoning code text redlined for Sections 1121.07, 1121.08, 1121.09, 1121.10, 1121.11, 1121.12, 1121.13, 1121.14, 1121.15, 1121.20, 1121.21, and 1121.22 typology charts:

District	Typology	Front Setback	Side Setback	Rear Setback
SRD	Single Family Detached	30 feet from lot line, easement line or Right-of-way *	7.5 feet from lot line, easement line or Right-of-way *	20 feet from lot line, or easement line or Right-of-Way *
SRD	Single Family Attached	30 feet from lot line, easement line or Right-of-way *	7.5 feet from lot line, easement line or Right-of-way *	20 feet from lot line, or easement line or Right-of-Way *
SRD	Community Center	25 feet from lot line, easement line or Right-of-way *	20 feet from lot line, easement line or Right-of-way *	20 feet from lot line, easement line or Right-of-way *
SRD	Institutional Flex	20 feet from lot line, easement line or Right-of-way *	20 feet from lot line, easement line or Right-of-way *	30 feet from lot line, easement line or Right-of-way *
SRD	Multi-Family	20 feet from lot line, easement line or Right-of-way *	20 feet from lot line, easement line or Right-of-way *	10 feet from lot line, easement line or Right-of-way *

District	Typology	Front Setback	Side Setback	Rear Setback
SCD	Commercial	25 feet from lot line, or easement line or Right-of-Way , subject to build- to-line regulations under <u>Chapter 1133.10</u> *	10 feet from lot line, or easement line or Right-of-Way *	20 feet from lot line, easement line or Right-of-way *
SCD	Office	30 feet from lot line, or easement line or Right-of-Way , subject to build- to-line regulations under <u>Chapter 1133.10</u> *	10 feet from lot line, or easement line or Right-of-Way *	20 feet from lot line, easement line or Right-of-way *
SCD	Institutional Flex	25 feet from lot line, or easement or Right-of-Way *	10 feet from lot line, or easement line or Right-of-Way *	20 feet from lot line, easement line or Right-of-way *
SCD	Single Family Attached	15 feet from lot line, easement line or Right-of-way *	5 feet from lot line, easement line or Right-of-way *	20 feet from lot line, easement line or Right-of-way *

SCD	Multi-Family	20 feet from lot line, easement line or Right-of-way *	10 feet from lot line, easement line or Right-of-way *	20 feet from lot line, easement line or Right-of-way *
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District	Typology	Front Setback	Side Setback	Rear Setback
ARD	Single Family Detached	60 feet from lot line, easement line or Right-of-way *	20 feet from lot line, easement line or Right-of-way *	60 feet from lot line, easement line or Right-of-way *

District	Typology	Front Setback	Side Setback	Rear Setback
VRD	Single Family Detached	No Proposed Amendments	5 feet from lot line, easement line or Right-of-way *	20 feet from lot line, easement line or Right-of-Way *
VRD	Single Family Attached	No Proposed Amendments	5 feet from lot line, easement line or Right-of-way *	20 feet from lot line, easement line or Right-of-Way *
VRD	Multi Family	30 feet from lot line, easement line or Right-of-way *	5 feet from lot line, easement line or Right-of-Way *	20 feet from lot line, easement line or Right-of-Way *
VRD	Institutional Flex	20 feet from lot line, easement line or Right-of-way *	30 feet from lot line, easement line or Right-of-way *	20 feet from lot line, easement line or Right-of-Way *

District	Typology	Front Setback	Side Setback	Rear Setback
NCD	Commercial	20 feet from lot line, easement line or Right-of-Way, subject to build- to-line regulations under <u>Chapter 1133.10</u> *	10 feet from lot line, easement line or Right-of-Way *	25 feet from lot line, easement line or Right-of-Way *
NCD	Institutional Flex	20 feet from lot line, easement line or Right-of-Way *	10 feet from lot line, easement line or Right-of-Way *	20 feet from lot line, easement line or Right-of-Way *

NCD	Mixed Use	20 feet from lot line, or easement line or Right-of-Way, subject to build- to-line regulations under <u>Chapter 1133.10</u> *	10 feet from lot line, or easement line or Right-of-Way *	20 feet from lot line, easement line or Right-of-Way *
NCD	Single Family Attached	No Proposed Amendments	5 feet from lot line, or easement line or Right-of-Way *	20 feet from lot line, easement line or Right-of-Way *
NCD	Multi-Family	20 feet from lot line, easement line or Right-of-way *	10 feet from lot line, easement line or Right-of-way *	20 feet from lot line, easement line or Right-of-Way *

District	Typology	Front Setback	Side Setback	Rear Setback
HMD	Single Family Attached	15 feet from lot line, or easement line or Right-of-Way *	5 feet from lot line, or easement line or Right-of-Way *	20 feet from lot line, or easement line or Right-of-Way *
HMD	Mixed Use	15 feet from lot line, or easement line or Right-of-Way *	5 feet from lot line, or easement line or Right-of-Way *	20 feet from lot line, easement line or Right-of-Way *
HMD	Multi-Family	15 feet from lot line, easement line or Right-of-way *	5 feet from lot line, or easement line or Right-of-Way *	20 feet from lot line, easement line or Right-of-Way *
HMD	Office	15 feet from lot line, or easement line or Right-of-Way *	10 feet from lot line, easement line or Right-of-way *	20 feet from lot line, easement line or Right-of-Way *

District	Typology	Front Setback	Side Setback	Rear Setback
M/I	Manufacturing	50 feet from lot line, or easement line or Right-of-Way *	30 feet min. from each side lot line, or easement line or Right-of-Way (40 feet min. from residential use) *	40 feet min. from lot line, easement line or right-of-way (75 feet min. from residential use) *
M/I	Office / Warehouse Flex	50 feet from lot line, or easement line or Right-of-Way *	20 feet min. from each side lot line, or easement line or	40 feet min. from lot line, easement line or right-of-way (75 feet

			Right-of-Way (40 feet min. from residential use) *	min. from residential use) *
M/I	Office	50 feet from lot line, or easement line or Right-of-Way *	20 feet min. from lot line, or easement line or Right-of-Way *	20 feet from lot line, easement line or Right-of-Way *

District	Typology	Front Setback	Side Setback	Rear Setback
LMD	Manufacturing	40 feet from lot line, or easement line or Right-of-Way *	10 feet min. from each side lot line, or easement line or Right-of-Way (40 feet min. from residential use) *	20 feet min. from each side lot line, or easement line or Right-of-Way (40 feet min. from residential use) *
LMD	Office / Warehouse Flex	40 feet from lot line, or easement line or Right-of-Way *	10 feet min. from each side lot line, or easement line or Right-of-Way (40 feet min. from residential use) *	20 feet min. from each side lot line, or easement line or Right-of-Way (40 feet min. from residential use) *

District	Typology	Front Setback	Side Setback	Rear Setback
RMU	Commercial	25 feet from lot line, or easement line or Right-of-Way, subject to build- to-line regulations under Chapter 1133.10 *	10 feet from lot line, or easement line or Right-of-Way *	20 feet from lot line, easement line or Right-of-Way *
RMU	Office	25 feet from lot line, or easement line or Right-of-Way, subject to build- to-line regulations under Chapter 1133.10 *	10 feet from lot line, or easement line or Right-of-Way *	20 feet from lot line, easement line or Right-of-Way *
RMU	Mixed Use	25 feet from lot line, or easement line or Right-of-Way, subject to build- to-line regulations under Chapter 1133.10 *	10 feet from lot line, or easement line or Right-of-Way *	20 feet from lot line, easement line or Right-of-Way *

RMU	Multi Family	20 feet from lot line, easement line or Right-of-way *	10 feet from lot line, or easement line or Right-of-Way *	20 feet from lot line, easement line or Right-of-Way *
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District	Typology	Front Setback	Side Setback	Rear Setback
UC	Uptown Commercial	No Proposed Amendments	5 feet min. from each side lot line, easement line or right-of-way *	5 feet min. from rear lot line, or easement line or Right-of-Way *

District	Typology	Front Setback	Side Setback	Rear Setback
USF	Uptown Single Family	No Proposed Amendments	5 feet min. from each side lot line, easement line or right-of-way *	20 feet min. from rear lot line, or easement line or Right-of-Way *

District	Typology	Front Setback	Side Setback	Rear Setback
UT	Uptown Transitional	No Proposed Amendments	5 feet min. from each side lot line, easement line or right-of-way *	20 feet min. from rear lot line, or easement line or Right-of-Way *

District	Typology	Front Setback	Side Setback	Rear Setback
M/I-O	Manufacturing	40 feet from lot line, or easement line or Right-of-Way *	10 feet min. from each side lot line, or easement line or Right-of-Way (40 feet min. from residential use) *	20 feet min. from lot line or right-of-way; 40 feet min. from lot line, easement line or right-of-way when adjacent to residential development *
M/I-O	Office / Warehouse Flex	40 feet from lot line, or easement line or Right-of-Way *	10 feet min. from each side lot line, or easement line or Right-of-Way (40 feet min. from residential use) *	20 feet min. from lot line, easement line or right-of-way; 40 feet min. from lot line or right-of-way when adjacent to residential development *

Supplemental Regulations:

Sections 1121.07, 1121.08, 1121.09, 1121.10, 1121.11, 1121.12, 1121.13, 1121.14, 1121.15, 1121.18, 1121.20, 1121.21, and 1121.22

* The starting point for the setback line measurement shall be determined at the discretion of the Engineering Department.

Sections 1121.07, 1121.08, 1121.12 - Single Family Attached

Maximum continuous frontage of 200 feet for attached units. 20 feet minimum spacing between any grouping of attached units.

Sections 1121.10, 1121.11 - Single Family Attached

Maximum continuous frontage of 185 feet for attached units. 15 feet minimum spacing between any grouping of attached units.

Staff Comments

The amendments to Sections 1121.07, 1121.08, 1121.09, 1121.10, 1121.11, 1121.12, 1121.13, 1121.14, 1121.15, 1121.18, 1121.20, 1121.21, and 1121.22 would provide staff and applicants a more uniform setback language and standards to help with the development process. The amendments will also provide language to apply to Single Family Attached developments regarding the limits of continuous frontage and building separation. Refer to 'Exhibit A' for the updated typology chart standards for Lot Coverage.

If you have any questions about the aforementioned items, please feel free to contact us by phone at (937) 645-7361 or (937) 645-7328 or by email: agaver@marysvilleohio.org or jbeard@marysvilleohio.org.

EXHIBIT A

District	Typology	Front Setback	Side Setback	Rear Setback
SRD	Single Family Detached	30 feet from lot line, easement line or Right-of-way *	7.5 feet from lot line, easement line or Right-of-way *	20 feet from lot line, easement line or Right-of-Way *
SRD	Single Family Attached	30 feet from lot line, easement line or Right-of-way *	7.5 feet from lot line, easement line or Right-of-way *	20 feet from lot line, easement line or Right-of-Way *
SRD	Community Center	25 feet from lot line, easement line or Right-of-way *	20 feet from lot line, easement line or Right-of-way *	20 feet from lot line, easement line or Right-of-way *
SRD	Institutional Flex	20 feet from lot line, easement line or Right-of-way *	20 feet from lot line, easement line or Right-of-way *	30 feet from lot line, easement line or Right-of-way *
SRD	Multi-Family	20 feet from lot line, easement line or Right-of-way *	20 feet from lot line, easement line or Right-of-way *	10 feet from lot line, easement line or Right-of-way *

District	Typology	Front Setback	Side Setback	Rear Setback
SCD	Commercial	25 feet from lot line, easement line or Right-of-Way, subject to build- to-line regulations under <u>Chapter 1133.10</u> *	10 feet from lot line, easement line or Right-of-Way *	20 feet from lot line, easement line or Right-of-way *
SCD	Office	30 feet from lot line, easement line or Right-of-Way, subject to build- to-line regulations under <u>Chapter 1133.10</u> *	10 feet from lot line, easement line or Right-of-Way *	20 feet from lot line, easement line or Right-of-way *
SCD	Institutional Flex	25 feet from lot line, easement line or Right-of-Way *	10 feet from lot line, easement line or Right-of-Way *	20 feet from lot line, easement line or Right-of-way *

SCD	Single Family Attached	15 feet from lot line, easement line or Right-of-way *	5 feet from lot line, easement line or Right-of-way *	20 feet from lot line, easement line or Right-of-way *
SCD	Multi-Family	20 feet from lot line, easement line or Right-of-way *	10 feet from lot line, easement line or Right-of-way *	20 feet from lot line, easement line or Right-of-way *

District	Typology	Front Setback	Side Setback	Rear Setback
ARD	Single Family Detached	60 feet from lot line, easement line or Right-of-way *	20 feet from lot line, easement line or Right-of-way *	60 feet from lot line, easement line or Right-of-way *

District	Typology	Front Setback	Side Setback	Rear Setback
VRD	Single Family Detached	Existing Text	5 feet from lot line, easement line or Right-of-way *	20 feet from lot line, easement line or Right-of-Way *
VRD	Single Family Attached	Existing Text	5 feet from lot line, easement line or Right-of-way *	20 feet from lot line, easement line or Right-of-Way *
VRD	Multi Family	30 feet from lot line, easement line or Right-of-way *	5 feet from lot line, easement line or Right-of-Way *	20 feet from lot line, easement line or Right-of-Way *
VRD	Institutional Flex	20 feet from lot line, easement line or Right-of-way *	30 feet from lot line, easement line or Right-of-way *	20 feet from lot line, easement line or Right-of-Way *

District	Typology	Front Setback	Side Setback	Rear Setback
NCD	Commercial	20 feet from lot line, easement line or Right-of-Way, subject to build- to-line regulations under Chapter 1133.10 *	10 feet from lot line, easement line or Right-of-Way *	25 feet from lot line, easement line or Right-of-Way *

NCD	Institutional Flex	20 feet from lot line, easement line or Right-of-Way *	10 feet from lot line, easement line or Right-of-Way *	20 feet from lot line, easement line or Right-of-Way *
NCD	Mixed Use	20 feet from lot line, easement line or Right-of-Way, subject to build- to-line regulations under Chapter 1133.10 *	10 feet from lot line, easement line or Right-of-Way *	20 feet from lot line, easement line or Right-of-Way *
NCD	Single Family Attached	Existing Text	5 feet from lot line, easement line or Right-of-Way *	20 feet from lot line, easement line or Right-of-Way *
NCD	Multi-Family	20 feet from lot line, easement line or Right-of-way *	10 feet from lot line, easement line or Right-of-way *	20 feet from lot line, easement line or Right-of-Way *

District	Typology	Front Setback	Side Setback	Rear Setback
HMD	Single Family Attached	15 feet from lot line, easement line or Right-of-Way *	5 feet from lot line, easement line or Right-of-Way *	20 feet from lot line, easement line or Right-of-Way *
HMD	Mixed Use	15 feet from lot line, easement line or Right-of-Way *	5 feet from lot line, easement line or Right-of-Way *	20 feet from lot line, easement line or Right-of-Way *
HMD	Multi-Family	15 feet from lot line, easement line or Right-of-way *	5 feet from lot line, easement line or Right-of-Way *	20 feet from lot line, easement line or Right-of-Way *
HMD	Office	15 feet from lot line, easement line or Right-of-Way *	10 feet from lot line, easement line or Right-of-way *	20 feet from lot line, easement line or Right-of-Way *

District	Typology	Front Setback	Side Setback	Rear Setback
M/I	Manufacturing	50 feet from lot line, easement line or Right-of-Way *	30 feet min. from each side lot line, easement line or Right-of-Way (40 feet min. from residential use) *	40 feet min. from lot line, easement line or right-of-way (75 feet min. from residential use) *

M/I	Office / Warehouse Flex	50 feet from lot line, easement line or Right-of-Way *	20 feet min. from each side lot line, easement line or Right-of-Way (40 feet min. from residential use) *	40 feet min. from lot line, easement line or right-of-way (75 feet min. from residential use) *
M/I	Office	50 feet from lot line, easement line or Right-of-Way *	20 feet min. from lot line, easement line or Right-of-Way *	20 feet from lot line, easement line or Right-of-Way *

District	Typology	Front Setback	Side Setback	Rear Setback
LMD	Manufacturing	40 feet from lot line, easement line or Right-of-Way *	10 feet min. from each side lot line, easement line or Right-of-Way (40 feet min. from residential use) *	20 feet min. from each side lot line, easement line or Right-of-Way (40 feet min. from residential use) *
LMD	Office / Warehouse Flex	40 feet from lot line, easement line or Right-of-Way *	10 feet min. from each side lot line, easement line or Right-of-Way (40 feet min. from residential use) *	20 feet min. from each side lot line, easement line or Right-of-Way (40 feet min. from residential use) *

District	Typology	Front Setback	Side Setback	Rear Setback
RMU	Commercial	25 feet from lot line, easement line or Right-of-Way, subject to build- to-line regulations under <u>Chapter 1133.10</u> *	10 feet from lot line, easement line or Right-of-Way *	20 feet from lot line, easement line or Right-of-Way *
RMU	Office	25 feet from lot line, easement line or Right-of-Way, subject to build- to-line regulations under <u>Chapter 1133.10</u> *	10 feet from lot line, easement line or Right-of-Way *	20 feet from lot line, easement line or Right-of-Way *
RMU	Mixed Use	25 feet from lot line, easement line or Right-of-Way, subject to build- to-line regulations under <u>Chapter 1133.10</u> *	10 feet from lot line, easement line or Right-of-Way *	20 feet from lot line, easement line or Right-of-Way *

RMU	Multi Family	20 feet from lot line, easement line or Right-of-way *	10 feet from lot line, easement line or Right-of-Way *	20 feet from lot line, easement line or Right-of-Way *
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District	Typology	Front Setback	Side Setback	Rear Setback
UC	Uptown Commercial	Existing Text	5 feet min. from each side lot line, easement line or right-of-way *	5 feet min. from rear lot line, easement line or Right-of-Way *

District	Typology	Front Setback	Side Setback	Rear Setback
USF	Uptown Single Family	Existing Text	5 feet min. from each side lot line, easement line or right-of-way *	20 feet min. from rear lot line, easement line or Right-of-Way *

District	Typology	Front Setback	Side Setback	Rear Setback
UT	Uptown Transitional	Existing Text	5 feet min. from each side lot line, easement line or right-of-way *	20 feet min. from rear lot line, easement line or Right-of-Way *

District	Typology	Front Setback	Side Setback	Rear Setback
M/I-O	Manufacturing	40 feet from lot line, easement line or Right-of-Way *	10 feet min. from each side lot line, easement line or Right-of-Way (40 feet min. from residential use) *	20 feet min. from lot line or right-of-way; 40 feet min. from lot line, easement line or right-of-way when adjacent to residential development *
M/I-O	Office / Warehouse Flex	40 feet from lot line, easement line or Right-of-Way *	10 feet min. from each side lot line, easement line or Right-of-Way (40 feet min. from residential use) *	20 feet min. from lot line, easement line or right-of-way; 40 feet min. from lot line or right-of-way when adjacent to residential development *

Supplemental Regulations:

Sections 1121.07, 1121.08, 1121.09, 1121.10, 1121.11, 1121.12, 1121.13, 1121.14, 1121.15, 1121.16, 1121.17, 1121.18, 1121.20, 1121.21, and 1121.22

* The starting point for the setback line measurement shall be determined at the discretion of the Engineering Department.

Sections 1121.07, 1121.08, 1121.12 - Single Family Attached

Maximum continuous frontage of 200 feet for attached units. 20 feet minimum spacing between any grouping of attached units.

Sections 1121.10, 1121.11 - Single Family Attached

Maximum continuous frontage of 185 feet for attached units. 15 feet minimum spacing between any grouping of attached units.



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March 7, 2023

To: City of Marysville
Planning Commission Members

From: Ashley Gaver
City Planner

RE: Zoning Amendments

To hear an application for a Zoning Amendment to Sections 1121.07, 1121.08, 1121.09, 1121.10, 1121.11, 1121.12, 1121.13, 1121.14, 1121.15, 1121.22 - Lot Coverage Standards for all districts.

Planning Staff Analysis - Lot Coverage Standards for all Districts in the Typology charts:

The current zoning code has varying lot coverages based on the type of use in each district. This amendment would provide for a more consistent lot coverage allotment for each district instead of the use in those districts.

Proposed Text Amendments:

The amendments would be outlined in Sections 1121.07, 1121.08, 1121.09, 1121.10, 1121.11, 1121.12, 1121.13, 1121.14, 1121.15 and 1121.22 typology charts as specified in "Exhibit A", whereas below is the current zoning code text redlined with the proposed changes for Sections 1121.07, 1121.08, 1121.09, 1121.10, 1121.11, 1121.12, 1121.13, 1121.14, 1121.15 and 1121.22 typology charts:

District	Typology	Lot Coverage
SRD	Single Family Detached	40% including accessory structures
SRD	Single Family Attached	40% including accessory structures
SRD	Community Center	60% including accessory structures
SRD	Institutional Flex	60% including accessory structures
SRD	Multi-Family	40% including accessory structures

District	Typology	Lot Coverage
SCD	Commercial	70% including accessory structures
SCD	Office	No max lot coverage; provided however all setbacks are satisfied 70%
SCD	Institutional Flex	No max lot coverage; provided however all setbacks are satisfied 70%
SCD	Single Family Attached	60% including accessory structures 70%
SCD	Multi-Family	60% including accessory structures 70%

District	Typology	Lot Coverage
ARD	Single Family Detached	30% including accessory structures

District	Typology	Lot Coverage
VRD	Single Family Detached	No max lot coverage; provided however all setbacks are satisfied 60%
VRD	Single Family Attached	No max lot coverage; provided however all setbacks are satisfied 60%
VRD	Multi Family	60% including accessory structures 60%
VRD	Institutional Flex	60% including accessory structures 60%

District	Typology	Lot Coverage
NCD	Commercial	70% including accessory structures
NCD	Institutional Flex	60% including accessory structures
NCD	Mixed Use	No max lot coverage; provided however all setbacks are satisfied 60%
NCD	Single Family Attached	60% including accessory structures
NCD	Multi-Family	60% including accessory structures

District	Typology	Lot Coverage
HMD	Single Family Attached	No max lot coverage; provided however all setbacks are satisfied 70%
HMD	Mixed Use	No max lot coverage; provided however all setbacks are satisfied 70%
HMD	Multi-Family	60% including accessory structures
HMD	Office	No max lot coverage; provided however all setbacks are satisfied 70%

District	Typology	Lot Coverage
LMD	Manufacturing	60% including accessory structures 70%
LMD	Office / Warehouse Flex	60% including accessory structures 70%

District	Typology	Lot Coverage
RMU	Commercial	No max lot coverage; provided however all setbacks are satisfied 80%
RMU	Office	No max lot coverage; provided however all setbacks are satisfied 70%
RMU	Mixed Use	60% including accessory structures
RMU	Multi Family	60% including accessory structures

Staff Comments

The amendment to Sections 1121.07, 1121.08, 1121.09, 1121.10, 1121.11, 1121.12, 1121.13, 1121.14, 1121.15 would provide staff and applicants the ability to apply the lot coverage requirement to all structures that are being proposed. Refer to 'Exhibit A' for the updated typology chart standards for Lot Coverage.

If you have any questions about the aforementioned items, please feel free to contact us by phone at (937) 645-7361 or (937) 645-7328 or by email: agaver@marysvilleohio.org or jbeard@marysvilleohio.org.

EXHIBIT A

District	Typology	Lot Coverage
SRD	Single Family Detached	40%
SRD	Single Family Attached	40%
SRD	Community Center	60%
SRD	Institutional Flex	60%
SRD	Multi-Family	40%

District	Typology	Lot Coverage
SCD	Commercial	70%
SCD	Office	70%
SCD	Institutional Flex	70%
SCD	Single Family Attached	70%
SCD	Multi-Family	70%

District	Typology	Lot Coverage
ARD	Single Family Detached	30%

District	Typology	Lot Coverage
VRD	Single Family Detached	60%
VRD	Single Family Attached	60%
VRD	Multi Family	60%
VRD	Institutional Flex	60%

District	Typology	Lot Coverage
NCD	Commercial	70%
NCD	Institutional Flex	60%
NCD	Mixed Use	60%
NCD	Single Family Attached	60%
NCD	Multi-Family	60%

District	Typology	Lot Coverage
HMD	Single Family Attached	70%
HMD	Mixed Use	70%
HMD	Multi-Family	60%
HMD	Office	70%

District	Typology	Lot Coverage
LMD	Manufacturing	70%
LMD	Office / Warehouse Flex	70%

District	Typology	Lot Coverage
RMU	Commercial	80%
RMU	Office	70%
RMU	Mixed Use	60%
RMU	Multi Family	60%



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March 7, 2023

To: City of Marysville
Planning Commission Members

From: Ashley Gaver
City Planner

RE: Zoning Amendments

To hear an application for a Zoning Amendment to Section 1121.18 - Uptown Commercial District (UC)

Planning Staff Analysis - Uptown Commercial District:

The current zoning code does not permit Artesian Studios, Restaurants, or Specialty Food and/or Beverage Facilities to be located on floors other than the ground floor. This amendment would permit these uses to be located throughout a building in the Uptown Commercial District.

Proposed Text Amendments:

The amendments would be outlined in *Section 1121.18 typology chart* as specified in "Exhibit A", whereas below is the current zoning code text with redlined proposed changes for *Section 1121.18 typology chart*:

SECTION 1121.18 DISTRICT USES

V. PERMITTED USES:

- Artisan Studio (~~ground floor~~)
- Artisan Workshop
- Commercial Entertainment (Indoor), excluding adult entertainment
- Institutional/Government Offices
- Medical and Dental Office/Clinic
- Multi-family (upper floor only)
- Neighborhood Market (ground floor)
- Personal Services
- Professional Offices
- Restaurant (sit down) (~~ground floor~~)

- Retail, Sales and Services
- Specialty Food and/or Beverage Facility (~~ground floor~~)

VI. CONDITIONAL USES:

- Child-Care Day Care Center
- Hotels and Motels
- Multi-Family
- Parking Area or Structure
- Religious Places of Worship
- Retail Nurseries, Lawn and Garden Supply Stores
- Single-Family (attached)

Staff Comments

The amendment to *Section 1121.18* would provide applicants the ability to utilize more of the building for Artesian Studios, Restaurants, and Specialty Food and/or Beverage Facilities. Refer to 'Exhibit A' for the updated section.

If you have any questions about the aforementioned items, please feel free to contact us by phone at (937) 645-7361 or (937) 645-7328 or by email: agaver@marysvilleohio.org or jbeard@marysvilleohio.org.

EXHIBIT A

DISTRICT USES

V. PERMITTED USES:

- Artisan Studio
- Artisan Workshop
- Commercial Entertainment (Indoor), excluding adult entertainment
- Institutional/Government Offices
- Medical and Dental Office/Clinic
- Multi-family (upper floor only)
- Neighborhood Market (ground floor)
- Personal Services
- Professional Offices
- Restaurant (sit down)
- Retail, Sales and Services
- Specialty Food and/or Beverage Facility

VI. CONDITIONAL USES:

- Child-Care Day Care Center
- Hotels and Motels
- Multi-Family
- Parking Area or Structure
- Religious Places of Worship
- Retail Nurseries, Lawn and Garden Supply Stores
- Single-Family (attached)



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March 7, 2023

To: City of Marysville
Planning Commission Members

From: Ashley Gaver
City Planner

RE: Zoning Amendments

To hear an application for a Zoning Amendment to Section 1121.21 Uptown Transitional District (UT).

Planning Staff Analysis - Uptown Transitional District:

The current zoning code does not permit Retail Sales and Services, Personal Service, or Neighborhood Market to be located in the Uptown Transitional District. This amendment would allow these uses to be located throughout a building in the Uptown Transitional District as a conditional use. By allowing these additional conditional uses it will help provide more options for some infill development of current vacant buildings and future development.

The use of Religious Places of Worship is currently listed as both permitted and conditional use and this amendment would remove the permitted use, but allow this use as a conditional use.

Schools (K-12) are currently listed as a permitted use, but this amendment would make Schools become a Conditional Use.

Proposed Text Amendments:

The amendments would be outlined in *Section 1121.21 typology chart* as specified in "Exhibit A", whereas below is the current zoning code text with redline proposed changes for *Section 1121.21 typology chart*:

SECTION 1121.21 DISTRICT USES

V. PERMITTED USES:

- Artisan Studio

- Artisan Workshop
- Bed and Breakfast
- Childcare, Type A
- Childcare, Type B
- Community Center
- Professional Office
- ~~Religious Places of Worship (Already a Conditional Use)~~
- Residential Care Facility, (1-5 Unrelated Persons)
- Residential Care Facility, (6-8 Unrelated Persons)
- ~~School (K-12) (Move to Conditional Use)~~
- Single-Family Home (Detached)

VI. CONDITIONAL USES:

- Community Garden
- Cultural Institution
- Home Occupation
- Institutional/Government Offices
- Multi-Family, see Section 1123.27
- Neighborhood Market
- Personal Services
- Park/Playground
- Religious Places of Worship
- Retail, Sales and Services
- School (K-12)
- Single-Family (attached)
- Specialty Food and/or Beverage Facility

Staff Comments

The amendment to *Section 1121.21* would provide more options to occupy buildings in the Uptown Transitional District. Refer to 'Exhibit A' for the updated section.

If you have any questions about the aforementioned items, please feel free to contact us by phone at (937) 645-7361 or (937) 645-7328 or by email: agaver@marysvilleohio.org or jbeard@marysvilleohio.org.

EXHIBIT A

DISTRICT USES

V. PERMITTED USES:

- Artisan Studio
- Artisan Workshop
- Bed and Breakfast
- Childcare, Type A
- Childcare, Type B
- Community Center
- Professional Office
- Residential Care Facility, (1-5 Unrelated Persons)
- Residential Care Facility, (6-8 Unrelated Persons)
- Single-Family Home (Detached)

VI. CONDITIONAL USES:

- Community Garden
- Cultural Institution
- Home Occupation
- Institutional/Government Offices
- Multi-Family, see Section 1123.27
- Neighborhood Market
- Personal Services
- Park/Playground
- Religious Places of Worship
- Retail, Sales and Services
- School (K-12)
- Single-Family (attached)
- Specialty Food and/or Beverage Facility



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March 7, 2023

To: City of Marysville
Planning Commission Members

From: Ashley Gaver
City Planner

RE: Zoning Amendments - Generally Applicable District Regulations

To hear an application for a Zoning Amendment to Section 1123 - Generally Applicable District Regulations.

Planning and Zoning Staff Analysis:

The current zoning code has open space regulations as section *1123.06(h) through 1123.06(k)*, which is located under the *Density-Bonus Program* and open space regulations do not apply to the density bonus program. The proposed amendment to create a separate section for the open space regulations would allow staff and applicants to understand how to calculate open space development.

The current zoning code does not have any regulations that apply to Single Family Attached - Fee Simple Lots. The lack of these regulations have caused some confusion when enforcing the side yard setback if fee simple lots are created and the lot lines intersect the building. The proposed amendment will provide some clarity and create a separate section for the regulations of fee simple lots of a single family attached development.

Proposed Text Amendments

The amendments would be outlined in *Sections 1123.06(h) through 1123.06(k)* while creating *two new sections (1123.29 and 1123.30)* as specified in "Exhibit A", whereas below is the current zoning code text redlined for *Section 1123.06(h) through 1123.06(k)* and the proposed new sections:

Sections 1123.06(h) - 1123.06(k)

~~(h) Open-Space Requirements. The required open space set forth under the applicable zoning regulations in Chapter 1121 shall comply with the following terms and conditions:~~

~~(1) The open space shall comprise an area or areas large enough to allow for the effective utilization of such space by the residents of the development.~~

~~(2) To the greatest extent possible, the design of the open space area or areas shall incorporate natural features pre-existing on the subject property.~~

~~(3) The open space shall be easily accessible to residents of the development, and, as applicable, provide access to other open space areas in the vicinity of the development as well as the City's trail network.~~

~~(4) The calculation of the open space requirement may include areas preserved as wetlands, woodlands, natural lakes or ponds, historic or archaeological sites, environmentally sensitive areas, or similar conservation-oriented.~~

~~(i) Open-Space Designated for Recreational Activities. Any open space area intended to be devoted to recreational activities shall be of a usable size and shape for the intended purpose as determined by the Planning Commission, recreation areas shall include parking in accordance with the applicable regulations of the zoning district.~~

~~(j) Restrictions on Calculation of Open Space. Land area attributable to the following shall not be included as meeting the open space requirements:~~

~~(1) Public street rights-of-way, private roads, parking areas, and retention and detention areas.~~

~~(2) Required setbacks whether between buildings, parking areas, different land uses or public and private streets, unless such required setback is contiguous to and incorporated in the proposed open space area.~~

~~(3) Required spacing between buildings and parking areas.~~

~~(4) Private yards within subdivided lots.~~

~~(5) The land area within fifteen (15) feet of all dwelling units, whether included in a mandatory setback or not.~~

~~(j) Ownership and Ongoing Maintenance. The ownership and maintenance obligations with respect to any open space area shall be established in a legal instrument or instruments reviewed and approved by the City Attorney and executed by the applicant, a homeowner's association or similar entity with authority.~~

~~(k) Prohibition on further subdivision. All required open space shall be prohibited from further subdivision, sale or development by a placement in a reserve and notation on the final plat and/or development agreement or similar agreement in a form acceptable to the City Attorney.~~

Section 1123.29

1123.29 - Open Space Regulations

(a) Open-Space Requirements. The required open space set forth under the applicable zoning regulations in Chapter 1121 shall comply with the following terms and conditions:

(1) The open space shall comprise an area or areas large enough to allow for the effective utilization of such space.

(2) To the greatest extent possible, the design of the open space area or areas shall incorporate natural features pre-existing on the subject property.

(3) The open space shall be easily accessible, and, as applicable, provide access to other open space areas in the vicinity of the development as well as the City's trail network.

(4) The calculation of the open space requirement may include areas preserved as wetlands, woodlands, natural lakes or ponds, historic or archaeological sites, environmentally sensitive areas, or similar conservation-oriented.

(b) Open-Space Designated for Recreational Activities. Any open space area intended to be devoted to recreational activities shall be of a usable size and shape for the intended purpose as determined by the Planning Commission, recreation areas shall include parking in accordance with the applicable regulations of the zoning district.

(c) Restrictions on Calculation of Open-Space. Land area attributable to the following shall not be included as meeting the open space requirements:

(1) Public street rights-of-way, private roads, parking areas, and retention and detention areas.

(a) **Residential.** Retention and detention areas may be calculated as open space if it provides planting material and usable amenities such as, but not limited, to a walking path around the retention/detention basin, seating areas, or other usable amenities as approved by a Board or Commission.

(b) **Commercial.** Retention and detention areas may be calculated as open space if it provides planting material.

(2) Required setbacks or spacing whether between buildings, parking areas, different land uses or public and private streets, unless such required setback is contiguous to and incorporated in the proposed open space area.

(3) Private yards within subdivided lots.

(4) The land area within fifteen (15) feet of all dwelling units, whether included in a mandatory setback or not.

(d) Ownership and Ongoing Maintenance. The ownership and maintenance obligations with respect to any open space area shall be established in a legal instrument or instruments reviewed and approved by the City Attorney and executed by the applicant, a homeowner's association or similar entity with authority.

(e) Prohibition on further subdivision. All required open space shall be prohibited from further subdivision, sale or development by a placement in a reserve and notation on the final plat and/or development agreement or similar agreement in a form acceptable to the City Attorney.

Section 1123.30

Section 1123.30 - Single-Family Attached - Fee Simple Lots Regulations

(a) On a single-family attached development where the units are independently owned (fee-simple), the side setback for the shared wall(s) between units shall be zero (0) feet.

(b) The side setbacks established in the typology chart of the applicable zoning district shall apply to the outermost unit(s).

Staff Comments

The amendments to Sections 1123.06(h) through 1123.06(k) and the two new proposed sections (1123.29 and 1123.30) would provide applicants and staff more clarity on open space regulations and calculations along with providing language pertaining to single-family attached fee simple lots regulations. Refer to 'Exhibit A' for the updated sections.

If you have any questions about the aforementioned items, please feel free to contact us by phone at (937) 645-7361 or (937) 645-7328 or by email: agaver@marysvilleohio.org or jbeard@marysvilleohio.org.

EXHIBIT A

Sections 1123.06(h) - 1123.06(k)

Removed and proposed new section 1123.29

Section 1123.29

1123.29 - Open Space Regulations

(a) Open-Space Requirements. The required open space set forth under the applicable zoning regulations in Chapter 1121 shall comply with the following terms and conditions:

(1) The open space shall comprise an area or areas large enough to allow for the effective utilization of such space.

(2) To the greatest extent possible, the design of the open space area or areas shall incorporate natural features pre-existing on the subject property.

(3) The open space shall be easily accessible, and, as applicable, provide access to other open space areas in the vicinity of the development as well as the City's trail network.

(4) The calculation of the open space requirement may include areas preserved as wetlands, woodlands, natural lakes or ponds, historic or archaeological sites, environmentally sensitive areas, or similar conservation-oriented.

(b) Open-Space Designated for Recreational Activities. Any open space area intended to be devoted to recreational activities shall be of a usable size and shape for the intended purpose as determined by the Planning Commission, recreation areas shall include parking in accordance with the applicable regulations of the zoning district.

(c) Restrictions on Calculation of Open-Space. Land area attributable to the following shall not be included as meeting the open space requirements:

(1) Public street rights-of-way, private roads, parking areas, and retention and detention areas.

(c) **Residential.** Retention and detention areas may be calculated as open space if it provides planting material and usable amenities such as, but not limited, to a walking path around the retention/detention basin, seating areas, or other usable amenities as approved by a Board or Commission.

(d) **Commercial.** Retention and detention areas may be calculated as open space if it provides planting material.

(2) Required setbacks or spacing whether between buildings, parking areas, different land uses or public and private streets, unless such required setback is contiguous to and incorporated in the proposed open space area.

(3) Private yards within subdivided lots.

(4) The land area within fifteen (15) feet of all dwelling units, whether included in a mandatory setback or not.

(d) Ownership and Ongoing Maintenance. The ownership and maintenance obligations with respect to any open space area shall be established in a legal instrument or instruments reviewed and approved by the City Attorney and executed by the applicant, a homeowner's association or similar entity with authority.

(e) Prohibition on further subdivision. All required open space shall be prohibited from further subdivision, sale or development by a placement in a reserve and notation on the final plat and/or development agreement or similar agreement in a form acceptable to the City Attorney.

Section 1123.30

Section 1123.30 - Single-Family Attached - Fee Simple Lots Regulations

(a) On a single-family attached development where the units are independently owned (fee-simple), the side setback for the shared wall(s) between units shall be zero (0) feet.

(b) The side setbacks established in the typology chart of the applicable zoning district shall apply to the outermost unit(s)



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March 7, 2023

To: City of Marysville
Planning Commission Members

From: Ashley Gaver
City Planner

RE: Zoning Amendments - Landscape Requirements

To hear an application for a Zoning Amendment to Section 1125 - Landscape Requirements.

Planning and Zoning Staff Analysis:

The current zoning code has some discrepancies in the language that causes some confusion while interpreting the code for applicants and staff. This amendment would edit the landscape requirements language to help alleviate any confusion with the language of the code.

Proposed Text Amendments

The amendments would be outlined in *Sections 1125.06(c), 1125.06(d)(1)(C), 1125.06(d)(4)(b)(2), 1125.08(a) and 1125.08(b)(1)* as specified in "Exhibit A", whereas below is the current zoning code text for *Sections 1125.06(c), 1125.06(d)(1)(C), 1125.06(d)(4)(b)(2), 1125.08(a) and 1125.08(b)(1)*:

Section 1125.06(c) - Minimum Landscape Standards

(c) **Landscaped Area and Tree Planting.** For remaining areas of non-residential lots that are not covered by structures, paving, or landscaped area as required hereunder, such remaining areas shall be covered by natural turf. Except for vehicular use areas, which shall incorporate tree planting in accordance with subsection (d)(1)(C) below, all remaining areas of lots on which non-residential uses are conducted shall incorporate tree planting at a rate of one (1) tree per 1,000 square feet of building ground coverage for buildings up to 5,000 square feet with one (1) additional tree for each additional 5,000 square feet of building coverage. All trees planted in accordance with this chapter shall ~~have a diameter at breast height be~~ of a nursery caliper of not less than

~~one and one-half (1.5)~~ two (2) inches. Notwithstanding anything to the contrary, in the event the applicant demonstrates that new trees required hereunder cannot be located on the subject property, then with the approval of the Division of Engineering, the applicant can donate to the City Street Tree Program in lieu of planting such new trees.

Section 1125.06(d)(1)(C) - Minimum Landscape Standards

(d) **Landscape Requirements for Vehicular Use Areas.** Public and private off-street parking facilities and other vehicular use areas, except for single family (detached) and two (2) unit multifamily buildings, shall be landscaped in accordance with the requirements:

(1) Vehicular use area perimeter requirements.

C. Tree Planting. In addition to the vehicular use area perimeter buffering requirement, one (1) standard tree with a ~~nursery caliper diameter at breast height~~ of not less than ~~one and one-half (1.5)~~ two (2) inches shall be planted for each seventy-five (75) feet of vehicular use area and/or parking area perimeter distance. Tree planting requirements may be waived by the DRB upon the recommendation of the City Urban Forester if the quantity of existing trees and their aggregate trunk sizes meet or exceed these requirements and are evenly distributed throughout the subject property.

Section 1125.06(d)(4)(b)(2) - Minimum Landscape Standards

(d) **Landscape Requirements for Vehicular Use Areas.** Public and private off-street parking facilities and other vehicular use areas, except for single family (detached) and two (2) unit multifamily buildings, shall be landscaped in accordance with the requirements:

(4) **Construction adjustments.** If it is determined during construction that exact landscaping placement as approved by the DRB is not practical due to topographic or physical site limitations, the Division of Engineering may permit the reallocation of the landscaping to a different location on the property.

(b) **Street Trees and Public Tree Requirements.** Street trees along public streets as part of a preliminary plat shall meet the guidelines established below and shall be reviewed and approved by the Planning Commission as part of the preliminary plat process. Street trees along public streets as part of a proposed development shall meet the guidelines below and shall be reviewed and approved by the DRB or Division of Engineering in the case of a substantial expansion. Street trees shall be required in all zoning districts and overlays, and in accordance with the following regulations.

(2) The minimum trunk caliper measured at six (6) inches above grade for all street trees shall be no less than ~~one and one-half (1.5)~~ two (2) inches.

Section 1125.08(a) - Installation and Maintenance

(a) **Installation.** All landscaping materials required on property affected by this Chapter shall be installed in accordance with ANSI 300~~0~~ construction and planting procedures.

Section 1125.08(b)(1) - Installation and Maintenance

(b) **Maintenance.** Publicly owned trees or privately owned trees located in or encroaching upon the public right-of-way shall conform as follows:

(1) Persons providing services to public owned trees and/or providing utility line clearing services shall adhere to guidelines of ANSI 300~~0~~ for tree maintenance and utility line clearance work.

Staff Comments

The amendment to *Sections 1125.06(c), 1125.06(d)(1)(C), 1125.06(d)(4)(b)(2), 1125.08(a) and 1125.08(b)(1)* would provide applicants and staff more clarity on the interpretation of the zoning code regarding landscape requirements. Refer to 'Exhibit A' for the updated section.

If you have any questions about the aforementioned items, please feel free to contact us by phone at (937) 645-7361 or (937) 645-7328 or by email: agaver@marysvilleohio.org or jbeard@marysvilleohio.org.

EXHIBIT A

Section 1125.06(c) - Minimum Landscape Standards

(c) **Landscaped Area and Tree Planting.** For remaining areas of non-residential lots that are not covered by structures, paving, or landscaped area as required hereunder, such remaining areas shall be covered by natural turf. Except for vehicular use areas, which shall incorporate tree planting in accordance with subsection (d)(1)(C) below, all remaining areas of lots on which non-residential uses are conducted shall incorporate tree planting at a rate of one (1) tree per 1,000 square feet of building ground coverage for buildings up to 5,000 square feet with one (1) additional tree for each additional 5,000 square feet of building coverage. All trees planted in accordance with this chapter shall be of a nursery caliper of not less than two (2) inches. Notwithstanding anything to the contrary, in the event the applicant demonstrates that new trees required hereunder cannot be located on the subject property, then with the approval of the Division of Engineering, the applicant can donate to the City Street Tree Program in lieu of planting such new trees.

Section 1125.06(d)(1)(C) - Minimum Landscape Standards

(d) **Landscape Requirements for Vehicular Use Areas.** Public and private off-street parking facilities and other vehicular use areas, except for single family (detached) and two (2) unit multifamily buildings, shall be landscaped in accordance with the requirements:

(1) Vehicular use area perimeter requirements.

C. Tree Planting. In addition to the vehicular use area perimeter buffering requirement, one (1) standard tree with a nursery caliper of not less than two (2) inches shall be planted for each seventy-five (75) feet of vehicular use area and/or parking area perimeter distance. Tree planting requirements may be waived by the DRB upon the recommendation of the City Urban Forester if the quantity of existing trees and their aggregate trunk sizes meet or exceed these requirements and are evenly distributed throughout the subject property.

Section 1125.06(d)(4)(b)(2) - Minimum Landscape Standards

(d) **Landscape Requirements for Vehicular Use Areas.** Public and private off-street parking facilities and other vehicular use areas, except for single family (detached) and two (2) unit multifamily buildings, shall be landscaped in accordance with the requirements:

(4) **Construction adjustments.** If it is determined during construction that exact landscaping placement as approved by the DRB is not practical due to topographic or

physical site limitations, the Division of Engineering may permit the reallocation of the landscaping to a different location on the property.

(b) **Street Trees and Public Tree Requirements.** Street trees along public streets as part of a preliminary plat shall meet the guidelines established below and shall be reviewed and approved by the Planning Commission as part of the preliminary plat process. Street trees along public streets as part of a proposed development shall meet the guidelines below and shall be reviewed and approved by the DRB or Division of Engineering in the case of a substantial expansion. Street trees shall be required in all zoning districts and overlays, and in accordance with the following regulations.

(2) The minimum trunk caliper measured at six (6) inches above grade for all street trees shall be no less than two (2) inches.

Section 1125.08(a) - Installation and Maintenance

(a) **Installation.** All landscaping materials required on property affected by this Chapter shall be installed in accordance with ANSI 300 construction and planting procedures.

Section 1125.08(b)(1) - Installation and Maintenance

(b) **Maintenance.** Publicly owned trees or privately owned trees located in or encroaching upon the public right-of-way shall conform as follows:

(1) Persons providing services to public owned trees and/or providing utility line clearing services shall adhere to guidelines of ANSI 300 for tree maintenance and utility line clearance work.



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March 7, 2023

To: City of Marysville
Planning Commission Members

From: Ashley Gaver
City Planner

RE: Zoning Amendments

To hear an application for a Zoning Amendment to Section 1133.10 - Design Review Standards For Office, Institutional, Mixed-use And Commercial Building Typologies.

Planning and Zoning Staff Analysis:

The current zoning code only provides for build-to-line variation of one, two or three story buildings and does not state if there is a building above three stories. This amendment would provide for a build-to-line variation for buildings greater than three stories tall.

The current zoning code permits uncovered seating areas or architectural features to project up to five (5) feet closer to the right-of-way than the established build-to-line. This amendment would permit uncovered seating areas to extend between the building and the right-of-way.

Proposed Text Amendments:

The amendments would be outlined in *Section 1133.10 (b)(2) and Section 1133.10(b)(2)(C)* specified in "Exhibit A", whereas below is the current zoning code text redlined with the proposed changes for *Section 1133.10 (b)(2) and Section 1133.10(b)(2)(C)*:

Section 1133.10(b)(2)

BUILDING HEIGHT	VARIATION FROM BUILD-TO LINE
One Story Building	0 feet to 5 feet
Two Story Building	0 feet to 10 feet
Three Story (+) Building	0 feet to 15 feet

Section 1133.10(b)(2)(C)

(C) Uncovered seating areas ~~or architectural features~~ may be located ~~project up to five (5) feet closer to the right-of-way than the established build-to-line~~ between the building and the right-of-way line or sidewalk, whichever is closer.

Staff Comments

The amendment to *Section 1133.10 (b)(2)* would provide staff and applicants the ability to apply the build-to-line setback variation to buildings that are proposed above three stories. The amendment to *Section 1133.10(b)(2)(C)* would provide applicants the ability to install uncovered seating areas between the building and the right-of-way. This will promote a more pedestrian friendly design of commercial buildings. Refer to 'Exhibit A' for the updated section.

If you have any questions about the aforementioned items, please feel free to contact us by phone at (937) 645-7361 or (937) 645-7328 or by email: agaver@marysvilleohio.org or jbeard@marysvilleohio.org.

EXHIBIT A

Section 1133.10(b)(2)

BUILDING HEIGHT	VARIATION FROM BUILD-TO LINE
One Story Building	0 feet to 5 feet
Two Story Building	0 feet to 10 feet
Three Story (+) Building	0 feet to 15 feet

Section 1133.10(b)(2)(C)

(C) Uncovered seating areas may be located between the building and the right-of-way line or sidewalk, whichever is closer.



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March 7, 2023

To: City of Marysville
Planning Commission Members

From: Ashley Gaver
City Planner

RE: Zoning Amendments - Roof Mounted Solar Panels

To hear an application for a Zoning Amendment to Section 1139.06 - Standards Solar Energy System.

Planning and Zoning Staff Analysis - Solar Standards:

The current zoning code does not permit roof mounted solar structures to be located on the front pitch facade and the City has been receiving numerous Variance requests for roof mounted solar panels to be located on the front pitch facade. This amendment would permit the roof mounted solar panels to be located in the front pitch facade.

Proposed Text Amendments

The amendments would be outlined in *Section 1139.06(d)* as specified in "Exhibit A", whereas below is the current zoning code text with redlined proposed changes for *Section 1139.06 (d)*:

Section 1139.06 (d) - Standards Solar Energy System (Current Zoning Code Language)

(d) Location and/or setbacks

(1) **Ground Mounted.**

A. Shall be located in the side or rear yard only and in accordance with the setbacks established for all accessory uses. In no instance shall the system be placed any closer to the street than the front of the main building on any lot.

B. Any portion of the structure shall not exceed a maximum of 6 feet in height.

(2) Roof Mounted.

A. Shall be installed on the plane of the roof (flush mounted) or made part of the roof design and shall not extend above the ridgeline of the roof or extend beyond the existing roof width. In no instance shall the system extend greater than 18 inches from the roofs surface.

~~B. Roof mounted solar panels shall not be installed on the front pitch facade without the issuance of a variance by the Board of Zoning Appeals.~~

(3) Wall Mounted

A. Shall be installed on the plane of the wall (flush mounted) or made part of the wall design. In no instance shall the system extend greater than 18 inches from the walls surface; provided however, no solar energy system shall be located on the front facade of any structure.

Staff Comments

The amendment to *Section 1139.06 (d)* would provide applicants the ability to install roof mounted solar panels on the front pitch facade and would allow staff to review the permit application as any other roof mounted solar permit. This will decrease the number of Variance requests that the City has received recently regarding this section. Refer to 'Exhibit A' for the updated section.

If you have any questions about the aforementioned items, please feel free to contact us by phone at (937) 645-7361 or (937) 645-7328 or by email: agaver@marysvilleohio.org or jbeard@marysvilleohio.org.

EXHIBIT A

Section 1139.06 (d) - Standards Solar Energy System (Proposed Zoning Code Language)

(d) Location and/or setbacks

(1) **Ground Mounted.**

A. Shall be located in the side or rear yard only and in accordance with the setbacks established for all accessory uses. In no instance shall the system be placed any closer to the street than the front of the main building on any lot.

B. Any portion of the structure shall not exceed a maximum of 6 feet in height.

(2) **Roof Mounted.**

A. Shall be installed on the plane of the roof (flush mounted) or made part of the roof design and shall not extend above the ridgeline of the roof or extend beyond the existing roof width. In no instance shall the system extend greater than 18 inches from the roofs surface.

(3) **Wall Mounted**

A. Shall be installed on the plane of the wall (flush mounted) or made part of the wall design. In no instance shall the system extend greater than 18 inches from the walls surface; provided however, no solar energy system shall be located on the front facade of any structure.