

Form RZC-1 (Application)
(To be filed by Applicant)

Rural Zoning Commission Case No. _____
Filed _____

APPLICATION FOR DISTRICT CHANGE

Rural Zoning Commission

Note: This application must be typewritten and accompanied by a list of the names and addresses of all owners of real property located within 200 feet of any part of the premises the zoning classification of which is proposed to be changed. This application must be accompanied by a required payment in the amount of \$ _____ for the purpose of defraying the expense of publishing notices in the newspaper and the necessary clerical and stenographic services.

NAME OF APPLICANT _____

ADDRESS _____

LEGAL DESCRIPTION OF PROPERTY TO BE RECLASSIFIED _____

GENERAL LOCATION: TOWNSHIP _____ ROAD _____

PRESENT ZONE DISTRICT _____

REQUESTED ZONE DISTRICT _____

ADDRESS OF AND REASONS FOR THIS APPLICATION _____

No previous application for district change of the above premises has been made during the 12-month period preceding this request.

The above statements and the statements contained in all of the exhibits transmitted herewith are true.

APPLICANT

Sworn to and subscribed before me this _____ day of _____, 20____.

My commission expires _____.

NOTARY PUBLIC

RURAL RESIDENTIAL (RR) CONTENTS OF APPLICATION

a) An application for amendment shall be limited to the Zoning Inspector, or their designee, and shall include the following information:

- 1) Name, address, and phone number of the applicant.
- 2) Proposed amendment to the text or legal description of the property affected.
- 3) Present Use and Zoning District.
- 4) Proposed Use and Zoning District.
- 5) A map drawn to scale showing Property Lines, Streets, existing, and proposed Zoning Districts.
- 6) A list of all property owners within the five hundred (500) feet contiguous to and directly across the Street from the parcel(s) proposed to be rezoned and their current addresses as appearing on the Pickaway County Auditor's tax list. The requirement for addresses may be waived when more than ten (10) parcels are proposed to be rezoned.
- 7) A statement as to how the proposed amendment will impact adjacent and proximate properties.
- 8) Any other information requested by the Zoning Inspector to determine conformance with and provide for enforcement of this Resolution.

b) If the above requirements are met, the Zoning Inspector shall transmit the application to the Rural Zoning Commission. The date of this transmittal is the date of the filing. If the application is incomplete, the Zoning Inspector shall return it to the applicant.

- 9) Ten (10) copies of this application are to be submitted to the Zoning Inspector

PLANNED DISTRICTS CONTENTS OF APPLICATION

No land shall be developed as a PCR, PB, PEC, or PUD until the Rural Zoning Commission and the Board of Township Trustees determine whether the application and development plan comply with the provisions of this Article as applicable through the process defined in this Section. This procedure applies to any development within the PCR, PB, PEC, and PUD Districts.

- a) Pre-Application Requirements. The Rural Zoning Commission and the Board of Township Trustees shall consider such applications through the following procedure.
 - 1) **Existing Features (Site Analysis) Map and Conceptual Development Plan** – The applicant shall submit an existing features (site analysis) map and a conceptual development plan for a Tract(s) of land to be considered as planned conservation residential development with the Rural Zoning Commission and schedule an agreeable time to jointly visit the site for an onsite walkabout. This map and conceptual development plan shall include general soil types, known wildlife habitat, stormwater features, water features (such as ponds, wetlands, and permanent and intermittent watercourses), areas subject to flooding, natural features (such as historic structures, archaeological sites, or similar heritage resources), and approximate locations of nearby Structures.
 - 2) **On-Site Walkabout** – The applicant, or their representative; the Zoning Inspector; up to two (2) members of the Rural Zoning Commission and one (1) member of the Board of Township Trustees may visit and view the site, at which time the primary and secondary conservation areas should be identified. If members of the public wish to participate in the walkabout they shall execute a release of liability in favor of the Township, the applicant, and the property owner. No binding decisions or votes are made at the on-site walkabout.
 - 3) The applicant shall request a review meeting with the Rural Zoning Commission for initial review of the conceptual development plan. Other agencies including the County Engineer and the Regional Planning Commission may be included. No statement by officials of the Township or the County shall be binding upon either.
- b) Trip Generation and Connectivity Memo. Prior to submitting an application including a development plan, the applicant shall submit a “Trip Generation and Connectivity Memo.”

- 1) The Trip Generation and Connectivity Memo shall include the following information:
 - i) The number of new daily vehicle trips and a.m./p.m. peak hour trips generated by the Permitted Uses in the proposed development. Vehicle trips shall be determined by utilizing the ITE Trip General Manual (most current edition).
 - ii) A determination, by the Pickaway County Engineer's Office, as to whether further traffic analysis or a Traffic Impact Study (TIS) is required.
 - iii) Recommendations from the Pickaway County Engineer's Office regarding the connection of roadways and the potential need for unloaded Collector Roads to be constructed to ensure appropriate trip distribution and traffic movement through the Township.
 - iv) A signature of an authorized representative of the Pickaway County Engineer's Office certifying the accuracy of the information contained in the Trip Generation and Connectivity Memo.
 - 2) The Zoning Inspector reserves the right to request that a third-party engineer review the Trip Generation and Connectivity Memo in order to confirm or make further recommendations for requiring a traffic analysis or TIS. The Zoning Inspector shall be responsible for identifying the third-party engineer.
 - 3) If further traffic analysis or a TIS is recommended by the County Engineer per 12.05(b)(1)(ii), above, or a third-party engineer, said information shall be submitted as part of the Development Plan.
- c) Fees. A fee as established by the Schedule of Zoning Fees shall accompany an application requesting approval of the development plan. In addition, the applicant shall also be responsible for all reasonable and necessary expenses incurred by the Township in using professional consulting services to review the development plan. These expenses may include, without limitation, costs for professional consultants such as architects, legal, landscape architects, planners and engineers utilized by the Township in connection with reviewing the development plan and related application materials. As soon as reasonably practicable following the submission of an application for approval of a Development Plan, the Rural Zoning Commission Chair and Zoning Inspector shall decide if it needs a professional consultant(s) to assist it in reviewing the application. If the Rural Zoning Commission Chair and Zoning Inspector decides it needs professional consulting services, it shall designate the person(s) to be consulted and make an initial estimate of the expenses anticipated to be incurred in reviewing the application materials. The Zoning Inspector shall provide the applicant with notice of its initial estimate of such expenses. This initial estimate will be reviewed, and may be revised, from time to time during the review process, and, if such review results in an increase in the

estimated professional consulting fees and charges which will be incurred in the Township's review of the application materials, the Zoning Inspector shall send the applicant written notice of the revised estimate of fees and charges. Within fourteen (14) days of the date of the notice of the initial estimate of fees and charges (and, if applicable, within fourteen (14) days of the date of the notice of any revised estimate), the applicant shall deposit in the office of the Fiscal Officer, an amount equal to the estimated cost of the Township's expenses. In making the estimate of the professional consulting fees and charges anticipated to be incurred, the Rural Zoning Commission Chair and Zoning Inspector shall consider the reasonable commercial rates of qualified professionals and reasonable estimates of time to complete the review. Any unused portion of the estimated amount received to cover the professional consulting fees and charges shall be returned to the applicant as soon as practicable following the final disposition of the application, along with a summary of the fees and charges expended for such services.

d) Prepare Application and Development Plan.

- 1) **Prepare Application and Development Plan** – Applicant shall prepare and submit a formal application including the development plan and a minimum of ten (10) hard copies or as otherwise determined by the Rural Zoning Commission, along with an electronic copy and fees in accordance with this Section to the Zoning Inspector. The Rural Zoning Commission shall schedule a public hearing. Notice of the hearing shall be given by regular mail to all property owners that are adjacent, adjoining, contiguous to, and across from the proposed development within the PCR. The failure of delivery of such notice shall not invalidate any action taken on the application. The Rural Zoning Commission may request comments from the Pickaway County Regional Planning Commission. The Pickaway County Regional Planning Commission's review is administrative. The Rural Zoning Commission's review is also administrative.
- 2) The development plan shall be drawn to a scale of at least 1" = 100' and shall include in text and map form the following:
 - i) Proposed name of the development and a survey plan and legal description signed by a registered Ohio surveyor showing the size and location of the proposed development;
 - ii) Names and addresses of owners and developers. Also, the names, parcel numbers, and mailing addresses of all owners of property, as shown on the Pickaway County Auditor's current tax list, which are contiguous, adjoining, adjacent, and across from the area proposed for the planned district approval shall be provided;

- iii) A map showing all of the contiguous, adjoining, adjacent, and across from properties with reference to the names and mailing addresses of the property owners;
- iv) If the applicant owns any of the neighboring properties, then the applicant must list the first contiguous, adjoining, adjacent, or across from properties not owned by the applicant;
- v) If a contiguous, adjoining, adjacent, or across from property is a subdivision, then the above information should include a plat of the subdivision;
- vi) A site survey with maps showing the topography, with a minimum 2foot contour interval, and the location of all existing natural and cultural features of the tract including wooded areas, large trees (trunk diameter of 12 inches and greater), roadside trees, streams, watercourses, drainage patterns, wetlands, floodplains, ravines, existing historical structures, archaeological sites, and a description of the proposed protection and/or use of these natural and cultural features in the development. A copy of a completed Ohio Historical Inventory Survey for any building that is fifty (50) years or older on the tract to be developed;
- vii) All proposed bikeways and walkways along with the proposed widths and construction materials;
- viii) The general development character of the Tract including the specific limitations or controls to be placed on all uses, with Lot sizes and other development features and restrictive covenants applicable to the project;
- ix) A site plan containing all details in accordance with the additional development requirements found in [Articles 12, 13, 14, and 16](#), as applicable;
- x) Building Setback lines with dimensions of Lots and Structure footprints;
- xi) Boundary Lines of the proposed development and the total acreage of the proposed project;
- xii) Dwelling Unit types, the total number of Dwelling Units proposed, and the method and manner used to calculate density;
- xiii) Architectural design guidelines including lighting, materials, colors, and typical renderings for structures and proposed procedures for controlling architectural design elements;
- xiv) Signs, with specific renderings of the elevations. Any proposed lighting shall include control procedures;

- xv) All commonly owned Structures and Recreational Facilities; xvi) Landscaping plans in accordance with [Articles 12, 13, 14, and 16](#), as applicable;
- xvii) The proposed provisions for water, fire hydrants, sanitary sewer, and surface drainage, including stormwater retention facilities with engineering feasibility studies or other evidence of reasonableness and lack of adverse impact on neighboring properties;
- xviii) A copy of letters from the following entities:
 - A) The County Engineer or maintaining authority stating that the proposed access and sight distance is adequate along the existing Roads where access is provided.
 - B) The Water Utility and the Sewer District stating that the water and sanitary sewers are available and have sufficient capacity to serve the proposed land uses.
 - C) The Township Fire Chief stating that fire protection is available and has sufficient capacity to serve the proposed land Uses;
- xix) The proposed traffic patterns including an access plan for the development showing Public and Private Roads and other transportation facilities and parking areas. The relationship of the proposed Public and Private Roads and other transportation facilities to existing Public Roads and any improvements to such Roads shall be indicated. If temporary access roads are required during phased construction, the applicant is responsible for restoring these areas to natural landscaping when these service roads are no longer needed for construction access. All restoration shall be completed within ninety (90) days of the completion of the PCR phase for which the road was necessary;
- xx) Layout, location, and dimensions of any existing and proposed structures. Any existing structures to be demolished when developing the tract must be labeled as “to be removed”. Any existing structure on an adjacent lot that is within two hundred (200) feet of an adjoining lot line;
- xxi) Color rendering of proposed and existing structures on the tract (except those that are “to be removed”), complete with a listing of all colors referenced by the Munsell Color System (latest edition) or if it is not available, the manufacture’s reference/serial number with samples and materials to be used;
- xxii) The relationship of the proposed development to existing and probable uses of surrounding areas during and after the development;
- xxiii) Identification and location of all land dedicated to Schools, Parks and other Public Facility sites within or adjacent to the site;

- xxxv) All drawings that make up the Development Plan shall bear the seal of a professional engineer, surveyor and an architect or landscape architect, each of whom shall be licensed to practice in the State of Ohio, and shall stamp their individual plans; xxxvi) Unless specifically superseded by the standards contained in [Articles 12, 13, 14, and 16](#) or those standards approved in the Development Plan or [Article 17 – General Development Standards](#), the development shall comply with the requirements contained in the General Development Standards in Article XXI of this Resolution. Except for density, permitted uses, and the percentage of required open space, the applicant may request a divergence by the Zoning Commission from the development standards set forth in [Articles 12, 13, 14, and 16](#), or [Article 17](#). An applicant making such a request shall specifically and separately list each requested divergence and the justification thereof on the Development Plan submitted, with a request that the proposed divergence be approved “per plan”;
- xxxvii) Any additional information as may be required by the Rural Zoning Commission.

e) Rural Zoning Commission and Board of Township Trustees Action.

- 1) After receipt of the complete application, Development Plan and required fees, the Rural Zoning Commission shall schedule a public hearing within forty-five (45) days after the filing of the complete application and shall give the applicant and all owners of property, as shown on the Pickaway County Auditor’s website, that are contiguous, adjoining, adjacent, or across from the area proposed for development written notice of the hearing at least ten (10) days before the date of the hearing. Notice shall be sent by regular, first-class mail to addresses of those owners as they appear on the Pickaway County Auditor’s current tax list. The failure of delivery of that notice shall not invalidate any action the Rural Zoning Commission may take on the Application. The Rural Zoning Commission shall make a recommendation to the Board of Township Trustees on the application and Development Plan within thirty (30) days after the conclusion of the hearing.
- 2) Upon receipt of said application, the Board of Township Trustees, shall review the Development Plan and the Zoning Commission’s recommendation and take action on said Development Plan at its next regularly scheduled meeting or at a special meeting scheduled by the Board of Township Trustees. By a simple majority vote, the Board of Township Trustees can uphold, modify, or overturn the recommendation of the Rural Zoning Commission.

- xxiv) Any special accommodations and access requirements for emergency and firefighting equipment as required by the Fire Department;
- xxv) Intended measures to screen ground level and rooftop mechanical equipment from view;
- xxvi) Provisions for the parking and/or storage of trailers of any type, boats, or recreational vehicles;
- xxvii) If appropriate, reports prepared by appropriate professionals for an environmental impact study, a cultural resources management survey, and a traffic analysis. Furthermore, the applicant is responsible for notifying any state or federal agencies that may be involved in permitting, licensing, or funding the project that the Board of Township Trustees request status as a consulting party for the project; xxviii)

The proposed timetable or schedule for the proposed development, including street and transportation facilities, Buildings, utilities, and other facilities, and removal of construction materials, equipment, trailers, and offices;

- xxix) If the proposed timetable for development includes plans to develop the land in phases, all phases shall be fully described in text and map formats and each phase shall require approval of a Development Plan for that phase pursuant to the procedures set forth herein. Unless otherwise specified in the Development Plan or absent an extension approved by the Zoning Commission, all phases shall be submitted for and receive Development Plan approval within the time frame set forth in [Section 3.06\(e\)](#). An application for Development Plan approval for each phase of a project shall annotate the “as built” conditions and shall be supplemented with an updated construction schedule;
- xxx) Layout, numbering, and dimensions of Lots, if more than one; xxxi) Existing Zoning District restrictions for the Tract to be developed as well as adjacent Tracts;
- xxxii) Deed restrictions, protective covenants, and other legal statements or devices to be used to control the use, development and maintenance of the land, the improvements thereon, including those areas which are to be commonly owned and maintained as well as the Open Space;
- xxxiii) A letter outlining a funding plan for all required public improvements including any proposed TIFs, NCAs, JEDDs, or other applicable economic development tools;
- xxxiv) The ability of the applicant to carry forth this plan by control of the land and the engineering feasibility of the plan;

- 3) Any action to approve an application shall not be considered to be an amendment to the Township Zoning Resolution for the purposes of Section 519.12 of the Ohio Revised Code but may be appealed pursuant to Chapter 2506 of the Ohio Revised Code.
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- f) Condition of Approval. Unless otherwise excluded by resolution approved by the Board of Township Trustees, no real property shall be included in an Application and Development Plan unless said property is a part of an existing New Community Authority or a petition has been filed to initiate a New Community Authority for said property in accordance with Chapter 349 of the Ohio Revised Code. No Application and Development Plan shall be approved unless this condition is met at the time of filing the complete Application. In the event that an NCA is not yet in existence at the time of filing of an Application, an Applicant shall include as part of the development text contained in the Development Plan a requirement that the Applicant shall affirmatively take all steps necessary to assist in the creation of a new NCA by agreeing to add all real property be put to an NCA. In the course of assisting in the creation of this new NCA the Applicant shall be required to obtain fulfil all statutory requirements of Ohio Revised Code Chapter 349. No permits or Certificates of Zoning Compliance shall be issued by the Zoning Department until such time that all real property that is part of an Application has joined an NCA as required herein.
 - g) Criteria For Approval. In determining whether to approve an application and development plan, the reviewing authorities shall consider the following:
 - 1) Whether the application and proposed Development Plan are consistent in all aspects with the purpose, criteria, intent, and standards of this Zoning Resolution and/or that any proposed divergences provide the benefits, improved arrangement and design of the proposed development and justify deviation from the development standards or requirements of this Resolution.
 - 2) Whether the application and proposed Development Plan meet all the design features required in this Resolution.
 - 3) Whether the application and proposed Development Plan are compatible with the character of existing land use, consistent with the intent and purposes of the PCR and are in keeping with other applicable public plans for the area.
 - 4) Whether the proposed development will be adequately served by essential public facilities and services including, without limitation, roads, walkways and bike paths, police and fire protection, drainage features, potable water and centralized sanitary sewers.

- 5) Whether the application and proposed Development Plan promote greater efficiency in providing public and utility services and encourage innovation in the planning and building of all types of development.
- 6) Whether the proposed development can be made accessible through existing Township roadways or roadways and lane improvements actually being constructed and opened prior to the use and occupancy of the proposed development without creating unreasonable traffic congestion in the immediate vicinity of the proposed development or elsewhere in the Township.
- 7) Whether an adequate funding source for the construction and long-term maintenance of the required Open Space and community improvements have been provided.
- 8) Whether the proposed development is designed in such a way as to minimize any unreasonable adverse impact on the surrounding areas of the Township.
- 9) Whether the drainage plan is designed as to not negatively impact surrounding properties.
- 10) In approving the application and Development Plan, the Rural Zoning Commission or Board of Township Trustees may impose such conditions, safeguards, and restrictions deemed necessary in order to carry out the purpose and intent of the overlay district.

h) Plat Required.

- 1) No Zoning Certificate shall be issued for any structure in any portion of the PCR for which a plat is required by the Pickaway County Subdivision Regulations unless and until:
 - i) The final subdivision plat for the portion has been approved by the Pickaway County Regional Planning Commission, the Pickaway County Commissioners, and then recorded.
 - ii) A full size and an 11" x 17" copy of the recorded plat has been filed with the Zoning Inspector.
 - 2) No Amendment of the provisions of the development plan, or any part thereof as finally approved, shall be made unless the provisions of [Section 3.06\(k\)](#) are followed. The applicant shall submit the subdivision plat to the Zoning Inspector for review to assure the notes and agreed conditions on the development plan are not compromised by engineering.
- i) Zoning Certificate and Development Plant Approval Period. After the Development Plan is approved and any required Subdivision Plat is recorded, the Zoning Inspector may issue a zoning permit upon payment of the required fees and submission of the

detailed landscaping plan for each lot. The zoning permit for PCR development shall be for a period not to exceed two (2) years or that period approved in the Development Plan unless otherwise provided for by an approved extension. If significant construction, meaning the physical placement of roads or foundations, has not begun within two (2) years after Development Plan approval is granted or within the time period approved in the Development Plan, then the Development Plan approval shall be void. In such case, the PCR zoning and map amendment remain in place, but a Development Plan must be resubmitted for approval.

j) Extension of Time. An extension of the time limit for the approved Development Plan may be granted by the Rural Zoning Commission without public hearing provided they find that such extension is not in conflict with public interest.

k) Amendment of Development Plan.

1) A request for modification of an approved Development Plan may be submitted to the Rural Zoning Commission by the owners of the proposed development (owners are the developer or the entity to which the developer transfers ownership or otherwise legally assigns the right of representation, e.g., another developer, a HOA, NCA, or group of designated trustees) or by signed petition from at least fifty-one (51%) of the current property owners in the development. At the time the request for modification is submitted, the requestor must submit a written notarized statement indicating that all individual property owners in the development have been notified that a request for modification of the Development Plan has been submitted. Such notice must contain the specific modification that is being requested.

i) Minor Amendments. Within thirty (30) days of the submittal of a written application specifically detailing the changes requested along with a revised Development Plan, the Zoning Inspector may administratively approve a Minor Amendment. "Minor Amendments" are limited to the following:

- A) An encroachment of two (2) feet or less into a side or rear setback as shown on the approved Development Plan, provided such setback abuts property having the same or similar use, as determined by the Zoning Inspector. (Changes to the Right-of-Way setbacks have more impact to utilities and the overall design intent and shall be considered a major amendment.)
- B) A change in the Sign face that does not alter the size, height or setback of the Sign.
- C) An increase of no more than two (2) feet in the maximum building height as shown on the approved Development Plan.

D) Anyone aggrieved by the decision of the Zoning Inspector on a proposed minor amendment may appeal said decision to the Board of Township Trustees within thirty (30) days of said decision by the Zoning Inspector. The Board of Township Trustees shall hear said appeal within thirty (30) days of receiving the appeal. The Township Board of Trustee's action is final and is only appealable to the courts.

ii) Major Amendments. All other proposed amendments, other than the three identified in Section 12.05(k)(1)(i), above, shall be considered major amendments and must be approved by the Rural Zoning Commission for a final decision by the Board of Township Trustees.

A) Major Amendments to an approved Development Plan shall follow the same procedure in [Article 6](#).

I) Administrative Review.

- 1) Upon projection completion, all plats, construction drawings, restrictive covenants, an "as built" plat plan, and other necessary documents shall be submitted to the Zoning Inspector, the Rural Zoning Commission, or their designated technical advisors for administrative review to ensure substantial compliance with the Development Plan as approved.
- 2) The Rural Zoning Commission may impose special additional conditions relating to the development with regard to type and extent of public improvements to be installed; landscaping, development, improvement, and maintenance of common open space, and any other pertinent development characteristics.