

**COMMITTEE REPORT**

**THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO**

The **PLANNING & ZONING COMMITTEE** to whom was referred a request from the Hancock Regional Planning Commission to discuss the final draft changes to the city of Findlay Zoning Code.

We recommend

ADOPTION OF CHANGES TO  
ZONING CODE - CHAPTER 1101 - 1299 -  
AS PROPOSED

PUBLIC HEARING:

Aye  Nay Grant C. Russel MOTION  
Grant Russel, Chairman

Aye  Nay [Signature]  
John Harrington

**PLANNING & ZONING COMMITTEE**

Aye  Nay Jim Niemeyer  
Jim Niemeyer

LEGISLATION: \_\_\_\_\_

DATED: October 8, 2015

Aye  Nay Tom Shindedecker  
Tom Shindedecker

Aye  Nay Randy VanDyne SECONDS  
Randy VanDyne

## Summary of Zoning Code Changes:

- **Board of Zoning Appeals Changes: Added Alternate members to the BZA to ensure quorum**
- **Zoning District changes**
  - Removed the unused Historic Overlay District.
  - Created a Parks and Open Space Zoning district.
  - R-1 Changes
    - Changed the setbacks
      - Removed the distinction between major, secondary and other streets and made the setback 30ft across the board.
      - Changed the average front yard setback to add more clarity.
    - Corrected the type of daycare permitted in residential.
    - Added Community Centers to residential districts.
    - Addressed overhangs and how they may encroach into the setback.
  - R-2 Changes
    - Changed the setbacks
      - Removed the distinction between major, secondary and other streets and made the setback 25ft across the board.
      - Changed the average front yard setback to add more clarity.
    - Corrected the type of daycare permitted in residential.
    - Added Community Centers to residential districts.
    - Addressed overhangs and how they may encroach into the setback.
  - R-3 Changes
    - Changed the setbacks
    - Removed the distinction between major, secondary and other streets and made the setback 20ft across the board.
    - Changed the average front yard setback to add more clarity.
    - Corrected the type of daycare permitted in residential.
    - Added Community Centers to residential districts.
    - Addressed overhangs and how they may encroach into the setback.
  - R-4 Changes
    - Added Triplex as a permitted use in the R-4 district.
    - Changed the setbacks
      - Added building sections for Existing, Infill and Rehab, and New Construction.
      - Removed the distinction between major, secondary and other streets and made the setback 10ft for existing buildings and 25 ft for new construction.
      - Changed the average front yard setback to add more clarity.
    - Corrected the type of daycare permitted in residential.
    - Added Community Centers to residential districts.
    - Addressed overhangs and how they may encroach into the setback.
  - M-1 and M-2 Changes
    - Adjusted the lot size/living unit ratio in multifamily districts M-1 and M-2
    - Removed maximum building size in M-1 District.
    - Adjusted the way maximum lot coverage is calculated, excluded patios, sidewalks, walking paths, recreational courts.
  - O-1 Changes

- Adjusted the setbacks to the Office, O-1 District to allow for more flexibility and better infill.
    - Removed single family as a permitted use in O-1 and C-1.
    - Added mixed use residential to the O-1 and C-1 Districts.
  - C-1 and C-2 Changes
    - Removed single family as a permitted use in C-1.
    - Added mixed use residential to the C-1 Districts.
    - Adjusted the setbacks in C-1 and C-2 to more reflect the standards in the old code. The new standards made infill development more difficult.
    - Moved gas stations from a conditional to permitted use in C-2.
    - Removed the minimum building separation in C-2 and added a height standard that had not been missing.
  - C-3 Downtown District
    - Added residential as a conditional use allowing more flexibility to housing that may be developed in the downtown.
    - Removed automotive repair as a permitted/conditional use in downtown.
  - I-1 Light Industrial
    - Added RV sales, Production of compressed gasses, and bulk sales to the I-1 District.
    - Adjusted the front yard setback to from 75 feet to 50 feet.
  - I-2 Heavy Industrial
    - Moved Trucks Stops to permitted use
    - Added Beekeeping to conditional use
  - University Overlay District
    - Added A-frames to allowed signage
- Development Standards
  - Accessory Structures
    - Added conditions that would allow for larger accessory buildings when a lot is larger than 1 acre.
    - Increased the allowed accessory height in I-1 from 18 to 40 feet.
  - Fences and Walls
    - Removed hedge rows from the wall and fence standards.
    - Required the non-structural face of fences to be placed outward.
  - Landscaping
    - Fixed the tiered development options for screening of more intense uses. The changes allow flexibility in assigning the proper level of screening.
    - Created a matrix to help clarify the screening standards.
  - Outdoor Storage vs Display
    - Created a clear division between outdoor storage and display.
    - Defined when outdoor storage must be paved and when it can be a permeable surface.
  - Parking – Created a design standard for dead end parking. This engineered design allows proper mobility when a parking isle dead ends.
  - Signage
    - Adjusted the types of signs that require a permit such as political signs and holiday decorations.
    - Allowed for non-residential uses such as apartment buildings or community centers to have signage.

- Fixed Message Electronic Signage – Created a standard that the fixed message may change no faster than every 15 minutes.
    - Removed the unused, highly confusing C-3 sign standards.
    - Addressed A-frame or Sandwich Board signage.
    - Allowed for the conversion of several traditional billboards to electronic.
  - Added a section addressing Solar Panels
  - Conditional Uses
    - Made sure each conditional use had actual conditions.
    - Added appropriate standards to sections for clarity
- Non-Conforming
  - Non-Conforming Uses of Structures
    - Addressed the ability to rebuild non-conforming structures and defined to what development standard they must be rebuilt to.
- Administrative Changes
  - Added section on immunity to stating “zoning admin or City of Findlay are not responsible for placement of any building, or structure contrary to the provisions of this ordinance.”
  - Added section on Violation of a Stop Work Order
- Definitions
  - The following definitions have been added to the definitions section: balcony; bar; child day care center; community center; display; electronic message center; fast food restaurant; fixed message sign; floor area, general; floor area, gross; fueling station; group home; lodging house; manufacturing, heavy; manufacturing, light; mining; outdoor storage; outparcel, shopping center; pickup window; place of worship; planned shopping center; porch; quarrying; rehabilitation; right-of-way line; short term; sign, pylon; sign, wall building; slaughterhouse; through lot; treatment facility; truck stop; utility trailer.
  - The following definitions were altered for clarity: building footprint; club; exception; grade, established; home occupation; industrialized unit; front lot line; outdoor displays; personal services; non-commercial recreational facilities; front yard setback; rear yard setback; side yard setback; street side yard; swimming pool; transitional housing.
  - The following definitions have been deleted: day care; trailer.

**UNIVERSITY OVERLAY DISTRICT**  
**1154.04 DEVELOPMENT CATEGORY**

All uses permitted by the University Overlay District in addition to those expressly permitted in the base zoning district shall be reviewed and approved using criteria established in two categories of development: Small Scale Development, and Large Scale Development.

Building setbacks are based on three categories of height: buildings one or two stories in height, buildings three stories in height or less, and, buildings in excess of three stories.

**Comment [JM1]:** Required building setbacks have been enhanced by the addition of standards for buildings 1 or 2 stories tall. The creation of these new standards will provide more flexibility when designing infill office development. As the buildings get taller, the setbacks increase.

**A. BUILDINGS 1 OR 2 STORIES TALL**

- 1. Front Yard Setback  
Twenty five feet (25')
- 1. Side Yard Setback  
Five feet (5')  
Twenty feet (20') if adjacent to single family residential use
- 2. Rear Yard Setback  
Twenty feet (20')  
Thirty feet (30') if adjacent to single family residential use

**A. BUILDINGS THREE STORIES TALL OR LESS**

- 1. Front Yard Setback  
Forty feet (40').
- 2. Side Yard Setback:  
Twenty feet (20')  
Thirty (30') feet if adjacent to single family residential use
- 3. Rear Yard Setback  
Twenty feet (20')  
Thirty (30') feet if adjacent to single family residential use

**B. SMALL SCALE DEVELOPMENT**

Small Scale Development sites must meet the following criteria:

- 1. Site does not exceed one acre
- 1. Minimum required lot frontage is 50'
- 2. The existing building footprint does not exceed 5,000 square feet.
- 3. Access onto/from a minor or major thoroughfare;

**C. LARGE SCALE DEVELOPMENT**

Large Scale Development sites must meet the following criteria:

- 1. Site exceeds one acre.
- 2. Minimum required lot frontage is one hundred feet (100').

3. Access onto/from a major thoroughfare
4. Building footprint exceeds 5,000 square feet.

## 1154.05 DESIGN REQUIREMENTS

### D. SMALL SCALE DEVELOPMENT

5. Front Yard Setback: Twenty five feet (25')
6. Side Yard Setback: Ten feet (10')
7. Rear Yard Setback: Twenty feet (20')
1. Maximum Building Height: Thirty five feet (35')
1. Low profile signage and A-Frames only
2. Screening requirements per Chapter ~~Error! Reference source not found.~~
3. Waste disposal/trash collection areas may not be located within the base zoning's front, side, or rear yard setbacks.
4. Parking: Parking Requirement may be reduced by 50% at the discretion of Planning Commission.
5. In no instance shall outdoor merchandise be displayed in a required front yard setback.

### E. LARGE SCALE DEVELOPMENT

6. Front Yard Setback
  - a. Fifty feet (50')
7. Side Yard Setback:
  - a. Fifteen feet (15')
8. Rear Yard Setback:
  - a. Thirty feet (30')
9. Maximum Building Height:

Per Planning Commission approval based on the following criteria:

  - a. Uses Permitted per 1154.02 (b), (c), and (d) — 80'
10. All other permitted and conditional uses — 40'
11. Low profile signage only
12. Parking:

Parking Requirement may be reduced by 25%
13. Additional Requirement:

If adjacent to an area that is zoned for single family, the side and rear setbacks shall increase to fifty (50').

## 1161.01 ACCESSORY STRUCTURES

### 1161.01.1 ACCESSORY STRUCTURES R-1, R-2, R-3 & R-4 SINGLE FAMILY AND TWO-FAMILY RESIDENTIAL DISTRICTS

#### A. GENERAL REQUIREMENTS

1. Accessory structures shall comply with the following requirements:

**Relationship to Primary Use:** Shall be customarily incidental, accessory and subordinate to, and commonly associated with the primary use and occupant of the same parcel. Owners of multiple, contiguous parcels that desire treatment as though they are a single lot must combine the parcels with a new legal description and deed at the Hancock County Auditor's Office. Proof of a recorded deed must be provided as part of the application.

**Example:** This requirement prevents a property owner of multiple parcels from erecting an accessory structure on a separate, vacant but recorded lot that could eventually be sold and thus become an illegal non-conforming use and lot under **Error! Reference source not found.** Sections 2 – 5.

2. **Maximum Floor Area:** The combined building footprint of all accessory buildings on site shall not exceed nine hundred (900) square feet. One accessory building that is fifty square feet (50 sq. ft.) or less shall be exempt from this requirement. In no instance shall any separate accessory building be larger than nine hundred square feet (900 sq. ft.). Unless the lot equals or exceeds one (1) acre in size the maximum floor area cannot exceed twelve hundred square feet (1,200 sq. ft.) or eighty percent (80%) of the primary structure footprint whichever is less. All accessory buildings are subject to maximum lot coverage requirements as prescribed in each zoning district. The following stipulations apply to properties without attached garage:
  - a. Any detached garage up to five hundred seventy-six square feet (576 sq. ft.) shall not count against the total allowable accessory building area. Any detached garage greater than five hundred seventy-six square feet (576 sq. ft.) will have that area in excess of five hundred seventy-six square feet (576 sq. ft.) deducted from the maximum allowable accessory building area.
  - b. An existing primary garage less than five hundred seventy-six square feet (576 sq. ft.) can be increased in area so the total building area does not exceed five hundred seventy-six square feet (576 sq. ft.), even if the property contains other accessory buildings that exceed the nine hundred square foot (900 sq. ft.) limit.
3. **Restricted in Front Yard Requirement:** No accessory structure shall be permitted in the required front yard.

4. **Conversions:** Permanently attaching any accessory building to a primary building shall be considered a conversion and shall be subject to all required setbacks for primary structures. These connections must meet the following minimum criteria: have a four foot (4') wide building footprint, be enclosed, have doorways at each end, and have a foundation.

#### **Conditional Uses addition**

##### **A. FITNESS CENTER**

1. Subject to planning commission review

**FITNESS CENTER:** A facility where members or nonmembers use equipment or space for the purpose of physical exercise.

**SHED:** An accessory structure or building used primarily for storage purposes for items such as lawn equipment, tools and firewood. Sheds are not intended to provide access and storage of motorized vehicles.