



WARREN COUNTY REGIONAL PLANNING COMMISSION

DATE: October 28, 2021

TO: Warren County Regional Planning Commission Executive Committee

FROM: Elizabeth Dakin, Planner 1

SUBJECT: Clearcreek Township Zoning Code Text Amendments

BACKGROUND

Clearcreek Township desires to amend their Zoning Code to change side yard setbacks and improve consistency by adding depth to width ratios. The Clearcreek Township Trustees initiated amendments to the official Clearcreek Township Zoning Code on September 27, 2021. The Township Trustees and Director of Planning and Zoning have refined standards in sections 5.54, 5.55, 5.755, 6.05, 6.55, 7.05, 7.55, and 8.05 of the Clearcreek Township Zoning Code.

SOURCE OF PROPOSED AMENDMENT: Clearcreek Director of Planning and Zoning.

PROPOSED AMENDMENTS

Proposed amendments to the Zoning Code are divided among two (2) different topics:

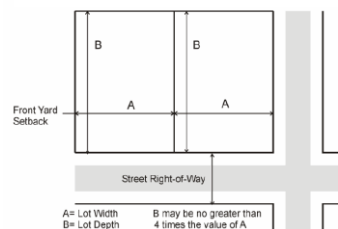
(1) OPEN SPACE RURAL RESIDENCE (OSR) SIDE YARD REQUIREMENTS – *Section 5.54; see Exhibit A*

In response to issues when placing driveways within side yards, the twenty-five (25) foot minimum side yard is being reduced to ten (10) feet on each side for Open Space Dedication Option Development (OSDOD) lots. Additionally, the language has been revised to remove the exception for side yards that front a street. All side yards for OSDOD lots, street facing or not, will require a 10-foot setback.

(2) WIDTH TO DEPTH RATIOS – *Sections 5.55, 5.755, 6.05, 6.55, 7.05, 7.55, and 8.05; see Exhibit B*

In response to recent issues being raised with the mismatch between the Regional Planning Commission's width to depth ratio and the township's minimum lot sizes, the township proposes to add their own width to depth ratios for each zoning districts. As the township also has its own provisions for panhandle lots, each provision also states that panhandle lots are exempt from this ratio.

1:4 Lot Width to Depth Ratio



Lot width-to-depth ratio regulates lot depth in relation to road frontage. A minimum lot width-to-depth ratio prevents the creation of long and narrow lots.

STAFF ANALYSIS

Provisions in Exhibits A and B will clarify the current Zoning Code. Prior to these proposed regulations, Open Space Dedication Option Development (OSDOD) lots did not have a smaller minimum side yard than the Open Space Rural Residence (OSR) District whereas they did have a minimum front yard setback smaller than OSR. OSDOD lots are permitted to be smaller than OSR lots and this smaller setback follows that. However, it should also be noted that mixing Open Space Dedication Option requirements with the Open Space Rural Residence requirements makes it difficult to interpret between the two if there is still a section on OSDOD specifically.

Additionally, prior to the proposal to add width to depth ratios, there were cases where a lot split might have been applied for and met Township minimum requirements for lot size but would fail to meet the RPC's width to depth ratio. This provision seeks to match the minimum requirements within the Clearcreek Zoning Code. The subdivision regulation establishes a maximum lot width to depth ratio of 1:4 and the proposed amendments to the Clearcreek Township zoning code are consistent with this standard for lots within the R-1A; R-2; and R-3 zoning districts (higher density zoning districts). The OSR-1; R-1; TR-1; and SR-1 (lower density zoning districts) maximum lot width to depth ratio is proposed at 1:5.

For example, the OSR zoning district has a minimum lot frontage of 140 feet, therefore lots could be created that had a depth of 700 feet. Panhandle lots in each of the proposed width to depth ratios are exempt from the provision. The township states that often, if there were to be a width to depth ratio required, there would be a lot of leftover land that would not be able to meet the Zoning Code's requirements to be built upon. However, without a width to depth ratio required for the land attached to the panhandle, there would be instances where there are very deep lots that make finding the residence on the lot difficult and decrease the effectiveness of quick Fire / EMS responses to that residence.

RECOMMENDATION

Recommend **approval** of the proposed Clearcreek Township Zoning Code text amendments, as shown in Exhibits A and B, to the Clearcreek Township Zoning Commission with the following revisions:

1. Separate all regulations for Open Space Dedication Option Development into its own section under Open Space Rural to further clarify the information.
2. Use each of the proposed width to depth ratios for panhandle lots exclusive of the panhandle portion under each's Zoning District to improve wayfinding and Fire / EMS's ability to serve these lots. Remove the panhandle exception for Sections 7.05, 7.55, and 8.05 as they do not have panhandle provisions within their sections.
3. If panhandles are to remain exempt from width to depth ratio, add a maximum depth and add the following language under each of the proposed additions within Exhibit B:

“Panhandle lots regardless of size are exempt from this provision but are subject to Section #.##* within this Zoning Code.”

*** This number represents the corresponding section's requirements for panhandle lots.**

APPENDIX EXHIBIT A: (1) OSR SIDE YARD SETBACKS

AMEND: CHAPTER 5.5, OPEN SPACE RURAL RESIDENCE “OSR-1” REGULATIONS, SEC. 5.54 PRINCIPAL STRUCTURE, REQUIRED YARDS FOR LOTS EXCEPT PANHANDLE LOTS:

- C. Side yard: There shall be a side yard of twenty-five (25) feet minimum on each side, **EXCEPT FOR OPEN SPACE DEDICATION OPTION DEVELOPMENT (OSDOD) LOTS WHICH SHALL HAVE A MINIMUM SIDE YARD OF TEN (10) FEET ON EACH SIDE.** ~~except for lots with more than one (1) front yard, in which case the minimum side yard shall be twenty five (25) feet on the side, if any, not fronting on a street.~~

EXHIBIT B: (2) WIDTH TO DEPTH RATIO

ADD: CHAPTER 5.5, OPEN SPACE RURAL RESIDENCE “OSR-1” REGULATIONS, INTENSITY OF USE:

SEC. 5.55 C. THE MAXIMUM LOT DEPTH TO WIDTH RATIO SHALL BE **5:1**. THIS REQUIREMENT APPLIES TO LOTS LESS THAN FIVE ACRES IN SIZE. PANHANDLES LOTS REGARDLESS OF SIZE ARE EXEMPT.

ADD: CHAPTER 5.75, RESIDENCE “R-1” REGULATIONS, INTENSITY OF USE:

SEC. 5.755 D. THE MAXIMUM LOT DEPTH TO WIDTH RATIO SHALL BE **5:1**. THIS REQUIREMENT APPLIES TO LOTS LESS THAN FIVE ACRES IN SIZE. PANHANDLES LOTS REGARDLESS OF SIZE ARE EXEMPT.

ADD: CHAPTER 6, TOWNSHIP RESIDENCE “TR-1” REGULATIONS, INTENSITY OF USE:

SEC. 6.05 B. THE MAXIMUM LOT DEPTH TO WIDTH RATIO SHALL BE **5:1**. THIS REQUIREMENT APPLIES TO LOTS LESS THAN FIVE ACRES IN SIZE. PANHANDLES LOTS REGARDLESS OF SIZE ARE EXEMPT.

ADD: CHAPTER 6.5, SUBURBAN RESIDENCE “SR-1” REGULATIONS, INTENSITY OF USE:

SEC. 6.55 C. THE MAXIMUM LOT DEPTH TO WIDTH RATIO SHALL BE **5:1**. THIS REQUIREMENT APPLIES TO LOTS LESS THAN FIVE ACRES IN SIZE. PANHANDLES LOTS REGARDLESS OF SIZE ARE EXEMPT.

ADD: CHAPTER 7, RESIDENCE “R-1A” REGULATIONS, INTENSITY OF USE:

SEC. 7.05 A. THE MAXIMUM LOT DEPTH TO WIDTH RATIO SHALL BE **4:1**. THIS REQUIREMENT APPLIES TO LOTS LESS THAN FIVE ACRES IN SIZE. PANHANDLES LOTS REGARDLESS OF SIZE ARE EXEMPT.

ADD: CHAPTER 7.5, RESIDENCE “R-2” REGULATIONS, INTENSITY OF USE:

SEC. 7.55 D. THE MAXIMUM LOT DEPTH TO WIDTH RATIO SHALL BE **4:1**. THIS REQUIREMENT APPLIES TO LOTS LESS THAN FIVE ACRES IN SIZE. PANHANDLES LOTS REGARDLESS OF SIZE ARE EXEMPT.

ADD: CHAPTER 8, RESIDENCE “R-3” REGULATIONS, INTENSITY OF USE:

SEC. 8.05 D. THE MAXIMUM LOT DEPTH TO WIDTH RATIO SHALL BE **4:1**. THIS REQUIREMENT APPLIES TO LOTS LESS THAN FIVE ACRES IN SIZE. PANHANDLES LOTS REGARDLESS OF SIZE ARE EXEMPT.