



# STAFF REPORT

## Zoning Map Amendment

Application #: Z-23-16  
 Meeting Date: July 24, 2023  
 Prepared By: Jay Fisher, CFM, Assistant Planning Manager  
 & Special Projects Planner

St. Albans Township Zoning Commission  
 (Application from Connie J. Klema, Attorney)

St. Albans Moots Run

APPLICANT/PROPERTY OWNER

TOWNSHIP ROAD

Zoning Map Amendment: Agricultural District (AG) to Manufacturing & Distribution District (M&D)

DESCRIPTION

Article 6: Amendment and Section 606: Submission to County Planning Commission of the *St. Albans Township Zoning Resolution* and Section 519.12 Amendment of the *Ohio Revised Code*

SECTION / REGULATION

BRIEF SUMMARY OF REQUEST:

The St. Albans Township Zoning Commission on behalf of Connie J. Klema, Attorney, has submitted an application for a non-binding recommendation to the Licking County Planning Commission (LCPC). Said request is in accordance with Section 606 of the *St. Albans Township Zoning Resolution* and Section 519.12 (E) of the *Ohio Revised Code*. The request is for a non-binding recommendation on a Zoning Map Amendment. Ms. Klema is proposing to split (minor lot split) and rezone 13 ± acres of an existing 55.9 ± acre parcel located on Moots Run Road (Parcel ID# 066-317328-00.010) currently owned by WATCO from Agricultural District (AG) to Manufacturing & Distribution District (M&D).



PERMITTED USES	CONDITIONAL USES	COMPREHENSIVE PLAN	SURROUNDING USES & ZONES
<p><b>Agricultural District</b></p> <p>Agricultural, Forestry, Fishing and Hunting; Mining; Accommodation and Food Services; Single-Family Residential Dwelling; Public Parks and Playgrounds; Accessory Uses; Home Occupations; Family Cemetery;</p>	<p><b>Agricultural District</b></p> <p>Mining (Except Oil and Gas); Wholesale Trade; Educational Services; Arts, Entertainment, and Recreational; Accommodation and Food Services (RV Parks and Camps); Other Services; Public Administration;</p>	<p><b>St. Albans Township Comprehensive Plan</b></p> <p><b>Adopted:</b> December 2022</p> <p><b>Future Land Use Map:</b> The area in question is identified as Planned Commercial</p>	<p><b>Uses</b></p> <ul style="list-style-type: none"> <li>• Agriculture</li> <li>• Institutional</li> <li>• Residential</li> <li>• Mining &amp; Quarrying</li> </ul> <p><b>Zoning Districts</b></p> <ul style="list-style-type: none"> <li>• Agricultural (AG)</li> <li>• General Business (GB)</li> <li>• Light Manufacturing (M-1)</li> <li>• Neighborhood Business (NB)</li> </ul>
<p><b>Manufacturing &amp; Distribution District</b></p> <p>Any use permitted in a Neighborhood Business District (NB) or General Business District (GB) by law and when authorized by the Board of except residential uses; Manufacturing; Wholesale Trade; Transportation and Warehousing; Information; Administrative and Support and Waste Management and Remediation Services; General</p>	<p><b>Manufacturing &amp; Distribution District</b></p> <p>Manufacturing; All uses not otherwise prohibited</p>		

### Staff Recommendation: NON-BINDING RECOMMENDATION OF DENIAL

**Staff Recommendation and Basis:** To provide the St. Albans Township Zoning Commission a non-binding recommendation of **DENIAL** for the proposed map amendment (Z-23-16). The basis for this recommendation is that the proposed zoning map amendment is not in conformance with either the *St. Albans Township Comprehensive Plan* or *Future Land Use Map for St. Albans Township*. Therefore, this rezoning is not in good planning practices and is not compatible with the existing land uses in the area.

### PLANNING CONSIDERATIONS

**Situational Conditions**

- **Parcel Number:** 066-317328-00.010
- **Property Owner:** WATCO
- **Street Address:** Moots Run Road
- **Total Acreage:** 55.94 ± acres
- **Location:** East of Johnstown-Alexandria Road (SR 37)
- **Total Frontage:**
  - 1,058 ± feet along SR 37
  - 1,500 ± feet along Moots Run
- **Proposed Split for Rezoning:**
  - 13 ± acres
  - 327 ± feet along Moots Run

- **AG District Lot Standards**
  - Minimum Lot Area – 3 acres
  - Minimum Lot Width – 200 feet
    - **Front** – 100' (from the center of the road). Except where road right-of-way exceeds 60 feet, the setback shall be not less than 70 feet from the right-of-way
    - **Side** – 50' each side, exclusive of road right-of-way
    - **Rear** – 100', exclusive of road right-of-way

**Proposed Zoning District**

- **Manufacturing and Distribution District (M&D)**
- M&D District Lot Standards

**Existing Zoning District**

- **Agricultural District (AG)**

CWH



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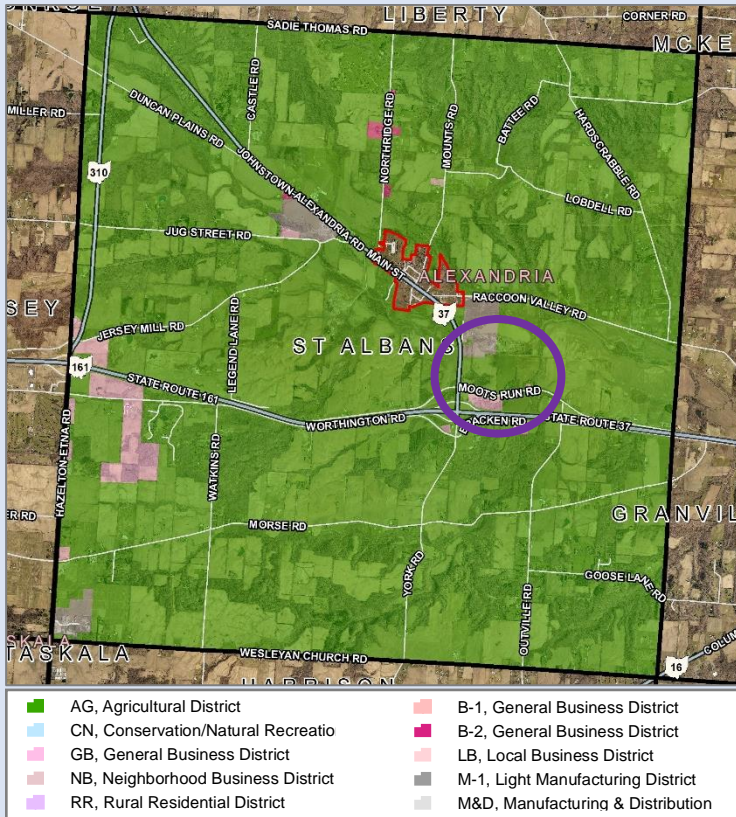
- Minimum Lot Area – 3 acres
- Minimum Lot Width – 200 feet
- Required Set Backs
  - **Front** – 100’ (from the center of the road); where road right-of-way exceeds 60 feet, the minimum setback of 70 feet from right-of-way
  - **Side** – 25’ each side, except where a side yard abuts a residential district in which case a side yard of 50 feet shall be provided.
  - **Rear** – 40’

*and extensive in character; require large sites, open storage and service areas, extensive services and facilities, ready access to regional transportation; and normally generate some nuisances such as smoke, noise, vibration, dust, glare, air pollution, and water pollution, but not beyond the district boundary.”*

### Planned Manufacturing

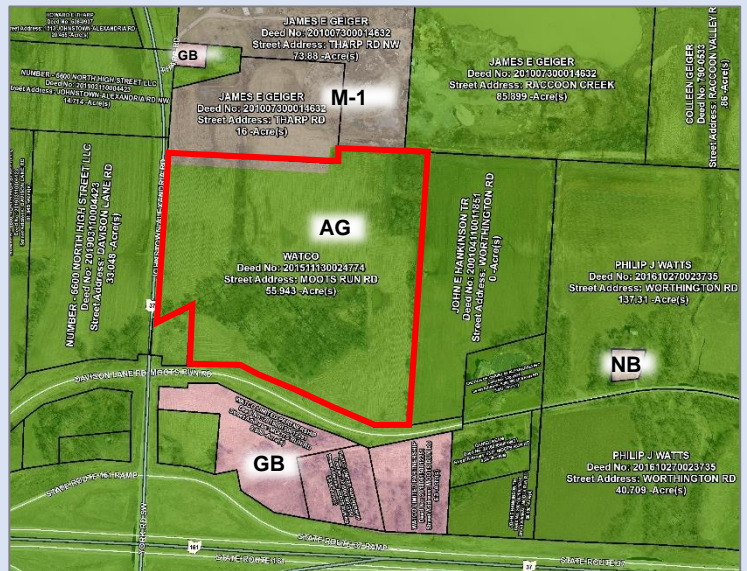
*“Manufacturing establishments which are clean, quiet, and are free of elements which create a nuisance or are hazardous, such as noise, vibration, smoke, gas, fumes, odor, dust, fire hazard, dangerous radiation or other injurious or obnoxious conditions shall operate entirely within enclosed structures and generate minimum traffic congestion This district is further designed to act as a transitional use between general manufacturing uses and other less intense business and residential uses.”*

## ST. ALBANS TWP. ZONING MAP



### Surrounding Zoning Districts & Land Uses

- According to the St. Albans Township Zoning Map, the surrounding parcels in proximity to the parcel in question include the following zoning districts:
  - Agricultural District (AG)
  - General Business District (GB)
  - Neighborhood Business District (NB)
  - Light-Manufacturing District (M-1)



### General and Planned Manufacturing – Definitions

Per the *St. Albans Township Zoning Resolution*, lists two (2) definitions for manufacturing type uses. Based on the definitions it would appear that the proposed use would fall under General Manufacturing. However, both definitions are provided below:

#### General Manufacturing

*“Processing, major manufacturing, warehousing, assembling, major research and testing, and similar industrial uses which are generally major operations*

### Comprehensive Plan & Future Land Use Map

- The St. Albans Township Comprehensive Plan (*Comprehensive Plan*), and Future Land Use Map for St. Albans Township, show this area as Planned Commercial.



# STAFF REPORT

## Zoning Map Amendment

- The text of the *Comprehensive Plan* describes this uses as follows:

### Planned Commercial

*This designation accommodates the full range of sales and service activities. These uses may occur along arterial highways. In reviewing zoning request or site plans, the specific intensity and range of uses, and design will depend on locational factors, particularly compatibility with adjacent uses, availability of highway capacity, ease of access and availability of other public services and facilities.*

*Planned Commercial is to encourage the design and development of non-residential uses in a manner which enhances the Township's image through the application of design and architectural principles, high-quality construction techniques, preservation of existing natural resources, and the provision of aesthetic amenities. New development should be designed to utilize agricultural and/or rural themed style commercial development.*

*Typical lower floor uses include, but are not limited to, offices, professional services, institutional uses, restaurants, and retail including grocery stores. The mix of uses may be vertically or horizontally distributed, and there is no requirement that a single building contain more than one use. Live/work housing options are permissible in Planned Commercial areas to ensure access to housing options and services within close proximity for the local workforce. Where feasible, development is ideally built at the block scale, with minimum building setbacks. Parking requirements may be satisfied through shared or cooperative parking agreements, which can include off-site garages or lots. If parking requirements are satisfied on-site, structured parking is encouraged. Pedestrian spaces are encouraged to be generous in width and lighting, with streetscaping and signage scaled to pedestrians. Planned Commercial projects encourage incorporation of future transit facilities into development.*

### Planned Commercial Key Component and Characteristic Recommendations:

1. All uses should be located to protect adjacent residential and agricultural use form such impacts as light, noise, or traffic.
2. In areas where ground water pollution vulnerability is more likely than not, uses

*should be prohibited that involved the use, handling, storage, generation, or disposal of hazardous or toxic material or waste, or petroleum products.*

3. Lot coverage shall be no more than 1.0 Floor Area Ratio (FAR) consistent with the applicable underlying zoning classification standards and land development regulations.
4. Commercial development in newly developing areas is designated in nodes at major throughfare intersection and along future commercial corridors.
5. The Township permits the property owner to design a business environment that may meet his/her general objectives, while providing a suitable level of protection for present and future owners of adjacent property. The future enjoyment of nearby residential properties should be a primary consideration.
6. All commercial development must utilize pedestrian and vehicle connections within the development and provide the same connections to adjacent properties.
7. Signage appropriate to the blin size without free standing pole signs. Revise the zoning resolution, as needed, to promote rural style signage.

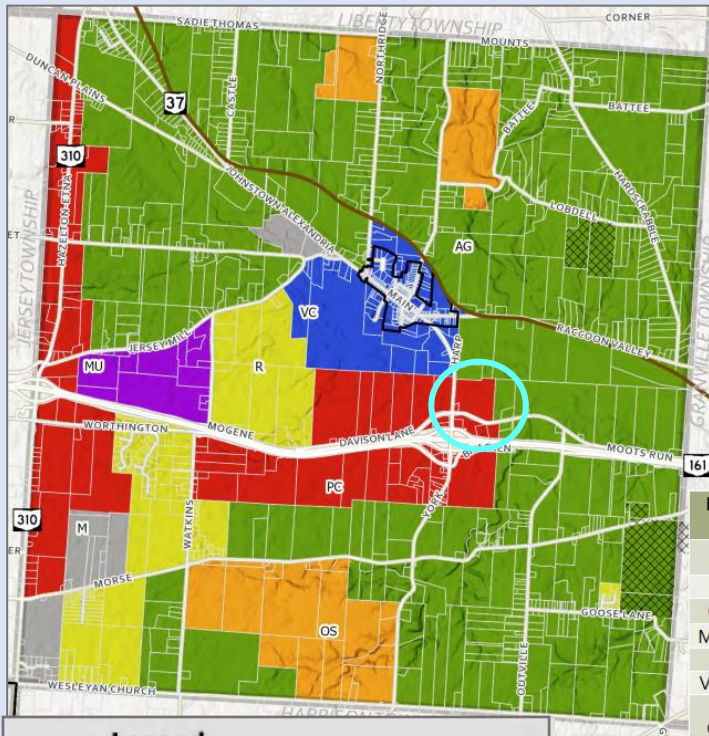


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### ST. ALBANS TWP. FUTURE LAND-USE MAP



Legend	
	TJ Evans Bike Path
	Preservation Easement
Future Land Use	
	Agricultural
	Residential
	Manufacturing
	Park & Open Space
	Planned Commercial
	Village Center
	Mixed Use

### PLANNING ANALYSIS

#### Access & Roadway

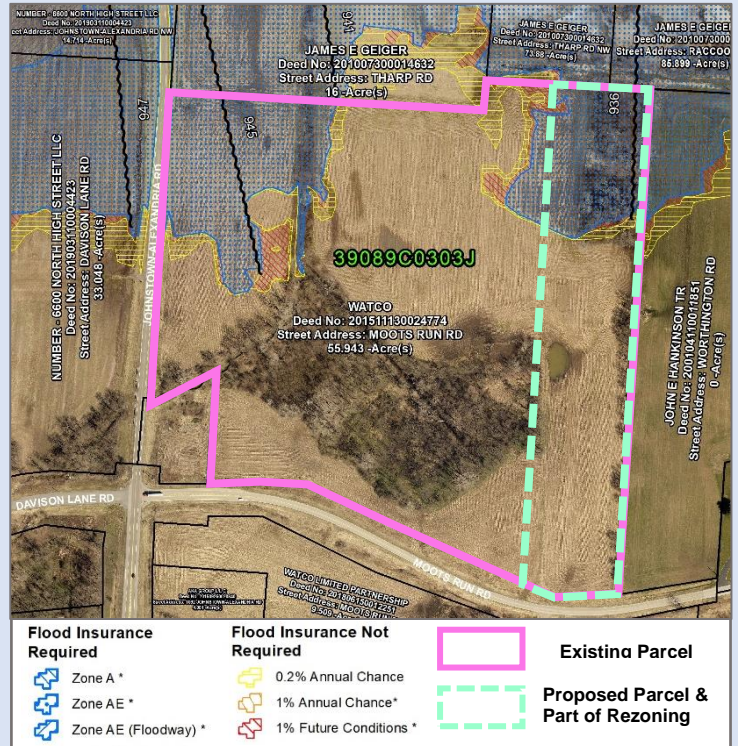
- The existing parcel has road frontage on both SR 37 and Moots Run Road.
- The proposed 13 ± acre parcel associated with this rezoning request will only have frontage on Moots Run Road.
- Moots Run Road is a Lower Order Roadway**, with an **AADT of 1,508 in 2022**.
  - Taken east of 5380 Moots Run Road (0.28 ± miles)
- Johnstown-Alexandria Road is an ODOT-Minor Arterial Roadway**, with an **AADT of 7,217 in 2022**.
  - Taken between Moots Run Road and Tharp Road.

#### Terrain & Floodplain

- There appear to be no major topographical issues with the parcel or surrounding land.
- The parcel in question is located partially within

a Federal Emergency Management Agency (FEMA) Flood Hazard Zone.

- For the proposed 13 ± acre parcel, it appears that 3.5 ± acres are within the FEMA Flood hazard Area.



- According to the *National Wetlands Inventory – Surface Waters and Wetlands Mapper*, it shows that there are a few wetlands on both the existing parcel and the proposed 13 ± acre parcel.



Figure 1: Screen Capture from USFWS Wetlands Mapper



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Figure 2: Proposed Building Design/Type, as submitted by the applicant

### North American Industry Classification System

The North American Industry Classification System (NAICS) is the standard used by Federal statistical agencies in classifying business establishments to collect, analyze, and publishing statistical data related to the U.S. business economy. This is published by the US Census Bureau and is a national standard for the classification of businesses. However, NAICS is frequently used for various administrative, regulatory, contracting, taxation, and other non-statistical purposes. (Source: U.S. Census Bureau, 11 July 2023, [www.census.gov/naics/](http://www.census.gov/naics/))

St. Albans Township does utilize the NAICS in their zoning code. **The NAICS does have a listing for Ready-Mix Concrete Manufacturing as follows:**

- NAICS Code 327320: Ready Mix Concrete Manufacturing; *“This industry comprises establishments, such as batch plants or mix plants, primarily engaged in manufacturing concrete delivered to a purchaser in a plastic and unhardened state. Ready-mix concrete manufacturing establishments may mine, quarry, or purchase sand and gravel.”*

This code includes corresponding index entries of central-mixed concrete manufacturing, concrete batch plants (including temporary), ready-mix concrete manufacturing and distribution, transit-mixed concrete manufacturing, and truck-mixed concrete manufacturing.

This code is sub-code under 327: Nonmetallic Mineral

Product Manufacturing, which is a subcategory under Manufacturing in the NAICS.

**Ready-mix concrete plants based on the NAICS classification and general knowledge of the activity is considered a manufacturing land use. This would not be compatible with the *St. Albans Township Comprehensive Plan* for the Planned Commercial land use areas.**

### Compatibility of Zoning Districts

- Within the justification letter submitted with the application, the applicant indicates that the reason for the rezoning request is to establish a ready-mix concrete manufacturing plant.
- On Page 98-11, of the *St. Albans Township Zoning Resolution*, the above mentioned NAICS code is listed. The proposed use (ready-mix concrete manufacturing plant), is only listed in the M&D District, but a conditionally permitted use.
- Based on the *St. Albans Township Zoning Resolution* and corresponding NAICS codes listed, even if this property were to be rezoned to M&D, it would likely still require a conditional use permit to be issued by the Township.
- Much of the surrounding area within St. Albans Township is zoned Agricultural District.

### The vision of the Future Land Use Plan

Within the *Comprehensive Plan*, the intended uses listed for the Planned Commercial areas include; offices, professional services, institutional uses, restaurants, and retail, including grocery stores. This



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district also allows for a “live/work” environment, which would allow for housing options, to ensure individuals can live in close proximity to where they may work or shop.

As outlined above, the *Comprehensive Plan* lists seven (7) “Key Component and Characteristic Recommendations” that should be considered with future development in the Planned Commercial areas. Of these listed items, numbers 1 and 2, appear to be contrary to the proposed use outlined in this application.

It is because of these factors, that LCPC staff believes that based on the current *St. Albans Comprehensive Plan* and *St. Albans Township Future Land Use Map*, it would appear that the proposed zoning change would not conform.

### Property Available in Zoning District

Currently, there is only one small area of property zoned M&D in the Township. This area includes a total of three (3) parcels totaling 4 ± acres. These parcels can be found along Hazelton-Etna Road (SR 310) and Shackelford Road in the far southwestern corner of the Township.

### LCPC STAFF RECOMMENDATION

- In reviewing the proposed map amendment as it relates to both the *Comprehensive Plan* and the *Future Land Use Map*, it appears that the proposed rezoning would not comply with either document.
- With the exception of the adjacent property to the north which has been used for quarrying and mining operations, the proposed map amendment does not appear to be in conformity with the surrounding areas.
- As shown in the *Comprehensive Plan*, the SR 37 – SR 161 interchange sits at the heart of St. Albans Township. It is a prime location for residents of both St. Albans Township and the Village of Alexandria to establish a commercial hub extending from the Village to provide viable services (work, food, shopping) to residents and visitors alike.
- Opening this parcel up to any use within the M&D District would certainly be contrary to the vision of the *Comprehensive Plan*.
- It is likely there are better options in the Township to locate the proposed use where the

ecologically sensitivity and elimination of prime commercial land would not be as much of a concern as it is on this particular property.

- There appears to be legitimate environmental concerns that the proposed site would need to navigate, both with the FEMA Floodplain and the various wetlands associated with the site.
- Should this zoning map amendment be approved and a conditional use permit be issued, the proposed development would still need to be reviewed and approved by the Licking County Technical Review Committee (TRC) and would be subject to the *Licking County Soil, Erosion, and Stormwater Regulations* and the *Flood Damage Prevention Regulations for Licking County, Ohio*.

As the various details contained in the staff report above have indicated, the proposed rezoning request to rezone from AG to M&D does not appear to comply with the *St. Albans Township Zoning Resolution*, *St. Albans Township Comprehensive Plan* and *St. Albans Township Future Land Use Map*, and based on these factors, it appears that the proposed zoning change would not be in good planning practice.

It is because of the details in this report that staff is recommending a **Non-Binding Recommendation of Denial** back to the Township.

July 24, 2023

## ZONING – MAP AMENDMENT

Z-23-16

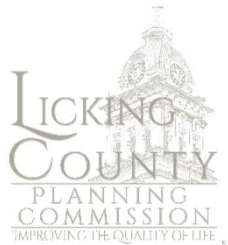
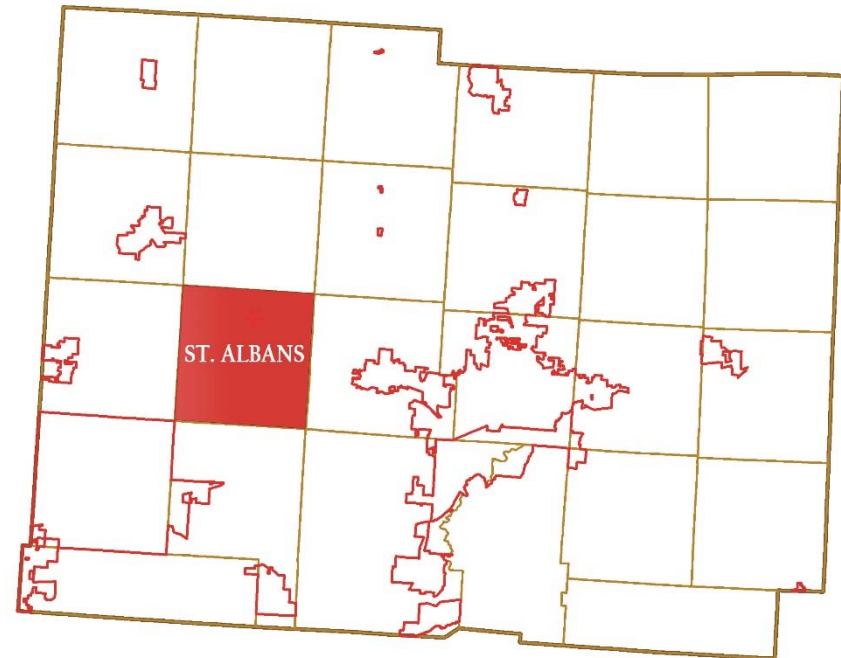
St. Albans Township Zoning Resolution

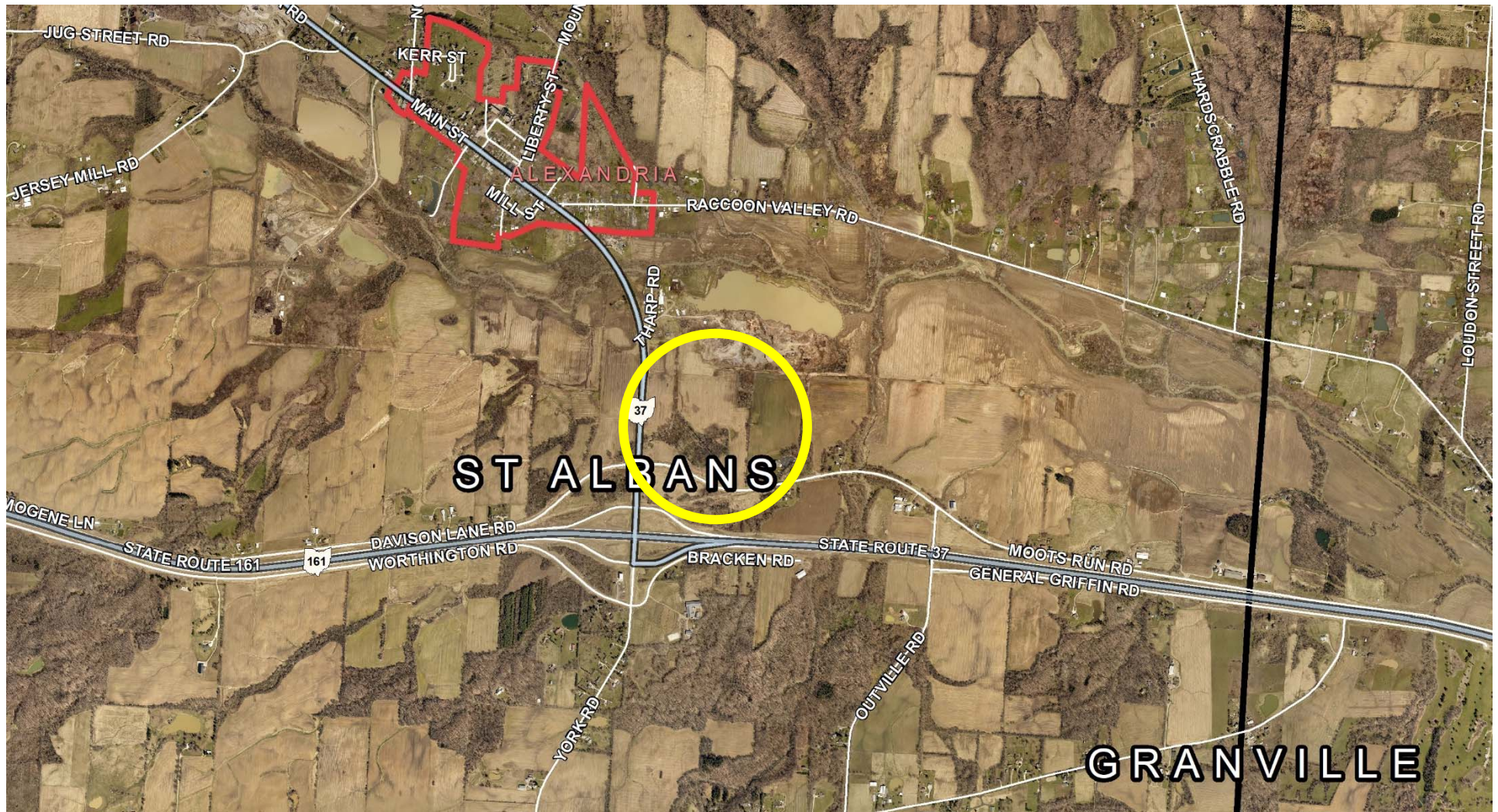
-Agricultural District (AG) to Manufacturing and Distribution District (M&D)

- Moots Run Road  
(Parcel ID# 066-317328-00.010)

### APPLICANT

St. Albans Township Zoning Commission  
c/o Jim Lenner, Township Administrator  
(Connie J. Klema, Attorney, Applicant)

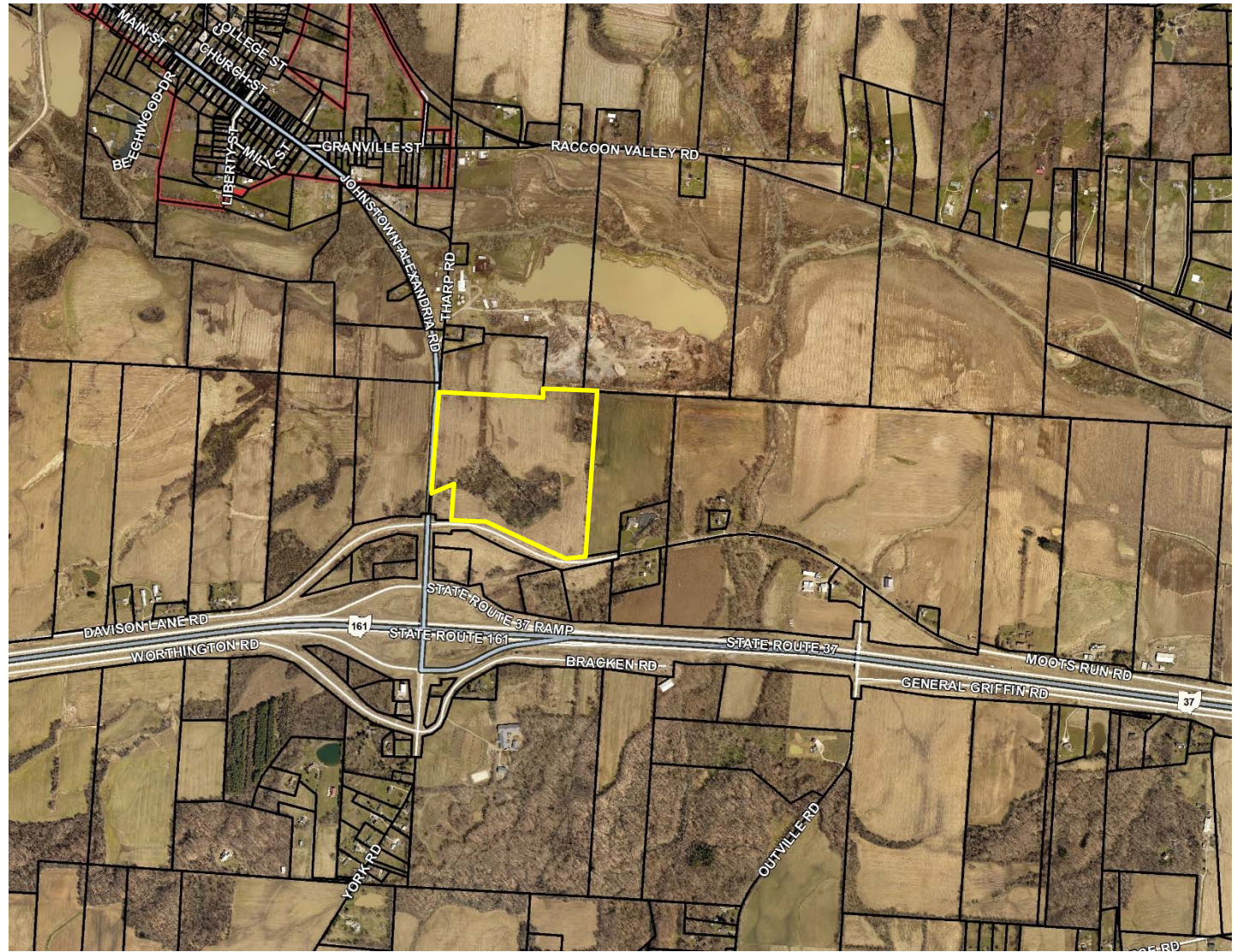






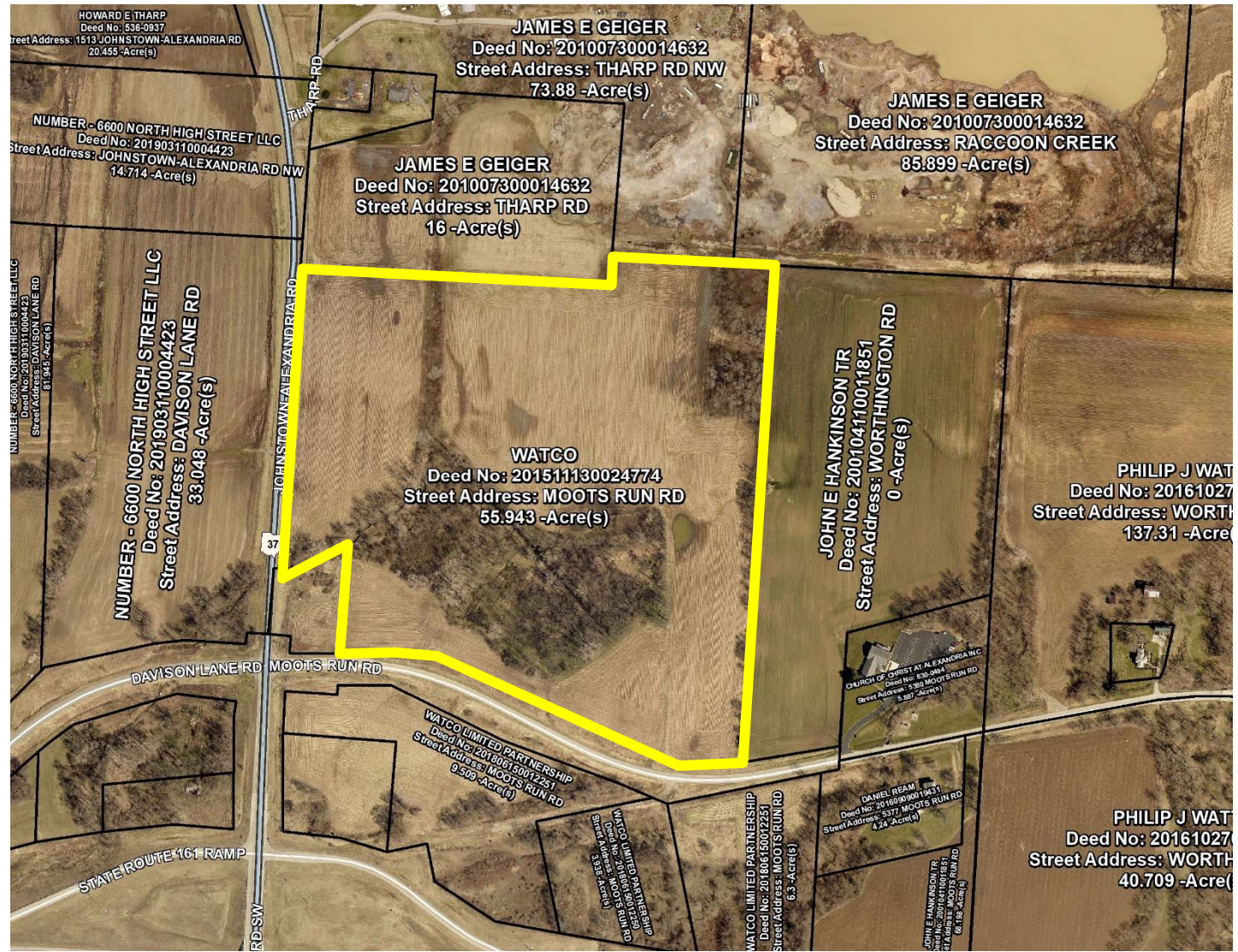




Subject Parcel

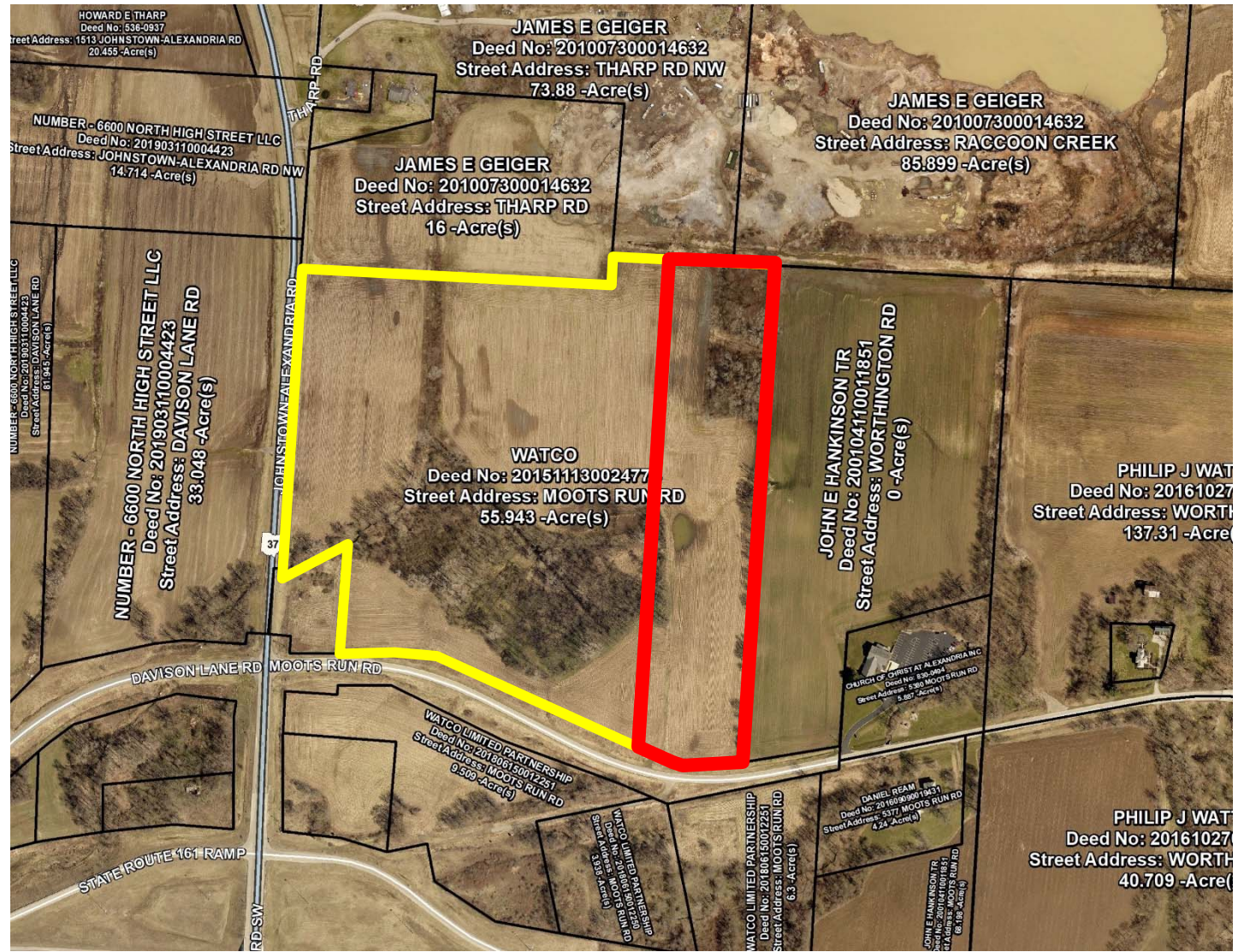




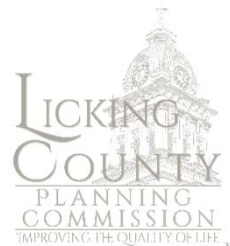
Subject Parcel




-  Subject Parcel
-  Proposed Lot Split (13+ acres)






# PROPOSED LOT SPLIT






 Subject Parcel

 Proposed Lot Split  
(13+ acres)

**Flood Insurance  
Required**

-  Zone A \*
-  Zone AE \*
-  Zone AE (Floodway) \*

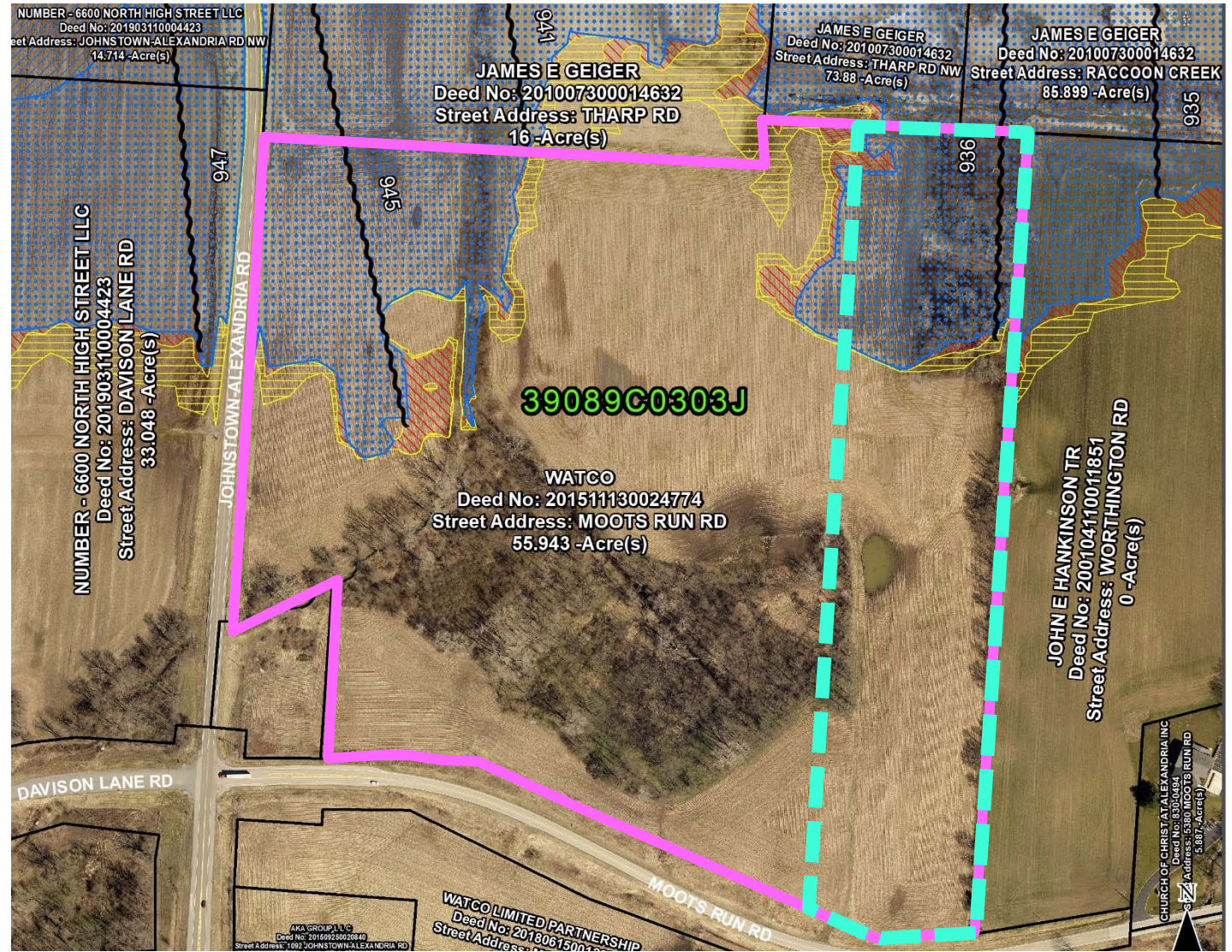
**Flood Insurance Not  
Required**

-  0.2% Annual Chance
-  1% Annual Chance\*
-  1% Future Conditions \*

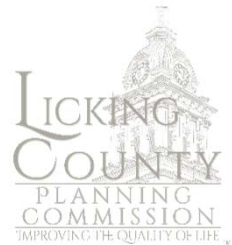
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39089C0303J**



**"H" Effective May 2, 2007**

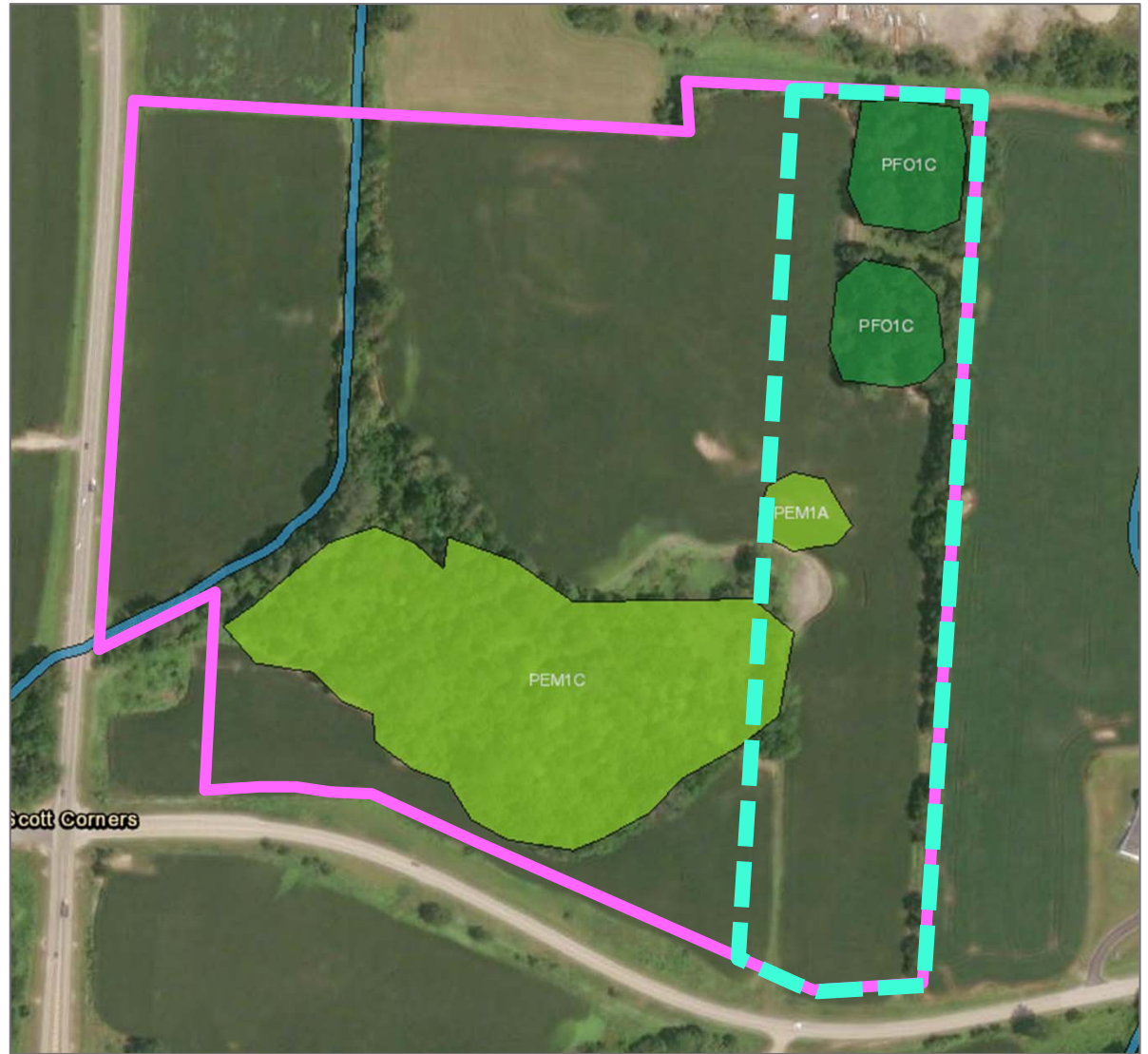
**"J" Effective March 16, 2015**



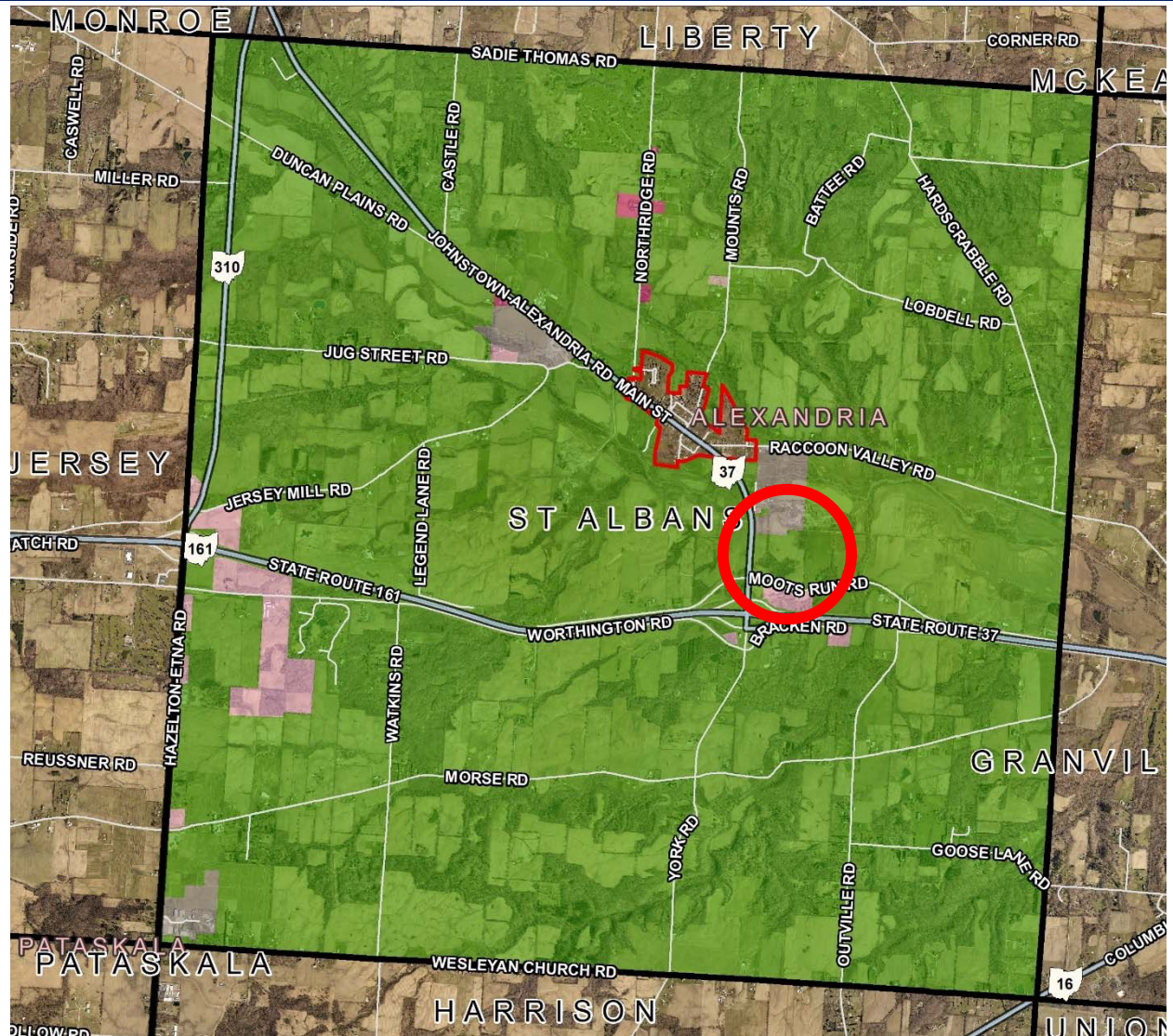
**PROPOSED LOT SPLIT**



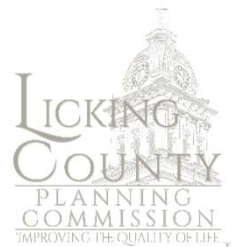
-  Subject Parcel
-  Proposed Lot Split (13+ acres)









- AG, Agricultural District
- CN, Conservation/Natural Recreation
- GB, General Business District
- NB, Neighborhood Business District
- RR, Rural Residential District
- B-1, General Business District
- B-2, General Business District
- LB, Local Business District
- M-1, Light Manufacturing District
- M&D, Manufacturing & Distribution

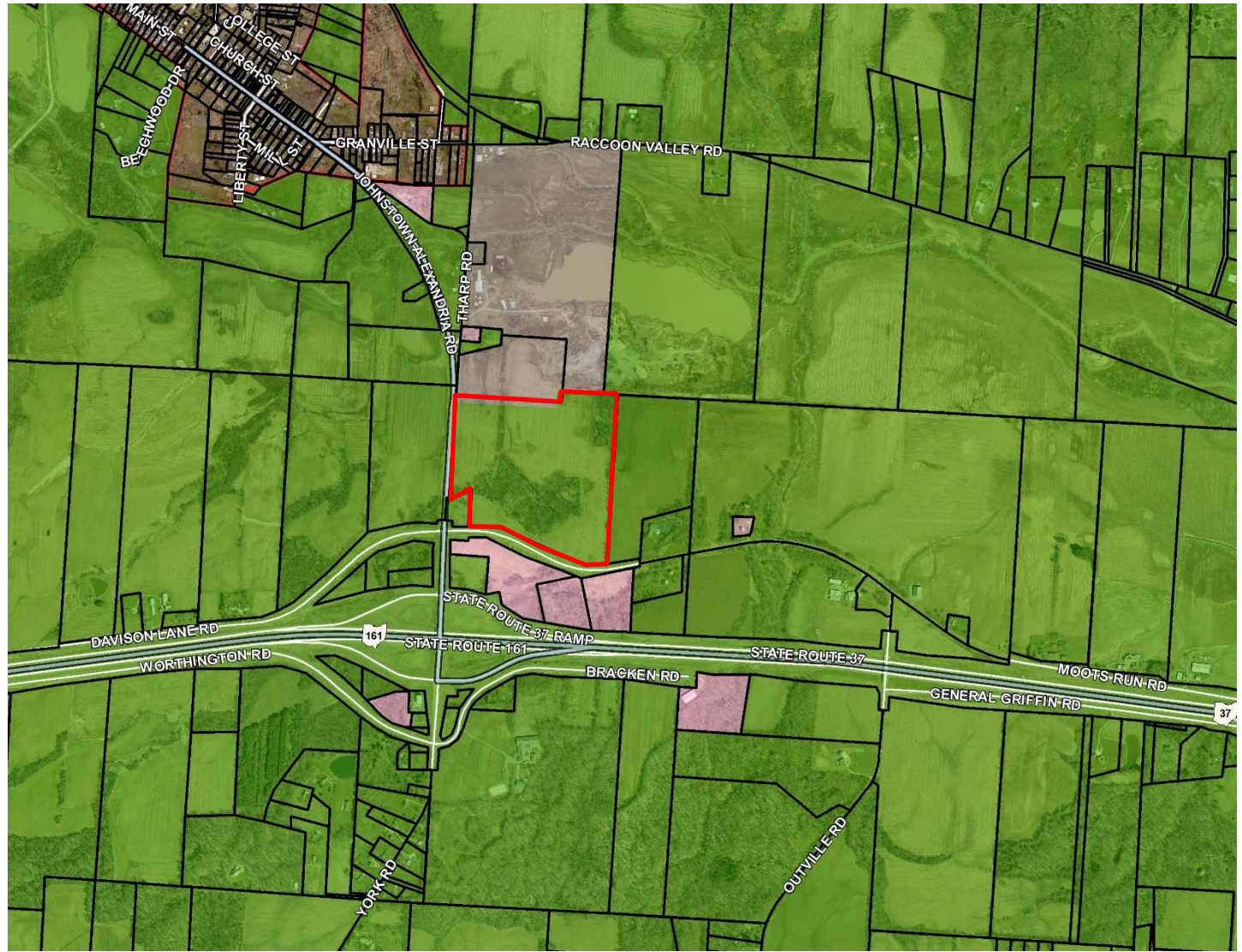


**UNION TOWNSHIP ZONING MAP**



 Subject Parcel

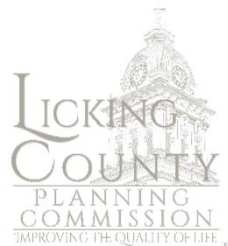
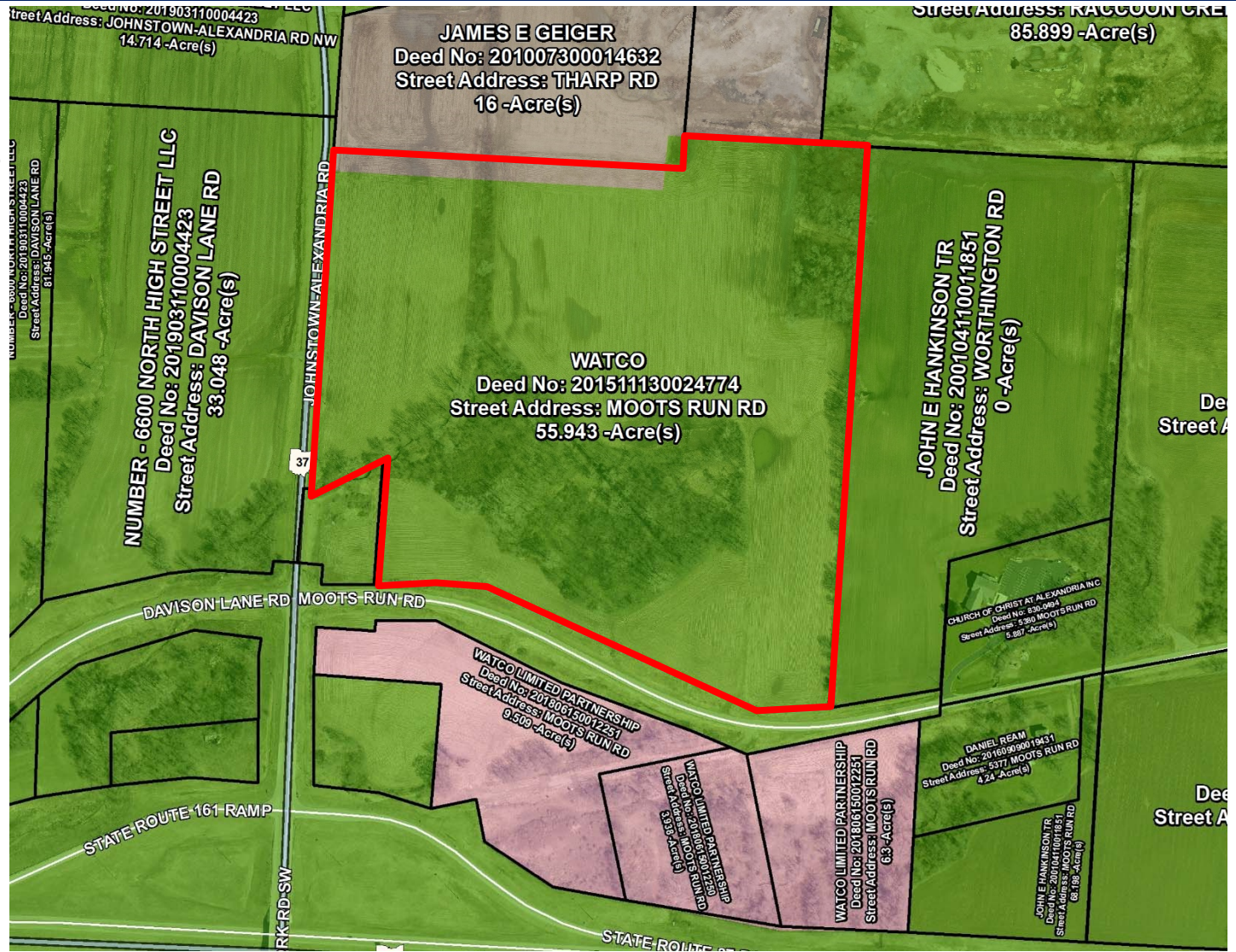
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-  M-1, Light Manufacturing District
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AREA ZONING MAP

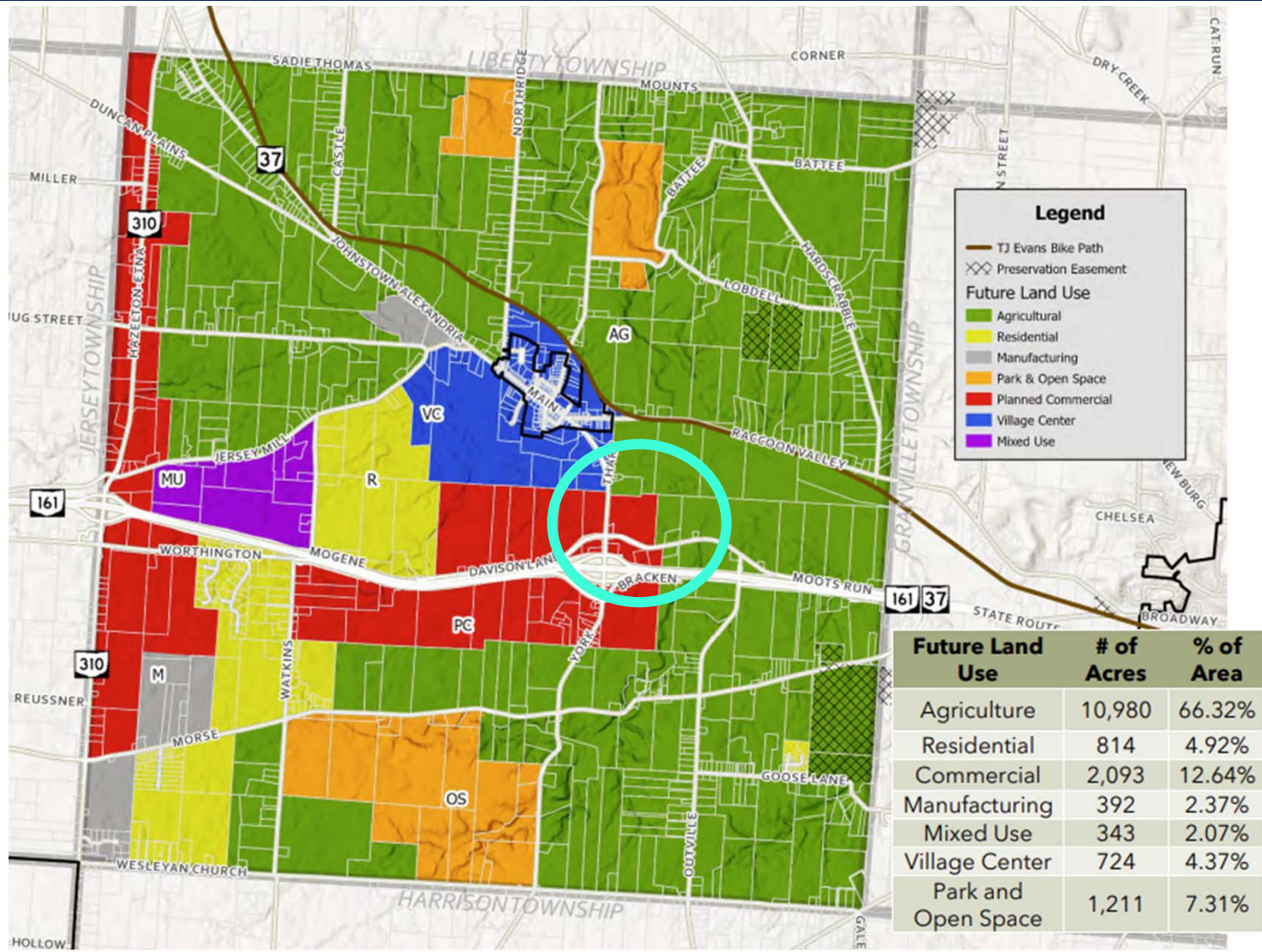
**Subject Parcel**

- AG, Agricultural District
- CN, Conservation/Natural Recreation
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- NB, Neighborhood Business District
- RR, Rural Residential District
- B-1, General Business District
- B-2, General Business District
- LB, Local Business District
- M-1, Light Manufacturing District
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**SITE ZONING MAP**





FUTURE LAND-USE MAP