



## STAFF REPORT

A new zoning code was adopted April 1, 2024 and became effective a month later. Since adoption, staff has been tracking and evaluating code provisions as we have been implementing the new code on a spectrum of residential and commercial requests. Staff's mission is to continually look for improvements to standards and process to ensure the zoning code meets the ever-evolving needs of the community.

As such, staff proposes a series of changes that generally fall into one of two categories: Previous or omitted code provisions, or revisions to existing code provisions.

### Previous/Omitted Code

During the code rewrite process, some important and valuable language was inadvertently not carried forward from the existing zoning code into the new code. This applies to the following code amendments:

- 1103.08 – Medium Lot Residential (R-2)
  - Revise accessory structure rear yard setback 5' to be consistent with previous code.
- 1109.01 – Parking
  - Parking must be on the same lot as the principal use.
  - Revisions to the parking table for consistency with previous code.
  - Clarify size of plantings.
  - No more than one trailer parked on a residential lot.
- 1109.02 – Structure Placement
  - Accessory structures must be on same lot as principal structure.
  - Pools are subject to accessory structure setbacks.
- 1109.05 – Fences
  - Clarifications to the location and height of fences for consistency with code amendments which were adopted in 2021.
- 1109.06 – Lighting
  - Clarify the types of development the standards apply to.
- 1111.01 – Signage
  - Temporary sign permits are not required for properties zoned Restricted Institutional (RI) or Conservation (CON).
  - Permit individual tenant signage within multi-tenant buildings that do not have a master sign plan (MSP).
- 1113.01 – Floodplain
  - Exemptions from filing a floodplain permit for minor improvements.
  - Continuation of nonconforming use of structure, as it relates to floodplain permitting.



- 1117.02 – Variances
  - Add variance criteria specific to floodplain regulations. This is the same criteria as was in the previous zoning code.

### Revised Code

Many of the standards and provisions of the new zoning code were new to Gahanna. Despite staff's best efforts to run a variety of development scenarios to ensure that code language is as clear and effective as possible, revisions to new language is inevitable. Revised code includes the following:

- 1101.09 – Through Lot
  - Clarify that the second front yard on a through lot is considered a rear yard.
  - Typically, these lots are found in subdivisions where access is provided by an interior road used primarily by the residents, with the rear of the home facing a major roadway that doesn't provide access to the home. Examples of these subdivisions/lots are on Stygler and Johnstown Roads.
- 1105.01 – Use Table
  - Revised uses within Innovation and Manufacturing (IM) to be consistent with previously allowed uses of the Office, Commerce, and Technology (OCT) district.
  - Allow ground mounted renewable energy systems within all zone districts. And to allow them within the side yard and up to ten feet.
- 1107.01 – Design Standards
  - Minor revisions to new code language such as canopy height
  - Clarifying the standards apply to "buildings" and not "structures".
    - Structures do not have walls. Examples of structures include gazebos and car ports.
  - Allow for metal as primary building material.
- 1117.02 – Variances
  - Clarify variance approval language for variance types (floodplain/non-floodplain)
  - Add variance approval language.
    - Minimum necessary. Example, if a setback reduction from 20' to 15' is sufficient, then a reduction from 20' to 10' should not be given.
    - Practical difficulty. A variance should be granted when there's a difficulty meeting code requirements, not because meeting code is inconvenient.
- 1117.07 – Development Plan
  - Exempt accessory building 200 square feet or less from the minor development plan process. A building permit and/or zoning certificate would be the appropriate permit.
- 1121.01 Enforcement
  - Revisions to improve the Code Enforcement Division's ability to enforce the zoning code.
    - Clarify enforcement includes applications and permits associated with the zoning code.



- Clarify where landscaping maintenance standards apply. I.e., everything other than single and two family.
- 1121.06 Violation
  - Revised penalty language.
- 1123.01 – Definitions
  - Revised definitions of uses.
    - Clarify that illustrative examples to uses or to size of buildings are “typical” or “generally” examples and not a definitive list.

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