

Plan④Land

SUMMARY OF DRAFTED REVISIONS TO THE ZONING RESOLUTION

The following is a summary of issues addressed in the January 22, 2020 draft of the Perry Township Zoning Resolution:

1. Resolution. An updated formal resolution was included in the text to memorialize the resolution number, date of motion, effective date and effective date.
2. Table of Contents. A table of contents was added to make maneuverability much easier.
3. Section I. Short Title. The reference to the Board of Zoning Appeals (BZA) was modified to note their authority as exceptions or special uses versus amendment, which is a legislative authority not granted to them.
4. Section II. Definitions. Added a general reference added to the a commonly available dictionary that can be used when a term is not defined, eliminating unnecessary definitions and providing a legal definition if the meaning of an undefined term is ever contested. Terms may be helpfully indexed to assist with review and update. Cross-references were eliminated at the source, such as modular homes.
5. Section III. Establishment of Districts. The authority for lands in contest or indiscernible on the Zoning Map was specified as the Zoning Inspector, appealable to the BZA.
6. Section IV. A definitive explanation of the effectiveness of resolutions including severability and exemptions was added. Exemptions shall include any uses not subject to zoning by law or choose, like agriculture. Further restrictions for farm markets, agri-tourism, roadside stands and similar uses were provided.
7. Section V. Agricultural Districts. Modifications were made to permitted uses to provide for conditional uses when a use has a potential to need reviewed prior to a change of use.
8. Section VI. Residence R-1 Districts. Some restrictions were moved to supplemental regulations that apply to all districts. The R-1A section was renumbered to start a new section.
9. Section VII. Residence R-2 Districts. All cross references were changed to use supplemental standards.
10. Section X. Business / Commercial Districts. Terms on conditionally permitted uses were removed. A separate section was added under the BZA authority to talk through revocation and other standards for conditional use review and enforcement.
11. Section XI. Light Industrial Districts. Terms of permitted and conditionally permitted uses were added.
12. Parking. Parking was modified to include more specific regulations based on applicability to the various districts or permitted land uses.
13. Section XII. Supplementary Regulations. This section was reorganized to focus on uses as specifically listed, including all conditional uses. Zoning permits and certificates were further defined. Separated permitted versus conditionally permitted home occupations.
14. The rules of procedure for the Zoning Commission (ZC) and Board of Zoning Appeals were removed and can be separately adopted as permitted by law.
15. The standards for administrative appeal, conditional use and variance review standard were expanded.