

**ZONING COMMISSION JOURNAL OF ACTIONS
FROM MEETING HELD JUNE 17, 2025
ORANGE TOWNSHIP - DELAWARE COUNTY**

The electronic recordings of this meeting serve as the official meeting minutes.
A full and accurate account of this meeting's audio and video can be found at www.orangetwp.org

Christine Trebellas called the meeting to order.

ROLL CALL: Christine Trebellas, Chair - Present
Les Pierce, Vice-Chair - Present
Dennis McNulty - Present
Pam Foster – Present
Karthik Avadhanula – Present

ALSO PRESENT: Robin Duffee, Development and Zoning Director
Michele Boni, Township Administrator

Mr. Duffee presents the staff report, listing changes that have been made since September 2024, inviting Zoning Commission members to add their comments and discussion as the report is presented

- Cover
 - Updated to reflect current date and updated board members
- Article 2
 - Discrepancy language removed from 2.01(C).
 - Language added to 2.01(D) to clarify that previous active planned districts can still accept amendments.
 - Language removed regarding confusing district lines from 2.03(c) and 2.03(F).
 - Language removed regarding repeal of conflicting resolution in 2.04(C).
 - 2.05(C) - Clarified that alleys also have setback lanes. Cleaned up language about “street” setback. Clarified language regarding corner lots.
 - Removed language regarding floor-to-area ratio, as this was only in the RCOD.
 - Removed language regarding rounding of numbers from 2.06(D).
 - 2.07(A) – added rules for calculating gross density.
- Article 3
 - Added and updated definitions
 - Ms. Trebellas asks if Data Centers are considered industrial use
 - Mr. Duffee replies they are permitted in the Flex Employment Zone which is the Industrial Zone
 - Mr. Avadhanula would like the definition to include not just the storage of data, but also the processing of data
 - Mr. Duffee replies the definition will be updated to include cryptocurrency and data mining
 - Mr. McNulty asks about the definition of Marijuana Dispensary
 - Ms. Boni answers it is in the code as a definition but if you look at the use table it is not permitted in any of the districts because the township trustees passed a special resolution to allow just two, and there are two in the works.

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- Mr. Duffee adds the resolution passed by the trustees also regulates a dispensary as a retail use
 - Ms. Trebellas speaks on the definitions of Mixed Use Building and Mixed Use Development. Wonders why the second floor of a mixed use building is defined as residential, why not also allowing office space.
 - Ms. Boni states “Amend the mixed use building definition to not distinguish what type of use it is per floor.”
- Article 4
 - Campus Institutional district removed
 - Added C-2 District to list of districts and zones
- Article 5
 - Multiple changes to use table based on discussion (see red-lined version for full list)
 - Zoning permits removed for food trucks
 - Mr. Pierce wonders about food trucks on public streets and if they would need a permit after a period of time. Further wonders about a food truck on private property.
 - Ms. Boni answers that parking on public street is a policy issue outside of zoning but as of this point, if parking is allowed, a food truck is allowed. Goes on to say food trucks on private property would be an issue for the HOA.
 - 5.06 – Table removed for clarity, percentage of square footage of home added for minor home occupations, wording redone for prohibited home occupations, added language that voids conditional use for home occupation upon sale of property (new owners would have to reapply)
 - Mr. Pierce asks for clarity on a new owner reapplying for a home occupation conditional use and if that includes when the owner has changed but not type of home occupation i.e. insurance sales person
 - Mr. Duffee replies the new code separates minor and major home occupations. A minor home occupation can be approved administratively and a major has to go before the BZA
 - 5.07 – Language clarified for private garages.
 - 5.09 – Added language that exempts inflatable/collapsible pools from controlled access requirement. Inflatable/collapsible pools will need to be covered if over 25” in depth.
 - 5.10 – Updated Adult Entertainment language to match state law. Made Adult Entertainment Establishments uniform language (instead of Sexually Oriented Businesses).
 - Mr. Pierce asks for clarification on this
 - Mr. Duffee replies that previously there were 2 terms in the zoning code, Sexually Oriented Businesses and Adult Entertainment Businesses. We consolidated those into Adult Entertainment Businesses.
 - 5.11 – Added procedures and standards for Telecommunications towers (pending legal review).
 - 5.14 – Clarified language regarding small solar facilities/rooftop/ground-mounted. Small and ground-mounted facilities are conditional uses, rooftop is permitted throughout.
- Article 6
 - Lewis Center Village Overlay divided into residential and commercial subareas (reflecting current land use).
 - Setbacks increased
 - Divergences will still be permitted, but not necessarily approved.

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- Mr. McNulty wants confirmation that the Lewis Center Overlay can not be used elsewhere in the township
 - Mr. Duffee states the overlay is geographically bound
 - Ms. Boni adds overlays can be targeted areas
- Articles 7-19
 - Use tables removed from individual district (comprehensive use table is in Article 5).
- Article 8
 - Campus Institutional district removed
- Article 9
 - Setbacks increased
 - Building height reduced to 35 feet
- Article 10
 - Added language clarifying that Article 21 (General Development Standards) does apply
 - JEDD requirement added for commercial/industrial projects
 - Mr. Pierce asks if a property does not have a JEDD on it and another company comes in and wants to do something else, does a JEDD get applied
 - Mr. Duffee states if they are amending the current planned district, then no; if they are creating a new planned district through this text, then yes
 - Added review language criteria regarding conservation of natural resources
- Article 13
 - Keeping C-2 district for now. Formatting has been updated to match other districts. No changes to development standards, except the general standards changes in Article 21 (landscaping, parking, etc.).
- Article 18
 - Added requirement for true mixed use (minimum of 20% must be commercial)
 - Ms. Trebellas asks if in addition to a minimum of 20% commercial, we want to do something in reverse requiring commercial building in a mixed use zone, have a minimum 20% residential, providing more connectivity. Goes on to say a mixed use for her is to have a development that provides different uses while also providing walkable connectivity.
 - Mr. Duffee states we will work on some language as to how to best word that.
 - Setbacks increased
 - Mr. Avadhanula asks why the Mixed Use Zone is the only zone with a maximum front setback
 - Mr. Duffee answers the idea of missed use is to create a more walkable environment and if buildings are too far back from the street with a lot of parking in the front it does not create a walkable environment
- Article 21
 - 21.03 – added exemption for flag lighting
 - 21.03(C) – Increased maximum lighting temperature to 5000 Kelvin
 - 21.04 – Added requirement for 100 foot setback when abutting residential
 - 21.05(B) – Added windows as design elements, removed articulated corner façade. Clarified that it is for new construction and three elements are required per 100 feet. Removed for table for clarity, and got rid of accent material requirement (now accent materials can be any material). Vinyl siding of at least 0.46 inches in thickness would be permitted siding.

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- 21.06(G) – Clarified that native plant species are encouraged; referenced ODNR list. Removed requirement for no more than 25% of a single plant.
- 21.09 – Simplified when bufferyards are applied – Mixed Use will have Type A, Commercial/Industrial Type B when abutting residential.
- 21.13 – Removed compact parking spaces
- 21.16 – Simplified shared parking language
- 21.18 – Pedestrian walkways now required for lots of 50 or more spaces
 - Ms. Trebellas asks if the fire department will allow permeable pavers
 - Mr. Duffy replies that this code allows permeable pavers with approval of the fire department
- Article 22
 - 22.06 – EMCs now only permitted for institutional (schools, libraries, religious institutions, and government buildings) uses. 8 second display requirement per image added.
 - 22.08 (B) – Increased wall sign allowance to 3 square feet per lineal wall.
 - 22.09 (C) – Added setback for temporary signs. Added business hours limitation for balloon/air-activated graphics.
 - Changed time limits for temporary signs
 - Ms. Trebellas believes state and federal issued signs such as historical markers should be exempt.
 - Mr. Duffee replies we can look into it with our legal council
 - Ms. Boni states we will work with legal council on government issued signage to see if it can be exempted from zoning
- Articles 27 and 28
 - Updated language to match state law for publishing notice electronically instead of newspaper.

Additional Board Comments:

Mr. Avadhanula:

- Asks about a previous discussion on article 12 and increasing building heights from 50' to 60'
 - Mr. Duffee replies it was discussed but it decided to leave the height the same for now. If a project did want to go up to 60' height they could ask for a variance

Mr. Pierce

- Asks once approved, when will it take effect
 - Ms. Boni answers after the 30 day effective period

Ms. Trebellas:

- Asks if the commission recommends approval tonight, what are the next steps in the process
 - Ms. Boni answers it will then go to the trustees to review and vote on. All the trustee meetings will be public meetings and there will be opportunity for public comment

Public Comments

There was no Public Comment

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RESOLUTION TO RECOMMEND APPROVAL OF ZONING APPLICATION #ZON-24-05, WITH MODIFICATIONS

Motion by Mr. Pierce to recommend to the Board of Township Trustees (the “Board”) the **APPROVAL WITH MODIFICATIONS** of Zoning Application #ZON-24-05 amending the Orange Township Zoning Resolution, upon finding that it is in the interest of the public convenience, comfort, prosperity, or general welfare, or sufficiently in accordance with the comprehensive plan, including additional modifications as listed below:

1. All modifications listed in the document titled “ZON-24-05 – 6.17.25 Draft (Redline).
2. Zoning staff shall correct any formatting, textual, and typographical errors in the document.
3. The time limits for temporary banner signs in Table 22.09A shall be limited to 2 times per calendar year.
4. The definition for “Data Center” shall be updated to include cryptocurrency and data mining.
5. Add language to the Mixed Use District and the definition of Mixed Use Building to encourage or require connectivity between uses.
6. Township staff shall investigate the possibility with legal counsel of adding language to Article 22 to exempt signs installed by the state or federal government such as historical markers.

Motion seconded by Mr. Avadhanula.

VOTE: Trebellas – Yes, McNulty - Yes, Pierce - Yes, Foster – Yes, Avadhanula - Yes,

Meeting adjourned