



# Village of Gambier, Ohio Zoning Code Audit

May 21, 2021

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## Table of Contents

<b>Introduction .....</b>	<b>1</b>
<b>1. Reorganize and Reformat the Code .....</b>	<b>2</b>
<b>2. Reorganize and Clarify Design Standards .....</b>	<b>5</b>
<b>3. Focus on Strategic Revisions to Residential Zoning .....</b>	<b>6</b>
<b>4. Update the Accessory and Temporary Use Standards .....</b>	<b>8</b>
<b>Chapter-by-Chapter Analysis of the Existing Code .....</b>	<b>9</b>
Chapter 1 – Purpose and Intent.....	9
Chapter 2 – Title .....	9
Chapter 3 – Definitions .....	9
Chapter 4 – Districts and General Provisions.....	9
Chapter 5 – Site Design Standards .....	10
Chapter 6 – Residential District “R” .....	10
Chapter 7 – Institutional District “I-1” .....	10
Chapter 8 – Recreational Institutional District “I-2” .....	10
Chapter 9 – Historic Institutional District “I-3” .....	11
Chapter 10 – Mixed-Use District “M” .....	11
Chapter 11 – Conservation District “C” .....	11
Chapter 12 – Nonconforming Uses, Signs, or Buildings .....	11
Chapter 13 – Demolition of Structure and/or Buildings .....	11
Chapter 14 – Environmental Matters .....	11
Chapter 15 – Sign Regulations.....	11
Chapter 16 – Planning and Zoning Commission .....	12
Chapter 17 – PUD, Land Subdividing, and Development .....	12
Chapter 18 – Enforcement and Administration.....	12
Chapter 19 – District Changes and Regulation Amendments .....	12
Chapter 20 – Miscellaneous Provisions.....	13
Chapter 21 – Schedule of Fees .....	13
Appendix A – Gambier Zoning Map.....	13
Appendix B – Table of Required Bufferyard Plants .....	13
Appendix C – Good Neighbor Standards .....	13
Appendix D – PUD Standards .....	13
<b>Appendix: Writing Style Guide .....</b>	<b>14</b>

## Introduction

The purpose of this document is to provide an evaluation of the existing Gambier Zoning Ordinance. The Village embarked on this process to modernize its zoning regulations following the adoption of the Village of Gambier Strategic Plan. The update process is funded by the Knox County Foundation and is part of a joint effort by the Knox Area Development Foundation and the Villages of Centerburg, Fredericktown, and Gambier, to update the zoning codes of all three villages. The zoning code update is one of the steps the three villages are taking to implement various recommendations of their individual strategic plans. This report focuses solely on recommendations for change to the Gambier Zoning Ordinance (a.k.a., the zoning code) and was developed following a series of discussions with Village staff, elected officials, appointed planning officials, and local community leaders, as well as feedback from an online survey that was available to all members of the public. The recommendations in this document are also based on the consultant's experience with drafting regulations for communities across Ohio and the nation.

Based on an understanding of how zoning has historically operated in Gambier, the ordinance is generally good. The code would benefit from some reorganization and some overall cleanup of language, but it incorporates many progressive elements. Many of these elements are being adopted in modern codes in an increasing number of communities. The Gambier code update is intended to be targeted. It will not include a comprehensive rewrite of all major elements of the code but will focus more on the key recommendations summarized below and then expanded upon in the rest of this report.

1. Reorganize and reformat the code to make it easier to locate applicable standards and understand requirements. This reorganization will also include some overall general cleanup of the language for clarity and consistency;
2. Reorganize and clarify the existing design standards with some general enhancements;
3. Focus on strategic revisions to residential zoning, including:
  - Revisions to the Residential District to clarify the types of residential uses that are permitted on any given lot;
  - Development of a new Mixed-Residential District that could provide additional housing options if there is potential for future annexations; and
  - Revisions to the PUD language that will allow for a broader range of residential uses for more significant development proposals.
4. Update the accessory and temporary use regulations related to outdoor dining, accessory buildings, short-term rentals (e.g., AirBnBs), pop-up retail, etc.

This report aims to summarize the strengths and weaknesses of the existing regulations in terms of usability, organization, and substantive standards, and provide options for improvement. This document also includes a proposed outline for the new regulations with a recommended approach that will ultimately result in a complete reorganization of the regulations into a code that will improve usability.

It is important to keep in mind that this audit does not necessarily identify every issue or individual problem with the existing regulations but focuses on broader issues that will need direction prior to the text amendments. Once the public and the Village of Gambier's Technical Review Committee (Planning Commission) have had an opportunity to review and provide feedback on this document, the consultant will begin work on drafting the updated text for review with the Technical Review Committee and presentation to the public. More information on the project can be found at [www.knoxcovillagezoning.com](http://www.knoxcovillagezoning.com)

# 1. Reorganize and Reformat the Code

## 1(A) Reorganize the Major Sections

One of the significant issues with the existing code is that many related topical regulations are scattered throughout the code. For example, accessory use regulations are located in the individual district chapters, in the site design standards, and several have their own chapters (home occupations and swimming pools). The current organization makes it somewhat challenging to locate most, if not all, of the regulations that might apply under common circumstances (e.g., residents wanting to add an accessory structure). While this update will focus on some targeted topics, as noted in the introduction, the overall code will be reorganized to assist with the usability of the code. To make the new code as efficient as possible, the Village should consider a complete reorganization of the code with chapters and sections that are reordered based on function such as administration, development review procedures, zoning districts, and development standards (e.g., parking, buffering, lighting, etc.). The table above provides a summary of the proposed restructuring of the updated Gambier Zoning Ordinance. Most of the sections are self-explanatory (e.g., landscaping and signs), but the new Chapter 1 (General Provisions) will include multiple provisions, including the overall purpose of the code, transitional regulations (described later), required compliance, etc.

Zoning Ordinance	
Chapter	Chapter Name
1	General Provisions
2	Zoning Districts and Principal Uses
3	Accessory and Temporary Uses
4	Planned Unit Developments
5	Demolition Standards
6	Site Design Standards
7	Sign Standards
8	Administration and Enforcement
9	Nonconformities
10	Definitions

## 1(B) Improve Referencing

A detailed table of contents, page numbers, and enhanced use of headers and footers on each page will make for much easier navigation through the new code. The new code should include an expanded table of contents that breaks some of the sections down further so users can quickly identify the locations of specific requirements such as zoning certificate or sign requirements. The Village should consider including a master table of contents at the beginning of the new code to make referencing topics simpler. In addition, an index by topics would be helpful in the back of the regulations for pinpointing the location of key topics within the text. The final step in the update process will be to review it for internal consistency and include hyperlinked cross-references among sections. Such hyperlinks should be active in any digital version of the codes so that users can easily click on the cross-reference and be taken to the appropriate section or graphic.

The image shows a page from a zoning ordinance with several annotations:
 

- (a)** Points to the header and footer information.
- (b)** Points to the main text of a regulation.
- (c)** Points to a diagram illustrating a 'Minimum Driveway Width'.
- (d)** Points to the page number 'Page 172'.

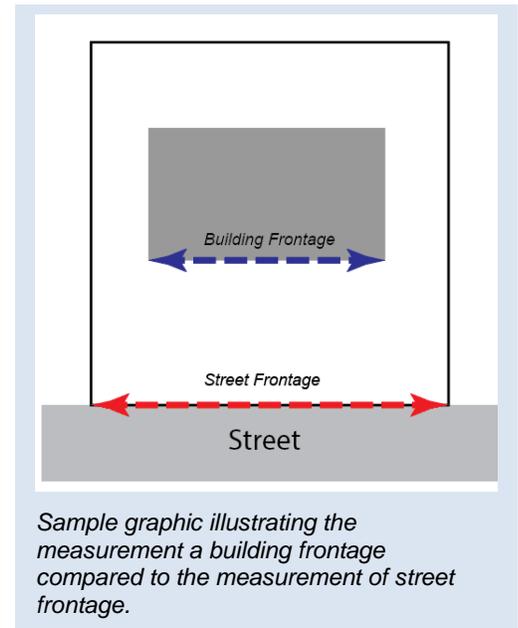
 The diagram (c) shows a lot with a driveway and a building, with labels for 'width' and 'depth'. The text (b) discusses 'Minimum Driveway Width' and 'ACCESS PERMIT REQUIRED'.

*Today's modern codes use a variety of techniques to orient the reader including (a) headers and footers, (b) legible text with headings and hierarchy, (c) illustrations, and (d) page numbers that combine for a user-friendly code that is easy to use and navigate.*

### 1(C) Illustrate Additional Key Concepts and Standards

Modern development codes explain and summarize development standards, permitted uses, and procedures using tables, illustrations, and flow charts where possible. The current code does not appear to include any graphics. There are numerous standards, such as signage and parking, which would benefit from the inclusion of graphics for the purpose of clarity. Illustrations and photos often describe the required or desired relationships among development standards, adjacent uses, or dimensions much more simply than words alone. Tables also can convey a wealth of information about uses and dimensional requirements in a few pages and vastly improve the readability of a code.

The revised regulations should utilize illustrations, graphics, photographs, and tables to explain complex concepts and summarize detailed information lists. Where appropriate, we recommend inserting additional tables, graphics, illustrations, and examples to help readers understand preferred forms of development.



All graphics, illustrations, and photographs used will be chosen or designed to allow for the easy reproduction of the new code. Additionally, language will be included in the new Chapter 1 (General Provisions) that will clearly establish that the text of the regulations rules in the case of a conflict.

### 1(D) Consolidate Procedures into One Section and Clarify Review Criteria

The trend in land-use regulations is to consolidate all procedural provisions into one main section. This approach enables the code user to locate, in one place, all procedures and the applicable review criteria governing each type of development review (e.g., zoning certificate, rezonings, conditional uses permits, variances, etc.). The Village comes close to this with the current code in that the administration provisions are grouped in a couple of chapters. Still, there will be some reorganization amongst various sections to ensure clarity for each procedure. In particular, since the Village does not have a separate appeals board, the updated code should include a procedure, notice, and review criteria for both appeals and variance requests that go to City Council. These improvements will be supplemented with suggested revisions to the review criteria to ensure they reflect modern standards and in line with case law.

### 1(E) Clearly Define and Reorganize Permitted and Conditional Uses

We recommend that the updated regulations include use tables to illustrate where and how uses are permitted within each zoning district. The Village currently lists each use and how it is permitted in the individual sections related to the applicable district. The approach the Village currently uses makes it almost impossible to compare how and where a particular use is permitted in different zoning districts at the same time. Utilizing tables to illustrate allowed uses (See example on the following page.) within each district is an effective method of illustrating uses both in a single district and in district-to-district comparisons. Additionally, this approach helps ensure consistency in the name of uses. For this update, we will not be overhauling how uses are permitted in various districts, except for potential changes in the existing R District, as part of the update to those districts.

## 1. Reorganize and Reformat the Code

TABLE 1216-3: PRINCIPAL USES													
Land Uses P = Permitted Use PS = Permitted Use with Standards C = Conditional Use	R-1A	R-1B	R-1C	R-1D	R-2	R-3	B-1	B-2	B-3	I-1	I-2	P-1 <sup>21</sup>	Use-Specific Standards See Section:
	<b>Agricultural Uses</b>												
Agricultural	C	C											1216.06(a)
<b>Residential Uses</b>													
Bed and Breakfast Establishments	C												1216.06(b)
Dwellings, Multi-Family <sup>22</sup>					P	P							
Dwelling, Single-Family	P	P	P	P									
Group Homes	PS	PS	PS	PS	C	C							1216.06(c)
Skilled Nursing or Personal Care Facilities					C	C	C	PS	C			PS	1216.06(d)
<b>Public, Institutional, and Recreational Uses</b>													
Active Recreational Facilities	C	C	C	C	C	C	C	C	C	C	C	PS	1216.06(e)
Cemeteries	C	C	C	C	C	C						P	
Cultural Facilities	C	C	C	C	C	C	P	P	P			P	
Educational Institutions (Higher Education)								P				P	
Educational Institutions (Preschool and K-12)	C	C	C	C	C	C				C		P	1216.06(f)
Essential Services	P	P	P	P	P	P	P	P	P	P	P	P	
Fraternal, Charitable, and Service Oriented Clubs							C	C	C			PS	1216.06(g)
Government Offices and Buildings (No Outdoor Activities)	C	C	C	C	C	C	P	P	P	P	P	P	
Hospitals							C	C					1216.06(h)

Above is an example of a permitted use table from another community that shows the list of permitted uses in the left-hand column and all of the zoning districts across the top row. The districts are color-coded to illustrate residential districts (yellow), business districts (red), industrial districts (purple), and public districts (blue).

### 1(F) Add Transitional Regulations

The current regulations do not fully address what happens to applications under review when the code is amended, and the updated regulations become effective. We recommend incorporating a new section called “transitional regulations” within the new Chapter 1 (General Provisions) that will help resolve the status of properties with pending applications, recent approvals, and properties with outstanding violations at the time the new code or future amendments are adopted. The provisions will allow an application, in general, to be processed under the rules in place when a complete application is submitted. Additionally, the transitional regulations will include language stating that violations before the enactment of the revised code shall remain violations after the regulation's effective date.

## 2. Reorganize and Clarify Design Standards

As noted earlier, the Village has a progressive set of design standards that covers a broad range of crucial topics. The recommendation of this audit is to carry those standards forward with some minor revisions for clarity, including the addition of graphics. There are also a few areas where some improvements can or will need to be made, based on the direction of the Village. Those suggestions are summarized below.

### 2(A) Reorganization and Enhancement of Standards

As noted in the first set of recommendations, the existing code would benefit from some general reorganization and the addition of graphics. Some suggested enhancements and additions include:

- The Village should incorporate the Good Neighbor Standards into the actual ordinance language. Currently, Section 5.3 references an appendix where there is a set of standards that appears to apply to all development but has been set aside as a separate part of the document. If these standards are applied like all other standards, they should be incorporated within the design standards of the updated code.
- The Village takes a modern approach to off-street parking requirements by focusing on the maximum amount of parking allowed but also giving an applicant the ability to seek modifications through a conditional use permit. This language should be carried forward but might be improved with some additional standards or guidelines that focus on pedestrian connectivity. Additionally, the current code allows for gravel as well as paved surfaces for parking areas. We recommend that the update include a specific allowance to use permeable pavement and pavers with a requirement for a maintenance plan. Permeable pavement could be a surface that the Commission would interpret as allowed, but it is not completely clear. Furthermore, these types of surfaces require continual maintenance to ensure its effectiveness.
- The bufferyard requirements of Section 5.6 should also be carried forward, but the language from Appendix B should be incorporated in with these provisions. Appendix B establishes specific requirements for each bufferyard and should be grouped with the overall standards. Additionally,
- The language on accessory buildings, swimming pools, and fencing that are currently located in the design standards should be moved to a new chapter that focuses solely on accessory uses and buildings.
- The language located in Chapter 14 (Environmental Matters) should also be reorganized and grouped with the site design standards.

### 4(B) Signage

The section-by-section analysis provides a more detailed discussion about potential changes to the sign regulations to clarify the rules and bring the code into compliance with federal laws, which mandate a certain level of content neutrality. Content-neutral sign regulations are standards that do not require you to read the message to determine how to regulate the sign. For example, communities can no longer regulate real estate signs differently from construction signs or other temporary commercial message signs where the only difference is the message. While the Village's regulations avoid a lot of regulation by content, there are still several areas where there needs to be some improvement to bring the regulations in line with case law.



### 3. Focus on Strategic Revisions to Residential Zoning

One of the major discussion points with stakeholders in the strategic plan and the initial discussions regarding this ordinance update is providing more housing options in Gambier. Most of the existing residential land is already developed with minimal options beyond redevelopment, but the Village strategic plan also includes recommendations to develop an annexation strategy. Future annexations could allow for expanded residential opportunities in the future. The following are some potential changes to allow for expanded residential opportunities in the Village.

#### 3(A) Revise the R District

Technically, the existing zoning ordinance allows for the potential to develop new two- or three-family dwellings or convert single-family dwellings into two- or three-family dwellings. The provisions include general regulations that seem to have the purpose of maintaining the appearance of single-family dwellings or, at least, dwellings that are of a similar scale. This language can be expanded to include design standards that focus on the scale and massing of buildings that will encourage design with that goal in mind.



*The existing R District can be updated to focus on the form and character of housing types allowed, especially for multi-family uses to make them blend in more with the single-family home character of certain areas.*

#### 3(B) Create a New Mixed-Residential District

In addition to revising the existing R District, the Village should consider creating a new residential district to allow for a broader mix of housing and residential development types. If incorporated, the new district would be an option for rezoning in the Village or for future use if the Village annexes additional land. The new regulations could focus more on form-based residential concepts. Form-based regulations are where the building form, setback, and general character of the structure is more of a priority than the specific number of dwelling units. For example, instead of simply stating that multi-family residential uses are permitted in the new district, the new use table might list specific types of attached housing types permissible (e.g., rowhouses, apartment houses, apartment buildings, four-plexes, etc.) and then make it as easy as possible to develop the most desired types of buildings (note the use itself is still multi-family). In addition to the new district, or as an alternative, the Village could use the revised PUD option described on the next page.



*A new district can be prescriptive of the types of housing that would be allowed including townhomes/rowhouses, cottage courts, apartment buildings, etc. The standards of the district can include requirements for common open spaces and building or site design standards to achieve a certain aesthetic.*

### ***3. Focus on Strategic Revisions to Residential Zoning***

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#### **3(C) Revamp the PUD Option**

The Village has a Planned Unit Development (PUD) option, including procedures and standards, identified in Chapter 17 but located in Appendix D. The PUD approach to zoning is a good option, especially when a proposal for a large-scale development requires a comprehensive review of the development plans. It is unlikely that the PUD option will be used within the current Village boundaries, and most of the community is built out with the college or existing development. However, should the Village look to annex land, the PUD might be a possibility, so the Village should maintain the regulations with some suggested changes, including:

- The language should be incorporated into the overall code as its own chapter rather than the current approach of placing it in an appendix.
- The requirements for development should be expanded based on additional discussions with the Village. These enhancements could include more allowances or mandates for a specific mix of housing options, including retirement communities that often have a range of services and housing. Requirements for open space could also be improved with specific language about the design and use of open space and long-term maintenance requirements.
- The overall chapter should be tied to some of the Village's specific site design standards, including the environmental requirements. The intent of the current provisions is likely meant to make this connection, but revising the standards to mandate compliance will ensure that the early plans meet the applicable site design standards.

### 4. Update the Accessory and Temporary Use Standards

The existing code contains some regulations for some accessory uses, but not many for temporary uses, and those regulations that exist are scattered throughout the existing document. As noted in the section-by-section analysis, home occupations and swimming pools are common accessory uses, but they are treated as separate and distinct standards. The updated code should consolidate all of these regulations within a single chapter because it is easy for residents to go to one section to find all the applicable requirements. In updating the regulations, the Village should consider the following:

- All of the regulations need to be reorganized to clarify where and how each accessory use is permitted within each zoning district. This reorganization will be accomplished by creating a use table for accessory uses similar to the type proposed for principal uses, as discussed earlier. This approach will ensure consistency in the use of terms and standards regardless of the zoning district.
- The standards should clearly establish rules for the most common accessory uses such as satellite dishes, swimming pools, and detached structures. Additionally, the standards will be updated to reflect current state and federal laws, where applicable—for example, exempting small satellite dishes under one meter in diameter.
- The Village does not have any standards for accessory uses such as urban agriculture. It may be assumed that gardens are permitted, but the language should be expanded to address the raising of small animals (chickens and rabbits) and provisions for bee colonies. These uses are becoming more popular and should be addressed within the new regulations based on further discussions with the Village.
- The new section should also include updated standards for modern accessory uses such as community gardens, clothing drop-boxes, outdoor dining, outdoor storage, and outdoor sales areas.
- The new code should address common temporary uses, including, but not limited to, seasonal sales, food trucks, temporary gravel parking (for development under construction), construction structures, and temporary events, if not addressed by other Village ordinances. More specifically:
  - Food trucks are becoming a popular option for dining but can be controversial if they potentially take away diners from brick-and-mortar restaurants that already exist in the Village. The new language could address how and when food trucks will be permitted to operate in the Village.
  - Short-term rentals (AirBnB, VBRO, etc.) of dwelling units in Gambier have been identified as a concern. The online survey prepared early in the process shows that respondents do not want to prohibit them outright but want to explore how best to address the concerns. Some potential changes may need to be made outside of zoning (e.g., tax structures or rental occupancy permits), while other standards could be included in the code, such as addressing parking and performance standards. This issue will need further discussion with the Village to determine the best approach.

## ***Chapter-by-Chapter Analysis of the Existing Code***

This portion of the report sets forth a chapter-by-chapter review of the current zoning code. It identifies any proposed changes in either organization or substance based on our initial discussions with the Village and its stakeholders. The section is not intended to provide line-by-line edits but to identify critical issues that should be addressed in the code update process. While all of the text will be reviewed and updated, as appropriate, the purpose of this part of the document is to outline significant changes, additions, and deletions.

### ***Chapter 1 – Purpose and Intent***

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The current code has an excellent purpose statement that lays out the legislative intent of the document. This language should be carried forward in the code with the incorporation of language found in Chapter 2 (Title) and Chapter 20 (Severability and Conflicting Ordinances). The updated chapter should also include some commonly found zoning provisions, including:

- Compliance requirements that establish, upfront, that all new construction and development is subject to the code;
- The transitional regulations described in the first part of the report; and
- An expansion of the basic rules for interpretation within the code.

### ***Chapter 2 – Title***

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This section simply states the official title of the ordinance. This language should be grouped in with the general provisions in the new Chapter 1.

### ***Chapter 3 – Definitions***

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This section includes definitions for some of the most commonly used terms in the zoning code. The definitions within this section, as with all definitions, will be updated and moved to the end of the code to serve more as a glossary of terms. The entire section will be updated to define new terms that may be added to the code and revise existing terms, where needed. Additionally, we would suggest defining additional terms, such as “housekeeping unit” (related to the definition of family) and incorporating definitions and regulations for uses that the Village has to allow, including “residential facilities” (group homes) and small family day-care homes.

### ***Chapter 4 – Districts and General Provisions***

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This section establishes the zoning districts that are located in the zoning code and rules for the zoning map, as well as a series of supplemental regulations. We recommend the following reorganization:

- Incorporate **Section 4.0** through **4.2** into the updated chapter on zoning districts and use regulations related to the principal uses allowed in the various districts.
- Move **Section 4.3** on compliance to the first chapter.
- **Section 4.4** on secondary dwelling units should be combined with all the regulations on secondary dwelling units (related language in 5.7, 6.7, and 10.7) should be updated and moved to the accessory use chapter. It is important to note that all sections will be set up in a manner that will allow for hyperlinks that will update automatically. This formatting method will prevent out-of-date cross-references such as the current cross-reference in Section 4.4, which points to Section 5.6, which appears to be an older cross-reference.

- **Section 4.5** on street frontage requirements and **Section 4.8** on required yards should be consolidated with all the primary language for lots (e.g., lot area, setbacks, building height, etc.).
- **Section 4.6** on traffic visibility should be consolidated with the standards that apply to all development.
- **Section 4.7** related to the restoration of unsafe buildings should be incorporated into the updated chapter on site design standards as they apply to all buildings.
- **Section 4.9** on zoning for vacated rights-of-way should be moved to the same section as the updated section establishing zoning districts and the zoning map.

### **Chapter 5 – Site Design Standards**

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This section contains all of the significant development standards that would apply to any development in the Village. As noted in the first part of this report, the Village has a comprehensive set of regulations that could be enhanced several ways. This chapter should be carried forward and reformatted to include more illustrations and photos to improve understanding of the regulations. Additionally, the standards can be updated, as needed, to address ongoing issues and incorporate new provisions, as noted in the first part of this report. In addition to the changes suggested in the first part of the report, the provisions related to fencing, accessory buildings, and swimming pools should be consolidated into the new chapter on accessory uses.

### **Chapter 6 – Residential District “R”**

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The R District is the main district where the first part of this report proposes to provide more flexibility to construct various housing options in the Village. In addition to the suggested changes, additional changes will include:

- The list of permitted and conditionally permitted uses will be carried forward and incorporated into a permitted use table as described earlier in this report.
- Any language related to accessory uses, including the list of permitted accessory uses, will be updated and consolidated into the new section on accessory uses.
- The development standards (lot area, lot width, building height, etc.) will be grouped with other development standards with little to no change. However, the reformatting will include simplifying the materials into tables with the addition of graphics to illustrate measurements.
- Section 6.8 on the process for application and review will be moved to a consolidated chapter on procedures.

### **Chapter 7 – Institutional District “I-1”**

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The I-1 District will be carried forward with minor changes beyond the reorganization of permitted uses into use tables and division into the chapter on principal uses and the chapter on accessory uses.

### **Chapter 8 – Recreational Institutional District “I-2”**

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The I-2 District will be carried forward with minor changes beyond the reorganization of permitted uses into use tables and division into the chapter on principal uses and the chapter on accessory uses.

### ***Chapter 9 – Historic Institutional District “I-3”***

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The I-3 District will be carried forward with minor changes beyond the reorganization of permitted uses into use tables and division into the chapter on principal uses and the chapter on accessory uses.

### ***Chapter 10 – Mixed-Use District “M”***

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The M District will be carried forward with minor changes beyond the reorganization of permitted uses into use tables and division into the chapter on principal uses and the chapter on accessory uses.

### ***Chapter 11 – Conservation District “C”***

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The C District will be carried forward with minor changes beyond the reorganization of permitted uses into use tables and division into the chapter on principal uses and the chapter on accessory uses.

### ***Chapter 12 – Nonconforming Uses, Signs, or Buildings***

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This chapter focuses on the nonconforming use language, sometimes referred to as the grandfathering clauses. It addresses what happens to uses legally established at one point in history but no longer complies with zoning due to amendments. This language should be updated to expand the provisions to address not only nonconforming uses, lots, and signs, but also nonconforming structures. These are situations where the use of the land or structure is permitted, but the structure itself is nonconforming, either to the various site design standards or to setbacks, etc. Most communities have special provisions for nonconforming structures that allow for expansion provided the nonconformity is not increased. We also recommend that the Village consider adding a provision that would allow for the reconstruction of any nonconforming residential use, regardless of the level of destruction. Banks and other financial institutions have made significant changes in how they finance uses and often deny financing for nonconforming residential homes. This new provision would allow for the use to be rebuilt. Additionally, most communities do not want to tell someone they cannot rebuild their homes.

### ***Chapter 13 – Demolition of Structure and/or Buildings***

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This language on the process and requirements for demolitions will be carried forward with only minor revisions and reformatting.

### ***Chapter 14 – Environmental Matters***

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This chapter includes language on site design standards related to environmental issues and language related to outdoor lighting and renewable energy. We recommend that this language be carried forward with some additional graphics. The provisions for renewable energy should be moved to the accessory use chapter, while the remaining language should be consolidated with the site design standards.

### ***Chapter 15 – Sign Regulations***

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This section establishes all of the requirements for signage in the Village. The regulations include several content-based regulations that will need to be eliminated based on federal case law from 2015. Content-based regulations are when the Zoning Inspector, or other enforcement officers, have to read the sign message to determine how it is regulated. Examples of this are real-estate signs, home occupation signs, etc. The 2015 Supreme Court case of *Reed v. Town of Gilbert, Arizona*,

essentially prohibits regulating by message or speaker with a few gray areas. Since that ruling, additional court cases have limited the ability of communities to regulate signage based on if the message is even related to an on-premise versus off-premise message. For these reasons, we recommend the Village consider a significant update to the sign regulations to focus on the type of sign structure, the location, illumination, and other non-message-related information. Fortunately, the current regulations are simple enough, with limited references to the message of signs that this should be a relatively simple update.

- The biggest challenge of the update to the sign standards will be related to temporary signs. That is where the Village maintains many regulations based on message (e.g., political, real estate, etc.). Since 2015, one of the unclear points in sign regulations is whether communities can still maintain a distinction of regulating signs differently if there is a commercial message versus noncommercial messages. Such distinction has been allowed historically provided a community was less restrictive with noncommercial signs (e.g., political, religious, opinion). We will need to work with the Village's legal counsel to discuss different approaches to regulating temporary signs to identify the best approach for Gambier from both an enforcement and legal standpoint.
- The updated regulations should expand on the sign area calculations to include graphics that will help make the distinction between the different forms of measurement for different sign types.
- The Village might want to allow for the temporary use of banner signs over existing permanent signs when there is a change of use to allow for quick turnover in businesses.
- The current regulations prohibit billboards, which is a form of an off-premise message that we will need to avoid. Even if the new regulations remove all references to a message being related to the use of the property, billboards will continue to be prohibited because the Village does not allow any sign to be larger than 30 square feet. The Village will need to accept that any sign could be used for on- or off-premise messaging wherever a sign is allowed.

### ***Chapter 16 – Planning and Zoning Commission***

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This chapter sets out the re-establishment and powers of the Planning and Zoning Commission. The language will be improved with some additional formatting to make the procedures clear and be amended to include review criteria for all procedures.

### ***Chapter 17 – PUD, Land Subdividing, and Development***

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This chapter only includes a reference to Appendix D, which includes the language for PUDs. As noted in multiple sections, this language will be updated and carried forward into the new code.

### ***Chapter 18 – Enforcement and Administration***

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The language of this chapter outlines the basic administration and enforcement provisions for the zoning code. This chapter will be maintained with some minor changes to the existing language. Additionally, the provisions related to the Planning and Zoning Commission and Village Council be moved to this chapter.

### ***Chapter 19 – District Changes and Regulation Amendments***

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This section includes the provision for zoning map amendments and amendments to the text of the code. The language will be consolidated into the new chapter on administration and enforcement and will include review criteria the Village should consider as part of any application for an amendment.

## ***Chapter 20 – Miscellaneous Provisions***

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The provisions of this chapter will be reorganized. The first two sections on severability and conflicting ordinances will be moved to the new Chapter 1 (General Provisions). The section related to the powers of the Village Council will be incorporated into the new chapter on administration and enforcement. The provisions for Village Council will be expanded to define clear procedures and criteria for appeals and variances.

## ***Chapter 21 – Schedule of Fees***

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We recommend that the Village include a provision that all applications must include fees established by the Village Council but have the fee schedule adopted as a separate ordinance outside the zoning code. This approach will allow Council to amend the fee schedule, if needed, without going through the zoning text amendment procedure.

## ***Appendix A – Gambier Zoning Map***

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The Gambier Zoning Map will be updated, as needed, and maintained as a component of the zoning code. The map can continue to be included as an appendix to the overall code.

## ***Appendix B – Table of Required Bufferyard Plants***

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As noted in the first part of this report, this table of required plants should be incorporated into the section on landscaping to consolidate the related standards.

## ***Appendix C – Good Neighbor Standards***

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This appendix includes the Village's good neighbor standards that reflect various standards most communities have. We recommend that this language be consolidated with the improved site design standards.

## ***Appendix D – PUD Standards***

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This appendix includes provisions for PUDs that are not used in the Village today but might be an option in the future. The first part of this report includes several recommendations for improvements to this language, including incorporating the language into the overall content of the code.

## **Appendix: Writing Style Guide**

The purpose of this appendix is to identify the writing style we propose to use in the new text. We have incorporated this guide into this document to allow the Village to provide feedback on basic rules of writing and grammar style. Having an agreed-upon writing style helps ensure consistency throughout the document and minimizes large-scale formatting changes at the end of the writing process. The following statements highlight some of the rules that we will follow and that we would like to have an agreement on before proceeding with drafting the new zoning code.

### **Capitalization**

- We will capitalize formal staff titles and board names such as “Zoning Inspector” or “Village Council.”
- We will capitalize and use the term “Village” for the Village of Gambier because that appears to be the consistent approach to capitalization in the existing code.
- When referencing the code itself or generally identifying “this chapter” or “this section,” we will not capitalize the words “code,” “chapter,” or “division.” If the reference is to an actual chapter or section, etc., the term will be capitalized as in Section 304.01.
- We will not capitalize the names of processes or permits.

### **Numbers**

- To minimize the potential for inconsistencies, we will only write out or use a number once (see next bullet). We will not write out the number and then place the number in parentheses (e.g., eleven (11), twelve (12)).
- We will write out all single-digit numbers (e.g., zero, one, two, three, etc.) and use numerals for all other numbers (e.g., 10, 11, 12, etc.).

### **Lists**

- When using vertical lists of related statements that are dependent on one another, we will use semicolons to separate the listed items with a period on the last item. If the listed items are independent of one another, we will use the appropriate punctuation for each item.

### **Numbering Format**

- The current Zoning Ordinance seems to have a mixed match of numbering formats, depending on the section. For the purposes of this update, we will revise all section numberings to be consistent. The basic hierarchy will be as follows, using Chapter 5 as the example:

#### **Chapter 5: General Provisions**

##### **5.1. Subsection Heading or Text**

###### **A. Subsection/Text**

###### **1. Subsection/Text**

###### **a. Subsection/Text**

###### **i. Subsection/Text**