

RECORD OF PROCEEDINGS



BROWN TOWNSHIP SPECIAL MEETING

Held: August 3, 2026

Trustee Chair Sayre called the meeting to order at 7:00 p.m. Present were Trustees Pete Marsh, Joe Martin, and Pam Sayre, and Fiscal Officer Becky Kent.

Also in attendance were James Condo and Sarah Jammal from Verdantas and around 80 Brown Township residents for the public hearing.

Trustee Chair Sayre explained that this Special Meeting combined the public hearing required for adoption of a township zoning resolution with a special meeting of the Board of Trustees to consider adoption of the resolution.

James Condo, a planner with the Township's zoning consultant, and his colleague Sarah Jammal presented an overview of the draft Brown Township Zoning Resolution. Mr. Condo noted the presentation was a general overview only, and was not intended to substitute for reading the resolution's provisions directly.

Background: Brown Township is currently zoned under Franklin County regulations. The resolution would establish Brown Township's own zoning code, adopted under Ohio Revised Code Chapter 519, intended to reflect the Township's rural character, protect the Big Darby Creek watershed, and implement the 2024 Comprehensive Plan, rather than a uniform county standard.

What zoning is: a tool used to protect the health, safety, and welfare of a community. Zoning also implicates due process for property owners, including the right to appeal a zoning decision. Ohio townships derive their zoning authority solely from the state legislature (the Ohio Revised Code), unlike cities and villages, which have additional Home Rule authority under the Ohio Constitution.

What zoning does and does not do: zoning divides the Township into districts with permitted and prohibited uses, sets dimensional standards (lot size, setbacks, lot coverage), and establishes a predictable review process for development. Zoning does not force changes to lawfully existing homes, farms, or businesses — these become legally non-conforming and remain protected under Ohio law — and it does not override Ohio's agricultural exemptions.

Townships may regulate building location, bulk, size, height, and stories; lot coverage, setbacks, density, and uses; and landscaping and architectural standards. Agricultural uses may only be regulated for public health or safety reasons, or within platted subdivisions where 35% or more of the lots have been developed.

Mr. Condo emphasized that the zoning resolution is intended to be a living document, to be updated as land use practices, state law, and community needs change over time.

Adoption process: if approved by the Trustees, the resolution would be submitted to the Franklin County Board of Elections for placement on the November 3, 2026 general election ballot. Residents of the

unincorporated areas of the Township would be eligible to vote. If approved by voters, the zoning resolution would take effect in December 2026.

Public Hearing

A resident asked whether a zoning appeal may be brought only by the affected property owner, or also by neighboring property owners. Mr. Condo responded that the standard appeals process is generally limited to the property owner. Neighboring property owners may pursue a referendum petition.

Melissa Brinkerhoff

- Thanked the consultants, the Township Trustees, and Pete Marsh for chairing the zoning working group, calling the resolution an important step for Brown Township.
- Suggested forming a short-term working group of residents with specific expertise to further refine areas of the code not yet thoroughly addressed, noting the Township's history of leadership in Big Darby Creek watershed conservation.
- Noted that written comments had been submitted by Anthony Sasson and encouraged the Trustees and consultants to review them and form such a group.
- Identified insufficient livestock standards in the draft code, including a lack of detail on prohibited activities such as slaughterhouses, citing existing livestock and animal husbandry issues in the Township.

Larry and Denise Buerger

- Asked who appoints members of the Zoning Commission. Response: the Trustees make all appointments; members serve staggered terms, with one seat rolling off each year for reappointment or replacement by the Trustees. The current board, which was part of the working group that developed the resolution, has five members and two alternates.
- Asked how the zoning inspector position will be filled. Response: it is expected to be a part-time hire made by the Trustees, paid from the general fund; the Trustees confirmed funding is available. The zoning inspector's duties would include investigating complaints, referring variance requests, and issuing building permits.
- Asked what jurisdictions' codes the draft resolution was based on. Response: primarily Franklin County's code, along with review of other Franklin County townships that have adopted their own zoning, with some provisions unique to Brown Township.
- Asked who would hear variance requests. Response: a separate Board of Zoning Appeals, not yet appointed; if the resolution passes, the Township will seek residents interested in serving on that board.

Bridget Busic

- Asked whether the Big Darby Creek watershed encompasses all of Brown Township. Response: yes.
- Asked whether the Big Darby Accord's recommendations are enforceable, noting that recent subdivisions had not been required to follow them. Response: the Accord's recommendations are not binding and cannot be compelled.
- Asked whether the resolution addresses data centers. Response: no industrial uses, including data centers, are permitted under the proposed zoning code.
- Asked whether future amendments to the zoning code would require another ballot vote. Response: future changes would not require a ballot vote, but would still require a public hearing.

Bill Weber

- Urged the Trustees to keep protection of Big Darby Creek in mind for any future development or variance request, noting that once the creek is degraded, it cannot be restored.

Emily Blackman

- Asked, regarding land within the Big Darby watershed that is annexed to another jurisdiction, whether there are mitigation requirements or development standards protecting the watershed.

Response: a draft amendment to the Big Darby Accord involving the City of Columbus, the City of Hilliard, and other signatory jurisdictions is currently paused pending the results of an ODNR study of the creek and its tributaries. A future amendment may include thresholds tied to pollutant levels or species decline that would trigger changes to development, though this has not been finalized.

- Was told that the Accord functions largely as a non-binding agreement among signatory jurisdictions; each jurisdiction retains authority over its own zoning and is not obligated to adopt the Accord's specific recommendations, though Brown Township has incorporated Accord-recommended mitigation measures directly into its own zoning resolution, giving them more enforceability within the Township than the Accord itself provides.

Danny McVay asked the three Trustees for their personal views on the resolution. Trustee Sayre responded that the Board has experienced two serious situations with the Franklin County Development Department and the Franklin County Commissioners in which the county did not listen to the Township's concerns, which was a significant factor in pursuing the Township's own zoning code; while adoption carries a cost, the Board believes it is the best path forward for the Township. It was reconfirmed that the resolution will go before voters regardless, and that if the ballot measure fails, the Township would remain under Franklin County zoning.

A resident asked what criteria were used to draw the boundaries between zoning districts. Response: the boundaries are based on the Future Land Use Map adopted as part of the 2024 Comprehensive Plan, refined in consultation with the zoning working group — for example, aligning boundaries to roads rather than arbitrary parcel lines.

There being no further questions or comments, the Trustees closed the public hearing and opened the special meeting session to consider Resolution 9-2026.

Trustee Chair Sayre noted that Resolution 9-2026 had been reviewed by the Franklin County Board of Elections and the Township's legal counsel, and that all suggested edits had been incorporated. The resolution describes the process by which the draft zoning code reached this point, including the Zoning Commission's meeting held June 24, 2026, at which the Zoning Commission voted to forward the resolution to the Board of Trustees.

Trustee Martin made a motion to approve Resolution 9-2026, adopting the Brown Township Zoning Resolution and directing that it be submitted to the Franklin County Board of Elections for placement on the November 3, 2026 general election ballot. Trustee Marsh seconded the motion. Motion carried three AYES, no NAYS. Resolution 9-2026 passed. Trustee Chair Sayre stated the resolution would be delivered to the Franklin County Board of Elections the following day.

There being no other business to discuss, Trustee Martin made a motion to adjourn. Trustee Marsh seconded the motion. Motion carried three AYES, no NAYS. Meeting adjourned.

Signature on File

Pam Sayre, Chair

Signature on File

Becky Kent, Fiscal Officer

All formal actions of the Trustees/ Fiscal Officer of Brown Township concerning and relating to the adoption of resolutions and/or motions passed at this meeting were adopted in a meeting open to the public, in compliance with the law, including Section 121.22 of the Ohio Revised Code.