

MINUTES
CITY OF REYNOLDSBURG
PLANNING COMMISSION

DECEMBER 7, 2006
6:30 P.M.

A. CALL TO ORDER

1. ROLL CALL

Members Present:

Mr. John Brandt
Mr. Brad Wilson
Mrs. Marlene Wirth
Mr. David Wall
Mr. Charles McGrath
Mr. Lucas Haire

Others Present:

2. APPROVAL OF MINUTES OF NOVEMBER 2, 2006

Mr. Brad Wilson: The minutes of the November 2nd meeting were, I believe, distributed.

Mr. Haire: Yes.

Mr. Wilson: Any questions at this point or corrections to those minutes?

Mr. McGrath: Move for approval.

Mr. : So moved.

Mr. Wilson: Moved and seconded, they stand as written.

3. APPROVAL OF AGENDA

Mr. Wilson: Lucas, is there anything else that we need to add to this agenda tonight that's come to you late?

Mr. Haire: No, there's nothing.

Mr. Wilson: Great. Look for a motion for approval of the agenda.

Mrs. Wirth: So moved.

Mr. Brandt: Second.

Mr. Wilson: Thank you.

4. SWEARING IN OF SPEAKERS

Mr. Wilson: Might be able to skip this, I don't know. Anyone going to speak to us tonight officially? (No response.) Okay. Moving right along.

5. PUBLIC COMMENT

Mr. Wilson: There is no public.

B. UNFINISHED BUSINESS

Mr. Wilson: I don't think we have any.

C. NEW BUSINESS

Mr. Wilson: What this meeting is about this evening and the only items on the agenda are text and amendments to the City Code of Ordinances that have been changed and there are six different areas that we have to look at tonight. Commissioners, we've had these delivered to us. Hope you've had a chance to read through them and we'll take them one section at a time and Lucas will give us an idea of what is in that section in general terms and if there's any large changes. I didn't see anything humongous, but if there are I need to point them out to us, if you would. It is our job to look at those, make suggestions if we have any and then close the minutes and then make motions for approval to move on to City Council for approval. And part of this is to let the vast crowd that we have here tonight ponder these things as they're talked about. We'll do that.

1. TEXT AMENDMENT TO THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: SECTION 1131.02 "DEFINITIONS" OF CHAPTER 1131 DEFINITIONS BY AMENDING WORDING FOR OUTDOOR SALES, STORAGE AND DISPLAY; AND BY ADDING DEFINITION OF "TEMPORARY SPECIAL LAND USE"; SECTION 1145.10 "SUPPLEMENTARY REQUIREMENTS FOR SPECIAL EXCEPTIONS", SUBSECTION (c) OF CHAPTER 1145 SPECIAL EXCEPTIONS; SECTION 1171.05 "TEMPORARY BUILDINGS AND USES" OF CHAPTER 1171 GENERAL REQUIREMENTS; ADDITION OF SECTION 1171.07 "TEMPORARY SPECIAL USE PERMITS" OF CHAPTER 1171 GENERAL REQUIREMENTS; AND TABLE 1175.01 "PERMITTED USES AND SPECIAL EXCEPTIONS" OF CHAPTER 1175 DISTRICT REGULATIONS (ALL DISTRICTS; CC COMMUNITY COMMERCE DISTRICT; CS COMMUNITY SERVICES DISTRICT).

Mr. Haire: Yeah, basically, I won't read over this. I'll just say it's as listed in Item No. 1, all the changes. But the gist of this is we had an issue with temporary sales and I was asked to write and draft some legislation to allow an administrative approval rather than that going before the BZBA and Council as is currently in the ordinance. So I've

drafted this. Basically what we're referring to it as, is temporary special land uses and that will permit firewood sales, Christmas tree sales, produce stands, any type of temporary sales that a store might have, tent sales, all those types of things. It just sets specific guidelines and criteria for that to allow me to issue a zoning certificate for those. So it'll be actually a Temporary Special Land Use Permit rather than it going to the Board, so it's just been an abbreviated process, I guess.

Mr. Wilson: That, to me, makes good sense. Commissioners, have you looked this or have any questions or comments of this particular section.

Mr. McGrath: Not that it's particularly important, but was that covered in that Fee Schedule we got just last month I believe it was?

Mr. Haire: It will be discussed tonight. That's the—

Mr. Wilson: The Fee Schedule's the third or fourth item.

Mr. Haire: Right. But it is something that we're proposing data on there. It's been discussed at the Council level.

Mr. Wilson: Any other questions? Look for motion for approval.

Mrs. Wirth: So moved.

Mr. : Second.

Mr. : Second.

Mr. Wilson: We move and second that this – these changes be moved on to City Council for their consideration and approval.

(Mr. Haire called the roll. Mr. Wilson voted "aye." Mrs. Wirth voted "aye." Mr. Wall voted "aye." Mr. McGrath voted "aye." Mr. Brandt voted "aye." Motion carries.)

2. TEXT AMENDMENT TO THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: SECTION 1127.11 "EROSION AND SEDIMENT CONTROL PLAN", SUBSECTION (a); AND ADDITION OF SUBSECTIONS (b) AND (c) OF CHAPTER 1127 STANDARDS.

Mr. Haire: Basically this was proposed by the Street Department, the Storm Water Division and this just brings us into compliance with the current OEPA Codes with Phase 2 of their Storm Water Regulations, so we just need to make some adjustments to that section, definitions and things like that. There's also a report from EMH&T where they've put a few recommendations together. I actually need to forward that on to you all.

Mr. Wilson: Are you in concurrence with these EMH&T recommendations?

Mr. Haire: Yes. The EMH&T contract is the City's Engineer, as most of you I'm sure well know, so they review all the drainage requirements and things. So they're just – try to clear up the language a little more so there was a few additions that they tried to add in there to help clear that up.

Mr. Wilson: And, as I understand it, these then are not in this current piece that's in the front of this book, they'll be included in the final draft that Council approves?

Mr. Haire: Correct.

Mr. Wilson: Commissioners, any questions on the Erosion & Sediment Control Plan changes. (No response.) Hearing none, I all ask for a motion of approval.

Mr. : So moved.

Mr. McGrath: Second.

Mr. Wilson: It's been moved and seconded.

Mr. Brandt: Should we include that the recommendation by EMH&T be incorporated?

Mr. Wilson: Yeah, we probably should.

Mr. Haire: I believe we'll need to do that as well.

Mr. Wilson: That motion should be amended to include the December 5th document – not December 5th, it's uh—

Mr. Brandt: November 20th.

Mr. _____: November 20th document from EMH&T suggesting some clarifications to this section.

Mr. Wilson: Thank you, sir. Having no further discussion, please call the roll.

(Mr. Haire called the roll. Mrs. Wirth voted "yes." Mr. Wall voted "yes." Mr. McGrath voted "yes." Mr. Brandt voted "yes." Mr. Wilson voted "yes." Motion carries.)

3. TEXT AMENDMENT TO THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: SECTION 1111.01 "DEFINITIONS" SUBSECTION (d) OF CHAPTER 1111 GENERAL PROVISIONS; AND ADDITION OF SECTION 1111.01 "DEFINITIONS" SUBSECTION (e).

Mr. Haire: This section also, three is listed in the agenda here. That item deals with Section 1111.01 which is basically more definitions in regards to soil and erosion controls and that's the definition section. They're just adding soil disturbance as refers to any land grading activities, excavation, things of that nature. This has also been looked at by EMH&T and provided comments here. They also suggested adding post construction storm water control and they've proposed a definition here as well.

Mr. Wilson: Should we then include those with this?

Mr. Haire: Yes.

Mr. Wilson: All right. And, Lucas, does that included in this November 20th variance?

Mr. Haire: Yeah, it should be on the last page there. Second item down, amend 1111.01.

Mr. Wilson: All right.

Mr. Haire: So Subsection E is already proposed to the amendment, Subsection D, what they suggest, adding post construction storm water controls to the list. So that would be the amended change there.

Mr. Wilson: Is that okay? Any other questions? (No response.) Hearing none, seek a motion for approval.

Mr. Wall: So moved.

Mrs. Wirth: I'll move.

Mr. Wilson: Whatever, one of those two seconded it.

Mr. Wall: I move with the EMH&T addition, the EMH&T memo dated November 20, 2006.

(Mr. Haire called the roll. Mr. Wall voted "yes." Mr. McGrath voted "yes." Mr. Brandt voted "yes." Mr. Wilson voted "yes." Mrs. Wirth voted "yes." Motion carries.)

4. TEXT AMENDMENT TO THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: CHAPTER 1155 ENFORCEMENT; PENALTY, - TABLE 1155 "ZONING CODE FEES".

Mr. Haire: When I began this job in May, I was surprised about how low the zoning fees are compared to other communities that I've worked with in the past. And so I started to take a look at that and realized that the fees had not been updated since 1996 and that was only minor updates to a few of the fees. Many of those fees have

been in place for almost 20 years now and not been increased. So I did a comparison with 10 surrounding suburban communities, similar communities, and did an average and then from that average I did a recommended fee. And that is what's in front of you tonight here, is recommended fee increase based on the averages of those other suburban communities. Some are lower, some are higher, some have been amended by Council from what I originally proposed, but all together I think it brings us a lot more in line with what the surrounding communities and similar communities are doing. The only addition to this that's not shown on the table is at Council we've discussed also doing a fee of \$25 for Special Land Use permit which we talked about earlier tonight, the temporary sales basically. And then also a \$20 fee for a color zoning map and that's what it costs EMH&T to produce those.

Mr. Wilson: Commissioners, any questions?

Mr. McGrath: I move for approval of the number four item on our agenda, the zoning code fees.

Mr. Wilson: Second?

Mr. Walls: Second.

Mr. Wilson: Mr. Walls seconded it. With no further discussion, please call the roll.

(Mr. Haire called the roll. Mr. Wall voted "yes." Mr. McGrath voted "yes." Mr. Brandt voted "yes." Mr. Wilson voted "yes." Mrs. Wirth voted "yes." Motion carries.)

5. TEXT AMENDMENT TO THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: CHAPTER 351 PARKING GENERALLY, SECTION 351.18 "PARKING OF MOTOR VEHICLES ON LAWNS PROHIBITED", SUBSECTIONS (a) AND (c); CHAPTER 521 HEALTH, SAFETY AND SANITATION, SECTION 521.06 "DUTY TO KEEP SIDEWALKS IN REPAIR AND CLEAN", SUBSECTIONS (a) AND (b); VARIOUS SECTIONS AND SUBSECTIONS OF CHAPTER 543 TREES AND NOXIOUS VEGETATION; CHAPTER 731 GARBAGE AND REFUSE COLLECTION, SECTION 731.02 "CONTAINER SUBSECTION (3) (A); CHAPTER 1351 FENCES; SECTION 1351.01 "LOCATION; DEFINED; PERMIT", SUBSECTION (b) AND (c); AND CHAPTER 1363 SWIMMING POOLS, SUBSECTION 1363.03 "FENCES".

Mr. Wilson: Item 5 and the last item of the meeting minutes has to do with all kinds of different things.

Mr. Haire: Item 5 is mostly – it's related to the code enforcement in general and a few of them are the building code Chet Hopper, who is the building official, proposed these changes based on some issues they were having with code enforcement. Basically the first item there deals with the parking of motor vehicles, trailers, any type

of motorized motorcycles, all those on lawn. It's just saying it needs to be parked on an improved paved surface. They're having issues with people parking and were letting the weeds grow up around them and things like that, so that's the first issue that they've put in here.

The second issue is in regards to a number of changes they're making because they've adopted the new International Building Code. Actually, they've been away from the International Building Code and went to the Ohio Building Code and the International Fire Code is listed in a lot of these and that's now covered by the Building Code as well. So a lot of these are basically amendments to the text, the changes to conform with the codes that we've now adopted.

Other items in here, we've adopted the International Property Maintenance Code, so a lot of these items are being taken out of what they were in for the Code of Vital Ordinances of the City and because they're already covered in the International Property Maintenance Code, so that refers to the health and safety and sanitation of keeping sidewalks in repair. That's already covered in the International Property Maintenance Codes, so we're taking it out of our Code of Codified Ordinances because it's more strict, I guess, in regards to the repair and keeping these items taken care of in the International Property Maintenance Code.

As far as Chapter 543, Trees and Noxious Vegetation, we've now proposed a list of what is considered noxious vegetation because that was all interpretive before. So now we've actually codified that and said what is actually considered a noxious weed, noxious vegetation. They've also changed some of the notification procedures. Currently we have to send a certified letter giving them ten days to respond to that certified letter. We have to wait for notification of that letter to come back. The process right now takes three to four weeks to deal with someone just to get their grass cut which, in the summer, I know when grass was growing quickly it becomes quite an issue, and it's already six or eight inches high when you go out there and then you have to wait three weeks to get it cut. So what they're doing now is changing it so that they'll post notice on the property that gives the property owner seven days to respond and seven days to get the property cut and cleaned up. If not, then it'll give the City the right to go out and clean up the property and then charge it back to the property owner. So it'll just shorten that process.

Mr. McGrath: Is this also pertaining to the shrubs that we're going to do in Design Review Board, the shrubs that we allow and the trees that we allow and things of that nature?

Mr. Haire: It'll be specifically listed what is considered a noxious vegetation or noxious trees.

Mr. McGrath: We only had one, as I recall, in the past that we absolutely – about two I think, the gum tree – one of the gum trees. I don't know which one it was and silver maple, wasn't it?

Mr. Haire: Right. Those are some of the ones that we don't allow for the street trees, but I can give you more specifics on them.

Mr. McGrath: I don't have to know them. I just thought I'd bring—

Mr. Haire: Yeah. That's basically just saying trees that are dead or diseased are some of those, but there's all kinds of field bind weed, quack grass, Canada thistle, Johnson grass, torrey cress, hairy white top. I don't know what all these things are, but they're specifically listed in here, so there's a number of those that are—

Mr. McGrath: I'm glad I'm not the only one.

Mr. Haire: So that covers those changes. The next section, 1351 changes the requirements. Because of the Ohio Building Code we've adopted, there's no longer a building permit required for fences. All they require is a zoning permit, so it takes that section of the code out and places it all within the Zoning Officer's authority for a permits and approvals. So it's just amending it and taking that section out. It's also stating that the improved side of the fence is to face outward so you won't see any of the structure of the fence on the outside facing the neighbors property. Currently we have issues with people placing the improved side inwards so that they see that side the neighbors see all the infrastructure of putting the fence up, all the crosses and all that, so it's taking care of that as well.

The last section is in regards to swimming pools and fences, how they relate to swimming pools. Right now there's a conflict in the code, because we've adopted the Ohio Building Code which requires one height and our zoning code requires another height, so we've had issues with that. So they're going with, I believe it's a 5' fence will be required around all swimming pools. I'm sorry, it's a 48" fence, so it's a 4' fence. And that's around anything with at least 24" of water. So, garden ponds, all those included and hot tubs.

Mr. Wilson: Commissioners, any questions?

Mr. Brandt: No, it's like good clean-up items.

Mr. Wall: I think so, also.

Mr. Wilson: Hearing no more questions we have a motion of approval?

Mr. Wall: So moved.

Mrs. Wirth: Second it.

Mr. Wilson: It's been moved and seconded. If no further discussion please call the roll.

(Mr. Haire called the roll. Mr. McGrath voted “yes.” Mr. Brandt voted “yes.” Mr. Wilson voted “yes.” Mrs. Wirth voted “yes.” Mr. Wall voted “yes.” Motion carries.)

D. OTHER BUSINESS

Mr. Wilson: I don’t think we have anything else officially. I have only one small announcement to make and I’m doing it so you’ll have time to react. This should be my last meeting as I’m going to be moving out of the city, which takes me out of this jurisdiction and, in good conscience, so will have a letter of resignation on the mayor’s desk here in the next couple three days. That’ll give you time – the City time to find a replacement for me and get them elected into the chairmanship at the January meeting, because I know how you people work.

E. ADJOURNMENT

The meeting was adjourned at 6:54 p.m.

Brad Wilson, Chair

Lucas Haire, Planning Administrator

This document transcribed by:
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