



**SERVICE COMMITTEE
MONDAY OCTOBER 5, 2015**

COMMITTEE MEETING:

**PLACE: COUNCIL CHAMBERS
7232 E. MAIN ST, REYNOLDBURG, OH 43068**

1. Call to Order

PRESENT: McGrady III, Clemens, Cotner, Long, Skinner, Joseph
ABSENT: Barrett, Kelly

2. Approval of Agenda

Amend agenda to add a Discussion by Councilman McGrady on Zoning.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Mel Clemens, Ward IV
SECONDER:	Barth R. Cotner, At Large
AYES:	McGrady III, Clemens, Cotner, Long, Skinner
ABSENT:	Barrett, Kelly

3. Approval of Minutes

a. Service Committee – Committee Meeting – September 21, 2015

Minutes stand approved.

4. Discussion

a. ORDINANCE APPROVING SPECIAL EXCEPTION USE PERMIT - (6366 E. Main Street; Proposed Use – Auto Sales); Applicant, Jason P. Goss. (Second Reading 9/28/2015)

RESULT:	REFERRED TO COUNCIL [UNANIMOUS]	Next: 10/12/2015 7:30 PM
MOVER:	Mel Clemens, Ward IV	
SECONDER:	Chris Long, At Large	
AYES:	McGrady III, Clemens, Cotner, Long, Skinner	
ABSENT:	Barrett, Kelly	

b. ORDINANCE APPROVING SPECIAL EXCEPTION USE PERMIT - (6475 E. Main Street; Proposed Use – Professional Activities); Applicant, Sam Ugbo. (Second Reading 9/28/2015)

RESULT:	REFERRED TO COUNCIL [UNANIMOUS]	Next: 10/12/2015 7:30 PM
MOVER:	Mel Clemens, Ward IV	
SECONDER:	Barth R. Cotner, At Large	
AYES:	McGrady III, Clemens, Cotner, Long, Skinner	
ABSENT:	Barrett, Kelly	

5. Zoning

Chairman Clemens: Councilman McGrady would like to bring something before Council.

Councilman MGrady: Thank you. There is a lot of discussion in the community about respective apartment construction, but my point here is that I would like to see any land in the City that is not otherwise zoned, to be included into the district as R1 zoning. That is the purpose of my discussion today. Apparently there are over one hundred acres within the City that have not been zoned.

Chairman Clemens: You are requesting that the land is zoned residential.

Councilman McGrady: Yes.

Chairman Clemens: We have our zoning officer hear.

Mr. Snowden: President Joseph, Chairman Clemens, and Members of Council, Council Member McGrady contacted me last week to begin discussion of this issue. It is true that there are portions of the City that do not have a zoning district assigned. This is an abnormality of the Code. This item, along with a variety of items, I have drafted into some revised code updates, at the request of the Mayor and Directors Havener and Burd; to address these and several other administrative procedures. Some of these I have gone over with some of you. Others I am still attempting to schedule meetings. This particular item is something I agree needs to be addressed. I would like all Members of Council to know that a comprehensive package will be coming to Council in the near future. I will be happy to answer any other questions. There is a very long technical explanation about why this is. There is also an explanation about what myself and my predecessors have done regarding this issue. I will be happy to answer any other questions of Council.

Chairman Clemens: Are there any questions for Eric? Yes, Councilman Long.

Councilman Long: Thank you very much for the time you have spent on this already. When do you expect to have that report ready?

Mr. Snowden: The reports are drafted and copies are available in my office, or can be emailed to any member of Council. The items were shared conceptually with our Planning Commission at the last meeting, and the main reason is to get Planning Commission's feedback as well as some of the Council Members that I have already had a chance to meet with. The timeline is dependent on the availability of members scheduling meetings. I would say this year or early next year at the latest. The timeline is dependent upon Council. The legislation is drafted, it is

just a matter of incorporating small changes, making explanations, clarifying details, that sort of thing.

Councilman Long: Would you ask April to email a copy of what you have to me?

Mr. Snowden: It would be my pleasure.

Councilman Long: One other question. If we were to zone an unzoned parcel of land residential, how big of a headache is that to be rezoned commercial?

Mr. Snowden: That is a great question. As I stated, we have parcels in the City that do not have a zoning district assigned. This is extremely rare in communities that have a zoning plan in place. The only communities that would have area of the city that don't have a zoning district applied would be communities, especially in Ohio, such as Townships, that don't have a zoning ordinance adopted. They just simply don't have it. Everything is rural. There are no land use regulations from the standpoint of use. So obviously, that is a very big abnormality. What the Code states today is that any land that is not zoned, would have to be zoned before it could be used. That is what the Code says. The problem with that is that these properties that are unzoned, are areas that have been annexed to the City, and they already have some sort of use established. It is usually residential. They are predominately vacant, but there is some sort of residential use already established. So, in order to be used for anything other than that residential use, they are going to need to go through the normal rezoning process. City Council and the Planning Commission would need to approve that. The process would be the same regardless, it's just the technicality of not having a zoning district assigned today. I agree that it needs to be addressed but it is not going to change the process to change the zoning district in the future, if folks need or want to change their district.

Councilman Long: Ok.

Chairman Clemens: Eric, hasn't it been that the owner has asked for the zoning and that is the way it has been handled?

Mr. Snowden: Mr. Clemens, the way that our code is set up is that zoning districts are changed usually at the applicants request. However, the system that we have for changing at applicant's request assumes that the entire city has some sort of base zoning assigned to it. So, the fact that the City does not have a base zoning assigned to it, would mean that this could be an appropriate area to address.

Chairman Clemens: But an assumption really doesn't work. Wouldn't this be something that the City Attorneys would have to look at and see how it was operated on? I know that is how it has been handled.

Mr. Snowden: If your question is, can the Council rezone properties without the property owners permission, or their application, the Council could do that. It is just generally not done today given how these uses are regulated. However, I would point out that the original zoning map of the City, which assigns uses to every property in this City, was not done at applicant's

request, it was done by adopting a new zoning map. Council can certainly do that. It is certainly within the role and the power of Council to do something like that. I would be happy to check with the City Attorney and have them weigh in more on the procedure.

Chairman Clemens: Are there any other questions?

Councilman McGrady: What I would like to do, I would like to table this for now, until you get the information. Is two weeks applicable to review it before we move forward to Council for dialogue?

Chairman Clemens: I thought he was talking about first of the year.

Councilman McGrady: I thought it was questionable.

Mayor McCloud: Mr. McGrady, if you would like to introduce legislation, obviously that is within your prerogative to do so. But, the administration is working on a fairly comprehensive submission to City Council that is simply not done yet and we would like to have the opportunity to meet with all the Council Members before we do that. That is where we are.

Councilman McGrady: I believe that is what he also said, as well. Thank you Eric, and thank you Mayor.

Mr. Snowden: Thank you Members of Council.