



AGENDA

PLANNING COMMISSION
THURSDAY, SEPTEMBER 3, 2015 6:00 PM

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

A. CALL TO ORDER

1. ROLL CALL
2. APPROVAL OF MINUTES

1. Planning Commission – Regular Meeting – July 2, 2015

3. APPROVAL OF AGENDA
4. SWEARING IN OF SPEAKERS

B. PUBLIC COMMENT

C. UNFINISHED BUSINESS

1. **Rules of the Reynoldsburg Planning Commission**

D. NEW BUSINESS

1. **Chapter 1143 of Zoning Code; Discussion Regarding Revisions**

E. OTHER BUSINESS

F. ADJOURNMENT

MINUTES

PLANNING COMMISSION THURSDAY, JULY 2, 2015 6:00 PM

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

A. CALL TO ORDER

PRESENT: McKenzie, Cullinan, Comeaux
ABSENT: Wren

2. APPROVAL OF MINUTES

Chairman McKenzie: Approval of the minutes. Are there any requests for changes to the minutes from our last meeting?

Mr. Snowden: Mr Chairman, would you like me to explain how the minutes are going to be shown to be approved in the system, or would you like me to wait until we get to the discussion item?

Chairman McKenzie: Sounds fine to me to do it right now.

Mr. Snowden: Ok. There was a question asked; how will folks now when our minutes are approved? When we did paper copies it was a matter of getting signed and then posted. As you now it was a matter of getting paper copies signed and getting them to the clerks office. After the minutes are approved by the commission, Dr. McKenzie and my signatures will be affixed to them and reposted. So that way folks will now they are finalized at that point. What that means is Dr. McKenzie and myself, and our other two chair people, Mr. Comeaux from DRB, are going to need to make appointments with me to get with the clerk and get a signature recorded so they can scan in it. I will contact the respective chair folks following this meeting. I just found that out late last week that that's what we are going to be doing. So that is how the folks will know that the minutes are final.

Chairman McKenzie: So for clarification, we come in and provide an electronic signature, which the clerk will then affix, after we approve it?

Mr. Snowden: Correct.

Chairman McKenzie: Alright. And did I have any changes to the minutes from the last meeting? The one email was already taken care of. So hearing that, those minutes are approved.

Minutes Acceptance: Minutes of Jul 2, 2015 6:00 PM (APPROVAL OF MINUTES)

3. APPROVAL OF AGENDA

Chairman McKenzie: Approval of agenda, are there any changes to the agenda for tonight? Hearing none, those are approved.

4. SWEARING IN OF SPEAKERS

Chairman McKenzie: There are no speakers for tonight.

5. PUBLIC COMMENT

Chairman McKenzie: There are no public comments.

B. UNFINISHED BUSINESS

Chairman McKenzie: I do not know that we are carrying any unfinished business forward.

Mr. Snowden: No Mr. Chairman.

C. NEW BUSINESS

Chairman McKenzie: Nor that we have any new business tonight.

Mr. Snowden: We do not.

D. OTHER BUSINESS

Chairman McKenzie: So now it's just other business, which is the Discussion of Rules and Administrative Procedures.

A. Discussion: Rules & Administrative Procedures

Chairman McKenzie: So Mr. Snowden, I believe you have something.

Mr. Snowden: Mr. Chairman, if you just would allow me to make a short presentation to the board, answering some questions that you posited to me, and have been posited to me by other board members and others staff members about the commission, and at that point we can open it up to the commission to make a few minor decisions related to procedures. The chairman and I sat down a couple of weeks ago and went over some things that he was concerned about and there was some other concerns that have been raised to me from the general public and other city staff about exactly how all of our boards and commissions are doing certain procedures. So, some of those are questions that need to get answered by the City Attorneys. Per Section 7.01 of the Charter, it says that the Commission must quote, "Meet once per month". Upon consultation with the City Attorney... As you know the Commission had not met for two years prior to us being here, two months ago. What the City Attorney's office says is that the Commission may cancel the meeting if there is no business to be had. It is not his interpretation that the Commission needs to sit here, approve the minutes agenda, public comment, and promptly adjourn, just for the sake of the Charter section. It's his view that it is to be interpreted as the Commission needs to be holding meetings regularly. His statement is that, as we have done in the past, the Commission and staff will generate a meeting list towards the beginning of the year, in the January meeting, for approval, and then the Commission may elect to cancel it's meetings at any time if there isn't any business to be had. The second item related to meeting schedule, is the monthly break. The current break schedule, by tradition, as we have talked about, is August, for both Planning Commission and Design Review Board. Dan and I are also finding that, the BZBA

excuses itself from the December meeting given that that's close to the Christmas and New Year's holidays. And, generally there is not a lot of development happening in the third week of January. Everyone is sorta focused on the holiday. Dan and I knocked around, between ourselves, presenting to the Design Review Board and/or Planning Commission, to possibly move their meeting to the first week in January. And the reason for that is, one, it could fall as near as January 2nd or January 3rd. So folks may or may not be in town for that. Second of all, there is not a tremendous amount of development happening. We are getting some Design Review Board requests for August. So that is sorta what has prompted the possibility. This is something that always has been done by tradition. I would just suggest that we talk about that when we talk about our Rules Document that I will go over in just a moment. Oath, Dr. McKenzie and I had been reviewing some materials from the American Planning Association that were advisory documents. And it's essentially a book about being a planning commissioner. And it's a great training tool and I will be happy to share that information. One of the items that was brought up out of the review of that material was that the Commission does not need to follow courtroom procedures, and I think it's pretty clear that the Commission does not do that and does not need to. The question was brought up whether the Commission needs to administer an Oath to our staff, and/or any folks speaking to the Commission. This is something that is also done at Design Review Board. And it's also something done at BZBA. Upon consultation with the City Attorney's office, the City Attorney's office recommended that all of our boards continue this practice. And his rationale for that is, we wanna make sure that folks are under oath when they speak to our Boards and Commissions, in the case that what they say, might later turn out to not be true. It helps him if any of the decisions of our Boards and Commissions ever were elevated to City Council, and then onto the Court System for litigative purposes. So, it's his position that we continue this upon research of other similar communities. We have communities that do, we have communities that don't. That was his recommendation, so I, in turn, am recommending that we continue that practice. An item raised from our very first meeting, was whether or not Dr. McKenzie, as the Chairman of our commission should have a vote. The Charter, the Zoning Code, are silent on this issue. Robert's Rules, as we discussed, states that the Chairman does not vote. Upon consultation with the City Attorney and my own review of our existing regulations, staff would probably recommend that the Chairman does have a vote. That's staff's recommendation. And that, that be specifically enumerated in the Rule's Document. In the sample document in front of you, I specifically enumerated that under item 4.A., 5., the announcements, so last time at the meeting, under "Unfinished Business", staff made an announcement about Rochelle, and some details, which was not contained on the agenda of that evening. There should be, in the opinion of staff, a place to make general administrative announcements, not related to our cases or any activities of the commission. If that's "Other Business", staff would suggest the Commission designate that in Rules Document. If "Other Business" needs to change to "Other Business and Announcements", staff feels the Commission needs to entertain that, or if an "Announcements" section should be added. This would be the type of thing, "Hey the men's restroom in the hallway is closed, please use the one upstairs." That type of information. That could change in between the time when agendas are draft version and finalization. Additional members, as you know we have a four member commission. As you know, Mr. Wren is absent tonight, and that means there is still one position able to be filled. Staff was contacted by Mr. Keith Noble. And, Dan and myself have scheduled a meeting with him on

this coming Monday at 9:00 a.m., to discuss his qualifications and his interest in the commission. And, from there we will forward that information to the Mayor's office. And based on my review, the Mayor's office will be making that. It's the Mayor's office turn to appoint, that's correct. So, we will review and forward that information. If anyone wanted to be a part of that, please let me know. But, I feel like we can manage that. If you are interested, please feel free to let us know. To entertain other applications, we haven't heard from anyone else. Lastly, two more items. Second to last, staff, mainly me, would like to, given we are moving forward with the commission, would like to schedule some regular meetings, a standing meeting with our chairman in order to get feedback and help guide this process as we are sorta organizing and drafting these "Rules Documents." So, Dr. McKenzie, if you would be open to it, I would love to get something on the schedule, once a month, prior to our meeting, to discuss any issues, go over any details, if that would be acceptable to you. I know we have done that informally.

Chairman McKenzie: That is acceptable to me.

Mr. Snowden: Training, as Mr. Comeaux knows, he has been on our boards and commissions for a lot of years, we haven't done a lot of training. I am looking at doing training with all of our board members in January or February. That will be coinciding with new city council members coming online in January. The clerks office does training with them and I would like to schedule training with everyone around that time. Types of things we would be going over would be exactly what we are talking about tonight, except just reviewing that quickly for any new people. That could be a good time to have a business meeting where the commission discusses any issues that are happening with administrative procedures, give staff any feedback. Discuss sort of the ins and outs, the do's and don'ts of certain things. The updated Supreme Court cases that are effecting how decisions are made in planning and zoning. So, I am looking at January or February. Does the commission feel that they would like to substitute a meeting for that, or does the commission feel they would rather staff schedule that at a time like on a Saturday. It's gonna be scheduled on a Saturday probably for council. So, if it's something you want to think about and get back to me...

Mr. Cullinan: For me that is far enough out and if we want to try to make the January meetings skip, we can do that too.

Mr. Snowden: I put down January or February as a target date to get something scheduled. And that's it for my presentation, other than in front of you, you will see a sample rules document. That is based off of some of the best practice documentation that I reviewed with the Chairman for Planning Commissions. I did update the sample rules to reflect our specific situation, but it definitely needs more work. It's a rough draft. I would just ask that the Commission look at this and that we discuss it further at the next meeting. And with that I will turn it back over to the chairman for additional questions, comments, discussion, feedback, etc...

Chairman McKenzie: The chairman just has one little point. At the beginning of the document it says, "Thursdays at 6:30." For this commission has been meeting at 6, so that may be a typo there.

Mr. Snowden: It probably said 6:30 for the hypothetical Planning Commission and the...

Mr. Havener: Would it be easier for the commission members to attend later with the time frame, getting here from work? It's something we threw on, the 6:00 time frame. If there is something that would work better, we could possibly look at working something out with DRB, shifting things around a little bit. But, if 6:00 works, all the better.

Chairman McKenzie: Do any other members here have any problems with the 6:00?

Mr. Havener: I know Mr. Comeaux has to go to the DRB meeting immediately after anyways.

Mr. Cullinan: Right. The only issue would be that both traditionally held on Thursday, so 6:30 and 7:00. It's either 6 and 6:30, or 6:30 and 7. If the agenda ever was sufficient for the Planning Commission, and we need more than half an hour, we would have to move it anyway. I don't think the difference between 6 and 6:30 is that much of a difference.

Mr. Snowden: It looks like our consensus is, we will stick with the 6 p.m. Thursday.

Mr. Comeaux: And you don't want to go after DRB because sometimes those things go for longer and these tend to be more predictable. There is one issue in front of you...

Mr. Snowden: I just wanted to get any feedback.

Mr. Havener: Any other feedback on the switch, we shifted on the month.

Mr. Snowden: The month break being moved to January instead of August.

Mr. Cullinan: Does Council take a break in August as well?

Mr. Snowden: They do.

Mr. Cullinan: I think administratively, I do understand BZBA. They are the third Thursday, correct?

Mr. Snowden: Yes.

Mr. Cullinan: They are bumping right up against the holiday.

Mr. Snowden: Yes, their meeting in December can fall on December 18th. Some folks are looking for vacations to start then and that sort of thing.

Mr. Cullinan: I can see it making sense just from the idea that usually November to the beginning of January is a slower time in development compared to the summer when people

have these great ideas and are trying to get after them. So I think from that standpoint it would make more sense to either not meet January or so.

Mr. Snowden: That should probably be, it has been August, in memorial. My suggestion is that whatever Commission decides, we place that in the Rules Document. And then, when the commission adopts the Rules Document as their guiding principals, that will be in there. And the amendment says, it can be amended with seven days notice on the very last item there. That's something the commission can change in the future if they felt it couldn't work or was causing other problems.

Chairman McKenzie: Well, considering that we meet for a half an hour once a month, and at the beginning of the month, it's not anything that seems to be particularly pressing to me anyway. And meeting the first Thursday of August is not a problem for me. Meeting the first Thursday of December is not a problem. I just don't see that it has any relevance either way. I mean, by tradition these things were modeled by Council, so August was off, but there was no rhyme or reason for it. So, I would leave it open to what Commission is use to.

Mr. Snowden: Would... I'm Sorry Mr. Chairman, I didn't mean to speak over you. With regard to the change, it's actually become more of a problem with Design Review Board because we are getting some requests to get on. There was a big scramble for our cases. We ended up having to postpone tonight's meeting, due to one of the board members being out of town. But, there was a scramble for some of the applicants to get on for the July DRB, so they didn't have to wait till September. So, to help staff out with consistency between the two boards, that are existing right now, it would probably be staff's request to go to that. So, maybe just wait until this is adopted, and staff will discuss this with Design Review Board, and when they are comfortable with it, we can make that change. It's just because there was a big scramble with some of the applicants to get on with Design Review Board. And, the problem is that you need to go to Design Review Board in Reynoldsburg to do some pretty small things such as sign face changes.

Mr. Havener: The option B, I know we discussed this too, is the fact that we do only meet once a month, is there really a need to have a month off. I know, Chair, you are basically in agreement that, I think your position is basically, you would be willing to hold it every month and not have that month off since it is just once a month.

Chairman McKenzie: As long as we can cancel meetings for which there is no business.

Mr. Havener: Chances are, you are going to have some meetings off anyways.

Chairman McKenzie: We will probably not meet, at least based on what we have seen so far, we will not be meeting twelve months of the year.

Mr. Cullinan: It probably makes more sense to keep the meetings open, that way if a business wants to apply, they are not pushed off another month, if we didn't meet the three months before that, just because there wasn't any business.

Mr. Snowden: Ok. I will take that to the Design Review Board, and get back to this group. As far as announcements being made, would the commissioners prefer to change "Other Business" to "Other Business and Announcements" or to add a number under the "Call to Order" for staff to make any announcements like I said, "the men's restroom is closed"?

Mr. Cullinan: Well, "the men's restroom" you better put that across...

Mr. Snowden: I will put that across in red ink.

Chairman McKenzie: If I had a preference, I would just like to see whatever it was on the agenda. And not just headed under "Other Business" where I have no idea what you are going to be making announcements for. That was my concern about the first meeting, was that "Other Business", and suddenly you had something prepared to go and I knew nothing about it.

Mr. Cullinan: Maybe you make it a separate heading then. And that way it's not expected that the items needed to be on the agenda to prepare for it. But, I guess "Other Business" is a general term as well.

Chairman McKenzie: I would prefer if there were announcements that they be listed as announcements, not as business, because the business of the Commission is not who is transcribing the minutes, and it's not that we are getting name tags made.

Mr. Snowden: Would the commission prefer that stuff just be sent out via email?

Chairman McKenzie: That would be fine with me.

Mr. Snowden: Great, that solves the problem right there. Very well.

Mr. Havener: Just to throw another curve ball on this meeting agenda, we have had conversations in the past, Eric and I, I know I have dealt with other municipalities and Commissioners and so forth, and what they do is they have meetings during the day. I know that can come in conflict with some board members, due to the fact of the positions they hold, and the companies they work with. But, what I have found in the past, at least in the participation that I was involved in, was usually the employer was very understanding if you are doing something as your civic duty to take the time off necessary to go to the meeting during the day. I just want to throw that out there. I don't know if there would be any reception to that. That's something I think worth entertaining. It frees up everybody's evening. You don't have to be here in the evenings. It doesn't really create any problems with the applicants, they are going to be there no matter what. So it's really strictly up to the commission members. We don't have to make a decision tonight, but if it is something that the commission members would feel comfortable doing with the positions that they hold with their employers, I think we would definitely be open to it.

Chairman McKenzie: Again, I would suggest that maybe the staff could contact members individually by email. We have a member missing tonight that is employed by a corporation.

I'm not in that situation, but then they could get back to you in a public way, and you could judge how able or unable it is for us to accommodate them. My assumption is that historically these are meeting at night, simply as a way of getting volunteers. I mean the odds of having the meeting during the day and the odds of people who work during the day, and volunteering, I think they are minimized in that situation. But in my case, I have a free schedule.

Mr. Havener: The thing what would come into play is we would also need to address with DRB and the other commissions and other boards. Because if this is something we want to do, and something that we want to do collectively rather than just one entity. So, we will look into it and try to come up with a consensus as to what everybody's feelings are.

Mr. Snowden: yeah, I think the chairman statement is probably correct. We need to reach out to everybody individually and see if there's a consensus among the three groups.

Chairman McKenzie: If there is nothing else, I feel the need to close this meeting. So it is now 6:35 and I close the July 2nd meeting of the Planning Commission.

E. ADJOURNMENT

Chairman

Planning Administrator

Rules of the Reynoldsburg Planning Commission

The Reynoldsburg Planning Commission, in order to carry out the general powers conferred upon it by the Ohio Revised Code and the Charter and Codified Ordinances of the City of Reynoldsburg, does hereby adopt the following rules to govern its proceedings:

ARTICLE I AUTHORIZATION

Section 1.1 - The authorization for the establishment of Reynoldsburg Planning Commission is set forth in Article VII, Section 7.01 of the City Charter.

ARTICLE II MEMBERSHIP

Section 2.1 - The entire membership shall be the same as that provided for in Article VII, Section 7.01 of the City Charter.

ARTICLE III OFFICERS AND THEIR DUTIES

Section 3.1 Officers – The officers of the Planning Commission shall consist of a Chairman, a Vice-Chairman and Secretary.

Section 3.2 Chairman – The Chairman, shall preside at all meetings of the Commission. He shall call special meetings of the Commission when required. The Chairman may appoint committees or sub-committees comprised of Commissioners and others whenever he feels that such committees can further the work of the Commission. The Chairman shall act as spokesman for the Commission, and shall have such other duties as are normally conferred on such officers by parliamentary procedure. Unless otherwise restricted by the Planning & Zoning Code or Charter, the chairman shall have a vote on all matters before the Commission. The Chairman shall sign all documents of the Commission and see that all actions are properly carried out.

Section 3.3 Vice-Chairman – The Vice Chairman shall serve as Chairman during the temporary absence or disability of the Chairman, and shall upon those occasions be vested with the full authority attendant to the position of the Chairman.

Section 3.3 Secretary – The Secretary shall be elected by the Commission from within or without the membership. A Secretary elected from without the membership of the Commission shall not have a vote. The Secretary shall keep the minutes of all meetings of the Commission in an appropriate location. The Secretary shall also give or serve all notices required by law or by the rules of the Commission and prepare the agenda for all meetings of the Commission. He shall be custodian of Commission records and shall inform the Commission of correspondence relating to business of the Commission. The Secretary shall attend to such correspondence as required by the Chairman and handle funds allocated to the Commission in accordance with its directives, the law, and City regulations.

ARTICLE IV ELECTION OF OFFICERS

Section 4.1 - At an annual organization meeting, which shall be the first regular meeting in January, the Commission shall elect a Chairman and Vice-Chairman. Nominations shall be made from the floor, and the candidate receiving a majority vote of the voting membership shall be declared elected and shall take office at the close of the meeting. The officers shall be elected for a period of one (1) year, shall be eligible for re-election, and shall serve until their successors take office. Vacancies in office shall be filled immediately by regular election procedure.

ARTICLE V MEETINGS

Section 5.1 - Regular meetings shall be held at 6:00 P.M., on the first (1st) Thursday of each month. Day and time may be changed by majority vote of Commission members.

Section 5.2 - Special meetings may be called by the Chairman or Vice-Chairman at the request of three (3) members to discuss those matters necessary and germane to the duties of the Commission, in accordance with the Ohio Revised Code.

Section 5.3 Quorum – A quorum shall be necessary at any regular or special meeting in order for the Commission to take official action or carry on its business. A quorum shall consist of a majority of Commission members. Each member of the Planning Commission who has knowledge of the fact that he will not be able to attend a scheduled meeting shall notify the Planning Administrator or Secretary at the Municipal Building at the earliest possible opportunity and, in any event, prior to 5:00 p.m. on the date of the meeting. The Planning Administrator shall notify the Chairman of the in the event that the projected absences will produce a lack of quorum.

Section 5.4 - Action of the Commission on any application properly brought before it shall be effective only when the matter being considered by the Commission receives at least three (3) votes on the prevailing side. Questions on procedure shall be decided by a voice vote in the usual manner.

Section 5.5 Parliamentary Process – Unless otherwise specified herein, Robert’s “Rules of Order”, as filed in the Clerk of Council’s Office, shall govern the proceedings at the meetings of the Commission.

Section 5.6 Designation of Voting Order – Votes of the Commission will be by verbal vote and the order of voting will rotate in sequential alphabetical order. The Chairman shall always vote last.

Section 5.7 Reconsideration – Reconsideration of any decision of the Commission may be had when the interested party for such reconsideration makes a satisfactory showing to the chairman that without fault on the part of such party, essential facts were not brought to the attention of the Commission.

Section 5.8 Conflicts of Interest – Any member of the Commission who feels that he has a conflict of interest on any matter that is on the Commission’s agenda shall voluntarily excuse himself and refrain from discussing and voting on said items as a Planning Commissioner.

ARTICLE VI AGENDAS & ADMINISTRATIVE PROCEDURES

Section 6.1 Open Meetings and Records – All proceedings and records of the Commission shall be open to the public in accordance with the City Charter, Codified Ordinances and the Ohio Revised Code. All maps, plats, and other matters required by law to be filed with the Commission shall be filed in the office of the Planning Administrator or Clerk of Council as required by the Planning & Zoning Code.

Section 6.2 – Referral - Matters referred to the Commission by the City Council shall be placed on the calendar for consideration and action at the first meeting of the Commission after such reference.

Section 6.3 – Deadline for Application – The deadline for filing applications for placement on the agenda shall be three (3) weeks prior to any given meeting of the unless otherwise stated by the Planning & Zoning Code. Requests for continuance of matters scheduled for a particular agenda shall be filed with the Planning Administrator or Secretary by noon on the Thursday prior to the Thursday of the meeting so the printed agenda will reflect the required continuance.

Section 6.4 – Agenda - The Secretary shall prepare the agenda for the regular and special meetings. Agendas for regular meetings shall be prepared at least seven (7) days in advance of each regular meeting. Commission members shall be provided an agenda, a copy of each application and all related exhibits and materials, and a report from Staff at least seven (7) days in advance of each regular meeting.

ARTICLE VII ORDER OF BUSINESS

Section 7.1 Agenda Order – The order of business at the regular meetings of the Commission shall be as follows:

- A. Call to Order
 - 1. Roll Call
 - 2. Approval of Minutes
 - 3. Approval of Agenda
 - 4. Public Comment
- B. Unfinished Business
- C. New Business
- D. Other Business
- E. Adjournment

Section 7.2 Presentation Order – The following procedure will normally be observed; however, it may be rearranged by the Chairman for individual items if necessary for the expeditious conduct of business:

- A. Staff presents report and makes recommendation.
- B. The Commissioners may ask questions regarding the staff presentation and report.
- C. Applicants make presentation.
- D. Any opponents make presentations.

- E. Applicant makes rebuttal presentation of any points not previously covered.
- F. Commissioners ask any remaining questions they may have for the proponents, opponents, or staff, and then take a vote.

ARTICLE VIII AMENDING THE RULES OF THE COMMISSION

Section 8.1 These rules may be amended from time to time at regular meetings only, and after at least seven (7) days written notice to all voting members. These rules, when adopted, shall supersede any and all other rules of procedure and by-laws heretofore adopted by this Commission, and shall take effect immediately upon adoption.

CHAIRMAN

VICE-CHAIRMAN

ADOPTED (Date)

CHAPTER 1135 - Title; Purpose; Interpretation**1135.05 EXPIRATION OF CERTIFICATES AND PERMITS.**

(a) Unless otherwise stated by this Code, all zoning certificates, permits or other approvals granted by the Planning Administrator, Planning Commission, Design Review Board or Board of Zoning and Building Appeals, shall be valid for a period of one (1) year from date of approval by the Board or date of issue by the Planning Administrator.

(b) Within that period, that applicant must complete the following for the proposed improvement:

(1) if required, submit a subsequent zoning application;

(2) if required, secure a building permit;

(3) if no other permits are required, construct the proposed improvement;

(c) Once a building permit is secured, a zoning certificate, permit or other approval shall be considered to expire when that building permit expires.

(d) One additional period of six (6) months may be granted by the Planning Administrator upon finding that unique circumstances warrant the additional time and that the conditions upon which approval was grant have not changed.

CHAPTER 1143 – Zoning Certificates; Site Plan; Plot-Grade-Utility Plan

1143.01 PURPOSE.

Zoning certificates, site plans, and plot-grade-utility plans (also referred to as construction plans) provide a uniform system of application, review, and approval or denial for proposed uses and structures to ensure conformance with this Zoning Code and to document the conditions under which such uses and structure are approved. ~~All plot, grade, utility plans shall be signed and sealed by a licensed professional engineer in the State of Ohio. Guidelines for the submittal and approval process for plot-grade-utility plans are outlined in the City of Reynoldsburg Development Handbook. All requirements and documents included in the Handbook need also be followed and completed.~~

1143.02 ZONING CERTIFICATE.

No use of land, building or structure and no construction or alteration of an existing use, building, or structure shall commence until a zoning certificate is issued by the ~~Zoning Officer~~ Planning Administrator certifying that the intended use of the premises has been documented, reviewed, and approved in conformance with the provisions of this Zoning Code. A zoning certificate shall only be issued by the ~~Zoning Officer~~ Planning Administrator subsequent to completion of all procedures and approvals required by this Code. No zoning certificate shall be issued to permit any use or construction contrary to the provisions of this Zoning Code, unless in compliance with a duly approved variance.

- (a) Zoning Certificate Required. Unless ~~excepted~~ exempted by this Code, a zoning certificate shall be required before:
 - (1) Locating, erecting, constructing, reconstructing, altering, or moving any building or structure, including an accessory building or structure such as a sign or fence;
 - (2) Occupying or using land or a building, or changing the use of land or of a building, in whole or in part, for a different use;
 - (3) Changing a nonconforming use to a different use or extending or expanding a nonconforming use or structure.
- (b) Application for Zoning Certificate. ~~An written~~ application for a zoning certificate shall be submitted to the ~~Zoning Officer~~ Planning Administrator ~~on forms provided~~ and shall include:
 - (1) A plan or plans drawn to scale showing:
 - A. The dimensions and the shape of the lot to be used or built upon;
 - B. The sizes and locations of existing structures and uses on the lot;
 - C. The dimensions and locations of proposed structures and uses;
 - D. The heights of existing and proposed structures;
 - (2) A statement ~~signed by the applicant ensuring conformance with all provisions of the Zoning Code; detailing the proposed use, which shall be signed by the applicant.~~
 - (3) If applicable, application for a site plan, special exception, sign permit, or other ~~application required by this Code;—~~
 - (4) Such other documentation as may be necessary to determine conformance with the provisions of this Code;

- (54) Fees and deposits as required by this Code;
- (c) ~~Appeal Denial.~~ When the ~~Zoning Officer~~ Planning Administrator determines that an application for a zoning certificate ~~is in conflict with or~~ does not comply with the provisions or intent of this Code, ~~or that an application does not otherwise comply with the requirements of this Code,~~ then the ~~Zoning Officer~~ Planning Administrator shall deny the applicant and shall not issue a zoning certificate. ~~issuance of the zoning certificate.~~ The Planning Administrator may refer zoning certificates to the Board of Zoning and Building appeals in conjunction with the provisions of Section 1139.
- (d) ~~Appeal.~~ If requested by the applicant, the denial shall be issued in writing. Within ten (10) days of either verbal or written denial, the applicant shall ~~may~~ submit an ~~written~~ appeal to the Board of Zoning and Building Appeals. Any applicant who does not present an appeal within ten (10) days of the date of denial by the ~~Zoning Officer~~ Planning Administrator shall have waived the right to appeal.

1143.03 SITE PLAN.

(a) Site Plans Required. Site plan review is required prior to the issuance of a zoning certificate for projects and developments that meet the following criteria. ~~that Application for a site plan review shall be required in addition to the application for a zoning certificate.~~ Site plans shall be submitted and reviewed as follows:

- (1) Major Site Plan. An application for a major site plan shall be submitted for review and approval by the ~~Board of Zoning and Building Appeals~~ by the Planning Commission prior to issuance of a zoning certificate. ~~The application and review shall conform to the provisions of 1143.03(c).~~ ~~A m~~ Major site plan review shall be required if a development meets any of the follow criteria: the development meets more than one of the following definitions:
 - A. A development involving any new ~~construction~~ structures other than a one or two-family residential structure, fence or accessory structure under 200 sf;
 - B. A development, ~~or a structure or site which involves more than 5,000 square feet of new impervious surface~~;
 - C. A development impacting or adjacent to an environmentally sensitive feature;
 - D. A development which conflicts with an adopted City plan;
 - E. A development which generates more than fifty peak hour trips ~~(see also the Facility Demand Worksheet in the City of Reynoldsburg Development Handbook); or~~;
 - F. Other unusual or unique impacts which, in the professional opinion of the Planning Administrator, warrant public review.
- (2) Minor Site Plan. An application for a minor site plan shall be submitted for a development, building addition, or site improvement, ~~which does not qualify as a major site plan~~ other than a one or two-family residential structure, fence or accessory structure under 200 sf, that does not qualify for major site plan review. ~~in a commercial or industrial zoned district, or if in the professional opinion of the Planning Administrator the project warrants review. Fences and accessory structures less than 200 square feet do not require a minor site plan.~~

- (3) Residential Site Plan. A residential site plan shall be required for a single family dwelling, a two-family dwelling, and any dwelling within a PD - Planned Development District. The application and review shall conform to the provisions of 1143.03(d).

~~(b) Site Plans Exempted. The Zoning Officer may issue a zoning certificate without site plan review by the Board for any use and any site provided that the zoning certificate application proposes: a change of use conforming to all requirements of this Zoning Code; and no alterations or only interior alterations to a structure; and no exterior changes or additions to structures or the site. The Zoning Officer may require site plan review by the Board of Zoning and Building Appeals for any zoning certificate application deemed to have potential changes or impacts which may require special consideration or conditions.~~

(b) The Planning Administrator shall not issue a zoning certificate for any development requiring site plan review prior to the completion and approval of a site plan.

(c) Major Site Plan. An ~~written~~ application for a major site plan review shall be submitted to the ~~Zoning Officer on forms provided~~ Planning Administrator and shall include the following information:

- ~~(1) General Requirements.~~
- ~~A. Completed major site plan application.~~
 - ~~B. Six copies of the major site plan submitted on 22" x 34" paper, and three copies submitted on 11" x 17".~~
 - ~~C. Professional engineer, architect, or landscape architect registered with the State of Ohio must sign and seal all plans.~~
 - ~~D. The current zoning of the property. In addition, current zoning of adjacent parcels.~~
 - ~~E. Vicinity map showing the location of the proposed development in relationship to the surrounding area including major thoroughfares.~~
 - ~~F. Property lines, parcel dimensions and adjoining rights-of-way.~~
 - ~~G. The names and addresses of all adjoining property within 150 feet of the proposed development.~~
 - ~~H. Title block for each sheet.~~
 - ~~I. Location of proposed buildings and structures.~~
 - ~~J. Wetland limits and size clearly shown, regardless of size.~~
 - ~~K. One hundred-year flood elevation to be clearly indicated.~~
 - ~~L. The location of existing water bodies, streams, drainage ditches, stands of trees and other pertinent features within 150 feet of the proposed development.~~
 - ~~M. The location, width, names, and classification of existing and proposed streets, rights-of-way, and easements, and where pertinent, their designated use within 250 feet of the proposed subdivision.~~
 - ~~N. Approximate location of all existing buildings within 150 feet of the proposed development.~~
 - ~~O. The approximate location, dimensions, and area of all property proposed to be set aside for parks and open space, and other public or private reservation, with designation of the purpose and proposed ownership thereof.~~

- ~~P. Topography with a maximum contour interval of two feet.~~
- ~~Q. Preliminary proposals for connection to existing water supply and sanitary sewer systems and for the collection and discharge of surface water drainage including the location and size of existing and proposed water mains, sanitary sewers and drainage facilities.~~
- ~~R. Show all existing conditions, including but not limited to: ditches, culverts, waterways, utilities, sidewalks, power poles, easements, building footprint and finish grade, finish grade of adjacent buildings, wetlands and woodlands, etc.~~
- ~~S. Show existing adjacent roads with rights of way.~~
- ~~T. Complete facility demand worksheets as provided by the Planning Administrator.~~
- ~~U. All exterior lighting shall be shown, including parking lot, pedestrian, and building accent lighting. Lighting intensity and installation height shall be indicated.~~
- ~~V. Exterior building design and surface treatments shall be indicated, including building material and color. Color and material samples shall also be made available for inspection.~~
- ~~W. Fees as required by Chapter 1155.~~
- ~~(2) Zoning Standards and Requirements.~~
 - ~~A. Setbacks and building separations shall be noted in accordance with zoning requirements.~~
 - ~~B. Striping for parking lot shall be indicated directly on the plans, and include the spaces required vs. spaces provided.~~
 - ~~C. Loading spaces indicated.~~
 - ~~D. Plantings shown in accordance with zoning requirements. All utilities shall be shown on all planting plans.~~
 - ~~E. Completed zoning certificate and fee.~~

(1) General Requirements.

- ~~A. Completed application form.~~
- ~~B. All plans shall be signed and sealed by a professional engineer, architect, or landscape architect registered with the State of Ohio.~~
- ~~C. Each sheet shall contain a title block.~~
- ~~D. A vicinity map showing the location of the proposed development in relationship to the surrounding area including major thoroughfares.~~

(2) Site Plan. A site plan indicating the following:

- ~~1. The dimensions of property lines, parcel dimensions and adjoining rights-of-way.~~
- ~~2. The names and addresses of all adjoining property within 150 feet of the proposed development.~~
- ~~3. The current zoning of the parcel and all adjacent parcels.~~
- ~~4. The location of proposed buildings and structures.~~
- ~~5. The location of existing water bodies, streams, drainage ditches, stands of trees and other pertinent features within 150 feet of the proposed development.~~
- ~~6. Setbacks and building separations shall be noted in accordance with~~

zoning requirements.

(3) Environmental/Landscape Plan. An environmental plan that indicates the following.

1. Topography with a maximum contour interval of two feet.
2. The location of all proposed and existing structures with 150 feet of parcel.
2. The location of existing water bodies, streams, drainage ditches, stands of trees and other pertinent features within 150 feet of the proposed development.
3. The limits of all wetlands and of the 100 year flood plain.
4. The approximate location, dimensions, and area of all property proposed to be set aside for parks, open space, and other public or private reservation, with designation of the purpose and proposed ownership thereof.
5. The location of all new landscape material and plantings. Utilities shall be shown on all landscape plans.

(4) Utilities Plan. A basic utilities plan that indicates the following:

1. All existing conditions, including but not limited to: ditches, culverts, waterways, utilities, sidewalks, power poles, easements, building footprint and finish grade, finish grade of adjacent buildings, wetlands and woodlands, etc.
2. Preliminary proposals for connection to existing water supply and sanitary sewer systems and for the collection and discharge of surface water drainage including the location and size of existing and proposed water mains, sanitary sewers and drainage facilities.

(5) Parking/Transportation Plan. A transportation/parking plan that indicates the following:

1. The location, width, names, and classification of existing and proposed streets, rights-of-way, and easements, and where pertinent, their designated use within 150 feet of the proposed development.
2. Complete facility demand worksheets.
3. The location, typical dimensions, and number of all parking and loading spaces and the number of spaces required by Code.
4. The location of all proposed walkways and pedestrian access to the site.

(6) Lighting Plan. A lighting plan that indicates the following:

1. All exterior lighting shall be shown, including parking lot, pedestrian, and building accent lighting. Lighting intensity and installation height shall be indicated.
2. The styles and method of illumination of all heads and colors of all poles shall be indicated.

(7) Architectural Plan. An architectural plan that indicates the following:

1. Exterior building design and surface treatments shall be indicated, including building material and color. Color and material samples shall be made available for inspection.
2. The location of all service areas or structures and all fences.

(8) A completed zoning certificate application and fees as required by Chapter 1155.

~~The Zoning Officer shall distribute copies of the major site plan application to the Service Director and to the Director of Engineering for review and comment and shall schedule the application for review by the Board of Zoning and Building Appeals.~~

~~— Provided that the complete application has been submitted at least twenty-five (25) days earlier, the Board shall review the application at its next regularly scheduled meeting.~~

Any applicant requesting review of a major site plan shall submit an application and as many copies of the required materials as may be required by the Planning Administrator or the Planning Commission. The Commission shall take action on a site plan application within sixty (60) days unless a continuance of approval is requested by the applicant. The Commission shall act upon the application for major site plan review based upon the adopted regulations, standards, design guidelines of the City.

~~Approval of a major site plan shall expire twelve (12) months from the date of approval unless building permits have been obtained for construction. A single extension, not to exceed six (6) months may be granted by the Commission upon receipt of a written request from the applicant.~~

(d) Minor Site Plan. An application for a minor site plan review shall be submitted for a development, building addition, or site improvement which does not qualify as a major site plan in a commercial or industrial zoned district, or if in the professional opinion of the Planning Administrator the project warrants review. Fences and accessory structures less than 200 square feet do not require a minor site plan. A written application for a minor site plan shall be submitted to the Planning Administrator on forms provided and shall include the following information:

- (1) A ~~sketch~~ plan showing boundary information, existing and proposed development, existing and proposed easements, rights-of-way, and utilities, including storm water drainage.
- (2) The ~~sketch~~ plan shall indicate buildings, service areas, parking, fencing, landscaping, and all required setbacks.
- (3) All parking and loading areas shall be shown, including typical dimensions of parking stalls, aisles and loading spaces.
- (4) All driveways and curb cuts shall be indicated, including major aisle ways and service routes. Pedestrian circulation shall also be indicated.
- (5) Handling of all waste and refuse materials shall be indicated.
- (6) Proposed landscaping shall be shown, as per the zZoning eCode.
- (7) Signage may be required to be shown, as per the zZoning eCode.
- (8) All exterior lighting shall be shown, including parking lot, pedestrian, and building accent lighting. Lighting intensity and installation height shall be indicated.
- (9) Exterior building design and surface treatments shall be indicated, including building material and color. Color and material samples shall also be made available upon request.
- (10) Such other information as the Planning Administrator may require so as to carry out the provisions of the Zoning Code.

Any applicant requesting ~~approval~~ review of a minor site plan as defined herein shall submit ~~to the Planning Administrator five copies of the application, including the items specified in this division (d) an application and as many copies of the required materials as may be required by the Planning Administrator.~~ Within thirty (30) days of filing a complete application, the Planning Administrator shall act upon the application for minor site plan review based upon the adopted regulations and standards, design guidelines ~~contained in the Reynoldsburg Code of Ordinances of the City.~~ If the plan is approved, the Planning Administrator shall issue a zoning certificate. ~~The zoning certificate shall be valid for twelve months from the date it is issued. Authority to proceed pursuant to a zoning certificate shall lapse unless the action authorized by the zoning certificate is commenced within twelve months, or if building permits have been obtained for construction. A single extension, not to exceed six months may be granted by the Planning Administrator upon receipt of a written request from the applicant. No more than one application for minor site plan review shall be accepted and approved within a twelve (12) month period. Additional applications for minor site plan review within this period shall require major site plan review.~~

(e) ~~Residential Site Plan – Application and Review.~~ An application for a residential site plan review shall be submitted to the Planning Administrator and include the following information:

- _____ (1) ~~Locations of all streets, easements, and existing and proposed structures;~~
- _____ (2) ~~Finished floor elevations for first floor, garage floor, and basement; floor area of all floors;~~
- _____ (3) ~~Finished ground elevations at all corners of structures, at midpoints of the walls of structures, at corners of the lot, and at midpoints of the lot lines;~~
- _____ (4) ~~Setbacks;~~
- _____ (5) ~~Drainage features and improvements sufficient to demonstrate positive drainage, including the locations of swales, sump pumps, and yard drains; data describing any special flood hazard areas on the lot;~~
- _____ (6) ~~Existing or proposed sidewalk in the public right of way;~~
- _____ (7) ~~Scale and north arrow;~~
- _____ (8) ~~Identification of the subplot, subdivision, tax parcel number, and address;~~
- _____ (9) ~~Surveyed dimensions and orientations of all lot lines; total area of the lot; seal and signature of the professional surveyor or engineer who prepared the drawing;~~
- _____ (10) ~~Such other information as the Zoning Officer deems necessary to determine compliance of the proposed site with the provisions of applicable city ordinances;~~
- _____ (11) ~~Signature block for approval and date by the Zoning Officer.~~

_____ A residential site plan shall be reviewed and approved or denied by the Zoning Officer in coordination with other city officials prior to the issuance of a zoning certificate.

_____ Approval of a residential site plan shall expire twelve (12) months from the date of approval unless building permits have been obtained for construction. A single extension, not to exceed six (6) months may be granted by the Zoning Officer upon receipt of a written request from the applicant.

- (1) Surveyed dimensions and orientations of all lot lines; total area of the lot; seal and signature of the professional surveyor or engineer who prepared the drawing;
- (2) Identification of the, subdivision, lot number, tax parcel number, and address;

- (3) Dimensions indicating compliance with all setbacks;
- (4) Locations of all streets, easements, and existing and proposed structures;
- (5) Location of existing or proposed sidewalks in the public right-of-way;
- (6) Finished floor elevations for first floor, garage floor, and basement; floor area of all floors;
- (7) Finished ground elevations at all corners of structures, at midpoints of the walls of structures, at corners of the lot, and at midpoints of the lot lines;
- (8) Drainage features and improvements sufficient to demonstrate positive drainage, including the locations of swales, sump pumps, and yard drains; data describing any special flood hazard areas on the lot;
- (9) A landscape plan indicating the size and types of landscape materials and the location of all street trees.
- (10) Such other information as the Planning Administrator may require so as to carry out provisions the Zoning Code.

Any applicant requesting review of a residential site plan shall submit an application and as many copies of the required materials as may be required by the Planning Administrator. Within thirty (30) days of filing a complete application, the Planning Administrator shall act upon the application for site plan review based upon the adopted regulations and standards, design guidelines of the City.

(f) Final Grade and Drainage Certification. Before a certificate of occupancy is issued, a final grade and drainage certificate shall be required for a single-family dwelling, a two-family dwelling, and any dwelling within a PD - Planned Development District.

1143.04 PLOT-GRADE-UTILITY PLAN.

(a) A ~~detailed~~ plot-grade-utility plan shall be submitted to the ~~Safety/Service~~ Director for review and approval ~~at any time~~ prior to issuance of a zoning certificate for any development that qualifies for site plan review other than a single family dwelling, two-family dwelling, or development within a PD - Planned Development District with a previously approved plot-grade-utility plan on file. A plot-grade-utility plan shall only be approved subsequent to and in conformance with a ~~site plan approved by the Board of Zoning and Building Appeals~~ approved site plan.

(b) A plot-grade-utility plan shall be prepared and certified by an engineer duly certified by the State of Ohio. A plot-grade-utility plan shall include at least the following:

- (1) Signature and date blocks for the Service Director, ~~Director of Engineering~~ City Engineer, Water/Waste Water Superintendent, Street Superintendent, Fire Chief; Planning Administrator; Floodplain Administrator
- (2) Drawings of the proposed elevations of the structure;
- (3) Floor elevations and floor areas of all floors including basements;
- (4) Existing contours;
- (5) Finished grades;
- (6) Existing and proposed drainage features and improvements, including the extent of the property within any designated special flood hazard area;
- (7) Existing and proposed utilities;

- (8) Parking;
- (9) Ingress and egress;
- (10) Public improvements and adjacent rights of way.
- (11) Special flood hazard classification of all parts of the property;
- (12) Special flood hazard limits or restrictions;
- (13) Fees as required by Chapter 1155; and
- (14) Calculation of Equivalent Residential Units (ERU) for stormwater utility;
- (15) Any additional requirements detailed in the City of Reynoldsburg Development Handbook which the Service Director, Director of Engineering, and/or Planning Administrator deem necessary to carry out the full intent of this Code. items that may be required by the Service Director, City Engineer or Planning Administrator in order to carry out the full intent of the Code.

The applicant shall submit one (1) mylar original and as many additional copies as are required by the Service Director. ~~six (6) copies of the plot-grade utility plan.~~



REYNOLDSBURG PLANNING & ZONING DIVISION

STAFF REPORT: PLANNING & ZONING CODE AMENDMENT

CODE SECTION: Chapter 1135 & 1143 – Zoning Certificate Procedures

BACKGROUND: Staff becomes periodically aware of provisions in the Planning and Zoning Code that need revision or the addition of text to make the intent of the Code more clear. Section 1143 primary regulates the zoning/development approval process. Staff's view is that the proposed revision will clarify the process and make it more internally consistent.

SUMMARY OF MAJOR REVISIONS:

Section 1135.05 - Expiration of Certificates and Permits

This proposed section will standardize the expiration of all zoning certificates and other zoning approvals and provide for a logical connection to the building permit process. This proposed section will not affect special exception use permits and variances, which have a separate expiration procedure.

1143.01 - Purpose

This chapter explains the rational system of zoning project approval. The sentence discussing the requirements for PGU drafting is not required because the same information is covered in Section 1143.04.

1143.02 - Zoning Certificate

This section contains the primary regulations for the review and issuance of zoning certificates. Staff has revised the section to utilize job titles more consistently and to conform the process to the current practice. This proposed revision will not modify any uses or change any procedure to acquire zoning clearance for a project.

1143.03 - Site Plan & 1143.04 - Plot-Grade-Utility Plan

These sections regulate the process of site plan submission and approval. Staff has reorganized the sections to be clearer as to the purpose of the different site plan types. Staff has revised the subsection listing the various requirements for major site plan review and has grouped the specific requirements under general headings. This will make the submission and review of plans simpler and is a feature that applicants have requested. Staff is also proposing to transfer the review and approval of major site plans from the BZBA to the Planning Commission. This will make the City's development review process more consistent with peer cities, simplify the approval process for projects that do not require variances or special exceptions, and allow the Board of Zoning and Building Appeals to focus its time on reviews of variances, special exception

use permits and appeals from the Code. The City's consulting engineer was comfortable with the revision to the PGU requirements which increase flexibility in the submission process.