



Doug Joseph, President
Caleb Skinner, Ward 1
Brett Luzader, Ward 2
Marshall Spalding, Ward 3
Mel Clemens, Ward 4
Barth Cotner, At-Large
Stacie A. Baker, At-Large
Kristin J. Bryant, At-Large

CITY COUNCIL

Committee Meetings Regular Council Meeting

7232 E. Main St
Reynoldsburg, OH 43068
www.ci.reynoldsburg.oh.us

April Beggerow
614-322-6836

Tuesday, May 29, 2018

Council Chambers

PUBLIC SERVICE AND TRANSPORTATION COMMITTEE MEETING

1. CALL TO ORDER - ROLL CALL

2. APPROVAL OF AGENDA

3. APPROVAL OF MINUTES

- a. Public Service and Transportation Committee – Committee Meeting – May 14, 2018

4. LEGISLATION FOR EMERGENCY ADOPTION

- a. ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Amending Section 741.06 Regulation of Painting House Numbers on Street Curbs, of Chapter 741 Solicitors; AND DECLARING AN EMERGENCY (First Reading 5/14/2018).

5. LEGISLATION FOR THIRD READING

- a. ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Amending Section 1151.01 Initiation of Amendments, Section 1151.02 Petition for Zoning District Change with Development Plan, Section 1151.03 Public Hearing and Referral to the Planning Commission, Section 1151.05 Action by Council, Section 1151.06 Amendment of Development Plan, and Section 1151.07 Effect of Approval of Chapter 1151 Amendments. (Held from 4/9/2018; Approved by Planning Commission 3/8/2018 and 5/3/2018). (Second Reading 3/26/2018).

MINUTES COMMITTEE MEETING
REYNOLDSBURG PUBLIC SERVICE AND TRANSPORTATION COMMITTEE
May 14, 2018

Ward 2 Councilmember Brett Luzader called the meeting to order at 7:40 PM

Call to Order - Roll Call

PRESENT: Luzader, Baker, Bryant, Skinner, Joseph

ABSENT:

Approval of Agenda

Agenda stands approved.

Approval of Minutes

a. Public Service and Transportation Committee – Committee Meeting – April 23, 2018

RESULT:	ACCEPTED
----------------	-----------------

NEW LEGISLATION/DISCUSSION ITEMS

56-18

RESOLUTION AUTHORIZING PARTICIPATION IN ODOT WINTER CONTRACT (018-19) AND DECLARING AN EMERGENCY. --- Luzader. Public Service and Transportation Committee.

Mr. Kundtz: This is next season's ODOT's salt contract that we've been piggybacking on. We've been using this process for the past several years everything has been working out well. I'd like to continue it. The only down fall has been the quick turn around time that they require on their contract. I just received it on April 26th and it has to be returned no later than this Friday, so I'm asking that we pass this tonight. But again, this has been working out very well for us to piggy back with them and we get good prices.

Mr. Luzader inaudible

Mr. Kundtz: This year or last season's price we were paying probably \$46.37 a ton.

Ms. Bryant: Is there a way, you mentioned the quick turn around, is there a way in the future that we can avoid having to have this legislation introduced as an emergency because my understanding from the Charter rules is that there is supposed to be 2 weeks notice in the paper before something like this would come on and if we're bringing it in as an emergency today and then being asked to pass it today, which I understand why, but it seems to go against what the Charter is telling us to do.

Mr. Kundtz: I think we're getting more again, I received this on the 26ths but I think after the past couple of years that we've been doing this process and getting a little more comfortable, we may be able to create a generic ordinance that still meets their criteria so we can have more time with that in

Minutes Acceptance: Minutes of May 14, 2018 7:43 PM (Approval of Minutes)

MINUTES COMMITTEE MEETING
REYNOLDSBURG PUBLIC SERVICE AND TRANSPORTATION COMMITTEE
May 14, 2018

the future. The other option was calling a special meeting the time line was, there was just no meeting.

Mr. Luzader - inaudible

Mr. Kundtz: Something that meets out, we'd have to create something that the state would be happy with. They're pretty specific on their contract.

Mr. Luzader - inaudible

Mr. Kundtz: Yeah on the 26th of April, that's when it was received.

President Joseph: Just a comment, I think this is only the second or third time since we've went to 2 meetings a month that we've had legislation under such a narrow time frame and I concur that special meetings would be a good way to go in the future unless we can work out something that is accommodating with the City Attorney either way would be fine.

Mr. Baker: The \$40,000 that you quoted was that what we paid last year or..

Mr. Kundtz: Last year we paid \$46.37 per ton.

Mr. Baker: So what is it going to be moving forward, do you..?

Mr. Kundtz: We're required to submit how much tonnage we're going to purchase but we don't know.

Mr. Luzader- inaduble

Mr. Kundtz: Yes we're going to put out to bid 1750 tons. We're still on track from last year moving forward, nothing out of the ordinary.

Ms. Bryant: So if we were going to go according to the Charter and have it introduced tonight and then brought back 2 weeks later, that obviously kills the deadline.

Mr. Kundtz: Correct, we would not be able to enter into a contract with them.

President Joseph: The other option is not doing an emergency but suspending the rules.

Mr. Kundtz: That wouldn't go into effect for 30 days.

President Joseph: I didn't recall that part.

Mr. Luzader - inaudible.

Minutes Acceptance: Minutes of May 14, 2018 7:43 PM (Approval of Minutes)

MINUTES COMMITTEE MEETING
REYNOLDSBURG PUBLIC SERVICE AND TRANSPORTATION COMMITTEE
May 14, 2018

RESULT:	REFERRED TO COUNCIL [UNANIMOUS]	Next: 5/14/2018 8:00 PM
MOVER:	Brett Luzader, Ward 2 Councilmember	
SECONDER:	Caleb Skinner, Ward 1 Councilmember	
AYES:	Luzader, Baker, Bryant, Skinner	

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: AMENDING SECTION 741.06 REGULATION OF PAINTING HOUSE NUMBERS ON STREET CURBS, OF CHAPTER 741 SOLICITORS; AND DECLARING AN EMERGENCY --- Luzader. Service Department.

Mr. Sampson: The purpose of this legislation is to amend our code of ordinances regarding the painting of house numbers on street curbs. The permit fee will remain \$50 for a period of one year. Previously the applicant paid both the curb painting fee and the solicitor's fee of \$15. The solicitors are currently limited to 2 weeks over the course of the year, typically the summer time. Both the curb painting and our solicitor companies are still required to have an FBI or BCI background check and if there are any issues, the city or our residents, the service director can revoke the permit at any time. It's a little bit different than with the curb painting, they simply require more than the 2 weeks that our current legislation mandates for solicitors. It's a different permit within our system for the curb painting, it's still \$50 but they don't have to assume the additional \$15 permit that our other solicitors are required to have.

Mr. Luzader - inaudible

Mr. Sampson: Yes sire, we had a request come up 2 weeks ago.

Ms. Bryant: I'm noting the change to where they just have to apply for a solicitor's license but they also have to have an FBI and BCI background check, is that for the individual that is coming out to paint specifically or is that for the owner of the company.

Mr. Sampson: No that is for the individuals that are on the street. We require FBI and BCI checks for those solicitors that are going door to door each individual.

Ms. Bryant: So if you have a company where person A is knocking the door but person B is the one doing the painting are we asking that person B also be cleared by FBI and...

Mr. Sampson: We're asking that anyone that has contact with residents have that FBI BCI check.

Mr. Baker: I just want to clarify, this is specifically for people that are going to paint the numbers right? This isn't for soliciting money for Unicef, right?

Mr. Sampson: No, that's a different...

Mr. Baker: but it's still soliciting..

Minutes Acceptance: Minutes of May 14, 2018 7:43 PM (Approval of Minutes)

MINUTES COMMITTEE MEETING
REYNOLDSBURG PUBLIC SERVICE AND TRANSPORTATION COMMITTEE
May 14, 2018

Mr. Sampson: Well, I mean soliciting within the city, we have a solicitor's permit and we have a curb painting permit and that's what we separating the 2 when I came on board a couple of years ago, I limited the solicitor permit to 2 weeks, that they could do their business within 2 weeks and the curb painting was kind of lumped into that and it really is, didn't come to light that its a different business structure than someone coming door to door selling a product or service. But you don't need to, you've all run your political campaigns, you didn't need a solicitor permit, its a non profit charitable organization, you don't need a solicitors permit. Boy Scouts, Girl Scouts, do not require a solicitors permit. It's important for us is the health safety and welfare of our residents and making sure that people that are coming to your door in fact have a valid permit from the city.

RESULT:	REFERRED TO COUNCIL [UNANIMOUS]	Next: 5/14/2018 8:00 PM
MOVER:	Brett Luzader, Ward 2 Councilmember	
SECONDER:	Caleb Skinner, Ward 1 Councilmember	
AYES:	Luzader, Baker, Bryant, Skinner	

LEGISLATION FOR EMERGENCY ADOPTION

57-18

ORDINANCE APPROPRIATING FUNDS FROM THE UNAPPROPRIATED CIP FUND (410); AND DECLARING AN EMERGENCY. --- Luzader. Public Service and Transportation Committee.

RESULT:	REFERRED TO COUNCIL [UNANIMOUS]	Next: 5/14/2018 8:00 PM
MOVER:	Brett Luzader, Ward 2 Councilmember	
SECONDER:	Kristin Bryant, At-Large Councilmember	
AYES:	Luzader, Baker, Bryant, Skinner	

58-18

ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO CONTRACT WITH OHM ADVISORS FOR PROFESSIONAL DESIGN SERVICES FOR THE LANCASTER AND MAIN PARKING LOT AND APPROPRIATING FUNDS THEREFORE; AND DECLARING AN EMERGENCY --- Luzader. Public Service and Transportation Committee.

RESULT:	REFERRED TO COUNCIL [UNANIMOUS]	Next: 5/14/2018 8:00 PM
MOVER:	Brett Luzader, Ward 2 Councilmember	
SECONDER:	Stacie Baker, At-Large Councilmember	
AYES:	Luzader, Baker, Bryant, Skinner	

LEGISLATION FOR THIRD READING

59-18

Minutes Acceptance: Minutes of May 14, 2018 7:43 PM (Approval of Minutes)

MINUTES COMMITTEE MEETING
 REYNOLDSBURG PUBLIC SERVICE AND TRANSPORTATION COMMITTEE
 May 14, 2018

ORDINANCE AUTHORIZING AND DIRECTING THE CLERK OF COUNCIL TO CERTIFY NUISANCE COSTS (2017) FOR COLLECTION BY THE FRANKLIN COUNTY AUDITOR --- Luzader. Public Service and Transportation Committee.

RESULT:	REFERRED TO COUNCIL [UNANIMOUS]	Next: 5/14/2018 8:00 PM
MOVER:	Brett Luzader, Ward 2 Councilmember	
SECONDER:	Kristin Bryant, At-Large Councilmember	
AYES:	Luzader, Baker, Bryant, Skinner	

60-18

ORDINANCE AUTHORIZING AND DIRECTING THE CLERK OF COUNCIL TO CERTIFY NUISANCE COSTS (2017) FOR COLLECTION BY THE LICKING COUNTY AUDITOR. --- Luzader. Public Service and Transportation Committee.

RESULT:	REFERRED TO COUNCIL [UNANIMOUS]	Next: 5/14/2018 8:00 PM
MOVER:	Brett Luzader, Ward 2 Councilmember	
SECONDER:	Stacie Baker, At-Large Councilmember	
AYES:	Luzader, Baker, Bryant, Skinner	

61-18

ORDINANCE AUTHORIZING THE MAYOR TO PURCHASE AN INTERNATIONAL DUMP TRUCK AND RELATED EQUIPMENT FOR THE WATER AND WASTEWATER DEPARTMENT. --- Luzader. Public Service and Transportation Committee.

RESULT:	REFERRED TO COUNCIL [UNANIMOUS]	Next: 5/14/2018 8:00 PM
MOVER:	Brett Luzader, Ward 2 Councilmember	
SECONDER:	Kristin Bryant, At-Large Councilmember	
AYES:	Luzader, Baker, Bryant, Skinner	

Minutes Acceptance: Minutes of May 14, 2018 7:43 PM (Approval of Minutes)

Mayor's Office
Brad McCloud
7232 E. Main Street
Reynoldsburg OHIO 43068
Phone

ORDINANCE REQUEST

DATE: May 29, 2018

TO: Service Department

RE: ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Amending Section 741.06 Regulation of Painting House Numbers on Street Curbs, of Chapter 741 Solicitors; AND DECLARING AN EMERGENCY

Approval:

Completed Brad McCloud	Jed Hood	Stephen Cicak
---------------------------	----------	---------------

Reason For Emergency: Immediate preservation of the public peace, health, or safety

Statement of necessity: Immediate preservation of the public peace, health or safety.

741.06 REGULATION OF PAINTING HOUSE NUMBERS ON STREET CURBS.

(a) All persons and/or companies which desire to conduct the business of painting street numbers within the corporate limits of the City shall ~~apply for a solicitor's license,~~ **have a FBI and BCI background check completed from the Reynoldsburg Division of Police or other source,** and apply for a permit to paint house numbers on street curbs from the Service Director (~~See Attachment A to Ordinance No. 70-98, passed June 22, 1998).~~

(b) All companies which apply for a permit to paint house numbers on street curbs shall pay an annual fee of \$50.00.

(c) ~~All companies which intend to conduct the business of painting house numbers on street curbs shall comply with all regulations related to the painting of house numbers (See Attachment B to Ordinance No. 70-98, passed June 22, 1998).~~ **The Director of Public Service can revoke the permit at any time for good cause shown.**

ORDINANCE NO. _____

PASSED: _____

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Amending Section 741.06 Regulation of Painting House Numbers on Street Curbs, of Chapter 741 Solicitors; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF REYNOLDSBURG, OHIO:

SECTION 1. That Section 741.06 Regulation of Painting House Numbers on Street Curbs, of Chapter 741 Solicitors of the Code of Ordinances of the City of Reynoldsburg be and are hereby amended to read as follows:

See Exhibit "A" attached hereto and incorporated herein.

SECTION 2. That existing Section 741.06 of Chapter 741 be and are hereby repealed and replaced.

SECTION 5. That this ordinance is deemed to be an emergency measure necessary for the immediate preservation of the public peace, health, or safety of the city; wherefore upon adoption by Council this ordinance shall be in effect immediately upon signature by the Mayor.

Doug Joseph, President of Council

ATTEST: _____
April L. Beggerow, Clerk of Council

APPROVED: _____ DATE _____
Bradley L. McCloud, Mayor

CERTIFICATE

I, April L. Beggerow, Clerk of Council, City of Reynoldsburg, Ohio do hereby certify the foregoing to be a true and correct copy of Ordinance No. ____ as passed by Council of said City on the ____ day of ____ 2018, and as recorded in the Record of Proceedings of said Council.

April L. Beggerow, Clerk of Council

Filed with Mayor: _____

Attachment: Amend Code Sec 741.06 street curb painting (Repeal and Replace 741.06 Street Curbs)

Exhibit A

741.06 REGULATION OF PAINTING HOUSE NUMBERS ON STREET CURBS.

(a) All persons and/or companies which desire to conduct the business of painting street numbers within the corporate limits of the City shall ~~apply for a solicitor's license,~~ **have a FBI and BCI background check completed from the Reynoldsburg Division of Police or other source,** and apply for a permit to paint house numbers on street curbs from the Service Director (~~See Attachment A to Ordinance No. 70-98, passed June 22, 1998).~~

(b) All companies which apply for a permit to paint house numbers on street curbs shall pay an annual fee of \$50.00.

(c) ~~All companies which intend to conduct the business of painting house numbers on street curbs shall comply with all regulations related to the painting of house numbers (See Attachment B to Ordinance No. 70-98, passed June 22, 1998).~~ **The Director of Public Service can revoke the permit at any time for good cause shown.**

Development Department

Eric Snowden

7232 E. Main Street

Reynoldsburg OHIO 43068

614-322-6829 Phone

ORDINANCE REQUEST

DATE: May 29, 2018

TO: Public Service and Transportation Committee

RE: ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Amending Section 1151.01 Initiation of Amendments, Section 1151.02 Petition for Zoning District Change with Development Plan, Section 1151.03 Public Hearing and Referral to the Planning Commission, Section 1151.05 Action by Council, Section 1151.06 Amendment of Development Plan, and Section 1151.07 Effect of Approval of Chapter 1151 Amendments. (Held from 4/9/2018; Approved by Planning Commission 3/8/2018 and 5/3/2018).

Approval:

Completed Brad McCloud	Completed Jed Hood	Stephen Cicak
---------------------------	-----------------------	---------------

1151.01 INITIATION OF AMENDMENTS.

(a) ~~In conformance with the provisions of the City Charter, ordinances or resolutions establishing, amending, revising, changing, or repealing zoning districts, uses, regulations, or other provisions of this Zoning Code shall be initiated by a member of Council.~~ The provisions of this Zoning Code or the official Zoning Map may be amended, revised, changed, or repealed to meet changing conditions or to better implement the purpose of the Code. This Chapter is enacted under the provisions of Section 4.11(b) of that City Charter, which gives City Council the power to establish procedures for review of ordinances establishing, amending, revising, changing or repealing zoning classifications, districts, uses, maps or other regulations.

(b) ~~Any person having an interest in property in the City may petition City Council to initiate such ordinance or resolution by making an application to the Planning Administrator. The Planning Administrator shall review the application for compliance with the provisions of this chapter and forward it to the Clerk of Council.~~ One or more owners or lessees of property within the City may file an application with the Planning & Zoning Administrator requesting to change the zoning district of property they own or lease. Such application must be received by the Planning & Zoning Administrator no less than thirty (30) days prior to the regularly scheduled meeting of the Planning Commission in which it will be reviewed. The Planning & Zoning Administrator shall review the application for compliance with the provisions of Section 1151.02 and schedule it for review by the Commission.

(c) ~~The Planning Commission may recommend initiate by motion amendments, revisions, changes, or repeals of zoning districts, uses, regulations, or other provisions of this Zoning Code or the Zoning Map. When the Planning Commission makes an advisory recommendation to City Council, the application requirements and fees shall not apply. The City Council may initiate amendments, revisions, changes or repeals of zoning districts, uses, regulations, or other provisions of this Zoning Code or the official Zoning Map by resolution, which shall then be referred to the Planning Commission for review.~~

1151.02 ~~PETITION~~APPLICATION FOR ZONING DISTRICT CHANGE WITH DEVELOPMENT PLAN.

~~When a person or persons having an interest in a lot or lots in the City petitions City Council one or more owners or lessees of property file an application for an amendment to the Zoning Code which involves changing the zoning district assigned to the lot(s), then such petition shall be made in the following form which shall be known as the development plan, unless such requirements are waived by City Council.~~ application shall be known as a development plan, and contain the following:

- (a) Correct legal description of the lot(s);
- (b) The names and addresses of the owners of lot(s) contiguous or directly across the street from the subject lot(s);
- (c) Existing topography at two foot (2FT) contour intervals of the subject lot(s) and extending at least three hundred feet (300FT) outside of the proposed lot, including lot lines, easements, street rights-of-way, existing structures, trees and landscaping features thereon;
- (d) The proposed vehicular and pedestrian traffic patterns;

- (e) The location of all existing and all proposed structures;
- (f) The proposed assignment of use and subdivision of land including private land and common land;
- (g) Preliminary plans of all structure types;
- (h) Deed restrictions and protective covenants;
- (i) A schedule for construction;
- (j) Traffic impact study;
- (k) Utilities impact study;
- (l) Drainage impact study;
- (m) Such other relevant information as Planning Commission or City Council may require to determine the propriety of initiating the ordinance for district change and consistency with the general purpose of the Zoning Code.
- (n) Fees as established by Chapter 1155.

~~1151.03 PUBLIC HEARING AND REFERRAL TO PLANNING COMMISSION~~ ~~ACTION BY THE PLANNING COMMISSION.~~

(a) ~~In conformance with the Charter, subsequent to initiation by a member of Council of an ordinance or resolution establishing, amending, revising, changing, or repealing zoning districts, uses, regulations, or other provisions of this Zoning Code, the presiding officer of Council shall, immediately after the first reading of the ordinance or resolution, set a date for a public hearing before a joint meeting of Council and the Planning Commission, to be held not earlier than fifteen (15) days after the first reading. Upon receipt of a complete application from an owner or lessee of land for a district change, receipt of a resolution of City Council, or the passage of a motion by the Planning Commission to amend, revise, change, or repeal a zoning provision, the Commission shall review the application or proposed amendment and submit recommendations to Council. Before submitting any recommendations to Council, the Commission shall hold at least one public hearing on the application or proposed amendment.~~

(b) In order to comply with Section 4.1(a) of City Charter, when the Planning Commission reviews any district change, the Commission shall cause a notice of the public hearing to be published one time in a newspaper of general circulation within the City at least seven (7) days prior to the public hearing. When the Commission reviews any district change that involves ten (10) or less parcels of land, the Commission shall mail written notice of the public hearing to the owners of the property within, contiguous to, and directly across the street from the affected parcel or parcels at least seven days prior to the date of the hearing. The Commission shall also cause the property in question to be posted with a notice at least seven (7) days prior to the day of the hearing. The notice shall state the nature of the application and the time and place of the public hearing. Additional notices shall not be required for subsequent public hearings by the Commission or City Council.

~~— (b) Immediately after the hearing, a copy of the ordinance or resolution establishing, amending, revising, changing, or repealing zoning districts, uses, regulations, or other provisions of this Zoning Code and, if applicable, the development plan, shall be referred to the Planning Commission.~~

(c) The Planning Commission shall recommend such conditions or amendments with respect to the application or proposed amendment ordinance or resolution and, if applicable, the development plan, as it deems reasonable ~~and, necessary, and consistent with the general purpose of the Zoning Code.~~ Within ~~thirty (30)~~sixty (60) days of referral, the ~~Planning~~ Commission shall return to the Clerk of Council the written recommendations of a majority of the members of the Commission.

1151.05 ACTION BY CITY COUNCIL.

(a) At the next meeting of the City Council subsequent to receiving the recommendations of the Planning Commission, the ~~ordinance or resolution shall be given its second reading~~the Council shall review the application or proposed amendment.

(b) City Council may adopt, deny, or adopt with modifications the recommendations of the Commission. A development plan, along with any conditions or amendments to the ~~petition~~application, shall, upon adoption by Council, become part of the district change and shall be deemed incorporated by reference into legislation amending the ~~district~~official Zoning Map. The development plan, conditions, and amendments shall bind any future development or use of the subject lots.

(c) In accordance with Section 4.11(c) of the City Charter, ~~A~~a concurring vote of at least three fourths ($\frac{3}{4}$) of the membership of City Council shall be necessary to pass any zoning ordinance ~~or resolution~~ which differs from the written recommendations of the Planning Commission, but in no event shall an ordinance ~~or resolution~~ be considered as having passed unless it receives at least a majority vote of the members of Council.

(d) After a proposed district change is denied by City Council, at least twelve (12) months shall elapse before another ~~petition~~application for a district change for the same lot(s) to the same district can be considered.

1151.06 AMENDMENT OF DEVELOPMENT PLAN.

A development plan may be amended following the same procedure and standards for approval of the original district ~~amendment~~change.

1151.07 EFFECT OF APPROVAL.

(a) The development plan as approved by City Council, shall constitute an amendment of the official Zoning Map and a supplement to the Zoning Code as it applies to the land included in the approved ~~district amendment~~application. The approval shall be for a period of two (2) years to allow the approval of a zoning certificate and building permit, if required.

(b) If a zoning certificate or building permit is not acquired within the two (2) year period, the approval shall become void and the lot or parcel shall revert to its last previous zoning district applied, except if an application for time extension is submitted and approved in accordance with Section 1151.08, or if the approved district is a Planned District.

SECTION 4.11 ZONING MEASURES.

(a) PUBLIC HEARING NOTICE.

When Council reviews applicant petitions for zoning district changes, the Clerk of Council shall cause a notice of the public hearing to be published one time in a newspaper of general circulation within the City at least seven days prior to the initial public hearing. When the petition for zoning district change involves ten or less parcels of land, the Clerk of Council or designee shall mail written notice of the public hearing to the owners of the property within, contiguous to, and directly across the street from the affected parcel or parcels at least seven days prior to the initial public hearing. The failure of delivery of the notice shall not invalidate any zoning ordinance. Council may, under the provisions of subsection (b) of this section, provide for this procedure and for additional postings to be completed prior to review by the Planning Commission. Such notices or postings shall be deemed to be constructive notice to the public.

(b) REVIEW PROCEDURES.

Council shall, by ordinance or resolution, establish procedures for review of ordinances establishing, amending, revising, changing or repealing zoning classifications, districts, uses, maps or other regulations. Such procedures shall include review by the Planning Commission.

(c) VOTING REQUIREMENTS.

The following voting requirements shall apply to ordinances amending, revising, changing or repealing provisions of the planning and zoning code or zoning districts:

(1) An affirmative vote of at least three-fourths of the members of Council shall be necessary to pass a zoning ordinance which differs from the written recommendations of the Planning Commission.

(2) In no event shall an ordinance be considered as having passed unless it receives at least a majority vote of the members of council. (Amended 2017)