



MINUTES

PLANNING COMMISSION THURSDAY, MARCH 3, 2016 6:00 PM

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

A. CALL TO ORDER

PRESENT: McKenzie, Cullinan, Comeaux, Wren, Weldon
ABSENT:

2. APPROVAL OF MINUTES

1. Planning Commission – Regular Meeting – January 7, 2016

Minutes stand approved.

3. APPROVAL OF AGENDA

Agenda stands approved.

4. PUBLIC COMMENT

B. BUSINESS OF THE PLANNING COMMISSION

Chairman McKenzie: We have three amendments to ordinances. Do you have a presentation to make tonight, for any of those? We have had these before.

Mr. Snowden: Mr. Chairman, other than to bring us up to date as to where we are, tell everybody what is there specifically, and address any other issues that need to be addressed, and then, I will explain the next process. First, as you recall, in the Fall, you did a conceptual review for these ordinances, and two other ordinances, which were a part of a package, but did not require Planning Commission formal review in order to be enacted by City Council. But, they are all related generally to the Planning, Zoning, and Public Services code of the City. In this case, I introduced the ordinances to City Council in November. They were taken for first reading in January. In February, we had the so-called combined hearing, and Dr. McKenzie was in attendance for that meeting. Then the Council referred these back to the Commission for formal approval. A couple of comments related to Dr. McKenzie in his testimony, did point out several of the errors, and Mr. Weldon so graciously assisted in addressing, made it into the versions that were introduced to Council. The reason that happened, somehow I got a version mixed up, because I did correct them after our last meeting, you know where we had "A", and then "A" again, and that sort of thing. I attempted to have Council Member Clemons, as Chairman of the Service Committee, amend those to a new version at City Council before they were referred to Planning Commission, and I am pretty sure he just forgot to do it. We had it written down in front of him, on two different occasions, and April and I reminded him, so not to be ragging on him, but I really think he just forgot to do it in the meeting, and it was just an accident. So, from

there, I see Mr. Comeaux entering the meeting. With your permission, Mr. Chairman, I am going to mark his as present.

Chairman McKenzie: That is fine.

Mr. Snowden: Ok. Let the record reflect Mr. Comeaux is with us. So, in that case, and in order to make sure, as Dr. McKenzie, and several others have said, these really need to be very perfect, when they go to be approved, so we don't have any future issues, I spent a significant amount of time revising the versions that were presented to you last week, attached as a version two to the legislation that you were given as part of the meeting packet. If there is anything else that I have missed, all that would need to happen is, we would need to note it this evening, the Commission could approve the legislation here as amended, and then, when we return to City Council, regardless of that, I am going to have City Council amend to the current version at their next meeting, as approved by the Planning Commission. If the Commission approved these items this evening, it will be returned to Council for a second reading, be referred back to committee for one additional meeting, and then to a third Council reading. After that, they would take affect 30 days from when signed by the Mayor. So, we are looking at approximately mid April for these items to be in affect. In order to get ahead of the game, I have already revised Development Handbook applications and so forth. And, I have those waiting to be introduced, so that the transition between the two review systems that we are dealing with here is seamless. With that being said, I have one additional item that I have never discussed before that I want to draw your attention to, because it was an addition, and this would be under the ordinance labeled number 3 on your Agenda. In the packet, in the revised version, on page one of the code sections. Section 909 of the City Code, which deals with sidewalks, in the course of this process, I found that we had two different Code sections requiring two different widths of sidewalk. Four feet was required by the Public Services Code, five feet was required by the subdivisions regulations, which would deal with new streets. Obviously that is a problem that needed to be addressed very quickly. Because, you have two different ordinances regulating the same thin, in a very confusing manner. So, I added that since the Commission has last seen it. That is why I want to draw your attention to that. With that, given the amount of time that I have put in, the amount of time that this commission has put in, did anyone have any additional questions? Did I miss anything?

Chairman McKenzie: Yes, Mr. Welday.

Mr. Welday: Reviewing the packet, I noticed that, if you can explain Eric, like in the packet, what I am seeing for the Code section, when it is before maybe a repeat of that same section, is the first section suppose to be the current version?

Mr. Snowden: Mr. Welday, and other Members of the Commission, when Rochelle attached those items in MinuteTraq, the first items attached were version one, the very bottom should have been version two. It had a date labeled February 24th, the revision date. So, whatever is the 24th revision date, regardless of where it was located in the attachment, that is the current version.

Chairman McKenzie: If I may, you provided me with a printout, that Rochelle handed me last Thursday, that I am assuming is revision 2.

Mr. Snowden: For the sake of clarity, the February 24th revision. And, Dr. McKenzie, we did that only because we know that you visit us often in the office and we thought we would have copies ready for you when you stopped by.

Chairman McKenzie: Well yes, and that was my intent in asking the question because I did not go through to see that there was a second version posted after version 1 on the website. But, when I tried to match what I was given and what I read, which now I understand to be version 1, the page numbers were not matching up.

Mr. Snowden: Correct, and Dr. McKenzie, the reason that the original version was left in there is since it was presented to City Council, it can not just go away. Even if the Commission is going to recommend changes, and Council will subsequently adopt those changes. It can not just disappear. It was presented to them in a formal manner. It stays there.

Chairman McKenzie: I agree. I understand. I just want to make sure we are all looking at the same reading.

Mr. Welday: As I am looking at the time, Mr. Chairman. I have got a lengthy list of things that still were not corrected, and I do not feel that we have the time to go through all of this tonight. If I address this with Eric, and have him fix the copy, and then represent it to us, or if you want to go through these tonight.

Chairman McKenzie: Well, I also have a packet with highlights of things that are, by his own point of view, for example, where he says that the reason for this is to maintain consistency and identification throughout where it is inconsistent still. I agree, there are a number of things that could be made better.

Mr. Snowden: Gentlemen, if I may, I would just say that I would not let perfect be the enemy of better. And, I have spent a tremendous amount of time reviewing this and trying to have it be an improvement over our current system. Our code right now, is falling apart. This is not going to make it worse. It is going to make it better. So, there may be some additional things we can do to it, but to be totally candid with you, I need this now. That is a fact. If there are a few items that I can catch and revise, then we will do it. Mr. Welday, I am concerned that maybe you did not get the right version.

Mr. Welday: I got a new phone. I downloaded the version that is on line. I kinda was looking at both sections, and they both appeared the same to me from what I downloaded online from that packet. I did not get anything from your office.

Mr. Snowden: We did not send out packets.

Mr. Welday: So, whatever I got online as the packet, like I said, there are still errors that I pointed out, that have not been corrected. When we are talking about 150 feet or 150 inches.

Mr. Snowden: Mr. Chairman, If I may, I would suggest that we start on that now. Whatever time, if we run out, if the Commission has to table it to the Commission's meeting next month, then we do that. But, I will be totally candid with you, I need this now. I need this so I can get through a day of work with things making sense. That is just a fact. Gentleman, if I can say one other thing, this should have been at the February Commission and City Council delayed it through December. This originally went to City Council November 13th. So, I have been sitting around since November 13th, waiting for this to get enacted, and I need it as soon as possible. So, if whatever we correct will correct it...

Chairman McKenzie: I would be more than willing to give the floor to Mr. Welday. And, if you would announce the sections that he is working so that I can find them.

Mr. Welday: And, I will be working off the packet that was available to me online. I will start on page seven, and I will tell you the code number. Code 1143.02, B.4., at the end of that sentence, simple grammar error, change it from a colon to a period, and I pointed that our previously.

Mr. Snowden: Mr. Welday, please do not get any idea that I think the amount of time that you put in that is in any way not valuable. It is a tremendous assistance to me.

Mr. Welday: The next topic I want to discuss real quickly with the Board, I noticed you had for the new sections, and I am talking about 1143.03, you have now inserted, or someone has inserted "sf", for square foot. That is the improper abbreviation for square foot. I ask that we remove it completely from all code sections, just to make things clear, because it already says square feet at the end. Or, we properly label it with a capital "SF", or "ft squared", or the proper abbreviation.

Mr. Snowden: Mr. Welday, these are stylistic changes.

Mr. Welday: Correct.

Mr. Snowden: So, what you are telling me is that you would like to do a "find replace" Let me tell you this, the consistency and style in our current City Code is non existent. There is absolutely no consistency in style whatsoever. So, I am trying to come to a consistency in style. If the Commission does not like the consistency in style that I have come to, I will just change it to another consistency in style, that would be fine. So, what I am hearing is that the Commission would like all abbreviations for square foot to be capitalized.

Mr. Welday: Or my suggestion, and this will be up to the Board, because I am trying to remain consistent throughout the Code. It has never been in the Code with "sf", and now we have inserted it, where as before, we have a number of feet, or anything, and you have the label right behind. We are changing something by adding it. I don't think it needs to be there. That is my recommendation. I guess I will leave it to the Board, what they want.

Mr. Snowden: So, removing all...

Mr. Weldon: You are using an "sf" to me that could be San Francisco, you know, it is the wrong abbreviation, so.

Mr. Snowden: So, removing that abbreviation, is that what the Commission wants or does the Commission want it abbreviated in another way?

Chairman McKenzie: When I was reading through the document, I also highlighted that, and it caught my eye as well, cause I saw it as a change of format, of the way that we had chosen to identify dimensions in the document.

Mr. Snowden: tell me what abbreviation that you want.

Chairman McKenzie: Well, as Mr. Weldon has said, previously we have simply spelled it out. So, earlier, in A, although you have the sf in parenthesis, you do under 200, then 200 in parenthesis, followed by "square feet", and that makes it consistent with the other dimensions where it is 6 feet, 6 (0), and then feet after.

Mr. Snowden: So, is the Commission stating that they want no abbreviations for any distances or units of measure, they would only like the number in parenthesis, immediately following the written number.

Chairman McKenzie: Since most of the dimensions in the document, in the revisions to the document that you have made, do not use abbreviations, I think it would be a good idea to continue with that style of presentation, and therefore have no abbreviations at all. Now, we could, since often times in parenthesis you have a mark indicating feet or inches. There is also a way to do that for square feet as well, which is a single apostrophe with superscript two for square feet. So, you could do that maintaining the consistency that you have already, the style that you have already established, for linear dimensions, dimensions of distance rather than dimensions of area. So, that could be done as well. But, right now, we are only talking about the inconsistencies suddenly appearing "sf" as an abbreviation.

Mr. Snowden: Ok, so, in summary, no abbreviations.

Mr. Wren: As long as the dimension is spelled out afterward. It says "square feet", we don't put that stuff within the parenthesis.

Chairman McKenzie: Correct.

Mr. Wren: As long as it is spelled out, let's remove the abbreviations.

Mr. Snowden: Gentlemen, what I am going to do is, I am going to right now, list a list of amendments, if we are doing a fine replace, there is nothing wrong with that. But, I am going to have to amend this and move it on to City Council with an amended version. So, I will make a list and we will approve that list. That will be the concept.

Mr. Welday: So, in that 1143.03, that is A., 1., A, it is there? Same section, under B. Then if we continue to 1143.03, A., 2., its represented there, outside of the parenthesis. And then we need to add, if you are going to say square foot, it needs to say, it was not on there, square feet.

Mr. Snowden: I will do a complete style change to remove that.

Mr. Welday: And then add the square feet, after that 200 in parenthesis, please.

Chairman McKenzie: If I may interject here, since for linear dimensions we have the symbol indicating feet or inches in the parenthesis, do we want to have that with a superscript two, to indicate square feet there, or simply move that out. Which would you prefer? Myself, since we have used that to indicate feet or inches everywhere else, I would like to see that style continued even in designations of area.

Mr. Snowden: Please understand this, first, no one tries to amend this much code at one time. The reason we are doing this is because we have to. We don't have another choice. Second, a lot of cities would have a style guide made up ahead of time, that would decide a lot of this ahead of time. I am trying to do that on the fly. If we need to make a style guide that says how we are going to handle these things, then that is fine, let's do it.

Mr. Welday: I will second Dr. McKenzie then.

Mr. Snowden: So, it is an apostrophe and a superscript two?

Chairman McKenzie: Yes, inside the parenthesis.

Mr. Welday: So, then moving on after that, I am now at Code 1143.03, C., 2., 5., it is page ten in the packet, near the top. There it is the 150 feet but in the parenthesis you have the 150 with the quote mark indicating it is inches.

Mr. Snowden: Under Environment Landscape Plan?

Mr. Wren: Under Site Plan.

Mr. Snowden: Ok, see it.

Chairman McKenzie: And E., right? You are looking at E.?

Mr. Snowden: I have got it.

Chairman McKenzie: And, Mr. Welday, you are also looking at 2., E.?

Mr. Welday: I am looking at, actually, the C., 2., number 5.

Chairman McKenzie: And Mr. Snowden, the version that you printed out for me also lists that as an "E", rather than as a "5", so.

Mr. Snowden: I do not see what you are seeing.

Chairman McKenzie: While he is looking at that, one other thing, and I ask this of Mr. Welday as well, as this is another style consideration. When you are doing a linear distance, say in feet, putting the number in parenthesis before or after the "C", because that also is inconsistent. At some point, it says...

Mr. Snowden: One of the problems is folks are trying to look at these on their phones, and I apologize, I guess we will have to give hard copies to everybody. But, if you look over on the right hand side, that is where the dates are. When you see the dates, anything that was revised has a date of 2/24. Ok? I do not even think folks are looking at those copies right now.

Chairman McKenzie: I want to make sure you know it is after 6:30 now. We have moved beyond 6:30.

Mr. Comeaux: Mr. Chairman, if I may, Mr. Welday, are there any things you would characterize as more substantive? When I say substantive, I want to make sure you understand I am not saying these are not important. One of the reasons why the Code is falling apart at the seams is because no one tends to it the way you have tended to it. That is a value. But, if there are things that are more, again, not to minimize the comments, but to point out, is there anything more substantive, that you have, that you would like to raise. There may be a way we can approve with typographical.

Mr. Snowden: Mr. Comeaux, at this point, I would just recommend that you table to the next month, because clearly everyone is not satisfied with the style that I have done, so I think we are going to have to table it. There are too many changes to approve it this way.

Mr. Comeaux: That is fine. Mr. Welday, my question still stands. Is there anything that you characterize as more substantive.

Mr. Welday: Well, if I could bring out a question, and this deals with the makeup of the Board of Nuisance Abatement, how it is hidden in the section code. I wonder if we actually want to pull that out and give it its own section number.

Mr. Snowden: We have used it one time in the last twenty-some years. Again, understand the purpose of it. The purpose of it was to relocate information that was located in the wrong overall section of the Code, and relocate it to a new section where we can amend it from. Our City Attorney would actually like to get rid of our Nuisance Abatement Board completely because he does not like the procedure. There is already a procedure in the Ohio Revised Code for doing Nuisance Abatement, and we sort of have an alternative City procedure. But, the point was to move that from where it was, which was the wrong place in the Code, get it to be in the right place, then we can amend it, or repeal it as needed. And again, Mr. Welday, I genuinely appreciate the time and the care that you are doing with this. What I am saying is, don't let perfect be the enemy of better. The reason why the Code is falling apart at the heels, is because folks have not amended it at all, in some cases, forever. So I am asking us to take one tentative

step forward. But, in this case, I think given the number of changes, I am going to have to go back and revise it. I have to emphasize, this is very difficult work. It is tedious. It is time consuming. The City of Columbus has five people in the Code Generation Division in Zoning, and this is what they do.

Mr. Welday: I want to applaud your effort. It is great, me being a volunteer, I put many hours in this myself and I am not being paid. To actually see the errors come up again, I am frustrated. The thing I want to bring up, if I may, Mr. Chairman, besides that one, another thing that I saw in that specific code section they were talk about using 2012, um...

Mr. Snowden: International Property Maintenance Code.

Mr. Welday: Right. And they've got a 2015 Code section now. Do we want to update that to 2015, or do we want to continue to use 2012 Code?

Mr. Snowden: Gentlemen, ultimately that is up to you. I did not realize there was a 2015 Code, when I wrote this. And, keep in mind, I wrote some of this last summer. I was not aware there was a 2015 Code at the time. Our Code Enforcement folks brought it. They are using 2003 right now. There have been five other codes promulgated since then. When I found out about it a few weeks ago, I was not proposing to change it, because I did not want to change to much and cause any additional confusion. But, we have the opportunity now, so.

Mr. Welday: Is there anything that I need to address right now?

Mr. Wren: What is the process if it does say feet and it is actually inches, and somebody questions that and tries to go against that Code during a normal process, and we do not catch it here? What is the recourse? It may influence how much we do not versus what we can approve now and come back and go through again, and in a few months come back with the final, all changes have been made, stylistic changes, that may not impact any decision making when somebody is trying to bring business in.

Mr. Snowden: the fact is that it needs to be right. How we get there is up to you. I am extremely frustrated. I am not trying to minimize. I am personally very grateful for the assistance of the gentlemen here this evening. And Gentlemen, for operational sake, we are going to need to move on to Design Review Board.

Mr. Cullinan: Does are the two substantive things you have?

Mr. Welday: For now, yes.

Mr. Cullinan: I would like to make a motion we table this item until next month's meeting.

Chairman McKenzie: We have a motion to table.

Mr. Welday: I will second that motion.

Chairman McKenzie: Any discussion?

(Unanimous Vote to table.)

1. **ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Amending Chapter 1131 Definitions; Chapter 1143 Zoning Certificates; Site Plan; Plot-Grade-Utility Plan; Chapter 1155 Enforcement; Penalty; Chapter 1161 Zoning Districts; Chapter 1171 General Regulations for Lots and Yards; and Enacting Chapter 1159 Nonconforming Uses & Structures; and Repealing Chapter 1195 Nonconforming Uses. (Second Reading 3/07/2016).**

RESULT:	REFERRED TO BOARD/COMMISSION [UNANIMOUS] Next: 3/14/2016 12:00 AM
AYES:	McKenzie, Cullinan, Comeaux, Wren, Welday

2. **ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Amending Chapter 1103 Design Review Board; Chapter 1139 Board of Zoning and Building Appeals; Chapter 1147 Variances; Chapter 1193 "HD" Historic Overlay District and Repealing Chapter 163 Village Commission; and Chapter 1194 Historic Commercial Overlay. (Second Reading 3/07/2016).**

RESULT:	REFERRED TO BOARD/COMMISSION [UNANIMOUS] Next: 3/14/2016 12:00 AM
AYES:	McKenzie, Cullinan, Comeaux, Wren, Welday

3. **ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Amending Chapter 909.02 SIDEWALK-MATERIAL; WIDTH AND LOCATION, Amending Chapter 1111 General Provisions; Chapter 1115 Preliminary Plat; Chapter 1119 Final Plat; Chapter 1127 Standards; Chapter 1355 House Numbering; Chapter 1180 Landscaping and Buffering Standards; and Enacting Chapter 919 Trees; Part 17 Nuisance and Property Maintenance Code: Title 1 Public Nuisance and Title 3 Property Maintenance Code; and Repealing Chapter 543 Trees and Noxious Vegetation; Chapter 1367 Abandoned or Inoperable Service Stations; and Chapter 1369 Nuisance Abatement; Chapter 1389 International Property Maintenance Plan. (Second Reading 3/07/2016).**

RESULT:	REFERRED TO BOARD/COMMISSION [UNANIMOUS] Next: 3/14/2016 12:00 AM
AYES:	McKenzie, Cullinan, Comeaux, Wren, Welday

C. ADJOURNMENT

Chairman



Planning Administrator