

Circleville Committee of Whole convened in City Hall Council Chambers 127 South Court St. Circleville, Ohio on Tuesday, November 16, 2021, at 7:29 pm. The following members were present: David Crawford, Council President; Michelle Blanton, At Large; Tom Klitzka, At Large; Barry Keller, Second Ward; Sheri Theis, Fourth Ward and Linda Chancey, Clerk. **ABSENT:** Katie Logan Hedges, At Large; Jeff Hallinin, First Ward and Todd Brady, Third Ward. Guests included Caryn Koch-Esterline and Tom Duvall, 2022 Council Members; Mayor Don McIlroy.

Roll call – Three (3) members absent

Crawford stated the minutes for October 26, 2021 approved and filed as recorded.

Crawford stated the purpose of the Committee of Whole meeting is to discuss and review the second draft of the proposed City Zoning Codes. He then introduced Holly Mattei, AICP of Crossroads Community Planning who had prepared the draft of the Zoning Code revisions. Crawford stated tonight's meeting is for public input. Also, There is an ordinance on the agenda to appoint City Council Clerk.

INPUT FROM PUBLIC DISCUSSION:

Holly Mattei explained there were emails from Jeff Carithers and Harrel Stevenson which provided concerns in written form, too. Because the codes have changes it was suggested that I write a summary code to help provide a glimpse of what the changes are between the existing and proposed. Mattei noted after meeting with stake holders, she is addressing concerns for lack of clarity in the regulations, better consistency in code enforcement, improved efficiencies in process, regulation that reflects current best practices, especially in the area of signs and food trucks. A second draft was created and reviewed by the steering committee and those comments help shape draft two. There is no draft three yet, because I would like Council and public input first. The major changes in the proposed code include new districts to represent best planning practices, and a table was created on page two of the executive summary that shows the changes. This will create a more streamlined process in the city codes. Mattei explained the code table, existing districts and proposed codes with notes about the changes. The zoning map was updated to reflect the newly proposed districts and eliminates spot zoning.

1. Tom Spring, 335 Meadow Lane suggested more community engagement for city's code changes. Other suggestions from Spring are the need for a city planner to help with all the processes. Have a retreat or workshop and invite a zoning attorney or a planner and explain how planning and zoning work, residents' office district allowing professional offices is good, and prohibiting off-street parking.
2. John Ankrom PE, 390 Longwood Drive had concerns with housing sections under 400 sq ft footage, it used to be under 1200 sq ft. Mattei answered that she did place in codes of minimum sq footage because of fair housing issues, but I can add the previous language back in. There was a PUD in the previous code and this one has a mixed use, but the acres requirement went from five acres to twenty acres. Mattei explained that can be revisited and add the old language back into this draft. Ankrom continued, under non-conforming uses, expansion was reduced from 150% to 125% one-time thing. Mattei explained the reasons, because we added the other retail business and retail offices uses into the residential district to allow them to become conforming so less non conforming uses and then limiting what is still conforming the goal is to eliminate those not to allow 150 expansions. Ankrom asked about surfacing requirements, the code says any parking lot has to be surfaced and the previous code limited it to BD, right? Mattie stated she will have to review that because of existing as nonconforming but if they expand, the parking lot will need to be paved. Mattei stated that is a viewpoint that needs to be decided on city viewpoint. Crawford asked how would you change that? Ankrom stated limit it to the downtown or major thoroughfare or have them make repairs.
3. Jeff Carithers 1086 Ridge Drive stated I did forward to Council members references about food trucks and how other communities regulate them. Food trucks need to have zoning permit for that vacant property, they are occupying that property unlawfully and action can take against them, do not ignore them.
4. Tom Spring continued his input, some of the good points in the proposed codes are landscaping codes and he noticed parking in the downtown was updated and long-time parking has

restrictions. The City's current signs codes are completely useless but should be enforced. Food trucks can be allowed with a permit for half of year and a renewal for the other half. Do we want food trucks in the downtown? The Law Director and Council should be added to enforce the zoning codes. Also, the zoning inspector should report to Council. The safety forces need to be notified for their opinions. Spring continues with HDRB and supporting Certified Local Government if you are going to do it right then give best effort to protect the historical district.

Crawford stated that Wes Hart submitted a series of questions and concerns to Council tonight, I gave a copy to consultant Holly Mattei to take under consideration.

Blanton motioned to recess the Cmte of Whole meeting until after Council meeting. Klitzka seconded. Blanton motioned to convene back into the Cmte of Whole meeting, seconded by Klitzka. All Yeas.

Mattie asked about two items that needs direction on

- 1.) HDRB was going to be combined with Planning & Zoning Commission, but there were concerns with this at the last meeting and now I heard possibility moving that to the BZA from the Planning Commission.
- 2.) Food Trucks and time frame has been discussed and will be addressed later.

Theis read her comments..."I met with the Mayor, Service Director, Zoning Inspector and Auditor to discuss the Certified Local Government (CLG) program and they said they think that it is a great idea. For anyone not familiar with the Certified Local Government program, the Ohio Historic Preservation Office works with cities to establish an inventory of local historic sites, provide guidelines for restoration of historic properties, and assist property owners who wish to have their property listed on the State and National Historic Register. If Circleville becomes a CLG, we will be eligible for grants to assist with meeting these goals and public education.

This applies to the Zoning Code because the CLG application requires that our Historic District code meets their specifications and includes guidelines for the Historic District Review Board. The other option that is being considered is that the Historic District Review Board is eliminated, and the Planning and Zoning Commission would review any proposed construction or renovation in the Historic District. If we choose to pursue the CLG application, they will not approve that system.

The CLG application also requires that we have two people who have training or experience in fields of historic preservation, planning, architecture, or archaeology. At our meeting we concluded that the next step is to reach out to the community and see if we can find these key people who can be added to the Historic District Review Board.

I am contacting members of the County Historical Society and others who might be interested. We can only move forward with the CLG application with their commitment. I propose that we table the Zoning Code revisions dealing with the Historic District for the time being and come back to it once we have spoken to community members and have a firm idea of our options."

Mattei asked about the HDRB codes. Do I leave out for now and then on the third draft revisit it again? The Mayor stated that he is good with it.

Mattei stated the next draft, will come to Council at the beginning of January 2022. Then start the public hearing process early February 2022, but if the HDRB is separate board it might hinder the timeframe, a fourth draft might be needed. The Mayor agrees, but I do not agree on three separate boards. The HDRB needs to be morphed into another board, Council will need to make that decision. Theis added we need to leave the HDRB as it stands but find qualified people and implement the CLG, the Mayor understood and agreed to this.

Blanton asked about becoming a CLG and receiving other grant funds, having a plan in place to execute those grants or is there another program Council needs to come up with? Theis explained the grants she is talking about comes through the State Preservation Office and the grants are allocated and only work with a CLG program who have the boards in place, so they perform properly. Blanton asked about the number of CLG in Ohio? Theis stated that there are CLG in larger cities, and some smaller too, twenty -two have

populations similar to Circleville, but we need qualified people. Blanton stated I researched this myself; other cities have Architecture Review Boards where they are responsible for the grants, are your suggestions that it has to be called a HDRB? Or are they saying it's just a task done by a board. Theis stated they are not specific about a name, but it is what is in place in Circleville for years so no reasons to change.

Keller stated the goal is to have the code revisions ready on Tuesday, February 1, 2022 for a Cmte of Whole meeting to review the documents and start the process.

Mattei asked do you want me to make all the revisions except the HDRB section and get it Council in January 2022 or wait until Council makes decisions about HDRB and get a complete document to Council? The Mayor stated the concerns are, I am not in favor of taking that HDRB and morphing it into the P&Z, my suggestion is to take that out of code and then move forward with the HDRB CLG.

Mattei stated moving on does Council want to add to the revised map? Crawford asked did you add any work ready areas? Mattei stated I did not add any it's pretty much what you had already in the city codes

Christian Spring 2255 Meadow Lane asked if the food truck proposal and 180 days permits but I am asking you do not allow that in the historic district or overlay any property in the future, it needs a shorter timeframe. Crawford asked Mattei what opinions and information are you hearing? Mattei stated I have heard several comments on food trucks and reducing the numbers of days for permits. Food truck days will be reduced for timeframe and location in historic district and access to parking. But the biggest concerns are the number of permits. The Mayor stated that some want special days like Pumpkin Show has, we can limit the number of days in the certain timeframe and make it specific to historic district. Mattie stated I like the different standards for food trucks in the historic district and I will place that in the proposed codes.

Blanton stated I am in favor of reducing the days for food trucks but not in favor of banning them from the historic district. Because if we are promoting the district as a walkable district people who work downtown have a short lunch can walk to a food truck, then back to office. But If there are special events and food trucks are downtown that would be good, but if there is a certain number of days, they can only get a permit for and leave they can get every year, I am in favor of that also. Let us consider special events, such as the Pumpkin Show, then have restrictions, but make sure the restrictions are not restrictive. Mattei explained the codes for food trucks can have some restrictions as timeframes and historical district has a shorter timeframe.

Tom Duvall, 240 East Mound Street stated there are food trucks located in other places and businesses and they are there to serve and then they leave town. But downtown, I see food trucks sitting empty and just there. I would be in favor of special events not more than day.

Jeff Carithers, 1086 Ridgewood Drive stated the most common timeframe are two to three days, the city should not allow them to sit on the streets empty. Some cities use the police to enforce this but not beyond two to three days unless it is a special event. regarding Pumpkin Show some cities have exemptions. When DORA was passed, I told Council they better have food trucks under control because who is the DORA going to benefit the downtown restaurants.

Crawford asked are we talking about food trucks on right of ways? Mattei stated we are talking about food trucks on private property. The public right of ways will have to be done thru a separate ordinance; it is not controlled thru zoning.

DISCUSSION ON THE APPOINTMENT OF CITY COUNCIL CLERK

Theis motioned to go into executive session for the discussion on reappointment of City Council Clerk. Klitzka seconded. Roll call. (4 Yeas – 0 Nays)

Crawford stated we are back into regular Council meeting and council clerk ordinance was discussed. It was unanimous that Linda Chancey be reappointed.

Klitzka motioned for adjournment. Theis seconded. Motion carried.

Respectfully submitted by
Linda Chancey, Clerk