

# RECORD OF LEGISLATION

No. 6-48-2025

Passed 6-3, 20 25

**AN ORDINANCE AMENDING THE CITY OF CIRCLEVILLE ZONING CODE TO MAKE CERTAIN CHANGES AND ADDITIONS TO THE CODE AND DECLARING AN EMERGENCY.**

**WHEREAS**, the Council of the City of Circleville, Ohio is empowered pursuant to Chapter 713 of the Ohio Revised Code to enact a Zoning Code to frame and adopt a plan for regulating the location and character of all buildings, construction and other uses of property within the city of Circleville; and

**WHEREAS**, the Council of the City of Circleville has previously adopted a Zoning Code for the city; and

**WHEREAS**, the Circleville Planning and Zoning Commission has recommended that certain amendments be made to the Circleville Zoning Code; and

**WHEREAS**, there was a public hearing held on April 2, 2025, by Circleville Planning & Zoning Commission and made a recommendation for approval of the rezoning and code text amendments; and

**WHEREAS**, there was a public hearing held on May 20, 2025, by Circleville City Council, to hear comments on the proposed rezoning and code text amendments; and

**WHEREAS**, the Council of the City of Circleville desires to approve and adopt the recommendations of the Circleville Planning and Zoning Commission to enact the amendment to the Circleville Zoning Code and believes this to be in the best interest of the citizens of the city of Circleville and not detrimental to their health and welfare.

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CIRCLEVILLE, COUNTY OF PICKAWAY, OHIO AS FOLLOWS:**

**SECTION I.** That Section 1105 of the Circleville Zoning Code is hereby amended to establish the following definition:

**Tiny Home Village** - Any tract of land upon which three (3) or more tiny homes used for habitation are parked, either free of charge or for revenue purposes, and include any roadway, building, structure, vehicle, or enclosure used or intended for use as a part of the facilities of such village.

**SECTION II.** That Section 1113.04(b) of the Circleville Zoning Code is hereby amended to the following: **One electronic copy** of an application must be submitted for an application for a Zoning Amendment.

**SECTION III.** That Section 1113.05(a)(1) of the Circleville Zoning Code is hereby amended to the following:

1. **One digital PDF copy** of an application form provided by the City that includes:
  - A. The name, address, phone number and email address of the applicant and property owner(s).
  - B. The address and parcel number of the property in question.
  - C. The Section of the Code from which the variance or appeal is being sought.
  - D. The existing zoning district in which this property is located.
2. A copy of the denied zoning permit.
3. If the applicant is not the owner of the property, a signed letter from the property owner shall be submitted authorizing the applicant to serve as his/her agent for the application.
4. A legal description of the subject property.
5. A plot plan drawn to an appropriate scale, as determined by the Zoning Inspector, showing at a minimum the following information:
  - A. The entire lot(s) subject to the application request.
  - B. All adjacent rights-of-way.

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- C. The location and height of all existing and proposed buildings and structures with a notation of the setbacks of each from all property lines and rights-of-way.
  - D. All parking lots, driveway or other vehicular use areas.
  - E. All existing and proposed signs.
  - F. Proposed landscaping.
  - G. Distances to any residential district if less than 1,000 feet from the lot(s).
  - H. The existing use of the lots on all adjacent lands.
  - I. Building elevations, if determined necessary by the Zoning Inspector to better understand potential impacts on adjacent properties.
6. The names and addresses of all property owners within one hundred (100) feet of the subject property as appearing on the Pickaway County Auditor's current tax list.
  7. A narrative statement explaining the following:
    - A. A description of the existing and proposed uses
    - B. For an appeal:
      - i. The reasons the applicant believes he/she has been aggrieved by the Zoning Inspector's or other applicable reviewing authority's decision.
      - ii. The reasons why the appeal is justified.
    - C. For an area variance:
      - i. The nature and magnitude of the variance request.
      - ii. A response as to how the proposed variance satisfies each of the decision criteria listed in Section 1113.05(e).
  8. The applicable fee, as determined by separate Ordinance adopted and periodically updated from time to time by City Council.

**SECTION IV.** That Section 1113.06(b) of the Circleville Zoning Code is hereby amended to the following: Application – Any person who owns or has interest in a lot subject to the conditional use requirements, may file an application to use such property for conditional uses provided for by this Ordinance in the District in which the property is situated. **One (1) digital PDF** of an application for a conditional use shall be filed with the Zoning Inspector, who shall forward a copy to the members of the Board of Zoning Appeals. The application shall contain the following information:

1. All of the information required for a Zoning Permit pursuant to Section 1113.02(c)
2. A plan of the proposed site for the conditional use showing the location of all buildings, parking and loading areas, traffic circulation, open spaces, landscaping, trash disposal and service areas, utilities, signs, setbacks, and other information that the Board may require to determine if the proposed conditional use meets the intent and requirements of this Ordinance.
3. A narrative statement evaluating the effects on the adjoining property, and a discussion of the general compatibility with adjacent and other properties in the district.
4. The names and addresses of all property owners within 100 feet, contiguous to and directly across the street from the property, as appearing on the Pickaway County Auditor's current tax list.
5. The applicable review fee as listed in the separate fee schedule adopted by City Council.
6. Such other information regarding the property, proposed use, or surrounding areas as may be pertinent to the deliberations of the Board of Zoning Appeals.

**SECTION V.** Establish Section 1113.07(b)(12) of the Circleville Zoning Code to the following: **A school impact study may be required.**

**SECTION VI.** That Section 1113.07(c) and 1113.07(f) of the Circleville Zoning Code is hereby amended to the following:

- (c) **One (1) PDF electronic copy** of the Application and Preliminary Development Plan shall be submitted to the Zoning Inspector prior to the Submittal Due Date as established by the Planning and Zoning Commission in January each year. Failure to submit a complete application shall result in a refusal of acceptance. The Zoning Inspector shall transmit the complete application package to the Planning and Zoning Commission and other parties as deemed appropriate for review and comment.

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The application for a Preliminary Development Plan shall follow the same procedures as 1113.04(c). The notice for the Planning and Zoning Commission and Council Public Hearings shall be the same as those listed in Section 1113.04(d).

- (f) Final Development Plan. Within twelve (12) months from the date of City Council approval of a Preliminary Development Plan, the developer shall submit one **(1) digital PDF copy** of the Final Development Plan to the Zoning Inspector.

**SECTION VII.** That Section 1113.09(b) is hereby amended to the following: Applications for zoning permits for uses not specifically listed in the permitted building or use classifications of the zoning district, which the applicant feels qualify as a similar use under the provisions of this Section, shall be submitted to the Board of Zoning Appeals. **One (1) digital PDF copy** of a completed application shall be submitted. The following information shall be included in the application:

1. Name, address, phone number and email of the applicant; and
2. The address and parcel number of the address in question; and
3. If the applicant is not the owner of the property, a signed letter from the property owner shall be submitted authorizing the applicant to serve as his/her agent for the application; and
4. Legal description of the property; and
5. The existing zoning district in which the property is located; and
6. A vicinity map drawn at a suitable scale, showing property lines, streets, existing zoning of surrounding parcels adjacent to and within 200 feet; and
7. The names and addresses of all property owners within one hundred (100) feet of the subject property as appearing on the Pickaway County Auditor's current tax list.
8. A site plan that shows:
  - i. The lot(s) where the use is proposed; and
  - ii. Any existing and/or proposed buildings; and
  - iii. The square footage of the proposed use.
9. A narrative explaining:
  - i. A description of the proposed use; and
  - ii. The reasons the applicant believes the proposed use complies with Section 1113.09(c)(1-3).

**SECTION VIII.** That Section 1113.10(b) and 113.10(c) of the Circleville Zoning Code is hereby amended to the following:

- (b) Application. **One (1) PDF electronic copy** of an application for a Certificate of Appropriateness (COA) shall be submitted.
- (c) In addition to the application, **one (1) PDF electronic copy** of a site plan that contains the following information must be submitted with the application:
1. Proposed Uses.
  2. The dimensions of the property lines, parcel dimensions, private roads and adjacent public rights-of-way.
  3. Building locations.
  4. Rendering of building elevations.
  5. Proposed building materials.
  6. Proposed colors of building, shutters, trim, and other architectural features.
  7. Proposed awnings and/or canopies including proposed colors.
  8. Proposed landscaping.
  9. Proposed lighting.
  10. Proposed fencing.
  11. The layout and design of parking.
  12. Proposed signs.
  13. Proposed mechanical and trash enclosures, including materials and colors.

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**SECTION IX.** That Section 1113.11 (a) of the Circleville Zoning Code is hereby amended to the following: Application: **One (1) PDF digital copy** shall be submitted. Said application shall include:

1. The name, address, phone number and email of the applicant; and
2. The address and parcel number of the parcel in question; and
3. If the applicant is not the owner of the property, a signed letter from the property owner shall be submitted authorizing the applicant to serve as his/her agent for the application; and
4. A legal description of the property; and
5. The names and addresses of all property owners within one-hundred feet (100) of the subject property as appearing on the Pickaway County Auditor's current tax list. This requirement may be waived by the Zoning Inspector for any non-conforming use permit issued by the Zoning Inspector in accordance with 1113.11(b)(1)(A) below. In no case shall this requirement be waived for an application that requires Board of Zoning Appeals approval.
6. A narrative that includes the following information:
  - A. Evidence of the date the original uses went into operation- photos and other and supporting documentation can be utilized as evidence; and
  - B. The date that the regulations creating the non-conformity went into effect; and
  - C. If any portion of a building is vacant, evidence of the length of time it has been vacant; and
  - D. For the expansion of an existing non-conforming use: evidence of the proposed square footage versus the existing square footage.
  - E. For the substitution of a non-conforming use: both the existing and proposed use.

**SECTION X.** That Section 1113.12(a) and 113.12(b) of the Circleville Zoning Code is hereby amended to the following:

- (a) Application: **One digital copy (PDF)** of the Mural Application shall be submitted to the Zoning Inspector along with the required Mural Permit.
- (b) In addition to the application, one (1) digital copy (PDF) of the following items must be submitted:
  1. A sketch, drawn to scale, of the proposed mural showing its relationship to the size and height of the building to which it will be adhered.
  2. A property owner's affidavit giving permission to the applicant to adhere the proposed mural to his/her building.
  3. An affidavit ensuring that the mural shall remain in place for a minimum of five (5) years.
  4. A copy of an approved Certificate of Appropriateness, if the property is located within the Historic Overlay District.
  5. A copy of the approved Development Plan that includes the proposed mural, if the property is located within the PMD.

**SECTION XI.** That Table 1 of Section 1127 of the Circleville Zoning Code is hereby amended to establish the following to the table: **Tiny Home Villages as a permitted use in the MHR (Manufactured Home Residential) District.**

**SECTION XII.** Establish Section 1138.12(12) of the Circleville Zoning Code to the following: **A school impact study may be required.**

**SECTION XIII.** That Section 1138.13 of the Circleville Zoning Code is hereby amended to the following: **One (1) PDF electronic copy** of the completed application and Preliminary Development Plan shall be submitted to the Zoning Inspector prior to the Submittal Due Date as established by the Planning and Zoning Commission in January each year. Failure to submit a complete application shall result in a refusal of acceptance. The Zoning Inspector shall transmit the complete application package to the Planning and Zoning Commission and other parties as deemed appropriate for review and comment.

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The application for a Preliminary Development Plan shall follow the same procedures as Section 1113.04(c). The notification requirements for such hearing shall be the same as those listed in Section 1113.04(d).

**SECTION XIV.** That Section 1138.17 of the Circleville Zoning Code is hereby amended to the following: The developer shall submit **one (1) PDF electronic copy** of the Final Development Plan to the Zoning Inspector. The Final Development Plan shall be in general conformance with the Preliminary Development Plan. Failure to submit a Final Development Plan within the specified time period shall render the approved Preliminary Development Plan and the rezoning of the property null and void.

The Final Development Plan, or first phase of the Final Development plan, shall be submitted not later than twelve (12) months from the approval of the Preliminary Development Plan. If submitting the Final Development Plan in phases, the Planning and Zoning Commission shall determine if the elements of the proposed phase are sufficient to stand alone if the remainder of the planned development is abandoned. All phases of the Final Development Plan shall be submitted not later than two (2) years from the approval of the Preliminary Development Plan. The Planning and Zoning Commission may grant one (1) year extensions due to extenuating circumstances as determined by the Commission.

**SECTION XV.** That Section 1145.04(a)(1) of the Circleville Zoning Code is hereby amended to the following: All parking spaces shall be a minimum of **10 feet in width and 20 feet in length** measured rectangularly and shall be served by aiseways of a minimum of 24 feet in width to permit easy and smooth access to all spaces.

**SECTION XVI.** That Section 1145.09(e) of the Circleville Zoning Code is hereby amended to the following: Prohibited Accessory Structures. Shipping containers shall be prohibited from being used as accessory structures in all **districts except the IE (Innovation and Employment) District and CS (Community Service) District. Shipping containers shall be a conditional use in the IE (Innovation and Employment) District and CS (Community Service) District.**

**SECTION XVII.** That all other provisions of the Circleville Zoning Code not otherwise amended by this ordinance shall remain in full force and effect.

**SECTION XVIII.** That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of public peace, health and safety of the citizens of the City of Circleville, such emergency rising out of the immediate need to avoid unnecessary delay in the application of these amendments to avoid confusion and to provide additional clarity relating to these areas of the Zoning Code so that this ordinance shall take effect and be in force immediately from and after its passage and approval by the Mayor.

PASSED: 6-3-2025  
DATE

Barry D. Kille  
PRESIDENT OF COUNCIL

ATTEST: [Signature]  
CLERK OF COUNCIL

APPROVED: 6-3-2025  
DATE

Michael L. Bearton  
MAYOR

APPROVED AS FORM:  
[Signature]  
KENDRA C. KINNEY - LAW DIRECTOR