

PLANNING AND ZONING COMMITTEE

APRIL 11, 2018

The meeting was called to order at 5:32 p.m. by Chairman Tim McCarthy. Committee members present were Tim McCarthy, Jonathan Smith and Becky Williams. Also present were Brody Walters, Planning and Zoning Administrator, and Mark Easterling, Deputy Planning and Zoning Administrator.

APPOINTMENT TO HISTORIC LANDMARKS COMMISSION

Mr. McCarthy moved to go into Executive Session to consider the appointment of a public official. Ms. Williams seconded, and the Committee voted 3-0 to adjourn to executive session. The Committee went into Executive Session at 5:32 p.m. They returned from Executive Session at 5:46 p.m. The Committee agreed 3-0 to recommend Colleen Boff to the Historic Landmarks Commission.

ASSIGNMENT OF PERMANENT ZONING – SECOND FIRE STATION

The assignment of permanent zoning for the site of the second fire station was the subject of a public hearing held on April 3, 2018. Mr. Walters said the site contains two parcels consisting of approximately 7.77 acres. The City has requested that the zoning the property held while in the Township, I2 (General Industrial), be continued now that the property is in the City. Mr. Walters said that public service facilities are a permitted use in I2 zoning districts, and so this seems appropriate. He said that he also could have supported INS (Institutional) zoning, and at this point the lone variable is placement of an electronic message board.

Ms. Williams asked about the special approval use process if the property is zoned INS. Mr. Walters said that the special approval use process is a requirement to get zoning permits and those have already been issued. However, if there are site plan changes in the future, it would be subject to the special approval use process just as the Departments of Public Service and Public Utilities recently went through for construction of cold storage buildings.

Ms. Williams said that she feels it should be zoned Institutional as most all other properties that house municipal operations are zoned INS. Mr. McCarthy said that he tends to agree and the likelihood of the property ceasing to be a fire station is remote. Mr. Smith asked why public facilities are not a special approval use in I2 districts as they are in INS. Mr. Walters said that, in general, it would not have as big an effect on neighboring properties of an I2 zoned site because you do not normally see I2 zoned properties surrounded by residential properties, but that could occur with INS zoning.

The Committee agreed 3-0 to recommend approval of INS (Institutional) zoning for the site of the second fire station at 26100 Fort Meigs Road.

AMENDING FEE SCHEDULE

Mr. Walters said that the Planning and Zoning Division has been working with the Department of Public Service on revisions to how street tree plans are handled. He said that currently developers are required to employ a landscape architect to prepare a

street tree plan. It then has to be submitted and approved by the Street Tree Commission before zoning permits can be issued. Not infrequently, there are a number of submissions before approval is granted, and each requires the owner/developer to incur additional architectural fees.

The Service Committee has heard proposed changes to this process whereby the Street Tree Commission would actually complete the street tree plan with input from the developer on any special requests they may have. As part of the process in recommending these changes, the Department of Public Service looked into how much a street tree actually costs. The current cost of a street tree permit is \$450, but the Department of Public Service has determined that the actual cost to the City is about \$472 per tree. Mr. Walters requested that Ordinance 64-2016, which sets fees for the Planning and Zoning Division, be amended to increase the cost of a street tree permit to \$475.

Ms. Williams asked if the proposed changes in the process will save time. Mr. Walters said that it will save the developer the cost of hiring a landscape architect and will save time because all street tree plans should go through on the first submission. Mr. McCarthy said that it sounds like better customer service. Laurie Melchior Huskisson was present at the meeting and Ms. Williams asked her what she thinks of the proposed change. Ms. Huskisson said that they are correct about the cost of hiring a landscape architect, and she is in favor of anything that makes the process easier. The Committee agreed 3-0 to recommend approval of the increased fee for a street tree permit from \$450 to \$475, and to change the approval process. The ordinance will be introduced at a future meeting.

USE PERMITS (FKA CERTIFICATE OF OCCUPANCY)

Mr. Smith asked what a certificate of occupancy is and what the fee for a certificate of occupancy is. Mr. Walters said that Wood County Building Inspection issues a certificate of occupancy that deals with the construction of a building and life, health, safety issues relative to that building. The City issues a certificate of occupancy to evaluate, confirm, and validate that the use is either a permitted, special approval use or is not permitted in accordance with the land use chart. He said that the Planning and Zoning Division is currently transitioning the name to Use Permit to try and avoid some of the confusion between the County's certificate of occupancy and what the City issues.

Mr. Walters said that the purpose of a use permit is two-fold. It is for the City's protection so we are aware of what type of business is locating in particular zoning districts, but it also is for the tenant's protection. If a business is issued a use permit and then the Code changes, the City will have a record that the business was approved to be in that zoning district, and it will be a legal non-conforming use.

Mr. Smith asked if the Planning and Zoning Division could work with the Tax Division to get information on businesses in lieu of a use permit. Mr. Walters stated that they cannot get information from the Tax Division. He added that it would, however, be fair to

lower the cost to \$50 from the present \$75. The \$50 represents about one hour of staff time and related costs.

Ms. Huskisson said that she owns buildings on West South Boundary and was issued a certificate of occupancy when they were built. She said that she does not feel that as the tenants change they should have to get a new certificate of occupancy. She said that the management company she uses did not know anything about this requirement.

Mr. Walters said that the City needs some means to keep track of the use of a property. There was discussion about how to obtain this information from businesses that have been established for several years and how to publicize this requirement more. Mr. McCarthy asked that the Planning and Zoning Division come up with an action plan to get the message out.

The Committee asked if there other fees that need to be adjusted. Mr. Walters said that currently the cost of a permit for an above ground pool is \$15 and for an in ground pool it is \$40. He said that there is no difference in the amount of staff time involved on a pool permit whether above ground or in ground so he feels it should be the same. The Committee agreed 3-0 to lower the cost of a use permit (certificate of occupancy) to \$50 and to change a pool permit to \$30. The ordinance will be introduced at a future meeting.

SPECIAL MEETING

Mr. McCarthy reported that he has had ongoing dialogue with Dave Kienzle of the Shoppes at RiverPlace regarding tube lighting that he installed at the top of the parapet wall. Mr. Kienzle has requested that he be permitted to address this at a special committee meeting when he is in town. The Committee discussed the need for a special meeting after Mr. Walters pointed out that the City is not going to proceed with any enforcement action pending further discussion. It was determined that the issue could be discussed at the next regular meeting when Mr. Kienzle can attend. Mr. Smith requested that the next regular meeting date be changed. Mr. McCarthy said that he will reach out to Mr. Kienzle to talk about scheduling for May 2 or May 16.

There being no further business, the meeting adjourned at 7:11 p.m.

Respectfully submitted,

A handwritten signature in black ink that reads "Timothy G. McCarthy". The signature is written in a cursive, flowing style.

Tim McCarthy, Chairman
Planning and Zoning Committee

Next meeting: To be determined.