

Regular Meeting ~ 2:00 p.m. Wednesday, May 1, 2013

Springview Government Center 3130 East Main Street Springfield, Ohio 45505

Mr. Ron Lyons, Vice Chairperson of the Clark County Planning Commission of Clark County Ohio, calls the meeting to order at 2:00 p.m.

Present:

Mr. Ron Lyons, Mrs. Charlene Roberge, Mr. David Minard, Mr. Jim Burkhardt, Mrs. Nora Parker and Mrs. Elaine Stevenson arrived at 2:03.

Absent:

Ms. Jo Anderson, Mr. Steve Hopkins, Commissioner Detrick, Commissioner Hartley and Commissioner Lohnes.

Vice Chairperson Lyons asks if there are any comments regarding the minutes. Hearing none, he asks for a motion to approve the minutes.

CPC: 5-8-2013: Minutes ~ April 3, 2013 ~ Regular Meeting

Motion by Mr. Minard, seconded by Mr. Burkhardt, to approve the minutes as presented.

VOTE: Motion carried unanimously.

Zoning Regulations – Discussion of Definitions and Proposed Amendments

Mr. Neimayer, Senior Planner, states that he asked the board members last month to review Chapter 10, Glossary of Definitions for review at this meeting. In a brief summary, Staff is updating the definitions to more current terminology of today's times. He explains that the items that have strikeouts are definitions to be removed and items in red are new definitions and/or updated ones. He also explains on page 10-2 the first paragraph explains that in the case there is a question about the meaning of terms not defined in this glossary, currently the Webster's New International Dictionary is referred to for such meaning. The American Planning Association (APA) has a reference manual regarding zoning definitions. This manual is not APA's definitions but rather a collection from various communities across the country on various planning and zoning related terms. Staff recommends that the APA manual be the first reference to go to should a term or word not be in mentioned in our glossary. Beyond that, it would be the Webster's New International Dictionary for general terms not of planning and zoning specific terms.



He states the proposed amendments and definitions to the zoning regulations is for clean-up and clarification as well as to insure that some of the language contained in the regulations is consistent when necessary with the state building code.

Mr. Neimayer asks if there are any questions from the Board members.

Mr. Lyons asks if this is going to confuse more things or take the confusion out of things because you have the building code definitions versus the zoning code definitions and then you have two reference dictionaries as well.

Mr. Neimayer responds that it should not create any confusion. Again, staff is trying to update the terms to more current terminology. The way you look at any zoning code is how that term is being defined in that particular regulation. An example would be what the definition for "Accessory Building or Use" is under county regulations and that definition is what Clark County needs for those areas under county zoning. If there is a term not spelled out in Chapter 10, then Staff will go to the APA Manual for reference. If it is a more general term that is not a planning specific term, then Staff will refer to Webster's Dictionary. If you want to define a certain term and specifically apply it for your zoning then you put it in the definitions as such.

Mrs. Roberge asks if there needs to be a motion to approve all of the amendments to Chapter 10.

Mr. Neimayer responds not at this time. It is still under preliminary review by the various Boards. Once it has gone through the Boards and all changes if any have been made, then it will go before the Rural Zoning Commission to initiate the changes.

He makes reference to "Private Landing Fields" in the definitions. He states that has been an item of code enforcement for some time. Staff has been trying to understand what the current definition is and making sense of what was thought to be intended and actually came up with a new definition. Staff has verified with surrounding counties and there is no other county in this area of Ohio that has a defined term for a private landing field. The proposed term is created for Clark County specifically. Again, this was initiated due to a code enforcement complaint filed several years ago.

Mrs. Stevenson asks with a private land field is there ever more than one runway.

Mr. Neimayer responds that was never the intent. That is why it is stated in the proposed definition that there is to be only one runway. You could have multiple runways on a tract of land. Staff agreed that there should specifically be a limit to one private landing runway. The current definition would allow someone if they had the space to have multiple runways. Staff did not feel that was right for Clark County and what the intent was. We wanted to limit that to just one landing field.

Mrs. Stevenson asks if it is legal to have more than one landing field.

Mr. Neimayer responds that under the current definition it is possible.



Mrs. Roberge comments that if the proposed definition for a private landing field is adopted then in the future someone could not have more than one private landing field.

Mrs. Stevenson states that she noticed the term "cellar" has been stricken from the definition of basement. Is there anything in the procedures that apply to a cellar as far as building something? There are still structures with cellars but she didn't know code wise if there is anything that applies to cellars that would require it to be in the definition of basement. Mr. Neimayer responds nothing from zoning specifically. The term "cellar" goes back many decades when they were called that and not basements. The Building Code does not reference that either. Staff is just trying to be consistent.

Mr. Lyons asks with regards to the garage sale definition and all the types that are referenced if there is a limit to the time frame someone can have a sale. He is aware of the difficulties townships and municipalities have had with these types of sales especially when there is a continuing garage sale that someone has from May untill August. Are the only rules for these types of sales under the county zoning regulations?

Mr. Neimayer responds that depending on the situation, there might be some rules beyond zoning and that is part of the reason for updating the definition and specifying in more detail the types of sales so there is no misinterpretation for Staff, an attorney or a judge.

Mr. Lyons asks if there is anything that states how many sales you can have and the time frame in which you can have one.

Mr. Neimayer responds that sales such as the ones listed in the garage sale definition are found in Chapter 8. They are considered a temporary use. It is spelled out as far as the terms in which you can have those types of sales per calendar year.

Mr. Neimayer brings to the attention of the Board that in the definition of "Manufactured Home" after the request of Tom Hale to verify the references regarding the federal statutes and that has been updated accordingly.

Mrs. Stevenson asks under "Manufactured Farm Home" definition why it states "Farm".

Mr. Neimayer responds that under the zoning code it refers to on a farm you can have a manufactured home unit separate from the main house for the farm workers. That is allowed in the A-1 district specifically for farms. Otherwise you have 2 residential dwellings on 1 lot, which is not allowed.

Mr. Lyons asks if this Board will be reviewing each individual chapter of the zoning amendments within the next couple of months.

Mr. Neimayer responds now that the Board has a full copy of the proposed zoning amendments, he would like to start reviewing chapters 1 thru 4 at the June meeting. Most of the amendments are edits whether they are typos or a wrong reference to a certain section. The items in red are proposed new items or changes and the strikeouts are proposed items to be removed. There are also editorials such as taking out Zoning Inspector and in its place

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inserting Zoning Administrator. Likewise, taking out Health Department and inserting Combined Health District.

The other document that was passed out is a summary of all of the various changes and includes the edits as well as the content-type of changes that are being proposed. This is a short version of the actual proposed zoning amendments for distribution to the media or the general public should they want to see a short version of what the proposed changes are.

Staff Comments

Mr. Neimayer states the next scheduled meeting is Wednesday, June 5, 2013. There has been a rezoning case filed and possibly an item involving a proposed lot split where the lot configuration is not the standard square or rectangular shape and does not involve a farm. Based on past discussions, this Board has directed him to bring those type of lot splits before the Board for review and approval and not leave it at Staff level.

He also states that at the beginning of April the County unveiled a new website. He asks that board members visit the new site for Community Development and most importantly the planning and zoning side of it and give Staff feedback on the content information.

Adjournment

CPC: 5-9-2013: Adjournment

Motion by Mrs. Roberge, seconded by Mrs. Stevenson, to adjourn the meeting.

VOTE: Motion carried unanimously.

The meeting was adjourned at 2:36 p.r	n.
Mr. Ron Lyons, Chairperson	Mr. Thomas A. Hale, Secretary