



Planning & Zoning Commission Meeting
Tuesday, July 9, 2024 - 6:30 PM
AGENDA

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Public Comment
5. Action on Minutes
 - a. June 25, 2024
6. Commission review of Zoning Legislation
 - a. **ORDINANCE 16-2024** AN ORDINANCE TO AMEND SECTIONS 1187.03, 1187.08 AND 1187.09 OF THE CITY OF JOHNSTOWN CODIFIED ORDINANCES
7. Zoning Inspector
 - a. June 2024 activity report
8. Other Business
9. Adjourn



Planning & Zoning Commission
Tuesday, June 25, 2024 - 6:30 PM
MINUTES

1. Call to Order

Chairman Jesse Coppel called to order the Planning and Zoning Commission meeting for June 25, 2024 at 6:41 p.m.

2. Roll Call

Present - Jesse Coppel, Ryan Green, Steve Dyer

Absent - Benjamin Lee, Kristen Hurst

Staff present - Sean Staneart - City Manager, Franz Stein – Design Review Board, Teresa Monroe - Clerk of Council

Public present - Aaron Underhill, Jamie McNally

3. Pledge of Allegiance

4. Public Comment

No comments

5. Approval of Minutes

a. May 28, 2024

ACTION: Jesse Coppel moved to approve as written; Steve Dyer seconded and the vote was as follows:

AYES: Steve Dyer, Ryan Green, Jesse Coppel

NOES: None

ABSTAIN: None

Passed 3 - 0

6. Application # 6-25-1 PD Map Amendment Application; 5206 & 5230 Clover Valley, 12017 Duncan Plains Rd.

a. Application

Sean Staneart said that typically annexation comes in as Agricultural and to change the zoning would require a zoning map amendment. Chapter 1165 in the codified ordinance leaves a provision for a different process if it meets certain criteria.

Aaron Underhill with Underhill and Hodge, attorney for the applicant, said the purpose of this is that when they went through the large PD rezoning they mentioned that if they saw scenarios where they might be able to pick up pieces around the perimeter of the site as opportunities arose they would want to capitalize on the procedures in the code to allow them to tack on those parcels. They have annexed both of these parcels into the city, one is four acres, one is five. They are asking to apply the same standards applied to Sub

Area-1 to these parcels, they are calling them Sub Area 1-A and 1-B. The two-page zoning text with the application reiterates the commitments in the existing larger zoning, at the end of all of this, this will be incorporated into the larger document. They do have two other annexations currently pending for properties along Green Chapel Road so they will be doing this process again in the future.

Commission review of the parcel map and sub area map provided. Tonight, the Planning Commission will make a recommendation to council, either to approve, deny or approve with conditions.

ACTION: Jesse Coppel moved to recommend to council, approval with the condition that the applicant will prepare and provide a full pd district text and supporting documents as amended for the city to keep on file prior to submittal of a final development plan application for the new Sub Area 1-A and 1-B; Steve Dyer seconded and the vote was as follows:
AYES: Jesse Coppel, Steve Dyer, Ryan Green
NOES: None
ABSTAIN: None

Passed 3 - 0

7. Zoning Inspector

a. May 2024

Report provided in the packet for board review.

Ryan Green said that over at the condos, it look like they mowed the majority of the property but the mounds are still there with high grass on them. He noticed people walking the site, and some markings, he didn't know if anything was happening. Sean Staneart said the contact he had with Coughlin a couple weeks ago is that they are frustrated that the underground took place and then it has been so long since the above ground excavation, they said they would push for the same people that did the underground to come back and do the above ground excavation in short order. Sean said he would make contact to see if they can, at a minimum, get the high grass off of the mounds, or if they can give a timeline for grading.

Ryan Green called out trash being left at the curb with some rental turnover etc. it often sits out from Thursday through the weekend with trash day on Monday. The Zoning Inspector only works Monday, Tuesday, Wednesday.

Ryan Green asked about the zoning sign he saw on Mink Road. Mr. Staneart said a demolition permit for a garage will be forthcoming.

8. Other Business

1. Sean Staneart said he had discussions with the Design Review Board about the demolition piece kicked directly to council, ultimately it would give criteria and qualifications they would have to go by, It is in front of council to expedite the process. This makes changes to 1187 for COA's and the Design Review Board (DRB). Sean Staneart said that for a COA permit, for demolition, for whatever reason, went to Planning & Zoning instead of

staying with the DRB, demos require a COA and COA's are done through the Design Review board, and will continue to stay with the DRB. Sean said the legislation is in the council packet for review, DRB made one edit tonight, he asked if the Planning Commission had any recommendations to reach out to staff. Jesse Coppel said his reading of the Charter is that any change to part eleven would have to go through them before it goes through council. Sean Staneart said he thinks the Charter says "may", it does not specifically state it has to. Charter section 7.03(b) was reviewed; clerk to get legal interpretation from the Law Director. Sean said the intent of letting them know tonight, was that this is still a week away from council vote, if there is any objection to what is currently drafted, he would highly recommend providing comments or showing up at the meeting, a delay in the process could add an additional month or month and a half. Sean added that Charter section 4.03(a) gives council the power to introduce any legislation at any regular or special meeting of council. Mr. Coppel said he feels any change to section eleven of the code should start in Planning & Zoning, and he would like the Law Director's opinion on the Charter. Ryan Green said he thinks they will be supportive of this one because the last demolition that they heard, the guidelines were pretty short, this will be a much more comprehensive approach. He added that there will be a lot of changes coming up, he does want to establish ground rules now of who sees what.

9. Adjourn

ACTION: Jesse Coppel moved to adjourn; Ryan Green seconded and all were in favor.
AYES: Ryan Green, Jesse Coppel, Steve Dyer
NOES: None
ABSTAIN: None

Passed 3 - 0

The meeting ended at 7:12 pm.



AN ORDINANCE TO AMEND SECTIONS 1187.03, 1187.08 AND 1187.09 OF THE CITY OF JOHNSTOWN CODIFIED ORDINANCES

WHEREAS, Section 1187.03 of the City of Johnstown's Codified Ordinances defines Environmental change, major; and

WHEREAS, Section 1187.08 of the City of Johnstown's Codified Ordinances lists criteria for evaluation of applications for Certification of Design Appropriateness in the City of Johnstown; and

WHEREAS, Section 1187.09 of the City of Johnstown's Codified Ordinances regulates demolition of structures in the City of Johnstown; and

NOW THEREFORE BE IT ORDAINED BY THE CITY OF JOHNSTOWN, COUNTY OF LICKING, STATE OF OHIO, AS FOLLOWS:

Section 1. That Sections 1187.03, 1187.08 and 1187.09 are amended as shown in the exhibit attached; deletions are ~~struck~~; additions are *italicized*

Section 2: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of the Council and that all deliberations of this Council and any of its committees which resulted in such formal actions were in meetings so open to the public in compliance with all legal requirements of the City of Johnstown, Licking County, Ohio.

Date of Introduction: June 18, 2024

Public Hearing/Vote: July 2, 2024

Effective Date:

BY: _____

Mayor Donald Barnard

ATTEST TO:

APPROVED AS TO FORM:

Teresa Monroe, Clerk of Council

Yazan Ashrawi, Law Director

1187.03

(f) "Environmental change, major" means new construction, alterations which change, modify, reconstruct, remove or demolish any exterior features of an existing structure that are not considered to be minor modifications, demolition of a structure which is permanently fixed and or attached to the ground, building addition, the addition of signage or changes to nonconforming signs and the construction of accessory buildings, structures including, fences, walls, retaining walls, decks, porches, swimming pools and spas, and similar changes as determined by the Village City Manager, subject to the provisions of this chapter.

1187.08 CRITERIA FOR EVALUATION OF APPLICATION FOR CERTIFICATION OF DESIGN APPROPRIATENESS.

In considering the appropriateness of any proposed environmental change, including landscaping or exterior signage, the Board or Village City staff member shall consider the following, as a part of its review:

(a) The compliance of the application with the Design Guidelines and Requirements. The proposed environmental change is to comply with the Design Guidelines and Requirements of the Village City, incorporated by reference.

(b) A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

(c) The visual and functional components of the building and its site, including but not limited to landscape design and plant materials, lighting, vehicular and pedestrian circulation, and signage.

(d) The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

(e) Each property shall be recognized as a physical record of its historic time, place and use. Alterations that have no historical basis and which seek to create an appearance inconsistent or inappropriate to the original integrity of the property shall be discouraged.

(f) Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.

(g) Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical or pictorial evidence.

(h) Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures if appropriate shall be undertaken using the gentlest means possible.

(i) New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

(j) New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

(k) Significant archeological resources affected by a project shall be protected and preserved, if such resources must be disturbed, mitigation measures shall be undertaken.

(l) Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved. (Ord. 05-2011. Passed 5-17-11.)

(m) Demolition of a structure shall follow the criteria for evaluation and submittal requirements outlined in section 1187.09 as well as all items in 1187.08 as it relates to consideration of the demolition of a structure.

1187.09 ~~Demolition of Structures~~ **Demolition Criteria**

Decisions approving or denying Certificates of Appropriateness for the demolition of structures will be guided by the following criteria, among other considerations.

- The historic, architectural, or cultural significance of the structure.*
- How the structure contributes to the identity of the district.*
- The feasibility of reproducing the structure due to characteristics unique to the building, including design, materials, architectural details, etc.*
- Whether the structure represents a specific example of period construction or is the one of the last remaining buildings from this period.*
- Plans for the reuse of the property and how these plans affect the character and identity of the surrounding district.*
- Whether the structure presents a clear danger to the health and safety of the public. This may include the possibility of unexpected collapse, existence and dissemination of pollutants, unauthorized use, etc.*
- Whether there is clear evidence that alternatives to demolition have been explored.*
- Whether there is benefit to the public to protect or demolish the structure based on the current or projected use of the property.*
- Whether the structure has been altered to the extent that no historic or architectural relevance is*
- Is there a reuse plan? A new structure would need to have conformity with the surrounding architecture.*
- Is it legitimately in poor enough structural condition as to warrant demolition and not “demolition by neglect”*
- Does the demolition negatively affect adjacent property owners?*
- The lot must be returned to turf and landscape, and anything posing a danger must be filled/remediated like basements/foundations/septic tanks/cisterns etc. The Design Review Board can also decide if they want to ensure that foundation slabs, driveways, walkways, fences, etc. are removed.*

Purposeful Neglect.

The Design Review Board will not approve applications where the willful neglect of a property is evident. In cases of intentional neglect, or damage, where the property has been allowed to deteriorate with the purpose of causing demolition, the owner may be held responsible for the cost to stabilize, repair, or replace the structure.

~~In cases where an applicant applies for a Certificate of Appropriateness to demolish a structure, the Planning and Zoning Commission or Village Manager shall grant the demolition and issue a Certificate of Appropriateness when at least one of the following conditions prevails.~~

- ~~—(a)—The structure contains no features of architectural and historic significance to the character of the individual precinct within which it is located.~~
- ~~—(b)—There exists no reasonable economic use for the structure as it exists or as it might be restored, and that there exists no feasible and prudent alternative to demolition.~~
- ~~—(c)—Deterioration has progressed to the point where it is not economically feasible to restore the structure.~~



June 2024 Zoning Inspector Summary

- Total new homes permitted this month: (1)
- Total of all permit applications received: (12)
- **Applications:**
 1. Zoning Certificates: (2)
 2. Curb cut, Certificate of Occupancy (CoO), Sidewalk: (1)
 3. Certificate of Appropriateness (CoA): (3)
 4. Fence: (2)
 5. Decks: (2)
 6. Shed: (0)
 7. Signs: (1)
 8. Pool: (1)
 9. Variance: (0)
 10. Zoning Map Amendment: (0)
 11. Lot Split: (0)
 12. Food Trucks: (0)
 13. Residential garages/additions: (0)
 14. New businesses: (0)
 15. Conditional use: (0)
 16. Final Occupancy Permits: (0)
 17. Inspections: (10)
 18. Demolition: (0)

- **Zoning Violation Notices:**

1. Parking in front yards: (1)
2. Trash: (3)
3. Disabled vehicles: (0)
4. Litter receptacle: (8)
5. High grass: (17)

Terry L. Wymer

Terry L. Wymer
Zoning Code Enforcement Official