

Circleville Committee of Whole convened in City Hall Council Chambers 127 South Court St. Circleville, Ohio on Tuesday, February 15, 2022, at 6:00 pm. The following members were present: Barry Keller, President; Michelle Blanton, At Large; Katie Logan Hedges, At Large; Tom Duvall, At Large; Jeff Hallinin, First Ward; Cary Koch- Esterline, Second Ward; Todd Brady, Third Ward; and Sheri Theis, Fourth Ward and Linda Chancey, Clerk. Guests included Mayor Don McIlroy and Holly Mattei, Zoning Code consultant.

Roll call. No absentees.

Hallinin asked to add to 2/1/2022 minutes, Hallinin asked Mattei for three things for all Council to receive: “original current city codes, changes made to this code and noted specifically where they occur and how these changes will benefits citizens of Circleville or the city itself. Mattei stated that she would be able to provide this.” Duvall motioned to approve the corrections. Brady seconded. All Yeas. Hallinin motioned to approve the minutes as corrected. Brady seconded. All Yeas.

Keller stated the purpose of the Committee of Whole meeting is to review and discuss Draft Three (3) verbiage, map version, a clean version and a redline version zoning codes for tonight’s meeting with public comments. The back of agenda is a timeline to move the codes forward.

Holly Mattei explained in the last two weeks I have taken written comments that were submitted and met with the Chamber of Commerce. They invited businesspeople to discuss the proposed codes.

- Tom Spring’s written comments outlined the comments he shared at the last meeting. I will review the comments on how to address each of those comments.
- Chambers of Commerce attendees had constructive feedback.

1. **Sandwich Board signs**

- Draft three has the “A” frame requirements for plastic signs, the small businesses need these signs for economic growth because they are lightweight and easier to change the lettering.
- Digital signs – permitted in the overlay district or not permitted, but in the current draft three they are prohibited, but my opinion is you can create a digital sign in an area such as the historical and control it thru conditional uses. The signs can be controlled aesthetics, timing, and brightness they are remote control now. The next process is how to deal with them in conditional process with residential uses and fits in the historical nature. It was suggested and recommended placing digital signs back in the codes as a conditional use with those standards.

2. **Food trucks** the thought is if the trucks are in downtown area they should be moved daily, they are not opposed to them. If the trucks are in the same spot too long in an area, they might cause a detriment to the area of business, and they did see the benefits of having them. It was suggested regulating food trucks or any type of pop-up facility or retail truck or coffee truck under the same regulations. The tents codes are seven days in draft three, it was said that is too long and should be reduced, it was suggested three (3) days for tents because of a long weekend. The suggestion was three days, twelve times a year, once a month for the tents. They were supportive of smaller tents as well.

Tents limited to the property owners and as to what the property owners’ function is and it was suggested no off-site sales. The farmer’s market will come back and the discussion on tents and food trucks will affect them too.

Drive thru – there are uses in the different districts downtown business and neighborhood districts, drive thru and auto use are prohibited. It was suggested to allow them to back as a conditional use process, it is important to create a walkable community.

Historic Review Board (HRB) it was suggested board members terms should be three years and not five years because of the difficulty to commit to five-year terms easier to attract people.

Surveys for food trucks were mailed out with utility bills that was conducted at the initiative of the mayor for public input, the surveys are broken into downtown and general business areas. The survey asked if it should be daily or weeklong or not at all.

Questions From Public And Council Members - Draft Three (3)

Richard Verito, 206 South Court Street. I did not attend the Chamber of Commerce meeting Mattei discussed, my opinion for food trucks, there is way to design a website to benefit them by placing in designated spots and have them register for a permit on online. The trucks should not be near a business that is on the same block. I can put a proposal together to present to Council. Regarding signs they are easier for business; Does Council have a vision as to what you want your downtown to look like in the next twenty years, you are setting on a code for the now but not for the next twenty years. The next one is tents, they cannot be the same as business, I cannot support a friend that wants to setup a clothing business with a pop-up tent on a Saturday afternoon.

Steven Collins, 115 West Mill Street, stated the one thing he would like to mention about digital signs. I have sight sensitivity to those when flashing or brightness at night.

Blanton asked regarding the digital signs, can you create various times? Mattei stated, Yes, you can, with digital signs you can regulate place and manner. If you want digital signs, place under conditional uses.

Hallinin asked about the 4000-k brightness. Mattei explained the 4000 k is the warm temperature not very bright, kind of middle of the brightness, a more standard light.

Brady asked about residential district for permitted conditional uses, two-unit apartment in the MDR District it is blank. What does the blank mean on the map? Mattei explained that it is not permitted if it does not have a P, C., or an A next to it, is not a permitted use. Brady stated the apartments have been there since 1950's. Mattei explained it would become "existing non-conforming district." Brady asked what district MDR? Mattei explained that is "medium density," which is a single-family district, its higher density, the two units would not be permitted, but if you have them existing, they would be grandfathered in.

Koch- Esterline read a statement about the US Supreme Court ruling on display of political signs and other types of signs. Mattei explained I totally agree, there is a first amendment issue, but the codes cannot control the contents of the signs, only control time, place, and manner. They are a type of temporary sign and political signs which are permitted, but that number can be changed, Council can change that. This code is not regulating political signs. Koch- Esterline stated its regulating it if it is limiting them to three.

Blanton stated here is another perspective, if I place a bunch of political signs in my yard then we will have a opposite problem. So, if someone sees a bunch of signs in someone's yard, they will find out that political signs are a protected speech. But if they have a bunch of other signs in their yard, wouldn't you want them to have zoning laws? Mattei stated you can be limited to three temporary signs, but if someone wants a bunch of signs in their yard the city cannot do anything about that, because its protective speech.

Hallinin asked about "encouragement versus whatever is in the code," on page 88 there is language about window planters, it is encouraged to provide accent to the building? Mattei stated this is a gray area in the district, I try to eliminate subjectivity as I can. but I think overlay district is allowing architecture viewpoint in overlay. I can change to as appropriate "as determined by HRB." Hallinin stated on the next page 89 it says, "shall be in the overlay". Mattei will change that wording too.

Hallinin continued if a person does not have a hard paved surface what will happen? Mattei stated they will be grandfathered in, but if the area is rehabbed then they must go by the new paving code. Hallinin asked about parking lots with islands to separate the lots? Mattei explained in the downtown it can be a little hard and I can change that language as determined by the board.

In the business district it looks better with landscaping but when it is a smaller parking lot, we can change it. Hallinin asked Mattei to look at the next one with parking lots in front of the buildings, too.

Hallinin asked about all the X's and 4 X's where will do you find those? Mattei stated I will reference those numbers for the final copy. Hallinin asked conditional requirement for visibility with building design wall is 3 ft. and 6 ft fencing and in other parts of fencing the code in different. Mattie explained about clarity for setback is a zero-lot line and maximum of ten feet. Mattei explained the table setbacks chart. Mattei stated you do not want private fencing in front of businesses.

Hallinin asked about requiring a business to have plants in front of them.? Mattei is going to take that out of codes.

Tom Springs, 335 Meadow Drive explained about temporary signs is middle ground for political signs, if I have more than two, I just rotate the signs out because if I have a bunch the message is lost. Wondering about compensation for board members that is something to consider?

Blanton stated in the current code political signs are not identified as a temporary sign but in the new codes it is. It says the temporary signs must be permitted, we do not want that confusion and it has a day limit. Mattei stated she will take it out.

Hedges asked what are the three positive changes for the code? Mattei stated signs in general and adding in mixed use district space and just clarity on development standards like landscaping.

Hedges motioned to move draft three to Planning and Zoning Commissioners to consider draft three. Koch-Esterline seconded. Roll call. (7 Yeas – 0 Nays). Motion carried.

Hallinin motioned for adjournment at 6:50 pm. Theis seconded. Motion carried.

Respectfully submitted by

Linda Chancey, Clerk