

1. Agenda

Documents:

[2020-01-13 AGENDA.PDF](#)

2. Meeting Materials

Documents:

[2020-01-13 COUNCIL PACKET.PDF](#)

Public Hearing

A Public Hearing will take place at 6:05 p.m. on Monday, January 13, 2020 in Zanesville City Council Chambers, 401 Market Street, Zanesville, OH to hear a request by the City of Zanesville to amend the City of Zanesville Comprehensive Implementation Index. All testimony for and against will be heard.

Public Hearing

A Public Hearing will take place at 6:15 p.m. on Monday, January 13, 2020 in Zanesville City Council Chambers, 401 Market Street, Zanesville, OH to hear a request to rezone Auditor’s parcel numbers 84-18-06-02-000 and 84-18-06-01-000 and amend and revise the zoning map and make permanent zoning in the City of Zanesville, Ohio from I-1 Industrial to C-2 Community and Regional Commercial. All testimony for and against will be heard.

Public Hearing

A Public Hearing will take place at 6:25 p.m. on Monday, January 13, 2020 in Zanesville City Council Chambers, 401 Market Street, Zanesville, OH to hear a request to rezone fifty-three lots from the current zoning district of either RS-4 Medium-High-Density Single-Family Residential District, RS-5 High-Density Single-Family Residential District or C-2 Community and Regional Commercial to C-4 Highway Commercial by amending and revising the zoning map and make permanent zoning in the City of Zanesville, Ohio. All testimony for and against will be heard.

Public Hearing

A Public Hearing will take place at 6:35 p.m. on Monday, January 13, 2020 in Zanesville City Council Chambers, 401 Market Street, Zanesville, OH to hear a request by the City of Zanesville to amend the Chapter 1115 of the City of Zanesville planning and Zoning Code. All testimony for and against will be heard.

**City Council meeting
Agenda of business
December 09, 2019**

The Lord’s Prayer

Pledge of Allegiance to the flag

Item
no.

A. Roll call

B. Approval of minutes

C. Communications, reports, and resolutions

1. Communication from Mayor Mason-Zanesville-Muskingum County Port Authority Board Appointment – Mayor Mason hereby recommends the reappointment of Randy Coconis to the Zanesville-Muskingum County Port Authority Board. Mr. Coconis' term will expire December 31, 2023.
2. Communication from Mayor Mason- Muskingum County Land Reutilization Corporation Board Appointment – Mayor Mason hereby recommends the appointment of Ann Gildow to the Muskingum County Land Reutilization Corporation. Ms. Gildow will replace Tim Smith. Ms. Gildow's term will expire December 31, 2021.
3. Communication from Scott Brown, Interim Director of Public Services-City of Zanesville Cemetery Division-2019 4th Quarter Report.
4. Communication from Scott Brown, Interim Director of Public Services-City of Zanesville Cemetery Division-2019 Year End Report.
5. Resolution No. 2020-03 - Introduced by Council-A Resolution authorizing the sale, by internet auction during calendar year 2020, of City owned personal property which is not needed for public use or which is obsolete or unfit for the use for which it was acquired. (First Reading)

D. Proposed ordinances

6. Ordinance No. 19-94 – An Ordinance establishing a “Dig Once” Policy reducing underground excavation for communications infrastructure within the City's Right of Ways. (First Reading)
7. Ordinance No. 2020-04 – Introduced by Council – An Ordinance reauthorizing entering into a contract for the purchase of limestone and declaring an emergency. (Emergency or First Reading)
8. Ordinance No. 2020-05 – Introduced by Council – An Ordinance authorizing the proper City Official to dispose of City property. (First Reading)

E. Ordinances for action

9. Ordinance No. 19-141 – Introduced by Council – An Ordinance authorizing the expenditure of funds related to the Lock #10 Canal Trail Project. (Second Reading)
10. Ordinance No. 19-140 – Introduced by Council - An Ordinance authorizing the proper City official to submit an application for a 2020 Certified Local Government Program Grant. (Third Reading)

11. Ordinance No. 19-143 – Introduced by Council – An Ordinance amending Chapter 924.11(e) of the City of Zanesville’s Codified Ordinances regarding special charges and assessments. (Third Reading)
12. Ordinance No. 19-144 – Introduced by Council – An Ordinance authorizing an encroachment of a City right-of-way. (Third Reading)
13. Ordinance No. 19-145 – Introduced by Council – An Ordinance amending Chapter 1115 of the City of Zanesville’s Codified Ordinances, regarding variances. (Third Reading)
14. Ordinance No. 19-146 – Introduced by Council – An Ordinance to amend and revise the Zoning Map and make permanent zoning in the City of Zanesville, Ohio as herein provided. (Third Reading)
15. Ordinance No. 19-147 – Introduced by Council – An Ordinance to amend and revise the Zoning Map and make permanent zoning in the City of Zanesville, Ohio as herein provided. (Third Reading)
16. Ordinance No. 19-148 – Introduced by Council – An Ordinance amending the City of Zanesville’s Comprehensive Plan Implementation Index. (Third Reading)
17. Ordinance No. 19-149 – Introduced by Council – An Ordinance authorizing an agreement with Muskingum County and the Zanesville-Muskingum County Port Authority related to infrastructure improvements within the Zanesville-Washington Joint Economic Development District. (Third Reading)

F. Traffic orders

There were no traffic orders filed for this meeting.

G. Miscellaneous and unfinished business

H. Private petitions and communications

There were no petitions filed for this meeting.

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F. Traffic orders

There were no traffic orders filed for this meeting.

G. Miscellaneous and unfinished business

H. Private petitions and communications

There were no petitions filed for this meeting.

**ZANESVILLE CITY COUNCIL SPECIAL MEETING
THURSDAY, JANUARY 02, 2020**

The Zanesville City Council met in a Special Session at 7:00 p.m. on Thursday, January 02, 2020 in the City Council Chambers, 401 Market Street, Zanesville, Ohio.

Mr. Vincent led those present in the Lord's Prayer and the Pledge of Allegiance to the Flag.

Mr. Vincent: This is our first meeting of the year for 2020. It is exciting as we have new faces here this evening. I want to welcome new, returning Mayor Mason. We appreciate you. Thank you for coming back to serve the city here.

Mayor Mason: Thank you.

Mr. Vincent: It is an honor that we have Todd Ware who is the newest Councilperson. So welcome, sir; we are glad you are here.

Mr. Ware: Thank you. I am back.

The following members of Council answered Roll Call: Miss Bradshaw, Ms. Gildow, Mrs. Osborn, Mr. Sharrer, Mr. Foreman, Mr. Roberts, Mrs. Gentry, Mr. Ware, and Mr. Vincent.

Mr. Baker was absent.

Mr. Roberts moved to excuse Mr. Baker. It was seconded by Mr. Foreman.

A voice vote was taken with all present were in favor of excusing Mr. Baker except Mr. Sharrer and Mr. Roberts and they voted nay. Motion carries.

APPROVAL OF MINUTES

Mrs. Osborn moved to approve the minutes of December 23, 2019 as written, seconded by Mr. Foreman.

Motion carried.

ELECTION OF PRESIDENT PRO-TEMPORE

Mr. Vincent: I will accept nominations from the floor.

Mr. Sharrer: I would like to nominate Mr. Andrew Roberts as President Pro-Tempore.

Ms. Gildow seconded the motion.

Mr. Vincent: Are there any other nominations? Okay we will close the nominations and we do not need an official vote for that. So we will vote on Mr. Roberts serving his term as President Pro Tempore so signify by saying aye.

A voice vote was taken with all the Councilmembers present being in favor. Motion carries. Mr. Baker was absent.

Mr. Vincent: Thank you, Mr. Roberts and welcome back.

PROPOSED ORDINANCES

Ordinance No. 2020-01 – Introduced by Council – An Ordinance appointing the Clerk of Council and declaring an emergency.

Mr. Roberts moved to waive the readings and it was seconded by Mrs. Osborn.

Mr. Vincent: Is there any discussion on waiving? With that we will have roll call vote for waiving of the readings.

Roll call vote on waiving of the readings.

8 Ayes

0 Nays

1 Absent Mr. Baker

Motion carries.

Miss Bradshaw moved for passage, seconded by Mrs. Osborn.

Ms. Gildow: It may not be my responsibility, but I would like to take this opportunity to express thanks and how appreciative we are for everything Sue does for Council and for all of us.

Mrs. Osborn: Sue makes us look very good.

Mr. Vincent: I would like to echo that. We talk often and you know how much I appreciate you and all you do for us. You keep us in order and keep things running very smooth. We do appreciate you.

The Clerk said thank you.

Roll call vote for passage.

8 Ayes

0 Nays

1 Absent Mr. Baker

Motion carries. Ordinance is passed.

Mr. Vincent: I talked to the Mayor earlier and we will sign this legislation right now, so it will be in effect. Then I will get you sworn in so it will be official.

Mayor Mason: You get great service here.

Mr. Vincent: Raise your right hand please. Mr. Vincent then proceeded to swear in the clerk.

Ordinance No. 2020-02 – Introduced by Council – An Ordinance establishing the salary of the Clerk of Council and declaring an emergency.

Mr. Sharrer moved to waive the readings and it was seconded by Mrs. Osborn.

Mr. Vincent: Is there any discussion on waiving? Hearing none, we will have roll call vote for waiving of the readings.

Roll call vote on waiving of the readings.

8 Ayes

0 Nays

1 Absent Mr. Baker

Motion carries.

Miss Bradshaw moved for passage, seconded by Mrs. Osborn.

Roll call vote for passage.

8 Ayes

0 Nays

1 Absent Mr. Baker

Motion carries. Ordinance is passed.

MISCELLANEOUS AND UNFINISHED BUSINESS

Mr. Vincent: I will turn to Mayor Mason. Would you like to share anything? How was your first day?

Mayor Mason: It was rough. So Thomas Wolfe wrote, "You can never go home again," but he was, of course, wrong. You can. My first job out of college in 1979 was literally straight downstairs. It is where our IT areas are right now and we were a City Manager Government so I was actually sitting up here the first meeting of January forty years ago. We were trying to figure out the difference between a Charter Government and a Statutory Government. Trying to figure out what all we were doing because it was a Charter and what all are we going to do now because it is not. It is just interesting now we are at four decades into the transition. I am really happy to say, "I think City Council, I have noticed over the years is working very well together with the administration. I promise to keep that going along." Today I was meeting with Bill (Arnett), Keane

(Toney) and Scott Brown, the Interim or Acting Public Service Director. At one point in the discussion somebody apologized that they were crossing over into another area where the other person was in charge of and I said, "Hey wait a minute, you don't need to apologize. We are all spit balling ideas and thoughts and that is the kind of professional discussion you have to have to maximize what for the taxpayers are putting into each one of us." It is the old saying, "Two plus two can't make four." There has to be a synergy. Somehow that old saying, two plus two has to be eight. That is what we have to come up with when we are working together. So I am really pleased and happy. We have a daunting task in front of us between what we need to do on Linden, on Pershing Road, and what we need to do with Muskingum Avenue. The possibilities of upgrades at Gant Stadium. Then perhaps the most daunting task, if you want to talk about going back four decades, it would be going back six decades when I 70 cut through the middle of Zanesville. This will be one of the most daunting tasks and you are here in sixty years. So we will really have to work hard to get it. We were talking at the table today and there might have to be a point where at 9:00 in the morning we decide we need to put pylons and barricades up to start redirecting traffic just because sometimes you just have no idea of how traffic is going to flow. I always tell people this: one thing about water, electricity, and traffic is it will flow the least line of resistance. You just have to be ready for it. So I am happy to be here. I am happy to be working for the people and happy to be working with each one of you, today and for the next four years. Thank you.

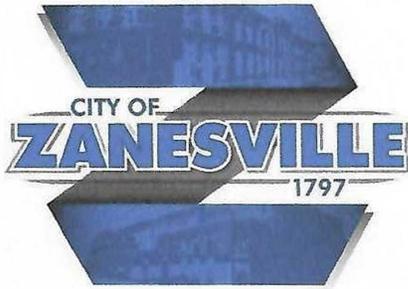
Mr. Vincent: Thank you, Mayor Mason. I have to echo as far as I am very pleased with Council. I feel we are a good team. We work well together. Todd (Ware) is fitting in so nice. So, we are a good group. So, I think you being so open to discussions and every time I have called or anything; you were willing to help me out and listen to what I had to say. So, I appreciate that. So together we will do great things. Is there anything else from Council or the Administration?

Mr. Roberts moved to adjourn about 7:14 p.m. It was seconded by Mrs. Osborn.

Mr. Vincent: All in favor of adjournment, signify by saying aye. Those opposed nay. The motion carries. We stand adjourned and have a good night.

Susan Culbertson
Clerk of Council

Daniel M. Vincent
President of Zanesville City Council



*Council-Mayor Government
Donald L. Mason, Mayor*

THE CITY OF
Zanesville

401 Market Street
Zanesville, Ohio 43701
Phone (740) 617-4908
Fax (740) 455-0744
E-mail: don@coz.org

MEMORANDUM

TO: *Members of City Council*

FROM: *Mayor Don Mason*

A handwritten signature in black ink, appearing to be 'DM', with a horizontal line underneath it.

DATE: *January 9, 2020*

SUBJECT: *Board Appointment*

Zanesville Muskingum County Port Authority

I am hereby recommending the reappointment of Randy Coconis to the Zanesville Muskingum County Port Authority Board. Mr. Coconis' term will expire December 31, 2023.

Thank you!

DM/pke



Council-Mayor Government
Donald L. Mason, Mayor

THE CITY OF
Zanesville

401 Market Street
Zanesville, Ohio 43701
Phone (740) 617-4908
Fax (740) 455-0744
E-mail: don@coz.org

MEMORANDUM

TO: *Members of City Council*

FROM: *Mayor Don Mason*

DATE: *January 9, 2020*

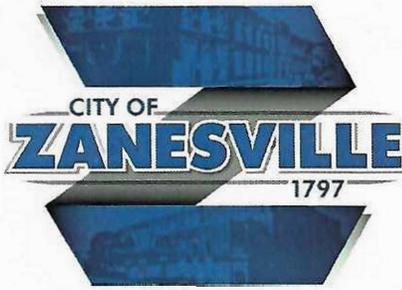
SUBJECT: *Board Appointment*

Muskingum County Land Reutilization Corporation

I am hereby recommending the appointment of Ann Gildow to the Muskingum County Land Reutilization Corporation. Ms. Gildow will replace Tim Smith. Ms. Gildow's term will expire December 31, 2021.

Thank you!

DM/pke



The City of Zanesville

401 Market Street, Zanesville, Ohio 43701
Phone: (740) 617-4910
Email: scott.brown@coz.org

Council-Mayor Government
Donald Mason, Mayor

Department of Public Service
Scott Brown, Interim Director

MEMORANDUM

TO: Members of City Council
FROM: Scott Brown, Interim Director of Public Services 
DATE: January 7, 2020
RE: City of Zanesville: Cemetery Division
2019 4th Quarter Report

To the Members of Council,

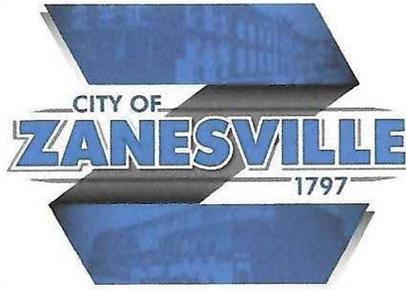
Please find attached the Cemetery Division's 2019 4th Quarter Report. As always, if you have any questions, please feel free to contact me. Thank you.

SB/am

RECEIVED

JAN 07 2020

CLERK OF COUNCIL



City of Zanesville

ISAAC "IKE" VANDYNE

SUPERINTENDENT, CEMETERIES & PARKS MAINTENANCE

401 Market St., Zanesville OH 43701

740-455-0637

RECEIVED

JAN 07 2020

Cemetery Division

2019 4th Quarter Report

CLERK OF COUNCIL

	Interments	Lot Sales	Transfers
October	4	5	0
November	9	3	0
December	5	4	1
Total	18	12	1

	Cemetery Operating	Cemetery Development	Cemetery Endowment
October	8,907.21	2,892.37	946.37
November	3,162.80	1,643.62	182.62
December	3,265.00	3,729.83	454.43
Total	\$15,335.01	\$8,265.82	\$1,583.42

Total: \$25,184.25





The City of Zanesville

401 Market Street, Zanesville, Ohio 43701
Phone: (740) 617-4910
Email: scott.brown@coz.org

Council-Mayor Government
Donald Mason, Mayor

Department of Public Service
Scott Brown, Interim Director

MEMORANDUM

TO: Members of City Council
FROM: Scott Brown, Interim Director of Public Services 
DATE: January 7, 2020
RE: City of Zanesville: Cemetery Division
2019 Year End Report

To the Members of Council,

Please find attached the Cemetery Division's 2019 Year End Report. As always, if you have any questions, please feel free to contact me. Thank you.

SB/am

RECEIVED

JAN 07 2020

CLERK OF COUNCIL



City of Zanesville

ISAAC "IKE" VANDYNE

SUPERINTENDENT, CEMETERIES & PARKS MAINTENANCE

401 Market St., Zanesville OH 43701

740-455-0637

RECEIVED

JAN 07 2020

Cemetery Division

2019 Year End Report

CLERK OF COUNCIL

	Interments	Lot Sales	Transfers
1st Quarter	18	15	0
2nd Quarter	29	14	1
3rd Quarter	11	10	0
4th Quarter	18	12	1
Total	76	51	2

	Cemetery Operating	Cemetery Development	Cemetery Endowment
1st Quarter	18,236.83	7,968.02	885.34
2nd Quarter	21,361.78	9,471.85	1,734.65
3rd Quarter	10,977.03	6,059.02	1,888.23
4th Quarter	15,335.01	8,265.82	1,583.42
Total	\$65,910.65	\$31,764.71	\$6,091.64

Total: \$103,767.00



**Ways and Means Committee
Ann Gildow, Chair**

**RESOLUTION #20-03
INTRODUCED BY COUNCIL**

**A RESOLUTION AUTHORIZING THE SALE, BY INTERNET AUCTION
DURING CALENDAR YEAR 2020, OF CITY OWNED PERSONAL
PROPERTY WHICH IS NOT NEEDED FOR PUBLIC USE OR WHICH IS
OBSOLETE OR UNFIT FOR THE USE FOR WHICH IT WAS ACQUIRED**

WHEREAS, pursuant to R.C. 721.15(D), Council for the City of Zanesville may adopt, during each calendar year, a resolution expressing its intent to sell municipally owned property, regardless of the property's value, by internet auction.

WHEREAS, the City will follow the online sales terms and conditions as set forth by gov.deals, and attached hereto as Exhibit A.

WHEREAS, Council for the City of Zanesville wants to use GovDeals, Inc., at www.gov.deals.com, as the City's contracted representative to conduct auctions on its behalf for all property.

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ZANESVILLE, COUNTY OF MUSKINGUM, STATE OF OHIO, A MAJORITY OF MEMBERS PRESENT CONCURRING THAT:

Section One: During calendar year 2020, city owned personal property which is not needed for public use, or which is obsolete or unfit for the use for which it was acquired, may be sold at internet auction.

Section Two: All internet auction sales shall be conducted under the authority and direction of the Mayor or his designee(s).

Section Three: All internet auction sales shall be conducted by GovDeals.com internet auction service, 5907 Carmichael Place, Montgomery, AL 36117, phone (800) 613-0156.

Section Four: All internet auction sales shall be conducted pursuant to the rules and regulations promulgated and in effect for GovDeals.com.

Section Five: For each internet auction sale, bidding shall remain open for not less than ten (10) days, including Saturdays, Sundays and legal holidays.

Section Six: The City of Zanesville shall publish, in a newspaper of general circulation within the City, or as provided in R.C. 7.16, notice of its intent to sell all unneeded, obsolete, or unfit municipal personal property by internet auction. This notice shall include a summary of the information provided herein and shall be published twice. The second notice shall be published not less than ten (10) nor more than twenty (20) days after the previous notice. A similar notice also shall be posted continually throughout the calendar year in a conspicuous place in the office of the Clerk of Council. The notice also shall be posted continually throughout the calendar year on the City's web site.

Resolution No. 2020-03

Section Seven: All prior legislation, or any parts thereof, which is/are inconsistent with this Resolution is/are hereby repealed as to the inconsistent parts thereof.

Section Eight: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of Council and that all deliberations of the Council and any of the decision making bodies of the City of Zanesville which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the State of Ohio.

Section Nine: This Resolution shall take effect and be in force from and after the earliest period allowed by law.

PASSED _____, 2020

ATTEST: _____
Susan Culbertson
Clerk of Council

Daniel M. Vincent
President of Council

APPROVED: _____, 2020

This legislation approved as to form:

Donald L. Mason
Mayor



Law Director's Office

City of Zanesville

Zanesville, Ohio

Online Sales - Terms and Conditions

All bidders and other participants of this service agree they have read and fully understand these terms and agree to be bound thereby.

Guaranty Waiver. All assets are offered for sale “AS IS, WHERE IS.” City of Zanesville (Seller) makes no warranty, guaranty or representation of any kind, expressed or implied, as to the merchantability or fitness for any purpose of the property offered for sale. The Buyer is not entitled to any payment for loss of profit or any other money damages – special, direct, indirect or consequential.

Description Warranty. Seller warrants to the Buyer the property offered for sale will conform to its description. Any claim for misdescription must be made prior to removal of the property. If Seller confirms the property does not conform to the description, Seller will keep the property and refund any money paid. The liability of the Seller shall not exceed the actual purchase price of the property. **Please note upon removal of the property, all sales are final.**

Personal and Property Risk. Persons attending during exhibition, sale, or removal of goods assume all risks of damage of or loss to person and property and specifically release the Seller and GovDeals from liability therefore.

Consideration of Bid. Seller reserves the right to reject any and all bids and to withdraw from sale any of the assets listed at any time until the Seller has received payment in full for the assets and Buyer has removed the assets from the Seller's premises in their entirety.

Buyer's Certificate. If applicable, successful bidders will receive a Buyer's Certificate by email from GovDeals as their notice of award.

Buyer's Premium & Additional Fees. If a Buyer's Premium and/or Additional Fees are shown on the auction page Bid Box, then that amount (expressed as a percentage of the final selling price or a specified amount) will be added to the final selling price of all items in addition to any taxes imposed.

Payment. Payment in full is due not later than **5 business days** from the time and date of the close of the auction. Please refer to the payment instructions listed on the auction page for complete payment terms and methods. Please refer to the Bid Box for all fees and taxes that may be associated with the auction.

State/Local Sales and/or Use Tax. Buyers may be subject to payment of State and/or local sales and/or use tax. Buyers are responsible for contacting Seller or the appropriate tax office, completing any forms and paying any taxes that may be imposed. Buyers must provide any applicable tax exempt documents to Seller within 24 hours of the auction closing and before payment is made.

Removal. All assets must be removed within **ten (10) business days** from the time and date of the close of the auction. Purchases will be released only upon receipt of payment as specified. Successful buyers are responsible for loading and removal of any and all property awarded to them from the place where the property is located as indicated on the website and in the Buyer's Certificate. The Buyer will make all arrangements and perform all work necessary, including packing, loading and transportation of the property. Under no circumstances will Seller assume responsibility for packing, loading or shipping. See instructions on each auction page for complete removal details. A daily storage fee of \$25.00 may be charged for any item not removed within the ten (10) business days allowed and stated on the Buyer's Certificate.

Vehicle Titles. Seller will issue a title or certificate upon removal of the vehicle. Titles may be subject to restrictions as indicated in the asset description on the website.

Default. Default shall include (1) failure to observe these terms and conditions; (2) failure to make good and timely payment; or (3) failure to remove all assets within the specified time. Default may result in termination of the contract and suspension from participation in all future sales until the default has been cured. If the Buyer fails in the performance of their obligations, **Seller** may exercise such rights and may pursue such remedies as are provided by law. Seller reserves the right to reclaim and resell all items not removed by the specified removal date.

Acceptance of Terms and Conditions. By submitting a bid, the bidder agrees they have read, fully understand and accept these Terms and Conditions, and agree to pay for and remove the property, by the dates and times specified. These Terms and Conditions are available for review in the bid box at the top of each page of each asset listed on **GovDeals**. Specific Instructions (Payment, Removal, and Special) appearing on the asset page will override certain sections of these Terms and Conditions.

Sales to Employees. Employees of the **Seller** may bid on the property listed for auction, so long as they do NOT bid while on duty.

ORDINANCE NO. 19 - 94
INTRODUCED BY COUNCIL

AN ORDINANCE ESTABLISHING A "DIG ONCE" POLICY REDUCING UNDERGROUND EXCAVATION FOR COMMUNICATIONS INFRASTRUCTURE WITHIN THE CITY'S RIGHT OF WAYS.

WHEREAS, the City of Zanesville desires to comply with all mandates regarding public utilities as imposed upon it by state and federal law; and

WHEREAS, the City desires to encourage emerging wireless and fiber optic telecommunication facilities in the City of Zanesville; and

WHEREAS, the City of Zanesville has an interest in preserving its streets and roadways for their intended purpose, while minimizing interruptions to the flow of traffic; and

WHEREAS, examination of cost data from construction projects have determined that the incremental cost to install telecommunication conduits is \$2 -\$7 per foot during a public works road or sidewalk project. The cost to install a new conduit as a standalone project is \$25 - \$35 per foot. Typically, the conduit install represents an additional 1-2% of a road construction's project budget; and

WHEREAS, the proposed requirements for excavation or permits and entitlements relative to such projects respond to recent changes in laws concerning regulation of wireless telecommunication facilities and provide mechanisms for the City to maintain an aesthetically pleasing community environment, protect the safety and welfare of Zanesville residents, minimize degradation of the residential character of neighborhoods, streets, and roadways, and require the best available design to eliminate visual impacts while ensuring that adequate public services and facilities are constructed to accommodate the needs of Zanesville residents.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Zanesville, State of Ohio, that:

SECTION ONE: The purpose of this Ordinance and the following policy requirements for underground communications infrastructure within the public right of way are adopted with the purpose of preserving the health, safety, and welfare of the City's residents and City property by preserving the integrity of the City of Zanesville ("City") streets.

SECTION TWO: The City has an obligation to comply with all applicable state and federal authority pertaining to utilities and telecommunications, and intends for the Ordinance to be interpreted so as to comply with all such authority.

SECTION THREE: The City has an interest in promoting increased connectivity and emerging technology to its City residents and businesses in the historically underserved areas of the City. To that aim, the City shall cause the development of a Connectivity Plan which contains the following elements:

- a) Identification of the underserved areas within the City that do not meet the current F.C.C Broadband definition.
- b) An examination of near term investment into these areas by communication providers that also identifies potential Public/Private Partnerships which could expedite increased connectivity speeds.
- c) Mapping of preferred routes for the installation of communications conduit.

- d) Examination of City-owned structures which could be made available for co-location of communications facilities.
- e) Examination of the costs to install communications conduits for use by providers.

SECTION FOUR: In recognition of the need to provide emerging technology to the historically underserved areas of the City, and in further recognition of the need to minimize public inconvenience and traffic, and to preserve the integrity and lifespan of City streets, the intent of this Ordinance is applicable to all City sponsored construction, reconstruction of:

- a) Street, road, sidewalk, bike path, or other transportation infrastructure construction.
- b) Excavations for the purpose of installing utilities, including but not limited to communications, electrical, gas, water, waste water, storm drainage.
- c) Other excavations, or work on public property in the public right of way, that provide a similar opportunity to install conduit for future use at a low additional cost.

SECTION FIVE: The approvals for such City sponsored projects located in an underserved area of the City identified within Section Three above, shall include a provision for the installation of a public utility infrastructure, such as conduit, tube, duct, or other device designed for enclosing telecommunications wires, fibers, or cables, wherever practical and feasible. Such infrastructure shall be installed in accordance with City regulations, requirements, and specifications, including but not limited to the City of Zanesville Codified Ordinances, as directed by the Director of Public Service or his/her designee.

SECTION SIX: The City Engineer shall work with the providers to establish common standards for the type, size, and number of conduits and associated fixtures to be installed. These shall be at a minimum, a single conduit installed with the following specifications, unless the City Engineer determines otherwise:

- a) A minimum inside diameter of 2 inches.
- b) Made of PVC Schedule 40 material (color orange).
- c) Laid to a depth of not less than 18 inches below grade in concrete sidewalk areas, and not less than 30 inches below finished grade in all other areas when feasible, or the maximum feasible depth otherwise.
- d) When feasible, installed so fiber optic cable maintains a minimum bend ratio of 20 times the cable diameter.
- e) When practicable, furnish with pull tape and an external locate wire no more than 3 inches above conduit.

SECTION SEVEN: When determining if a particular specification is feasible or practicable, the City Engineer will take into account the added cost, the length of the conduit installed (and therefore its potential future value), the impact on the overall project, and other relevant factors.

SECTION EIGHT: Because communications facilities are needed to monitor, manage, and provide security for Public Service, Public Safety, and Economic Development in general, the cost of purchasing, installing, and documenting the conduit may be included in the cost of the overall project.

SECTION NINE: Conduit installed by or on behalf of the City will be owned by the City.

SECTION TEN: A record of all City-owned conduits will be installed and maintained into a geographic information system (GIS) format.

SECTION ELEVEN: This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____, 2019

ATTEST: _____
SUSAN CULBERTSON,
Clerk of Council

DANIEL M. VINCENT,
President of Council

APPROVED: _____, 2019

**THIS LEGISLATION APPROVED
AS TO FORM**

JEFF TILTON,
Mayor



LAW DIRECTOR'S OFFICE

RECEIVED

JAN 07 2020

*Ways and Means Committee
Ann Gildow, Chair*

CLERK OF COUNCIL

ORDINANCE NO. 20-04
INTRODUCED BY COUNCIL

**AN ORDINANCE REAUTHORIZING ENTERING
INTO A CONTRACT FOR THE PURCHASE OF
LIMESTONE AND DECLARING AN
EMERGENCY**

WHEREAS, the Ohio Revised Code Section 731.48 provides that the legislative authority of a Municipal Corporation shall not enter into a contract which is not to go into full operation during the term for which all members of such legislative authority are elected; and

WHEREAS, the 2018-2019 Zanesville City Council authorized the City to advertise for bids and enter into a contract for the purchase of limestone in Ordinance 19-105, but said contract did not go into full operation during the term of said council; and

WHEREAS, the City advertised for bids and the bid opening occurred on January 6, 2020; and

WHEREAS, it is necessary for the current Zanesville City Council to authorize the City to enter into a contract for the purchase of limestone as an emergency as failure to obtain the limestone in an expedited manner will create an emergency in the usual daily operation of municipal departments thereby presenting a risk to the health, safety and welfare of our citizens.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Zanesville, State of Ohio:

SECTION ONE: The proper city official is hereby authorized to enter into a contract for the purchase of limestone for the City's requirements for the year 2020.

SECTION TWO: This Ordinance shall supersede any conflicting language set forth in Ordinance 19-105.

SECTION THREE: For the reasons stated herein, this Ordinance is hereby declared to be an emergency measure and being an emergency measure, provided it receives the affirmative vote of six [6] or more members of Council elected thereto, it shall take effect and be in force immediately upon its passage and approval of the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____, 2020

ATTEST:

Susan E. Culbertson
Clerk of Council

Daniel M. Vincent
President of Council

APPROVED: _____, 2020

THIS LEGISLATION APPROVED AS TO FORM

Donald L. Mason
Mayor



David J. Tarbert
Law Director's Office

Ann Gildow
Ways and Means Committee

ORDINANCE NO. 20-05
INTRODUCED BY COUNCIL

AN ORDINANCE AUTHORIZING THE PROPER CITY OFFICIAL TO
DISPOSE OF CITY PROPERTY

WHEREAS, the City of Zanesville purchased an iPad 5th Generation, Apple iMac and Apple MacBook Pro for Judge Joseph use during his tenure, which will end on 12/31/2019; and

WHEREAS, Judge Joseph has requested to purchase the City issued devices; and

WHEREAS, Judge Joseph received valuations of said used equipment from the Muskingum County I.S. Department (attached hereto as Exhibit A) and said values having been verified by the City's Information Technology supervisor; and

WHEREAS, the City Auditor feels the valuations attached are an appropriate amount to charge for the devices.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Zanesville, Ohio, that:

SECTION ONE: The proper City Official is hereby authorized to dispose of the iPad 5th Generation, Apple iMac and Apple MacBook Pro.

SECTION TWO: The disposal method shall be by selling the property for the amount of \$1,450.00 as quoted in Exhibit A attached hereto.

SECTION THREE: This ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____, 2020

Sue Culbertson
Clerk of Council

Daniel M. Vincent
President of Council

APPROVED: _____, 2020

This legislation approved as to form:

Donald Mason, Mayor



Law Director's Office

Attachment to Ordinance No. 2020-05

401 Main Street
Zanesville, Ohio 43701
Phone: (740) 252-1351
Fax: (740) 455-7198
Email: dglong@muskingumcountv.org
Website: www.muskingumcounty.org



Dan Long
MIS Director

Robert Moore
Systems Administrator

Christian Stone
Desktop Administrator

Greg Hutchinson
Desktop Administrator

Muskingum County I.S. Dept. Valuation of used equipment from Zanesville Municipal Court.

Items For valuation are for the following;

IPad 5th generation, 64GB, 9.7 inch..... \$150.00
Apple iMac with apple keyboard and magic mouse - Core i5 2.7 GHz - 8 GB - 1 TB - LED 21.5"
Mfg. Part#: ME086LL/A..... \$400.00
Apple MacBook Pro 8GB Ram, 128GB hard drive, Mfg. Part#: MPXQ2LL/A..... \$900.00

Dan Long, Director of I.S.

ORDINANCE NO. 19 - 141
INTRODUCED BY COUNCIL

**AN ORDINANCE AUTHORIZING THE EXPENDITURE OF FUNDS
RELATING TO THE LOCK #10 CANAL TRAIL PROJECT.**

WHEREAS, the City, by way of Ordinance 17-65, authorized the Public Service Director to execute a Lease Management Agreement with the State of Ohio, acting by and through its Department of Natural Resources Department (ODNR), for the Muskingum River Lock #10 Canal Park; and

WHEREAS, improvements to the Lock #10 Canal Trail and Park is a crucial enhancement project that would benefit the downtown and Putnam areas; and

WHEREAS, the City hired Sands Decker Engineers earlier this year to develop the lighting and trail construction plans in order to build the improvements and obtain necessary ODNR approval, which has been completed; and

WHEREAS, the City budgeted \$200,000 in the FY 2019 Budget for the improvements, attached as Exhibit A to this ordinance, with the majority of the work being completed by City crews.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Zanesville, State of Ohio, that:

SECTION ONE: The Director of Public Service is hereby authorized execute all documents and expend funds in the estimated amount of \$128,224 for the installation of electrical facilities and purchase materials to complete the Lock #10 Canal Trail project.

SECTION TWO: The funds for this project will be taken from Line Item 101-3281-54422 and shall be considered as advanced, repayable from the service payments made through the tax increment financing agreement, authorized by Ordinance 16-130.

SECTION THREE: This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____, 2020

ATTEST:

SUSAN CULBERTSON,
Clerk of Council

DANIEL M. VINCENT,
President of Council

APPROVED: _____, 2020

**THIS LEGISLATION APPROVED
AS TO FORM**

DONALD MASON,
Mayor



LAW DIRECTOR'S OFFICE



ENGINEER'S ESTIMATE

- SD Phase
- DD Phase
- CD Phase
-

Prepared By: Rick Cox

Date: 12/2/2019

Project Name: Canal Park Lighting

Client: City of Zanesville

Location of Project: Canal Park, Between Y bridge and 6th ST Bridge

Project No: 3822

Item	Description	Quantity	Unit	Unit Price	Total Item Price
201	Clearing & Grubbing	LUMP	SUM	\$2,000.00	\$2,000
202	Pavement Removed	33	SY	\$50.00	\$1,667
203	Embankment (AT&T Vault)	5	CY	\$27.00	\$135
203	Excavation - Haul Off (New Path)	22	CY	\$30.00	\$660
204	Subgrade Compaction	200	SY	\$6.00	\$1,200
304	Aggregate Base	17	CY	\$75.00	\$1,250
407	Tack Coat	5	GAL	\$30.00	\$150
441	Asphalt Concrete Surface Course, Type 1 (448), PG64-22	2	CY	\$350.00	\$648
659	Seeding & Mulching	200	SY	\$3.50	\$700
659	Commercial Fertilizer	0.1	TON	\$750.00	\$75
703	#57 Crushed Limestone	40	CY	\$75.00	\$3,020
832	Perimeter Filter Fabric Fence	900	LF	\$3.00	\$2,700
	2-1" SCH 40 conduits	1,550	LF	\$23.00	\$35,650
	Wire	1,550	LF	\$3.75	\$5,813
	Pre-Cast Concrete Light Pole Base (18" dia X 4')	22	Each	\$550.00	\$12,100
	Holophane Granville LED light with Pole	22	Each	\$1,900.00	\$41,800
	AEP Electrical Service	2	Each	\$1,500.00	\$3,000
	Electrical Meter/panel	2	Each	\$2,000.00	\$4,000
				Subtotal:	\$116,568
	10% Contengency				\$11,656.77
				Total Estimate of Construction Costs:	\$128,224

Item numbers refer to the current State of Ohio Department of Transportation Construction & Material Specifications, including all supplements thereto.

Since the Engineer has no control over the cost of materials, labor, or equipment, or over the market factors that affect construction prices in general, this Engineer's Estimate is not warranted or guaranteed to be accurate.

Community Development Committee
Mark Baker, Chair

ORDINANCE NO. 19-140

AN ORDINANCE AUTHORIZING THE PROPER CITY OFFICIAL TO SUBMIT AN APPLICATION FOR A 2020 CERTIFIED LOCAL GOVERNMENT PROGRAM GRANT.

WHEREAS, the City of Zanesville is a Certified Local Government (CLG) and is therefore eligible to submit an application to the Ohio History Connection for a Certified Local Government (CLG) Program Grant; and

WHEREAS, the CLG Grant can be used for a variety of purposes pertaining to historic preservation including creating or updating an historic preservation plan; and

WHEREAS, a Master Plan and Historic Conservation Study was completed for the Putnam Area in 1974; and

WHEREAS, a local citizens' group, Friends of Putnam, has requested the city seek funding from the CLG Grant Program to update the historic preservation plan for the Putnam Historic District; and

WHEREAS, the City of Zanesville desires to support community improvement initiatives

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Zanesville, State of Ohio; that

SECTION ONE: The Community Development Director is hereby authorized to submit a grant application to the Ohio History Connection for the 2020 Certified Local Government (CLG) Grant Program for an update to the Putnam Historic District preservation plan, and if awarded, execute all necessary grant documents on behalf of the City of Zanesville.

SECTION TWO: This ordinance shall take effect upon the approval of the Mayor and from and after the earliest period allowed by law.

PASSED: _____, 2019.

ATTEST: _____
SUSAN CULBERTSON
CLERK OF COUNCIL

DANIEL M. VINCENT
PRESIDENT OF COUNCIL

APPROVED: _____, 2019.

JEFF TILTON
MAYOR

THIS LEGISLATION
APPROVED AS TO FORM



LAW DIRECTOR'S OFFICE

**ORDINANCE NO. 19-143
INTRODUCED BY COUNCIL**

**AN ORDINANCE AMENDING CHAPTER 924.11(e) OF THE CITY OF
ZANESVILLE'S CODIFIED ORDINANCES REGARDING SPECIAL CHARGES
AND ASSESSMENTS.**

WHEREAS, the City charges sanitary sewer capacity fees to assure that customers connecting their system pay their share of the sewer system and treatment plant cost required to convey and treat their wastewater; and

WHEREAS, the current codified language does not provide consideration of crediting an existing commercial/industrial facility that is already connected to the sanitary system, for their capacity connection when desiring to increase their discharge capacity; and

WHEREAS, recognizing existing sewer capacities and providing our customers a credit is a simple tool in encouraging redevelopment in the City.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Zanesville, State of Ohio, that:

SECTION ONE: Section 924.11(e) of the Zanesville Codified Ordinances which currently reads:

(e) Commercial or Industrial Capacity Fee.

(1) For the purpose of tapping into such Y branches already provided and using interceptor sewers for the disposal of sanitary sewage, each commercial, industrial and special type property owner shall pay, in addition to charges customarily made, a sum to be determined by the Division of Engineering and Construction of the City, based on uniform standards, such sum to be not less than one thousand five hundred seventy dollars (\$1,570) and shall be based on the equivalent dwelling units of 250 gallons per day (gpd) per unit. Industry would require consideration on a case by case basis and would consider one Equivalent Dwelling Unit (EDU) as not only the flow of 250 gpd but also the wastewater strength of 200 mg/l Biochemical Oxygen Demand (BOD) and 250 mg/l Suspended Solids (SS). Therefore, one EDU would equal 0.417 pounds of BOD and 0.521 pounds of SS. Such sum shall be deposited to the benefit of the Sewage Revenue Fund account, or to the Construction Fund for the service sewers being constructed, where such is the case.

Shall be amended to reads as follows:

(e) Commercial or Industrial Capacity Fee.

(1) For the purpose of tapping into such Y branches already provided and using interceptor sewers for the disposal of sanitary sewage, each commercial, industrial and special type property owner shall pay, in addition to charges customarily made, a sum to be determined by the Division of Engineering and Construction of the City, based on uniform standards, such sum to be not less than one thousand five hundred seventy dollars (\$1,570) and shall be based on the equivalent dwelling units of 250 gallons per day (gpd) per unit. Industry would require consideration on a case by case basis and would consider one Equivalent Dwelling Unit (EDU) as not only the flow of 250 gpd but also the wastewater strength of 200 mg/l Biochemical Oxygen Demand (BOD) and 250 mg/l Suspended Solids (SS). Therefore, one EDU would equal 0.417 pounds of BOD and 0.521 pounds of SS. Such sum shall be deposited to the benefit of the Sewage Revenue Fund account, or to the Construction Fund for the service sewers being constructed, where such is the case.

(2) Credits for existing sewer service capacity fees can be provided for redevelopment and change in use when there is a requested increase in capacity use only on the specific property. Such credit will be given when increasing the equivalent dwelling units.

In determining the credit, the customer's existing capacity shall be compared to their proposed (expanded) capacity (e.g. equivalent dwelling units). Existing capacity for purposes of valuing the credit shall be established at the City's then current value of the amount of capacity at the time of the application for credit. The difference between the value of the full (requested) capacity and the redevelopment capacity credit shall be paid to the City at the current rate.

Capacity credits shall be provided to a customer that is properly and legally connected to the sewer system, even if no sewer capacity fees had been previously paid for the property. The customer's existing capacity for purposes of establishing a redevelopment (capacity) credit shall be the lesser of the current value of capacity at the time of the application for credit or the value of capacity documented in a previously executed agreement between the City and the customer.

Refunds or credits for existing water and sewer service capacity fees will not be given when reducing the equivalent dwelling units loading. The original capacity shall remain with the property and available for use. Capacity and capacity (fee) credits shall remain with the property only and are non-transferable to any other property.

SECTION TWO: This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____, 2020

ATTEST: _____
SUSAN CULBERTSON,
Clerk of Council

DANIEL M. VINCENT,
President of Council

APPROVED: _____, 2020

**THIS LEGISLATION APPROVED
AS TO FORM**

DONALD MASON,
Mayor



LAW DIRECTOR'S OFFICE

ORDINANCE NO. 19 – 144
INTRODUCED BY COUNCIL

AN ORDINANCE AUTHORIZING AN ENCROACHMENT OF A CITY RIGHT-OF-WAY.

WHEREAS, GRM PROPERTIES LLC owns Parcel # 81-65-03-02-000, currently known as 330 Main Street Zanesville, Ohio; and

WHEREAS, the office building has an existing rear exit doorway which does not have a stairway down to the public right-of-way; and

WHEREAS, GRM has leased said property and it was discovered during the building renovations plan review that the property owner must construct a small stairway off of the rear exit, which will encroach approximately 42" into the public right-of-way; and

WHEREAS, during investigation, City staff noted several existing structures encroaching within the same public right-of-way; and

WHEREAS, at their November 12, 2019 meeting, the City Council concurred with Traffic Order 19-09 effectively closing the "alley" (behind 330 Main Street) to all vehicular traffic.

WHEREAS, City staff is not aware of any plans to improve said right of way and has no objection to allowing said encroachment, subject to certain conditions.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Zanesville, State of Ohio, that:

SECTION 1: The City of Zanesville hereby acknowledges that there will be an encroachment of a structure associated with Muskingum County Parcel # 81-65-03-02-000, located adjacent to the public right-of-way.

SECTION 2: The City Council hereby permits such encroachment subject to the property owner's execution of a Hold Harmless Agreement, attached as "Exhibit A".

SECTION 3: That these permissions for the Encroachment shall continue until such time as those portions of the structure encroaching within the public right of way are destroyed, removed, no longer in use, not continuously maintained by the Owner/User, or the City of Zanesville has use for the Right of Way. Nothing in this Ordinance shall be construed either: to allow the installation by Owner/User of any above ground or below ground structure other than the portions of garage within the right of way; or to allow any greater encroachment beyond the dimensions and spatial areas shown "Exhibit A".

SECTION 4: This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____, 2019

ATTEST: _____
Susan Culbertson
Clerk of Council

Daniel M. Vincent
President of Council

APPROVED: _____, 2019

Jeff Tilton, Mayor

**THIS LEGISLATION APPROVED
AS TO FORM**



LAW DIRECTOR'S OFFICE

**WAIVER OF LIABILITY AND HOLD HARMLESS AGREEMENT
for access to and use of City of Zanesville Right of Way**

Whereas, GRMC PROPERTIES LLC, whose address is 2746 Deer Path Drive Duncan Falls, Ohio 43734, is the owner of real property and improvements described as Muskingum County Parcel # 81-65-03-02-000, requesting authorization for an encroachment for construction of a stairway from the rear exit of 330 Main Street into the City of Zanesville right-of-way; and

Whereas, the City of Zanesville adopted Ordinance No. 19 -144 authorizing such request, subject to GRMC PROPERTIES LLC executing a Hold Harmless Agreement.

In consideration for receiving permission to encroach upon the City of Zanesville right-of-way, described as the public right-of-way behind Parcel 81-65-03-02-000, further identified in Attachment A:

1. I hereby RELEASE, WAIVE, DISCHARGE AND COVENANT NOT TO SUE, The City of Zanesville, their officers, agents, servants, or employees (hereinafter referred to as RELEASEES) from any and all liability, claims, demands, actions and causes of action whatsoever arising out of or related to any loss, damage, or injury, including death, that may be sustained by me, or any of the property belonging to me, WHETHER CAUSED BY THE NEGLIGENCE OF THE RELEASEES, or otherwise, while participating in such use, or while in, on or upon the premises where the use is occurring.
2. I am fully aware of the unusual risks involved and hazards connected with any kind of use of the City of Zanesville property. I VOLUNTARILY ASSUME FULL RESPONSIBILITY FOR ANY RISKS OF LOSS, PROPERTY DAMAGE OR PERSONAL INJURY INCLUDING DEATH, that may be sustained by me, or any loss or damage of property owned by me, as a result of being engaged in such activity, WHETHER CAUSED BY THE NEGLIGENCE OF RELEASEES OR OTHERWISE.
3. I further hereby AGREE TO INDEMNIFY AND HOLD HARMLESS the RELEASEES from any loss, liability, damage or costs, including court costs and attorney fees, that they may incur due to my use of said right of way, or my invited guests or other users of the area described in "Exhibit A", WHETHER CAUSED BY NEGLIGENCE OF RELEASEES or otherwise.
4. I understand that City of Zanesville will not be responsible to maintain any insurance policy, covering any circumstance arising from my participation in the use of the City of Zanesville property. As such, I am aware that I should review my personal insurance portfolio.
5. It is my express intent that this Waiver of Liability and Hold Harmless Agreement shall bind the members of my family and spouse, if I am alive, and my heirs, assigns and personal representative, if I am deceased, and shall be deemed as a RELEASE, WAIVER, DISCHARGE AND COVENANT NOT TO USE SUE the above-named RELEASEES. I hereby further agree that this Waiver of Liability and Hold Harmless Agreement shall be construed in accordance with the laws of the State of Ohio.
6. IN SIGNING THIS RELEASE, I ACKNOWLEDGE AND REPRESENT THAT I have read the foregoing Waiver of Liability and Hold Harmless Agreement, understand it and sign it voluntarily as my own free act and deed; no oral representations, statements, or inducements, apart from the foregoing written agreement, have been made; I am at least eighteen (18) years of age and fully

Attachment to Ordinance No. 19-144

competent; and I execute this Release for full, adequate and complete consideration fully intending to be bound by same.

Signed on this _____ day of _____, 2019.

GRCM PROPERTIES LLC _____
Printed Name Signature

County of Muskingum
State of Ohio,

Now before me, a duly authorized Notary Public for the State of Ohio, came Judith Thomas, who swears and affirms that she signed the foregoing document of her own free act and deed.

Notary Public

ATTACHMENT A

Situated in the City of Zanesville, County of Muskingum, and State of Ohio, and bounded and described as follows:

The west half of Lot Numbered Five (5) in McLaughlin's Subdivision of Lots Nine (9), Ten (10), and Eleven (11) in Square numbered Eight (8) in the town, now City, of Zanesville, as delineated upon the plat recorded in Record of Deeds for Muskingum County, Ohio, in Book B, Page 492 Excepting thereout and therefrom a strip nine (9) inches wide off the West side of said Lot Five (5) conveyed by John A. Adams in his life time to Daniel Applegate by deed duly recorded.

Auditor's Parcel No. 81-65-03-02-000



**ORDINANCE NO. 19-145
INTRODUCED BY COUNCIL**

**AN ORDINANCE AMENDING CHAPTER 1115 OF THE CITY
OF ZANESVILLE'S CODIFIED ORDINANCES, REGARDING
VARIANCES.**

WHEREAS, through a review of the Planning and Zoning Code, the Community Development Department has identified areas to update the section; and

WHEREAS, the Community Development Department has identified that amendments to Chapter 1115 would give increased flexibility to developers; and

WHEREAS, after testimony and discussion the Zanesville Planning Commission recommended to City Council that the amendment to Chapter 1115, be approved.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Zanesville, State of Ohio, that:

SECTION ONE: Chapter 1115 of the City of Zanesville Codified Ordinances reads as follows:

1115.01 PURPOSE.

Because of special characteristics of particular properties in the City, the literal application of the provisions of this Zoning Code may in certain instances create hardships not intended by these regulations. The Board of Zoning Appeals may accordingly grant variances from the literal application of the provisions of this Code based on findings of fact as provided in this chapter. Variances herein shall be considered the same as variations under the Ohio Revised Code.

(Ord. 87-94. Passed 7-27-87.)

1115.02 APPROVAL PROCESS.

Variances shall be approved only in conformance with the approval process provided in Chapter 1113 and the approval criteria in Table 4, Section 1115.06. Minor variances may be reviewed and approved by the Planning & Zoning Administrator or referred to the Board of Zoning Appeals for cause.

(Ord. 18-76. Passed 7-23-18.)

1115.03 USE VARIANCES.

No variance shall be granted in whole or in part the effect of which would be substantially equivalent to a change in zoning classification of a property, or that would permit any use not otherwise permitted in the applicable district. If the Zoning Board of Appeals finds that an amendment to this Zoning Code rather than a variance is necessary to grant an applicant relief, it shall so advise the applicant. The Planning Commission may hear a subsequent application for such amendment notwithstanding the provision on resubmission in Section 1113.09.

(Ord. 87-94. Passed 7-27-87.)

1115.04 MINOR VARIANCES.

The purpose of minor variance procedures is to reduce the time and expense to applicants obtaining approval of simple variances that are likely to have minimal adverse impact.

The fee owner, contract purchaser or option holder of one parcel or lot that wishes to request a variance for that property may apply under minor variance procedures.

Filing submissions shall be as determined on a case-by-case basis by the Planning & Zoning Administrator and may be less than required for other variances in Table 1, Section 1113.13. The Planning & Zoning Administrator may refer any Minor variance to the Board of Zoning Appeals for cause. Minor variance procedures shall not apply to an application involving more than one residential dwelling or more than one commercial parcel. The applicant has the right to appeal a Minor Variance decision to the Board of Zoning Appeals.

(Ord. 18-76. Passed 7-23-18.)

1115.05 EXISTING VARIANCES.

Any lawful variance previously granted to any lawful use existing on the date of adoption of this Zoning Code or any amendment thereto that requires a variance under such Code or amendment, shall be considered a lawful variance without the need for approval of a variance hereunder.

(Ord. 87-94. Passed 7-27-87.)

1115.06 TABLE 4: APPROVAL CRITERIA FOR VARIANCES.

In granting approval or conditional approval of a variance, the Board of Zoning Appeals shall prepare written findings of fact that all of the conditions below apply to the application:

1. Special Circumstances Not Found Elsewhere. Special circumstances, fully described in the written findings, exist that are peculiar to the property for which the variance is sought and that do not apply generally to other properties in the same zoning district. And these circumstances are not of so general or recurrent a nature as to make it reasonably practical to provide, in the form of an amendment to this Code, a general regulation to cover them.

2. Circumstances Relate to the Property Only. Since a variance will affect the character of its surroundings long after a property changes hands, the special circumstances referenced herein relate only to the physical character of the land or building(s) for which a variance is sought, such as dimensions, topography or soil conditions. They do not concern any business or activity the present or prospective owner or tenant carries on, or seeks to carry on, therein, nor to the personal, business or financial circumstances of such owner or tenant or any other party with interest in the property.

3. Unnecessary Hardship. For reasons fully set forth in the written findings, the literal application of the provisions of this Zoning Code would result in unnecessary and undue hardship or practical difficulties for the applicant, as distinguished from mere inconvenience.

4. Not Resulting from Applicant Action. The special circumstances, practical difficulties or hardship that are the basis for the variance have not resulted from any act, undertaken subsequent to the adoption of this Code or any applicable amendment thereto, of the applicant or of any other party with a present interest in the property, such as knowingly authorizing or proceeding with construction or development requiring any variance, permit or approval hereunder prior to obtaining such variance, permit or approval.

5. Preserves Rights Conferred by District. A variance is necessary for the applicant to enjoy a substantial property right possessed by other properties in the same zoning district and does not confer a special privilege ordinarily denied to other properties in the district.

6. Necessary for Use of Property. The granting of a variance is necessary not because it shall increase the applicant's economic return, although it may have this effect, but because without a variance the applicant shall be deprived of reasonable use or enjoyment of, or reasonable economic return from, the property.

7. Not Alter Local Character. The granting of the variance shall not alter the essential character of the locality nor substantially impair environmental quality, property values, or public safety or welfare in the vicinity.

8. Consistent With Code and Plan. The granting of a variance shall be in harmony with the general purpose and intent of this Code and of the Comprehensive Plan of the City, as viewed in light of any changed conditions since their adoption.

9. Minimum Variance Needed. The variance approved by the Board of Appeals or Planning & Zoning Administrator is the minimum required to provide the applicant with reasonable use and enjoyment of his property.

(Ord. 18-76. Passed 7-23-18.)

1115.07 DEFINITIONS.

A Minor variance is defined as any deviation from a Part 11 Planning and Zoning Code stipulation that is less than a twenty-five (25%) deviation of the requirement.

(Ord. 18-76. Passed 7-23-18.)

SECTION TWO: Chapter 1115 of the City of Zanesville Codified Ordinances shall be amended to read as follows:

1115.01 PURPOSE.

Because of special characteristics of particular properties in the City, the literal application of the provisions of this Zoning Code may in certain instances create hardships not intended by these regulations. The Board of Zoning Appeals may accordingly grant variances from the literal application of the provisions of this Code based on findings of fact as provided in this chapter. Variances herein shall be considered the same as variations under the Ohio Revised Code.

(Ord. 87-94. Passed 7-27-87.)

1115.02 APPROVAL PROCESS.

Variances shall be approved only in conformance with the approval process provided in Chapter 1113 and the approval criteria in Table 4, Section 1115.06. Minor variances may be reviewed and approved by the Planning & Zoning Administrator or referred to the Board of Zoning Appeals for cause.

(Ord. 18-76. Passed 7-23-18.)

1115.03 USE VARIANCES.

~~No variance shall be granted in whole or in part the effect of which would be substantially equivalent to a change in zoning classification of a property, or that would permit any use not otherwise permitted in the applicable district. If the Zoning Board of Appeals finds that an amendment to this Zoning Code rather than a variance is necessary to grant an applicant relief, it shall so advise the applicant. The Planning Commission may hear a subsequent application for such amendment notwithstanding the provision on resubmission in Section 1113.09.~~

(Ord. 87-94. Passed 7-27-87.)

1115.03 APPROVAL CRITERIA FOR USE VARIANCES

A use variance allows for a use to occur on property that is not permitted within the zoning district the property is located in. Use variances are specific and substantial thus they require special conditions the Board must consider when making a decision. In granting approval or conditional approval of a use variance, the Board of Zoning Appeals shall prepare written findings of fact that the majority of the conditions below apply to the application.

- (1) The property cannot be put to any economically viable and appropriate use under any of the permitted uses in the zoning district;**
- (2) The Variance requested stems from conditions that are particular to the subject property and are not applicable, generally, to other properties within the same zoning classification;**
- (3) The hardship condition is not created by actions of the applicant;**
- (4) Granting of the variance will not adversely affect the rights of adjacent property owners or residents;**
- (5) Granting of the variance will not adversely affect the community character, public health, safety or general welfare;**
- (6) The Variance will be consistent with the general spirit and intent of the Zoning Code;**
- (7) The Variance sought is the minimum that will afford relief to the applicant;**
- (8) The applicant's predicament feasibly cannot be resolved through some method other than a variance; and**
- (9) Granting of a variance would not adversely affect the delivery of government services.**

1115.04 MINOR VARIANCES.

The purpose of minor variance procedures is to reduce the time and expense to applicants obtaining approval of simple variances that are likely to have minimal adverse impact. The fee owner, contract purchaser or option holder of one parcel or lot that wishes to request a variance for that property may apply under minor variance procedures.

Filing submissions shall be as determined on a case-by-case basis by the Planning & Zoning Administrator and may be less than required for other variances in Table 1, Section 1113.13. The Planning & Zoning Administrator may refer any Minor variance to the Board of Zoning Appeals for cause. Minor variance procedures shall not apply to an application involving more than one residential

Ordinance No. 19-145

dwelling or more than one commercial parcel. The applicant has the right to appeal a Minor Variance decision to the Board of Zoning Appeals.

(Ord. 18-76. Passed 7-23-18.)

1115.05 EXISTING VARIANCES.

Any lawful variance previously granted to any lawful use existing on the date of adoption of this Zoning Code or any amendment thereto that requires a variance under such Code or amendment, shall be considered a lawful variance without the need for approval of a variance hereunder.

(Ord. 87-94. Passed 7-27-87.)

1115.06 TABLE 4: APPROVAL CRITERIA FOR AREA VARIANCES.

In granting approval or conditional approval of an area variance, the Board of Zoning Appeals shall prepare written findings of fact that all the majority of the conditions below apply to the application:

1. Special Circumstances Not Found Elsewhere. Special circumstances, fully described in the written findings, exist that are peculiar to the property for which the variance is sought and that do not apply generally to other properties in the same zoning district. And these circumstances are not of so general or recurrent a nature as to make it reasonably practical to provide, in the form of an amendment to this Code, a general regulation to cover them.

2. Circumstances Relate to the Property Only. Since a variance will affect the character of its surroundings long after a property changes hands, the special circumstances referenced herein relate only to the physical character of the land or building(s) for which a variance is sought, such as dimensions, topography or soil conditions. They do not concern any business or activity the present or prospective owner or tenant carries on, or seeks to carry on, therein, nor to the personal, business or financial circumstances of such owner or tenant or any other party with interest in the property.

3. Unnecessary Hardship. For reasons fully set forth in the written findings, the literal application of the provisions of this Zoning Code would result in unnecessary and undue hardship or practical difficulties for the applicant, as distinguished from mere inconvenience.

4. Not Resulting from Applicant Action. The special circumstances, practical difficulties or hardship that are the basis for the variance have not resulted from any act, undertaken subsequent to the adoption of this Code or any applicable amendment thereto, of the applicant or of any other party with a present interest in the property, such as knowingly authorizing or proceeding with construction or development requiring any variance, permit or approval hereunder prior to obtaining such variance, permit or approval.

5. Preserves Rights Conferred by District. A variance is necessary for the applicant to enjoy a substantial property right possessed by other properties in the same zoning district and does not confer a special privilege ordinarily denied to other properties in the district.

6. Necessary for Use of Property. The granting of a variance is necessary not because it shall increase the applicant's economic return, although it may have this effect, but because without a variance the applicant shall be deprived of reasonable use or enjoyment of, or reasonable economic return from, the property.

7. Not Alter Local Character. The granting of the variance shall not alter the essential character of the locality nor substantially impair environmental quality, property values, or public safety or welfare in the vicinity.

8. Consistent With Code and Plan. The granting of a variance shall be in harmony with the general purpose and intent of this Code and of the Comprehensive Plan of the City, as viewed in light of any changed conditions since their adoption.

9. Minimum Variance Needed. The variance approved by the Board of Appeals or Planning & Zoning Administrator is the minimum required to provide the applicant with reasonable use and enjoyment of his property.

(Ord. 18-76. Passed 7-23-18.)

1115.07 DEFINITIONS.

A Minor variance is defined as any deviation from a Part 11 Planning and Zoning Code stipulation that is less than a twenty-five (25%) deviation of the requirement.

(Ord. 18-76. Passed 7-23-18.)

Ordinance No. 19-145

SECTION THREE: This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____, 2019

ATTEST:

SUSAN CULBERTSON,
Clerk of Council

DANIEL M. VINCENT,
President of Council

APPROVED: _____, 2019

JEFF TILTON,
Mayor

**THIS LEGISLATION APPROVED
AS TO FORM**



LAW DIRECTOR'S OFFICE

ORDINANCE NO. 19-146
INTRODUCED BY COUNCIL

**AN ORDINANCE TO AMEND AND REVISE THE ZONING MAP AND
MAKE PERMANENT ZONING IN THE CITY OF ZANESVILLE, OHIO
AS HEREIN PROVIDED**

WHEREAS, an application has been duly made requesting a zone change from I-1 Industrial to C-2 Community and Regional Commercial; and

WHEREAS, proper notification of the intent of this Council to consider this request to rezone the below described property was given to abutters within 200 feet of the requested rezoning and in a newspaper of general circulation; and

WHEREAS, after testimony and discussion the Zanesville Planning Commission recommended to City Council that the zone change request further identified on Exhibit "A", be approved.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Zanesville, State of Ohio; that

SECTION ONE: The application for rezone change with respect to the real property hereinafter described and shown in Exhibit "A" is hereby approved and the zoning with respect to said property is so changed.

SECTION TWO: The Zoning Map of the City of Zanesville, Ohio, and the same is hereby amended and revised by changing the zoning as follows:

From I-1 Industrial to C-2 Community and Regional Commercial, situated in the City of Zanesville, County of Muskingum, and State of Ohio, and bounded and described as follows:

Auditors Parcel #84-18-06-02-000, recorded in Deed Volume 2749, Page 344 being located in the Muskingum County Recorder's Office.

Auditors Parcel #84-18-06-01-000, recorded in Deed Volume 2749, Page 344 being located in the Muskingum County Recorder's Office.

SECTION THREE: This Ordinance shall take effect upon the approval of the Mayor and from and after the earliest period allowed by law.

PASSED: _____, 2019.

ATTEST: _____
SUSAN CULBERTSON
CLERK OF COUNCIL

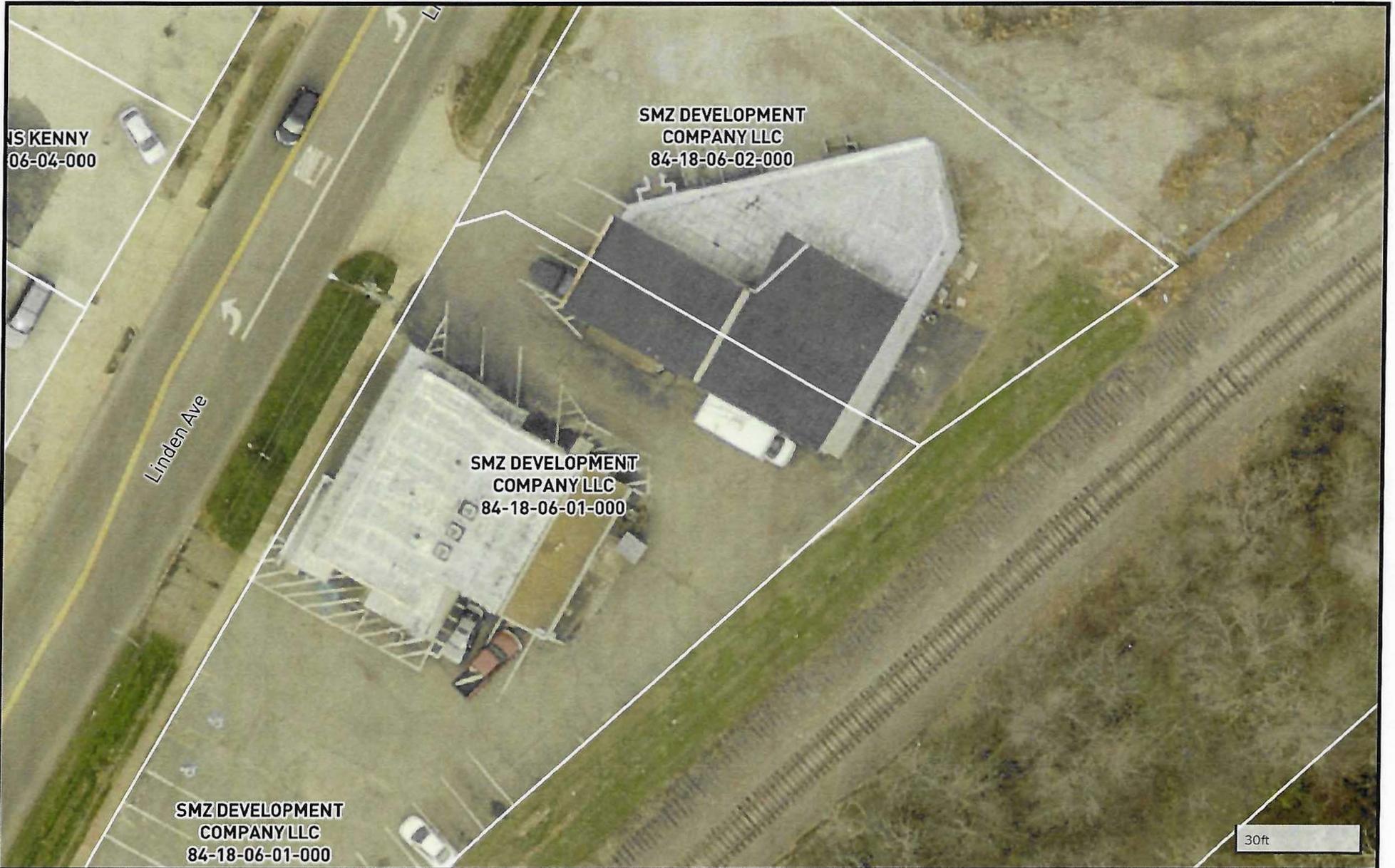
DANIEL M. VINCENT
PRESIDENT OF COUNCIL

APPROVED: _____, 2019.

JEFF TILTON
MAYOR

**THIS LEGISLATION
APPROVED AS TO FORM**


LAW DIRECTOR'S OFFICE



Map © 2018 City of Zanesville | Imagery © 2015 Muskingum County | © Mapbox © OpenStreetMap | Printed on 12/3/2019



City of Zanesville
 Department of Public Service
 Division of Engineering

ORD-19-__, Exhibit "A"

Map Disclaimer

City of Zanesville does not guarantee the accuracy of this data. This map is subject to all terms and conditions of the disclaimer posted at www.coz.org/map-disclaimer.

Ordinance 19-146

ATKINS KENNETH JR
3929 DRESDEN RD
ZANESVILLE, OH 43701

FIRST ASSEMBLY OF GOD
503 MCCINTIRE AVE
ZANESVILLE, OH 43701-3372

DENMAN CHARLES J
518 MCINTIRE AVE
ZANESVILLE OH 43701

DENMAN CHARLES J
5370 AIRWOOD DR
ZANESVILLE, OH 43701

SMZ DEVELOPMENT COMPANY LLC
760 LINDEN AVE
ZANESVILLE OH 43701

AAMCO C/O MARCHEL ENTERPRISE LLC
765 LINDEN AVE
ZANESVILLE, OH 43701-3354

SMZ DEVELOPMENT COMPANY LLC
766 LINDEN AVE
ZANESVILLE OH 43701

ATKINS KENNY
771 LINDEN AVE
ZANESVILLE OH 43701

SMZ DEVELOPMENT COMPANY LLC
P O BOX 1270
ZANESVILLE, OH 43702

ORDINANCE NO. 19-147
INTRODUCED BY COUNCIL

**AN ORDINANCE TO AMEND AND REVISE THE ZONING MAP AND
MAKE PERMANENT ZONING IN THE CITY OF ZANESVILLE, OHIO
AS HEREIN PROVIDED**

WHEREAS, an application has been duly made requesting a zone change on fifty-three lots from the current zoning district to C-4 Highway Commercial; and

WHEREAS, proper notification of the intent of this Council to consider this request to rezone the below described property was given to abutters within 200 feet of the requested rezoning and in a newspaper of general circulation; and

WHEREAS, after testimony and discussion the Zanesville Planning Commission recommended to City Council that the zone change request further identified on Exhibit "A" and Exhibit "B", be approved.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Zanesville, State of Ohio; that

SECTION ONE: The application for rezone change with respect to the real property hereinafter described and shown in Exhibit "A" and Exhibit "B" is hereby approved and the zoning with respect to said property is so changed.

SECTION TWO: The Zoning Map of the City of Zanesville, Ohio, and the same is hereby amended and revised by changing the zoning as follows:

From the existing zoning district of either RS-4 Medium-High-Density Single-Family Residential District, RS-5 High-Density Single-Family Residential District or C-2 Community and Regional Commercial to C-4 Highway Commercial on all properties as shown in Exhibit "A" and Exhibit "B", situated in the City of Zanesville, County of Muskingum, and State of Ohio.

SECTION THREE: This Ordinance shall take effect upon the approval of the Mayor and from and after the earliest period allowed by law .

PASSED: _____, 2019.

ATTEST: _____
SUSAN CULBERTSON
CLERK OF COUNCIL

DANIEL M. VINCENT
PRESIDENT OF COUNCIL

APPROVED: _____, 2019.

JEFF TILTON
MAYOR

**THIS LEGISLATION
APPROVED AS TO FORM**



LAW DIRECTOR'S OFFICE

Exhibit "A"

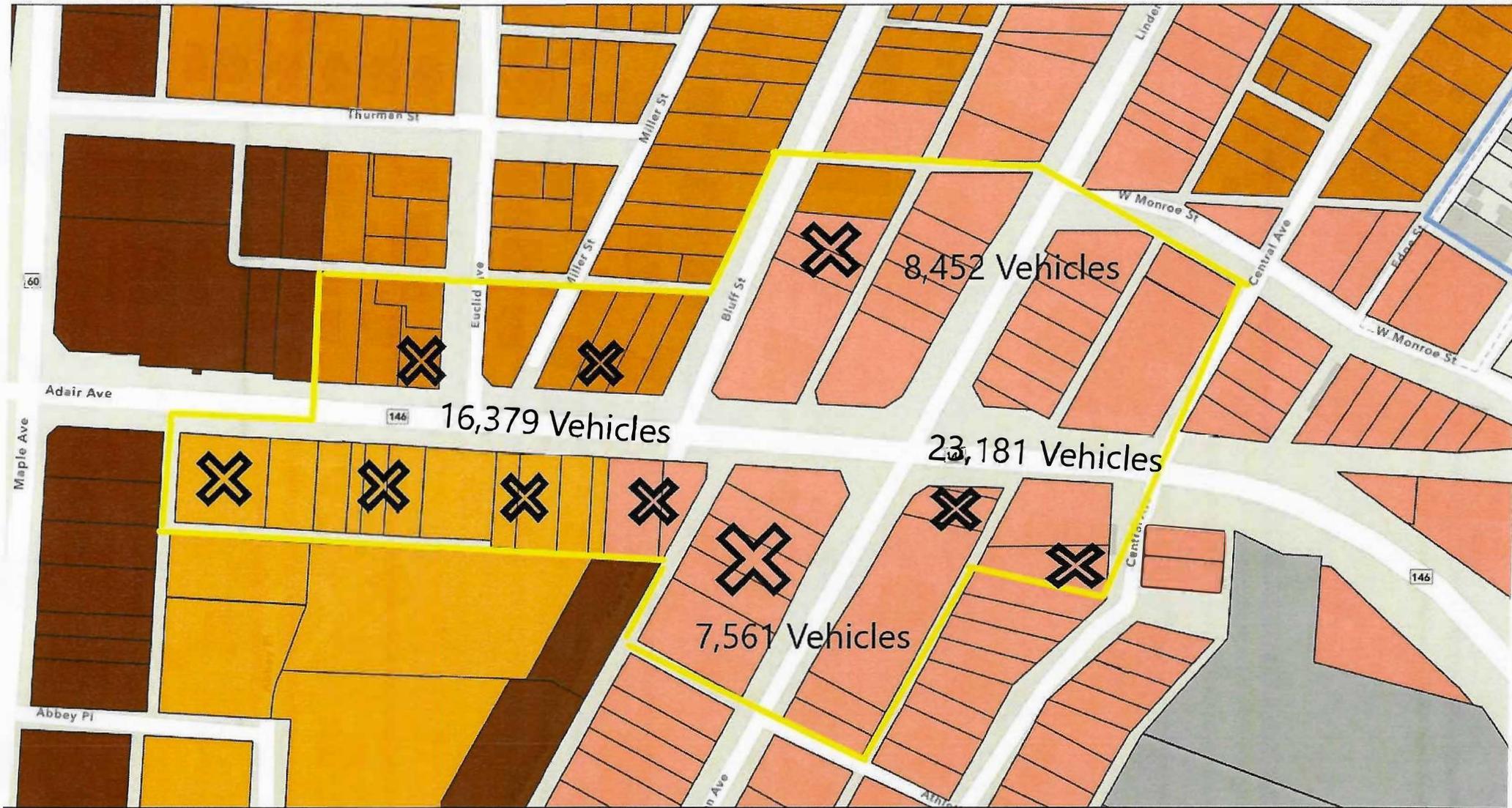
Owner	Parcel Number	Parcel Address
Column1	Column2	Column3
1210 LINDEN AVENUE	84-57-04-08-000	1210 LINDEN AVE
1210 LINDEN AVENUE	84-57-04-04-000	LINDEN AVE
1210 LINDEN AVENUE	84-57-04-05-000	LINDEN AVE
1210 LINDEN AVENUE	84-57-04-03-000	LINDEN AVE
1210 LINDEN AVENUE	84-57-04-06-000	LINDEN AVE
1210 LINDEN LTD	84-57-04-07-000	1210 LINDEN AVE
BENJAMIN W WHITACRE	84-10-01-18-000	525 ADAIR AVE
BRENWOOD LTD	84-22-01-16-000	423 ADAIR AVE
BRENWOOD PROPERTIES LTD	84-22-02-15-000	441 ADAIR AVE
BRENWOOD PROPERTIES LTD	84-22-01-15-000	1230 BLUFF ST
BRENWOOD PROPERTIES LTD	84-22-01-14-000	1230 BLUFF ST
CHAD MICHAEL JACOLENNE	84-11-02-04-000	452 ADAIR AVE
DAVID W ALLEN	84-11-02-13-000	524 ADAIR AVE
EDEN GROUP LTD	84-22-01-13-000	1260 BLUFF ST
EDEN GROUP LTD	84-57-04-12-000	379 ADAIR AVE
ELISABETH ALMA CONLEY	84-21-01-34-000	1155 CENTRAL AVE
ELISABETH ALMA CONLEY	84-21-01-63-000	1128 LINDEN AVE
ELISABETH ALMA CONLEY	84-21-01-62-000	LINDEN AVE
ELISABETH ALMA CONLEY	84-21-01-33-000	CENTRAL & ADAIR AVE
GRANTLEY W GRANT & FAY I GRANT	84-10-01-22-000	509 ADAIR AVE
GRANTLEY W GRANT & FAY I GRANT	84-10-01-21-000	509 ADAIR AVE
JENERA WALLS	84-22-02-17-000	457 ADAIR AVE
JENERA WALLS	84-22-02-18-000	457 ADAIR AVE
LANNY GROSS & CONSTANCE GROSS	84-10-01-19-000	519 ADAIR AVE
LARRY J PARKER	84-22-01-26-000	1239 LINDEN AVE
LYNNELL LLC	84-11-02-01-000	ADAIR AVE
LYNNELL LLC	84-21-02-03-000	1103 LINDEN AVE
LYNNELL LLC	84-21-02-01-000	1103 LINDEN AVE
LYNNELL LLC	84-11-02-02-000	ADAIR AVE
LYNNELL LLC	84-21-02-04-000	1097 LINDEN AVE
LYNNELL LLC	84-21-02-02-000	LINDEN AVE
LYNNELL LLC	84-11-02-03-000	448 ADAIR AVE
MICHAEL C MOHLER & DOROTHY L MOHLER	84-22-02-16-000	447 ADAIR AVE
NATHAN P ZANGMEISTER	84-11-02-07-000	470 ADAIR AVE
NED N ASHBAUGH	84-21-01-59-000	1100 LINDEN AVE
OHIO RENTALS II LLC	84-10-01-17-000	529 ADAIR AVE
PRINCETON-BELL CO INC	84-11-02-14-000	ADAIR AVE
RICHARD H MCCLELLAND TR & JOYCE ANN MCCLELLAND TR	84-57-04-01-000	1227 CENTRAL AVE
SEIFERT INVESTMENT PROPERTIES LLC	84-10-01-23-000	1217 EUCLID AVE
SEIFERT PROPERTIES LLC	84-11-02-05-000	462 ADAIR AVE
SEIFERT PROPERTIES LLC	84-11-02-06-000	462 ADAIR AVE
SHIRLEY J WALKER & VALERIE R BAUGHMAN	84-22-04-07-000	1214 EUCLID AVE
STEPHEN E KELSO	84-57-04-02-000	1240 LINDEN AVE
Y CITY PROPERTY INVESTMENT GROUP LLC	84-11-02-09-000	506 ADAIR AVE
Y CITY PROPERTY IMPROVEMENT GROUP LLC	84-11-02-12-000	516 ADAIR AVE

Attachment to Ord. No. 19-147

Owner	Parcel Number	Parcel Address
YCITY PROPERTY IMPROVEMENT GROUP LLC	84-11-02-11-000	ADAIR AVE
YCITY PROPERTY IMPROVEMENT GROUP LLC	84-11-02-10-000	ADAIR AVE
ZANESVILLE30 LLC	84-22-01-24-000	1229 LINDEN AVE
ZANESVILLE30 LLC	84-22-01-21-000	1215 LINDEN AVE
ZANESVILLE30 LLC	84-22-01-22-000	LINDEN AVE
ZANESVILLE30 LLC	84-22-01-23-000	LINDEN AVE
ZANESVILLE30 LLC	84-22-01-25-000	LINDEN AVE

Attachment to Ordinance No. 19-147
Adair Avenue Rezoning

Exhibit "B"



10:06:56 AM

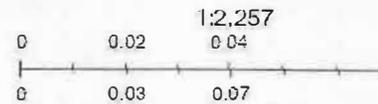
ic Notification Web Map_WFL1 - Public Notification - City Limits

ic Notification Web Map_WFL1 - Public Notification - Parcels - Owner

- Community and Regional Commercial District

- C-4 - Highway Commercial District
- I-1 - Industrial District
- RS-4 - Medium-High Density Single-Family
- RS-5 - High Density Single-Family

X = Vacant Land



Sources: Esri, HERE, Garmin, FAO, NOAA, OpenStreetMap contributors, and the GIS User Community

**ORDINANCE NO. 19-148
INTRODUCED BY COUNCIL**

**AN ORDINANCE AMENDING THE CITY OF ZANESVILLE
COMPREHENSIVE PLAN IMPLEMENTATION INDEX.**

WHEREAS, The Comprehensive plan Implementation Index is the road map set forth by the Community for City Officials to follow, and

WHEREAS, it is important to routinely review what has been accomplished collectively and refocus efforts on what has yet to be accomplished, and

WHEREAS, through a review of Comprehensive Plan Implementation Index, the City has identified areas to amend the Index as described in Exhibit "A", and

WHEREAS, after testimony and discussion the Zanesville Planning Commission recommended to City Council that the amendment to the Comprehensive Plan Implementation Index, be approved.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Zanesville, State of Ohio, that:

SECTION ONE: The application to amend the Comprehensive Plan Implementation Index hereinafter described and shown in Exhibit "A" is hereby approved.

SECTION TWO: This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____, 2019

ATTEST:

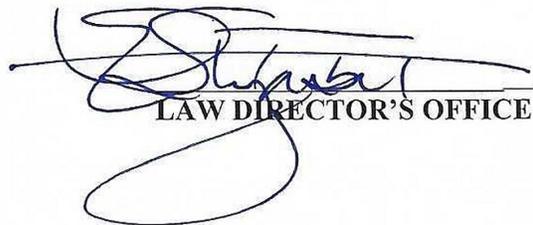
SUSAN CULBERTSON,
Clerk of Council

DANIEL M. VINCENT,
President of Council

APPROVED: _____, 2019

JEFF TILTON,
Mayor

**THIS LEGISLATION APPROVED
AS TO FORM**



LAW DIRECTOR'S OFFICE

COMMUNITY FACILITIES

		Action Plan Steps	Target Completion Date	Notes
(P.Serv.)	GOAL	CFG 1 – The city shall create a capital facilities plan to evaluate the condition and need for all current and future community facilities to ensure long term investment for all organizations.	12/31/2020	5 year capital facilities plan (develop 2017-2018) Water Asset Plan - Oct 2018 Storm Water 12-31-2019 Public Safety and Building Maintenance Community Facility Inventory (ongoing)
	Policy	<i>CFP 1.1 Develop a capital facilities plan to be reviewed annually before budget reviews that identifies and ranks deferred maintenance, current and future needs and an anticipated building expansion/replacement schedule.</i>		
	Policy	<i>CFP 1.2 Create a building replacement reserve to assure dollars are available when new facilities are needed.</i>		
	Policy	<i>CFP 1.3 When the city builds a new building and/or does a substantial modification to an existing building, higher architectural and/or aesthetic standards should be considered beyond what is required by the code.</i>		
	Policy	<i>CFP 1.4 The city shall continue building partnerships with non-city operated community facilities to ensure all long range plans collaborate with a unified vision for land use, transportation, and public infrastructure needs and improvements.</i>		
(CD)	GOAL	CFG 2 – The city shall continue to support local non-profit organizations in their mission to serve the needs of the residents within the city.	Ongoing	City and U.W. Social Return on Investment Project 2019
	Policy	<i>CFP 2.1 Prioritize investment with agencies that demonstrate coordination of services with other non-profits.</i>		
	Policy	<i>CFP 2.2 City to continue pursuing grant opportunities to assist non-profits with building maintenance, new construction, and program funding.</i>		
	Goal	CFG 3 – Facilities shall be designed to allow accessibility for all.	Ongoing	
	Policy	<i>CFP 3.1 Encourage non-profit organizations to locate in neighborhoods where their clients reside and transportation networks provide easy access to the facilities.</i>		

Attachment to Ord. No. 19-148

	Policy	<i>CFP 3.2 Facilities shall be designed so they are anchors within the community and they shall consist of community rooms, accessibility, and amenities that encourage full use of the facility.</i>		
(City)	GOAL	CFG 4 – The city should support the promotion and education of community facilities and their programs and services.	Ongoing	Downtown streets for weekday Farmers Market Re-Evaluate 2019
	Policy	<i>CFP 4.1 The city should assist community facility agencies and organizations by utilizing its media resources to educate and promote programs and services.</i>		ZCS Expansion of Agriculture Programs; Urban Greens Farm Bureau Grant; Urban Ag. Code 2019

ARTS & CULTURE

		Action Plan Steps	Target Completion Date	Notes
(CD)	GOAL	ACG 1 - The city will encourage the creation of an Arts Council led by local artist, musician, museum, and theater groups.	12/31/2018	Council should explore 3 yr. operation grant for formation of Arts Council.
	Policy	<i>ACP 1.1 The Arts Council should play a vital role in the overall cultural, societal, and economic development of the community.</i>		MCCF "Art Pillar" acting as quasi-Arts Council for the time being (Fall 2017)
	GOAL	ACG 2 - Downtown will be the epicenter of the city's arts and cultural community.	12/31/2020	
	Policy	<i>ACP 2.1 The city will evaluate the regulations found within the Art's Overlay District to encourage future opportunities that will allow for the expansion of various types of arts and cultures.</i>		2018
(City)	Policy	<i>ACP 2.2 It is recommended that the city continue to invest in Secret Auditorium, as it is a focal point and attraction for events and activities related to the arts.</i>		Ongoing
	Policy	<i>ACP 2.3 The city will evaluate its codes in an effort to encourage the development of live-work units in the downtown area.</i>		Parking Code 2019
	GOAL	ACG 3 - The city will participate in collaborative partnerships that expand cultural opportunities.	Ongoing	Y-City Arts Festival; Putnam Jam Fest (2019)
	Policy	<i>ACP 3.1 The city will encourage partnerships between local artist groups and educational institutions so opportunities and programs can be developed to increase public awareness and participation in the arts and culture element.</i>		
	Policy	<i>ACP 3.2 The city will also work with cultural organizations to make downtown the location for community, cultural and arts festivals, and events.</i>		
(and County)	Policy	<i>ACP 3.3 The city and county should review appropriate codes/policies to see if any modifications can be made to encourage the expansion of artistic and cultural opportunities within the city, with focus in the downtown area.</i>		2018; similar to ACP2.1
	Policy	<i>ACP 3.4 The city should reconsider its regulatory requirements for event parking and fees for police protection during festivities held in the downtown area.</i>		Parking standards review downtown - 2019 Complete

	GOAL	ACG 4 - The city will examine its future projects for opportunity to brand the city's identity as a destination for arts and culture while recognizing the community.	Ongoing
	Policy	<i>ACP 4.1 The city will partner with local universities, schools and artist organizations to create an identity that can be implemented into public art.</i>	
	Policy	<i>ACP 4.2 The city will encourage the use of art to reinforce the identity of the city.</i>	
	Policy	<i>ACP 4.3 When designing public improvements (i.e. streets, parks, planning documents, etc.) the city should consider the use of public art into the overall plan.</i>	
			NEA Grant - Arts Master Plan 19/20
			CD to head this effort through NEA Grant efforts 19/20
			Ongoing
			Art in Public Spaces - Ord. 17-68 Pioneer Reservoir Project

PARKS & RECREATION

		Action Plan Steps	Target Completion Date	Notes
	GOAL	PRG 1 - Provide a high quality, diversified parks, recreation, and open space system that provides for all age and interest groups.		
(CD and P.Serv)	Policy	<i>PRP 1.1 Provide a system of neighborhood and community parks that are within walking distance (1-mile) of residents. Provide parks with activities for all age groups and abilities, equally distributed throughout the community.</i>		2020+
(P.Serv)	Policy	<i>PRP 1.2 Add capacity at existing parks by expanding facilities to accommodate an aging population.</i>		Pickleball 2017/ Dog park 2017/Restoration Park/ Gilbert Trail Updates 2020
	Policy	<i>PRP 1.3 Work with developers to identify additional park opportunities in redeveloping areas.</i>		MVPD - McIntire Nature Park (City provided water facilities) - 2017
	Policy	<i>REMOVED FROM ACTION PLAN STEP</i>		
	Policy	<i>PRP 1.5 Cooperate with other public and private agencies, and with private landowners to set aside land and resources necessary to provide high quality, convenient park and recreation facilities before the most suitable sites are lost to development.</i>		Working with MVPD 2017/2018/2019
(CD and P.Serv)	Policy	<i>PRP 1.6 Acquire additional river shoreline access for trails, fishing, wading, swimming, boating, and other related recreational activities.</i>	12/31/2027	Agreement W/ ODNR. - Ord. 17-65 NPS Putnam Trail efforts 2016-2017 AK Steel Property Discussion 2020
	Policy	<i>PRP 1.7 Develop athletic facilities that meet the highest quality competitive playing standards and requirements for all age groups, skill levels, and recreational interests.</i>		City entered into maintenance/operation agreements with external agencies for Gant Stadium (Ord. 17-05) and Riverside facilities (Ord. 16-74a)

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	Policy	<i>PRP 1.8 Provide a mix of court and field activities like skateboard, basketball, tennis, volleyball, pickleball, soccer, baseball, and softball that provide for the largest number of participants.</i>		
	Policy	<i>PRP 1.9 Develop new or improved multi-use facilities to increase flexibility of use for new activities or other new trends, as there is a demonstrated need in the community.</i>		Canal trail 2017/2018 Putnam trail 2020
	Policy	<i>PRP 1.10 Where appropriate, and where funding is available, incorporate art into park facility features, such as railings, benches, buildings, and other park amenities.</i>		Art in Public Spaces (ongoing) Branding (ACP 4.1) (ongoing)
	Policy	<i>PRP 1.11 Provide operation and maintenance to ensure safe, serviceable, and functional parks and facilities.</i>		Ongoing
	GOAL	PRG 2 - Provide leadership through investment into broad facilities that improve the health and wellness of its residents and businesses.		
	Policy	<i>PRP 2.1 The city should create and appoint a community-wide citizens advisory committee to advise the Mayor and Council on the implementation of this element and to develop an annual strategic plan for implementing the various goals and objectives.</i>		Form 2020
	Policy	<i>PRP 2.2 The city should budget for, develop, staff, train, and support a professional Parks and Recreation Department that effectively serves the community in the realization of the listed goals and policies.</i>	12/31/2022	Based upon recommendation from PRP 2.1
	Policy	<i>PRP 2.3 City Council should create a measure that cites community wellness as one of its top priorities for the community.</i>		Based upon recommendation from PRP 2.1
(City)	Policy	<i>PRP 2.4 The Mayor and Administration should incentivize all City of Zanesville employees to participate in a wellness program that includes a focus on health and exercise programs.</i>		City Insurance Committee
	GOAL	PRG 3 - Balance active and passive open spaces.		
	Policy	<i>PRP 3.1 The city should collaborate with local stakeholders and solicit input from Zanesville residents and businesses on desired park and recreation facilities and amenities/activities.</i>		CDBG Community Needs Meetings (citywide) 2017 As a part of efforts from PRP 2.1
	Policy	<i>PRP 3.2 Support the creation of specialized parks and open spaces when the need for each is documented, and land area is available.</i>		Dog Park/ Pickleball/ Restoration Park/ Urban Greens

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	Policy	<i>PRP 3.3 Ensure that active and passive recreation facilities are developed to be fully accessible to all persons.</i>	12/31/2022	
	Policy	<i>PRP 3.4 Recognize and coordinate with community volunteers, such as the local neighborhood organizations, to assist in the maintenance, promotions, operations, and education of park and recreational availability/activities.</i>		Volunteer Group Clean-Up 2019
	Policy	<i>PRP 3.5 Expand recreational programs to address the needs of a diverse population (age, capacity and activity-level) through coordination and the sharing of resources among existing recreation program providers, and by sponsoring the creation of new activities and programs.</i>		ROSA & Old Timers
	GOAL	PRG 4 - Create effective and efficient methods of acquiring, developing, operating, and maintaining facilities and programs that accurately distribute costs and benefits to public and private interests.	6/30/2021	
(City)	Policy	<i>PRP 4.1 Investigate innovative funding mechanisms, such as a Park Improvement Fee, to be applied to building or zoning permits for the new construction of commercial, residential, and industrial structures within the city. Collected funds can be used for the financing, maintenance, and operation needs in order to reduce costs, retain financial flexibility, match user benefits and interests, and increase facility services.</i>		Proceed once all initiatives from PRP 2.1 and PRG 5 are complete
	Policy	<i>PRP 4.2 Consider joint ventures with other public and private agencies such as the Zanesville City MEOJVSD, Muskingum County, regional, state, federal, and other public and private agencies including for-profit concessionaires, where feasible and desirable.</i>		ROSA, Old Timers, AK Steel
	Policy	<i>PRP 4.3 Cooperate with local school districts, Muskingum County and other public and private agencies to avoid duplication, improve facility quality and availability, reduce costs, and represent area resident's interests through joint planning and development efforts.</i>		Based upon recommendation from PRP 2.1
	Policy	<i>PRP 4.4 Create effective and efficient methods of acquiring, developing, operating, and maintaining park and recreational facilities in manners that accurately distribute costs and benefits to public and private user interests - including the application of impact fees where new developments impact existing level-of-service standards.</i>		Proceed once all initiatives from PRP 2.1 and PRG 5 are complete

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	Policy	<i>PRP 4.5 Develop and operate lifetime recreational programs that serve the broadest needs of the population, recovering program and operating costs with a combination of registration fees, user fees, grants, sponsorships, donations, scholarships, volunteer efforts, and the use of general funding.</i>		
	Policy	<i>PRP 4.6 Where appropriate, provide recreational programs, like boating facilities, for those interested user groups who are willing to finance the cost through donations, registration fees, volunteer efforts, or other means and methods.</i>		Dog park 2016 , Pickleball 2016 Ongoing
	GOAL	PRG 5 - To help guide future City Council investment decisions, city staff shall complete an analysis of the existing networks and needs of public parks, recreation, and trail facilities.		
	Policy	<i>PRP 5.1 The examination shall consider every aspect of the city's current operations, including: finances, programming, use, staffing, service contracts, and land management.</i>		Link with PRP 2.1
	Policy	<i>PRP 5.2 The examination shall consider future needs including: population centers, finances, programming, use, staffing, service contracts, and land management.</i>	6/30/2021	Link with PRP 2.1
	Policy	<i>PRP 5.3 The examination shall consider having multiple parks and recreation agencies within Muskingum County and provide commentary on possible efficiencies and consistencies that would create a more sustainable and healthy regional parks and recreation system.</i>		Link with PRP 2.1
	GOAL	PRG 6 - Incorporate technology to expand programming.		
	Policy	<i>PRP 6.1 The city should explore investment opportunities to assist in funding technology that will increase enjoyment within its facilities and promote marketing and programming opportunities.</i>		Zane Landing Broadband ARC Grant 2020
	Policy	<i>PRP 6.2 The city should use technology in the Parks and Recreation division for mapping land, and managing the facilities, along with:</i>		
		<i>Trail mapping and bike path routing</i>	Ongoing	
		<i>Community facilities placement</i>		
		<i>Trails and facilities mapping</i>		
		<i>Tree inventory</i>		GIS Mapping, Smartphones, Drones

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2019

		Asset maintenance and management	
		Future park site selection	
		Revenue tracking	
		Marketing	
		Community events	
		Scheduling	
	Policy	PRP 6.3 The city should seek and invest funding for the expansion of technology infrastructure into its Parks and Recreation network and facilities.	ARC Grant 19/20 Crowdsourcing/funding Smart City Funding
	GOAL	PRG 7 - Provide an interconnected system of high quality, accessible multi-use trails, and greenway corridors that offer diverse, healthy outdoor experiences, accessing significant environmental features, public facilities, and developed local neighborhoods and business districts.	
	Policy	PRP 7.1 Connect and unify the community with trail and greenway corridors. Connect trails with transit stops, bike routes, and sidewalks to create a comprehensive network of non-motorized transportation throughout Zanesville and its surrounding jurisdictions.	NPS & Putnam landing Trail Planning
	Policy	PRP 7.2 Provide a comprehensive system of multipurpose off-road trails using alignments through public landholdings, as well as, private properties where appropriate.	NPS & Putnam landing Trail Planning. Canal trail.
	Policy	PRP 7.3 Link residential neighborhoods to community facilities, including: schools, parks, special use areas, the waterfronts, downtown, and other special destinations.	MVPD Trail from H.S. to Universities. Putnam trail.
	Policy	PRP 7.4 Developers shall be required to expand existing trail systems into new or redeveloped neighborhoods.	12/31/2027
	Policy	PRP 7.5 Promote links to neighboring communities. Work with MCPRD, Muskingum County, ODNR, ODOT, private landowners, and other appropriate parties to link and extend trails around Zanesville.	MVPD connection to Riverside. Seek ODOT's Ohio's Bike Route Designations project
	Policy	PRP 7.6 Provide adequate funding to maintain existing and new trails.	Based on recommendation from PRP 2.1
	Policy	PRP 7.7 Develop trail improvements to a design and development standard that facilitates durability, easy maintenance, and safety.	Attempted to get grant funding in 2017 for these efforts in partnership



<p><i>a) Furnish trail systems with appropriate supporting trailhead improvements that include interpretive, directory, and mileage signage, as well as, rules and regulations for trail use.</i></p>
<p><i>b) Provide site furnishings such as benches, bike racks, water stations, dog waste stations, and trash containers.</i></p>

<p>with NPS (not funded). Work with P.Service to do signage in 2018. Continue to find funding opportunities for other ammenities.</p>

HOUSING

		Action Plan Steps	Target Completion Date	Notes
	GOAL	HG1 - Strengthen our current affordable commitments.		Covered in Housing Plan 17/18. Most of the policies are controlled by our partners, but we can encourage and assist as needed.
(CD)	Policy	<i>HP 1.1 Participate with providers in securing investment/resources, and provide incentives for new and/or redevelopment of housing that serves the very low-, low-, and moderate-income households, including people with disabilities, special needs, and the homeless.</i>	12/31/2022	Habitat for Humanity - Mead St.
	Policy	<i>HP 1.2 Maintain a ten percent goal of permanently affordable units in housing development projects in the city.</i>		
	Policy	<i>HP 1.3 Establish clear funding priorities to accomplish the goal.</i>		
	Policy	<i>HP 1.4 Provide affordable utilities that foster safe, decent, and affordable housing.</i>		
	GOAL	HG 2 - Facilitate more-diverse housing options.		Housing Needs Assessment 2019
	Policy	<i>HP 2.1 The city should work with private and non-profit developers to reshape and stabilize targeted neighborhoods, providing a variety of housing choices for middle-income families and Zanesville's workforce.</i>		Ongoing- Especially in Greater Brighton Neighborhood.
	Policy	<i>HP 2.2 Use a "rehabilitate first, demolish as a last resort" decision making criterion in preserving the affordability of existing housing.</i>		
	Policy	<i>HP 2.3 Partner with organizations such as Habitat for Humanity to rehabilitate properties.</i>	12/31/2022	Ongoing- Mead St.
	Policy	<i>HP 2.4 Facilitate the creation of relatively affordable attached townhomes and other higher-density, but family-supportive, housing types through land use and zoning changes.</i>		2020/2021
	Policy	<i>HP 2.5 Work through partners to create a middle-income, down-payment assistance, or low-interest financing program.</i>		Emergency Home Repair and Paint CDBG 2019 Funding Cycle.

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	Policy	<i>HP 2.6 Use land assembly for infill development by re-platting narrow contiguous lots that are currently not developable, either directly or in partnership with a developer.</i>		And in partnership with Landbank. This was done for Habitat on Mead.
	GOAL	HG 3 - Use land use authority to provide for a variety of housing options for every part of the city.		Housing Needs Assessment 2019
	Policy	<i>HP 3.1 Make it easier and more financially feasible to develop accessory dwelling units and owner accessory units (e.g., mother-in-law and carriage houses).</i>	12/31/2025	Code Changes 2019-2021 - based off of policies from Housing Plan
	Policy	<i>HP 3.2 Make it possible for groups of unrelated individuals (e.g., seniors) to share housing (above the current occupancy limits).</i>		Code Changes 2019-2021 - based off of policies from Housing Plan (in progress)
	Policy	<i>HP 3.3 Make it possible to create duplex units, small townhome developments, and other appropriately scaled and contextually fitting multi-unit housing in existing single-family neighborhoods.</i>		Code Changes 2019-2021 - based off of policies from Housing Plan
	Policy	<i>HP 3.4 Review/create density standards or alternative approaches to managing density to avoid creating new areas that offer only large, high-priced, single-family homes.</i>		Code Changes 2019-2021 - based off of policies from Housing Plan
	GOAL	HG 4 - Create new housing opportunities in "high value" areas of the city.		Housing Plan 17/18
	Policy	<i>HP 4.1 The city should use its land authority to encourage high-density mixed-use living in the Zanesville downtown area and along the rivers. These distinctive neighborhoods should include design excellence and high-quality public improvements, open space, and convenience retail.</i>	12/31/2027	Code Changes 2019-2021 - based off of policies from Housing Plan
	Policy	<i>HP 4.2 Assist new construction and adaptive reuse of existing non-residential buildings with a combination of uses.</i>		Based off policies from Housing Plan
	Policy	<i>HP 4.3 Apply the full range of incentives available to assist in the development of additional housing, including public improvements, land assembly, financial assistance, and the development of structured parking.</i>		Parking Standards Updates - 2017/18
	Policy	<i>HP 4.4 Support changes to existing state and local ordinances in order to encourage downtown residential development.</i>		Parking Standards Updates - 2017/18

TRANSPORTATION

		Action Plan Steps	Target Completion Date	Notes
	GOAL	TG1 - The city's arterial roadway system shall be designed to provide high-volume, multi-lane facilities with access controls, as needed, to preserve the through-traffic carrying capacity of the facilities.	Ongoing	
(CD and P.Serv)	Policy	<i>TP 1.1 The city will require joint-use access, cross-access easements, and access prohibitions wherever traffic patterns and physical features make it possible in the development approval process.</i>		Planning Commission Requires
	Policy	<i>TP 1.2 In general, the city shall use varied Level of Service (LOS) standards according to differing levels of development, desired character of streets, and growth objectives.</i>		
(P.Serv)	Policy	<i>TP 1.3 Provide capacity improvements so that the LOS standards are not exceeded.</i>		Covered in the City of Zanesville's Transportation Investment Report-2017
	Policy	<i>TP 1.4 Prioritize safety in an ongoing monitoring program.</i>		Covered in the City of Zanesville's Transportation Investment Report-2017
	GOAL	TG 2 - The city shall use planning and permitting to assure the coordination between the transportation system with future land use, ensuring that existing and proposed land uses are consistent with transportation corridors, capacity, modes, and services.	Ongoing	Northpointe Traffic Demand Analysis 2020
(CD)	Policy	<i>TP 2.1 The city shall assure that new and significant redevelopment projects proportionately contribute to the cost of impacted transportation capital facilities.</i>		Northpointe TDA
	Policy	<i>TP 2.2 The city shall pursue grants in order to mitigate development costs.</i>		Ongoing
	Policy	<i>TP 2.3 The city shall use an impact analysis system that identifies: The number of potential vehicular trips during peak hours based on the proposed use(s).</i>		
	Policy	<i>TP 2.4 Pursue funding sources such as Tax Increment Financing (TIFs) to pay for improvements not fully funded by grants, impact fees, and general funds.</i>		Harbor Freight TIF (2015), We Luv Pets TIF (2016), Dutro TIF (2017)

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	GOAL	TG 3 - All major new or substantially rebuilt roadways shall be designed as complete transportation corridors, incorporating bicycle, accessible pedestrian, and transit features to achieve a true multi-modal system.		
	Policy	<i>TP 3.1 The city shall require that accessible sidewalks be constructed concurrently with new development, by the developer. Additional sidewalks will be constructed in existing developed areas when grant monies are available or requested, and funded by the abutting property owners.</i>	Ongoing	Require during project permitting
	Policy	<i>TP 3.2 The city shall develop a bike path plan establishing one side of every arterial and collector streets with sidewalks established on the opposite side of all arterial streets. The city shall coordinate with ODOT and Muskingum County to expand the current bicycle system.</i>		
	Policy	<i>TP 3.3 The city shall continue to work with Southeast Area Transit, and encourage land uses and site developments that promote public transit within public transportation corridors.</i>		City staff on SEAT board and TAC
	GOAL	TG 4 - The city staff shall present to city council a policy for its consideration of the dedication of needed rights-of-way from development through subdivision regulations and applicable ordinances.	12/31/2019	DRD Requiring Sidewalks
	Policy	<i>TP 4.1 The city shall review and update, where applicable, its codes and policies related to right-of-way dedication and required roadway improvements.</i>		
	GOAL	TG 5 – Coordinate city transportation planning and investment with the plans and projects of the ODOT, Muskingum County, OMEGA, South East Area Transit Authority, and neighboring jurisdictions.	Ongoing	
	Policy	<i>TP 5.1 The city will work with ODOT and neighboring jurisdictions to provide capacity on regional transportation systems and to reduce regional traffic on local streets.</i>		
	GOAL	TG 6 - The city will maintain the transportation system to ensure that transportation facilities and services needed to support development and redevelopment are available concurrent with the impacts of such development.		

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	Policy	TP 6.1 Establish essential maintenance, preservation, and safety improvements of the transportation systems as a high priority.	Ongoing	
	Policy	TP 6.2 Ensure maintenance and preservation of the transportation systems are high priorities in resource allocations. Maintain and preserve the transportation system mindful of life cycle costs associated with delayed maintenance.		
	Policy	TP 6.3 Optimize the performance of the transportation network's efficiency and safety for various travel modes through signal timing coordination, signal retiming on a regular basis, maintenance and capital replacement programs, and other operational improvements of existing and planned transportation facilities.		Dig Once 2019
	GOAL	TG 7 - The city will support goods mobility by all modes, recognizing that Zanesville is part of a regional freight distribution system.	Ongoing	
	Policy	TP 7.1 Protect the transportation system (e.g. roadway, rail, transit, and air) against major disruptions by developing maintenance, prevention, and recovery strategies and by coordinating disaster response plans.		Proposed airport runway extension; Master Plan 2019
	Policy	TP 7.2 The city shall develop methods to incentivize and encourage coordination between adjacent commercial properties on major arterial routes, including shared driveways and direct vehicular access between parking lots.		Parking Standard update 2019
	Policy	TP 7.3 Implement transportation management plans and programs to help promote safe and functional traffic patterns and operations throughout the city.		Dig Once 2019

ECONOMIC DEVELOPMENT

		Action Plan Steps	Target Completion Date	Notes
	GOAL	EDG1 - The city will use its land use and regulatory authorities to provide the framework necessary for living wage jobs and the provision of vibrant retail offerings for our residents.		
(CD)		<i>EDP 1.1 Encourage the retention and creation of middle-income employment by:</i>		
		<ul style="list-style-type: none"> • <i>Preserving land for base sector (export industries) that generate opportunities for middle-income wage earners.</i> 		Work with Landbank/CIC 2019/2020
		<ul style="list-style-type: none"> • <i>Investing in infrastructure and supporting educational, skill development, and quality of life assets that support middle-income employment development.</i> 		ARC and EDA
	Policy	<ul style="list-style-type: none"> • <i>Encouraging the development of measures that facilitate expansion of high technology business facilities that have the potential to create middle-income jobs likely to be filled by local residents.</i> 		Cool & Connected/Broadband 17/18/19; Smart City Goals/Policies 2019/20
(City)	Policy	<i>EDP 1.2 Support local agencies/programs that increase the standard of living for lower-income residents.</i>		SEAT/ Port Authority allocation
	Policy	<i>EDP 1.3 Continue to promote job opportunities accessible to residents in low-income neighborhoods.</i>		Brighton work - ongoing Community Health Worker (CDBG 18/19) Think Tank on Poverty (CDBG 20/21)
	Policy	<i>EDP 1.4 Protect base sector uses that provide quality job opportunities including middle-income jobs; provide for secondary employment and supporting uses; and maintain areas where smaller emerging industrial uses can locate in a multi-tenant setting.</i>	12/31/2022	
		<i>EDP 1.5 Consider the re-designation of non-industrial properties to industrial properties where land-use conflicts can be minimized. Evaluate the extent to which the proposed designation and subsequent industrial development would:</i>		
		<i>Accommodate the expansion of existing industrial uses to facilitate their retention in the area in which they are located.</i>		Mattingly 2016/2019

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	Policy	<p><i>Do not intrude into existing residential neighborhoods or disrupt existing commercial activities and other uses.</i></p> <p><i>Require mitigation of impacts (traffic, noise, lighting, air pollution, and odor) to adjacent land.</i></p>	<p>Sharon Ave. business mediation 2016/17</p>
	Policy	<p><i>EDP 1.6 Provide for the establishment or retention of sector employment uses to serve base sector industries and community needs, and encourage the development of small businesses. To the extent possible, consider zoning areas for these types of employment uses near housing.</i></p>	<p>Development of Form Based Code 2018/19</p>
	Policy	<p><i>EDP 1.7 Locate compatible employment uses on infill manufacturing sites and establish incentives to support job growth into existing city redevelopment areas.</i></p>	<p>City will continue research for targeted incentives for key locations including downtown Zanesville, the State Street interchange, and Federal Opportunity Zones and BF sites</p>
	GOAL	<p>EDG 2 - The city shall evaluate and adjust where appropriate its current land use regulations and policies related to commercial land uses so they meet current market trends and provide opportunities for diverse populations.</p>	
	Policy	<p><i>EDP 2.1 The city should consider the re-designation of commercial land to residential or mixed-use, particularly in older, competitively obsolete commercial strips, increasing the market for remaining retail properties, and thereby encouraging reinvestment and improvement in quality.</i></p>	<p>Development of Form Based Code 2019/20</p>
	Policy	<p><i>EDP 2.2 The city should consider requiring design standards for significant transportation corridors. The provision of traditionally standalone commercial uses within mixed-use development is an important strategy in using the city's land more efficiently.</i></p>	<p>Development of Form Based Code 2019/20</p>
	Policy	<p><i>EDP 2.3 The city will encourage redevelopment of underutilized urban sites into distinct shopping areas. Ethnic and racial diversity will also play a role as Zanesville's minority population increases. These areas can also foster entrepreneurial opportunities and wealth creation for these populations.</i></p>	<p>Brownfield Assessment Grant 17/18/19/20</p>

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	Policy	<i>EDP 2.4 Increase the vitality of commercial areas, provide goods and services easily accessible to residents, and promote community identity. When developing neighborhood plans or considering Comprehensive Plan amendments, apply the appropriate commercial land use designations to implement the above policy.</i>
	Policy	<i>EDP 2.5 Concentrate commercial development in transit corridors.</i>
	Policy	<i>EDP 2.6 Plan for economically vital neighborhood commercial districts that foster small business enterprises and entrepreneurship. Retain the city's existing neighborhood commercial activities and develop new commercial activities within walking distance of residential areas, unless deemed infeasible.</i>
	Policy	<i>EDP 2.7 Promote and facilitate shared parking facilities as part of commercial revitalization activities.</i>
	Policy	<i>EDP 2.8 Consider mixed-use development to revitalize existing community commercial shopping centers.</i>
	Policy	<i>EDP 2.9 Ensure that regulations encourage commercial uses to cluster or intensify at focal points along major arterial streets, and discourage the creation of new auto-oriented strip developments where parking is located between the street frontage and the buildings.</i>
	Policy	<i>EDP 2.10 Create distinctive shopping districts through the renovation or redevelopment of existing strip commercial development. Encourage a variety of uses (such as hotel, office, entertainment, recreational, and residential uses) in shopping districts.</i>
		<i>EDP 2.11 Evaluate the amount and type of commercial development that is desirable and supportable for a community during the plan update process and in subsequent community plan amendments. Reduce excess commercially designated land by providing for appropriate reuse or alternative use. Consider re-designating commercial land characterized by commercial retail and service uses to residential or mixed-use where some or all of the following factors are present;</i>
		<i>• Where the lot size or configuration is inadequate or other site characteristics result in an inability to develop or sustain a viable commercial use.</i>
		<i>• Where site driveways could adversely affect traffic flow;</i>
		<i>• Where community facilities are accessible for residents;</i>

12/31/2020

Mosaic Tile and Linden Ave. brownfield sites; Brighton Area Redevelopment
DRD's 2017/18 Housing Needs Assessment 2019
Parking Standards update 2019
Downtown 19/20
Form Based Code 19/20 Parking Standards 2019
Housing Needs Assessment detailed opportunities for adaptive re-use of commercial/industrial sites throughout the city 19/20
Ongoing Northpointe TDA 17/18

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	Policy	<ul style="list-style-type: none"> • Where the existing use is underutilized and there is an adequate supply of community-serving commercial uses; • Where there is good transit, pedestrian, and bicycle connectivity with employment areas; or • Where it would not influence the viability for base sector use of any adjacent land identified as industrial land. 		
	GOAL	EDG 3 - The city will work with its educational and private sector partners to develop the skills of its workforce.	Ongoing	Ongoing
(City)	Policy	<i>EDP 3.1 The city will support efforts to form strong partnerships between the business community and school systems.</i>		
(City)	Policy	<i>EDP 3.2 The city will support community agencies in pursuance of grant dollars to retrain displaced workers and high school dropouts.</i>		
(City)	Policy	<i>EDP 3.3 The city will support programs and services provided by community agencies that will assist residents in obtaining degrees and diplomas.</i>		
	GOAL	EDG 4 - The city shall institute policies and programs that support small businesses.	Ongoing	
	Policy	<i>EDP 4.1 The city will invest in measures that support small businesses with increased access to capital and coordination with small business assistance organizations that provide technical assistance and other essential services.</i>		City Staff/Administration on Board of the Zanesville Downtown Association and ZM Chamber of Commerce
	Policy	<i>EDP 4.2 The city will support and encourage local educational institutions to develop an educational/training program on running small/micro businesses to prepare the city's students for becoming successful entrepreneurs.</i>		
	Policy	<i>EDP 4.3 Prioritize economic development efforts to attract and induce investment in local businesses throughout the city.</i>		Through Port Authority
	Policy	<i>EDP 4.4 Assist existing business owners in accessing programs that can provide financial assistance and business consulting services. Such programs include Small Business Administration loans, façade renovation, and redevelopment assistance.</i>		CD Department serves as an informational resource for small businesses and entrepreneurs
	Policy	<i>EDP 4.5 Support the expansion of small business assistance to include direct or referred technical and financial assistance for small emerging technology firms and firms involved in international trade.</i>		Port Authority

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	Policy	<i>EDP 4.6 Support funding opportunities for local businesses by supporting community-based lending initiatives and equity programs.</i>		Port Authority
	GOAL	EDG 5 - The city shall invest and collaborate with other agencies and departments to improve the infrastructure network throughout the city to attract and retain key industries.		
(P.Serv)	Policy	<i>EDP 5.1 Invest in the infrastructure network so it can support and leverage private investment in base sector industries that generate jobs with good wages, benefits, and opportunities for employee advancement.</i>	12/31/2022	Airport business park; Eastpointe; proposed National Road Business Park
(City)	Policy	<i>EDP 5.2 Continue strong partnerships with Muskingum County and neighboring jurisdictions to develop a list of priorities and strategies to plan for funding regional capital improvement projects to invest in and correct aging infrastructure, especially transportation, water, and sewer systems.</i>		
	Policy	<i>EDP 5.3 Maintain and enhance the Zanesville Municipal Airport so it can continually serve the regional needs of residents and business communities.</i>		Airport runway extension 2024
	Policy	<i>EDP 5.4 Ensure that the city is continually capable of serving potential developments that are planned to develop outside of the city limits with water, sewer, and transportation amenities.</i>		Subject to JEDDs
	Policy	<i>EDP 5.5 The city will pursue state and federal grant and loan opportunities where appropriate to assist in the improvement and/or installation of new infrastructure.</i>		Ongoing
	GOAL	EDG 6 - The city will implement the development tax incentive portfolio which was based on its strengths to attract and retain businesses that employ our residents and generate wealth.		
	Policy	<i>EDP 6.1 The city will assist the Port Authority and the Chamber of Commerce with attraction and retention visits.</i>		Ongoing
	Policy	<i>EDP 6.2 The city will research, develop, and implement tax incentive options that assist in achieving specific aims, including city beautification, amenity improvements, place-based economics, and helping Zanesville achieve national recognition within a chosen industry that plays to the city's strengths.</i>		City will continue research for targeted incentives for key locations including downtown Zanesville, the State Street interchange, Federal Opportunity Zones and BF sites

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	Policy	<i>EDP 6.3 The city will work with local governments and the Port Authority to develop new business parks and site improvements to existing business park inventories, including support of new spec-buildings.</i>	12/31/2020	Ongoing
	Policy	<i>EDP 6.4 The city will complete a brownfield inventory.</i>		Assesment Grant 17/18/19/20
	Policy	<i>EDP 6.5 The city will work with state and federal agencies to remediate brownfields and environmentally contaminated properties.</i>		Assesment Grant 17/18/19; BF Mosaic/National Plumbing planning project 17/18/19/20
	Policy	<i>EDP 6.6 The city will actively engage stakeholders, especially the citizenry, in developing re-use plans.</i>		Ongoing; TAB 2016; Ohio University 2019
	Policy	<i>EDP 6.7 The city will provide assistance and support the Port Authority on marketing former brownfield sites and vacant properties to potential developers.</i>		Ongoing
	GOAL	EDG 7 - The city will seek to support economic development downtown and marketing activities that support positive changes within the city.	Ongoing	
	Policy	<i>EDP 7.1 The city will support its economic development teams in attracting businesses to downtown and specific corridors.</i>		Zane-Zenith DRD 2018; Downtown Revitalization District 2018
	Policy	<i>EDP 7.2 The city will participate in the creation of job-ready sites.</i>		City support of downtown Wayfinder signage and decorative banner project on Main Street
	Policy	<i>EDP 7.3 The city will participate in efforts to change public perception about Zanesville and its potential by creating a positive brand for the city.</i>		
	GOAL	EDG 8 - The city must initiate planning through the involvement of the residents for the redevelopment and revitalization of its urban core neighborhoods.		Brighton Area Redevelopment
	Policy	<i>EDP 8.1 The city will create area specific Redevelopment Agencies, as allowed by the Ohio Revised Code (ORC), within its urban core. Redevelopment plans define the boundaries of the project area and provide a general description of the projects to be implemented therein. The redevelopment plan adoption process is prescribed by Ohio Revised Code and provides for substantial citizen participation. Redevelopment plans must conform to the Comprehensive Plan and established neighborhood plan(s).</i>		Brighton Area CDC formation

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	Policy	<i>EDP 8.2 Support the use of redevelopment in conjunction with input from the respective neighborhoods, subject to public hearings and approvals by City Council, for those areas meeting the requirements of the ORC.</i>	12/31/2020	Public engagement and planning completed through Technical Assistance to Brownfields (TAB) and Ohio University (Munson and Mosaic Tile)
	Policy	<i>EDP 8.3 Establish project areas that are large enough to stimulate successful redevelopment activities over the life of the redevelopment plan and achieve long-term community objectives.</i>		Mosaic Tile site
	Policy	<i>EDP 8.4 Use tax increment funds for projects and associated infrastructure improvements that will stimulate future tax-increment growth within the project areas that are consistent with the respective implementation plans.</i>		Dutro TIF 2016 (Downtown) DRD 2018 (Downtown)
	Policy	<i>EDP 8.5 Redevelop assisted affordable housing investment within the same redevelopment project area, or in close proximity to, where the tax increment is generated, only to the degree that such affordable housing is not over-concentrated in particular areas.</i>		Housing Needs Assessment priorities in conjunction with Brighton Plan
	Policy	<i>EDP 8.6 Ensure the timely provision of affordable housing with all redevelopment assisted residential and mixed-use development projects.</i>		
	Policy	<i>EDP 8.7 Partner with Muskingum County, the school districts, and other public or non-profit agencies, whenever possible, to achieve the goals set forth in redevelopment and neighborhood community plans.</i>		Ongoing- Habitat, Health Dept., Schools, Genesis; Think Tank on Poverty

DOWNTOWN/HISTORIC DISTRICTS

		Action Plan Steps	Target Completion Date	Notes
	GOAL	DHG 1 - There should be established sources of funding and/or incentives to promote development and investment within the downtown area and Historic Districts.		
(CD)	Policy	<i>DHP 1.1 Participate with local financial institutions to strengthen the downtown loan program to source capital that will be offered in partnership with local banking institutions for shared risk investing.</i>	12/31/2019	Existing Downtown Loan Fund Downtown wireless project 2019
	Policy	<i>DHP 1.2 Secure a funding source to help fill gaps for owners of historic properties when making improvements.</i>		Zane Zenith DRD 2018
	Policy	<i>DHP 1.3 The city should offer place-based incentives and amenities to encourage investment in the downtown Area.</i>		Downtown CRA and DRD (ongoing)
	Policy	<i>DHP 1.4 The city should actively promote and educate property owners on the existing incentive programs, such as historic tax credits and Community Reinvestment Areas (CRA's).</i>		ZDA Coordination (ongoing)
	Policy	<i>DHP 1.5 The city should develop a list that identifies historically relevant investment properties that may require future re-use and preservation.</i>		ZDA subcommittee - 17
	Policy	<i>DHP 1.6 The city should require that a recipient of city incentives be a member of the Zanesville Downtown Association (ZDA) and/or historic district neighborhood association membership.</i>		ZDA Partner in Zane Zenith DRD; Working with Putnam Stakeholders to Create Neighborhood Association (2020)
	GOAL	DHG 2 - The city shall create opportunities that will promote the downtown and Historic Districts to businesses, residents, and tourists.		ARC Mobile App Grant - 2017
(City)	Policy	<i>DHP 2.1 Amend and encourage use of the Right-of-way Codes that would allow downtown retail businesses the opportunity to extend non-permanent obstructions into the sidewalk areas, such as sidewalk cafes, for the purpose of creating a pedestrian friendly atmosphere and a destination.</i>	12/31/2019	Farmers Market 2019; Putnam Jamfest; Y Bridge Art Festival; 4th of July
	Policy	<i>DHP 2.2 Continue to support festivals and other events within the downtown and/or Historic neighborhoods.</i>		

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	Policy	<i>DHP 2.3 The city should consider expansion of the Arts and Culture Overlay District, including the Putnam area.</i>	12/31/2015	Expanded to Pioneer (Ceramics) - 2016
(CD and P.Serv)	Policy	<i>DHP 2.4 Invest in infrastructure within the downtown to add to the area's attractiveness for business and residents by investing in broadband, continuing the streetscape project, continuing to support the organizations that contribute to the downtown flowers (master gardeners), establishing dedicated linkages of connectivity, enhancing existing parks, and investing in new green-space.</i>		Cool & Connected & ARC grants 2017/18 & DRD & ongoing
	Policy	<i>DHP 2.5 The city will work to change regulations to encourage live/work space.</i>		
	Policy	<i>DHP 2.6 Work to enhance key corridors in and out of the downtown area.</i>		
	GOAL	DHG3 - The city shall review its codes that maintain efficient and effective governmental systems in order to promote a healthy downtown and strong historic neighborhoods.		
	Policy	<i>DHP 3.1 Amend the Planning and Zoning Code to develop a formula for streamlining administrative approvals on applications for Design Review that meets the Design Guidelines and code requirements.</i>		Working on Code 2020
	Policy	<i>DHP 3.2 The city should actively continue to take part in the State of Ohio Certified Local Government (CLG) program and take advantage of the various opportunities that this program offers.</i>	Ongoing	DRD Ongoing.
	Policy	<i>DHP 3.3 The city will seek guidance from the most recent versions of a downtown Master Plan when reviewing applications, making funding decisions, and engaging in planning activities (such as sub area planning).</i>		DRD ZDA subcommittee 95 Master Plan review and recommendations.
	GOAL	DHG 4 - The city should develop sub area plans of distinct areas within downtown for preservation, investment, and decision making.		
	Policy	<i>DHH 4.1 The city should alter regulatory standards to treat each specific area in distinct ways including parking standards, preservation, and signage.</i>	Ongoing	Form based code 2020/2021
	Policy	<i>DHP 4.2 Zoning regulations should be updated to encourage and support redevelopment efforts in the downtown area.</i>		Form based code 2020/2021

LAND USE

		Action Plan Steps	Target Completion Date	Notes
(GD)	GOAL	LUG 1 - The city should examine form based codes that allow for a mixture of land use types that are both compatible and complimentary in an effort to create more desirable neighborhoods and destinations.	12/31/2019	
	Policy	<i>LUP 1.1 Develop and implement Zoning Code for mixed-use developments, including different types/levels of mixed-uses ensuring that incompatible uses will not be included in the same district.</i>		Begin January 2018.
	Policy	<i>LUP 1.2 Look to expand the Arts and Culture Overlay District that provide additional land use options for properties within it. The Putnam area should be looked at for this expansion.</i>		
	GOAL	LUG 2 - The city shall take steps to encourage and enhance the river front areas, which have been identified as major assets to this community.	12/31/2019	
	Policy	<i>LUP 2.1 Transition the zoning along the city's riverfronts to allow for mixed-use developments with an emphasis on housing options.</i>		A part of Housing Plan -17/18. Actual zoning changes - 2018/19
	Policy	<i>LUP 2.2 Create green-space with walking/bike paths along riverfronts through private and public partnerships.</i>		NPS/Putnam trail - 2016-19 (planning and funding).
	Policy	<i>LUP 2.3 Specific attention should be given to and exceptional design is expected in the Putnam, Linden, downtown, Wayne Avenue, and West Main areas.</i>		Housing Plan 17-19
	Policy	<i>LUP 2.4 Development shall take into consideration view sheds of the river and the city shall make sure view sheds are protected and maintained.</i>		
	GOAL	LUG 3 - Brownfield sites within the city must be changed in order to strengthen the city's neighborhoods.	12/31/2019	Brownfield Assessment Grant 2016-19
	Policy	<i>LUP 3.1 Evaluate the existing zoning designations within the city's brownfield sites to determine the current highest and best use.</i>		TAB event (Mosaic/Munson) 2016; Ongoing
	Policy	<i>LUP 3.2 Abandoned properties should be given priority, especially if they impact residential neighborhoods.</i>		Ongoing

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	Policy	<i>LUP 3.3 Proposals involving redevelopment must include engaging neighbors to provide their input, prior to making applications with the city.</i>		Ongoing
	GOAL	LUG 4 - All development within the city should be of a quality that will enhance the appearance and desirability of the community and create a sense of pride. Efforts should be taken to enhance the existing built environment within the city.		
	Policy	<i>LUP 4.1 Examine and propose design standards including signage for properties abutting high volume transportation corridors.</i>		Sign Code updates 2017/18
	Policy	<i>LUP 4.2 Standards shall include landscaping in addition to exterior building facades.</i>		Landscape code updates 2019
(P.Serv)	Policy	<i>LUP 4.3 Ensure that all areas of the city are walkable and accessible to all abilities and populations.</i>		Ongoing; Smart City Goals/Policies
	Policy	<i>LUP 4.4 Enhance gateways into key locations of the city and downtown by creating and implementing sub area plans for these key locations such as Putnam Avenue, West Main Street, and the State/Lee/Linden area.</i>	12/31/2021	
	Policy	<i>LUP 4.5 Coordinate with the Muskingum County Land Reutilization Corporation and the Community Improvement Corporation to entice investors to re-develop areas within the city's core.</i>		Ongoing. Brighton Area and Brownfields with Landbank. 600 Main St project 2017/18. Mead St. Habitat partnership. CIC working on operational funding.
	Policy	<i>LUP 4.6 Properties that are adjacent to or in a view shed of key entrance points of the city shall take exceptional measures for enhancement.</i>		
	Policy	<i>LUP 4.7 In order to be permitted, potential impacts on infrastructure, transportation, schools, and parks must be addressed.</i>		Northpointe TDA 2017/18
	Policy	<i>LUP 4.8 The city shall consider alternative design standards for items such as parking standards in exchange for higher level of design such as landscaping and/or architectural features.</i>		Landscape code updates 2017. Parking code updates 2017/18.
	GOAL	LUG 5 - Provide access to healthy food resources for all residents through opportunities for urban agricultural activities, such as farmers markets, farm stands, community supported agriculture (CSA) drop-off sites, community gardens, pea patches, school gardens, home gardens, and urban farms.		

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	Policy	<i>LUP 5.1 Where appropriate, establish development regulations that allow for healthy food resources as a use and provide for on-site sale and delivery of healthy foods on public and private property.</i>	12/31/2018	2017/18/19 - Local Foods group and ZMCHD food priority- access initiatives. Soil and Water Putnam Urban Greens partnership (providing materials and water)
	GOAL	LUG 6 - Encourage and support farmers' market opportunities that are accessible to all residents.		
	Policy	<i>LUP 6.1 Establish development regulations that allow for farmers markets as a use on public and private property, where appropriate.</i>	12/31/2019	Downtown Farmers Market on 4th Street 2019
	Policy	<i>LUP 6.2 Encourage farmers markets to accept public benefits such as food stamp electronic benefit cards, senior farmer market vouchers, and Women, Infant, Children (WIC) benefits.</i>		Complete- UW/Local Foods group in weekend and Downtown markets 2019
	Policy	<i>LUP 6.3 Coordinate with local and regional organizations to promote local farmers markets.</i>		Ongoing- local foods group
	GOAL	LUG 7 - Promote urban agriculture activities, including income-generating businesses, through existing and new programming and partnerships.		
	Policy	<i>LUP 7.1 Encourage and support the use of public lands for urban agricultural activities by establishing criteria for assessing suitable sites.</i>	12/31/2020	Urban ag code updates 2019
	Policy	<i>LUP 7.2 Where appropriate, support joint-use agreements for publicly or privately owned sites for uses such as urban farms and community gardens.</i>		Urban Greens use of Restoration Park 2017
	Policy	<i>LUP 7.3 Consider development incentives, grants, and other funding sources to support development of urban agriculture sites and programming .</i>		Ongoing- local foods group
	GOAL	LUG 8 - In areas containing high intensity uses, the city should examine logical methods of buffering from any adjacent areas of less intensity.		Landscaping Guidelines Complete 2019
	Policy	<i>LUP 8.1 Establish a clear definition of spot zoning establishing logical use patterns for buffering.</i>	12/31/2019	
	Policy	<i>LUP 8.2 Buffering may include extraordinary manmade features and topography.</i>		

Attachment to Ord. No. 19-148

	GOAL	LUG 9 - The city shall create designated investment areas or redevelopment areas for corridors that have seen significant decline.		Brighton Area Redevelopment; Brownfield site redevelopment
	Policy	<i>LUP 9.1 Engage neighborhood stakeholders in development investment strategies.</i>	12/31/2019	
	Policy	<i>LUP 9.2 Work through Planning Commission and City Council.</i>		Ongoing

Community Development Committee
Mark Baker – Chairperson

ORDINANCE NO. 19-149
INTRODUCED BY COUNCIL

**AUTHORIZING AN AGREEMENT WITH MUSKINGUM COUNTY AND THE ZANESVILLE-
MUSKINGUM COUNTY PORT AUTHORITY RELATED TO INFRASTRUCTURE
IMPROVEMENTS WITHIN THE ZANESVILLE-WASHINGTON JOINT ECONOMIC
DEVELOPMENT DISTRICT.**

WHEREAS, the City of Zanesville and Washington Township have entered into the Zanesville-Washington Joint Economic Development District (JEDD) Contract; and

WHEREAS, the City of Zanesville and Muskingum County provided funding for the creation and improvement of infrastructure within the JEDD, and the JEDD contract allows for the levying of an income tax within the JEDD to be shared by the City, County and Township; and

WHEREAS, the Council of the City of Zanesville by Ordinance No. 11-41, approved June 27, 2011, authorized the proper city official to enter into an agreement relative to the JEDD and to make any payments required under said agreement; and

WHEREAS, the agreement referenced in Ordinance No. 11-41 as Exhibit A is for a term of eight (8) years beginning in the first quarter of fiscal year 2012 and is set to expire at the end of this year;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Zanesville, State of Ohio; that

SECTION ONE: The proper city official is authorized to enter the agreement with Muskingum County and the Zanesville-Muskingum County Port Authority attached hereto as Exhibit A and to make any payments required under said agreement.

SECTION TWO: This Council finds and determines that all formal actions of this Council concerning and relating to passage of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in those formal actions were taken in meetings open to the public in accordance with the law.

SECTION THREE: This Ordinance shall take effect and be in force after the earliest period allowed by law.

PASSED: _____, 2019

Ordinance No. 19-149

ATTEST:

Susan Culbertson
Clerk of Council

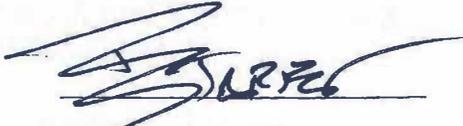
Daniel M. Vincent
President of Council

APPROVED: _____, 2019

THIS LEGISLATION APPROVED

AS TO FORM

Jeff Tilton, Mayor



Law Director's Office

**AN AGREEMENT BETWEEN THE CITY OF ZANESVILLE,
MUSKINGUM COUNTY AND THE ZANESVILLE MUSKINGUM
COUNTY PORT AUTHORITY**

This Agreement (the "Agreement") is made and entered into as of _____, 2019, between and among the City of Zanesville, Ohio (the "City"), the County of Muskingum, Ohio (the "County") and the Zanesville Muskingum County Port Authority (the "Port Authority"), in accordance with the terms and provisions set forth herein.

RECITALS

WHEREAS, pursuant to Ohio Revised Code Sections §§ 715.72 through 715.78, the City and Washington Township entered into the Zanesville-Washington Joint Economic Development District Contract dated April 1, 2000, and as modified by subsequent amendments and agreements (collectively known herein as the "JEDD Contract"); and

WHEREAS, Ohio Revised Code § 715.75 permits the County to enter into an agreement with the City regarding the provision of services within the District (as defined in the JEDD Contract); and,

WHEREAS, the original JEDD Contract, Section 7, states that the City and County, pursuant to Ohio Revised Code § 715.74, each agree to contribute to the development and operation of the District; and

WHEREAS, the District has seen exceptional business development since the creations of the existing Industrial Park with said increased development leading to significantly increased costs of maintenance, promotion and repair of District infrastructure with no mechanism in place to satisfy such costs; ; and

WHEREAS, the parties have each agreed to make certain contributions to promote the Industrial Park and keep the District in good repair for the benefit of existing businesses and in an effort to promote future business development; and

WHEREAS, the parties have agreed to create a committee to control and oversee the management of these contributions; and

WHEREAS, the County and City have each enacted appropriate legislation approving this Agreement within 90 days and such legislation was effective within the same 90 days.

NOW, THEREFORE, in consideration of the mutual promises and covenants set forth in this Agreement, the City and the County agree and bind themselves, their agents, employees and successors as follows:

1. Beginning in the first quarter of fiscal year 2020, and continuing for a period of eight (8) years, the City and County each agree to annually contribute Fifty-Thousand Dollars

(\$50,000) to a segregated fund created and held by the Port Authority for the sole purpose of improving and maintaining infrastructure in the District (the "Fund").

2. There shall be created a committee, the Eastpointe Maintenance Advisory Committee, to review and approve District repairs and maintenance (the "Committee"). The Committee shall be comprised of the following voting member: a City designee, a County designee, and a Washington Township Trustee. This Committee is a public body and shall meet at times and locations as deemed appropriate by its members.
3. The Port Authority Board Chairman shall serve as the non-voting, de facto chairperson of the Committee's meetings and shall be responsible for ensuring compliance with Ohio's Sunshine Law and Open Meetings Act and that appropriate minutes are taken at each meeting. Copies of such minutes shall be provided to the County and the City and any other person or entity upon proper request. The Port Authority Executive Director shall also be responsible for preparing and providing any necessary financial reports to the parties as requested, but not less frequently than annually.
4. The Committee shall be authorized to utilize the Fund, in its sole discretion, to release sums necessary to the Port Authority to maintain and/or create infrastructure in the District.
5. The Port Authority may use its authority under O.R.C. § 4582.31 to borrow monies for improvements and maintenance of infrastructure in the District. The Port Authority shall be permitted to borrow funds from other sources utilizing the Fund as a repayment for any such loans.
6. Nothing in this Agreement divests the County of its obligation to determine the owner of the undedicated roads in the District.
7. This Agreement may be renewed for successive eight-year periods with the approval of all signatories to the agreement.
8. The terms and conditions of the JEDD Contract, as amended, shall remain in full force and effect.
9. This Agreement shall inure to the benefit of and shall be binding upon the parties and their respective permitted successors.

IN WITNESS WHEREOF, the City, the County, and the Port Authority have caused this Agreement to be duly signed in their respective names by their duly authorized officers as of the date first written above.

CITY OF ZANESVILLE

BY: _____
Jeff Tilton
ITS: MAYOR

COUNTY OF MUSKINGUM

BY: _____
Cindy Cameron
ITS: COUNTY COMMISSIONER

BY: _____
Mollie Crooks
ITS: COUNTY COMMISSIONER

BY: _____
James Porter
ITS: COUNTY COMMISSIONER

**ZANESVILLE-MUSKINGUM COUNTY PORT
AUTHORITY**

BY: _____
Matt Abbott
ITS: EXECUTIVE DIRECTOR

RECEIVED
JUN 22 2011
CLERK OF COUNCIL

ORDINANCE NO. 11- 41
INTRODUCED BY COUNCIL

AUTHORIZING AN AGREEMENT WITH MUSKINGUM COUNTY AND THE ZANESVILLE-MUSKINGUM COUNTY PORT AUTHORITY RELATED TO INFRASTRUCTURE IMPROVEMENTS WITHIN THE ZANESVILLE-WASHINGTON JOINT ECONOMIC DEVELOPMENT DISTRICT, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Zanesville and Washington Township have entered into the Zanesville-Washington Joint Economic Development District (JEDD) Contract; and

WHEREAS, the City of Zanesville and Muskingum County provided funding for the creation and improvement of infrastructure within the JEDD, and the JEDD contract allows for the levying of an income tax within the JEDD to be shared by the City, County and Township; and

WHEREAS, in order to maintain existing infrastructure and make further improvements within the JEDD, a funding agreement has been drawn up between the City, the County and the Zanesville-Muskingum County Port Authority; and

WHEREAS, under the provisions of the proposed agreement, the Port Authority intends to use funds pledged by the City and County to leverage borrowed funds for the purpose of improving deteriorated roadways within the JEDD, and so the improvements can be made during the summer construction season, this ordinance should become effective prior to thirty days after passage.

NOW, THEREFORE BE IT ORDAINED by the Council of the City of Zanesville, State of Ohio; that:

SECTION ONE: The proper city official is authorized to enter into the agreement with Muskingum County and the Zanesville-Muskingum County Port Authority attached hereto as Exhibit A and to make any payments required under said agreement.

SECTION TWO: For the reason stated in the preamble hereto, this ordinance is declared to be an emergency measure. Provided it receives the affirmative vote of six or more members of City Council, this ordinance shall take effect and be in force immediately upon its passage and approval of the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: June 27, 2011

ATTEST: Vicki L. Figgins
Vicki L. Figgins
Clerk of Council

Daniel M. Vincent
Daniel M. Vincent
President of Council

APPROVED: June 28, 2011

Howard S. Zwelling
Howard S. Zwelling
Mayor

This legislation approved as to form:
[Signature]
Law Director's Office

AN AGREEMENT BETWEEN THE CITY OF ZANESVILLE,
MUSKINGUM COUNTY AND THE ZANESVILLE-MUSKINGUM
COUNTY PORT AUTHORITY

This Agreement (the "Agreement") is made and entered into as of _____, 2011, between and among the City of Zanesville, Ohio (the "City"), the County of Muskingum, Ohio (the "County") and the Zanesville-Muskingum County Port Authority (the "Port Authority"), in accordance with the terms and provisions set forth herein.

RECITALS

WHEREAS, pursuant to Ohio Revised Code §§ 715.72 through 715.78, the City and Washington Township, Ohio entered into the Zanesville-Washington Joint Economic Development District Contract dated as of April 1, 2000, and as modified by subsequent amendments and agreements (collectively known herein as the "JEDD Contract"); and

WHEREAS, Ohio Revised Code §715.75 permits the County to enter into an agreement with the City regarding the provision of services within the District (as defined in the JEDD Contract); and

WHEREAS, the original JEDD Contract, Section 7, states that the City and the County, pursuant to Ohio Revised Code §715.74, each agree to contribute to the development and operation of the District; and

WHEREAS, the District has seen exceptional business development since the creation of the existing Industrial Park with said increased development leading to significantly increased costs of maintenance, promotion and repair of District infrastructure with no mechanism in place to satisfy such costs; and

WHEREAS, the parties have each agreed to make certain contributions to promote the Industrial Park and keep the District in good repair for the benefit of existing businesses and in an effort to promote future business development; and

WHEREAS, the parties have agreed to create a committee to control and oversee the management of these contributions; and

WHEREAS, the County and City have each enacted appropriate legislation approving this Agreement within 90 days and such legislation was effective within the same 90 days.

NOW, THEREFORE, in consideration of the mutual promises and covenants set forth in this Agreement, the City and the County agree and bind themselves, their agents, employees and successors as follows:

1. Beginning in the first quarter of fiscal year 2012, and continuing for a period of eight (8) years, the City and County each agree to annually contribute Fifty-Thousand Dollars (\$50,000.00) to a segregated fund created and held by the Port Authority for the sole purpose of improving and maintaining infrastructure in the District (the "Fund").
2. There shall be created a committee, the EastPointe Maintenance Advisory Committee, to review and approve District repairs and maintenance (the "Committee"). The Committee shall be comprised of the following voting members: a City designee, a County designee, and a

Washington Township Trustee). This Committee is a public body and shall meet at times and locations as deemed appropriate by its members.

3. The Port Authority Board Chairman shall serve as the non-voting, de facto chairperson of the Committee's meetings and shall be responsible for ensuring compliance with Ohio's Sunshine Law and Open Meetings Act and that appropriate minutes are taken at each meeting. Copies of such minutes shall be provided to the County and the City and any other person or entity upon proper request. The Port Authority Executive Director shall also be responsible for preparing and providing any necessary financial reports to the parties as requested, but no less frequently than annually.
4. The Committee shall be authorized to utilize the Fund, in its sole discretion, to release sums necessary to the Port Authority to maintain and/or create infrastructure in the District.
5. The Port Authority may use its authority under O.R.C. 4582.31 to borrow monies for improvements and maintenance of infrastructure in the District. The Port Authority shall be permitted to borrow funds from other sources utilizing the Fund as a repayment for any such loans.
6. Nothing in this Agreement divests the County of its obligation to determine the owner of the undedicated roads in the District.
7. This Agreement may be renewed for successive eight-year periods with the approval of all signatories to the agreement.
8. The terms and conditions of the JEDD Contract, as amended, shall remain in full force and effect.
9. This Agreement shall inure to the benefit of and shall be binding upon the parties and their respective permitted successors.

IN WITNESS WHEREOF, the City, the County and the Port Authority have caused this Agreement to be duly signed in their respective names by their duly authorized officers as of the date first written above.

CITY OF ZANESVILLE, OHIO

BY: 
ITS: MAYOR

COUNTY OF MUSKINGUM, OHIO

BY: _____
ITS: COUNTY COMMISSIONER

BY: _____
ITS: COUNTY COMMISSIONER

BY: _____
ITS: COUNTY COMMISSIONER

ZANESVILLE-MUSKINGUM COUNTY PORT
AUTHORITY

BY: _____
ITS: EXECUTIVE DIRECTOR