



THE CITY OF
Zanesville

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Zanesville City Council Clerk
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Council – Mayor Government

**ZANESVILLE CITY COUNCIL
Community Development Committee Agenda**

August 28, 2023 at 5:00 p.m.

Located in Council Chambers on the 2nd floor of Zanesville City Hall

This meeting is open to the public to attend in person or
remotely by using the information below.

This meeting is for discussion pertaining to the upcoming Ordinances, Resolutions, and discussion items of the Community Development Committee for review as follows:

1. **Roll Call**
2. **Approval of Minutes of July 24, 2023.**
3. **Ordinance No. 2023-76 – An Ordinance to amend and revise the zoning map and make permanent zoning in the City of Zanesville, Ohio as herein provided.**
4. **Ordinance No. 2023-86 – An Ordinance amending Chapter 1145.06 and Chapter 1159.01 of the City of Zanesville Codified Ordinances.**
5. **Ordinance No. 2023-87 – An Ordinance authorizing the Community Development Director to submit an application for funding to the Ohio Department of Natural Resources for the Abandoned Mine Land Economic Revitalization (AMLER) Grant and declaring an emergency.**

DISCUSSION ITEMS:

6. **None**

This meeting is open to the public who may attend by phone or via the Internet using the information below.

Phone 1-844-621-3956 US Toll Free or 1-415-655-0001 US Toll Use Access Code: **126 750 8098 #**

Online with WebEx- Enter **zanesvillecity.webex.com** in web browser. Enter Meeting Information: **126 750 8098**

COMMUNITY DEVELOPMENT COMMITTEE MEETING – JULY 24, 2023

The Zanesville City Council Community Development Committee met at 5:00 p.m. on Monday, July 24, 2023 in the Council Chambers of City Hall.

Mr. Baker: Welcome to this meeting of the Community Development Committee of Zanesville City Council. Today is July 24, 2023. It's 5 p.m. in City Council Chambers. Could we have roll call, please?

The committee members present were: Councilperson Mark Baker, Chairman; Councilperson Jan Bradshaw for Second Ward; and Councilperson Todd Ware for Third Ward. Councilperson Brad Wolfe for Fourth Ward was absent.

Others in attendance were:

Mark Ballmer, Council-at-Large
Billie Corns, Clerk of Council
Glen Gregor, IT
Don Mason, Mayor

Cody Pettit, Council-at-Large
Matt Schley, Community Development Director
Dan Vincent, President of Council

APPROVAL OF MINUTES OF MAY 18, 2023 AND JUNE 26, 2023

Mr. Baker: Seeing that we have a quorum, we'll move on to item #2, the approval of the minutes of May 18, 2023 and June 26, 2023.

Miss Bradshaw moved to approve the minutes of May 18, 2023 and June 26, 2023. Mr. Ware seconded the motion.

Mr. Baker: Those in favor of approval of both, please say aye. Those opposed say nay.

A voice vote was taken with all present in favor. None were opposed. Mr. Wolfe was absent.

Mr. Baker: Both are approved.

Ordinance No. 2023-71 – An Ordinance authorizing the Community Development Director to prepare and submit an application to participate in the Natural Resources Assistance Council and/or the Ohio Public Works Commission Clean Ohio Fund Program for funding.

Matt Schley: So, this ordinance is pretty self-explanatory from the preamble. This is a grant application that we would be making for the purposes of purchasing property which is outlined in the next ordinance, 2023-72. We've been fairly successful with this program in the past. The purposes of this program is to allow for nonprofits and government entities to purchase property for the purposes of nature conservation. We had purchased the property across the street with this program and finished a very nice nature preserve with walking trails and fishing access points. We finished that up earlier this year. And then we were approached by the property owner on the other side of the Licking River (it is highlighted with the exhibit in the ordinance), if we would be interested in purchasing that property to go along with the park across the way. The application deadline is in the middle of September of this year. We've been working to get the

applicable documents put together, appraisals and things of that nature. Right now, we're in good shape, and I know we won't have enough people to waive readings. But at the next Council meeting, I'm going to ask that the readings be waived to make sure that I can get this on in time. I have to check my calendar again. I may have to amend these ordinances to add emergencies if we don't have enough time. But regardless, that's what this is for, to make an application to purchase property. The City is only on the hook for 25% of the total project cost if we're funded.

Mr. Baker: And this is going to be a dumb question, but this is all available for sale?

Matt Schley: Yes.

Mr. Baker: Okay, and all the details have pretty much been worked out, except for the funding?

Matt Schley: Yes.

Mr. Baker: Okay.

Matt Schley: It was appraised at around \$250,000-ish. The City's share would be about, in the 60's. I'd have to get you the exact number, but it's about \$65,000.

Mr. Baker: What is the percentage again?

Matt Schley: 25%. It's just over \$250,000 is what I would have to do the math on, and I don't have the appraisal in front of me to explain that.

Mr. Baker: It looks good for the big picture of Zanesville, I think, for downtown. Does anybody else on the committee have any questions or concerns? So we'll go ahead and propose to recommend this for waiving of the readings and/or an emergency, not this Council meeting but the following one, when we have a quorum. And we'll make that known at the meeting, as well.

Miss Bradshaw: So moved.

Mr. Ware: Second.

Mr. Baker: Hearing a recommendation for waiving, not at this meeting but the next meeting, and for adoption by City Council as an emergency if needed. That is determined by the director. Those in favor, say aye. Those opposed say nay.

A voice vote was taken with all present in favor. None were opposed. Mr. Wolfe was absent.

Mr. Baker: The ayes have it; it's thereby recommended.

Ordinance No. 2023-72 – An Ordinance authorizing the Community Development Director to enter into an agreement for the purchase of real property, contingent upon the successful application for Clean Ohio Funds.

Matt Schley: So, this is in tandem with the previous ordinance. This allows us to enter into the purchase agreement, which is required for us to make the application. That purchase agreement is a standard form that is prepared by the Ohio Public Works Commission. It has contingencies in place that if we're not awarded funding, we're not required to execute that agreement. However, I'm fairly confident that we have a good application. But regardless, we're not on the hook if we're not funded. If we're not funded, the application goes away.

Mr. Baker: Is there a plan b if we don't get funding for this?

Matt Schley: We will continue to make an application for it.

Mr. Baker: Okay.

Matt Schley: Absolutely. This funding is available every single year. If we don't get it this year, we can go after it next year.

Mr. Baker: What is the funding contingent on?

Matt Schley: It's run through the Ohio Public Works Commission. It's, I guess contingent upon the state budget that they continue to fund it. But they have funded it continuously for a number of years.

Mr. Baker: I mean, are there any particular criteria that we have to meet?

Matt Schley: For this, there is a laundry list of items we have to meet in order to have a successful application. Basically the program is designed to protect property that could be at risk for habitat loss, for lack of a better term.

Mayor Mason: Mr. Chairman?

Mr. Baker: Yes.

Mayor Mason: If you imagine everything we just did on the south side of the Licking River to west of the Y-Bridge, that's, I'll just call it the theme of whatever Ohio Public Works Commission funds through this, NRAC, Natural Resource Assistance Council Program. So basically, you're not going to have basketball courts and things like that. But you can have, say a parking lot that feeds into a conservation area. What we're trying to do there is protect what I call the repairing right-of-way on both the north and south side of the Licking River so that we can bring back some of the habitat that you would find in a more rural area.

Mr. Baker: So, environmental preservation is really the overriding criterion for this?

Matt Schley: Yes.

Mr. Baker: Okay, thank you. Does anybody else have anything? Okay, I would ask that this be adopted with the same stipulation that if needed, not this meeting but the following one, we recommend to City Council to adopt it either as an emergency or to waive the readings, based on the recommendation of the Community Development Director.

Mr. Ware: So moved.

Miss Bradshaw: Second.

Mr. Baker: Hearing a motion and a move for the aforementioned, those in favor, say aye. Those opposed say nay.

A voice vote was taken with all present in favor. None were opposed. Mr. Wolfe was absent.

Mr. Baker: It's hereby recommended with those criteria. Okay, discussion items, does anybody have anything? You usually have like a backup song and dance or something?

Matt Schley: Sometimes, not today, busy day.

Mr. Baker: Okay, hearing nothing else, I will entertain a motion to adjourn.

Mr. Ware moved to adjourn. It was seconded by Miss Bradshaw.

Mr. Baker: Hearing a motion to adjourn and a second, those in favor of adjournment please say aye. Those opposed say nay.

A voice vote was taken with all present in favor. None were opposed. Mr. Wolfe was absent.

Mr. Baker: The ayes have it. Good bye.

The next Community Development Committee meeting will be August 28, 2023 in the Council Chambers at Zanesville City Hall.

Regular scheduled meetings with the next dates as follows:

Monday, August 28, 2023	Monday, October 23, 2023	Tuesday, December 26, 2023
Monday, September 25, 2023	Monday, November 27, 2023	

The meeting adjourned about 5:09 p.m.

Submitted by Billie Corns
Clerk of Council

Mark Baker, Chairman of the
Community Development Committee

Community Development Director
Matthew Schley

ORDINANCE NO. 2023 - 76
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 C-1 Neighborhood Commercial District to RS-5 High-Density Single-Family Residential District; 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 C-1 Neighborhood Commercial District to RS-5 High-Density Single-Family Residential District, situated in the City of Zanesville, County of Muskingum, and State of Ohio, and bounded and described as follows:

Auditors Parcel #83-01-04-03-000, recorded in Deed Volume 3136, Page 717 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: _____, 2023

ATTEST: _____
Billie Corns
Clerk of Council

Daniel M. Vincent
President of Council

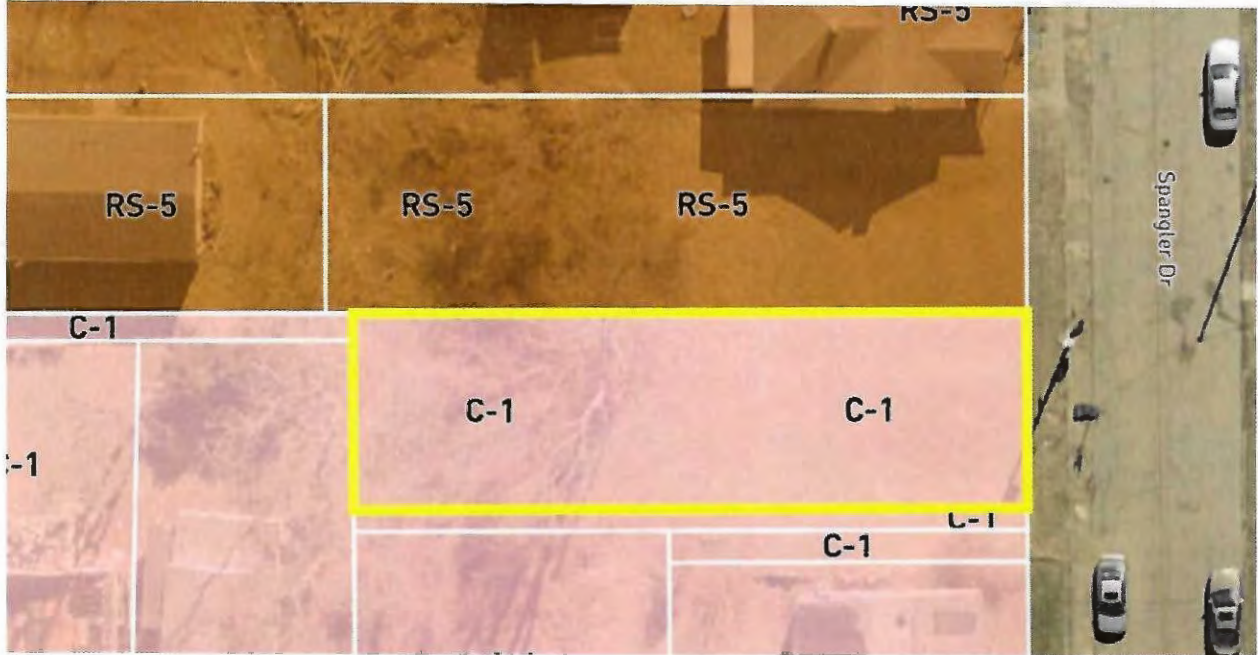
APPROVED: _____, 2023

THIS LEGISLATION APPROVED
AS TO FORM

Donald Mason
Mayor

Law Director's Office

EXHIBIT "A"
ATTACHMENT TO ORDINANCE 2023-76



ORDINANCE NO. 2023 - 86
INTRODUCED BY COUNCIL

**AN ORDINANCE AMENDING CHAPTER 1145.06 AND CHAPTER 1159.01 OF THE CITY OF
ZANESVILLE CODIFIED ORDINANCES**

WHEREAS, through a comprehensive review of the Planning and Zoning Code, The Community Development Department has identified a need to update the chapter; and

WHEREAS, according to Section 1117.01 “To adapt to changing development conditions and provide for the phased implementation of the City Comprehensive Plan, the Planning Commission may from time to time recommend, and Council may adopt, amendments to the provisions of the text of this Zoning Code...as provided by the Ohio Revised Code.”, and

WHEREAS, proper notification of the intent of this proposed legislation was given in a newspaper of general circulation; and

WHEREAS, after taking testimony and discussion, the Zanesville Planning Commission has recommended to City Council that the proposed amendments to Chapter 1145.06 and Chapter 1159.01 be approved.

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

SECTION ONE: Chapter 1145.06 of the City of Zanesville Planning and Zoning Code currently reads:

1145.06 TABLE 17: PERMITTED AND CONDITIONAL USES IN SPECIAL ZONING DISTRICTS.

Uses are listed alphabetically within groups.

GROUP V: Permitted Uses in AE District.

- (1) Agriculture as defined in this Zoning Code, except mink, poultry or hog farms, cattle feeding stations, or farms feeding offal or garbage.
- (2) Farm stands for sale only of produce grown on the same parcel of land
- (3) Feed, flour and grain storage
- (4) Forestry and orchards
- (5) Greenhouses and nurseries
- (6) Hiking trails, bridle paths and picnic areas
- (7) Home occupations
- (8) Manufactured homes, single-family detached, on individual lots, anchored in a manner approved by the Public Service Director
- (9) Parks, playgrounds, golf courses, forest preserves, wildlife sanctuaries and other publicly owned open space
- (10) Permitted public uses, as defined in this Code
- (11) Single-family detached dwellings
- (12) Streets and alleys
- (13) Accessory uses, buildings and structures to all permitted uses in the district, including:
 - A. Agricultural buildings and structures
 - B. Club houses and other structures on the grounds of parks, golf courses, etc.
 - C. Private greenhouses
 - D. Private boat houses
 - E. Individual sewage disposal units
 - F. Private non-commercial stables

Off-street parking and loading and signs as provided in Chapter 1149.

GROUP W: Conditional Uses in AE Districts.

- (1) Airports
- (2) Campgrounds
- (3) Cemeteries
- (4) Commercial stables
- (5) Conditional public uses as defined in this Code
- (6) Dumps, sanitary landfills and other disposal areas
- (7) Education institutions
- (8) Excavation for artificial lakes, borrow pits and top soil removal
- (9) Feeding stations, cattle

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- (10) Golf courses and country clubs, private
- (11) Mink, poultry and hog farms, cattle feeding stations, and farms feeding offal or garbage
- (12) Recycling centers, solid waste
- (13) Religious institutions, as defined in this Code
- (14) Surface mining and quarries
- (15) Transfer stations, solid waste
- (16) Accessory uses, buildings and structures to all conditional uses in the district, including off-street parking and loading and signs as provided in Chapters 1149 and 1153
- (17) Outdoor recreation or indoor/outdoor entertainment center.

SECTION TWO: Chapter 1145.06 and of the City of Zanesville Codified Ordinances shall be amended to read as follows:

1145.06 TABLE 17: PERMITTED AND CONDITIONAL USES IN SPECIAL ZONING DISTRICTS.

Uses are listed alphabetically within groups.

GROUP V: Permitted Uses in AE District.

- (1) Agriculture as defined in this Zoning Code
- (2) Farm stands for sale only of produce grown on the same parcel of land
- (3) Feed, flour and grain storage
- (4) Forestry and orchards
- (5) Greenhouses and nurseries
- (6) Hiking trails, bridle paths and picnic areas
- (7) Home occupations
- (8) Manufactured homes, single-family detached, on individual lots, anchored in a manner approved by the Public Service Director
- (9) Parks, playgrounds, golf courses, forest preserves, wildlife sanctuaries and other publicly owned open space
- (10) Permitted public uses, as defined in this Code
- (11) Single-family detached dwellings
- (12) Streets and alleys
- (13) Accessory uses, buildings and structures to all permitted uses in the district, including:
 - A. Agricultural buildings and structures
 - B. Club houses and other structures on the grounds of parks, golf courses, etc.
 - C. Private greenhouses
 - D. Private boat houses
 - E. Individual sewage disposal units
 - F. Private non-commercial stables

Off-street parking and loading and signs as provided in Chapter 1149.

GROUP W: Conditional Uses in AE Districts.

- (1) Airports
- (2) Campgrounds
- (3) Cemeteries
- (4) Commercial stables
- (5) Conditional public uses as defined in this Code
- (6) Dumps, sanitary landfills and other disposal areas
- (7) Education institutions
- (8) Excavation for artificial lakes, borrow pits and top soil removal
- (9) Golf courses and country clubs, private
- (10) Recycling centers, solid waste
- (11) Religious institutions, as defined in this Code
- (12) Surface mining and quarries
- (13) Transfer stations, solid waste
- (14) Accessory uses, buildings and structures to all conditional uses in the district, including off-street parking and loading and signs as provided in Chapters 1149 and 1153
- (15) Outdoor recreation or indoor/outdoor entertainment center.

SECTION THREE: Chapter 1159.01 of the City of Zanesville Planning and Zoning Code currently reads:

1159.01 ACCESSORY USES AND STRUCTURES; GENERAL PROVISIONS.

(a) Compatibility. Accessory uses and structures shall be compatible with the principal use of the lot on which they are located and shall not be established prior to the establishment of the principal use. Except in the AE District, the keeping, preparation or culture of poultry, pigeons or livestock shall not be an accessory use.

(b) Location. Accessory uses may be located in court yards and required yards only as provided in Table 34, Section 1159.21.

(c) Standards. All accessory uses shall conform to the standards in Table 33, Section 1159.20.

SECTION FOUR: Chapter 1159.01 of the City of Zanesville Planning and Zoning Code shall be amended to read as follows:

1159.01 ACCESSORY USES AND STRUCTURES; GENERAL PROVISIONS.

(a) Compatibility. Accessory uses and structures shall be compatible with the principal use of the lot on which they are located and shall not be established prior to the establishment of the principal use.

(b) Location. Accessory uses may be located in court yards and required yards only as provided in Table 34, Section 1159.21.

(c) Standards. All accessory uses shall conform to the standards in Table 33, Section 1159.20.

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

PASSED: _____, 2023

ATTEST: _____
**BILLIE CORNS
CLERK OF COUNCIL**

**DANIEL M. VINCENT
PRESIDENT OF COUNCIL**

APPROVED: _____, 2023

**DON MASON
MAYOR**

THIS LEGISLATION APPROVED AS TO FORM

LAW DIRECTOR'S OFFICE

Matthew Schley
Community Development Director

ORDINANCE NO. 2023-87
INTRODUCED BY COUNCIL

**AN ORDINANCE AUTHORIZING THE COMMUNITY DEVELOPMENT DIRECTOR TO
SUBMIT AN APPLICATION FOR FUNDING TO THE OHIO DEPARTMENT OF
NATURAL RESOURCES FOR THE ABANDONED MINE LAND ECONOMIC
REVITALIZATION (AMLER) GRANT AND DECLARING AN EMERGENCY**

WHEREAS, the Ohio Department of Natural Resources has offered grant funding through the AMLER program, and

WHEREAS, the City has submitted a successful Letter of Intent and was deemed eligible on August 11th, 2023; and

WHEREAS, the AMLER program does not require a matching component for funding; and

WHEREAS, the application date is September 15th, 2023; and

WHEREAS, failure to meet this grant deadline would result in furthering the risk to public health and safety for adequate river access to the Muskingum River.

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 prepare, submit, and execute all documents pertaining to this grant application for the purposes of improving access to the Muskingum River.

SECTION TWO: The Community Development Director is hereby authorized to execute all necessary documents for acceptance of up to \$700,000.00 in funding if awarded through the AMLER Program.

SECTION THREE: This Council hereby finds and determines that all formal actions relative to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Revised Code.

SECTION FOUR: Failure to meet the deadline of September 15th, 2023 would result in the continuance of a public health and safety risk. For the reasons stated herein, this Ordinance is declared to be an emergency measure. Provided it receives the affirmative vote of six (6) or more member of City Council, this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

ORDINANCE NO. 2023-87

PASSED: _____, 2023

ATTEST: _____
BILLIE CORNS
CLERK OF COUNCIL

DANIEL M. VINCENT
PRESIDENT OF COUNCIL

APPROVED: _____, 2023

THIS LEGISLATION APPROVED
AS TO FORM

DON MASON
MAYOR

LAW DIRECTOR'S OFFICE