

VILLAGE OF YELLOW SPRINGS
SPECIAL MEETING OF PLANNING COMMISSION
PUBLIC HEARING of
DRAFT ZONING CODE

AGENDA

The Village of Yellow Springs Planning Commission will meet in special session on Thursday, March 21, 2013 at 7:00 PM in Village Council Chambers on the second floor of the Bryan Community Center, 100 Dayton Street, Yellow Springs, Ohio 45387

7:00 CALL TO ORDER

ROLL CALL

REVIEW OF AGENDA

7:02 REVIEW OF MINUTES

February 27, 2013 Minutes of Special Meeting of Planning Commission

COMMUNICATIONS

7:05 CITIZENS' COMMENTS

7:10 Public Hearings

Public Hearing of Draft Zoning Code

8:55 AGENDA PLANNING

9:00 ADJOURNMENT

**Planning Commission
Special Meeting Minutes**

Council Chambers 7-9pm

Wednesday February 27, 2013

CALL TO ORDER

The meeting was called to order at 7:09 P.M.

ROLL CALL

Planning Commission members present were Matt Reed, John Struewing, Lori Askeland, and Chris Till, Alternate, attending for Bill Bebko, who was out of town. Tim Tobey was ill. Present in the audience was Council member Wintrow. Village Manager Laura Curliss was present. Paul LeBlanc from LSL was present as the zoning code rewrite consultant. Stephen Anderson and Tamara Ennist, Village zoning administrators, were present.

REVIEW OF AGENDA

There were no changes made.

REVIEW OF MINUTES

The February 11, 2013 Minutes of Planning Commission Regular Meeting were reviewed. Struewing MOVED and ASKELAND SECONDED a MOTION TO APPROVE the Minutes as written. The MOTION PASSED 4-0.

OLD BUSINESS

Review of Draft Zoning Code. Reed referenced the document prepared by Curliss, and noted that in addition to this, Planning Commission (PC) needs to address the issue of farm animals, and to revisit the issue of smaller house size.

Curliss started with the definition of permanently affordable housing, which is needed in section 1284.02. Curliss referenced a communication from Emily Seibel, Executive Director of Home, Inc., in which she offers definitions for both “permanently affordable” and “affordable housing”. Those definitions are as follows:

Permanently Affordable Housing: A unit in which a legal mechanism such as a ground lease, enforceable deed restriction, and/or 501(c)3 nonprofit organization’s policy ensures affordability, as defined by HUD, to low income households. The time period of affordability should be 99 years or as long as is legally permissible, ending with the durable life of the unit(s).

Affordable housing unit: An affordable dwelling available to low income households earning 80% or less of Area Median Income as defined by Housing and Urban Development, for which total housing costs are 30% or less of the household’s total monthly gross income.

Askeland MOVED to CONSIDER THE SUGGESTED DEFINITIONS. Reed posed a question regarding the 99 year time period, and asked for clarification from LeBlanc.

LeBlanc stated that if PC and Council decide to ask for permanently affordable homes, Council will likely need to pass another ordinance which sets procedures for applications and qualifications. LeBlanc suggested such language as, “a period of time specified by the Village,” noting that at such time as a separate ordinance is enacted, the amount of time may change.

Askeland asked for clarification from LeBlanc, who stated that the specifics of affordable housing go beyond the scope of the zoning code. Le Blanc noted that the term “permanently affordable” is used with respect to PUDs, necessitating a definition of the term, but suggested the specifics should be contained in an ordinance.

LeBlanc agreed to work on the definition and to have it ready for the public hearing. In the meantime, the definition will read, “A unit in which a legal mechanism such as a ground lease, enforceable deed restriction, and/or 501(c)3 nonprofit organization’s policy ensures affordability, as defined by HUD, to low income households. The time period of affordability will be determined by a separate Village Ordinance.”

Reed OPENED THE PUBLIC HEARING on the matter of definition of “Affordable Housing.”

Emily Seibel commented that the language for the definition she submitted was based upon a common length of time for land leases, because 99 years stops short of violating laws pertaining to perpetuity. Seibel stated that the language is more common for commercial real estate than for residential.

Reed CLOSED THE PUBLIC HEARING.

PC agreed as a whole to ask LeBlanc develop the language for the definition of “Affordable Housing”.

Curliss described item two as pertaining to the Schedule of Uses, table 1258.01. There are a number of conditional uses in B-2, which several persons had asked be changed to permitted uses. Curliss noted as well that sale of “petroleum products” was not permitted in B-2, which PC would like to have clarified.

Reed referenced the summary table, which lists office, commercial and financial services. Many of the uses are designated currently as conditional. LeBlanc responded that B-2 was meant to be primarily retail, which is generally not a commercial. However, he stated, none of the uses with the exception of the petroleum products, were highly commercial, and he saw no reason not to list them as Permitted.

LeBlanc noted that there are no specific conditions for the uses listed as conditional, but that they must funnel through Planning Commission if they are conditional, which affords a layer of review.

Planner Steven Anderson commented that in either case, the proposed business would need to go through a site plan review process, and would thereby generate review.

In response to a question from Till, Struewing stated that petroleum product sales must remain as a Conditional use, but that the other uses listed as Conditional could be shifted to Permitted status.

Reed OPENED THE FLOOR FOR PUBLIC COMMENT.

Sandy Love, a principle at Millworks, asked that warehousing, distribution and wholesale sales be added as Permitted uses for B-1 and B-2 and I-1 in 1260.04

Reed CLOSED THE FLOOR.

Askeland MOVED that everything under Commercial Services be changed to Permitted, with the exception of petroleum product sales, which is changed to Conditional in section B-2. Till SECONDED, and the MOTION PASSED 5-0.

Curliss brought up the matter of the number of permitted employees for Conditional use in a home Occupation (1262.12). That number is currently one employee not a resident of the dwelling. Curliss stated that one person has asked to raise the number to three.

Askeland observed that the request comes from an individual who has participated successfully in such a home occupation with three employees.

Struewing brought up the subject of parking, which became a focal point for the debate. Till opined that since the number of drivers in a family is not regulated, he did not see the need to regulate parking for employees of a home business..

Anderson noted that enforcement would be very difficult, but likened the increase in parking to the normal daily activities of a neighborhood.

Struewing objected to this characterization, and stressed that home occupation should not drive the tenor of the neighborhood.

Curliss added that an increase in employees might mean multiple occupations under one roof, further complicating enforcement and number of visits weekly. Curliss commented that employees all have to be provided off-street parking.

Reed opined that 40 visits per week in addition to three additional employees could have the effect of creating a commercial atmosphere.

Till countered that the relevant term is “accessory” and that the stipulation that the home occupation

must clearly be accessory would prevent such an occurrence.

Till commented that the Comprehensive Plan calls for mixed uses, and stated that the zoning code shows very few mixed uses. Easing the creation of a home occupation, he said, would fit in with the goals of the Comprehensive Plan.

Anderson responded to a question from Struewing, stating that the home owner has to provide off street parking which is not in the yard of the home for any employees.

Curliss noted that many streets are not built for commercial traffic, and that on-street parking could affect drainage and sightlines.

Reed OPENED THE PUBLIC HEARING.

Marianne MacQueen stated that she had proposed the increase in employees based upon a successful experience in the inception of Home, Inc. She asked that the issue of parking be separated from the issue of employees, opining that many employees might walk or bike.

MacQueen went on criticize the notion that neighborhoods should be traditional. She cited the burgeoning of home occupations in the Village, and opined that this could be viewed as an asset rather than as a liability.

Ted Donnell commented that the term “accessory use within a residence” is defined differently within the Ohio Residential Code (ORC) than within the Ohio Building Code (OBC). If a home occupation uses greater than 10% of available floor space, he noted, the OBC regulations come into play regarding fire suppression, handicap access, air flow, etc.

Donnell stated that the OBC regulations are based upon the notion of employee rights with regard to health, safety and access, and are vastly different than the regulations forwarded by the ORC. Donnell stated that the best route is to keep the limit of an accessory use to 10% of the house, and whether the house can accommodate one or three employees should be dependent upon the size of the house, and whether those employees can comfortably in 10% of the floor space of the home.

Reed CLOSED THE PUBLIC HEARING.

Paul LeBlanc commented that the current code states a maximum of one non-resident employee. He pointed out that the draft code does not change that stipulation. LeBlanc stated that the final definition comes down to the Village’s definition of what a home occupation should be. LeBlanc clarified that the draft code is written to allow people to do their business out of their homes, but it does not permit businesses that are noticeable or which intrude upon the character of the neighborhood.

LeBlanc advised against stipulating a number of visits to the home per week as too difficult to enforce. LeBlanc asked PC to consider what should be situated downtown, and responded to criticism that the code is not promoting mixed uses by stating that the draft code promotes mixed uses in B-1, B-2, R-3 and I-1, and stated that part of the of of a zoning code is to protect some uses from incompatible uses. The idea of promoting mixed uses in every district, he said, goes against the idea of zoning, particularly in single family residential neighborhoods. LeBlanc noted the significant investment residents of those kinds of neighborhoods have in their homes. LeBlanc stated that an ordinance cannot be written based upon a supposed outcome, such as that all employees will walk or ride their bikes, but must encompass any possibility, including commuter employees.

Askeland MOVED TO LEAVE THE DRAFT AS WRITTEN. Struewing SECONDED. THE MOTION PASSED 3-1, with Till voting against.

Curliss stated that the ORC stipulates 10% of floor space as a maximum for floor space for a home Occupation, and suggested making the Village code conform to this stipulation.

Askeland asked whether the Village code could remain silent on the issue of floor space, since the ORC statute takes precedence in any case, and state only that the use “must be clearly accessory”.

Curliss objected, stating that the Village cannot be “arbitrary and capricious.”

LeBlanc pointed out the difference between the Building Code and the Zoning Code, which is concerned with land use. LeBlanc agreed that the Village code should stipulate a number so that any applicant for a permit can be made aware of both the Village regulation and the OBC regulation. LeBlanc commented that he was fine with increasing the floor space up to 20%, with perhaps a note on the permit warning applicants of the OBC regulations that kick in if use of space exceeds 10%.

Local artist Alice Robrish commented that 20% seemed small to her, and asked for 30% of floor space available for home occupations.

MacQueen advised against any mention of floor space, noting that the regulations would be easy to circumvent, and commented against Village officials' regulation of any such spatial regulations.

Ennist commented regarding Home Occupations, that the code should provide some guidelines regarding a standard for "incidental to the principle use". She noted that it is critical that no home occupation appear to be a business, and that the guidelines should not be subjective. She stressed that this is not easily enforceable.

Askeland argued against specifying a number, since the regulation is not easily enforceable.

Reed CLOSED THE PUBLIC HEARING.

Reed commented that there is a great variety in terms of home occupation regarding the impact on the neighborhood. He stated that he could agree with eliminating a number of employees, as long as the parking issue is specified.

Anderson responded that the zoning department has to have specific information for an applicant and for staff to use. He noted that the issue of traffic is addressed in the current draft.

Till received clarification that Reed is suggesting eliminating the number of visits per week for a home occupation.

Curliss argued against elimination of a specific number, stating that lack of specifics could leave the Village open to charges of having been arbitrary and capricious.

LeBlanc suggested inserting the language "250 square feet or 20% of floor space, whichever is lesser" into this section.

Askeland noted that the language comes in at the level of the permit.

Reed asked that LeBlanc and Curliss draft something that finds a middle way through the issues and which specifies a number regarding visits, square footage and/or percentage of floor space.

Anderson clarified that conditional uses are subject to Planning Commission approval. He suggested listing general conditions in the code, and allowing home occupations to meet those conditions through a permitting process with Village Staff.

Reed suggested an additional chapter on the permit process. Curliss concurred with this option, noting that a "check the box" permit form could be used.

LeBlanc noted that the code is set up this way currently, and there is a chapter on Administration and Enforcement to which some language can be added. He noted that all uses will require a zoning permit, but that some can be footnoted with a note "subject to administrative approval".

In response to a comment from Ennist, LeBlanc cautioned against specifying particular businesses as permitted or non-permitted, but noted that if a home occupation fulfills the requirements as such, they must be permitted.

Struewing summed up that home occupations are permitted uses, as long as they receive proper permits from the Village.

Till differentiated between those home occupations that do not rely upon a client base, and those that have no client traffic. He suggested that those that do not rely upon a client base should be permitted without a

permitting process.

LeBlanc noted that the Village desires some way to track the type and number of home occupations, and suggested that the best way to differentiate is to limit the number of visits to the home by clients in a given week.

Following a discussion regarding how to specify the amount of space permitted, Till and Struewing asked for more time on the matter, and asked that Curliss and LeBlanc bring an alternative proposal to the next meeting.

Donnell asked that any administrative checklist notify the applicant of another layer of regulation if the percentage of floor space exceeds 10%, and ask the applicant to sign off indicating their understanding of the matter.

Reed OPENED THE PUBLIC HEARING to COMMENTS RELATED TO THE ZONING MAP.

Resident Chris Mucher stated his opposition to extending the CBE to one lot on the west side of Walnut Street. As the owner of an adjoining property, Mucher stated that he has been supportive of his neighbor's home occupation, despite its impact on his family. Mucher cautioned, however, against permitting dissimilar uses in proximity to one another, citing issues of noise, traffic, and significant change to the character of the neighborhood.

Mucher articulated his central argument thus: "If the Central Business District is extended into our residential neighborhood, the mechanism for future land use change is then in place. Over time, the new business parcel can be sold and resold, even demolished and rebuilt to a specific business purpose. Its use could transition into the most intensive use permitted in the Central Business District. At any time, adjacent residential families could feel either the economic or quality of life pressures to request their inclusion in the Central Business District."

Struewing asked why the zoning map had been changed initially. Curliss stated that the attorney for the owner of the business in question (Mark Babb, representing Norah's), had requested the change.

In response to further questions, Curliss stated that the restaurant did not have a conditional use permit at the time of its closure.

Reed OPENED THE PUBLIC HEARING.

Donnell spoke against zoning a "flag" within a residential district, and stated that he did not see enough of a growth issue for the CBD to indicate any need for extending the district.

Reed commented that he had been troubled by the rezoning, primarily because it establishes the property as business into perpetuity, and there is no way to assure that a future business would integrate well into the neighborhood.

Curliss stated the problem from the perspective of the home occupation (Norah's), which is that if she were to serve more than 117 meals per week, she would be considered a business. Curliss noted that the use is becoming more intense, no longer qualifying as a home occupation.

Till stated that he would have liked to have seen some way for the Village to work with the home owner to find a way for the home occupation to continue. He acknowledged, however, that rezoning does not seem to be a viable solution. Till then stated that he was loathe to vote against the rezoning, because he would then see no way for Norah's to continue.

Askeland agreed with Till.

Reed suggested that the Commission could vote against rezoning, which would open the door for Norah's to go to the BZA regarding change of use.

LeBlanc addressed this suggestion, stating that this then becomes spot zoning. He continues, saying that the test for rezoning is whether the property as it is currently zoned does not allow for a reasonable use of the property. That test, he said, is very hard to meet.

PC discussed the matter at some length, and Reed CALLED the VOTE.

Struewing MOVED to REMOVE THE CBD DESIGNATION from the single property on the west side of Walnut Street, and return it to R-C designation.

Askeland SECONDED the MOTION.

Reed asked those present to put their energy behind finding a solution to the problem, then CALLED THE VOTE. The MOTION PASSED 3-1, with Till voting against.

Reed opened the topic of minimum lot sizes.

Reed noted that in the existing code, the minimums as currently written are: 500 for efficiency; 700 for one bedroom; 800 for 2 bedroom, and 900 for three bedroom. These minimums apply regardless of the district.

The proposed code lists the minimums as 900 for R-A; 900 for R-B, and no minimum stated for R-C.

Askeland noted that she has not heard anything against small houses, and wondered why the code could not permit two small dwellings on a lot, and why the primary dwelling must be constructed first. Askeland stated that it is larger homes that cause problems with drainage. She suggested changing the maximum for an accessory structure to 750 square feet regardless of the percentage that may be of the primary dwelling, and apply that throughout the code.

Struewing responded that he could agree to lowering the square footage minimums for R-B, but noted that PC had increased R-C significantly as an opportunity to see if smaller dwellings will “work”. He asked to give this plan a chance.

Curliss commented that meters are not permitted for accessory units, making the initial construction of the primary structure essential. She opined that changing this would lead to variance requests and illegal lot splits.

Reed suggested a 500 square foot minimum for R-B.

Till considered that a reason not to lower the minimums would be potential impact upon property values. That noted, however, he opined that smaller houses are desirable, and suggested the State minimums apply Village-wide, and to allow construction of accessory dwellings first.

Resident Ellen Dawes-Sewitt commented on the notion of zoning as peculiarly American, and as having a dampening effect upon variety. Dawes-Sewitt touted smaller homes as more ecologically responsible, and reminded the Commission that the Village ethic is to encourage more infill. Dawes-Sewitt asked whether property values were a code for not wanting poor people in neighborhoods. She asked the commission not to make the easy or comfortable decision on this matter.

Askeland questioned LeBlanc regarding primary and secondary structures.

LeBlanc responded that accessory is necessarily subordinate to the principle use, and part of that relationship is defined in terms of relative size, and that, by definition, the first structure cannot be accessory.

Askeland stated that she was envisioning two small structures on one lot, neither larger than the other.

LeBlanc noted that the rationale behind the size requirement is to avoid duplexes.

Curliss commented that permitting two same-size dwellings on one lot would tear down the structure of the code. To reconceptualize buildings on a lot would require changing setbacks, among other things, she commented.

Dawes-Sewitt questioned the need to hook up to utilities. Donnell responded that the Ohio Building Code requires that all homes be hooked up to utilities.

Donnell commented that an accessory use could be a four-car garage attached to a small house. Donnell noted that this bothers him, in that these uses do not contribute to the tax base or to home occupations, but are used simply for storage. Donnell stated that if the dwelling is the primary use, this drives the tax base.

Reed summed up the negative comments he has heard regarding small homes at Dawes-Sewitt's request, stating that the issue is of concern to older home-owners, whose wealth is almost entirely contained in the value of their homes.

Askeland summed up the nature of the positive comments regarding smaller homes, stating that these tend to serve smaller families more efficiently, and that there is a trend to smaller families.

Emily Seibel commented that the matter of home values, and of accessory dwellings, while related, are two separate issues. She suggested that small homes could impact values if the neighborhood were "overrun", but that this is unlikely. Smaller units meet the needs of the Village, she said, and noted the energy behind the small house movement.

Reed MOVED to CHANGE THE MINIMUM SQUARE FOOTAGE IN R-B to 500 SQUARE FEET. Askeland SECONDED. The MOTION DID NOT PASS, with a SPLIT VOTE, Struewing and Reed in favor, and Till and Askeland against (2-2).

Reed raised the issue of farm animals. Curliss noted that she and LeBlanc have been working on this section, and will bring copy to the next meeting.

Curliss noted that legal counsel is recommending changing the fine for zoning code violations be reduced to \$100.00 a day, and that she will bring that recommendation to Planning Commission at the next meeting.

LeBlanc explained the status of PUD, stating that as written, there are two approval stages. All zoning recommendations go to Council from Planning Commission for legislation. If the site is rezoned as PUD, the PUD returns to Planning Commission for site plan approval. If the final plan conforms to the conceptual plan and it is rejected, the applicant has grounds for appeal to Council on the matter. If the PUD is rejected but final plans do not conform to the conceptual plans, they have to start over.

The group agreed upon a next meeting Thursday, March 21, from 7-9pm. This meeting will constitute the public hearing on the draft zoning code.

Curliss explained that if, at that meeting, PC approves the draft, they will send it on Council for their public hearing, which requires a 30 day notice. This would make the hearing at Council about May 6th.

At 9:20 pm, Struewing MOVED and Askeland SECONDED a MOTION TO ADJOURN. The MOTION PASSED 4-0 ON A VOICE VOTE.

Matt Reed, Chair

Attest: Judy Kintner, Clerk

Please note: These minutes are not verbatim. A DVD copy of the meeting is available at the Yellow Springs Library during regular Library hours, and in the Clerk of Council's office between 9 and 3 Monday through Friday.

**VILLAGE OF YELLOW SPRINGS, OHIO
NOTICE OF PUBLIC HEARING**

The Village of Yellow Springs Planning Commission will conduct a public hearing at the Yellow Springs Village offices, located at 100 Dayton Street, Yellow Springs, Ohio, 45387, on Thursday, March 21, 2013 at 7:00 p.m. concerning a proposed amendment to the Village Zoning Code which will replace the existing Zoning Code in its entirety.

The following provides a summary of the regulatory effect of each of the 23 chapters of the proposed Zoning Code:

General

The overall appearance of the draft code is different from the current code. The document has been completely reorganized. For example all definitions, landscaping and parking provisions have been consolidated to keep related provisions in one place rather than scattered throughout the code. Graphics and tables have been added.

Standards and criteria have been added to various discretionary provisions to guide decision-makers and minimize the potential for arbitrary, subjective and inconsistent decisions. Terms and phrases such as “acceptably designed,” “suitable protection,” and “gauge adequacy” have been replaced with more specific standards.

Districts

Each of the district “purpose” statements has been revised to reflect the intent of the Village Vision and Comprehensive Plan.

Some zoning districts in the current code have been removed:

- A, Agriculture – there is no land in the village zoned “A”
- RA-1, Residential – there is no land in the village zoned “RA-1”
- Office/Research – a small area, encompassing the Verney facility is the only O/R district in the Village. This is proposed to be replaced by the I-1, Business Park, district
- Mixed Commerce – this is a single purpose district that is proposed to be replaced as a PUD which would accomplish the same intent.
- Moderate Priced Dwelling Units – this chapter has been removed. There is no evidence that it has ever been used in any form.

New districts have been added:

- I-1, Business Park – replaces the Light Industrial District. The intent is to create a more cohesive business, research, and employment zone that allows a broad mix of uses. Light industrial uses are permitted, along with other uses more in keeping with the character of the community.
- I-2, Industrial – this is a new district that is designed to accommodate intense industrial and commercial uses that would provide employment and tax revenue to the community.
- Gateway Overlay – this is a new district to be used at major entry points (gateways) into the community. It establishes certain added requirements for landscaping, signs, parking setbacks, driveway placement and building height that are applied to the underlying zoning districts in those locations.

- Planned Unit Development –the PUD chapter has been completely rewritten to permit greater creativity and flexibility; modify the review process and submittal requirements and promote the purposes of the Village Vision (including incentivizing affordable housing, energy conservation and smart growth practices). The intent is to make this a more useful development tool and encourage its use.

Uses

Overall, uses permitted within the districts have not changed significantly from the current code. A few that have changed include:

- Accessory dwellings – these are allowed as a conditional use, with very specific standards, in all residential districts.
- Short-term rentals – these have been added as a conditional use to the residential districts.
- Downtown commercial – the threshold for businesses allowed by right in the downtown district (B-1) is increased from 5,000 square feet to 10,000.
- District purpose – some changes have been made to ensure that the uses allowed within each district are consistent with the district purpose.

In general, the lists of uses permitted by right and with conditional approval have been expanded for clarity and to expand the uses allowed in various districts. A greater distinction is drawn, for example, between uses appropriate in the downtown district and those allowed in the highway oriented commercial area south of the Village.

Dimensional Requirements

Most of the minimum lot size, width and setback requirements remain unchanged. However, the main exceptions include:

- Residential districts – the current 10,000 square foot lot requirement for the RA district was considered out of scale with the village character and the majority of lots within the RA (many of which are nonconforming). Therefore, the lot sizes and setbacks within the three residential zones were reduced.
- Multiple family – currently, the code applies a formula of lot sizes for multiple family units, based on number of bedrooms in each unit. The proposed code simply establishes a maximum density (units per acre) of such developments.
- Parking setbacks – the draft code establishes minimum setback requirements for parking lots in the B-2, General Commercial, and I-1, Business Park, and I-2 Industrial Districts.
- I-1 lot size and width – the minimum lot area and width in this district have been increased from 25,000 square feet and 75 feet to one acre and 150 feet.
- I-1 front yard – minimum front yard has been reduced
- The new I-2 district establishes minimum requirements appropriate to current development standards.
- Fractional setbacks – the proposed code eliminates the odd fractional calculations (5/12ths) for computing some setbacks
- Front setback averaging – a simpler formula has been introduced to allow new buildings to be built at the established average front setback for existing development

Parking

Major changes to the off-street parking provisions include:

- Reducing the requirements for downtown parking

- Revising the parking requirements (up and down) for certain uses, based on national standards
- Establishing maximum parking limits to minimize unnecessary pavement and reduce storm water runoff
- Deferred parking is provided to allow less parking initially, but with room reserved for added parking when needed
- Parking reductions may be considered if bike parking is provided or sidewalks are available
- Permeable surfaces are permitted to alleviate drainage impacts

Site Plan Review

This is a new chapter. The current code previously contained a site plan review requirement that had been removed. Site plan review gives the Village greater ability to ensure compliance with the dimensional requirements of the code and allows some discretion relative to the layout of a development and its compatibility and relationship with adjoining uses.

Signs

The sign chapter was reformatted to make it more readable through reorganization and the use of tables. In addition, the size, location and circumstances in which a business center (multiple users) sign is permitted have been clarified.

At the above time and place, all interested parties will be given an opportunity to be heard. Written comments concerning the proposed amendment may be mailed or delivered to the Village of Yellow Springs, 100 Dayton Street, Yellow Springs, Ohio, 45387 up to the date of the public hearing. Copies of the proposed zoning code and zoning map may be viewed at the Yellow Springs Village offices during normal business hours or online at www.yso.com.

The Village will provide necessary reasonable auxiliary aids and services to those with disabilities planning to attend upon three (3) days' notice to the Village Clerk of Council. Individuals who require such services should contact the Village at the address listed above or by telephone at 937-767-9126.

Clerk of Council

From: Laura Curliss
Sent: Wednesday, March 06, 2013 5:41 PM
To: Clerk of Council
Cc: Clerk of Council
Subject: Fwd: OBJECTION to rezoning from Residence A to B
Attachments: PastedGraphic-2.pdf; ATT19260.htm

For the next Planning Commission packet.

Begin forwarded message:

From: Lillian Slaughter <mcalloway2010@att.net>
Subject: **OBJECTION to rezoning from Residence A to B**
Date: March 6, 2013 4:49:17 PM EST
To: jkintner@yso.com
Cc: lcurliss@yso.com

I object to the rezoning for Nora's Restaurant on Walnut Street if it is being considered. I care about my property, however old it is, and this action will affect its value. In addition, parking in front of my home continues to be a problem. Cars and vans always park too close to my drive, I can't see over them and this is hazardous.

I am aware of the support for this restaurant; but it is from those not living in this area. Please, do not disregard this request. Changing the zoning should be handled respectfully not in the middle of a block of residential A properties to accommodate this activity.

Thank you

L Slaughter 212 Elm St. YSO

Laura A. Curliss
Village Manager

March 12 2013

Planning Board of Yellow Springs

**Attn: Matt Reed
Paul Leblanc**

**On January 16, 2013, I appeared before the meeting of
Planning Board and Council to object regarding zoning.**

**I was assured the north side of Brookside Drive would re-
main as Residence "A". The Residence "B" zoning was in error
on the November 2012 zoning map**

Becky Campbell
Becky Campbell