

**Planning Commission  
Regular Meeting Minutes**

**Council Chambers 7:00pm**

**Monday, September 10, 2018**

**CALL TO ORDER**

The meeting was called to order at 7:00 P.M.

**ROLL CALL**

Planning Commission members present were Rose Pelzl, Chair, Council Alternate Lisa Kreeger, Frank Doden, Susan Stiles and Ted Donnell. Also present were Denise Swinger, Zoning Administrator, and Solicitor Chris Conard.

**REVIEW OF AGENDA**

Pelzl reviewed the agenda. There were no changes made.

**REVIEW OF MINUTES**

Minutes of August 27, 2018 Special Work Session. Stiles MOVED and Pelzl SECONDED a MOTION TO APPROVE the Minutes as Written. The MOTION PASSED 3-0, with Kreeger and Stiles abstaining due to absence from that meeting.

Minutes of August 13, 2018. Stiles MOVED and Doden SECONDED a MOTION TO APPROVE the Minutes as Written. The MOTION PASSED 4-0, with Kreeger abstaining due to absence from that meeting.

**COMMUNICATIONS**

Bowen Housing Report

**COUNCIL REPORT**

Kreeger reported that the initial vote on the Antioch College rezoning went smoothly at Council table, and will return for a final vote on the 17<sup>th</sup>.

**CITIZEN COMMENTS**

There were no citizen comments.

**PUBLIC HEARINGS:**

**Conditional Use Application** ó Antioch College is applying for a conditional use for the purpose of constructing a Pocket Neighborhood Development on their property located at 117 East North College Street ó Parcel ID #F19000100090029400.

Planning Commission dialed in with Antioch College's Architect, Steven Christian, who participated through the hearing via conference call.

Swinger explained that Antioch College is planning the construction of the first Pocket Neighborhood Development (PND) since the Planning Commission added this new use to the zoning code last year. One of the requirements of the PND is that the property must be located in a residential district. Currently, the property is in the process of being rezoned from E-I, Educational Institutions to R-C, High Density Residential, having previously received a recommendation of approval from the Planning Commission on August 13, 2018. Village Council passed the first reading of the ordinance to rezone at their meeting on September 4, 2018, voicing strong support for the project. The second reading and public hearing is scheduled for September 17, 2018. If Council passes it on the second reading, the rezoning will become effective thirty (30) days after.

The location, at 117 East North College Street, Parcel ID ##F19000100090029400, abuts the R-C, High Density Residential District on both the north and west sides.

Encroachment by the neighbors into the alley was addressed with the neighbors present at the Planning Commission meeting on August 13, 2018. They acknowledged the encroachment and will clear the area. Currently, a garden extends into this alleyway at the north side.

The parking lot has been configured and designed to minimize stormwater issues while facilitating a higher level of mobility and access for the residents of the pocket neighborhood. The 24'0" wide drive lane utilizes heavy duty asphalt to facilitate emergency vehicle access and waste collection services.

The parking stalls aligned along the drive lane will utilize permeable asphalt which will include an open grade porous asphalt paving atop layers of substrate of rock courses to allow for some initial stormwater infiltration. Surface water is then shed through curb-cut openings within the required 6" perimeter curb to bioswales and rain gardens for further retention and infiltration. To provide more adequate space sizing for the bioswale, the design has incorporated the permissible 2'-0" overhang allotment to pull the paved surface back slightly from the far end of the stalls and instead allow for the landscaping/bioswale to fill in the area where vehicle tires and weight would never need to come to rest (the 6" curb would assure this protection).

Swinger noted that the storm water mitigation plan has been reviewed for the Village by Choice One Engineering.

Monica Hasek, the Project Coordinator introduced Antioch President Tom Manley, Project Advisor Kevin Magruder and Steve Lyle, Civil Engineer.

Hasek stated that the proposed PND is in response to the need locally for affordable and sustainable housing. She stated that McClennan Design has been engaged to assure a sustainable footprint. She noted that this PND is a pilot, and the end goal of the project is a larger PND across the street which will compliment the first.

Donnell commented that this may be an opportunity to reestablish the alley to the west of the development. He wondered why there is no access to the alley and why it is not incorporated into the design.

Donnell commented further that the large right of way on North College is excessive, and opined that this creates a barrier to connecting the two PNDs. He suggested that the development partner work with the Village to amend the street design to calm traffic and create a harmonious connection.

Donnell pointed out a discrepancy in the building elevations and the stormwater calculations. He asked how the roof runoff will be diverted to the rainbarrels shown in the design, since this is not indicated in the rendering.

Donnell asked how the water will be diverted off the roofs of the double units, which show cricketed roofs but no guttering.

Donnell commented upon the design overall, conveying disappointment at the side elevations which address the sidewalk with a wall of metal which, he opined, fails to integrate the PND into the Village, and serves to visually alienate it.

Responding to the comments in order, Christian stated that they had created a meandering pathway to take advantage of the alley area as a maintained open space.

Christian noted a larger master plan that Antioch has and noted that they would be open to creating a vibrant streetscape.

Christian stated that he is putting finishing touches onto the guttering system, as well as the cricketing issue.

Regarding street frontage, Christian stated that while all of the units face center, there is an entryway into the PND which is meant to visually draw the eye into the neighborhood. He spoke of softening the edges of the units, as well as inclusion of windows in the units to break up the wall effect. He noted that the required 20 foot setback will also be landscaped to soften the effect.

Stiles followed up with the question about the water barrels, asking again about how water would be diverted to these. She then asked how all of that water would be used - a total of 110 gallons per housing unit.

Christian responded that the rain barrels are meant to store water for when it gets dry and to be used to water the planter boxes shown.

Christian stated that they intended to put gutters at the edges of the units as well as in the cricketing of the duplexes to be piped out to the swales.

Swinger received information that the rainbarrels are self-contained.

Doden followed up by asking about the possibility of freezing, and was informed that residents would be responsible for draining the rainbarrels in the winter.

Kreeger commented upon the parking, asking how large deliveries would be made to the units farthest from the parking area, noting that there is no back access for this.

Christian stated that the large concrete pathway could be used for this purpose. He stated that the plantings at the rear of the units are resilient and that items could be brought in through the rear.

Kreeger asked about fire response access.

Christian stated that the drawing is misleading, and that the access is adequate.

Donnell expressed disappointment in the uniform design of the PND in terms of fitting into the Village, particularly the grey metal, which resembles ða barracksö.

Christian defended the design concept, emphasizing the aspect of sustainability.

Hasek noted that this PND is cottages, but that across the street would be apartments, cottages and townhouses, and that the combination of these styles would lend a more eclectic feel to the whole.

Pelzl expressed concern that the larger PND across the street not repeat the cottage concept exclusively, although she was supportive of the design on the smaller scale presented.

Hasek commented upon the unique nature of the design.

Christian commented that on a small scale, the cottage design offers a unique housing option.

Swinger commented upon the green space areas, stating that this is a lot to manage, and wondered how this would be maintained.

Christian responded that native planting was used to a high degree to cut down on the need for maintenance.

Hasek responded that maintenance of the plantings and landscaping would be worked out in the CCR document.

Conard offered to assist with the wording for that portion of the CCR.

Donnell asked about the adjoining lot, and suggested that a condition be added that the college remove the unused asphalt pad from that lot.

Pelzl commented that it seemed a wasted opportunity not to offer a route through from the development to the street.

Donnell commented that it is PC's responsibility to represent the citizens of the Village, and that responsibility drives the critical nature of his questions.

Conard commented upon the CCR document, touching upon ten points of the document. In particular, Conard noted that under the current draft, which does not yet give a number total of directors of the board, the directors are permitted, by a 75% majority, to terminate the Association. Conard opined that this is antithetical to the idea of a collective living environment. He recommended as part of the conditions, that the governing documents be subject to approval by the Village Manager and the Village Solicitor.

Swinger noted that a solar interconnection agreement with the Village would be required if a property owner chose to have solar energy.

Pelzl OPENED THE PUBLIC HEARING.

Roger Huff, prospective home buyer not yet residing in the Village, related a number of concerns regarding the CCR document. Huff noted that he would like the Association to be legally termed a ðcondoö rather than a ðplanned communityö.

Huff asked about the timeline for review of the CCRs, and followed with a number of specific questions regarding the CCR, fire lanes, recycling collection, and accessory structures.

Conard responded to Huff's concerns as follows: He stated that the title of the document or Association does not have bearing on the contents of the document.

Huff asked further questions regarding the timeline. He disagreed with the conflation of ðcondoö and ðplanned communityö, stating that use of the term ðcondoö affords more latitude in terms of the length of the lease, specifically a 99 year lease.

Huff then asked whether and how the Association can move forward pending solicitor approval.

Donnell commented that the PC will issue a list of conditions, and after that point, meeting those conditions will be in the purview of the college.

Pelzl responded that the only condition the Village has control over is that the Solicitor/Village Manager approve the final CCR document. It would be the college's decision as to when and to what extent to involve stakeholders in the process of creating that document, she said. If any changes are made after that point, she said, the document would have to return for approval.

Donnell commented that the interest the Village has in the document is in protecting its assets and assuring that the Association does not default or that the grounds are not maintained.

Huff continued to ask what the timeline would be for starting construction, and Donnell iterated these steps.

Conard stated that the two conditions he recommends are that the CCR document is approved by Village Staff, and that the Association cannot be terminated without Village approval.

Conard responded to a number of Huff's concerns, stating that they are the responsibility of the project directors.

Conard addressed another question, stating that Swinger will have to approve any changes to the site plan or additions. There could be a situation in which the plan would need to return to PC, Conard stated.

Patricia Brown stated that she is concerned as to how home owners will be protected if the Association folds. She stated that the CCRs currently do not contain a 99 year lease, which she characterized as necessary.

Sylvia Carter Denny Miller stated her concern regarding rainwater mitigation and collection in the site plan.

Kreeger responded that many of the items of concern brought up are not within the purview of the Village.

Steve Lyle, Engineering Consultant with the Rankin Group, explained that the gutters would direct rainwater out to the rain gardens, which would hold water, and is designed to infiltrate. If the soil is too clay-dense, there will be an under drain provided, and the soil will be mitigated with mulches and plantings. The water will then be directed to a bio-swale across the parking lot. He noted that the parking lot will be a permeable surface. The bio-swale should infiltrate into the ground. He noted that soil borings still need to be taken to assure that the plan will be feasible.

Swinger reviewed the conditions she had noted in her report as follows:

- **Deviation from the parking lot requirements of the zoning code**

Christian responded that he would like to use the permitted two foot overhang to bring landscaping as close to the parking area as possible to increase the size of the bio-swale, and noted that he believes this would be permitted under 1264 (d). He commented that he had increased the width of each parking stall by a foot.

Donnell suggested moving some of the spaces next to the alley, commenting that this would enable more space on the east side for the bio-swale.

Donnell suggested rerouting the garbage pickup down the alley as well.

Hasek received confirmation that if they made the above change, they could come just to Swinger for approval.

Swinger noted the remaining conditions noted in her report as follows:

É **Addition of fire lanes.**

- **Final storm water calculations provided upon completion of construction plans and reviewed by the Village's engineer.**

- **A review of the construction plans by the Public Works Director prior to or at the same time the plans are submitted to Greene County Building Regulations for building permits.**

- **Final CCRs to be approved by the Solicitor and/or the Village Manager.**
- **Inclusion in the CCR document that the Association not be permitted to be dissolved without the express approval of the Village Staff.**

Donnell commented that accessory structures as a shared entity should probably be added, but noted that individual storage units are not permitted.

Swinger asked that the elevations and guttering be made more visible in the site plan.

Donnell commented that a performance guarantee on a project of this size is probably not necessary.

Donnell suggested that if the alley is to be used for trash collection that the college contact Miami Township Fire Rescue (MTFR) to ask whether they could use the alley as a fire lane, which could eliminate the need for a fire lane at the front.

Finally, Donnell asked that the college look at a way to boulevard North College Street, given their resources, as a means to strengthening the connection between the two phases of the project and so that the cross-walk is placed to the project's advantage.

PC discussed how the asphalt removal on the adjoining lot could be incorporated.

Donnell suggested the lot be used as a staging site, which the construction company could then agree to improve upon completion of the project.

PC decided to ask that the condition be added to the ordinance now before Council that rezones the lots upon which the project will be sited.

Conditions were reviewed, with the clarification added that PC is accepting the parking lot deviation, and with the request that the college provide the design aesthetics for the streetscape in the future phase.

Kreeger noted that she had a request for the elevations, drainage system and outdoor storage units.

Swinger added these, as well as the labeling of the rainbarrels.

Donnell asked why eight rain barrels would be needed for irrigation.

Christian stated that these would be used for the planter boxes, and were for convenience of watering these.

Donnell asked about consideration of moving the parking near the alley and moving garbage collection, and was told that this was not being made a condition, but rather a suggestion, which would be followed up upon with Swinger.

Donnell commented that PC should take any available opportunity to support and encourage restoration of the alleys, and demonstrated some possibilities in this regard.

Stiles MOVED to APPROVE the Conditional use Request with the Conditions as stated by Swinger. Pelzl SECONDED, and the MOTION PASSED 5-0 on a ROLL CALL VOTE.

PC agreed to hear the amendments for Chapter 1226.11; 1226.12 and 1226.13 as a single hearing, it being a single chapter, as follows:

Swinger noted the following changes and additions:

**Amend Chapter 1226.11 Minor Subdivisions** to add formal action by the Planning Commission in certain circumstances as determined by the zoning administrator.

(1) A copy of the recording instrument has been submitted to the Planning Commission by the Zoning Administrator at least ten **20** days prior to a regularly scheduled Planning Commission meeting, and, if the Planning Commission takes no action at that meeting, the minor subdivision is deemed approved.

(b) Approval of a minor subdivision by the Zoning Administrator, with formal action by the Planning Commission shall be required in the following circumstances, along with additional conditions:

(1) The proposed subdivision is located along a private street or access easement. Approval by the Planning Commission may be granted upon review of additional criteria specified in 1260.02 (e) and 1260.03 (a) of the Yellow Springs Zoning Code.

(2) The proposed subdivision creates an uncommon lot configuration. Uncommon lot configurations may be incorporated into a minor subdivision if such division poses no apparent nuisance and the Planning Commission deems it appropriate. Approval may be granted upon review of additional criteria specified in 1226.06 (a) (5).

(3) Approval of the minor subdivision shall be made to the Planning Commission in writing, on a form for that purpose, and shall be filed with the Zoning Administrator at least 20 days before the next regularly scheduled meeting at which it is to be heard. The application must be accompanied by a fee, as established by the Village Council, and such other material the Planning Commission determines is necessary.

(4) Public Notice. When an application has been filed in proper form with the required data, the Zoning Administrator shall cause notice of the time, place and purpose of the hearing to be given, in writing by first class mail, to the applicant(s), to owners of property contiguous to and directly across the street from the property that is the subject of the minor subdivision application. The notice shall be given at least seven days in advance of the hearing, noting the request and the property location. The name and address of any property owner on the most recent property record of the Greene County Auditor shall be the address used for public notification. If the address is unclear or uncertain, the property owner may be notified by legal notice published one time at least seven days in advance of any hearing, listing the address of the property to receive notification.

(b c) If approval is given under terms of the above provisions, the Zoning Administrator shall, within 14 working days after submission, approve such proposed division of land and, upon presentation of a conveyance for said parcel and a properly prepared survey sheet of the property, shall sign the conveyance.

**Amend Chapter 1226.12 Replats** ó to add formal action by the Planning Commission in certain circumstances as determined by the zoning administrator.

(a) Approval of a replat by the Zoning Administrator, without formal action by the Planning Commission and Council, may be granted if a submitted record plan meets all of the following conditions:

(a) 1) The proposed replat is not contrary to applicable subdivision and zoning regulations, including, but not limited to, the runoff control/sediment abatement regulations.

(b) 2) The same number of lots as in the original plat, or less, are created.

~~(c)~~ Upon approval, the replat shall be submitted by the applicant to the Greene County Recorder for incorporation into the Official Tax Map records within 90 days.

~~(d)~~ The applicant will be held responsible for any negative impact on surrounding lots which becomes apparent within one year from the date of recordation of the plat.

(b) Approval of a replat by the Zoning Administrator with formal action by the Planning Commission shall be required in the following circumstances, along with additional conditions:

(1) The proposed replat is located along a private street or access easement. Approval by the Planning Commission may be granted upon review of additional criteria specified in 1260.02 (e) and 1260.03 (a) of the Yellow Springs Zoning Code.

(2) The proposed replat has a minimum frontage of twenty (20) feet available to access an existing land-locked lot. Approval by the Planning Commission may be granted upon review of additional criteria specified in 1226.06 (a) (5).

(3) The proposed replat creates an uncommon lot configuration. Uncommon lot configurations may be incorporated into a replat if it poses no apparent nuisance and the Planning Commission deems it appropriate. Approval by the Planning Commission may be granted upon review of additional criteria specified in 1226.06 (a) (5).

(4) Approval of the replat shall be made to the Planning Commission in writing, on a form for that purpose, and shall be filed with the Zoning Administrator at least 20 days before the next regularly scheduled meeting at which it is to be heard. The application must be accompanied by a fee, as established by the Village Council, and such other material the Planning Commission determines is necessary.

(5) Public Notice. When an application has been filed in proper form with the required data, the Zoning Administrator shall cause notice of the time, place and purpose of the hearing to be given, in writing by first class mail, to the applicant(s), to owners of property contiguous to and directly across the street from the property that is the subject of the replat application. The notice shall be given at least seven days in advance of the hearing, noting the request and the property location. The name and address of any property owner on the most recent property record of the Greene County Auditor shall be the address used for public

notification. If the address is unclear or uncertain, the property owner may be notified by legal notice published one time at least seven days in advance of any hearing, listing the address of the property to receive notification.

(c) Upon approval, the replat shall be submitted by the applicant to the Greene County Recorder for incorporation into the Official Tax Map records within 90 days.

The applicant will be held responsible for any negative impact on surrounding lots which becomes apparent within one year from the date of recordation of the plat.

**Amend Chapter 1226.13 Subdivision Fees** ó to add fees for minor subdivisions and replats when Planning Commission approval is required.

(c) Minor Subdivisions. Before approval of any minor subdivision, the developer or his or her agent shall make payment for review services in the amount of fifty dollars (\$50.00) for each new lot created (the residual of the original parcel shall be excluded). If the minor subdivision requires Planning Commission approval, a payment in the amount of one hundred dollars (\$100.00) shall additionally be required.

(d) Replats. Before approval of any replat, the developer or his or her agent shall make payment for review services in the amount of ten ~~twenty five~~ dollars (\$10 ~~25~~.00). If the replat requires Planning Commission approval, a payment in the amount of one hundred dollars (\$100.00) shall additionally be required.

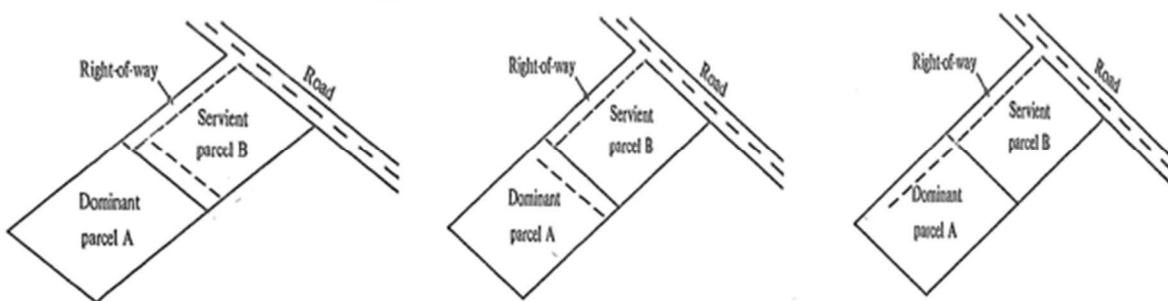
Pelzl OPENED THE PUBLIC HEARING. There being no comment, Pelzl CLOSED THE PUBLIC HEARING.

Donnell MOVED TO APPROVE THE PROPOSED AMENDMENTS TO Chapter 1226 sections 11; 12 and 13 as written. Stiles SECONDED, and the MOTION PASSED 5-0 ON A ROLL CALL VOTE.

**Amend Chapter 1260.03 (b) Parking and Storage** ó making it unlawful to park a mobile home or recreational vehicle on any public street, alley or public place in the Village, except for the expeditious loading and unloading of the vehicle.

Swinger explained the amendment as follows:

(a) On a legally zoned lot, there shall be no more than one driveway, unless the lot is part of a Planned Unit (PUD) or Pocket Neighborhood Development (PND). If the frontage of the lot will be located along an access easement, the access easement shall be recorded on the deed of all properties which are subject to the easement and shall clearly specify the party or parties that shall be responsible for the maintenance of the easement area. An additional curb cut for a second driveway shall only be permitted if the lot frontage exceeds by 15 feet the minimum lot frontage requirement of the respective zoning district. The access easement shall provide lot frontage at least equal to the minimum required lot frontage of that zoning district (see diagram).



The Village of Yellow Springs shall have no responsibility for maintenance of the private drive and/or turn-around.

- (1) All driveways shall be constructed and subsequently maintained to meet the following standards:
  - A. A driveway must commence at a dedicated road
  - B. Shall be a minimum width of 15 feet constructed with a base substantial enough to support vehicles to 40,000 lbs. gross vehicle weight (GVW)
  - C. Curb cuts and driveway aprons must be made of concrete per Village of Yellow Springs Public Works Department standards.
  - D. Residential access driveways shall be at least three feet from side property lines and construction shall ensure that drainage is sloped away from adjacent properties
  - E. Utility easements for storm, sewer, water, electric and gas are to be maintained along the back and side yard property lines as it was in the original subdivision.

F. Free from overhead obstructions to a height of 13 feet 6 inches and side-to-side obstructions to a width of eight (8) feet from the center line of the driveway

G. Any incline, decline, dip, hump and/or curve must take into consideration the turning radius, ground clearance, and traveling envelope of all vehicles to include emergency vehicles

H. Addresses for properties on private drives or road access easements must be clearly marked and visible from the public street

(2) Any driveway in excess of 1,000 feet in length shall, in addition to the conditions/standards outlined in section 1, be required to also meet the following conditions:

A. Have a vehicle pull-off near the mid-point, and additional pull-offs for every 500 feet thereafter

B. Have a turnaround at the end suitable for use by emergency vehicles

(3) Driveway connections crossing drainage swales must conform to Greene County specifications complete with concrete headwalls as called for by Sections 816 and 817 of the Greene County Subdivision Regulations, as amended. Should the driveway require a culvert, pipe or bridge, no zoning permit will be issued until a recommendation is received from the Village of Yellow Springs Public Works Department. It is recommended that a pre-manufactured culvert, pipe or bridge be used. If a custom design is used, then it must be designed by a professional engineer and approved by the Village of Yellow Springs Public Works Department before construction.

(ab) Outdoor Storage. Outdoor storage of merchandise, equipment, supplies, products or other materials shall only be permitted in those districts and under the conditions specifically authorized by this code. Storage of household items in Residential Districts is permitted in the rear yard only and if not in violation of other laws (nuisance, litter and trash).

(bc) Recreational Vehicle Parking. It shall be unlawful for any person to park or cause to be parked any mobile home or recreational vehicle on any street, alley, highway, or other public place in the Village, and to use the same as a dwelling, except for the expeditious loading and unloading of the vehicle. This provision shall not prohibit the temporary occupancy for periods up to 72 hours of a recreational vehicle; provided the recreational vehicle contains sleeping accommodations, is parked on a lot in a Residential District, and is for the use of the owner of that lot or guests of the owner. (cd) Storage and Repair of Vehicles.

(1) The repair, restoration and maintenance of vehicles in any Residential District shall be conducted entirely within an enclosed building, except for those activities that can be and are completed in less than seven days. All such repair shall take place on private property and may not be conducted within the public right-of-way.

(2) It shall be unlawful for the owner, tenant or lessee of any building or lands within the Village to permit the open storage or parking of any inoperable motor vehicle, machinery or equipment, or parts thereof, outside of an enclosed garage or enclosed building, for a period of more than 48 hours. An inoperable motor vehicle for purposes of this subsection shall include motor vehicles which, by reason of dismantling, disrepair or other cause, are incapable of being propelled under their own power, or are unsafe for operation on the streets and highways of this state because of the inability to comply with the State Motor Vehicles and Traffic Code, or do not have a current license and registration, as required for operation by the State Motor Vehicles and Traffic Code.

It shall be unlawful for the owner, tenant or lessee of any lot or building in a Residential District to permit the open storage or parking outside of a building of semi-truck tractors and/or semi-truck trailers, bulldozers, earth carriers, cranes or any other similar equipment or machinery, unless parked for purposes of construction being conducted on that lot.

Kreeger noted that the matter will come to Council as an ordinance, in terms of enforcing the matter of expeditious loading and unloading under the Criminal Code. She noted that some Council members had expressed concern until it was clarified to them that temporarily occupying the RV while parked on private property is a separate matter.

PC discussed the changes.

Pelzl OPENED THE PUBLIC HEARING. There being no comment, Pelzl CLOSED THE PUBLIC HEARING.

Donnell MOVED TO APPROVE THE PROPOSED AMENDMENTS TO Chapter 1260.03(b) as written. Stiles SECONDED, and the MOTION PASSED 5-0 ON A ROLL CALL VOTE.

**Amend Chapter 1260.04 (a) (13) Uses** ~~ó~~ striking driveway setback language from this section of the zoning code.

(1) Residential access driveways shall be at least three feet from side property lines and construction shall ensure that drainage is sloped away from adjacent properties.

(13 14) Private swimming pools and spas. All private swimming pools and spas shall be considered accessory structures and may be constructed in any rear yard not closer than five feet from any property line or building, excluding zoning districts Conservation and I-2 (Industrial) and must meet the following criteria:

Pelzl OPENED THE PUBLIC HEARING. There being no comment, Pelzl CLOSED THE PUBLIC HEARING.

Stiles MOVED TO APPROVE THE PROPOSED AMENDMENTS TO Chapter 1260.04(a) (13) as written. Doden SECONDED, and the MOTION PASSED 5-0 ON A ROLL CALL VOTE.

**Amend Chapter 1260.04 (h) Uses** ó adding clarifying language regarding tiny homes on wheels.

Swinger explained the amendment as follows:

(b) Tiny Home. A structure built on a permanent chassis with or without wheels which must receive a certificate of occupancy from Greene County Building Regulations in order to be used as a dwelling unit or accessory dwelling unit on a single-family zoned lot. Greene County Building Regulations will only issue a certificate of occupancy with proof of the following:

- 1) Built as a manufactured home, proof of certification with a HUD seal is required.
- 2) Built as an industrialized unit, proof of the industrialized home compliance certificate is required.
- 3) Built in another state, proof of their former certificate of occupancy is required.
- 4) Built/constructed in another manner, proof of certification by a registered Ohio design professional.

Pelzl OPENED THE PUBLIC HEARING. There being no comment, Pelzl CLOSED THE PUBLIC HEARING.

Kreeger MOVED TO APPROVE THE PROPOSED AMENDMENTS TO Chapter 1260.04(h) as written. Donnell SECONDED, and the MOTION PASSED 5-0 ON A ROLL CALL VOTE.

#### **OLD BUSINESS**

Donnell commented that he is working on the Comprehensive Plan index.

Donnell noted three resolutions recently passed by Council: approving Stormwater and Electric distribution system studies and an approval of Tecumseh Land Trust's purchase prioritization plan.

Donnell stated that all three of these decisions significantly impact the Comprehensive Plan, and should have received PC input.

Donnell commented that PC would have attached conditions to the TLT plan, as an example, noting that the properties in question lie in two different watersheds.

Donnell expressed concern regarding the three items.

PC discussed how PC involvement could have been triggered, and how to best implement this.

Kreeger suggested that Agenda Planning be the first trigger for pulling PC into the loop.

Donnell pointed out the PC is a state-mandated entity, and that inclusion in parts of Council's process is important.

Swinger noted Future Agenda Items; Agenda Planning and Agenda Planning as the three means to assure that PC is being included appropriately.

The clerk suggested the possibility of a subcommittee that could keep an eye on the "trigger points" and weigh in with the Village Manager as needed.

#### **AGENDA PLANNING**

Glass Farm/Kinney Property

October 8: Conditional Use Hearing.

October 18: Work Session (1-3) re: Home, Inc. Proposal for PUD/Senior Housing

November 12: Public Hearing re: Site Plan for Home, Inc. PUD/Senior Housing

**ADJOURNMENT**

At 9:49pm, Pelzl MOVED and Donnell SECONDED a MOTION TO ADJOURN. The MOTION PASSED 5-0 ON A VOICE VOTE.

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Rose Pelzl, Chair

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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.*