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CHAPTER 157
Planning Boards and Commissions

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CROSS REFERENCES

- City Planning Commissions - see Ohio R.C. Ch. 713
 - Zoning regulations - see Part Eleven - Zoning Code
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157.01 CREATION; MEMBERSHIP; TERM; VACANCY.

(a) There is hereby created and established a Planning Commission for the City, which shall be known as the City Planning Board, and which shall consist of nine members. Each of the members shall serve for a period of three years and shall be appointed by the Mayor with the consent and approval of the City Commission. Notwithstanding the foregoing, the members of the Planning Board as of October 9,

1990, shall be established by an ordinance enacted by the City Commission. No member shall serve more than three consecutive terms. After a member has served during three consecutive terms he shall be ineligible for reappointment to the Planning Board until one year has expired since his last date of service on the Board.

(b) Any vacancy on the Planning Board shall be filled as in the case of the original appointment, as set forth herein, for the unexpired term of the member whose vacancy is so filled.

(c) All members of the Planning Board shall serve without compensation and shall be subject to removal from office by a majority vote of the City Commission.

(d) The City Commission shall appoint at least one of its members as an advisory, nonvoting member of the Planning Board. This City Commission member shall not be counted as one of the nine members of the Board.

(e) Persons eligible for service on the Planning Board shall meet the following qualifications:

- (1) Persons serving on another City board or commission shall not be eligible to serve on the Planning Board; provided, however, one member may serve on both the City Planning Board and the Board of Zoning Appeals and members of the City Planning Board may serve on Regional Planning Commissions for which the City Planning Board was a creating party.
- (2) Persons serving on the Planning Board shall be electors of the City.
- (3) Persons who are members of a City employee's family, as defined in Section 111.04, or elected public officials shall not be eligible to serve on the Planning Board.
(Ord. 12-110. Passed 4-10-12.)
- (4) Except as otherwise provided herein, if any member of the Planning Board fails to meet any of the qualifications stated in subsections (e)(1) and (2) hereof, his office shall immediately become vacant.
- (5) The City Commission, by ordinance and upon finding that the particular expertise of a potential appointee or member is needed on the Planning Board, may waive any or all of the requirements of subsections (e)(1) and (2) hereof, for such appointee or member.

(f) If any board member is absent from three of any six consecutive regularly scheduled meetings, or if such member is unwilling or unable to attend a regularly scheduled prearranged discussion of the public business of his board which fails to qualify as a "meeting" for lack of quorum, his office shall immediately become vacant. Such member shall have the opportunity to explain his absence to the City Commission and may be reappointed by a majority vote of the City Commission to complete the balance of his term.

(g) The Planning Board, constituted as hereinbefore provided, shall exercise

authority and jurisdiction in all matters pending before the Planning Board existing prior to the effective date of this section.

(Ord. 02-350. Passed 9-3-02.)

157.02 OFFICERS; MEETINGS; PROCEDURE; RECORDS.

(a) The City Planning Board shall elect from its membership a chairperson and such other officers as it may deem necessary. No chairperson shall serve more than three years during a period of nine consecutive years. The term "year" means twelve consecutive months. The Board shall adopt rules and regulations consistent with law and ordinance. Meetings of the Board shall be held once each month, and at such additional times as the Board may determine; provided, however, the chairperson may cancel a meeting if no member has proposed business to be conducted at the meeting. The time of regular meetings shall be specified in the rules and regulations of the Board. Special meetings shall be called by the chairperson. There shall be a fixed place of meeting.

(b) The Planning Board shall keep minutes of its proceedings, showing the action of the Board and the vote of each member upon each question or, if absent or failing to vote, indicating such fact, and shall keep records of its official action, all of which shall be filed promptly in the Community Development Department. The presence of five members shall constitute a quorum. The Board shall act by resolution and a copy of each resolution duly adopted shall be filed in the office of the Clerk of the City Commission.

(Ord. 02-350. Passed 9-3-02.)

157.03 ASSISTANCE TO THE CITY PLANNING BOARD.

It shall be the duty of the Director of Community Development to furnish the City Planning Board and any Regional Planning Commission formed by the Planning Board with such plats, plans, drawings and other data as it may require, and to furnish to such Board or Regional Planning Commission such engineering assistance as the City Manager may approve. All other officers and employees of the City shall render to the City Planning Board or Regional Planning Commission such assistance as the City Commission may from time to time direct.

(Ord. 02-350. Passed 9-3-02.)

157.04 POWERS AND DUTIES.

Except as otherwise provided in this chapter, the powers and duties of the City Planning Board shall include the following:

(a) To make or cause to be made plans and maps of the whole or any portion of the City, which plans and maps shall show the Board's recommendations for the general location, character, extent, design, removal, relocation, widening or extension of streets, alleys, ways, street fixtures, viaducts, bridges, parks, parkways, boulevards, parking areas, playgrounds, monuments, memorials, public works and improvements; and to make such changes and enlargements in, and amendments and additions to, such plans and maps as are deemed advisable;

- (b) To act and perform the functions and duties of a platting commission or a platting commissioner for the City, in the manner permitted in Ohio R.C. 713.03 and 735.17;
- (c) To perform all the powers and duties permitted to be performed by a director of public service, as specified in Ohio R.C. 735.15, relating to the location of public buildings, Municipal and County, within the City, and the plans and specifications thereof;
- (d) To perform all the duties and functions required of a planning commission under Ohio R.C. 711.09, relating to major streets, thoroughfares, parks and subdivisions within the City;
- (e) To do and perform all duties, functions and things authorized by municipal planning commissions to be done and performed under the provisions of Ohio R.C. 713.01 to 713.05, inclusive, as the same now provides or hereafter may be amended, save those acts, duties and functions herein excepted, reserved or prohibited, and save as such provisions may be in conflict with this chapter, or the Charter or other ordinances of the City;
- (f) To coordinate all its activities to the extent that the same are relevant or pertain to the duties, power and authority of the Board of Adjustment and the Board of Park Trustees of the City and the County Commissioners of Clark County, or any planning or zoning authority now or hereafter created or established by the County Commissioners; and
- (g) To provide by contract with boards of township trustees and the Board of County Commissioners of Clark County, Ohio, for the establishment of one or more a Regional Planning Commissions pursuant to Ohio R.C. 713.21 et seq., as the same now provides or may hereafter be amended. The City Planning Board may, by means of the contract by which the City Planning Board participates in the creation of a Regional Planning Commission to have jurisdiction within the corporate boundaries of the City, transfer or delegate to such Regional Planning Commission the functions, powers, and duties of the City Planning Board, but only to the extent such functions, powers, and duties pertain to the territory within the City over which the Regional Planning Commission shall have jurisdiction.
- (h) The regulatory jurisdiction of the City Planning Board is limited to the corporate boundaries of the City.
(Ord. 02-350. Passed 9-3-02.)

157.05 CONFLICTS WITH ZONING CODE.

It is expressly provided, however, that nothing contained in this chapter shall be construed as to:

- (a) Repeal, modify, limit or affect the provisions of the Zoning Code, as heretofore or hereafter amended, relating to the zoning of the City, or limit or affect the powers and responsibilities of the Board of Adjustment created by such Code; and in the event of any conflict between the provisions of this chapter and those of such Zoning Code, the latter shall prevail;
- (b) Authorize the City Planning Board to incur or impose any indebtedness or

obligation against the City without the advance authority and approval of the City Commission; or

- (c) Limit or prevent the City Commission from overruling, in whole or in part, modifying or amending any plan, map, recommendation or proceeding of the Board or a Regional Planning Commission in the manner and to the extent set forth in Ohio R.C. 713.02, as the same provides or hereafter may be amended.
(Ord. 02-350. Passed 9-3-02.)

157.06 REGIONAL PLANNING COMMISSION POWERS AND DUTIES.

Should the City Planning Board transfer or delegate its functions, powers, and duties to a Regional Planning Commission, as provided for in Subsection 157.04(g) of this Chapter, such Regional Planning Commission shall be clothed with the following municipal powers and duties which shall be operative within that portion of the Regional Planning Commission's territory included within the corporate boundaries of the City:

- (a) To make or cause to be made plans and maps of the whole or any portion of the City included within the Regional Planning Commission's territory, which plans and maps shall show the Regional Planning Commission's recommendations for the general location, character, extent, design, removal, relocation, widening or extension of streets, alleys, ways, street fixtures, viaducts, bridges, parks, parkways, boulevards, parking areas, playgrounds, monuments, memorials, public works and improvements; and to make such changes and enlargements in, and amendments and additions to, such plans and maps as are deemed advisable;
- (b) To act and perform the functions and duties of a platting commission or a platting commissioner for those portions of the City included within the Regional Planning Commission's territory, in the manner permitted in Ohio R.C. 713.03 and 735.17;
- (c) To perform all the powers and duties permitted to be performed by a director of public service, as specified in Ohio R.C. 735.15, relating to the location of public buildings, Municipal and County, within those portions of the City included within the Regional Planning Commission's territory, and the plans and specifications thereof;
- (d) To perform all the duties and functions required of a planning commission under Ohio R.C. 711.09, relating to major streets, thoroughfares, parks and subdivisions within those portions of the City included within the Regional Planning Commission's territory;
- (e) As pertaining to that portion of the City included within the Regional Planning Commission's territory, to do and perform all duties, functions and things authorized by municipal planning commissions to be done and performed under the provisions of Ohio R.C. 713.01 to 713.05, inclusive, as the same now provides or hereafter may be amended, save those acts, duties and functions herein excepted, reserved or prohibited, and save as such provisions may be in conflict with this chapter, or the Charter or other ordinances of the City; and,

- (f) As pertaining to that portion of the City included within the Regional Planning Commission's territory, to coordinate all its activities to the extent that the same are relevant or pertain to the duties, power and authority of the Board of Adjustment and the Board of Park Trustees of the City and the County Commissioners of Clark County, or any planning or zoning authority now or hereafter created or established by the County Commissioners.

The said Regional Planning Commission shall exercise the powers and duties transferred or delegated to it pursuant to this Section and Subsection 157.04(g) so as to implement the municipal planning and platting policy objectives described in Section 157.07 of this Chapter.

(Ord. 02-350. Passed 9-3-02.)

157.07 MUNICIPAL PLANNING AND PLATTING POLICY OBJECTIVES.

With respect to planning and platting in the City, it is the policy of the City to:

- (a) Protect the public health, safety morals and general welfare,
- (b) Maintain and enhance property values in the Springfield community,
- (c) Stabilize neighborhoods,
- (d) Promote orderly development to optimize the quality of life for the City's residents, facilitate the creation and preservation of employment opportunities and enhance the economic prosperity of the Springfield community,
- (e) Control population density to preserve the benefits of light and air to Springfield residents and to avert the deleterious effects of urban congestion,
- (f) Encourage the development of affordable housing,
- (g) Not unnecessarily burden the free and peaceful practice of religion in the Springfield community,
- (h) Minimize adverse impacts on neighboring lands near the City's boundaries and to preserve the spirit of cooperation among political subdivisions participating in Cooperative Economic Development Agreements, Joint Economic Development Districts and similar inter-governmental cooperation arrangements involving the City,
- (i) Conserve agricultural land most suitable for agricultural uses to preserve its economic, environmental and aesthetic benefits for the Springfield community,
- (j) Focus growth and development in appropriate areas which balance environmental, economic and infrastructure considerations,
- (k) Protect and conserve water, land and air resources and mitigate conflicting land uses that may harm environmental quality,
- (l) Provide for and protect open space and park and recreational systems to ensure accessibility for all Springfield residents,
- (m) Provide for the coordination of public thoroughfares and for effective and safe traffic flow and avoidance of traffic congestion in the Springfield community,
- (o) Provide for and facilitate a multi-modal transportation system with

- sensitivity to land use relationships, and
- (p) Provide space for adequate energy delivery infrastructure, communications infrastructure and public water, wastewater and drainage infrastructure and to promote development where such infrastructure has been provided for.

The Planning Board and Regional Planning Commissions provided for in this Chapter shall exercise their powers so as to implement the foregoing City policy concerning planning and platting matters.

(Ord. 02-350. Passed 9-3-02.)