



## Meetings of the Delaware County Regional Planning Commission

### Establishment

#### **ORC 713.21**

*(A) The planning commission of any municipal corporation..., board of township trustees, and the board of county commissioners...may cooperate in the creation of a regional planning commission, for any region defined as agreed upon by the planning commissions...*

*(B) The regional planning commission may accept, receive, and expend funds, grants, and services from the federal government or its agencies; from departments, agencies, and instrumentalities of this state or any adjoining state...*

*(C) The regional planning commission may establish committees with the powers it finds necessary to carry on its work, including an executive committee to make final determinations, decisions, findings, recommendations, and orders as provided in the commission's rules...*

*(D) The regional planning commission may make agreements with other public or private agencies for the temporary transfer or joint use of staff employees, and may contract for professional or consultant services for or from other governmental and private agencies and persons.*

#### **ORC 713.23(A&B)**

*"make studies, maps, plans, recommendations and reports concerning the physical, environmental, social, economic, and governmental characteristics, functions, services, and other aspects of the region or county, respectively...reports on goals, objectives, opportunities, and needs, and standards, priorities, and policies to realize such goals and objectives; economic and social conditions; the general pattern and intensity of land use and open space; the general land, water, and air transportation systems, and utility and communication systems; general locations and extent of areas for conservation and development of natural resources and the control of the environment; etc."*

### How Often?

The Delaware County Regional Planning Commission meetings are held monthly, usually on the 4<sup>th</sup> Thursday of the month, unless a holiday causes the meeting to be moved back to the previous Thursday. There may be some variation from this due to scheduling conflicts or availability of the meeting room. The meeting schedule is prepared and distributed in the fall for the next year.

### Where?

Meetings are held at the Frank B. Willis Building (unless otherwise announced in advance) located at 2079 U.S. 23 North, Delaware, Ohio 43015. The meetings usually take place in one or both of the meeting rooms. Alternate location is the County Commissioners building.

### What to Expect at the Meetings:

Upon arrival, the representative or alternate should find their name plate and take a seat at the tables. Agendas and plans will be placed on the tables. There is no assigned seating arrangement at the tables, except that the Chair and Regional Planning staff are seated generally at the front, facing the Commission.

The Chair presides over the meeting. At 6:30 p.m. the meeting is called to order and roll call is taken. When a representative's name is called, he or she need simply answer "present". A designated alternate attending in place of the representative should state his/her name and whose place they are taking at that meeting. (Members arriving after roll call are added to the list of those present.)

A quorum must be present before the Commission can proceed with regular business. This is a simple majority of the current active members.

Following any Administrative Business, the next agenda items are Variances, Rezoning, then Preliminary and Final Subdivision Applications. For these, staff will have prepared written reviews, which appear in the agenda with a summary of important points presented orally to the Commission. The applicants and/or consultants, attorneys, etc. are given the opportunity to comment on the staff reports and recommendations and to provide additional information. The audience is given an opportunity to comment or ask questions. (Generally, they will raise their hands to be recognized by the Chair.) Commission members are given time to comment, ask questions, and discuss any relevant issues for each application. Then a motion may be made and, if seconded, a vote is taken:

### **Rezoning:**

#### ***ORC 519.12 (townships) and 307 (county)***

*(E) Within five days after the adoption of the motion described in division (A) [which is a motion to rezone an area of the zoning map] the zoning commission shall transmit a copy of it together with text and map pertaining to it to the ... regional planning commission.*

*The regional planning commission shall recommend the approval or denial of the proposed amendment or the approval of some modification of it and shall submit its recommendation to the zoning commission.*

*The recommendation shall be considered at the public hearing held by the zoning commission on the proposed amendment.*

- During the meeting, staff presents a report and graphics, as well as a recommendation to the Commission.
- The deadline for zoning applications is the Monday one week prior to the RPC meeting so there is little time to distribute any information prior to the meeting.
- The DCRPC only has the authority to make a recommendation to the township zoning commission, such as a recommended approval or denial of the rezoning request, or a variation of such.
- Recommendations are worded "to the RPC, the Township Zoning Commission, and the Township Trustees."
- Staff forwards the relevant page(s) of the minutes to the relevant township a few days after the RPC meeting when the minutes have been created and checked by staff. Graphics are also available.

**Variances, Subdivision Applications, Extension Requests, any other voted issues:**

**ORC 711.001(B)(1):** *The division of any parcel...[lot splits – administrative]*

**ORC 711.001(B):** *adjacent property exemption*

**ORC 711.001(B)(2):** *The improvement of one or more parcels of land for residential, commercial, or industrial structures or groups of structures involving the division or allocation of land for the opening, widening, or extension of any public or private street or streets, except private streets serving industrial structures, or involving the division or allocation of land as open spaces for common use by owners, occupants, or leaseholders or as easements for the extension and maintenance of public or private sewer, water, storm drainage, or other similar facilities. [subdivision plats]*

**ORC 711.05(B):** *to secure and provide for the coordination of the streets within the subdivision with existing streets and roads or with existing county highways, for the proper amount of open spaces for traffic, circulation, and utilities, and for the avoidance of future congestion of population detrimental to the public health, safety, or welfare...*

**ORC 711.131:** *(A) when there is a major street plan, no subdivision will be recorded unless it is approved by the RPC. (B) Preliminary Plan may be required – decision within 30 days. (C) After submission of plat, within 5 days, notice to fiscal officer within the township. Meeting shall take place within 30 days of submission.*

Commission will vote 1. To approve, subject to staff comments and recommendations; 2. To approve, subject to staff comments and recommendations and additional conditions (specifically stated at this time by the person making the motion); 3. A variation on any of these motions; or 4. To deny approval in accordance with staff comment and recommendations;

- Before Preliminary Plans reach the RPC meeting, staff has reviewed them for completeness and hosted a Technical Review Committee meeting where deficiencies (if any) were noted by relevant agencies and the township. These changes were reflected in an amended plan that was received by RPC staff on the Monday prior to the meeting.
- Staff creates a graphic and a description of the project, as well as pointing out any remaining deficiencies, which may become conditions for approval.
- After a vote of approval, applicants may proceed through the Final Engineering phase and start construction.
- Before Final Plats reach the RPC meeting, the plat has been reviewed by the county agencies and signed. Staff has reviewed them prior to receipt, as well as during the month when they're on the agenda.

**Meetings, General:**

Members of the Commission are not required to raise their hands and be recognized in order to speak. However, as in any meeting, consideration and courtesy are observed.

After all Variances, Rezoning, and Subdivisions are considered, "Other Business" is taken care of. This may include approval of appropriations for specific expenditures, which, according to the DCRPC By-Laws, must be voted on by the RPC if over \$1,000. Any other business not specifically listed earlier in the agenda may be handled here. In October of each year, the Commission receives a draft of the budget and discusses broad scope and funding formula with adoption/approval of the budget in November.

The meeting is formally adjourned by motion when business is complete. The date of the next meeting is announced.

**How to Become an RPC Representative or Alternate:**

These positions are appointed by the governing bodies of each member jurisdiction. If interested in serving in this capacity, contact a local official. If your term ends for any reason, please have the Fiscal Officer notify the RPC office and provide the name of the replacement as soon as possible.

The By-Laws stipulate that township appointments commence on March 1 for terms lasting three years. This allows time for the township to hold its organizational meeting at the beginning of the calendar year before appointing a representative. The By-Laws do not limit the reappointment of representatives or alternates.

**Attendance at the Meetings:**

Attendance and representation of each member jurisdiction is important. There may be times that a quorum is not present when roll call is taken. If this happens, the meeting could be recessed for a brief period while additional representatives are contacted, or it could be rescheduled for another date. The notification of each meeting will come to you in the form of a Preliminary Agenda, which is mailed 5 to 10 days prior to each meeting. The RPC office staff is not responsible to contact each representative or alternate independently to confirm attendance. It is the responsibility of the representative or alternate to make sure the jurisdiction is represented at each meeting.

The RPC By-Laws require that the office send a letter of notification to the Fiscal Officer of each jurisdiction which has not been represented at three consecutive meetings. A copy is sent to the representative, alternate, and Trustee Chairperson.

**Special Meetings:**

Occasionally the need arises for a special meeting to be held. In this case, a “Notice of Special Meeting” will be sent to the membership 10 days before the scheduled meeting date, as required in the By-Laws.

**Conflicts of Interest:**

Each representative or alternate is responsible for determining whether involvement with a certain case represents a conflict of interest. Since the RPC makes only a recommendation for Rezoning, the comments made do not reflect a legally-binding decision. However, comments made or votes placed by members who may otherwise hear the case at another time, as Township Zoning Commission members or Township Trustees, should consider abstaining from discussions and voting. Even if abstaining, representatives may state the position of their community.

Discussions and votes on Subdivision cases are less likely to cause conflicts of interest as they are generally a judgment of whether the application meets the standards set forth in the RPC’s *Subdivision Regulations*. However, if an individual could personally or professionally benefit from the approval or denial of a case, he or she should consider whether it is appropriate to be involved in the decision. Please consult legal representation for more specific guidance.

### **How the RPC (staff) Communicates with the Commission, Other Agencies, and Applicants:**

The Ohio Revised Code defines the way in which staff provides notice for major subdivision applications. The following is a summary of the staff's monthly activity:

Notification / Mailing procedures:

1. **Day after the deadline:** site review/sketch plan information sent (county agencies and specific township);
2. **Within 5 days after the deadline:** meeting notice sent to Township Fiscal officers;
3. **Within 5 days after the deadline:** plans mailed to County Engineer, County Engineer Drainage Program, County Sanitary Engineer, Delaware Health District, Code Compliance, Soil & Water Conservation District, Appropriate Township Zoning Officer and Fire Chief, ODOT, School District Representative, Map Department, Utility Companies: Del-Co Water, Columbia Gas, Suburban Natural Gas, Consolidated Electric, Ohio Edison, American Electric, Verizon Telephone;
4. **Within 5 days after the deadline:** applicants are mailed a meeting notice;
5. **10 days prior to RPC meeting:** preliminary agenda and previous month's meeting minutes sent to full mailing list;
6. **By Tuesday before the RPC meeting:** revised plans delivered by the applicant/engineer to County offices (Engineer, Sanitary, Health District, Building Department);
7. **Within 3 days after the RPC meeting:** zoning letters with meeting minutes sent to Township Fiscal officers, Township Zoning Officers, Township Zoning Clerks, and applicants;
8. **Within 5 days after RPC meeting:** applicants sent meeting minutes.

In addition, the staff keeps the website as current as possible by posting the agenda shortly after the deadline and updating them with staff reports when they have been completed by staff. The complete minutes of the meeting are posted during the week following each meeting.

Please note that rezoning cases are added to the agenda as they are received from townships. Some cases may not appear on the preliminary agenda that is noted above.

### **Contact Information**

Keeping your contact information current with the RPC staff is important. Please be sure to let us know whenever your **address** and **phone** numbers change. Staff also needs a current **e-mail address** in case we need to contact you quickly.