

**City of Fairfield**  
**Minutes**  
**Regular Meeting of City Council**  
**November 28, 2022**

**Council-Manager Briefing**

Planning & Zoning Code Update

Vice Mayor Meyers called the briefing to order at 6:00 PM. Councilmembers present: Leslie Besl, Dale Paullus, Terry Senger, Adam Kraft, Tim Meyers, Matt Davidson and Gwen Brill. Mayor Rhodus also present.

Staff members present: Scott Timmer, Greg Kathman, Erin Lynn, Steve Wolterman, Alisha Wilson, Laurie Murphy, Nick Dill, Steve Maynard, Carol Mayhall, Chris Hacker, Adam Sackenheim and Tom Wagner.

Development Services Director Kathman and Planning Manager Lynn presented the Planning & Zoning Code Update. See attached slides.

**Business Meeting Call to Order**

**Prayer/Pledge of Allegiance**

Councilmember Davidson led in prayer and Pledge of Allegiance.

**Roll Call**

Councilmembers present included:

| Attendee Name | Title                   | Status  | Arrived |
|---------------|-------------------------|---------|---------|
| Tim Meyers    | Councilmember, At-Large | Present |         |
| Matt Davidson | Councilmember, At-Large | Present |         |
| Gwen Brill    | Councilmember, At-Large | Present |         |
| Leslie Besl   | Councilmember, 1st Ward | Present |         |
| Dale Paullus  | Councilmember, 2nd Ward | Present |         |
| Terry Senger  | Councilmember, 3rd Ward | Present |         |
| Adam Kraft    | Councilmember, 4th Ward | Present |         |
| Mitch Rhodus  | Mayor                   | Present |         |

**Agenda Modifications**

None.

**Executive Session Requests**

Councilmember Besl, seconded by Councilmember Paullus, moved for Executive Session to discuss the status of collective bargaining with public employees regarding their wages, benefits and other terms and conditions of their employment. Roll call vote. Motion carried 7-0.

### **Special Presentations**

None.

### **Citizen Comments**

None.

### **Public Hearing(s)**

None.

### **Approval of Minutes**

Councilmember Meyers, seconded by Councilmember Brill, moved to amend the minutes of the November 14, 2022 meeting to reflect that Councilmember Davidson recused himself from the vote on the legislation for indigent legal representation. Motion carried 7-0.

## **OLD BUSINESS AND REPORTS**

### **Community & Public Relations**

*Councilmember Leslie Besl*

### **Development Services**

*Councilmember Matt Davidson*

### **Parks, Recreation and Environment**

*Councilmember Gwen Brill*

### **Public Safety**

*Councilmember Dale Paullus*

Discussion of response to petition to Council regarding coyotes

Councilmember Paullus, seconded by Councilmember Brill, moved to approve the draft letter in response to the petition regarding coyotes in the city and direct that it be sent to Mrs. Jarvis. Motion carried 7-0.

### **Public Utilities**

*Councilmember Adam Kraft*

### **Public Works**

*Councilmember Terry Senger*

### **Finance & Budget**

*Councilmember Tim Meyers*

## NEW BUSINESS

**Councilmember Besl, seconded by Councilmember Davidson, moved to read all New Business by title only. Motion carried 7-0.**

### **Parks, Recreation and Environment**

*Councilmember Gwen Brill*

#### Motion to Suspend Second and Third Readings

Councilmember Brill presented the first reading of this ordinance.

|                  |                                                       |
|------------------|-------------------------------------------------------|
| <b>RESULT:</b>   | <b>CARRIED [UNANIMOUS]</b>                            |
| <b>MOVER:</b>    | Gwen Brill, Councilmember, At-Large                   |
| <b>SECONDER:</b> | Matt Davidson, Councilmember, At-Large                |
| <b>AYES:</b>     | Meyers, Davidson, Brill, Besl, Paullus, Senger, Kraft |

Ordinance to authorize the City Manager to execute a Contract Addendum with SwimSafe Pool Management, Inc. for the services provided in relation to the comprehensive risk management and operations of the City of Fairfield Municipal Pool and declaring an emergency

ORDINANCE NO. 148-22. APPROVED 7-0.

|                  |                                                       |
|------------------|-------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                            |
| <b>MOVER:</b>    | Gwen Brill, Councilmember, At-Large                   |
| <b>SECONDER:</b> | Leslie Besl, Councilmember, 1st Ward                  |
| <b>AYES:</b>     | Meyers, Davidson, Brill, Besl, Paullus, Senger, Kraft |

#### Motion to Suspend Second and Third Readings

Councilmember Brill presented the first reading of this ordinance.

|                  |                                                       |
|------------------|-------------------------------------------------------|
| <b>RESULT:</b>   | <b>CARRIED [UNANIMOUS]</b>                            |
| <b>MOVER:</b>    | Gwen Brill, Councilmember, At-Large                   |
| <b>SECONDER:</b> | Matt Davidson, Councilmember, At-Large                |
| <b>AYES:</b>     | Meyers, Davidson, Brill, Besl, Paullus, Senger, Kraft |

Ordinance to authorize the City Manager to enter into an agreement with the MetroParks of Butler County for the in-kind partnership for nature programming and declaring an emergency

ORDINANCE NO. 149-22. APPROVED 7-0.

|                  |                                                       |
|------------------|-------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                            |
| <b>MOVER:</b>    | Gwen Brill, Councilmember, At-Large                   |
| <b>SECONDER:</b> | Dale Paullus, Councilmember, 2nd Ward                 |
| <b>AYES:</b>     | Meyers, Davidson, Brill, Besl, Paullus, Senger, Kraft |

### **Public Utilities**

*Councilmember Adam Kraft*

#### Motion to Suspend Second and Third Readings

Councilmember Kraft presented the first reading of this ordinance.

|                  |                                                       |
|------------------|-------------------------------------------------------|
| <b>RESULT:</b>   | <b>CARRIED [UNANIMOUS]</b>                            |
| <b>MOVER:</b>    | Adam Kraft, Councilmember, 4th Ward                   |
| <b>SECONDER:</b> | Matt Davidson, Councilmember, At-Large                |
| <b>AYES:</b>     | Meyers, Davidson, Brill, Besl, Paullus, Senger, Kraft |

Ordinance to authorize the City Manager to enter into a contract with Moody's of Dayton Inc. for the installation of a new raw water supply well at the City's Water Treatment Plant and declaring an emergency.

**Recommendation:**

It is recommended that City Council authorize the City Manager to enter into a contract with Moody's of Dayton Inc. and appropriate funding in the amount of \$435,600.00 for the installation of a new raw water supply well at the City's Water Treatment Plant. Rules suspension is requested in order to expedite the project.

ORDINANCE NO. 150-22. APPROVED 7-0.

|                  |                                                       |
|------------------|-------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                            |
| <b>MOVER:</b>    | Adam Kraft, Councilmember, 4th Ward                   |
| <b>SECONDER:</b> | Dale Paullus, Councilmember, 2nd Ward                 |
| <b>AYES:</b>     | Meyers, Davidson, Brill, Besl, Paullus, Senger, Kraft |

**Finance & Budget**

*Councilmember Tim Meyers*

Motion to Suspend Second and Third Readings

Councilmember Meyers presented the first reading of this ordinance.

|                  |                                                       |
|------------------|-------------------------------------------------------|
| <b>RESULT:</b>   | <b>CARRIED [UNANIMOUS]</b>                            |
| <b>MOVER:</b>    | Tim Meyers, Councilmember, At-Large                   |
| <b>SECONDER:</b> | Dale Paullus, Councilmember, 2nd Ward                 |
| <b>AYES:</b>     | Meyers, Davidson, Brill, Besl, Paullus, Senger, Kraft |

Ordinance to amend Ordinance No. 148-21 entitled "An Ordinance to make estimated appropriations for the expenses and other expenditures of the City of Fairfield, Ohio, during a period beginning January 1, 2022, and ending December 31, 2022." - Supplemental Appropriation

**Recommendation:**

It is recommended that City Council authorize and direct the preparation of legislation amending the annual operating budget for 2022.

ORDINANCE NO. 151-22. APPROVED 7-0.

|                  |                                                       |
|------------------|-------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                            |
| <b>MOVER:</b>    | Tim Meyers, Councilmember, At-Large                   |
| <b>SECONDER:</b> | Dale Paullus, Councilmember, 2nd Ward                 |
| <b>AYES:</b>     | Meyers, Davidson, Brill, Besl, Paullus, Senger, Kraft |

Motion to Suspend Second and Third Readings

Councilmember Meyers presented the first reading of this ordinance.

|                  |                                                       |
|------------------|-------------------------------------------------------|
| <b>RESULT:</b>   | <b>CARRIED [UNANIMOUS]</b>                            |
| <b>MOVER:</b>    | Tim Meyers, Councilmember, At-Large                   |
| <b>SECONDER:</b> | Matt Davidson, Councilmember, At-Large                |
| <b>AYES:</b>     | Meyers, Davidson, Brill, Besl, Paullus, Senger, Kraft |

Ordinance to amend Ordinance No. 148-21 entitled “An Ordinance to make estimated appropriations for the expenses and other expenditures of the City of Fairfield, Ohio, during a period beginning January 1, 2022, and ending December 31, 2022.”

**Recommendation:**

It is recommended that City Council suspend the rules requiring a second and third reading of this Ordinance and adopt the appropriations listed above.

ORDINANCE NO. 152-22. APPROVED 7-0.

|                  |                                                       |
|------------------|-------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                            |
| <b>MOVER:</b>    | Tim Meyers, Councilmember, At-Large                   |
| <b>SECONDER:</b> | Adam Kraft, Councilmember, 4th Ward                   |
| <b>AYES:</b>     | Meyers, Davidson, Brill, Besl, Paullus, Senger, Kraft |

Motion to Suspend Second and Third Readings

Councilmember Meyers presented the first reading of this ordinance.

|                  |                                                       |
|------------------|-------------------------------------------------------|
| <b>RESULT:</b>   | <b>CARRIED [UNANIMOUS]</b>                            |
| <b>MOVER:</b>    | Tim Meyers, Councilmember, At-Large                   |
| <b>SECONDER:</b> | Matt Davidson, Councilmember, At-Large                |
| <b>AYES:</b>     | Meyers, Davidson, Brill, Besl, Paullus, Senger, Kraft |

Ordinance to amend Ordinance No. 148-21 entitled “An Ordinance to make estimated appropriations for the expenses and other expenditures of the City of Fairfield, Ohio, during a period beginning January 1, 2022, and ending December 31, 2022.”

**Recommendation:**

It is recommended that City Council suspend the rules requiring a second and third reading of this Ordinance and adopt the appropriations listed above.

ORDINANCE NO. 153-22. APPROVED 7-0.

|                  |                                                       |
|------------------|-------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                            |
| <b>MOVER:</b>    | Tim Meyers, Councilmember, At-Large                   |
| <b>SECONDER:</b> | Dale Paullus, Councilmember, 2nd Ward                 |
| <b>AYES:</b>     | Meyers, Davidson, Brill, Besl, Paullus, Senger, Kraft |

### **Meeting Schedule**

Clerk Wilson read the following meeting schedule:

- A. Monday, December 5 - Council-Manager Briefing, 6:00 PM; Regular Meeting 7:00 PM
- B. Monday, December 12 - Regular Meeting 7:00 PM
- C. Monday, January 9 - Council-Manager Briefing, 6:00 PM; Regular Meeting 7:00 PM

### **Executive Session of Council (if needed)**

Council recessed to Executive Session at 7:25 PM.

### **15. ADJOURNMENT**

The Regular Meeting adjourned at 8:00 PM.

ATTEST:

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Mayor's Approval

Date Approved\_\_\_\_\_

# Planning and Zoning Code Update

Council-Manager Briefing  
November 28, 2022





## Recommendations

- Enhanced landscaping and buffering standards
- Revise parking regs to prevent excessive parking lots
- Address sign height and sign clutter
- Greater design standards
- Encourage new developments to incorporate public gathering places or pocket parks



# Update Process

## What have we done?

1. Project Initiation
2. Code Diagnosis and Outline
3. Drafting of the Regulations
  - a) Module 1: Zoning Districts and Uses
  - b) Module 2: Development and Design Standards
  - c) Module 3: Subdivision Standards
  - d) Module 4: Administration, General Provisions, Review Procedures, and Definitions
4. Adoption and Final Production

# Project Initiation

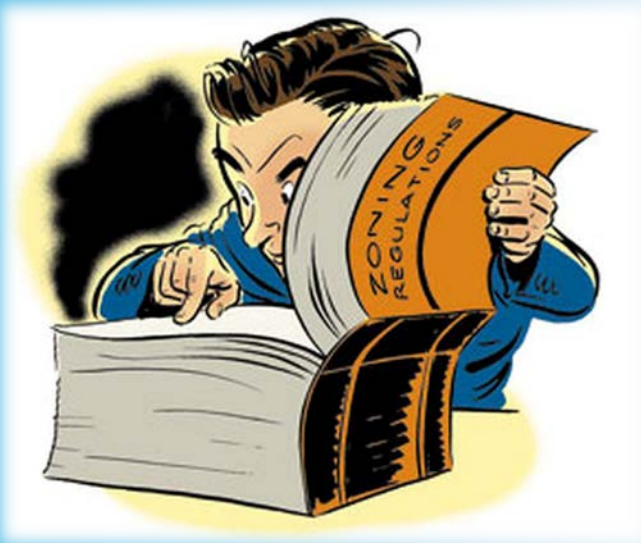
- Work Sessions with Consultant
- Advisory Committee Meeting
- Board of Zoning Appeals (BZA)
- Planning Commission



# Code Diagnosis & Outline

Detailed documentation of the strengths and weaknesses of the current City of Fairfield Planning and Zoning Code

- *Analysis of the Current Regulations*
- *Proposed Code Outline*



# Advisory Committee



- Matt Davidson – City Council & Planning Commission
- Steve DeSalvo – Design Review Committee
- Don Hassler – Planning Commission
- Scott Lepsky- Planning Commission & BZA
- Missy O’Brien – Planning Commission
- Dale Paullus – City Council
- Kert Radel – Fairfield Chamber
- Tony Rawe – BZA
- Erin Simons – BZA
- Terry White – Fairfield Forward Committee
- Bill Woeste – Resident
- Steve Wolterman – Law Department
- Staff: Greg Kathman, Nathaniel Kaelin, Erin Lynn, Lee Rosato

# Review of Modules 1 & 2

1. Project Initiation
2. Code Diagnosis and Outline
3. Drafting of the Regulations
  - a) Module 1: Zoning Districts and Uses
  - b) Module 2: Development and Design Standards
  - c) Module 3: Subdivision Standards
  - d) Module 4: Administration, General Provisions, Review Procedures, and Definitions
4. Adoption and Final Production



# Use Table

The proposed code has incorporated a use table to make finding what uses are permitted in what district easier for staff and the public.

existing

1149.01 PRINCIPAL PERMITTED USES.

No building, structure or land shall be erected, altered, enlarged or used which is arranged or designed for other than one of the following uses, except as provided herein and in Chapter 1198.

(a) Agricultural. Agriculture, but not including animal and poultry husbandry and dairying.

(b) Residential. One-family dwellings.

(c) Institutional. Churches; schools and libraries. See conditional uses relative to school and church activities.

(d) Essential Services. As defined in Section 1133.01(a)(36).  
(Ord. 94-84. Passed 7-9-84.)

1149.02 CONDITIONAL USES.

The following uses shall be permitted only if expressly authorized by the Planning Commission.

(a) Tourist Homes. Tourist homes and rooming and boarding houses when located on and having access from a federal or State highway or a principal thoroughfare.

(b) Day-care Center.

(c) Recreational. Noncommercial recreation facilities; swimming pools subject to the provisions of Chapter 1193.

(d) Institutional. Hospitals and/or clinics; colleges for academic instruction.

(e) Club. Noncommercial clubs and lodges.

(f) Utility. Public utility building necessary for the furnishing of adequate service to the area but not including general offices, garages, warehouses or outdoor storage yards.

proposed

| Table 1132.3 -1: Agricultural and Residential Districts - Use Table |     |     |     |     |     |     |         |
|---------------------------------------------------------------------|-----|-----|-----|-----|-----|-----|---------|
| USE                                                                 | A-1 | R-0 | R-1 | R-2 | R-3 | R-4 | SECTION |
| Agricultural/Residential                                            |     |     |     |     |     |     |         |
| Agriculture                                                         | P   | PS  | PS  |     |     |     | XXXX    |
| Dwelling, Single-Family Attached                                    |     |     |     | PS  | P   | P   | XXXX    |
| Dwelling, Single-Family Detached                                    | P   | P   | P   | P   | P   | P   |         |
| Dwelling, Two-Family                                                |     |     |     | P   | P   | P   |         |
| Dwelling, Multi-Family Small Scale                                  |     |     |     | PS  | PS  | PS  | XXXX    |
| Dwelling, Multi-Family Large Scale                                  |     |     |     |     | PS  | PS  | XXXX    |
| Residential Facility, Small                                         | P   | P   | P   | P   | P   | P   |         |
| Residential Facility, Medium                                        |     |     |     |     | C   | C   | XXXX    |
| Residential Treatment Facility, Small                               | P   | P   | P   | P   | P   | P   |         |
| Residential Treatment Facility, Medium                              |     |     |     |     | C   | C   | XXXX    |

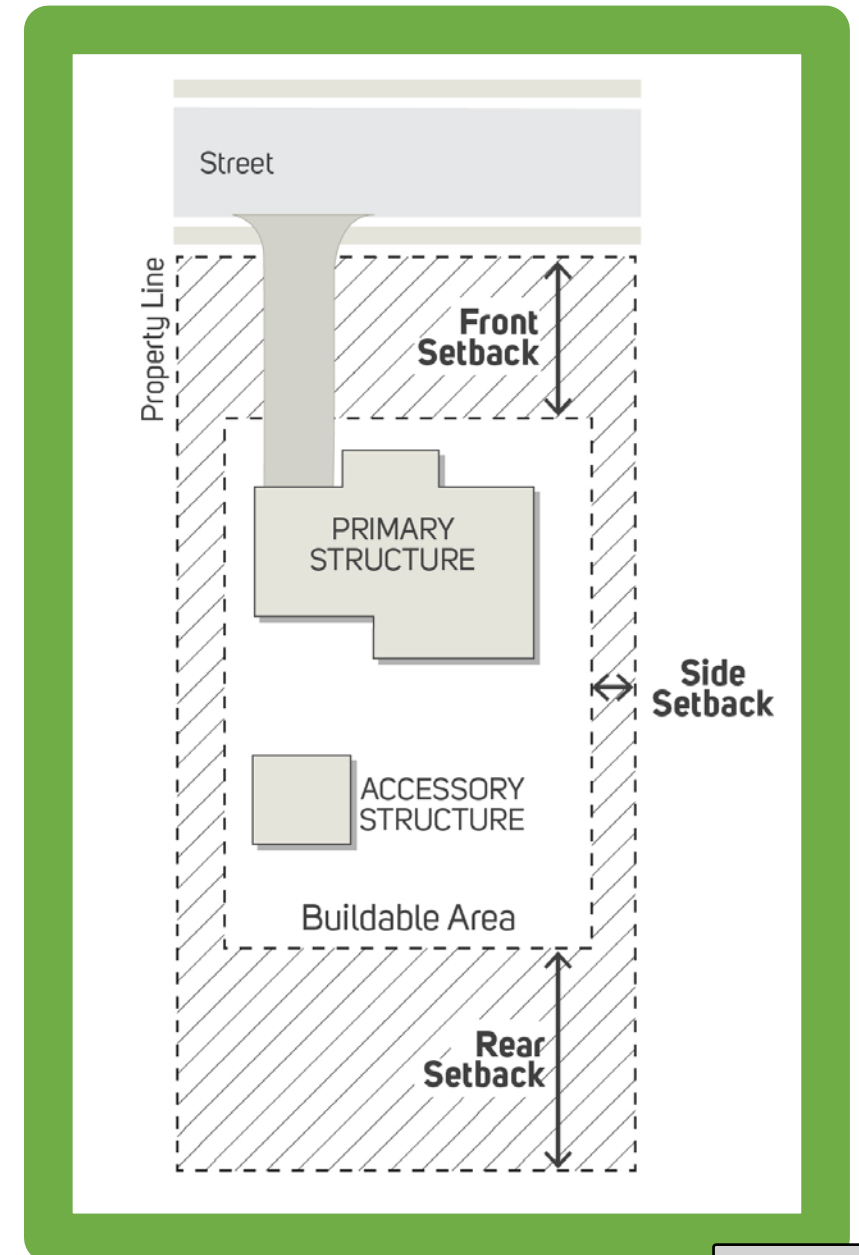
# Module 2: Development and Design Standards

Module 2 included the drafting of the following:

- Dimensional Standards ✓
- Special Districts and Overlays ✓
- Parking ✓
- Landscaping ✓
- Fences ✓
- Lighting ✓
- **Signage**

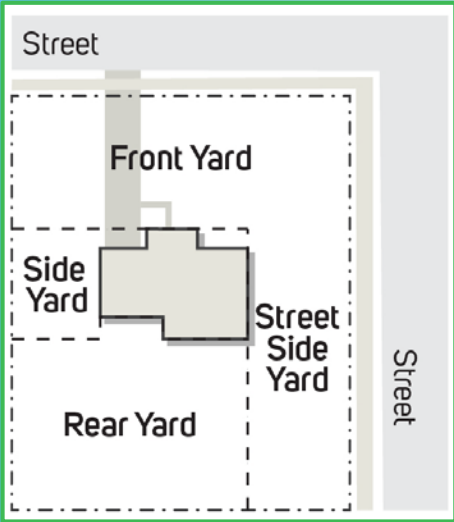
# Dimensional Standards

- Lot Area
- Lot Width
- Density
- Setbacks
- Height
- Accessory Structure Setbacks/Height

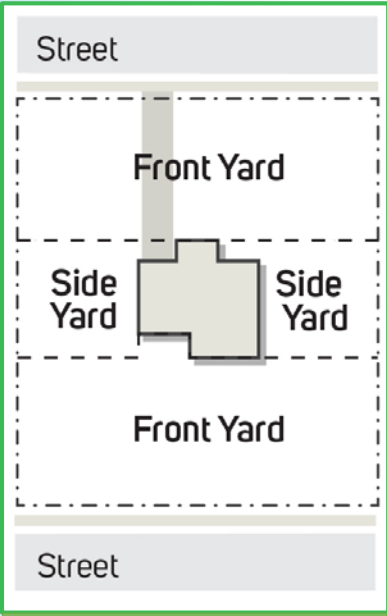


# Dimensional Standards

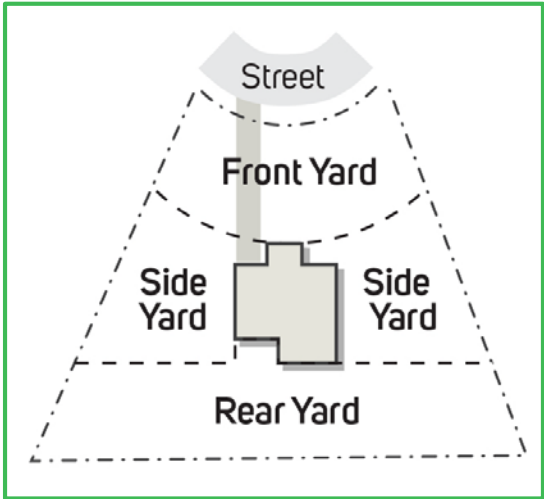
- Yard and height exceptions
- Types of lots and specific requirements



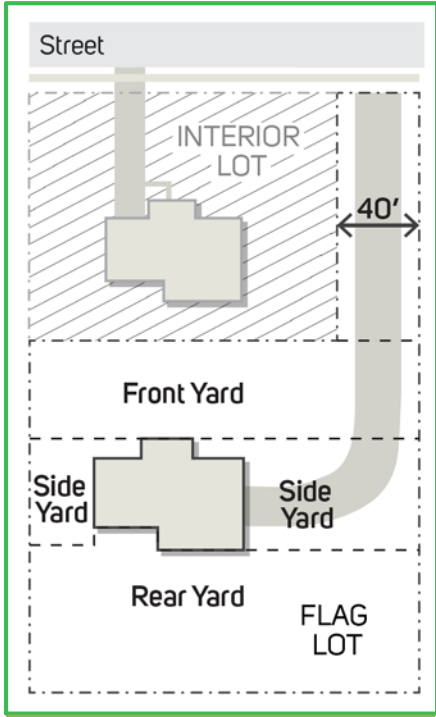
Corner Lot



Double Frontage Lot



Cul-de-sac Lot



Flag Lot

# Overlay Districts

- Overlay districts provide additional development guidance for new and expanded structures above and beyond the standard zoning regulations.
- Proposing four overlay districts per the recommendations of the Comprehensive Plan.
- Each overlay district will have specified development guidance for: parking, access, circulation, building design and materials, signage, landscaping, and buffering.



# Overlay Districts



Route 4 – without guidelines

Building Design  
and Materials



Town Center - with guidelines

# Parking

- Updated method for determining the # of parking spaces required 🌿
- Right Size - minimum and maximum requirements
- New EV charging regulations – to allow, not require 🌿
- Bioswales for stormwater runoff – encouraged 🌿
- New stacking space requirements for drive-thru uses



# Landscaping

- New applicability requirements
- Updated screening requirements
- New information for:
  - Plant species – native (drought resistant)
  - Planting and installation requirements
- New requirements for tree preservation
- New requirements for parking lot landscaping

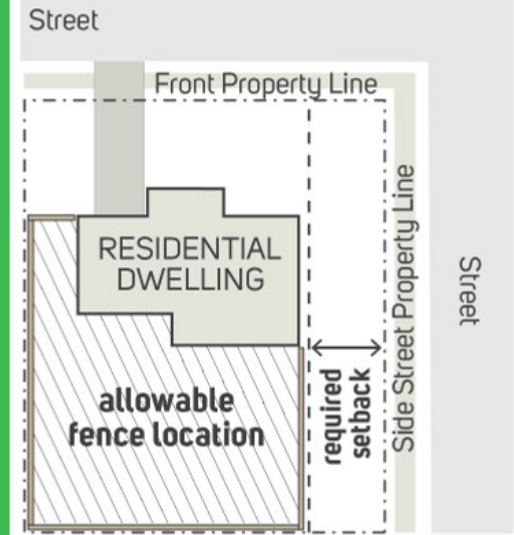


# Fencing

- Clarification of fence types and location



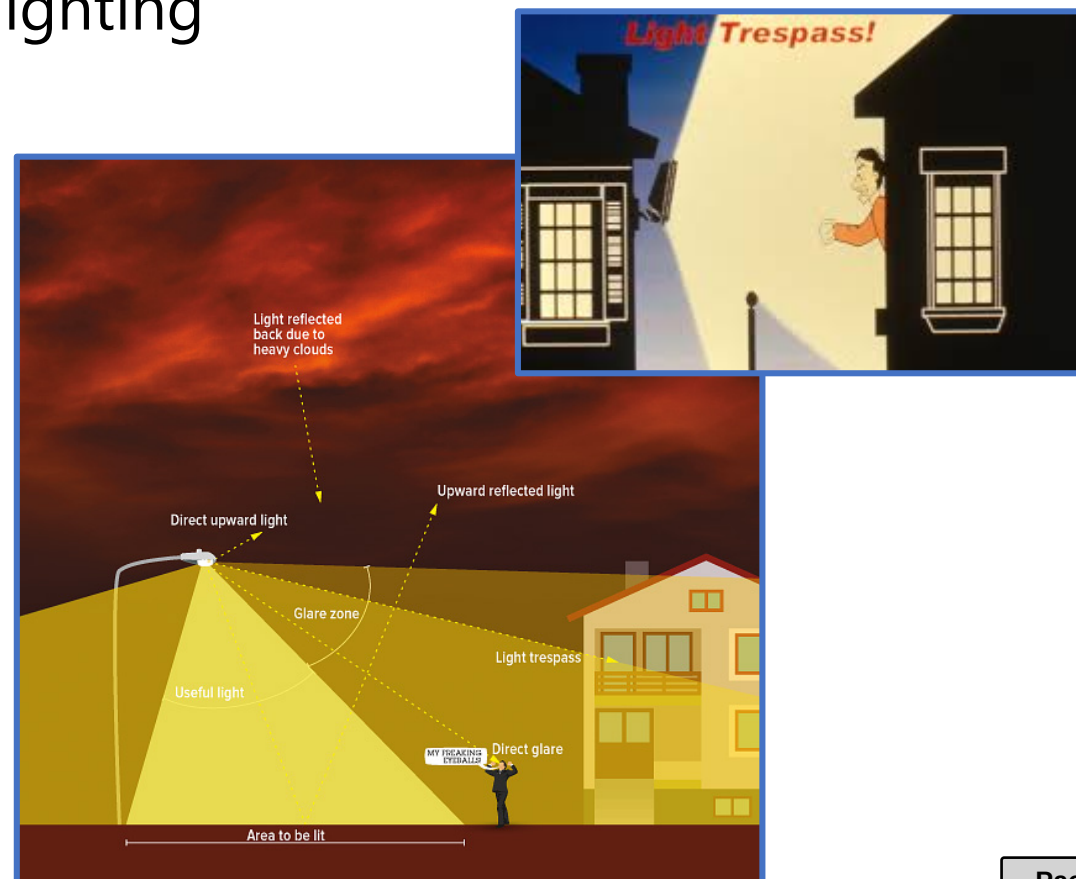
## Corner Lots



1.A.a

# Lighting

- New outdoor lighting section added to the code
- Identifies specific prohibited and exempt lights
- Regulations for the design of outdoor lighting including:
  - Height
  - Style
  - Allowable light levels
  - Color and glare



# Signage

- Stakeholder meeting  
- December 7
- Advisory Committee meeting  
- December 8
- Key Highlights:
  - Compliance with case law and supreme court cases
  - Digital reader boards
  - Pole signs



# Signage

- Pole signs?

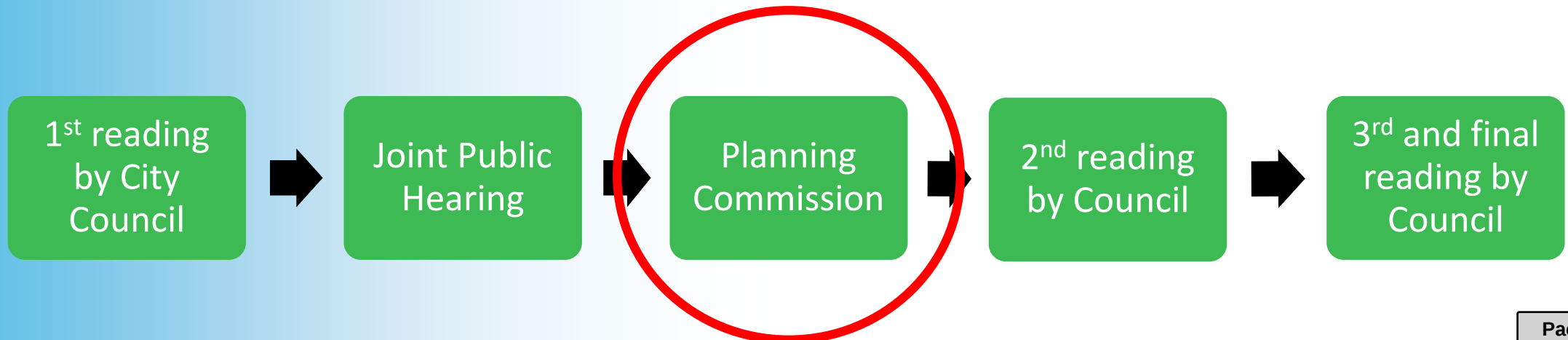


# Proposed Key Changes

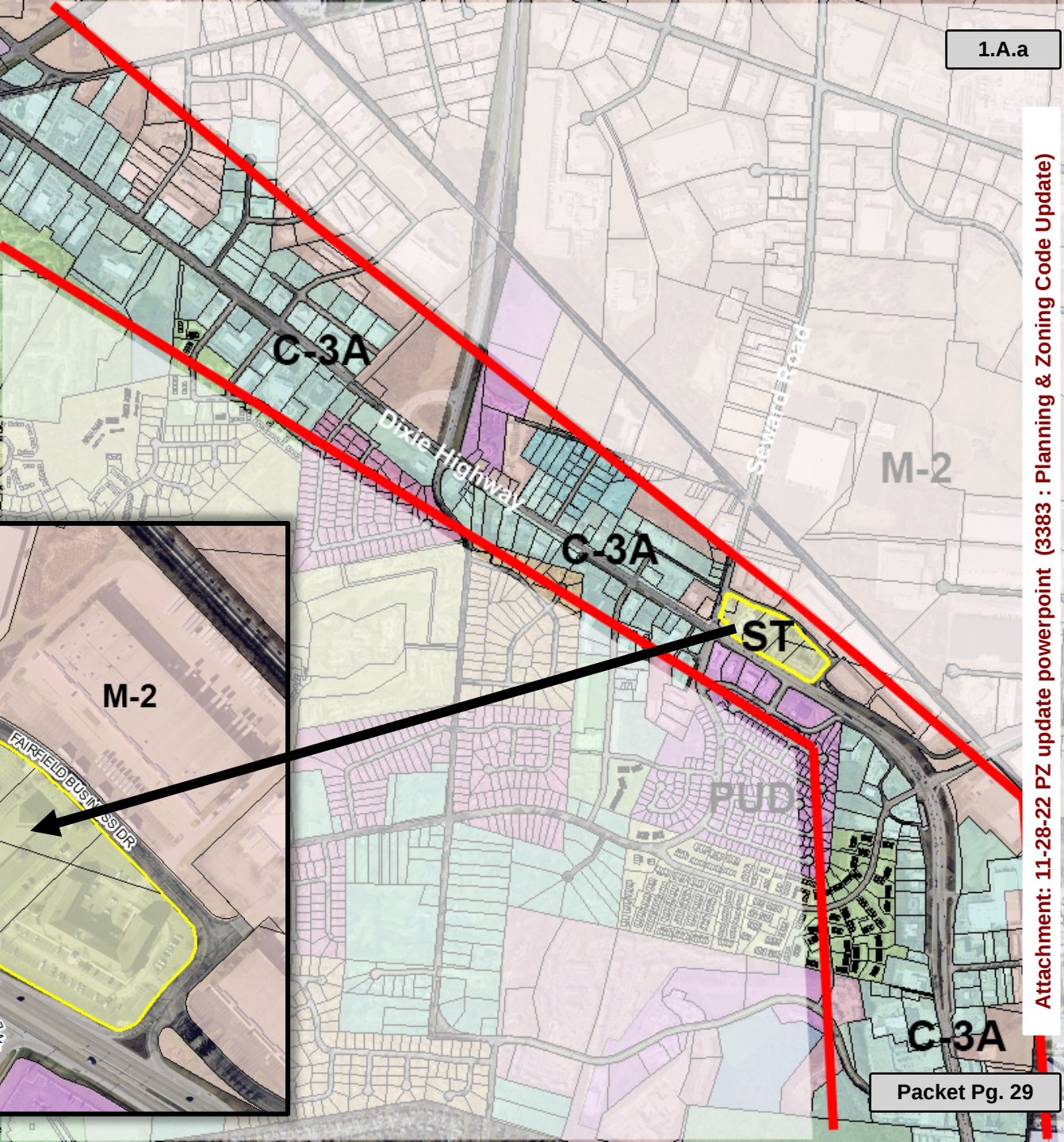
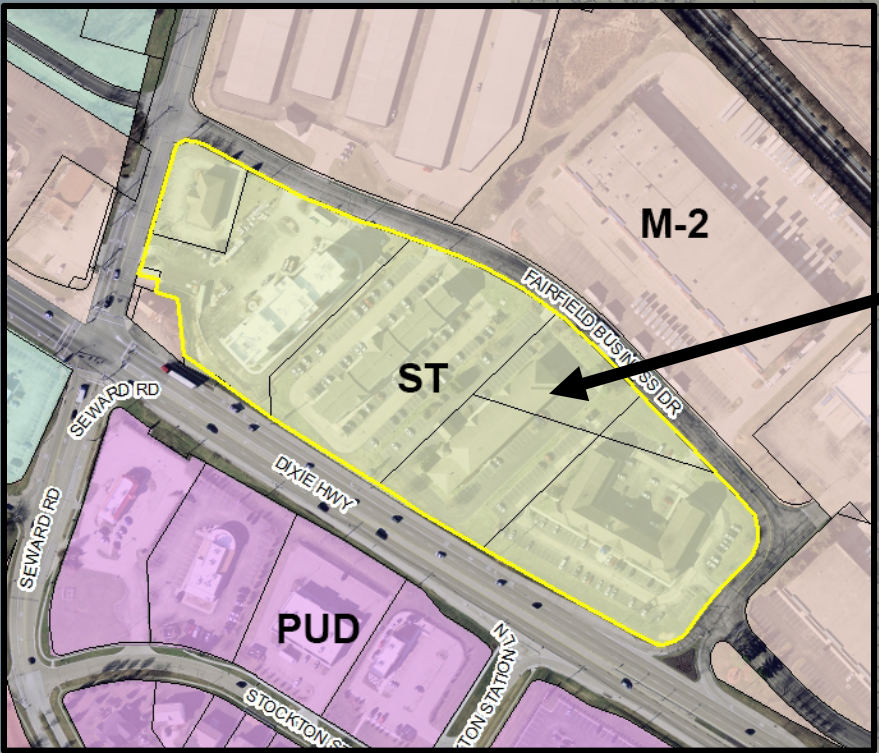
1. PUD Final Development Plan Approval Process
2. Removal of Two Zoning Districts
  - ST, Service Transition
  - D-1A, Downtown Modified
3. Design Review Committee Status

# Planned Unit Development (PUD)

- What is a PUD? A deviation from standard zoning districts
- 2- step process:
  - 1) Concept Plan – changes the zoning; general overview
  - 2) Final Development Plan – specific details
- What is the EXISTING approval process for both Concept and Final Plan approval?



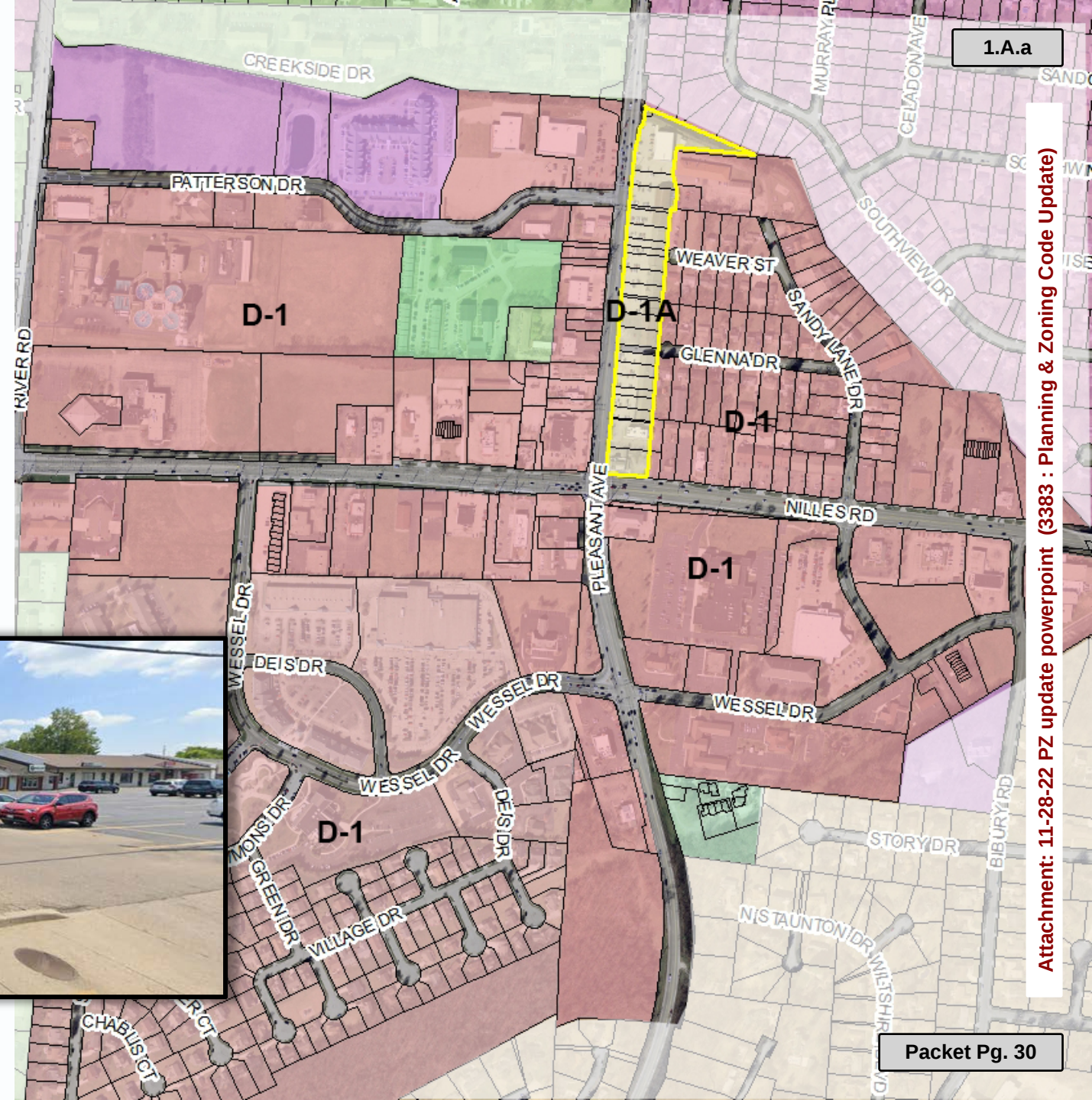
# ST, Service Transition Zoning District



# D-1A, Downtown Modified Zoning District



Reigert Square



# Design Review Committee

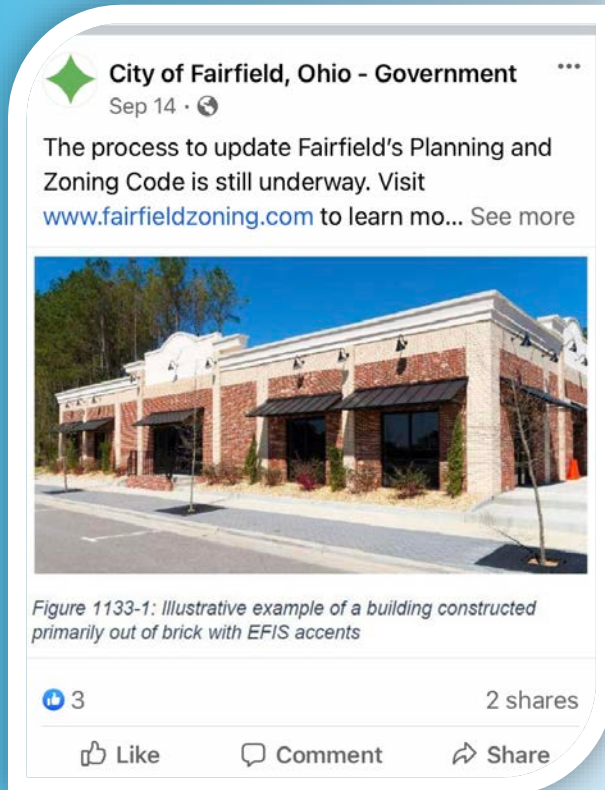
- Created in 1990s
- D-1 Zoning District
- Review site and architectural design of all new developments and building improvements
- Shift in committee membership
- Shift in type and quantity of projects
- New zoning code guidelines

|                                            |
|--------------------------------------------|
| City Council representative                |
| Planning Commission representative         |
| Development Services Director              |
| Building Superintendent                    |
| Resident                                   |
| Downtown Business Operator (2)             |
| Downtown Business Operator Or Resident (2) |

Attachment: 11-28-22 PZ update powerpoint (3383 : Planning & Zoning Code Update)

# Public Outreach

- Online information and engagement
  - [www.fairfieldzoning.com](http://www.fairfieldzoning.com)
- Stakeholder interviews
- Open House
- Newsletter articles
- Facebook posts
- City website



# Remaining Schedule

- **November/December 2022** – Signs
- **December 2022** – Subdivision Regulations
- **January 2023** – Administration, Procedures, and Definitions
- **February 2023** – Consolidated Code & Public Review
- **March 2023** – Start Adoption Process

# QUESTIONS OR COMMENTS