AGENDA
ATHENS PLANNING COMMISSION
WEDNESDAY, JUNE 4, 2025 AT 12:00 PM

Streaming is available at www.ci.athens.oh.us/video

Establish Quorum

Disposition of Minutes:

- May 21, 2025

Cases

- Case 25-05/ Changes to Title 23 to allow Temporary Housing Shelters in R-3 and B-3 Zones as permitted by accessory use

Communications

Reports

Opportunity for citizens to speak about items not covered on agenda

Announcements & Other Business:

- Next Meeting is *June 18, 2025 at 12:00 PM.*

Adjournment

The City of Athens supports the Americans with Disabilities Act. Requests for reasonable accommodation may be made with the ADA Coordinator in the City Building or by calling 592-3367.

Athens City Planning Commission

Minutes of Regular Meeting
Wednesday, May 21, 2025 – 11:30 a.m.

A regular meeting of the Athens City Planning Commission was held in the City Council Chambers, third floor of City Hall, on May 21, 2025, at 11:30 a.m.

1. Call to Order

Chair John Kotowski called the meeting to order at 11:33 a.m. and administered the oath to those in the audience intending to speak before the Commission. A quorum was established.

Planning Commission Members

- Chris Knisely-Present
- John Kotowski, Chair-Present
- Steve Patterson, Mayor-Absent
- Austin Phillips, Vice Chair-Arrived at 11:38 a.m.
- Andy Stone, Service-Safety Director-Present

Staff Present:

- David Riggs, Code Enforcement Director
- Meghan Jennings, City Planner

2. Disposition of Minutes

Motion: Mr. Stone moved to approve the minutes from the May 7, 2025 meeting.
Second: Ms. Knisely seconded.
Vote: Motion passed unanimously.

3. Cases

Case #25-04/ Recommendation to City Council to allow a use not permitted in a R-3 Zone for 7 Congress- The Gathering Place Conestoga Huts

Commission Discussion

- Concern expressed over downtown location and potential image impacts.
- Clarification provided that this is an accessory, not primary, use.
- Approval would apply to the property, not the owner.
- A speaker questioned whether 3 units justified the location, suggesting a less central site could help more people.

- The issue of density was discussed, linking unit numbers to plumbing infrastructure.
- It was suggested that the notification process include pre-hearing outreach by the applicant.

Motion: Ms. Knisely motioned to recommend this case to City Council with the following conditions:

- The use must be renewed every two years (biannual review).
- A limit of 3 huts per available sink and toilet (within 200 feet).

Second: Mr. Stone seconded the motion.
Vote: Passed by a 3:1 vote

Case #25-05/ Changes to Title 23 to allow Temporary Housing Shelters in R-3 and B-3 Zones as a permitted accessory use.

- Property value concerns raised; suggestion to include adjacent property owner consent.
- Consideration of changing from "accessory use" to "conditional use."
- Clarification on conditional use requiring Board of Zoning Appeals (BZA) approval and community input.
- Debate over whether "conditional accessory use" is a viable framework.
- Discussion of zoning language, location appropriateness (R3 vs. B3), bathroom proximity requirements, and precedent in existing zoning codes.
- Mr. Riggs noted B3 aligns with existing campground regulations.

Motion: Ms. Knisely motioned to table case 25-05 to allow language revision per the commission's guidance.
Second: Mr. Phillips seconded the motion.
Vote: The motion passed unanimously.

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4. Communications

Ms. Jennings provided an update on the proposed rezoning of the Columbus Road, Lancaster Street, and Second Street Area (map enclosed):

- She provided a map of proposed zoning from Mr. Kotowski's suggestion.
  - Proposal includes expanding R2 zoning as a buffer, especially near residential areas.
  - Concern raised about creating non-conforming uses along Lancaster Street due to zoning changes from B2 to B3.
    - Clarification: Area in question is B2, not B1.

        - B1 allows first-floor residential, but B3 may not.
    - Suggested: Consider extending B1 or Rezoning to R2/R3 to avoid non-conformity.
- Ms. Jennings will continue to refine the rezoning plan.
- Planning Commission members are encouraged to provide feedback or zoning proposals.
- A public meeting will be scheduled, but a date has not yet been confirmed (contact made with Michelle Poppy).

Mr. Riggs let commission members know there will be a Title 41 application filed in the near future by the Hugh White Dealership on Columbus, Rd.

- The development team is in the process of scheduling a pre-Title 41 meeting, anticipated to occur within the next 30 days.
- It was noted that the dealership is undergoing significant renovations, which may include both demolition and new construction.
- In connection with this development, the former radio station site, a triangular parcel currently outside city limits, is being considered for annexation.
- The annexation process is not expected to align with the timeline for the Title 41 zoning approvals.
- Mr. Riggs has communicated with Conor Lavell, County Planner, to coordinate planning and permitting considerations.
- The development team and city staff will treat the triangle parcel as if it were within city limits for the purposes of floodplain, land development, and permitting requirements, in anticipation of annexation.

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5. Reports

- No Reports.

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6. Opportunity for Citizens to Speak About Items Not Covered on Agenda

- None.

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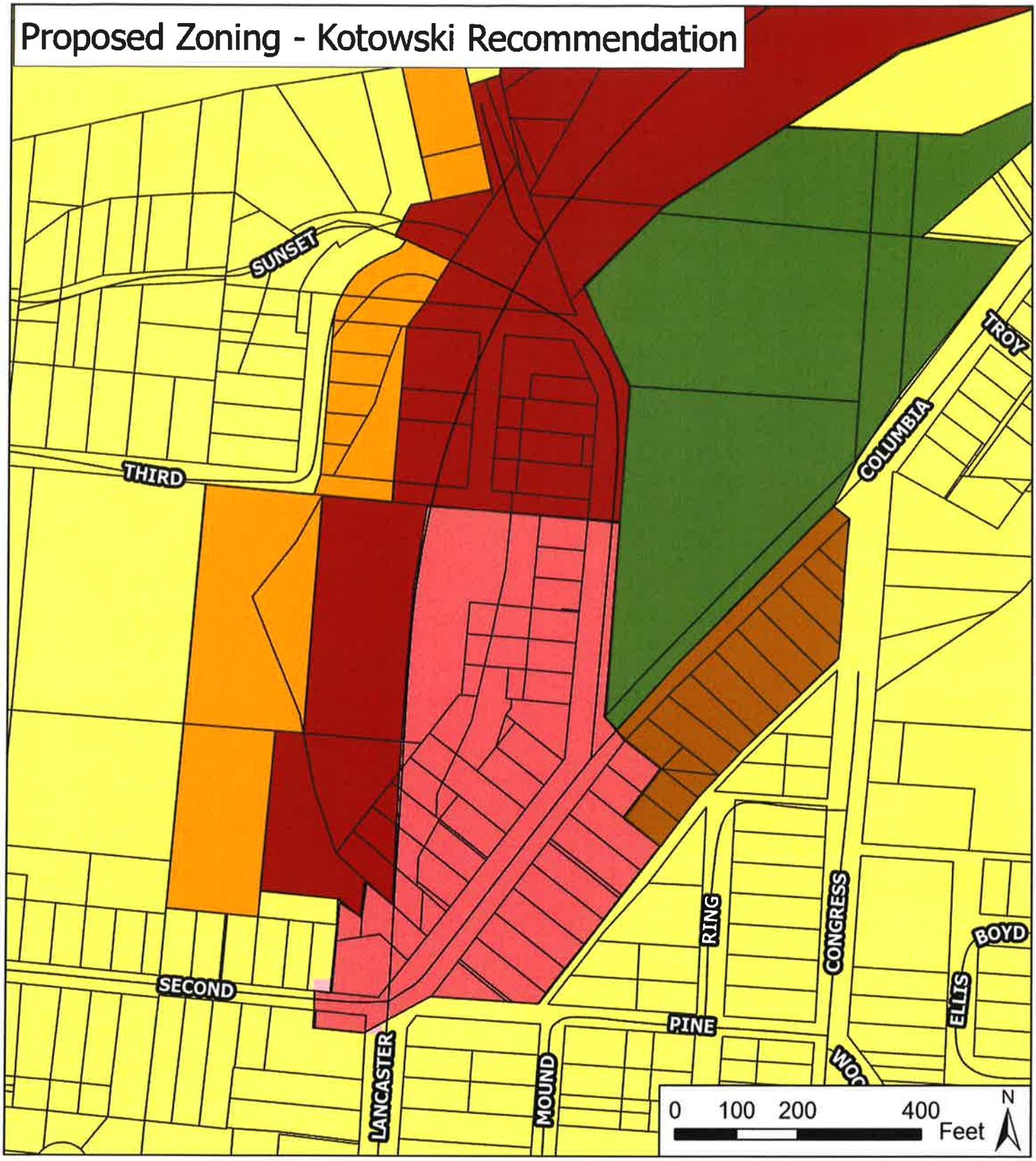
7. Announcements & Other Business

- Next Meeting is June 4, 2025.

8. Adjournment

- The meeting adjourned at 12:38 p.m.

Minutes submitted by: Monica Flowers, Secretary, Planning Commission



Proposed Zone Changes

Proposed zone change for properties along N. Lancaster Street, Second Street, Columbia Avenue, and Columbus Road.

Map created by Athens City Planner. Data recent as of 5/13/2025.

Legend

Parcel

Zoning

- B-1
- B-2
- B-2D
- B-3
- EI
- M
- OS
- R-1
- R-2
- R-3

23.04.03. R-3 Residential Zone (Multi-Family).

(A) Principal permitted uses:

(1) General—Any principal use permitted and as regulated in the R-1 and R-2 zones.

(2) Residential—Multi-family dwellings for any number of families or housekeeping units, provided all of the requirements of the zoning code are complied with.

(3) Apartment hotels—Apartment hotels, lodging houses, boarding houses for any number of guests, but not primarily for transients, including incidental accessory services, such as a restaurant or dining room and newsstands, when conducted and entered from within the building; provided there is no exterior display or advertising, except as provided for in this title.

(4) Owner-occupied or owner-managed "bed and breakfast" establishments.

(5) Tourist home a single family house or duplex dwelling that is rented as a whole house for short term rent with no more than five unrelated guests or one family for no more than 30 consecutive days. A short term rental permit is required.

(6) (Parking area (see Chapter 23.08).

(B) Permitted accessory uses: Any accessory use or structure permitted and as regulated in the R-2 Zone, and any accessory use or structure customarily incident or accessory to a principal permitted use or conditionally permitted use in the R-3 Zone.

(C) Conditionally permitted uses:

(1) General—Any conditionally permitted use as regulated in R-2 zone.

(2) Residential health care facilities—Residential care facilities for person(s) with disabilities, provided that such facilities comply with all federal, state and local laws and regulations.

(3) Clinics—An establishment where patients are admitted for examination and treatment on an outpatient basis by one or more physicians, dentists, other medical personnel, psychologist, or social workers and where patients are not usually lodged overnight.

(4) Clubs—Private clubs, lodges and meeting places for other similar organizations, not including those that are ordinarily conducted as a gainful business, provided all building in which such organizations or activities are housed shall be located at least 200 feet from any lot in any R-1 zone.

(5) Funeral homes and mortuaries.

(6) Any convenience business or service establishment supplying commodities or performing services primarily for residents of the neighborhood, subject to the following general conditions:

(a) Business in enclosed buildings—All business, services or processing shall be conducted wholly within a completely enclosed building.

(b) Residential uses—Any use permitted and as regulated in the residential zone adjoining the B-1 Zone; and if there are adjoining two or more different categories of residence zones, the regulations of the least restrictive residence zone shall prevail.

(7) Fraternity and sorority chapter houses—and customary accessory uses.

(8) TEMPORARY HOUSING SHELTERS – HOUSING STRUCTURES OF A TEMPORARY NATURE THAT ARE NOT AFFIXED TO THE PROPERTY AND THAT DO NOT CONTAIN KITCHEN OR BATHROOM FACILITIES. ONE SINK AND ONE TOILET MUST BE AVAILABLE FOR USE WITHIN 200-FEET FOR EVERY THREE TEMPORARY HOUSING SHELTER UNITS. PRIOR APPROVAL OF THE SERVICE-SAFETY DIRECTOR MUST

BE OBTAINED BEFORE THE APPROVAL OF THIS USE. TEMPORARY HOUSING SHELTER USE MUST BE REAPPROVED EVERY YEAR BY THE SERVICE-SAFETY DIRECTOR. TEMPORARY HOUSING SHELTER ACCESSORY USE SHALL ONLY BE ALLOWED IN A R-3 RESIDENTIAL AND A B-3 GENERAL BUSINESS ZONES.

(Ord. No. 0-17-16, § I, 10-17-2016; Ord. No. 0-6-16, § I, 2-15-2016; Ord. No. 0-133-16, § I, 11-7-2016; Ord. No. 0-145-21, § II, 12-13-2021)

23.04.07. B-3 General Business Zone.

(A) Principal permitted uses: Any use permitted and as regulated in the B-2 and B-2D Zones, except as hereinafter modified in the following general conditions:

(1) All businesses, services or processing shall be conducted wholly within a completely enclosed building, except for the sale of automobile fuel, lubricants and fluids at service stations, loading and unloading operations, parking, the outdoor display or storage of vehicles, materials and equipment and the uses specified in subsections (A)(9) and (10) below. Outdoor dining shall be permitted.

(2) No building customarily used for night operations, such as a bakery or milk bottling and distribution station, shall have any opening, other than stationary windows or required fire escape within 100 feet of any R-Zone and any space used for loading or unloading commercial vehicles in connection with such an operation shall not be within 100 feet of any R-Zone.

(3) Restaurants and drive-in or drive-through restaurants, provided that for any drive-in or drive-through restaurants, the speaker box or location where the business interaction with the persons in their vehicle takes place shall be at least 200 feet from any R-1 or R-2 zone.

(4) Drive-in or drive-through establishments, provided that the speaker box or location where the business interaction with the persons in their vehicle takes place shall be at least 200 feet from any R-1 or R-2 zone.

(5) Hospitals—Any hospital for human care, provided that buildings which are used for the treatment of contagious diseases and substance abuse, shall be at least 200 feet from any lot in any R-Zone. Minimum lot area: Two acres, 200 feet frontage, front yard depth 25 feet; side yard widths 290 feet, rear yard depths 50 feet; hospitals for contagious diseases and substance abuse; five acres, 400 feet frontage.

(6) Animal hospitals and any enclosures or buildings in which the animals are kept—At least 200 feet from any R-Zone and at least 100 feet from any B-Zone.

(7) Commercial recreation—At least 200 feet from any R-Zone.

(8) Building and related trades and printing and related trade—At least 100 feet from any R-1 or R-2 Zone.

(9) Bottling works—At least 100 feet from any R-Zone.

(10) Miscellaneous trades and businesses—At least 50 feet from any R-Zone.

(11) Contractors' yards and related establishments—Building material yards, not including concrete mixing, contractors' equipment storage yard or plant and rental of equipment commonly used by contractors; trucking or motor freight stations or terminals; retail lumber yards, including incidental millwork; storage and sale of grain, livestock feed or fuel; carting, express or hauling establishments, including storage of vehicles; provided such uses are conducted either:

(a) Wholly within a completely enclosed building, except for storage of vehicles which building shall be at least 100 feet from any R-Zone, unless such building has no openings other than stationary windows and required fire exits within such distance, but at least 50 feet of any R-Zone in any case; or

(b) When conducted within an area completely enclosed on all sides with a solid wall or solid fence not less than six feet high, but at least 200 feet of any R-Zone; provided further that all storage yards related to the uses in this paragraph shall be enclosed.

(12) Agricultural—Nurseries, greenhouses and general farming, not including commercial animal farms or kennels provided any lot or tract in such use shall be not less than five acres in area and provided that

any greenhouse heating plant or any building in which farm animals are kept shall be not less than 200 feet from every lot line.

(13) Sexually oriented business uses:

(a) A sexually oriented business shall not be operated or located on any parcel within 1,000 feet of:

(1) Any building which is used primarily for religious worship and related religious activities;

(2) A public or private school as defined in Chapter 23.10 of the zoning code;

(3) A boundary of any residential zoning district;

(4) A public park as defined in Chapter 23.10 of the zoning code;

(5) Any public library; or

(6) Any other sexually oriented business.

(b) No such business shall be located on any parcel or operated within 500 feet of any landmark or historic district.

(c) Such businesses shall only be located in a B-3, planned unit development, or M zone.

(d) No advertisements, displays or other promotional materials displaying specified sexual activities or specified anatomical areas shall be shown or exhibited so as to be visible to the public from pedestrian sidewalks or walkways, or from other areas public or semi-public.

(e) All building openings, entries, windows, etc. For adult uses shall be located, covered, or serviced in such a manner as to prevent a view into the interior from any public or semi-public area, sidewalk or street. For new construction, the building shall be oriented so as to minimize any possibility of viewing the interior from public or semi-public areas.

(f) No screens, loudspeakers or sound equipment shall be used for adult motion picture theaters (enclosed or drive-in) that can be seen or discerned by the public from public or semi-public areas.

(g) For the purposes of this section, measurements shall be made in a straight line, without regard to intervening structures or objects, from the nearest portion of the building or structure used as a part of the premises where a sexually oriented business is conducted, to the nearest property line of the premises of a church or school, or to the nearest boundary of an affected public park, or residential district.

(h) For the purposes of this section, the distance between any two sexually oriented businesses shall be measured in a straight line, without regard to intervening structures or objects from the closest exterior wall of the structure in which each business is located.

(i) No person shall establish, operate or cause the establishment or operation of any sexually oriented business in violation of the provisions of this section. Nothing in this section shall be construed to prohibit or limit the display, sale or rental of descriptive, printed, film or video material, or any live performance which, taken as a whole, contains serious literary, artistic, political, medical educational or scientific value.

(j) Any sexually oriented business lawfully operating on the effective date of Section 23.04.07(13) of this code that is in violation shall be deemed a nonconforming use. A sexually oriented business lawfully operating as a conforming use is not rendered a nonconforming use by the subsequent location of a church, public or private school, residential district, public park, or library within 1,000 feet, or a landmark or historic district within 500 feet, of the sexually oriented business. When a nonconforming sexually oriented business use of a structure, building, or premises is

voluntarily discontinued or abandoned for more than six months, the structure, building, or premises shall not thereafter be used except in conformity with the regulations of the zoning district in which it is located.

(14) Sweepstakes/internet café business uses:

(a) A sweepstakes/internet café business shall not be operated or located on any parcel within 1,000 feet of:

(1) Any building which is used primarily for religious worship and related religious activities;

(2) A public or private school as defined in Chapter 23.10 of the zoning code;

(3) A boundary of any residential zoning district;

(4) A public park as defined in Chapter 23.10;

(5) Any public library; or

(6) Any other sweepstakes/internet café business.

(b) No such business shall be located on any parcel or operated within 500 feet of any landmark or historic district.

(c) Such businesses shall only be located in a B-3, Planned Unit Development, or M Zone.

(d) For the purposes of this section, measurements shall be made in a straight line, without regard to intervening structures or objects, from the nearest portion of the building or structure used as a part of the premises where a sweepstakes/internet café business is conducted, to the nearest property line of the premises of a church or school, or to the nearest boundary of an affected public park, or residential district.

(e) For the purposes of this section, the distance between any two sweepstakes/internet café businesses shall be measured in a straight line, without regard to intervening structures or objects from the closest exterior wall of the structure in which each business is located.

(f) Any sweepstakes/internet café business lawfully operating on the effective date of Section 23.04.07(13) of this code that is in violation shall be deemed a nonconforming use. An internet café/sweepstakes business lawfully operating as a conforming use is not rendered a nonconforming use by the subsequent location of a church, public or private school, residential district, public park, or library within 1,000 feet, or a landmark or historic district within 500 feet, of the internet café/sweepstakes business. When a nonconforming sweepstakes/internet café business use of a structure, building, or premises is voluntarily discontinued or abandoned for more than six months except in conformity with the regulations of the zoning district in which it is located.

(15) Other uses—Any other use which is determined by the BZA to be of the same general character as the above permitted uses, but not including any use which is first permitted in the M-Zone, or which is prohibited in the M-Zone.

(B) Permitted accessory uses: Accessory uses and structures as permitted and as regulated in the B-1 Zone and such other accessory uses and structures not otherwise prohibited, customarily accessory and incidental to any of the foregoing permitted B-2 uses.

(C) Conditionally permitted uses:

(1) Trailer parks—Parks or camps for the accommodation of trailers, provided such uses are established in accordance with and under the provisions of this title and the following conditions are complied with:

(a) No vehicular entrance to or exit from any trailer park shall be within 200 feet along streets from any school, public playground, church, hospital, library, or institution for dependents or for children, except where such property is in another block or another street which the premises in question do not abut.

(b) The sanitary regulations prescribed by the county board of health or other authority having jurisdiction, the regulations of the city building code and as may otherwise be required by law—shall be complied with.

(c) Trailer parks shall comply with all area parking and yard requirements prescribed for such uses in the zone in which located.

(d) The buildings, cabins and trailers in any campground or trailer park, together with any nonaccessory buildings already on the lot, shall not occupy in the aggregate more than 25 percent of the area of the lot.

(e) Any enlargement or extension to any existing campground, or trailer park, shall require application for a zoning permit, as if it were a new establishment.

(f) No enlargements or extensions to any trailer park or a campground shall be permitted unless the existing one is made to conform substantially with all the requirements for new construction for such an establishment.

(2) TEMPORARY HOUSING SHELTERS – HOUSING STRUCTURES OF A TEMPORARY NATURE THAT ARE NOT AFFIXED TO THE PROPERTY AND THAT DO NOT CONTAIN KITCHEN OR BATHROOM FACILITIES. ONE SINK AND ONE TOILET MUST BE AVAILABLE FOR USE WITHIN 200-FEET FOR EVERY THREE TEMPORARY HOUSING SHELTER UNITS. PRIOR APPROVAL OF THE SERVICE-SAFETY DIRECTOR MUST BE OBTAINED BEFORE THE APPROVAL OF THIS USE. TEMPORARY HOUSING SHELTER USE MUST BE REAPPROVED EVERY YEAR BY THE SERVICE-SAFETY DIRECTOR. TEMPORARY HOUSING SHELTER ACCESSORY USE SHALL ONLY BE ALLOWED IN A R-3 RESIDENTIAL AND A B-3 GENERAL BUSINESS ZONES.

(Ord. No. 0-137-09, § I, 12-7-2009; Ord. No. 0-56-11, § I, 6-13-2011; Ord. No. 0-17-23, § I, 5-15-2023)