

**Hillsboro Planning Commission Minutes**  
**February 20, 2018 – Regular Meeting - 5:30 p.m.**  
**Highland County Training and Education Center (TEC) – 1575 North High Street**

**CALL TO ORDER**

At 5:30 p.m., Tom Eichinger, Chair, called the Hillsboro Planning Commission meeting to order.

**ROLL CALL**

The following were present for the meeting: Tom Eichinger, Chair; Charlie Guarino, Vice-Chair (arrived after roll call); Drew Hastings, Mayor; Mel McKenzie, Safety and Service Director; Ruth Robbins, and Joe Mahan. Rob Holt's absence was excused.

**DETERMINATION OF QUORUM**

A quorum was met.

**APPROVE MINUTES**

The minutes for the following meetings were reviewed and accepted as presented:

- December 18, 2017 Regular Meeting
- January 17, 2017 – Organizational Meeting
- January 17, 2017 – Special Meeting

**CORRESPONDENCE**

No correspondence

**UNFINISHED BUSINESS**

***Review Final Draft of Zoning Code Amendment***

Mr. Eichinger suggested that a joint public hearing be held with Council on April 9, 2018 to hear comments on the proposed zoning code amendments. Liz Fields, McBride-Dale-Clarion Consultants, was present to discuss the zoning code. She explained that much of the code has not been updated since the 1950's and it is a major undertaking to amend it. Depending on the circumstances, some code was expanded and/or added and some items were moved to zoning from other sections of the code. The zoning map will not change at this time, only the zoning code.

The code was streamlined to clarify ambiguous current code. Off street parking was added and expanded as was code for Planned Unit Developments (PUDs). Cell Tower code was moved to the zoning section and small cell towers are now addressed.

Fred Beery, Law Director, discussed the problem created when Ohio passed medical marijuana legislation but the Federal government still considers it illegal. He said the Ohio Attorney General is not sure how to proceed. Mr. Beery recommended removing the proposed medical marijuana legislation from the proposed code because he cannot sign off on it if the Federal government still considers it to be illegal. Mr. Eichinger said that debating the matter would take six months or longer and he did not want the approval of the new zoning code to be delayed that long. He recommended removing any code

addressing medical marijuana from the zoning code draft. The Commission discussed the issue: Loy Lutton, Zoning Amendment Committee member, said that, as a pharmacist, he has seen no evidence that medical marijuana does much more than help the appetite for chronically ill people and give some ophthalmic benefits. Mr. Mahan said that as long as the Federal government does not recognize the medical marijuana business as legal, dispensaries cannot place their money in Federally insured banks or it could be seized. Mayor Hastings said that at the annual mayor's conference the issue of medical marijuana was viewed as an economic development tool much like a tax on beer, cigarettes, lottery, etc. After discussion the committee agreed to remove medical marijuana code from the draft. With no zoning code, the dispensing of the drug will be treated as a retail business and cultivation will be considered industrial. With no code in place the city can be more flexible. Once the master plan is created there will be a need to change code to address strategic need.

Further discussion of the zoning code draft included:

- Ann Morris said that the use of illuminated signs in the Historic District G should be “conditional” as well as the replacement of any billboard in the city. Electric signs in District G are prohibited.
- Any request to appeal the denial by the Planning Commission for a variance will be heard by Council.
- Wendy Culbreath said the definition of “kenneling” should be changed to “Animal Boarding.” Ms. Fields said that the code is a safe-hold for people who are not responsible for their dogs. Any issues regarding dogs are complaint driven.
- Ms. Fields said that a variance should only be granted for an extreme circumstance or hardship. If a variance is not justified in this way it should not be granted. The new code should reduce requests for variances.
- A suggestion was made to remove “District F – Residential Farmland” from the zoning code. There is only one area (on Northview Drive) zoned “F.” No motion was made to remove District “F” from the zoning code.
- Ms. Fields said that any changes she makes after the meeting will be strictly format changes and not content.

**MOTION** Mr. McKenzie moved, seconded by Mr. Eichinger, to recommend the zoning code amendment to council reflecting the changes made during the meeting. Vote: all yeas.

Mr. Eichinger asked the clerk to publish a notice for a Public Hearing at 6:15 pm on April 9, 2018 prior to the city council meeting. The Law Director will be asked to draft an ordinance and a copy of the code will be distributed to everyone.

Mr. Guarino will direct all efforts for the comprehensive plan. Ms. Fields will begin her consultation for the plan in approximately two months. Mr. Guarino reported that the County Land Bank was still waiting to hear if their appeal will be granted to use grant money for demolition.

**NEW BUSINESS** No new business

**ADJOURN**

**MOTION** At 6:45 pm Mr. Guarino moved, seconded by Mr. Mahan, to adjourn.  
Vote: all yeas.

The next regular meeting of the Planning Commission is Monday, March 19, 2018 at the County Administration Building located at 119 Governor Foraker Place. All future meetings will be held in the large meeting room in the basement of the Administration Building.

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Tom Eichinger, Chair

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Debbie Sansone, Clerk