

Department Requesting Code Change:

Public Service and Development

Drafter:

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Columbus City Code Title Being Amended/Created/Repealed:

Code Sections 903.01, 904.04, 912.03, 1103.03, 1103.04, 1105.038, 1119.07, 1133.07, 1143.01, 1163.025, 1165.01, 2106.02, 2509.01, 3116.017, 3116.04, 3116.23, 3119.05, 3119.47, 3303.18, 3323.11, 3325.111, 3359.07, and 34.A.10.040 (2024 Zoning Code)

What is the overall purpose of this code change? *Summarize the general themes of the code*

The overall purpose of this Code change is to clarify that the City, its agents, employees, contractors, and those authorized or permitted to work on the City's behalf, are not required to obtain a certificate of appropriateness or approval ("COA") from a historic review or architectural review commission prior to working in the public right-of-way, on utility infrastructure, or fire suppression systems. This Code change is in response to a contrary interpretation of the City Code in the case *German Village Society, Inc., et al. v. City of Columbus, et al.* (Franklin County Court of Common Pleas Case No. 25CV7368).

change(s) and the need for these changes. Please utilize language and descriptors that would be easily understandable by the general public.

Why is this code change needed? *Examples: Correcting a drafting error; bringing code into alignment with changes to state law. For other policy changes, it may be necessary to provide a much more in-depth rationale in the section.*

The Code change is needed to correct an interpretation of existing Code by the Franklin County Court of Common Pleas to allow the City of Columbus to perform work in the public right-of-way without first obtaining a COA.

What would be the impact of not adopting this code change?

Are there any operating or capital budget cost/savings implications for this code change?

These may be direct or in-direct, and please also consider long-term impact.

The Code change is likely to save the City financial and human resources over the long term, as it will clearly authorize the City to perform work in the public right-of-way without first having to obtain a COA that would likely require the installation of more expensive material.

Describe the community engagement process regarding this code change. What residents, impacted parties, and constituents may be affected? Have they been engaged, and how so? How was their feedback incorporated (or not incorporated) into this code change? Will this code change take effect with the ordinance, or is there a delayed effective date?

There has been limited community engagement due to the reasons for the requested Code change being in response to a pending lawsuit involving the City. The Columbus Advisory Commission on Disability Issues (“CACDI”) has been engaged and multiple members of CACDI plan to speak at the public hearing on the Code change scheduled for December 4, 2025.

The effective date for the Code changes is immediately. The reasons for the request for emergency action is as follows:

1. To correct an interpretation of City Code by the Franklin County Court of Common Pleas in a pending lawsuit against the City of Columbus, allowing for the City to seek dismissal of the lawsuit at the earliest possible opportunity.
2. To allow for the construction of ADA-compliant curb ramps in the German Village Historic District at the earliest possible date.
3. To allow the City to respond expeditiously to service requests within the German Village Historic District during the upcoming autumn and winter months when an increase in service requests is anticipated.

