



## Legislation Details (With Text)

**File #:** 0830-2024      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 3/14/2024      **In control:** Rules & Policy Committee

**On agenda:** 3/25/2024      **Final action:** 3/27/2024

**Title:** To amend various sections in Title 33 of the Columbus City Codes pertaining to Council actions on zoning and the Zone In Initiative, and to declare an emergency.

**Sponsors:** Rob Dorans

**Indexes:**

**Code sections:**

**Attachments:** 1. Title 33 amendments - March 2024.pdf

| Date      | Ver. | Action By             | Action   | Result |
|-----------|------|-----------------------|----------|--------|
| 3/27/2024 | 1    | CITY CLERK            | Attest   |        |
| 3/26/2024 | 1    | MAYOR                 | Signed   |        |
| 3/25/2024 | 1    | COUNCIL PRESIDENT     | Signed   |        |
| 3/25/2024 | 1    | Columbus City Council | Approved | Pass   |

### **BACKGROUND**

The purpose of this ordinance is to amend various sections in Title 33 of the Columbus City Codes, pertaining to Council actions on zoning in the City and the Zone-In Initiative. The Zone In Initiative is based upon the work of the Departments of Development and Building & Zoning Services as well as the Zone In Advisory Committee. The Zone In Advisory Committee is a diverse group of neighborhood, civic and development representatives. The committee's first meeting was hosted by Mayor Ginther in November 2022. They have met regularly since that time to provide input on the development of a comprehensive zoning code update that is responsive to community needs and furthers equitable opportunity for all Columbus residents.

In conjunction with the Departments of Development, Building & Zoning Services (BZS), and the City Attorney's office, Council is proposing a set of amendments to Columbus City Codes Title 33 - Zoning Code. These amendments would introduce the concept of the Zone In Initiative to the Codes, as well as introduce references to the new Title 34 2024 Zoning Code, which is proposed under the Zone In process. Broadly, the amendments allow for Council to rezone properties in phases, by ordinance, to further the Zone In Initiative. They will also codify a public engagement process in which Council must solicit public feedback for any changes initiated under Zone-In, in order to transition from the current Title 33 Zoning Code to the new Title 34 2024 Zoning Code.

Most of the amendments concern Chapter 3310 (relating to amendments to the Zoning Map). The two main changes are: 1) the allowance for Council action on the Zone-In Initiative and how the current Zoning Code relates to the proposed Title 34 2024 Zoning Code, and 2) the public engagement process. Until the enactment of a new Title 34 2024 Zoning Code, we are governed by the current Title 33 Zoning Code, which makes no consideration for the broad changes of zonings or zoning districts that the Zone-In Initiative contemplates. These amendments to the current Zoning Code will allow for the introduction of the provisions of the new 2024 Zoning Code.

The other central piece of the amendments is the introduction of the public process in which Council must engage when considering legislation related to Zone In. Council shall first adopt a resolution declaring its intent to rezone properties

from current Title 33 Zoning Code districts to new Title 34 2024 Zoning Code districts. The passage of that resolution would begin a 60-day public comment period. During that period, Area Commissions, the Historic Resources Commission, the Development Commission, and any other applicable reviewing bodies of the Zoning Code must all be provided with supporting documentation and materials regarding the changes. Those bodies shall submit any comments they may have on the proposed zoning changes to the Council prior to the expiration of the public comment period. The amendments also require Council to hold at least two (2) public meetings concerning proposed changes prior to taking action on those zoning changes, but does not dictate whether these happen during the 60-day comment period. Council also has to take any comments from the public, Area Commissions, the Historic Resources Commission, the Development Commission, or any other applicable reviewing body of the Zoning Code as well as any comments offered by the Director into consideration during a scheduled public meeting.

The amendments also include the following changes:

- Disallow any rezonings to the old zoning districts once properties are rezoned to a new district
- Declare that the current Zoning Code will not apply to any properties zoned into new zoning districts, unless specifically provided for in current or new Title 34 2024 Zoning Code
- Specify that any attempts by BZS to change zoning on a property zoned into a Title 34 2024 Zoning Code district must adhere to this section and any applicable sections in Title 34 Zoning Code
- Specify that on any property to be rezoned under Zone In, other than new Title 34 districts, the Title 33 Zoning Code applies to any applications for a new or amended site plan or building permit, as long as it is submitted and accepted by BZS prior to the effective date of the rezoning of the property and that department approvals have not expired (also acknowledges that existing uses and existing structures may be permitted to continue and may be considered conforming under the definitions and provisions provided for in the 2024 Zoning Code)

In all, these amendments will allow Council to take zoning actions necessary to implement the Zone In Initiative to leverage additional housing for Columbus, foster connected communities, and create a more equitable Zoning Code updated for current and future growth in the City.

**EMERGENCY DESIGNATION:** Emergency action is requested on this ordinance in order to meet the current Zone In Initiative timeline, which calls for a public comment period to begin on April 9, 2024. The changes to code must be effective prior to the passage of a Council resolution declaring its intent to amend the Zoning Map.

To amend various sections in Title 33 of the Columbus City Codes pertaining to Council actions on zoning and the Zone In Initiative, and to declare an emergency.

**WHEREAS,** Chapter 33 of the Columbus City Codes pertain to the Zoning Code, including actions Council and other public bodies can take in zoning matters; and,

**WHEREAS,** the Zone In Initiative is an effort to revitalize zoning and development for current and future growth in the City, and well as a modernization of the City's Zoning Code; and,

**WHEREAS,** Council is proposing a set of amendments to Columbus City Codes Title 33 that would allow for Council action on the Zone-In Initiative; and,

**WHEREAS,** these changes would also introduce a public engagement process to the Code that would allow Council to rezone properties in phases, according to the Zone-In Initiative; and,

**WHEREAS,** these amendments will allow Council to take zoning actions necessary to implement the Zone In Initiative

to leverage additional housing for Columbus, foster connected communities, and create a more equitable Zoning Code updated for current and future development in the City

**WHEREAS**, an emergency exists in the usual daily operation of Columbus City Council in that it is immediately necessary for the amendments to be enacted to meet the current Zone In Initiative timeline to open a public comment period, thereby preserving the public health, peace, property, safety and welfare; **now, therefore:**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** That sections 3303.005, 3303.26, 3309.01, 3309.02, 3309.03, 3310.01, 3310.02, 3310.03, 3310.04, 3310.05, 3310.06, 3310.07, 3310.08, and 3310.15 of the Columbus City Codes are hereby amended as follows:

**SEE ATTACHMENT**

**SECTION 2.** That existing sections 3303.005, 3303.26, 3309.01, 3309.02, 3309.03, 3310.01, 3310.02, 3310.03, 3310.04, 3310.05, 3310.06, 3310.07, 3310.08, and 3310.15 of the Columbus City Codes are hereby repealed.

**SECTION 3:** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this Ordinance is hereby declared to be an emergency measure, and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.