



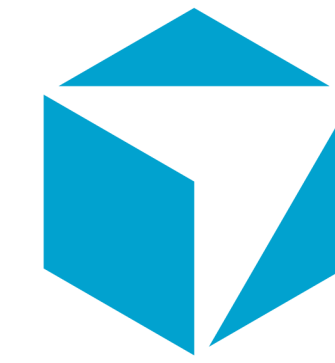
**FBT  
Gibbons**

# **2026 Planning Commission Training**

March 24, 2026

# 2026 Planning Commission Training

# Legal Topics Agenda



**FBT  
Gibbons**

- General Considerations
- Making a Good Record
- Voting and Motions
- Conflicts of Interest
- Public Records
- Communications

# General Considerations



- Preparation – Review code, plans, sites, and packets
- Demeanor – Eye contact, active listening, manage crowd emotions
- Meetings – Clear process, manage time, focus on facts
- Due Process – Provide notice, unbiased/timely decisions, and findings

# Making a Good Record



- A good record of an application hearing is essential.
- Remember that the entire Commission meeting is recorded so refrain from comments irrelevant to the application.
- Maintain a degree of formality with all applicants and witnesses.
- Maintain a polite demeanor, regardless of the actions of applicants.
- Keep comments grounded in facts and not opinions.
- Relate all comments to the review criteria set forth in the application.
  - **IMPORTANT:** State reasons that are tied to objective criteria when recommending denial
- Do not demand concessions or items that are not justified or in the Code.

# Role of the Chairperson



- Open the meeting on time and call the meeting to order
- Announce in proper sequence the business on the agenda
- Recognize members who are entitled to the floor
- Expedite business in a manner compatible with rights of members and citizens
- Make the ultimate decisions on questions of order

# The Role of Members

- Make every effort to prepare, attend, and be on time for every meeting
- Understand the rules of procedure
- Be knowledgeable and familiar with the issues before them so they can participate by:
  - Introducing motions
  - Seconding another member's motion
  - Discussing the issue according to the rules or asking information regarding issues

# Voting and Making Motions

- All motions are voted upon by a roll call vote and only one motion may be considered at a time. Passage of a motion requires a majority vote of the entire commission (e.g., if only 3 members are present, all 3 must approve).
- Permitted Motions
  - Motion to approve
  - Motion to approve w/ stipulations
  - Motion to recommend approval
  - Motion to recommend approval w/ stipulations
  - Motion to postpone
  - Motion to amend

# Conflicts of Interest & Ethics Issues



- Abstentions
  - If a Commission member has a conflict of interest regarding any applicant, the member should recuse himself or herself from the matter.
  - Contact the Law Department in order to obtain direction *prior to the meeting*, if possible.
  - Do not participate formally or informally in discussion or any vote.
  - Generally, state the reason for the conflict and then leave the room for the duration of the discussion and vote.

# Conflicts of Interest & Ethics Issues



- The Ohio Ethics Commission enforces the Ohio Ethics Laws through investigations usually initiated by citizen complaints.
- Prohibited Acts
  - Receiving any benefit from a contract entered into by his or her public entity;
  - Hire or secure any contract benefits for a spouse, parent, grandparent, children, or any relative living with him or her;
  - *Participate in matters where something of value will result for the public official or employee, family, business associates, or others with whom the official has a close tie that could impair objectivity.*

# Public Records & Communications

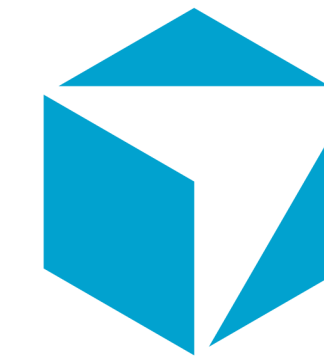


- A “record” is any document, device, or item, regardless of physical characteristic, created or received by or coming under the jurisdiction of any public office which serves to document the organization, functions, policies, decisions, procedures, operations, or other activities of the office.
- A “public record” is any record **kept by** any public office.
  - “Kept by” means any record that is actually in existence and in the possession of the public office or person responsible for public records.
  - Examples of records not “kept by” a public office:
    - a record not yet in existence
    - a record that has been disposed of lawfully

# Public Records & Communications



- *Records are analyzed based on their content, rather than their storage medium.*
- **Electronic records** (e-mails and text messages) are treated no differently than any other tangible record.
  - A private e-mail account can be subject to the Public Records Act if the content of the e-mail serves to document the organization, functions, policies, procedures, operations, or other activities of the public entity.
- **Personal Notes** can be “records” and are often considered “transitory records” (created for the purpose of transferring their content to an official file, database, report, etc.)
  - Notes are not records if they are (1) kept as personal papers; (2) kept for the employee/official’s own convenience; and (3) not accessible to other members.



# What to Avoid

- Ex parte communications with outside parties
  - Applicants
  - Other Commission members
  - City residents
- Information outside the record
  - Evidence from outside sources
  - Ex parte research
  - Avoid independent investigations

# Questions?

**RULES AND REGULATIONS  
GROVE CITY PLANNING COMMISSION  
GROVE CITY, OHIO**

AS ADOPTED FEBRUARY 26, 2002  
REVISED SEPTEMBER 10, 2002  
REVISED NOVEMBER 12, 2002  
REVISED MARCH 25, 2008  
REVISED DECEMBER 28, 2010  
REVISED MARCH 8, 2011  
REVISED DECEMBER 6, 2011  
REVISED FEBRUARY 14, 2012  
REVISED FEBRUARY 2, 2016  
REVISED FEBRUARY 8, 2022  
**REVISED MARCH 24, 2026**

**AUTHORITY AND DUTIES**

The Planning Commission for the City of Grove City was established by the adoption of the Municipal Charter Article IV, Section 4.01, as amended November 7, 2017, and reads:

*There shall be a five-member City Planning Commission consisting of citizen members appointed to four-year overlapping terms. Unless otherwise provided by Council, this Commission shall have all the power and authority conferred upon such commissions by general State law and shall conduct its affairs in a manner provided by such State law. (Municipal Charter)*

The Codified Ordinances of the City of Grove City, provide per §1131.04, Administration by Planning Commission, and reads:

*“There is hereby vested in the Planning Commission the duty of administering this Zoning Code and the power necessary for such administration. (Ord. C79-74. Passed 1-20-75.)”*

**I. DUTIES AND RESPONSIBILITIES OF PLANNING COMMISSION**

The Planning Commission shall have such duties and responsibilities as provided in Section 4.01 of the City Charter, the Codified Ordinances of the City of Grove City and as otherwise provided by Council.

**II. COMMISSION MEMBERS (Grove City Charter §4.05)**

A. Membership and Qualification

1. The members appointed by the Mayor to the Planning Commission shall be residents of the City and during their service on the Planning Commission, hold no other Municipal office or employment or serve simultaneously on two or more such boards or commissions. (Municipal Charter)

2. The Mayor shall appoint five (5) citizen members to serve as members of the Commission pursuant to §4.05 of the Municipal Charter.
3. Citizen members shall serve staggered four (4) year terms of office.
4. Vacancies on the Commission shall be filled by the Mayor pursuant to §4.01 of the Municipal Charter.

B. Officers

1. At its first regular meeting of the calendar year, the Commission shall elect a Chair and Vice-Chair by roll call vote. Officers shall be entitled to vote and shall each hold office for one (1) year or until a successor is elected.
2. Should the office of Chair or Vice-Chair become vacant, the Commission shall elect a successor from its membership within the next two regular meetings. The Commission may elect an interim officer, if necessary.

C. Attendance of Members

1. Attendance of members is the responsibility of each member of the Commission. Attendance is encouraged for all members. More than four (4) unexcused absences may result in a member's removal from the Commission. Removal from membership shall be acknowledged in writing by the Mayor.
2. Each member shall be responsible for notifying the Secretary to the Planning Commission as soon as possible and no later than 24 hours before any Commission meeting, if unable to attend.

D. Resignation

The resignation of a member of the Commission shall become effective upon written notice to the Mayor.

**III. MEETINGS**

A. Public Meetings

All meetings shall be open to the public per O.R.C. §121.22. (Sunshine Law)

B. Regular Meetings

Regular meetings of the Commission shall be held on the first Tuesday after the first Monday of the month in City Hall at 1:30 pm unless otherwise specified.

C. Special Meetings

Special meetings may be held at any time upon call of the Chair, by a majority of the voting members of the commission or upon request by City Council with at least twenty-four (24) hour notice (written or personal contact) to each member of the Commission.

D Quorum

A majority of the members of the Commission shall constitute a quorum for the transaction of business (three members).

E Parliamentary Procedure

1. All motions shall be by roll call vote on a rotating basis.
2. Only one motion may be considered at a time.
3. The following is an exhaustive list of all motions that may be made on applications:
  - a. Motion to approve
  - b. Motion to approve with stipulations
  - c. Motion to recommend approval
  - d. Motion to recommend approval with stipulations
  - e. Motion to postpone
  - f. Motion to amend
  - g. Motion to reconsider – any member who voted on the prevailing side of one of the above motions may move to reconsider the action provided that such motion must be made no later than the second regular meeting after the original action from which reconsideration is being requested was taken. No motion to reconsider shall be made more than once upon any application. Reconsideration shall be granted by a majority roll call vote or the members in attendance and only upon a showing of new facts or a change in circumstances from the original decision. The reason for granting reconsideration shall be included within the Commission's decision.

**IV. APPLICATIONS**

Applications shall be submitted to the Development Director in accordance with the Zoning Code and pursuant to the application schedule maintained by the Development Department.

**V. AGENDA**

- A. Staff shall prepare and distribute an agenda to the Commission prior to the meeting listing all applicants, and having staff reports and other documents attached. Applications previously tabled or postponed and those requiring less time may be scheduled first. A copy of the agenda shall be placed in a conspicuous place in City Hall prior to any regular or specially called Planning Commission meeting.
- B. No agenda items shall be taken up after 4:30 p.m.

## VI. STAFF REPORT

Staff shall prepare a written report for each application appearing on the agenda. The staff report shall be provided to the Commission, the applicant(s) and to residents upon request. Copies of correspondence, maps, plans, and diagrams, which support the staff report, shall also be provided to Commission members. The staff report shall ~~may~~ also include, as necessary, statements **or input** from **various City departments**, the ~~Chief Building Official~~, Law Director's office, **and the City's Consulting Engineer, as well as Service Director, City Forester, Police Department, Jackson Township Fire Department and other applicable public entities** ~~appropriate city and township personnel~~ regarding their ~~opinions as to~~ **comments on** any particular application.

## VII. ATTENDANCE OF APPLICANT

The Commission may hear or dismiss, without hearing, an application if the applicant or applicant's representative is not present when the matter is called for hearing at the meeting.

## VIII. MEETING PROCEDURE

- A. All meetings will open with a moment of silence and the Pledge of Allegiance.
- B. The Chair introduces Commission members and Staff, gives a brief overview of the meeting procedure and makes any other comments deemed necessary to the appropriate conduct of the meeting.
- C. At the beginning of the meeting, the Commission shall determine the order in which cases will be heard.
- D. Minutes shall be approved by roll call vote.
- E. The Chair shall call each case separately and call for a representative for each agenda item. The representative will be required to state their name and address for the record.
- F. Staff presents a verbal report and makes its recommendation(s) to the Commission. Staff's presentation may include the use of visual aids and or other materials.
- G. The Commission may ask questions of Staff regarding any aspect of the Staff presentation or other questions it may deem necessary and appropriate.
- H. The applicant(s) or their representative(s) may present their case to the Commission; **unless otherwise modified by the Chair**, comments will be limited to five (5) minutes in length. In the event the representative has a prewritten statement, a copy will be required for the record.
- I. The Commission may ask questions regarding any aspect of the applicant's presentation or other aspect of the presentation as it may deem necessary and appropriate.
- J. Interested citizens may make presentations to the Commission. All persons presenting evidence or speaking before the Commission shall identify themselves by name and address. Unless otherwise modified by the Chair, there will be a three (3) minute limit for each citizen comment. The Chair has the authority to limit the number of persons making comments on any case.

- K. The Commission may ask questions regarding any aspect of the presentation, and discuss the application.
- L. Following the presentation(s) the Chair shall close the discussion of the item and call for a motion.
- M. The Commission votes by rotating roll call. **Approval from the majority of Planning Commission members (3 members) is required for a motion to be approved.**
- N. The Chair announces the result of the vote and directs the official recording of the decision, together with the reasons for the decision, if not included within the Commission's motion.
- O. Any stipulation placed as part of Planning Commission's recommendation to City Council may be remedied and removed from Planning Commission recommendation by staff prior to submission to City Council. Documentation of the remedy of any stipulation by staff to be provided to the Planning Commission by the next Planning Commission meeting.
- P. Planning Commission's recommendation will be directed to the Clerk of Council via the minutes of the meeting. Such recommendation shall be submitted to the Clerk of Council as soon as practical, unless the applicant has agreed to have his or her application postponed, or withdrawn.
- Q. The Chair may call for a recess, as he/she may deem necessary and appropriate.

#### **XI. EX-PARTE CONTACT**

Commission members should avoid ex-parte contact with the applicant or their representative(s). If any such contacts are made by an applicant, the member should refer the applicant to staff. If the applicant persists in offering information by way of ex-parte conduct, the member should report these contacts at the meeting and may refuse to participate in the deliberation and decision of the case.

#### **XII. CONFLICT OF INTEREST**

Any member of the Commission, who feels that they have a conflict of interest on any matter that is on the Commission agenda, shall voluntarily excuse her/himself and refrain from discussions on that application. Commission members are encouraged to seek advice from the City Law Director as may be necessary to determine whether or not a conflict of interest may exist.

#### **XIII. DISTRIBUTION OF RULES**

A copy of these rules shall be provided to each applicant or representative at the time of the filing of an application. Copies of these rules will be made available to the audience by placement at the entrance to the hearing room. A summary of the descriptions of the various types of proceedings conducted before the Commission is made available as part of this document.

#### **XIV. SUSPENSION OF RULES**

The Commission, by affirmative vote of a majority of the members in attendance, shall have the authority to suspend or modify its rules and regulations at the meeting for good cause. Further,

failure to comply with any of the rules and regulations set forth herein, or technical procedural deficiencies do not invalidate actions taken by this Commission.