



APA CLEVELAND'S 27<sup>TH</sup> ANNUAL

**PLANNING**  
AND **ZONING**  
**WORKSHOP**

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**Friday, November 13, 2015**

**La Centre Conference  
& Banquet Facility**

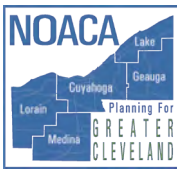
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# THANK YOU

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This conference would not be possible without the generous volunteer contributions of the committee members, speakers, and moderators; financial support from our sponsors and exhibitors; and generous in-kind support from local agencies.

**Jim Bedell, AICP**  
City of Westlake

**Mary Cierebiej, AICP**  
Team NEO

**Erica Deutsch**  
Studio Graphique, Inc.

**Maribeth Feke**  
Greater Cleveland Regional  
Transit Authority

**Michelle Johnson**  
Environmental Design Group

**Ann Klavara, AICP**  
City of Shaker Heights

**Sara Byrnes Maier**  
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**Kara O'Donnell**  
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**Matt Schmidt, AICP**  
Trust for Public Land

**Arthur Schmidt IV**  
City of Cleveland

**Kim Wenger, AICP**  
City of North Olmsted

**Special Thanks to Christine Dersi Davis**  
APA Ohio Executive Director

# SCHEDULE AT A GLANCE

7:15–8:30 AM

## REGISTRATION & CONTINENTAL BREAKFAST

8:30–10:00 AM

### PLANNING ETHICS

CM | 1.5 | Ethics  
CLE  
Bordeaux A

### STILL WATERS RUN DEEP

CM | 1.5  
CLE  
Champagne A/B

### WHEELS OF PROGRESS: DOWNTOWN REVITALIZATION

CM | 1.5  
Bordeaux C

### WEB-BASED GIS TOOLS FOR PLANNERS

CM | 1.5  
Bordeaux B

10:15–11:45 PM

### VARYING THE VARIANCE

CM | 1.5  
CLE  
Bordeaux A

### ZONING & COMP PLANS: APPLE V. GRANGER TWP

CM | 1.5 | Law  
CLE  
Champagne A/B

### PLANNING IN LAND-LOCKED SUBURBS

CM | 1.5  
Bordeaux C

### BEYOND THE CHURCH BASEMENT

CM | 1.5  
Bordeaux B

11:45 AM–1:00 PM

## LUNCH

Champagne C/D Ballroom

1:15–2:45 PM

### VACANT PROPERTY IDENTIFICATION & ACQUISITION

CM | 1.5  
Bordeaux A

### REED V. TOWN OF GILBERT: NEW SIGN RULES

CM | 1.5 | Law  
CLE  
Champagne A/B

### ACTIVE TRANSPORTATION: CHANGING HOW WE MOVE

CM | 1.5  
Bordeaux C

### TOWNSHIP ZONING ENFORCEMENT

CM | 1.5  
CLE  
Bordeaux B

3:00–4:15 PM

### ED TOOLS FOR LOCAL GOVERNMENT

CM | 1.25  
CLE  
Bordeaux A

### ZONING & AGRICULTURE

CM | 1.25  
CLE  
Champagne A/B

### DEER MANAGEMENT: WHAT CAN YOU DO?

CM | 1.25  
Bordeaux C

### DESIGNING LOCAL: CREATIVITY & COMPETITIVENESS

CM | 1.25  
Bordeaux B

4:15–5:00 PM

## NETWORKING RECEPTION



### CONTINUING EDUCATION

AICP: CM credits have been applied for sessions as noted.

Others: Certificates available at registration for self-reporting purposes.

Sessions denoted with "CLE" above have been approved for Continuing Legal Education credits by the Supreme Court of Ohio.

# WORKSHOP SCHEDULE

**7:15 – 8:30 AM**

## **REGISTRATION & CONTINENTAL BREAKFAST**

Sponsored by:



Cuyahoga  
County Planning  
Commission

**8:30 – 10:00 AM | SESSION 1**

## **PLANNING ETHICS: A LEGAL PRACTITIONER'S PERSPECTIVE; OR, WELCOME TO THE COURTROOM**

Review/analyze the AICP aspirations and rules of professional conduct as applied, with commentary to compare and contrast the principles and the practicalities of planning and the law.

**Bruce G. Rinker**  
Mansour Gavin, LPA

## **STILL WATERS RUN DEEP: A PRACTICAL GUIDE TO RUNNING A SMOOTH ZONING MEETING AND AN ANALYSIS OF THE COMPLEX ISSUES THAT MAY LIE BENEATH**

A joint presentation covering (1) the best practices for managing zoning meetings to promote effective participation by applicants and the interested public, and to encourage input which supports good decisions; and (2) uncovering some of the complex issues that exist between planning principle and zoning law, including a survival guide for addressing these issues.

**John P. Slagter**  
Buckingham, Doolittle & Burroughs, LLC  
**Mark Majewski, AICP**  
Northstar Planning & Design

## **WHEELS OF PROGRESS: VARIED APPROACHES TO DOWNTOWN REVITALIZATION**

The quest for relevance and vibrancy is an unending endeavor for downtowns across the country. Even communities with downtowns that are already thriving – those with well-positioned natural assets or histories, for example – are looking for advice on how to address changing community dynamics and stay ahead of the curve. Luckily, there are options. This panel discussion will address two distinct approaches to downtown revitalization with two case studies in Wooster and Medina, Ohio facing the same, very real dilemma – how to position their downtowns for longevity while responding to growth, changing demographics and new opportunities.

**Aaron Domini**  
OHM Advisors  
**Kimberly Rice**  
City of Medina  
**Sandra Hull**  
Main Street Wooster

## **WEB-BASED GIS TOOLS FOR USE BY PLANNERS AND MUNICIPAL OPERATIONS, FEATURING THE CUYAHOGA COUNTY GREENPRINT AND SUMMIT'S COUNTY-WIDE ENTERPRISE GIS**

Continued advances in data platforms make it possible for a large number of users to manage, share and use spatial data through the internet. The County of Summit's Planning & GIS Division recently upgraded to an Enterprise GIS system which supports participating municipalities with the ability to edit spatial data, build custom mapping applications, share data with other entities and utilize various analytical tools. The Cuyahoga County Planning Commission has leveraged the county's enterprise GIS in updating its Greenprint as an interactive,

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data-driven map viewer on a Geocortex platform. In this session, members from both agencies will demonstrate their new products.

**Daniel E. Meaney**

Cuyahoga County Planning Commission

**Elaine A Price**

Cuyahoga County Planning Commission

**Ryan Sellman**

Summit County

**Dennis Tubbs**

Summit County

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## 10:00 – 10:15 AM | MORNING BREAK

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## 10:15 – 11:45 AM | SESSION 2

### VARYING THE VARIANCE

Sometimes planners and board members treat applicants for variances as would-be criminals asking for permission to break the law! At other times, the same planners and board members may grant variances that go against a code's criteria for granting variances because everyone agrees that it's a "good project." This session will explore a common-sense approach to amending and administering variance regulations to achieve outcomes that are fair to applicants and that benefit the community.

**John Monroe**

Mansour Gavin, LPA

**Bob Brown, FAICP**

### ZONING IN ACCORDANCE WITH A COMPREHENSIVE PLAN: APPLE V. GRANGER TOWNSHIP

There has been much debate over the years about the Ohio Revised Code's phraseology requiring zoning to be in accordance with a comprehensive plan, in the absence of a definition of what constitutes a comprehensive plan. Despite numerous court cases challenging township zoning, the Ohio legislature has not seen fit to amend the ORC to specifically address what exactly constitutes a comprehensive plan, while past court cases and Ohio Attorney General Opinions have declared that a zoning code or resolution can itself be considered the comprehensive plan. The appellant in the Apple Group v. Granger Township case sought to have the Ohio Supreme Court determine just what being in accordance with a comprehensive plan means. This session will review the outcome of the court case (issued in June 2015) and provide an analysis of the facts and law of the case from both side's perspective.

**Kristin Hopkins, AICP**

CT Consultants

**David Hartt, AICP**

CT Consultants

**R. Todd Hunt**

Walter Haverfield, LLP

### A STRATEGIC APPROACH TO PLANNING IN LAND-LOCKED SUBURBS

The Cleveland metro area is a dynamic place. The rebirth of downtown has masked a greater struggle occurring between dozens of periphery jurisdictions for diminishing economic resources. This competition has encouraged suburban places to get creative with their remaining acres of land. From Westlake to Euclid, communities across the metro area are slowing down to consider their

# WORKSHOP SCHEDULE

next move, and how they might best compete with downtown and with their neighbors. The session will present best practices from two land-locked suburbs of Cleveland and how recent planning processes have strategically positioned them for success in the next chapter within this dynamic landscape.

**Kim Wenger, AICP**  
City of North Olmsted

**Kyle May**  
planning NEXT

**Sarah Bongiorno**  
planning NEXT

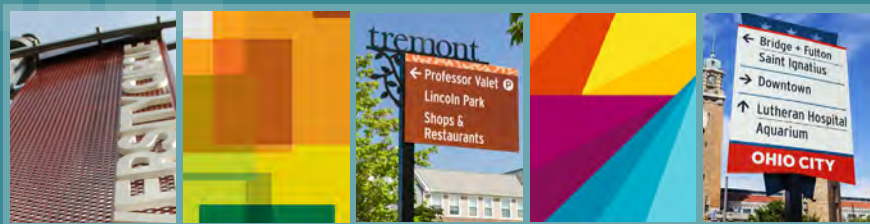
**Jeremy Rowan**  
City of Independence

## BEYOND THE CHURCH BASEMENT: RETHINKING THE TRADITIONAL PUBLIC MEETING

Engagement of the community is a crucial aspect to every planning project. The tools of public engagement have changed dramatically with the advent of social media and instantaneous feedback. Learn how to successfully engage the community using a variety of tools and methods for this generation of planners. Traditional approaches to public engagement are being reconsidered to attract a variety of age groups, information types, and grassroots supporters. We'll discuss #hashtags, social media, websites, media presence and more with this open discussion of modern engagement strategies and include



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opportunities for audience participation that encourages an active dialogue of sharing of ideas and past experiences.

**Alex Pesta, AICP**  
City Architecture

**Kat Keller-Kratzer**  
City Architecture

**Nancy Lyon-Stadler**  
Parsons Brinckerhoff

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**11:45 AM – 1:00 PM**

## LUNCH

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## APA OHIO—BECAUSE WE PLAN INITIATIVE

**Christine Dersi Davis, AICP**  
APA Ohio

**Jason Segedy**  
AMATS

**George Cantor, AICP**  
Cleveland City Planning Commission

**James Kastelic, AICP**  
The Trust for Public Land

**Kyle Ezell, AICP**  
Designing Local



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**1:15 – 2:45 PM | SESSION 3**

## VACANT PROPERTY IDENTIFICATION AND ACQUISITION: TWO PERSPECTIVES

Western Reserve Land Conservancy will discuss its Property Inventory Program, which leverages GIS-based mobile data collection to create data and maps that describe the location and condition of vacant and distressed properties. The organization has conducted 8 projects over the past three years, working with communities to quantify their needs and identify properties that may be appropriate for Land Bank acquisition. The Cuyahoga County Land Reutilization Corporation will discuss the various public and private sources and processes by which it can acquire tax and private foreclosed, abandoned properties. In its six years of operation, the CCLRC has acquired nearly 6000 properties, allowing them to be more responsibility repositioned for rehabilitation or demolition. In this context, the land bank can provide a strong community development role in our County's resurgence.

**Jim Rokakis**  
Western Reserve Land Conservancy

**Paul Boehnlein**  
Western Reserve Land Conservancy

**Kim Steigerwald**  
Cuyahoga County Land Reutilization Corporation

## REED V. TOWN OF GILBERT: UNDERSTANDING THE NEW RULES FOR SIGN REGULATION

Learn what you need to do to ensure that your sign codes comply with the U.S. Supreme Court's decision in Reed v. Town of Gilbert. That decision established that any sign regulation that requires consideration of a sign's content to determine how that sign will be regulated





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is "content-based" and subject to "strict scrutiny." Many sign codes contain such regulations; for example, by treating real estate signs differently than political signs. After Reed, such distinctions will be upheld only if local government can prove they serve a "compelling governmental interest" and are "narrowly-tailored" to achieve that interest. This session will provide guidance on: (1) when and how to replace content-based sign regulations with effective content-neutral sign regulations; and (2) which content-based regulations should be retained and how to defend them if challenged. New sign codes for the City of Mentor and Village of Madison will be discussed as models.

**Alan Weinstein**

Cleveland State University

**Joseph Szeman**

Hennig, Szeman & Klammer Co., LPA

**David Hartt, AICP**

CT Consultants

## ACTIVE TRANSPORTATION: CHANGING HOW WE MOVE IN GREATER CLEVELAND

Northeast Ohio enjoys an abundance of natural and recreational assets that are accessible by automobile. There is a growing desire to create a non-motorized transportation network to get to and enjoy our parks and natural resources, in addition to facilitating alternate mode commuting. This will enhance the livability of the region and it will support public health efforts to address the obesity epidemic. This session will focus on recent planning studies with regional impact on alternate mode travel.

**Glenn Coyne, FAICP**

Cuyahoga County Planning Commission

**Neal Billedeaux**

Smith Group JJR

**Michelle Johnson**

Environmental Design Group

## TOWNSHIP ZONING ENFORCEMENT

A discussion and examples of how zoning enforcement in township and rural settings preserves the character and heritage of places, while meeting planning directives.

**Robert S. Kagler, AICP**

Twinsburg Township

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**2:45 – 3:00 PM**

## AFTERNOON BREAK

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**3:00 – 4:15 AM | SESSION 4**

## ECONOMIC DEVELOPMENT TOOLS FOR LOCAL GOVERNMENTS

This session will summarize the various tax abatement and tax increment financing increment programs available in Ohio and discuss the conditions under which the different programs could be utilized. We will describe other local economic development incentive programs that are increasingly utilized. We will also discuss issues that arise in the administration of these programs.

**Pamela I. Hanover**

Squire Patton Boggs LLP

## ZONING AND AGRICULTURE

Ohio's statutory "agricultural exemption" affects how and when a community may use zoning to regulate agricultural land uses in Ohio. This session will include an explanation of the agricultural exemption statute and a discussion of relevant court decisions that interpret the exemption. The speaker will offer insights into

# WORKSHOP SCHEDULE

applying the agricultural exemption to zoning situations.

**Amy M. Milam**

Ohio Farm Bureau Federation

## DEER MANAGEMENT: WHAT CAN YOU DO?

Deer population management is vital to maintaining healthy ecosystem diversity – both within parklands and in bordering communities. Cleveland Metroparks staff will discuss what a “deer problem” means, including the history and ecological impact of growing deer populations in urban and suburban Northeast Ohio, research conducted by Cleveland Metroparks on the topic over the past 30 years, and what the Park District is doing to address the issue. Over the past four years, the City of Mentor developed and implemented a deer management strategy that is now considered a state model. The strategy also includes a pilot program project funded through ODOT to protect drivers in high deer/car accident zones.

**Abe Bruckman, AICP**

City of Mentor

**Nick Mickash**

City of Mentor

**Jon Cepek**

Cleveland Metroparks

## DESIGNING LOCAL: CREATIVITY AND RULES TO MAKE PLACES MORE COMPETITIVE

Communities are working more and more to create a sense of place in their neighborhoods and as part of that, they want to incorporate local elements unique to them. Beyond that, communities are just looking for a way to encourage, lest we say promote, more creativity in the design of development to set themselves apart. Within this session, speakers will share how communities are using

the planning process to identify those elements at the core of a community's essence, the steps communities are taking to incorporate that quality into public and private investments, and the regulatory framework that has not been historically known for allowing for design that is outside of the box.

**Wendy E. Moeller, AICP**

Compass Point Planning

**Kyle Ezell, AICP**

Designing Local

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**4:15 – 5:00 PM**

## NETWORKING RECEPTION

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# NOTES



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