

DATE: June 12, 2020

APPROVED BY: David J. Radachy, Secretary



MINUTES OF THE LAKE COUNTY PLANNING COMMISSION

January 28, 2020

The Lake County Planning Commission hereby finds and determines that all formal actions were taken in an open meeting of this Planning Commission; and that all the deliberations of the Planning Commission and its committees, if any, which resulted in formal actions, were taken in meetings open to the public in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

The following members were present: Messrs. Bernard (Alt. for Hamercheck), Brotzman, Perkovich, Reppert, Siegel (Chair), Valentic (Vice Chair) VanBuren (Alt. for Cirino), and Veselko and Mmes. Collise (Alt. for Young) and Kurt.

Planning Commission Officers present were: Historian Hausch and Secretary Radachy.

Planning and Community Development Staff present were: Mr. Rose and Ms. Andrews (Recording Secretary).

Visitors present: Todd Hausch; Steven Houser, Lake County Stormwater Management; and David Novak, Barrington Consulting Group (Topic of Interest: Stoneridge Estates).

CALL TO ORDER

Chairman Siegel called the meeting to order at 5:37 PM.

ROLL CALL

Roll call was taken. There were nine (9) voting members present. There was a quorum.

ELECTION OF OFFICERS

The Nominating Committee (Ms. Kurt, Mr. Brotzman, and Mr. Veselko) provided a report on their efforts, which was read by Mr. Brotzman (attached). A proposed slate of Officers for the 2020 Board of the Lake County Planning Commission was presented, as follows: Ivan Valentic

(Chair), Pamela Kurt (Vice Chair), David Radachy (Secretary), and Geraldine Hausch (Historian). All nominees agreed to serve in their respective offices.

Ms. Collise moved and Mr. Perkovich seconded the motion to accept the slate of Officers for the Lake County Planning Commission Board for 2020, as presented by the Nominating Committee.

All voted "Aye".
Motion passes.

Mr. Siegel passed the gavel to newly elected Chair, Mr. Valentic.

2020 MEETING DATES AND TIMES

Mr. Radachy presented the proposed 2020 meeting dates and times noting a suggested departure from the normal meeting week for the month of December due to scheduling conflicts.

Mr. Siegel moved and Ms. Kurt seconded the motion to change the December meeting to December 15, 2020 and accept the other proposed meeting dates and times for 2020.

All voted "Aye".
Motion passes.

MINUTES

Mr. Siegel moved and Mr. Reppert seconded the motion to approve the December 17, 2019 Minutes as presented.

Eight (8) voted "Aye".
One (1) Abstained
Motion passes.

FINANCIAL REPORT

December 2019 Financial Report

Mr. Radachy reported that expenses for the month of December (\$514.12) include office supplies, contract services, and travel/conference costs for Planning Commission meetings. He noted that 2019 actual expenses for the Lake County Planning Commission were under budget by \$2,162.54. Mr. Radachy reported that revenue for the month of December was \$5,600 in subdivision permits and lot split fees. He noted that 2019 revenue, all from subdivision permits and lot split fees, was \$16,920.

Ms. Kurt moved and Mr. Reppert seconded the motion to accept the December 2019 Financial Report as submitted.

All voted "Aye".
Motion passes.

PUBLIC COMMENT

There was no public comment.

LEGAL REPORT

Legal was not present. No report was given.

DIRECTOR'S REPORT

Mr. Radachy reported on the following:

- Office move to the new building ongoing
- Digital Maps / Address Grid Project
 - Conversion of paper maps to digital files
 - Includes 1966 air photos and address maps
 - GIS layer to be created for the purpose of an address grid, which will make creating addresses easier
- Enhancement of professional training for staff is being planned to include conferences, classes and webinars
- Expansion of collaborative efforts with professional organizations is proceeding, including but not limited to the following:
 - Professional Land Surveyors of Ohio
 - American Planning Association, Ohio Chapter
 - County Planning Directors Association of Ohio, of which Mr. Radachy is President

ANNOUNCEMENTS

Mr. Radachy made the following announcements:

- Board Matters
 - Mr. Bernard, Commissioner Hamercheck's Alternate, was welcomed to the Lake County Planning Commission Board.
 - Mr. Blake resigned from the Lake County Planning Commission Board in December 2019; The Commissioners are searching for someone to fill the vacancy for the remainder of Mr. Blake's term.
 - Historian Hausch will be 94 years old tomorrow; The Board wished her a Happy Birthday.
- Northeast Ohio Planning and Zoning Workshop
 - Will be held on June 19, 2020
 - Punderson State Park in Geauga County is being reviewed as a potential location for the workshop

- Speakers are being determined
- Registration information will be forthcoming

Mr. Siegel inquired as to when the office move is scheduled to take place and exactly where the board meetings will take place.

Mr. Radachy stated that the office move is scheduled for the first week in February, and the meetings likely will take place in the new building in the Commissioner's area. He noted that the offices for Lake County Planning Commission staff will be located on the 4th Floor of the Nolan Building.

SUBDIVISION REVIEW

Concord Township – Stoneridge Estates, Phase 3 Preliminary Plan, 32 Lots, 37.35 Acres

Mr. Rose presented the Stoneridge Estate, Phase 3 Preliminary Plan. Mentor Farms, LLC is the Developer and Barrington Consulting Group, LLC is the Engineer/Surveyor. Stoneridge Estates Subdivision is a subdivision consisting of thirty-two (32) sublots, with an average lot size of 0.50 of an acre, on 37.35 acres of land in Concord Township. Phase 3 will have 17.6333 acres of open space, which is 47.21% of the site. The site is currently vacant and is zoned R-2 RCU (Residential Conservation District). Land surrounding the site is zoned R-4 (Residential).

Mr. Rose stated that the site contains a single family home with accessory structures, all of which will be removed. He noted that there is a gas well, a separator, and gas tanks on the property. Mr. Rose stated that the northwest area of the property has some drainage issues and a stream, but there is a proposed stormwater detention basin in that area. He reviewed the previous phases noting that the necessary infrastructure is already in place. Mr. Rose reviewed the differences between the Preliminary Plan that was approved by the Lake County Planning Commission Board in 2013 and the present Preliminary Plan. He briefly reviewed the topographic map of the property noting the flow of stormwater and the proposed solutions for managing the same. Mr. Rose reviewed the location of the gas well and stated that it is located within a 15-foot utility easement just outside the right-of-way. He noted that there is an access drive off of Girdled Road to the location of the separator and gas tanks. Mr. Rose stated that there is a pipeline easement between Lots 32 and 33 for access to a transmission line. He noted that there is some concern about Sublots 46, 47 and 48 on the western side of Jo Ann Drive being so close to the riparian setback. Mr. Rose stated that staff was able to get copies of the building profiles and determined that those lots are buildable. Below are the proposed stipulations and comments submitted:

PRELIMINARY PLAN STIPULATIONS

- 1) A Storm Water Pollution Prevention Plan must be prepared for erosion and sediment control. Effective March 1, 2000, an approved Erosion and Sediment Control (ESC) Plan shall be submitted after the approval of the Preliminary Plans and obtained prior to the approval of the Improvement Drawings by the Lake County Planning Commission (Section 5 of the Lake County Erosion and Sediment Control Rules, adopted 12/21/99). ESC Plan approvals shall be obtained through the Lake County

Soil and Water Conservation District. *Art. IV, Sec. 3, E - Art. IV, Sec. 3, F - Art. V, Sec. 4, A - Art. V, Sec. 4, B - Art V, Sec. 4, C*

- 2) Until plats and plans for the subdivision are approved, properly endorsed and recorded, no improvements such as sidewalks, water supply, storm sewers, sanitary sewerage facilities, gas service, electric service or lighting, grading, paving or surfacing of streets shall hereafter be made by the owner or owners or his or their agent, or by any public service corporation at the request of such owner or owners or his or their agent. *Art. I, Sec 4, B.*
- 3) Any subdivision with a preliminary plan filed after 1/27/04 will be required to provide a three year maintenance bond or surety when the subdivision goes into the maintenance phase. *Article V Section 8(D).*
- 4) The drainage facilities within the subdivision shall be designed to accommodate the surface and subsurface drainage. All such facilities shall be designed in accordance with the standards and specifications of the Lake County Engineer.

The Lake County Engineer may consider drainage downstream from the subdivision, to evaluate the flooding and drainage hazards that may be caused or compounded by the proposed subdivision. The subdivider shall then provide the solutions that will be used to relieve drainage problems created by the subdivision, as determined by the Lake County Engineer. *Article IV Section 8(D) and Article IV Section 8(D)(1)*

- a. Developer will be required to maintain drainage to the existing sub-watersheds, which will require an additional pond/infrastructure, rather than re-routing water to the adjacent tributaries. *Lake County Engineer*
 - b. For the preliminary plan, the proposed location of the stormwater basin re-routes portions of multiple existing subwatershed drainage areas to a proposed pond which discharges into single drainage channel near the existing Jo Ann Dr. cul-de-sac. The developer will need additional stormwater pond(s)/infrastructure to best replicate the existing sub watershed drainage areas and flows to these on site streams. Rerouting water to a different sub watershed drainage area will require approval from the Lake County Engineer. *Lake County Storm Water Management*
 - c. After initial review of the preliminary plan for the Stoneridge Estates, we have established concerns with the vast amounts of surface area collecting storm water into proposed storm sewer systems. In further review, we have additional concerns with subsequent volume of storm water flow into the planned detention area and its impact on the existing drainage channel downstream. *Concord Township Service Department*
- 5) The existing 2 inch gas transmission line extending from Girdled Road to previous phases will have to be surveyed and relocated. *Lake County Planning and Development.*

- 6) Sublots located near the existing gas well will require wider utility easements. *Lake County Planning and Development.*
- 7) There is a sight distance concern with the intersection of Girdled Road and Jo Ann Drive. There is a dip on Girdled Road and it may cause some issues. The proposed location may be the best location, but additional documentation may be required. *Lake County Engineer.*
 - a. Lake County Subdivision Regulations require 500 feet vertical visibility. *Art. IV Sec. 3(C)(3).*
- 8) The developer shall submit calculations/analysis showing that the sight distance criteria provided in the ODOT L&D manual, Vol. 1 are met. *Lake County Engineer.*
- 9) Copies of the CBR or Soil Analysis and pavement design shall be submitted to the Lake County Engineers Office with the improvement plans for review. *Lake County Engineer.*
- 10) Wetlands require Riparian Setbacks. Riparian Setbacks on lots 20, 21, 46, 47, and 48 are very close to building envelope and yard. Location of Storm Sewer on Lots. *LCSWCD.*
- 11) Lots that front Girdled Road shall have sanitary service from Girdled Road. *Lake County Utilities Dept.*
- 12) Jo Ann Drive will have high water pressure coming from Girdled elevation drop. Project will need a pressure reducing device similar to one installed on Keystone Drive. *Painesville City Water Department.*

PRELIMINARY PLAN COMMENTS

- 1) Spacing between the fire hydrants must be no further than 500 feet apart for a residential area. Fire Hydrants shall be located at the beginning of all street and fire apparatus access roads and at the entrance of all cul-de-sacs, permanent or temporary. *Concord Township Fire Dept.*
- 2) There shall be no fire hydrant located within a ditch line. *Concord Township Fire Dept.*
- 3) Street name signs and "No Parking on hydrant side of Street" (Concord Twp. Resolution 90-17) signs shall be provided and installed prior to the start of the construction of any structure. *Concord Township Fire Dept.*
- 4) Building numbers or identification must be provided during all phases of construction of a structure. *Concord Township Fire Dept.*
- 5) The proposed fire hydrants and their locations with the continuation of the 8 inch water line from Jo Anne Drive to Girdled Road is compliant. The fire hydrant though

must be self-draining, equipped with a 5 inch Stortz fitting on the steamer/pumper outlet forward facing the street and not within any ditch line. *Concord Township Fire Dept.*

- 6) With the existing gas well in subplot 33 remaining, who will be responsible for the protection care and maintenance? Who owns the gas well and/or mineral rights? *Concord Township Fire Dept.*
- 7) The Improvement Plans are subject to detailed review by the Lake County Engineers Office. *Lake County Engineer.*
- 8) The existing 2 Inch gas line is in conflict with the proposed development. Will need to be relocated. Conversations on this subject have been initiated with Mr. Dawson Sr. An agreement to move the gas line needs to be in place before final approval. *Orwell Natural Gas.*

Staff recommends approval of the Stoneridge Estates, Phase 3 Preliminary Plan with the correction of all stipulations and comments.

Mr. Valentic asked for clarification as to the distance from the building envelope to the riparian setback.

Mr. Rose stated he began his measurement calculation from the required distance between the location of the proposed structure as shown on the building profile and the riparian setback (150 feet), which is about eight (8) feet.

Mr. Siegel asked for clarification as to how close a house could be built to the gas well.

Mr. Rose stated that he did not measure the distance from the gas well to the building setback line.

Mr. Radachy stated that the gas well is about two (2) feet from the right-of-way line

Mr. Rose stated that the gas well is very close to both the right-of-way and the 15-foot utility easement.

Mr. Radachy stated that the distance is likely about forty-eight (48) feet.

Mr. Brotzman asked if the gas well has an above grade structure.

Mr. Rose stated he is unsure.

Mr. Siegel noted that the plan is preliminary and details about what is located near the gas well would need to be forthcoming.

Mr. Radachy stated that in the back of this subdivision there is another gas well that was capped because no one wanted to be near it. He noted that Mr. Victor also had another gas well on Alexa Drive that was capped because he could not sell the lots around it. Mr. Radachy stated

that if the developer wants to sell lots around this gas well, they likely will have to cap it, but there is nothing preventing the developer from building that close to a gas well.

Mr. Brotzman asked for clarification as to Mr. Radachy's statement regarding regulations relative to how close one can build to a gas well.

Mr. Radachy stated the regulations considered by the Lake County Planning Commission relate to roads, i.e. the right-of-way, and various easements. He stated that regulations regarding the distance from a gas well to a house is a zoning matter. Mr. Radachy stated that Concord Township has not defined a required distance from gas wells in their zoning code. He noted that Painesville Township is the only township that has defined a required distance from gas wells in their zoning code, which was problematic for the Fairway Pines subdivision.

Mr. Rose stated that this issue was discussed when the Board reviewed the previous preliminary plan in 2013. He noted that it is a known issue that likely should be addressed.

Mr. Siegel asked if the well is active.

Mr. Rose stated that the gas well is active at the current time.

Mr. Valentic asked for clarification as to where the stream ends and becomes a wetland.

Mr. Rose stated he does not know as it is unable to be determined from the GIS maps.

Mr. Radachy stated he was out at the property a couple of years ago. He noted that the GIS layers of the locations of the streams was created using GPS by the Lake County Soil & Water Conservation District (LCSWCD). Mr. Radachy pointed out the location of the beginning of the stream noting the definitive headwater and emerging wetlands areas. He stated that, theoretically, water should be flowing through the gap between the forested wetlands and the emerging wetlands, but that area has not been identified as wetlands or a stream by the Army Corps of Engineers.

Mr. Houser stated that a wetlands delineation was completed and that Mr. Edgar, Lake County Soil & Water Conservation District (LCSWCD), should have a copy on file. He noted that a field analysis is currently under way, and the results of same will be added to the drawing.

Mr. Valentic noted that if wetlands are touching or adjacent to a stream, riparian buffers are required and should also be added to the drawing.

Mr. Brotzman asked for clarification as to the subwater sheds referenced on the drawing.

Mr. Novak provided a handout that explains the flow of stormwater across the property and how subwater sheds are created. He stated that several detention ponds will be placed on the property, each of which will release water to the tributary into which it is currently flowing. Mr. Novak stated that the entire analysis has not yet been completed. He noted that he is working with Mr. Houser from Lake County Stormwater Management and believes that there is an agreement, at least in principle, about what is being proposed.

Mr. Brotzman inquired as to the drop between the high and low points of the watersheds.

Mr. Novak stated it is about 100 feet. He noted that when Keystone was built, a swale was created so none of the water from the Woodcrest or Keystone Subdivisions comes onto the property. He noted that the wetlands delineation was forward to Mr. Edgar at LCSWCD.

Mr. Radachy stated that Mr. Edgar forwarded the wetlands delineation to him.

Mr. Novak stated he has provided everything Mr. Edgar requested noting that the proposed work has been approved by the Army Corps of Engineers. He noted that additional discussions with Heather Freeman, Concord Township Zoning Department, will need to take place.

Mr. Siegel stated that putting three (3) ponds on a site that small should be enough to capture the stormwater and prevent it from flowing across the site or into other subdivisions.

Mr. Novak stated that Mr. Houser informed him that the next pipe downstream is only a 24-inch pipe, which is pretty small.

Mr. Houser stated that the pipe is going to be rerouted as there is an additional (twenty) 20 acres of water flowing through it, and there have already been issues with the pipe getting clogged. He stated that the stream is starting to down cut pretty clearly, which is a normal occurrence with urbanized streams and flash floods. Mr. Houser stated that the developer wants to keep the drainage areas as close to their natural state as possible.

Mr. Siegel stated he believes the proposed plan for handling stormwater looks good.

Mr. Novak stated that in trying to keep the drainage areas as close to their natural state as possible, three (3) smaller ponds are needed. He passed out a letter he received from Mr. Dawson which outlines the chain of events since the gas wells were installed in 2004. Mr. Novak stated that Mr. Dawson knew the land would be developed in the future as the document for the gas wells includes a provision that the gas line would be rerouted, if necessary, when the land began to be developed. He stated that the gas line needs to be rerouted as the current location of the gas line may interfere with construction. Mr. Novak stated that the gas line will be rerouted down Jo Ann Drive and will service the homes on Jo Ann Drive. He stated that the existing gas line cannot be abandoned until the new line goes in as the current gas line serves the homes in Phase 1 of the subdivision.

Mr. Brotzman asked if the gas line being rerouted is a transmission line between wells or service line.

Mr. Novak stated that the original line combined the north well with the south well by Girdled Road, and then flowed to a transmission line that Orwell Gas owned on Girdled Road. When Phase 1 was developed, the gas well was abandoned and the line was connected to a gas line in Phase 1.

Mr. Rose stated the gas company was not specific.

Mr. Novak stated the gas wells were installed back in 2004 and ownership of Orwell Gas has changed hands at least twice. He noted that he has read the agreement and it stipulates that the gas line will be relocated down the path of the right-of-way. Mr. Novak reiterated that the old gas line cannot be disconnected until the new gas line is put in.

Mr. Radachy asked if a phasing option had been considered.

Mr. Novak stated that he is unsure of what would be gained by a phasing option. He noted that before the houses are built in Phase 3, the gas line will have already been relocated. Mr. Novak stated that once the infrastructure is installed, including the rerouted gas line, the connection to Phase 1 can be made and the old gas line may then be abandoned. He noted that a phasing option could be explored.

Mr. Siegel noted that the gas line would have to be moved anyway if the new homes on Jo Anne Drive are to be serviced.

Mr. Novak concurred and again reiterated that the old gas line could not be abandoned until the new gas line is in place in the new right-of-way, Jo Ann Drive. He noted that this matter was discussed previously in 2004.

Mr. Radachy stated that staff was interested in obtaining a current update regarding the plans for moving the existing gas line.

Mr. Siegel moved and Mr. Van Buren seconded the motion to approve the Stoneridge Estates, Phase 3 Preliminary Plan with the correction of all stipulations and comments.

All voted "Aye".
Motion passes.

Subdivision Activity Report

No report was given.

LAND USE AND ZONING REVIEW

Painesville Township – Zoning Text Amendment in Sections 12, 31.03, and 31.04

Mr. Radachy stated that Page 46 of the handout this evening includes comments from the Board of Land Use and Zoning relative to the Painesville Township zoning text amendments to Sections 12, 31.03, and 31.04.

Mr. Rose stated that the proposed text amendments were brought by Painesville Township. He reviewed the major points of the proposed text amendments to include the following:

AMENDMENT SUMMARY:

- Revising Section 12 by adding Agriculture as a conditional use in Section 12. This includes:
 - Has to be done on lots 0.500 of an acre or larger.
 - No agricultural structures in the front setback for poultry or fowl.
 - No structure shall be constructed in excess of 20% of the main structure area for poultry or fowl, dairying or animal husbandry.
 - All poultry or fowl, dairying or animal husbandry must be in a fenced in area.
 - All poultry or fowl cannot take up more than 25% of the rear yard.
 - Poultry and fowl structures cannot be used for any other purpose. Garages cannot be converted.
 - Poultry and fowl must be screened.
 - Poultry and fowl, dairying or animal husbandry must be 20 feet from side and rear yard.
 - Poultry and fowl, dairying or animal husbandry must have a proper shelter.
 - Poultry and fowl can use chicken wire.
 - Dairying or animal husbandry cannot be higher than 35 feet in height.
 - Dairying or animal husbandry cannot be larger than 25% of the main structure.
- Revising Section 31 by:
 - Reducing the area required to do agriculture on from 1.00 acres to 0.500 of an acre and defining how many decimal places the acreage can be rounded in calculation. (31.03 A and 31.03 B)
 - Allowing agriculture structures in the front set back. (31.03 A 2)
 - Removing the requirement that agriculture structure has to be 25% or smaller of the main structure's square footage. (31.03 A 3)
 - Removing the requirement that animal or poultry husbandry has to be in a permanent structure. (31.03 A 4)

- Removing the requirement that animal or poultry husbandry cannot be more than 25% of the rear yard. (31.03 A 5)
- Removing requirement that any building or structure used for agriculture cannot be used for any other purpose or converted to another purpose. (31.03 A 6)
- Removing the requirement that agriculture must be screened from adjacent properties. (31.03 A 7)
- Removing the requirement that any building or structure using agriculture must meet side and rear setbacks. (31.03 A 8)
- The revision is combining 31.03 B with 31.03 B 2. It is also deleting dairying and/or animal husbandry that was in 31.03 B 2. It is also adding fowl husbandry as being a use.
- The revision is changing 31.03 B 1 to Poultry and/ fowl husbandry.
- It is allowing the use to be done with just a zoning certificate, it is removing all references to conditional uses. (31.03 B 2)
- It is keeping most of the setbacks except is reducing the rear setback to 20 feet from 50 feet and side setbacks to 20 feet from 25 feet. (31.03 B 2 b, c, and d)
- It is reducing the maximum building height from 35 feet to 10 feet. (31.03 B 2 e)
- It is setting the maximum percentage of building size to 20% of main structure from 25% of the structure. (31.03 B 2 f)
- Removing structure requirements of walls and roof from how animals are to be kept. (31.03 B 2 g)
- Adding requirements that a coop and run are needed. It is also stating that chicken wire is acceptable for this type of use.
- Setting the maximum number of poultry and/or fowl to 6 on lots .500 and smaller to 1.000 acres, 9 birds for lots 1 acre to 1.5 acres, and 3 birds for every 0.500 of acre above 1.5 of an acre.
- The new regulations will allow any variation of the requirements to be done by conditional use.
- Adding requirements for animal husbandry and dairying on lots 0.5 of an acre to 5.0 acres with the same requirements currently listed in 31.03 B 2. If 35% of subdivision has a building, these rules are in effect.
- Dairying and animal husbandry require a conditional use.

- It is deleting all of the setback requirements for front, side and rear. (31.03 B 2 b, c, and d)
- Deleting all height restrictions. (31.03 B 2 e)
- Deleting the pen and shelter requirements. (31.03 B 2 f)
- Moving 31.03 B 3 to 31.03 B 2 E. This states that after the subdivision has more than 35% of the sites developed, these buildings become non-conforming.
- They are adding fruit trees to the home garden exemption in Section 31.04.

STAFF COMMENTS:

- All of the other references to lot size in Painesville Township Zoning Resolution states that the area is exclusive of the right-of-way. These lot sizes do make that reference in Sections 12 and 31.03.
- There should be prohibition of building in the front setback. This may include utility easements for gas, electric, telephone and cable.
- You cannot do a variation on zoning with a conditional use, only way to do variation on zoning is with a variance.

RECOMMENDATION:

- Make the change with the following suggestions:
 - Change all references to references to lot size to lot sizes exclusive of the right-of-way.
 - Keep the prohibition of buildings in the front setback listed in 31.03 C 1 b.
 - Remove 31.03 B 3 because it is standard procedure to ask for a variance for a desired variation of the requirements.

Staff recommends approval of the proposed zoning text amendment in Sections 12, 31.03, and 31.04 with the incorporation of all comments and recommendations

Mr. Siegel inquired as to whether the proposed zoning amendments address all animals or just chickens.

Mr. Rose stated that some sections address animal husbandry and others refer to poultry.

Mr. Siegel asked for clarification as to whether the zoning text is pertaining to entire subdivisions or individual lots.

Mr. Rose stated that the zoning text refers to lots, parcels, and acres.

Mr. Radachy stated that there is a subdivision requirement, i.e. the zoning text applies only to areas that have been subdivided.

Mr. Siegel asked if the changes could have an impact on a 50-acre parcel.

Mr. Rose stated that, per the ORC, anything over five (5) acres is governed by the ORC.

Mr. Brotzman ask for clarification about the dimensions of what a barn for one cow might be on a half an acre of land given the proposed zoning text.

Mr. Rose stated that for parcels less than five (5) acres, the size of the structure for the animal would have to be no more than 20% of the square footage of the living space of the main structure.

Mr. Brotzman stated that it does not sound like a very big barn.

Mr. Rose stated that the proposed zoning text is not consistent, i.e. poultry and fowl.

Mr. Radachy stated that there is a difference between animals and animal husbandry in zoning text. He explained the difference between animal husbandry (breeding dogs to sell them) and a commercial business involving animals (kennel to board dogs).

Mr. Brotzman noted that the zoning text allows for a breeding operation.

Mr. Radachy stated that Painesville Township is trying to make it easier for 4-H members to have chickens and make restrictions relative to animal husbandry on half acre lots.

Mr. Siegel moved and Mr. Brotzman seconded the motion to approve the proposed zoning text amendments with the incorporation of all comments and recommendations.

All voted "Aye".
Motion passes.

Painesville Township – Zoning District Change from R-1, Single Family, to CS, Community Service

Mr. Rose stated that the proposed zoning district change involves a portion of the parcel on which Hadden Elementary School is located. He noted that Painesville Township Zoning Commission would like to rezone between 4 and 4.5 acres of the existing parcel from R-1, Single Family to CS, Community Service. Mr. Rose stated that the site and all the surrounding is zoned R-1. He noted that Painesville Township does not yet own part of the parcel. Mr. Rose stated that Painesville Township does have a Purchase Agreement to acquire part of the parcel, but it needs to be revised due to some errors. He noted that the property owner, Riverside Local Schools, does not want Painesville Township to be able to put housing on the land in the future. Mr. Rose stated that Riverside Local Schools would like the parcel to remain a park as it is currently. He noted that parks are not a permitted use in a CS District. Mr. Rose stated that an actual boundary

survey should be performed. He noted that the Comprehensive Plan recommends that the property be rezoned to CS for school purposes, but this is a park.

Mr. Rose reviewed the major points of the proposed district changes to include the following:

DISTRICT CHANGES SUMMARY:

- The park would be a conforming use in R-1 as "other public service facility operated by or on behalf of the Board of Trustees of Painesville Township."
- Parks are also a permitted use in REC-1.
- Parks are not a permitted use in Community Service.
- This will create a parcel with split zoning.
- The request also has acreage range. The final amount of land has not been determined and it has not been surveyed.

RECOMMENDATIONS:

- An actual boundary survey should be performed.
- A simple legal description should be used to better define the area of rezoning.
- The land should be rezoned to REC-1 instead of CS.

Staff recommends approval with the incorporation of all comments and recommendations.

Mr. Reppert moved and Siegel seconded the motion to approve the proposed zoning district change with the incorporation of all comments and recommendations.

All voted "Aye".
Motion passes.

REPORTS OF SPECIAL COMMITTEES

There were no reports of special committees.

CORRESPONDENCE

There was no correspondence.

OLD BUSINESS

There was no New Business.

NEW BUSINESS

There was no New Business.

PUBLIC COMMENT

There was no further public comment.

ADJOURNMENT

The January 28, 2020 meeting of the Lake County Planning Commission was adjourned at 6:34 P.M. by consensus.