

SPECIAL JOINT SESSION

April 20, 2023

The Council and Planning Commission of the City of Chardon met in a joint Special Session on Thursday, April 20, 2023 at 6:30 P.M. in Council Chambers of the Chardon Municipal Center.

Heather Means, Vice President of Council, and Andrew Blackley, Chairman of Planning Commission, presiding.

The joint meeting opened with the pledge of allegiance and roll call.

Members of Council present: Andrew Blackley, Deborah Chuha, David Lelko, Kyle Martin, Heather Means, Daniel Meleski.

Members of Council absent: Christopher Grau.

Members of Planning Commission present: Andrew Blackley, Robert Emmons, Daniel Meleski, Mary Jo Stark, Colin Wantz.

Members of Planning Commission absent: Lene Hill, Dean Peska.

Others present: City Manager Randy Sharpe, Law Director Ben Chojnacki, Community Development Administrator Steve Yaney, Clerk of Council Amy Day, Kristin Hopkins.

Regarding discussion of the Planning and Zoning Code update, Mr. Yaney stated that the items to be discussed were unresolved from the previous joint meetings. Once they are finalized, the draft code will be ready to go through Council and Planning Commission's adoption process.

Kristin Hopkins, Manager of Planning Services at CT Consultants, reviewed the few remaining questions and concerns from prior joint meetings and the rationale behind the proposed changes.

Ms. Hopkins stated that the first outstanding topic is a concern regarding the proposed minimum 40-foot lot frontage for lots around a cul-de-sac in a PRD. Currently, there are no lot frontage requirements around a cul-de-sac. The recommendation was made to ensure there is some snow storage space between driveways.

Questions were asked about the existing snow storage areas in the center of cul-de-sacs.

There were no objections to the proposed minimum 40' lot frontage around cul-de-sacs in PRDs.

Ms. Hopkins reviewed the second outstanding topic which is the automatic reversion clause that states the PRD zoning reverts to the prior zoning district classification 60 days after the termination of approvals. She explained the reasons the reversion clause should be eliminated including:

- There are code requirements for voter approval if there is a zoning change, and if the zoning is reverted, it would undermine the voter approval.
- The reversion assumes that the prior zoning is still appropriate for the site.

- Automatic reversion is an unnecessary provision because Council and Planning Commission already have the authority to rezone the property back.

There were no objections from Council or Planning Commission to the deleting the automatic reversion clause.

Ms. Hopkins reviewed the outstanding topic of deleting Section 1137.27, requiring architectural review of all buildings and structures within a PRD. She reviewed the other opportunities that the City Architect will have to weigh in as an advisor on the architectural designs of houses and other buildings in a PRD.

Mr. Blackley asked the City Architect's opinion about the change.

Mr. Yaney stated that the City Architect has expressed that he does not review the design of individual house plans and explained scenarios where he, Planning Commission and the City Architect will have the opportunities to weigh in on a home design.

No member of Council or Planning Commission objected to the proposed zoning change to deleting Section 1137.27, requiring architectural review of all buildings and structures within a PRD.

Ms. Hopkins stated that all references to short-term rentals in the code have been removed as Council and Planning Commission agreed to address short-term rental regulations as a separate issue outside of the code update.

Ms. Hopkins reviewed the proposed revisions for common open space for cluster infill development since there were questions raised about creating an HOA for the purpose of maintaining common open space. The proposed alternative would be to allow Planning Commission to approve permanent open space on individually owned private lots rather than as common open space, and construction in the area is prohibited by deed restriction or open space easement.

Mr. Blackley expressed concern that without an HOA to enforce the prohibition of building in the open space, this would fall to the City.

Ms. Stark also expressed concern that the common areas would get filled with items such as sheds and City would be responsible to monitor these areas.

Mr. Yaney stated that these spaces would be known and can be monitored.

Questions were asked about if the open space would be common or privately owned.

Mr. Yaney stated that how the open space is defined will be on a case-by-case basis because each situation will be different.

Mr. Blackley questioned if landscape standards should be made for these areas.

Ms. Hopkins stated that landscape standards could be added for these areas. In addition, she will modify the language in the title so that it refers to permanent open space that can be common or privately owned.

Ms. Hopkins stated that the review of the design standards by the City Architect are a topic that is unresolved. She noted that there may be additional amendments to the zoning code after the City Architect reviews the design standards and makes recommendations.

Mr. Yaney stated that he has been in contact with the City Architect, but has not received any formal recommendations.

Ms. Hopkins reviewed the proposed regulations for temporary and long-term use of storage containers. Proposed regulations include allowing temporary use of storage containers in all districts for 30 days at a time.

The question was raised about when the 30 days would begin.

Suggestions were made to require a permit for storage containers.

Ms. Hopkins stated that she would add that a permit would be required.

Discussion occurred regarding if the storage containers should be regulated in the commercial or industrial areas.

Mr. Yaney stated that his department would not be able to monitor temporary storage containers in commercial and industrial areas.

Ms. Hopkins stated that she would make modifications to the language so that the portable storage containers would be permitted for short term storage in any residential district.

Mr. Meleski suggested that the regulations specify that the containers be placed on a non-landscaped area.

Members of Council and Planning Commission concurred.

ANY OTHER BUSINESS TO COME BEFORE PLANNING COMMISSION

Discussion occurred regarding the process to implement the changes to the zoning code.

Mr. Yaney stated that if Planning Commission and Council are satisfied with the proposed zoning code amendments, he and Ms. Hopkins will begin the formal process for adoption.

PLANNING COMMISSION ADJOURNMENT

Mr. Meleski moved and Mr. Wantz seconded to adjourn Planning Commission.

Planning Commission adjourned at 7:27 P.M.

ANY OTHER BUSINESS TO COME BEFORE COUNCIL - none.

COUNCIL ADJOURNMENT

Mr. Lelko moved and Mr. Meleski seconded to adjourn the Council meeting. Upon voice vote the motion passed unanimously.

The meeting adjourned at 7:28 P.M.

HEATHER MEANS, Vice Mayor
Vice President of Council

Attest:

AMY DAY
Clerk of Council

ANDREW K. BLACKLEY
Chairman of Planning Commission