

Munson Township

Zoning Commission Regular Meeting

Minutes of March 8, 2023

Nicholas Christie called the meeting to order at 6:03pm with Kurtis Taylor, Glen Peck and Edward Hren. Also present was Zoning Inspector Secretary Julie Johnston. Adriano Fiucci was absent. The Pledge of Allegiance was said.

Kurtis Taylor moved and Glen Peck seconded to approve the minutes of January 11, 2023 as written. Motion carried, 2-0.

Points of Discussion:

Review proposed Zoning Resolution amendments – The Board is fine with what we spoke of so far with the proposed amendments (Information attached to these minutes).

Consider adopting new signage paragraph 700.1 from updates Model Zoning to our Article 10 if not in conflict with our current language - Adriano Fiucci is looking into this.

EVSE (Electric Vehicle Supply Equipment), Doug Reidel told members that the State Fire Code does not cover Electric Vehicle Charging Stations yet. Numerous fires have been reported in the country. We need to get on board with language in the Zoning Resolution before businesses install EV charging stations. This will ensure that correct guidelines are followed. The Geauga County Planning Director, Linda Crombie typed suggestions on the draft Mr. Reidel gave the Zoning Commission.

Mr. Reidel commented that the width of the charging station parking spaces needs to be increased (#8 on attachment). Nicholas Christie added that the distance from a property line needs to at least follow the current Zoning Resolution measurement requirements and that further research must be done to get this right. Currently there is not a code for EV charging stations in Cuyahoga County. The inspectors inspect the EV stations, and they pass the inspection since they do not have any guidelines to follow. Mr. Christie added that it is certainly a good idea to get in front of this. As far as signage goes (#5 on attachment), we must put a limit on the height. Board members have seen signs advertising EV charging Stations and they are very tall to draw attention to the business at which they are located. Edward Hren commented that there should be a formula or ratio on the parking lot size multiplied by a determined percentage to limit the amount of EV parking spaces allowed per business. Glen Peck added that people who have EV are charging the batteries before they are empty to ensure they don't run out of power. He has noticed that lines have been forming in the city to do so. Mr. Christie added that the Board needs to set common-sense standards for now, so something is in the Zoning Resolution. We must look at it with a zoning approach and the Fire Department will enforce the safety side.

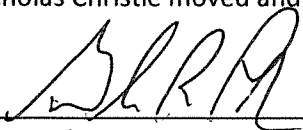
Mr. Reidel shared that there are currently ten homes in Munson Township that have solar panels. All have issues except for one of them. The Fire Squads now carry a black tarp to throw over the panels in case of a fire. The Board go through suggestions and discuss further at the next meeting. EV may have to be added to section 521 in the Zoning Resolution. We will have to define it and make sure there are no loopholes or workarounds. Things may come up in the future that need to be added.

Zoning Report

The monthly Zoning Report was passed out to members.

The next regular meeting will be held on Wednesday, April 12, 2023 at 6pm at Munson Townhall.

Nicholas Christie moved and Ed Hren seconded to adjourn the meeting at 6:36pm. Motion carried, 4-0.

A handwritten signature in black ink, appearing to read 'Glen Peck', written over a horizontal line.

Glen Peck

A handwritten signature in black ink, appearing to read 'Julie Johnston', written over a horizontal line.

Julie Johnston, Secretary

PROPOSED AMENDMENTS

SECTION 202**DEFINITIONS**

Accessory Use or Structure - A use or structure incidental and subordinate to the principal use or structure on the lot and serving a purpose customarily incidental and subordinate to such use or structure. A Zoning Certificate is not required for flagpoles, student bus stop shelters and mailboxes and fences as defined in Section 509.5.

SECTION 407
407.2**COMMERCIAL DISTRICT (C)**
Permitted Uses and Structures

The following uses and structures and no other shall be permitted in a Commercial District. Where the Zoning Map designates a Flood Plain (FP) area within a Commercial District, a building or structure intended for commercial use which requires or is intended to be serviced by an on-site sewage disposal system shall not be permitted. Otherwise, the permitted uses in a Commercial District follow:

- ~~17.~~ Commercial recreational facilities, indoor and outdoor
- 187. Construction services, including offices, excluding heavy construction equipment.
- 198. Convenience carry-out stores with drive-through facilities
- ~~2019.~~ Delicatessens
- 210. Dental laboratories
- 221. Department stores and/or discount stores
- 232. Drug stores
- 243. Electrical and appliance sales and service
- 254. Employment services
- 265. Farm supply stores
- 276. Florist
- 287. Furniture and home furnishing sales, repair and upholstery shops
- 298. Grocery stores and specialty food stores
- ~~3029.~~ Hardware stores
- 310. Health and athletic clubs
- 321. Heating and air conditioning sales and service
- 332. Interior decorating studios
- 343. Jewelry sales, service and repair
- 354. Laundry and dry-cleaning establishments
- 365. Lawn maintenance equipment sales and service
- 376. Medical clinics
- 387. Motor Vehicles - parts and accessories, sales, repair stations and/or service stations, sales or rentals
- 398. Musical instrument sales and repair
- ~~4039.~~ Off- road parking lots
- 410. Office supply sales
- 421. Paint, glass, and wallpaper sales
- 432. Pets and pet supply sales
- 443. Photographic studios
- 454. Places of Worship
- 465. Plumbing, electrical, and similar supply sales
- 476. Printing services
- 487. Private schools: art, dancing, music, business, and driver training

- 498. Professional offices
- 5049. Public buildings and/or uses which are supported in part by taxes or special public assessments. Such uses include but are not limited to parks, libraries, schools, fire stations, public administrative offices, and community centers.
- 510. Radio and television sales and service
- 521. Restaurants
- 532. Shoe sales
- 543. Sporting goods sales
- 554. Swimming pool sales
- 565. Taverns
- 576. Universities
- 587. Veterinary services with or without kennels provided that any outside animal area is located a minimum of five hundred (500) feet from any residential district.

SECTION 502 FRONTAGE REQUIRED

No new lot shall be created ~~nor shall any building or structure be erected upon a lot~~ which does not possess the required minimum frontage upon a public or private road established for the district in which such lot is located.

SECTION 1202 APPEALS AND VARIANCES

1202.4 Granting of Variances

The burden of proof for granting a variance shall rest with the applicant. In granting any appeal for a variance, the Board of Zoning Appeals must consider conformity with the spirit and intent of this Resolution. The Board of Zoning Appeals may only grant an appeal for an allegation of error by the zoning inspector, for a "use" variance or an "area" variance from the terms of this Resolution, in the district involved, by following the procedures set forth in Sections 1202.4.1 and 1202.4.2. The Board of Zoning Appeals, ~~in deciding~~ **when granting** any appeal for a variance, may ~~place~~ **require** such supplementary conditions, which are **regulations specifically provided for elsewhere in this Resolution and which are reasonably reasonable and directly** related to the requested variance, ~~are not in conflict with this resolution~~ and which the board deems necessary to protect the public health, safety, ~~and morals,~~ **and general welfare**. Any such supplementary conditions shall be made a part of the Board of Zoning Appeals' proceedings and shall be incorporated into the final decision by the board approving that variance. Violation of such supplementary conditions which are made a part of the written decision of the board, shall be deemed in violation of this Resolution.

Julie

ELECTRIC VEHICLE CHARGING STATIONS (EVCS)

The purpose of this section, an EVCS shall mean a public parking space that is served by battery charging station equipment for the transferring electrical energy (by conductive or inductive means) to a battery or another energy storage device within an electrical vehicle.

This will encompass the following areas in Munson Township:

- All commercial establishments
- All public places of assembly
- All health care facilities
- All medical buildings
- All educational buildings
- All industrial buildings
- All multi-family residential buildings

1. The EVCS system shall either be a Level 2 or a Level 3 charger. If the charging station has more than one (1) port, then each port shall be counted as a charging station.
2. Designated parking space(s) for an EVCS shall park of the parking spaces that are required for that particular building.
3. Recommended parking space dimensions for the charging systems should be a minimum of 12 feet wide 20 feet long when new spaces are installed for such use.
4. Each of these charging stations equipment shall be protected by wheel stops and bollards.
5. All of the EVCS parking spaces shall be clearly marked and signed as EV Charging Only.

6. All charging equipment shall not exceed 10 feet in height.
7. All EVCS systems shall conform with the current and updated codes of the National Electric Code and must probably be inspected once a year and results turned into the fire department.
8. All EVCS shall be installed in the designated location(s) as follows:
 - A. 12 feet from any property lines
 - B. 25 feet or more from any building.
 - C. 25 feet or more in all directions from dispensing devices for flammable or combustible liquids
 - D. 25 feet in all directions from above ground/underground tanks, tank fill connections, remote/submersible pump transfer equipment, vapor recovery equipment and vents
 - E. 25 feet in all directions from the location of tank vehicles while filling and transferring flammable or combustible liquids.
9. EVCS shall be designed and constructed in accordance to local building codes.
10. EVCS shall be designed so that any pooling of any flammable or combustible liquids can't occur in the area.
11. EVCS shall have instructions conspicuously posted in the area and shall include:
 - a. Use of Emergency Stop Button
 - b. Report incident by calling 911
 - c. Report location to emergency services – 911
12. EVCS shall be constructed, operated and maintained based on the manufacturer's instructions
13. Any attendants that may be operating these charging stations shall be trained to supervise and respond to emergencies.
14. EVCS shall be provided with one or more clearly marked shutoff or electrical disconnects with an approved sign stating "Emergency Electrical Vehicle System Shutoff".
15. The emergency shut off devices or electrical disconnects shall be installed in an approved location that is accessible to patrons but not less than 25 feet from the EVCS. At attended locations and motor fuel dispensing facilities an additional emergency shutoff or electrical disconnect shall be located at the attendant's location.
16. Resetting from an emergency shutoff location shall require manual intervention.
17. Lighting shall be installed in accordance with the applicable building codes and shall be sufficient for safe operation and security.
18. There shall be at least one portable fire extinguisher for each of the EVCS units installed and shall not exceed a travel distance of 25 feet. The size shall be a minimum of 10 pounds.

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Instead of a list, it should state the zoning districts where they would be allowed as an accessory use. The intent is to allow EVCS's for non-residential uses and multi-family uses. By citing the districts where they are allowed, it does not cover instances where a non-conforming use may exist, either by variance or pre-dating zoning (such as restaurant/bar in a residential area). Those could be handled on a case by case basis through a variance.

Add definition of electric vehicle and EVCS in the Definition section.

1. The EVCS system shall either be a Level 2 or a Level 3 charger. If the charging station has more than one (1) port, then each port shall be counted as a charging station.
- 2 Designated parking space(s) for an EVCS shall park of the parking spaces that are required for that particular building.

Recommend changing language to "...shall count toward the minimum number of parking spaces as otherwise required by this zoning resolution." You can insert reference to subsection 521.1 or leave it out (that way if the resolution numbering changes at some point, you don't have to make an amendment just related to format.)

3. Recommended parking space dimensions for the charging systems should be a minimum of 12 feet wide 20 feet long when new spaces are installed for such use.

Recommend research be performed as to where the 12' width came from; does the EV industry recommend 12' over the standard 9' or 10' wide space? It should only be 12 feet wide if it actually needs to be that wide.

4. Each of these charging stations equipment shall be protected by wheel stops and bollards.

Recommend setting a minimum/maximum height for bollards.

5. All of the EVCS parking spaces shall be clearly marked and signed as EV Charging Only.

Recommend the township look at setting a maximum sign area and height. This though needs to be carefully considered in light of not being able to regulate content.

6. All charging equipment shall not exceed 10 feet in height. I would have to research whether 10 feet is an EV industry standard but it seems reasonable. What is the information source for setting 10 feet as the maximum height?
7. All EVCS systems shall conform with the current and updated codes of the National Electric Code and most probably be inspected once a year and results turned into the fire department.
8. All EVCS shall installed in the designated location(s) as follows:
 - A. 12 feet from any property lines
 - B. 25 feet or more from any building.
 - C. 25 feet or more in all directions from dispensing devices for flammable or combustible liquids
 - D. 25 feet in all directions from above ground/underground tanks, tank fill connections, remote/submersible pump transfer equipment, vapor recovery equipment and vents
 - E. 25 feet in all directions from the location of tank vehicles while filling and transferring flammable or combustible liquids.

Recommend having a statement that EVCS space shall comply with all parking standards required by this resolution as well as the following additional requirements (and then list A-E). In regard to 8A, however, you wouldn't want an EVCS space to be located closer to a lot line than what would otherwise be required for a "regular" parking space.

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16. Resetting from an emergency shutoff location shall require manual intervention.

Items 10-16 relate more to what the Fire Department would have to review and enforce. The requirement that pooling of flammable or combustible liquids cannot occur relates to how the site is graded, curb height, etc. EVCS are often surrounded by a 4"-6" poured curbed area. Site layouts can vary greatly. Does the township intend to set exact curbing requirements, or something similar for EVCS's? Water could also pool and be a hazard but the zoning resolution does contain Section 521 (d) about a general requirement to provide for proper drainage of surface water onto adjacent properties, walkways, and roads.

17. Lighting shall be installed in accordance with the applicable building codes and shall be sufficient for safe operation and security. Recommend adding reference to the township lighting requirements.

18. There shall be at least one portable fire extinguisher for each of the EVCS units installed and shall not exceed a travel distance of 25 feet. The size shall be a minimum of 10 pounds.