

Munson Township

Zoning Commission Regular Meeting

Minutes of April 12, 2023

Adriano Fiucci called the meeting to order at 6:01pm with Glen Peck and Edward Hren. Also present was Zoning Inspector Secretary Julie Johnston. Nicholas Christie and Kurtis Taylor were absent. The Pledge of Allegiance was said.

Glen Peck moved and Edward Hren seconded to approve the minutes of March 8, 2023 as written. Motion carried, 2-0.

Points of Discussion:

Zoning Inspector James Herringshaw looked at the comments, notes and suggestions from Linda Crombie of the Geauga County Planning Commission, Zoning Commission Board members and Doug Riedel, Fire Safety Inspector and combined them for easy reading. The EVCS (Electric Vehicle Charging Station) info is attached to these minutes. It was agreed that the best location to list the new information in the Zoning Resolution is Section 529 under Supplementary District Regulations. It is proposed that businesses will need a Zoning Certificate to install an EVCS. Some of the language is from Bainbridge and Auburn Townships. Edward Hren is concerned that a 12" curb would not be enough to protect EVCS. A bollard is meant to stop a vehicle. The Board is aiming to regulate charging stations not to discourage them but to make every effort to ensure they are installed correctly from the start. Edward Hren will research the standards of bollards along with the distance between them. Section 509.2, Accessory Structures, Mr. Herringshaw has encountered an error. According to the Zoning Resolution, decks and porches are not allowed in front of the home. However, they have been permitted attached or contiguous to new residences for years which has been the intent.

Zoning Report

Mr. Herringshaw reported to the group that March is getting busier as it typically does this time of year. There will be two (2) Conditional Use renewals at the Board of Zoning Appeals meeting this month. They are for golf courses that need renewing every 5 years.

The next regular meeting will be held on Wednesday, May 10, 2023 at 6pm at Munson Townhall.

Adriano Fiucci moved and Edward Hren seconded to adjourn the meeting at 7:28pm. Motion carried, 3-0.



~~Adriano Fiucci~~ Glen Peck



Julie Johnston, Secretary

Jim copy

Section 529 ELECTRIC VEHICLE CHARGING STATIONS (EVCS)

Electric Vehicle Charging Stations (EVCS) may be permitted in the Commercial, Industrial, Institutional, Medical Use Zoning Districts; and, for conditional uses in the Residential Zoning District as an accessory use upon issuance of a Zoning Certificate, subject to the following regulations:

- a. An EVCS shall be either 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, but only one (1) Zoning Certificate shall be required for contiguous charging stations.
- b. An EVCS space shall count towards determining the minimum number of parking spaces as otherwise required by this Resolution.
- c. The minimum size of an EVCS space shall be ten (10) feet in width and twenty (20) feet in length.
- d. EVCS shall be protected by permanent concrete filled bollards a minimum of three (3) feet in height ~~or by full depth concrete curbing a minimum of twelve (12) inches in height.~~ *(4) feet* *eliminate after Ed comments* *★ call have bollards*
- e. The EVCS space shall be designated by pavement identification markings and a permanent sign immediately adjacent thereto with a maximum face size of four (4) square feet. Sign height shall not exceed six (6) feet.
- f. EVCS space may be located within any front, side, or rear yard, subject to all minimum setbacks required by this Resolution, as well as the following additional requirements:
 - 1. A minimum of twenty-five (25) feet from any building or structure.
 - 2. A minimum of twenty-five (25) feet from any dispensing devices for flammable or combustible liquids.
 - 3. A minimum of twenty-five (25) feet from any above or underground tanks, tank fill connections, remote or submersible pump transfer equipment, vapor recovery equipment or vents.
 - 4. A minimum of twenty-five (25) feet from any tank vehicles while filling or transferring flammable or combustible liquids.

- g. EVCS shall conform with current and updated codes of the National Electric Code and shall be inspected once a year with the results submitted to the fire department.
- h. EVCS shall be designed and constructed in accordance with local building and fire codes.

Section 202

CONSTRUCTION OF LANGUAGE AND DEFINITIONS

Electric Vehicle – Any vehicle that operates either partially or wholly on electrical energy from an off-board source that is stored on-board for motive purposes.

Electric Vehicle Charging Station (EVCS) – A unit that supplies electric energy for charging an electric vehicle. Such equipment is classified as established by the Society of Automotive Engineers (SAE).

Electric Vehicle Charging Station (EVCS) Space – Off-street parking spaces, parking garage, or designated charging area with Electric Vehicle Charging Stations (EVCS).

*call
out
to
add bollards
definition
and
consider adding
Bollard –*

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.

Jim copy

ARTICLE 8 CONDITIONAL USES

- i. The use conforms with all applicable regulations governing the district in which it is located;
- j. The use will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, odors, or vibrations; and
- k. Any other supplementary requirements as prescribed by the Board of Zoning Appeals.
- l. Conditional uses shall be limited to, and must be implemented in accord with Sections 802-807.
- m. A conditional zoning certificate shall not be transferred or assigned, except for single family dwellings and accessory buildings and structures thereto, within the Flood Prone District.
- n. A conditional zoning certificate for any of the uses provided herein shall be valid for a period not to exceed five years from the date of issuance, except for single family dwellings and Places of Worship within the Flood Prone District.
- o. The conditional use shall be void upon change of ownership or use unless a new application is made for such a certificate within thirty (30) days after change of ownership or use. The conditional zoning certificate shall be limited to whom it is originally issued and is not transferable.
- p. Signs as regulated in Article 10.

*within the Flood Prone District
and Places of Worship.*

SECTION 802 **SKIING FACILITIES**

Skiing facilities may be permitted as a conditional use within all districts upon compliance with Sections 801, 802.1-802.11 and all other applicable sections of this Resolution.

802.1 **Accessory Uses**

The following accessory uses are permitted on property for which a conditional zoning certificate has been granted for a skiing facility:

- a. A clubhouse which may contain amenities customarily associated with such a use such as locker, shower or snack bar.
- b. A pro-shop for the retail sale of merchandise customarily associated with such a use.
- c. Accessory structures for the storage and servicing of equipment needed for the operation.
- d. Accessory recreational facilities such as a swimming pool, and fishing pond or stream.
- e. Ski lifts or similar and associated equipment needed to transport skiers up the slope.

802.2 **Setback Requirements**

The minimum setback requirement of a structure shall be two hundred eighty (280) feet from the centerline of a public road, and three hundred (300) feet from any other lot line.

802.3 **Building Height**

The maximum height of any building shall be thirty-five (35) feet, and a building shall not exceed two (2) stories.

SECTION 509 ACCESSORY STRUCTURES

All accessory structures shall be in conformity with the following provisions:

- 509.1 All accessory structures shall be anchored to the ground. *immediately*
- 509.2 No garage or other accessory structure shall be erected within the front yard of any district, except for fencing, ~~and a student bus stop shelter.~~ *student bus stop shelters, and porches or decks attached or contiguous to the principal structure.*
- 509.3 Accessory structures shall be located within the side and rear yards as set forth in Section 411. Accessory structures shall not be closer than fifteen (15) feet to the principal structure, except for the following freestanding structures: swimming pools, fences, dish antennas, decks, and gazebos.

509.4 Student Bus Stop Shelter

Shall be in conformity with the following provisions:

- a. No student bus stop shelter shall be placed within any public right-of-way.
- b. Should any student bus stop shelter be or become unsafe, unsightly, or be in danger of falling, the owner of the real property upon which the shelter is located shall, upon receipt of written notice from the zoning inspector, proceed at once to put such shelter in a safe and secure condition or remove the shelter.
- c. The floor area shall not exceed thirty-two (32) square feet.
- d. The height shall not exceed eight (8) feet.

509.5 Fences, Gates, and Walls

Shall be in conformity with the following provisions:

- a. Fences, gates, and walls shall be erected outside of the right-of-way of any public or private road.
- b. Fences, gates, and walls shall not block or impede clear sight distance of vehicle operators at the intersection of any public or private road.
- c. Fences and walls shall be a maximum of four (4) feet in height in any front yard and no more than six (6) feet in height in any side or rear yard, except as otherwise provided herein.
- d. No part of any fence or wall shall extend beyond the boundary lines of the property being enclosed.
- e. The unfinished side (if any) of a fence, including the structural supports and posts, shall face the lot upon which the fence is constructed.

SECTION 510 CORNER LOT YARDS

In a Residential District, in the case of a lot located at the intersection of two roads, the front yard setback shall be a minimum of eighty (80) feet from the road right-of-way, and the side yard setback adjacent to the intersecting road shall be a minimum of sixty (60) feet from the right-of-way of the intersecting road. For other district corner lot yards see Section 411.

Recently added From Model Z
2023

ARTICLE VII

SIGNS

SIGNS - INTENT AND PURPOSE

1001 Sign

Section 700.1 GENERAL

Sign regulations, including provisions to control the size, location, illumination, and maintenance of signs, are hereby established in order to promote the public health, safety and welfare through the provision of standards for existing and proposed signs of all types. More specifically, this Article is intended to achieve, among others, the following purposes:

- a. A. To allow businesses, institutions, and individuals to exercise their right to free speech by displaying an image on a sign, and to allow audiences to receive such information.
- b. B. To promote and maintain visually attractive, residential, retail, commercial, historic open space and industrial districts.
- c. C. To ensure that signs are located and designed to reduce sign distraction and confusion that may be contributing factors in traffic congestion and accidents, and maintain a safe and orderly pedestrian and vehicular environment.
- d. D. To protect property values.
- e. E. To promote the public health, safety and welfare by avoiding conflicts between signs and traffic control devices, avoiding traffic hazards, and reducing visual distractions and obstructions.
- f. F. To protect and preserve the aesthetic quality and physical appearance of the Township.

The Township seeks to protect the rights of free speech and not infringe on the rights of free speech as protected by the First Amendment to the United States Constitution and Article I, §11 of the Ohio Constitution. All provisions in this Article are to be construed, whenever possible, in favor of vigorous political debate and accommodation of the rights of residents and visitors to speak freely.

I recommend substituting this language as is for our Section 1001 SIGNS - INTENT AND PURPOSE

ARTICLE 10 SIGNS

SECTION 1001

SIGNS - INTENT AND PURPOSE

The intent of this article is to provide a comprehensive system of sign regulation for Munson Township that recognizes the necessity and desirability of communication by outdoor signs while promoting an order to signage which eliminates visual clutter and confusion within the physical environment. The purpose of this article is to protect the safety and general welfare of the public within the Township by encouraging compatibility between the design and functional nature of the sign and its location within the physical environment, thus reducing the propensity for traffic accidents and personal hazards caused by distractions, sight obstructions, and unsafe structures.

replace with

Revise?

SECTION 1002

ZONING CERTIFICATE

inset 1001(a.)

With the exception of Sections 1003.4, 1003.6(a) and 1003.8 no sign of any kind, the area of which exceeds 2.25 square feet, shall be erected in the township unless and until the person responsible for erecting the sign has applied for, and the Zoning Inspector has issued a certificate for the sign pursuant to Article 12.

I will be asking LC thoughts

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 COMMERCIAL DISTRICT (C)
407.2 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
- ~~20~~19. 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
- ~~30~~29. 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
- ~~40~~39. 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.