

**RECORD OF PROCEEDINGS
VILLAGE OF PENINSULA PLANNING COMMISSION
May 28, 2019 REGULAR MEETING**

Call to Order: The Meeting was called to order by Chairperson Karen Walters at 7:04 p.m.

Roll Call: In Attendance:

Karen Walters – Present
Doug Mayer, Mayor – Present
Greg Canda – Present

Kevin Royer – Present
Chris Weigand – Present

Others Present: Brad Bryan – Village Solicitor; Rita McMahon, Aislinn Consulting LLC

Consideration of Minutes: None.

Citizens Participation:

Ms. Kathy Bertsch, 1563 E. Mill St., questioned whether the twelve unit per acre limit previously discussed was in fact in the Existing Zoning Code Mixed-Use District regulations. Ms. McMahon clarified that it is the current standard in the existing Zoning Code.

Mayor's Report: The Mayor stated he had nothing to report. He did have a comment on the poor condition of the sidewalks for patrons to maneuver on. Mr. Mayer stated the ADA compliance width standard for wheelchair accessibility on sidewalks is 5 feet. The installation of new sidewalks would affect some areas, but it can be done. Ms. Walters thought the Village should consider seeking a grant to help fund the project. Mr. Bryan stated outside of the requirement to trim trees and shrubs and remove ice and snow, there is no ordinance in place requiring a homeowner to be responsible for repairing the sidewalk in front of their property. Mr. Weigand quoted, from a quick reference, that sidewalk compliance minimum is 36" wide with a 60" passing area every 200'. A discussion then took place about sidewalk materials, sandstone vs. concrete, for slip resistant conditions, since many of the sidewalks are on a slope. Ms. Holody stated basic maintenance of clearing sod off the sidewalk edges would significantly widen the sidewalks in some areas. Mr. Weigand commented that many residents enjoy living in a walking town and even talk about extending the sidewalks in all four directions. Mr. Royer stated, if the Village stays with sandstone, thirty sections should be replaced every year. In that case, over ten years, the sidewalks would be in much better shape.

Council Report: Mr. Weigand reported that Rich Fisher was appointed to Council on May 13, 2019. Council also gave a sixty-day extension for someone to step forward with a viable plan for the Canal Street property. If that does not happen, the demolition will go forward. A fence still needs to be placed around the property for public safety.

Old Business:

Continuation of Review of Proposed Historic Overlay District Ordinance: Ms. McMahon stated the only change made was to the map. The parcel located at East Mill Street and Main Street was moved outside the Historic District boundary so that the owner would not have one parcel inside the boundary and one outside of it.

Mr. Bryan stated the Village only received one response from the public regarding this proposed legislation. The response was from Mr. Slocum. Mr. Bryan stated the Commission should discuss the items raised in that correspondence.

First, Mr. Bryan reported the Village, even being a statutory Village, does have the authority under section 713.04 the Ohio Revised Code to enact this legislation and regulate the "design" of

buildings. The Planning Commission can act as the historic review design board. In response to Mr. Slocum's question about whether a permit would be needed to replace a sandstone path, Ms. McMahon stated that type of work would fall into the stated exceptions where a certificate is not needed in the current draft of the ordinance. The Commission decided to narrow the scope of the ordinance to remove requirements regarding landscaping and gutters and downspouts. The next issue was the provision that the Planning Commission has sixty-days to respond to an applicant while the applicant has only ten days to appeal to the Board of Zoning Appeals. Mr. Bryan stated he was not comfortable with reducing the 60 day time period but the appeal time could be increased to thirty-days. This would allow time for the person to consult with an attorney before deciding whether to appeal. The next issue involved the Village's ability to charge the applicant for costs related to experts needed by the Village in connection with applications. It was explained that not all applicants would incur these costs. This provision is already contained in the Village's Zoning Code. It is simply repeated in this section to insure that the Village is not burdened with consultant costs associated with applications when such consultants are needed.

Resident Kathy Bertsch raised a concern about providing better public notification of all Village meetings and their topics, along with providing all supporting documentation prior to the meetings. She stated the residents are not able to see what is reviewed at a meeting before it is discussed. The 'Sunshine Law' states the meeting minutes need to be written so residents understand the rationale of what the decisions are. Further, she stated that a resident should not have to attend the meetings in order to know what took place. Mr. Mayer clarified the resident's concern as the Planning Commission needs to be more transparent as the process moves forward. Therefore, when the matter gets to Council, people are more aware of what transpired before the Planning Commission.

Continuation of Review of Proposed Short-Term Rental Ordinance:

A discussion took place over adjusting the language to better clarify the differences between owner occupied rentals vs. non-owner occupied rentals with regard to accessory buildings. A discussion about the cost of a non-owner occupied rental permit fee and the minimum amount of days per year a home must be rented for took place. It was determined that the minimum day threshold should be 90 days and the cost of the owner occupied fee should be less than the non-owner occupied fee. Ms. Holody raised the question of the proper maximum number of non-owner occupied rentals in both the R1 & R2 districts. She thought limiting the number of R2 rentals to fifteen permits a year would help keep the residential population of the district more stable.

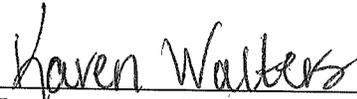
Mr. Weigand emphasized this ordinance is a starting point that addresses 80% of the issues everyone wants addressed and agrees upon. Moving forward, items can be amended once the Village knows how the ordinance is working.

Ms. McMahon said she would have the requested amendments completed by the week ending June 7th. Mr. Bryan stated once they are completed, the updated draft of this Short-Term Rental Ordinance and the Historic Preservation District Overlay Ordinance would be posted on the Village website for public review.

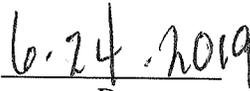
It was determined that the Planning Commission would not meet the first Monday in June.

New Business: Mr. Bryan mentioned the new business on this evening's agenda is the Zoning Code amendments based upon the recommendations in the Long Range Plan Update. Ms. McMahon asked the members to review the changes prior to the next meeting.

Adjournment: Mayor Mayer made a motion to adjourn that was seconded by Mr. Weigand. All were in favor of the motion; none were opposed. The Meeting was adjourned 9:35 p.m.



Karen Walters, Chairperson



Date