

**Record of Proceedings
Village of Peninsula
PUBLIC HEARING**

Held: Monday, October 14, 2019

CALL TO ORDER: The Village of Peninsula held a Public Hearing on Village Ordinance No. 21-2019, An Ordinance Establishing Chapter 1119 of the Zoning Code Relating to the Conservation/Recreation District and Overlay. The meeting convened at 6:31 p.m. in the Peninsula Village Hall. Mr. Schneider called the meeting to order, and the following members were present.

COUNCIL MEMBERS:

Michael Matusz	ABSENT	Mayor Douglas Mayer	ABSENT
Richard Fisher	PRESENT	Chris Weigand	PRESENT
Michael J. Kaplan	PRESENT	Daniel Schneider	PRESENT
Diane Holody	PRESENT		

OTHERS PRESENT: Solicitor Brad Bryan.

PROCEEDINGS: Mr. Bryan stated the Public Hearing is for proposed Village Ordinance No. 21-2019, An Ordinance Establishing Chapter 1119 of the Zoning Code Relating to the Conservation/Recreation District and Overlay. The Conservation/Recreation District and Overlay is currently in the Peninsula Zoning Code; however, it does not contain any standards or requirements for the District. The proposed regulation amends the code to address that deficiency.

Conservation zoning regulations are generally intended to produce residential developments that devote at least half of the potentially buildable area to permanently protected open space. They are considered appropriate for locations that have natural areas that a community wishes to permanently protect. As a trade-off, the improved areas generally are permitted to be developed using lesser lot sizes, resulting in a more compact development, while retaining the overall density. Overlay zoning is a regulatory tool that creates a special zoning district, placed over an existing zoning district, which identifies special provisions in addition to those in the underlying zoning district. The proposal combines those two techniques to create the regulations that affect the areas zoned Conservation/Recreation Overlay.

There are two areas within the Village that are currently impacted by the Conservation/Recreation District and Overlay: the Girl Scout property at the northeast corner of the Village and the Brandywine Golf Course property. Both properties have the underlying zoning of R-1 Rural Residential.

The purpose of the proposed Conservation/Recreation Overlay is to protect the natural environment and insure that, should development occur, it is harmonious with the character of the Village. The regulations encourage efficient development of the land and establish standards for any residential development should it occur in those two areas. It does not affect development in any other area of the Village.

The following standards for development are proposed by this legislation:

- Requires the development area to be at least 50 acres.
- Requires 55% of the development site be preserved as open space.

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- Requires the density, or total number of units permitted, to be based on the number of units that could be developed on the site without using the Conservation/Recreation Overlay excluding wetlands and flood plains.
- Establishes standards to regulate how the open space is used, including leaving as much as possible in its natural state and prohibiting future development.
- Establishes standards for the developed residential areas including:
 - A lot size of 2.5 acres, with a minimum width of 250 feet.
 - A maximum house size of 5,500 square feet.
 - Any building to be 200 feet from an existing street and 100 feet from the boundary of the project.
- Creates setback standards on new parcels of 100 feet from the front property line, 35 feet from each side and 100 feet from the rear property line.
- Establishes guidelines for the development of streets which must be privately owned and maintained by a homeowner's association.
- Requires a pedestrian circulation system throughout the development which may include both sidewalks and paths.
- Requires review of the architectural treatments of new homes to ensure they are compatible with the character of the Village.
- Establishes development design criteria intended to preserve the integrity of the open space in its natural form.

The Conservation/Recreation Overlay does not affect the current uses established on the property and will only be in effect should a residential development creating sublots occur. The Conservation Overlay regulations protect vulnerable natural resources from new development while permitting development of the property, allowing both the community and the developer to achieve their objectives.

CITIZEN PARTICIPATION: Christina Tizzano of the Chilcote law firm attended the hearing representing the Conservancy of the Cuyahoga National Park. Ms. Tizzano requested that the maximum yield section and permitted recreational uses be clarified in the Ordinance.

ADJOURNMENT: A motion to adjourn was made by Mr. Kaplan and seconded by Ms. Holody. All were in favor of the motion; none were opposed. The meeting was adjourned at 6:41 p.m.

Respectfully submitted:

Douglas G. Mayer, Mayor



Date

11-11-19

Fiscal Officer



11/14/19