

**PLANNING COMMISSION  
CITY OF WILLOUGHBY  
WORK SESSION  
OCTOBER 11, 2016  
WORK SESSION MEETING  
MINUTES**

**PRESENT:** R. Fiala; C. Cox; K. Kary; G. Patt; G. Merhar, Chairman

**ABSENT:**

**OTHERS:** Janice Lipscomb, Econ. Devel. Mgr; Darryl Keller; Chief Bldg. & Zoning Official; Vicki Grinstead, Secretary; Councilmen: Jerry Ranally, Bob Carr, Bob Harrold; Stephen Norris; Jeff Black

**Chairman Gerald Merhar called the work session meeting to order at 6:08 p.m.**

**Janice Lipscomb**

**ZONING CODE BOOK UPDATE**

Mr. Dave Hartt of CT Consultants stated the reason for this meeting is to get some general direction as to what the city's needs are. Ms. Kristen Hopkins of CT Consultants discussed the general uses and the distinctions in the districts and referred to the packet provided by CT Consultants. There was discussion on the current code and how CT Consultants propose it be modified. They suggest eliminating the Motor Service and Commercial Manufacturing Districts and discussed how they would rezone them. There was discussion on living in and working in Downtown Willoughby and the Lakeshore Gateway District. Mrs. Lipscomb objected to ground floor residential in a specific area of the downtown district and some other members agreed. Mrs. Lipscomb stated the Lakeshore Gateway District could benefit from this type of change. Ms. Hopkins stated Retail Services in Enclosed Buildings were discussed at the last meeting. They would like to add this as a Conditional Use in the Industrial District and she presented some examples of what would be included under this section. Mr. Hartt explained this would be an extensive process and will require more discussion, but the goal is to set some precise parameters. There are cities that use specific parameters such as percentages and a per foot cap for these districts.

Ms. Hopkins proposed breweries, wineries and distilleries for production be handled as conditional uses in business districts when they are doing some production, but are mostly food and beverage service. She would also allow for tastings. Mr. Hartt stated they can put caps on these businesses in regard to what is allowed.

Conditional Use, outdoor dining, alcohol being served outside, outdoor music and current Conditional Use permits were discussed.

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There was some discussion on car dealerships and how to manage struggling properties in the Mentor Avenue corridor.

Permitted uses in residential districts was discussed. Mr. Hartt stated Senior Citizen Development was being used in two locations in the code and they propose using a Senior Care Arrangement in residential districts as a Conditional Use. They are proposing a Senior Care Facility recognizing these basic care elements which are Independent Housing, Assisted Living and Skilled Nursing. This proposal would require at least two of these facilities to be located on the same campus, but location requirements can be added as well as other restrictions/conditions. Mr. Hartt explained this would be more flexible and related to the current market trends. Chairman Merhar asked what the difference is between multi-family and senior housing. Mr. Hartt responded the only difference is the age restriction for senior housing. Senior housing are smaller units and require a Conditional Use restriction. In the Multi-Family district they are proposing to change the term from Senior Citizen Development to Senior Housing to distinguish it from what is currently called Senior Citizen Development that has all of the Breckenridge type requirements. There was more discussion on the concept of how this proposal would work.

The issue of raising of chickens, but not roosters, bees and other livestock was discussed. Chickens are currently permitted as long as it is not a nuisance. Ms. Hopkins proposes the Zoning Code be more specific and identify the type and size of the livestock and the size of the coops/cages permitted.

Mr. Hartt recommended the city change some of the zoning because of a Supreme Court decision regarding signage. There are some terms that should be content neutral. The city should change the zoning based on where the city allows signs. There was discussion of electronic message signs and if these signs can be restricted or eliminated. He cited examples of what types of signs and content are typically allowed. He will bring the details and regulations for what signage is allowable before the Planning Commission at the next meeting.

Mr. Hartt discussed Non-Conforming uses in Buildings. He addressed a concern the financial industry has that if a building is destroyed by a means other than demolition it cannot be rebuilt as it was; it must be built to the current zoning code. He stated it defies conventional wisdom of what the non-conforming provision were intended to be and proposes it be changed.

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The current Zoning Code states if you abandon a use for a building you cannot reoccupy it with the same use and proposes they change this and set criteria that is equal to or less injurious to the surrounding properties and cited examples. There was other discussion on non-conforming buildings, parking lots, fencing etc.

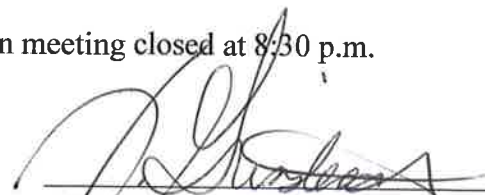
Ms. Hopkins addressed Sustainable Development and to what extent the city wants to allow sustainable types of development such as solar panels, pervious surfaces etc.

The city would like to simplify the process of the Environmental Assessment Statement (EAS). There was discussion of eliminating a step to move the process along in a timely manner. Ms. Hopkins proposed that small items, such as a small addition, would not need EAS approval and Planning Commission would be able to approve these small non-conformities with the recommendation of the Building Department's comments/suggestions.

Ms. Hopkins stated you can buy marijuana in the state where it is legal, bring in to Ohio and smoke it for medical purposes if you have a prescription. The rules have not yet been written to how and where it can be grown and sold in Ohio. She suggests doing a moratorium as many other communities have done, per the advice of their police departments. These rules must be written within 180 days. They propose we draft a definition for agriculture and retail so it does not include growing and selling medical marijuana or becoming a dispensary. Once the rules are in place with the state they can do an amendment and draft the rules.

There being no further business the Work Session meeting closed at 8:30 p.m.

  
Gerald Merhar, Chairman

  
Vicki Grinstead, Secretary