RECORD OF PROCEEDINGS

Minutes of AUBURN TOWNSHIP ZONING COMMISSION—**REGULAR MEETING** Meeting

GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 10148

Auburn Township Administration Building

Held 11010 Washington Street June 27, 2024 20 1

FINAL

MEMBERS PRESENT: DENNIS BERGANSKY, JEFF PULSFORD, ANGELA DAUGHERTY, SCOTT BROCKMAN, TED VAN HYNING, CHAD CANFIELD

MEMBER ABSENT: GREG LACKEY

The June 27, 2024, Auburn Township Zoning Commission meeting was called to order at 7:01 PM by Chairman Ted Van Hyning

Roll call was taken with the following members present: Jeff Pulsford, Dennis Bergansky, Chad Canfield, Ted Van Hyning, Scott Brockman, and Angela Daugherty.

The following member was absent: Greg Lackey

Also present was David Dietrich and Jane Hardy.

The Pledge of Allegiance was led by Scott Brockman.

The Commission members read copies of the meeting minutes from May 9, 2024 and June 13, 2024. Mr. Brockman indicated that he had two typos that were corrected on the final copy of the minutes for the June 13, 2024.

Mr. Van Hyning also pointed out a correction he had made to the minutes.

There were no further comments regarding either sets of meeting minutes. Mr. Van Hyning asked for a motion to approve the meeting minutes.

Motion by Scott Brockman to approve the Zoning Commission meeting minutes for the Zoning Commission meeting of May 9, 2024. The motion was seconded by Chad Canfield.

Vote: Brockman, yes; Bergansky, yes; Pulsford, yes; Canfield, yes; Van Hyning, yes; and Daugherty, yes.

Motion by Scott Brockman to approve the Zoning Commission meeting minutes for June 13, 2024. The motion was seconded by Dennis Bergansky.

Vote: Brockman, yes; Bergansky, yes; Pulsford, yes; Canfield, yes; Van Hyning, yes; and Daugherty, yes.

Mr. Van Hyning continued to the next agenda item which was a revised copy of the mobile food truck amendment. Mr. Van Hyning indicated that the document would be read out loud and discussed among Commission members.

Mr. Brockman read Page 1 of the draft.

Mr. Canfield read Page 2 of the proposed amendment.

There were no comments on the definitions relative to the amendment.

A discussion took place regarding food trucks at special events. Mr. Van Hyning explained why he felt it was important to keep special events in mind when writing this amendment since this amendment will allow food trucks at all businesses in Auburn Township, not just the businesses that are currently using them.

Mr. Van Hyning also commented that a food truck will be allowed at a private residential event as it is outlined in the proposed amendment. It was also noted that food trucks, although permitted in the B districts will not be permitted in the I District.

Mr. Brockman commented that he felt a food truck is to be only a secondary use to an Auburn Township business when said business is hosting a food truck. He also commented that the food truck should only be on the location in support of the primary use of those established businesses.

A discussion took place regarding what would be required to ensure that a mobile food unit would be compliant with zoning. It was suggested that a zoning certificate be issued for a mobile food truck located at any business and the certificate would be valid for one (1) year.

A discussion took place whether the business owner would be the one that applies for the permit or the food truck owner.

A discussion took place regarding how the Township verifies that the food trucks are meeting the health codes.

It was noted that the documentation from the Health Department would be on the food truck itself.

It was discussed that the business owner could pay a yearly fee to allow the food trucks to operate on their property, the individual truck would also need a permit to verify their state compliance and also verify fire and health department compliance.

A system would also be implemented so it would not be necessary for an individual truck to have to register more than once a year. It was also noted that the Township does not want the food trucks to have to reapply weekly if they were to go from business-to-business.

After discussion, it was confirmed that on any given day a business can only have one food truck on their property.

Mr. Brockman again explained that a food truck is here to support the existing businesses and the food truck does not need to be selling t-shirts etc. to support their business.

Mr. Brockman also commented that he does not think there should be tables and chairs from the food truck set up on the hosting business's property. He also explained that there should be no signage, directly advertising the food trucks business, erected from the food truck.

Mr. Van Hyning also commented that the Township does not want the food truck presenting their own signage to make it a sub business, but the business hosting the food truck might be allowed to put on their own sign, for example "hey, food truck here Friday night from 5-8".

Mr. Brockman stated that the food truck should not be allowed signage for themselves at all. A discussion took place.

Mr. Van Hyning indicated that the Township already has signage restrictions in the resolution for if a business wants to erect a sign.

Mr. Van Hyning did agree with Mr. Brockman that the food trucks should not put out their own tables and chairs.

Summarizing, Mr. Canfield commented that the Commission is talking about eliminating the word "permanent" and removing tables and chairs except if provided by the hosting business.

Mr. Dietrich suggested that if the Commission is not going to allow tables and chairs to just add a separate bullet point that specifically says tables and chairs are prohibited.

The Commission discussed where to locate the food truck on the hosting property. It was noted that when getting a permit, the hosting business will submit a site plan for the zoning inspector to approve the location.

Mr. Dietrich also commented that a site plan will be required when applying for a zoning permit.

The Commission agreed to let the Zoning Inspector determine where the best location would be on the hosting property.

A discussion took place regarding the frequency of a food truck being permitted on a property. Mr. Van Hyning noted that something additional will be included for food trucks at special events.

Mrs. Daugherty was concerned that some businesses that might only be open 3-4 days a week and if we permit food trucks for three days for a special event, that would equate to them being allowed all the time when that the business is open. A discussion took place.

Mr. Brockman commented that frequency should be one time, once a week and if there is a special event that event should not be combined with the other permitted timeframe, it should be one or the other.

Mr. Van Hyning commented that this amendment should not be written to address just the current three businesses that are hosting food trucks, but it should be written to address any business at any time in the future that may host a food truck. He noted that we do not want these [food truck] vehicles looking derelict.

Jason Wein commented that it is important to have trucks Friday and Saturday so that businesses can provide hot food.

A discussion took place about rewriting part of the draft amendment to incorporate these concerns. It was also noted that the food truck must leave the premises after the permitted time and that it cannot be parked on the property while not in use either, to avoid the carnival look.

A discussion also took place regarding where on the property a food truck owned by the business should be located. Mr. Dietrich suggested that it may have to be located out of view of the road or screened.

Mr. Van Hyning commented that a food truck could be on location for two consecutive days within a calendar week. A discussion took place.

Mr. Brockman noted that the draft establishes that if you own the food truck, the same rules will apply to all businesses whether a business owns a permanent food truck or not.

A discussion took place about limitations that could be placed on what kind of business can host a food truck.

Mr. Van Hyning indicated that if one business can host a food truck all businesses in that district can have one. It was noted that conceivably any business could benefit from or be harmed by a food truck.

Mr. Brockman commented that during this discussion on quantities, the numbers and amounts of food trucks can accumulate quickly especially since all businesses can host them. Mr. Brockman also commented that the Commission needs to keep in mind the intent behind zoning…that it is to protect and maintain the semi-rural character of the Township.

Mr. Brockman further commented that unleashing a hoard of food trucks on the Township may not be keeping in that spirit.

Mr. Brockman also noted that he personally did not move to Auburn Township for any business/bar/glass studio, but for the rural nature.

Mr. Wein asked what if a Dollar General Store wanted to move in, is that more rural?

Mr. Van Hyning indicated that Dollar General Store would have every right also.

A discussion took place regarding Auburn being perceived as a carnival.

The Commission continued reading the proposed amendment. Mr. Van Hyning commented that a business can have two special events per quarter and two trucks per event. A discussion took place and ultimately it was agreed that two trucks will be the limit.

Mrs. Daugherty suggested that the frequency be two times a month rather than weekly plus the special events. A discussion took place.

Mr. Van Hyning indicated that the two days per week does not have to be consecutive.

A discussion took place.

Mr. Dietrich clarified that the two permitted days cannot be in conjunction with a special event.

A discussion took place regarding hosting a private party at a commercial location with a food truck. It was noted that the business location of the party is a commercial business so they would not be exempt even if it was a private party.

Mrs. Ianaro asked what happens to the amendment after corrections are done? Mr. Van Hyning explained what the process is for proposed amendments. The next step for this amendment, after the draft is approved, will be sent to Chardon for legal review.

Mr. Van Hyning noted that accessory building height will remain tabled on the agenda for this meeting.

The Commission was ready to initiate the paperwork for ZC-2024-01 regarding family cemeteries and wind farms.

Motion by Dennis Bergansky to initiate of ZC-2024-01. The motion was seconded by Ted Van Hyning.

Vote: Van Hyning, yes; Brockman, yes; Pulsford, yes; Bergansky, yes; Canfield, yes. Motion approved.

The paperwork for this motion was signed by all voting members.

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Held 11010 Washington Street June 27, 2024 20 5

Motion by Jeff Pulsford to the transfer ZC-2024-01 to the Geauga County Planning Commission. The motion was seconded by Dennis Bergansky.

Vote: Van Hyning, yes; Brockman, yes; Pulsford, yes; Bergansky, yes; Canfield, yes. Motion approved.

The paperwork was signed by all voting members.

Motion by Scott Brockman to set the Public Hearing date for ZC-2024-01 on July 25, 2024. The motion was seconded by Chad Canfield.

Vote: Van Hyning, yes; Brockman, yes; Pulsford, yes; Bergansky, yes; Canfield, yes. Motion approved.

The paperwork for this motion was signed by all voting members.

It was noted that a legal ad will be placed in the newspaper to advertise the Public Hearing for ZC-2024-01. It was also noted that the additional meeting dates were added to the Zoning Commissions regular meeting schedule.

Motion by Angela Daugherty to adjourn the meeting. The motion was seconded by Ted Van Hyning. Vote: Van Hyning, yes; Brockman, yes; Pulsford, yes; Bergansky, yes; and Canfield, yes. The motion passed.

The meeting was adjourned.

Minutes submitted by:

Sarah C. Mulleman, Secretary

Minutes Approved on:

July 11, 2024

Ted Van Hyning, Chairman