

# **BRUNSWICK CITY PLANNING & ZONING COMMITTEE**

## **Agenda**

**DECEMBER 19, 2022**

**6:20 PM**

or Immediately Following  
Services, Utilities, Technology & Cable Committee

1. Discussion Items

**ORD. NO. 119-2022** - An ordinance amending Section 1260.04(v) of the Codified Ordinances of the City of Brunswick by imposing additional restrictions for vape and smoke shops. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

**ORD. NO. 120-2022** - An ordinance amending Section 1261.04(s) of the Codified Ordinances of the City of Brunswick by imposing additional restrictions for vape and smoke shops. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

**ORD. NO. 121-2022** - An ordinance establishing Section 1270.04(e) of the City of Brunswick Codified Ordinances. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

**ORD. NO. 122-2022**- An ordinance establishing Sections 1278.02(a)(4) and 1278.02(a)(5) of the City of Brunswick Codified Ordinances. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

**ORD. NO. 123-2022**- An ordinance amending Section 1282.08(b) of the Codified Ordinances of the City of Brunswick. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

**ORD. NO. 124-2022** - An ordinance establishing Chapter 1292 of the City of Brunswick Codified Ordinances to regulate electric vehicle charging stations. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

2. General Discussion

3. Adjournment

## PROPOSED LEGISLATION



**DATE:** 12/19/2022

**TO:** Vice Mayor Nicholas Hanek and Members of City Council

**FROM:** Carl S. DeForest, City Manager  
Grant Aungst

**COPY:** Mayor Ron Falconi

**LEGISLATION:** **ORD. NO. 119-2022** - An ordinance amending Section 1260.04(v) of the Codified Ordinances of the City of Brunswick by imposing additional restrictions for vape and smoke shops. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

**BACKGROUND:** The location of vape and smoke shops has been amended in the C-G General Commercial District, whereby they shall not be permitted within 3,500 feet of any parcel or unified site within or outside of the City of Brunswick corporate boundaries where religious or educational institutions are located. The distance shall be measured from the nearest point of the parcel on which the vape/smoke shop is located to the nearest property line on which a religious or educational institution is located.

**PURPOSE AND EXPLANATION:** The proposed legislation will further regulate the location of vape and smoke shops in the C-G District.

**IMPLEMENTATION SCHEDULE:** First reading on December 19, 2022; then refer back to the Planning Commission for a public hearing.

**FINANCIAL INFORMATION:**

**FINANCIAL SUMMARY:**

**RECOMMENDED ACTION:**

|                |     |
|----------------|-----|
| One Reading    | No  |
| Two Readings   | No  |
| Three Readings | Yes |
| Emergency      | No  |

Suspension of Rules                      No

If emergency or suspension of the rules, why the request?  
Recommend adoption of the proposed legislation.

**ADDITIONAL  
INFORMATION:**

CITY OF BRUNSWICK, OHIO  
ORDINANCE NO. \_\_\_\_\_

BY:

AN ORDINANCE AMENDING SECTION 1260.04(v) OF THE CODIFIED ORDINANCES OF THE CITY OF BRUNSWICK BY IMPOSING ADDITIONAL RESTRICTIONS FOR VAPE AND SMOKE SHOPS.

WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

SECTION 1: That Section 1260.04(v) of the Codified Ordinances is hereby amended to read as follows:

“(v) Vape and smoke shops; shall not be permitted within 3,500 feet of any parcel or unified site within or outside of the City of Brunswick corporate boundaries upon which any of the following are located, which shall be measured from the nearest point of the parcel on which the vape/smoke shop is located to the nearest property line upon which any of the following are located~~which shall not be permitted within one thousand (1,000) feet of:~~

- (1) A church, synagogue, mosque, temple or building which is used primarily for religious worship and related religious activities.
- (2) A public or private educational facility, including, without limitation, child care facilities, nursery schools, pre-schools, kindergartens, elementary schools, private schools, intermediate schools, junior high schools, middle schools, high schools, vocational schools, secondary schools, junior colleges and universities, trade schools, tutorial services and commercial learning centers. ~~School includes the school grounds, but does not include facilities used primarily for another purpose and only incidentally as a school.”~~

SECTION 2: That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 1<sup>st</sup> Reading \_\_\_\_\_

2<sup>nd</sup> Reading \_\_\_\_\_

3<sup>rd</sup> Reading \_\_\_\_\_

ADOPTED: \_\_\_\_\_ AYES \_\_\_\_\_ NAYS \_\_\_\_\_

ATTEST: \_\_\_\_\_

Clerk of Council  
Laura E. Timura

## PROPOSED LEGISLATION



**DATE:** 12/19/2022

**TO:** Vice Mayor Nicholas Hanek and Members of City Council

**FROM:** Carl S. DeForest, City Manager  
Grant Aungst

**COPY:** Mayor Ron Falconi

**LEGISLATION:** **ORD. NO. 120-2022** - An ordinance amending Section 1261.04(s) of the Codified Ordinances of the City of Brunswick by imposing additional restrictions for vape and smoke shops. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

**BACKGROUND:** The location of vape and smoke shops in the GW-C Gateway Commercial District has been amended, whereby they shall not be permitted within 3,500 feet of any parcel or unified site within or outside of the City of Brunswick corporate boundaries where religious or educational institutions are located. The distance shall be measured from the nearest point of the parcel on which the vape/smoke shop is located to the nearest property line on which a religious or educational institution is located.

**PURPOSE AND EXPLANATION:** The proposed legislation will further regulate the location of vape and smoke shops in the GW-C District.

**IMPLEMENTATION SCHEDULE:** First reading on December 19, 2022; then refer back to the Planning Commission for a public hearing.

**FINANCIAL INFORMATION:**

**FINANCIAL SUMMARY:**

**RECOMMENDED ACTION:**

|                |     |
|----------------|-----|
| One Reading    | No  |
| Two Readings   | No  |
| Three Readings | Yes |
| Emergency      | No  |

Suspension of Rules

No

If emergency or suspension of the rules, why the request?

Recommend adoption of the proposed legislation.

**ADDITIONAL  
INFORMATION:**

CITY OF BRUNSWICK, OHIO  
ORDINANCE NO. \_\_\_\_\_

BY:

AN ORDINANCE AMENDING SECTION 1261.04(s) OF THE CODIFIED ORDINANCES OF THE CITY OF BRUNSWICK BY IMPOSING ADDITIONAL RESTRICTIONS FOR VAPE AND SMOKE SHOPS.

WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

SECTION 1: That Section 1261.04(s) of the Codified Ordinances is hereby amended to read as follows:

“(s) Vape and smoke shops shall not be permitted within 3,500 feet of any parcel or unified site within or outside of the City of Brunswick corporate boundaries upon which any of the following are located, which shall be measured from the nearest point of the parcel on which the vape/smoke shop is located to the nearest property line upon which any of the following are located, ~~which shall not be permitted within one thousand (1,000) feet of:~~

- (1) A church, synagogue, mosque, temple or building which is used primarily for religious worship and related religious activities.
- (2) A public or private educational facility, including, without limitation, child care facilities, nursery schools, pre-schools, kindergartens, elementary schools, private schools, intermediate schools, junior high schools, middle schools, high schools, vocational schools, secondary schools, junior colleges and universities, trade schools, tutorial services and commercial learning centers. ~~School includes the school grounds, but does not include facilities used primarily for another purpose and only incidentally as a school.”~~

SECTION 2: That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 1<sup>st</sup> Reading \_\_\_\_\_

2<sup>nd</sup> Reading \_\_\_\_\_

3<sup>rd</sup> Reading \_\_\_\_\_

ADOPTED: \_\_\_\_\_ AYES \_\_\_\_\_ NAYS \_\_\_\_\_

ATTEST: \_\_\_\_\_

Clerk of Council  
Laura E. Timura

## PROPOSED LEGISLATION



**DATE:** 12/19/2022

**TO:** Vice Mayor Nicholas Hanek and Members of City Council

**FROM:** Carl S. DeForest, City Manager  
Grant Aungst

**COPY:** Mayor Ron Falconi

**LEGISLATION:** **ORD. NO. 121-2022** - An ordinance establishing Section 1270.04(e) of the City of Brunswick Codified Ordinances. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

**BACKGROUND:** In order to provide visibility into business establishments for safety forces, Section 1270.04(e) is established whereby exterior/interior window graphics shall not exceed twenty-five percent (25%) of the glass area.

**PURPOSE AND EXPLANATION:** The proposed legislation will allow safety forces to have visibility into businesses.

**IMPLEMENTATION SCHEDULE:** First reading on December 19, 2022; then refer back to the Planning Commission for a public hearing.

**FINANCIAL INFORMATION:**

**FINANCIAL SUMMARY:**

**RECOMMENDED ACTION:**

|                     |     |
|---------------------|-----|
| One Reading         | No  |
| Two Readings        | No  |
| Three Readings      | Yes |
| Emergency           | No  |
| Suspension of Rules | No  |

If emergency or suspension of the rules, why the request?

Recommend adoption of the proposed legislation.

**ADDITIONAL  
INFORMATION:**

1  
CITY OF BRUNSWICK, OHIO  
ORDINANCE NO. \_\_\_\_\_

BY:

AN ORDINANCE ESTABLISHING SECTION 1270.04(e) OF THE CITY OF  
BRUNSWICK CODIFIED ORDINANCES.

WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

SECTION 1: That Section 1270.04(e) of the Codified Ordinances is hereby established to read  
as follows:

“(e) Window Graphics. Exterior/interior window graphics shall not exceed  
twenty-five percent (25%) of the glass area.”

SECTION 2: That this Ordinance shall take effect and be in force from and after the earliest  
period allowed by law.

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PASSED: 1<sup>st</sup> Reading\_\_\_\_\_

2<sup>nd</sup> Reading\_\_\_\_\_

3<sup>rd</sup> Reading\_\_\_\_\_

ADOPTED: \_\_\_\_\_ AYES \_\_\_\_\_ NAYS \_\_\_\_\_

ATTEST: \_\_\_\_\_  
Clerk of Council  
Laura E. Timura

## PROPOSED LEGISLATION



**DATE:** 12/19/2022

**TO:** Vice Mayor Nicholas Hanek and Members of City Council

**FROM:** Carl S. DeForest, City Manager  
Grant Aungst

**COPY:** Mayor Ron Falconi

**LEGISLATION:** **ORD. NO. 122-2022-** An ordinance establishing Sections 1278.02(a)(4) and 1278.02(a)(5) of the City of Brunswick Codified Ordinances. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

**BACKGROUND:** Section 1278.02(a)(4)(a) and (b) will require Planning Commission review of parking and landscaping requirements when a new tenant/business moves into a vacant space that exceeds 15,000 square feet or 25% of the site, and if the space has been vacant for more than four months. Section 1278.02(a)(5)(a) and (b) will allow review of the parking and landscaping by the Community and Economic Development Director, Chief Building Official, and City Engineer when a new tenant/business moves into a vacant space that is below 15,000 square feet or 25% of the site.

**PURPOSE AND EXPLANATION:** The proposed legislation will ensure compliance with parking and landscaping code requirements when a new tenant/business occupies a building that has been vacant for more than four months.

**IMPLEMENTATION SCHEDULE:** First reading on December 19, 2022; then refer back to the Planning Commission for a public hearing.

**FINANCIAL INFORMATION:**

**FINANCIAL SUMMARY:**

**RECOMMENDED ACTION:**

|                |     |
|----------------|-----|
| One Reading    | No  |
| Two Readings   | No  |
| Three Readings | Yes |

|                     |    |
|---------------------|----|
| Emergency           | No |
| Suspension of Rules | No |

If emergency or suspension of the rules, why the request?

Recommend adoption of the proposed legislation.

**ADDITIONAL  
INFORMATION:**

1  
CITY OF BRUNSWICK, OHIO  
ORDINANCE NO. \_\_\_\_\_

BY:

AN ORDINANCE ESTABLISHING SECTIONS 1278.02(a)(4) AND  
1278.02(a)(5) OF THE CITY OF BRUNSWICK CODIFIED ORDINANCES.

WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

SECTION 1: That Section 1278.02(a)(4) of the Codified Ordinances is hereby established to read as follows:

“(4) Upon new tenant/occupied space, all parking and landscape design shall be reviewed by the Planning Commission and meet the requirements of Chapter 1276 if either of the following apply:

- (a) The space exceeds 15,000 square feet or 25% of the gross leasable area of the site.
- (b) The space has been empty for four (4) months or more.

(5) Upon new tenant/occupied space, all parking and landscape design shall be reviewed by the Community and Economic Development Director, Chief Building Official and City Engineer and meet the requirements of Chapter 1276 if either of the following apply:

- (a) The space is less than 15,000 square feet or 25% of the gross leasable area of the site.
- (b) The space has been empty for four (4) months or more.”

SECTION 2: That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

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PASSED: 1<sup>st</sup> Reading \_\_\_\_\_

2<sup>nd</sup> Reading \_\_\_\_\_

3<sup>rd</sup> Reading \_\_\_\_\_

ADOPTED: \_\_\_\_\_ AYES \_\_\_\_\_ NAYS \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Clerk of Council  
Laura E. Timura

## PROPOSED LEGISLATION



**DATE:** 12/19/2022

**TO:** Vice Mayor Nicholas Hanek and Members of City Council

**FROM:** Carl S. DeForest, City Manager  
Grant Aungst

**COPY:** Mayor Ron Falconi

**LEGISLATION:** **ORD. NO. 123-2022-** An ordinance amending Section 1282.08(b) of the Codified Ordinances of the City of Brunswick. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

**BACKGROUND:** Section 1282.08(b) is being amended to require that all tenant/occupied building spaces on a unified site shall meet the minimum interior landscape requirements.

**PURPOSE AND EXPLANATION:** The proposed legislation will ensure that sufficient interior landscaping will be provided for all buildings on a unified site.

**IMPLEMENTATION SCHEDULE:** First reading on December 19, 2022; then refer back to the Planning Commission for a public hearing.

**FINANCIAL INFORMATION:**

**FINANCIAL SUMMARY:**

**RECOMMENDED ACTION:**

|                     |     |
|---------------------|-----|
| One Reading         | No  |
| Two Readings        | No  |
| Three Readings      | Yes |
| Emergency           | No  |
| Suspension of Rules | No  |

If emergency or suspension of the rules, why the request?  
Recommend adoption of the proposed legislation.

**ADDITIONAL  
INFORMATION:**

CITY OF BRUNSWICK, OHIO  
ORDINANCE NO. \_\_\_\_\_

BY:

AN ORDINANCE AMENDING SECTION 1282.08(b) OF THE CODIFIED  
ORDINANCES OF THE CITY OF BRUNSWICK.

WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

SECTION 1: That Section 1282.08(b) of the Codified Ordinances is hereby amended to read as follows:

“(b) Interior Landscaping. Parking areas shall provide interior landscaping, as provided in Section 1282.06(h). Interior landscaping shall equal a minimum of 20 square feet per parking space, exclusive of foundation landscaping or any other landscaping required by Section 1282.06. Such landscaping shall be in areas of uncompacted, well-drained soil within or directly adjacent to the parking and circulation areas. All tenant/occupied buildings spaces on a unified site shall meet the minimum interior landscaping requirements.”

SECTION 2: That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

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PASSED: 1<sup>st</sup> Reading \_\_\_\_\_

2<sup>nd</sup> Reading \_\_\_\_\_

3<sup>rd</sup> Reading \_\_\_\_\_

ADOPTED: \_\_\_\_\_ AYES \_\_\_\_\_ NAYS \_\_\_\_\_

ATTEST: \_\_\_\_\_  
Clerk of Council  
Laura E. Timura

## PROPOSED LEGISLATION



**DATE:** 12/19/2022

**TO:** Vice Mayor Nicholas Hanek and Members of City Council

**FROM:** Carl S. DeForest, City Manager  
Grant Aungst

**COPY:** Mayor Ron Falconi

**LEGISLATION:** **ORD. NO. 124-2022** - An ordinance establishing Chapter 1292 of the City of Brunswick Codified Ordinances to regulate electric vehicle charging stations. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

**BACKGROUND:** Legislation is proposed which will define electric vehicle charging stations; when a permit is required; and certain conditions for EV charging stations in residential and nonresidential districts.

**PURPOSE AND EXPLANATION:** The proposed legislation will provide for the regulation of electric vehicle charging stations.

**IMPLEMENTATION SCHEDULE:** First reading on December 19, 2022; then refer back to the Planning Commission for a public hearing.

**FINANCIAL INFORMATION:**

**FINANCIAL SUMMARY:**

**RECOMMENDED ACTION:**

|                     |     |
|---------------------|-----|
| One Reading         | No  |
| Two Readings        | No  |
| Three Readings      | Yes |
| Emergency           | No  |
| Suspension of Rules | No  |

If emergency or suspension of the rules, why the request?  
Recommend adoption of the proposed legislation.

**ADDITIONAL  
INFORMATION:**

1  
CITY OF BRUNSWICK, OHIO  
ORDINANCE NO. \_\_\_\_\_

BY:

AN ORDINANCE ESTABLISHING CHAPTER 1292 OF THE CITY OF BRUNSWICK CODIFIED ORDINANCES TO REGULATE ELECTRIC VEHICLE CHARGING STATIONS.

WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

SECTION 1: That Chapter 1292 of the Codified Ordinances titled “Electric Vehicle Charging Stations” is hereby established to read as follows:

“(a) Electric Vehicle Charging Station Defined. An electric vehicle charging station shall mean a public or private parking space located together with a battery charging station which permits the transfer of electric energy (by conductive or inductive means) to a battery or other storage device in an electric vehicle.

(b) Permits Required. Electric vehicle supply equipment, as defined in the National Electric Code, shall obtain any required building permits, electrical permits or other applicable permits prior to their location, construction, installation, or operation in the City of Brunswick.

(c) Electric Vehicle Charging Stations on Residential Properties. Electric vehicle charging stations shall be permitted in all residential districts and residential Special Planning Districts, subject to the following regulations:

- (1) Electric vehicle charging stations on residential properties shall not be located within the front, side or rear setbacks of the applicable zoning district.
- (2) Residential properties with more than five electric vehicle charging stations in a single parking lot shall provide screening of such charging stations from adjacent properties with landscaping, fencing, or a combination thereof and achieve at least 50% opacity at installation.
- (3) Electric vehicle charging stations shall only be utilized by the residents of the property such charging stations are located upon.
- (4) Only single-phase Level 1 and Level 2 electric vehicle supply equipment shall be permitted on residential properties.
- (5) A certificate of zoning compliance shall be required for electric vehicle charging stations located on residential properties.

(d) Electric Vehicle Charging Stations on Non-Residential Properties. Electric vehicle charging stations shall be conditionally permitted in the C-G General

Commercial District, C-H Highway Interchange Commercial District, I-L Light Industrial District, and commercial portions of Special Planning Districts, subject to the following regulations:

- (1) Non-residential properties with five or less electric vehicle charging stations that do not have overhead canopies shall be permitted per the following:
  - A. Site plan approval shall be required pursuant to Chapter 1278.
  - B. Electric vehicle charging stations shall not be located within the front yard setback of the applicable zoning district and shall be located no less than ten feet from the side or rear property lines. Electric vehicle charging stations shall be located no less than 30 feet from any residential zoning district.
- (2) Non-residential properties with more than five electric vehicle charging stations, or charging stations that include overhead canopies, shall be permitted per the following:
  - A. Conditional use approval shall be required per Chapter 1274 and site plan approval pursuant to Chapter 1278.
  - B. Electric vehicle charging stations shall not be located within the front, side, or rear setbacks of the applicable zoning district.
  - C. Electric vehicle charging stations shall be screened from adjacent residential uses with landscaping, fencing, or a combination thereof and achieve at least 50% opacity at installation.
- (3) Parking spaces designated for electric vehicular charging stations shall not apply to the required minimum number of parking spaces.
- (4) Signage shall only be located on the electronic vehicle charging station and shall not exceed four square feet in area per charging station.”

SECTION 2: That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 1<sup>st</sup> Reading \_\_\_\_\_

2<sup>nd</sup> Reading \_\_\_\_\_

3<sup>rd</sup> Reading \_\_\_\_\_

ADOPTED: \_\_\_\_\_ AYES \_\_\_\_\_ NAYS \_\_\_\_\_

ATTEST: \_\_\_\_\_  
 Clerk of Council  
 Laura E. Timura