

**COMMISSIONERS' PUBLIC HEARING
MONDAY, MAY 14, 2007**

Sharon A. Ray called the meeting to order at 10:36 a.m. with Patricia G. Geissman and Stephen D. Hambley present. The purpose of the public hearing was to review Medina County Subdivision Regulations proposed amendments. An attendance sheet is attached as Exhibit A.

Patrice Theken, Director of the Department of Planning Services, gave some background on the changes they are proposing. The review process of the Subdivision Regulations began about 1-1-1/2 years ago due to the new agreement between the Soil & Water Conservation District and the Highway Engineers. It is now the Highway Engineers' responsibility to sign the final agreement after reviewing the subdivisions. Other things that needed to be addressed were the stub street issue and cleaning up some of the way the text was formatted. The amendments have been reviewed by the Subdivision Regulations Review Committee and a Subcommittee composed of Planning Commission members and several county agencies. The Prosecutor's Office has been involved throughout the process as well as the Highway Engineers and Tax Maps. The Planning Commission held public hearings on March 7 and April 4, 2007. Bill Thorne attended the April public hearing and they acted on the comments from that meeting and "went back to the drawing board" to clear up flood plain issues. Flood plain regulations are still being reviewed and not yet approved so they removed some of the language on local flood plains. Once those regulations are approved, they will incorporate that information into the Subdivision Regulations and return to the Board. The County Planning Commission approved the proposed amendments to the Subdivision Regulations on April 4, 2007 and they have submitted the information to the Commissioners for this public hearing.

Ms. Theken summarized the changes as follows:

Article II, Administration

The Director is given the authority to approve a replat for a subdivision based upon the submittal and approval of a Preliminary Plan that was previously reviewed. The reason for this amendment is that a property owner occasionally wants to subdivide the property in blocks. When a developer wants to sell a subplot, a prospective buyer may want it smaller or larger so reconfiguration would be required. If the Preliminary Plan shows the subdivision of the property in a certain way and the final plat shows a portion as blocks, the property owner can request to have the property replatted based upon what was approved at the Preliminary Plan stage. That would save the developer one or two months of additional time and additional fees. If this article is approved, the Department of Planning Services would be submitting a change to their fee schedule. Even though the replat would be approved in-house and not go directly to the Planning Commission, there would be additional work to make sure it is correct.

Mr. Hambley commented that Ms. Theken pointed out that as long as the replat follows the intent of the approved Preliminary Plan, that is when they have that latitude. Ms. Theken said that is correct, and they can send it back to the Planning Commission if they are not comfortable with the replat.

Article III, Definitions

They added several new definitions with the help of Tax Maps. They added the terms "block", "unbuildable area", "unbuildable lot", and some of the flood plain definitions.

Article IV, Major Subdivisions

They made changes for the purpose of clarification for the developers and property owners to follow it more easily. They had a consultant review the Subdivision Regulations in 2002. They were set up and separated as Concept, Preliminary, and Final Plat. They were split up in Article IV so a portion of the regulations for each of those items was in the front part of the chapter and a portion was in the back part of the chapter; they would have to look at two parts of the chapter to know the total of what they needed to submit. They put them together so they could look at the information totally, making it more user-friendly. They also added the labeling of blocks, clarification of the procedure of extending a Preliminary Plan, recording of a Final Plat, and revised submittal requirements, including stormwater management.

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Article V, Minor Subdivisions

They took advantage of a change in the Ohio Revised Code and added a requirement that all minor subdivisions of ten acres or less would require review and approval by the Department of Planning Services. Now the requirement pertains to minor subdivisions less than five acres. It would give them more opportunity to address the environmental issues, access to major street issues, etc. Minor subdivisions will be submitted to ODOT, Soil & Water Conservation, and Tax Map to review. It is very helpful for lots that are less than five acres so they are extending that review process to lots that would be less than ten acres. Also, buildings within 50 feet of a proposed minor subdivision will be required to be shown on the survey.

Article VI, Planning Principles and Design Standards

They made a revision to the section that entitles arrangement of streets. Over the last several years there has been much discussion about stub streets and whether or not they should require them, or if they should be eliminated from the subdivision. There were discussions and meetings held at the Prosecutor's Office with members of the Planning Commission, Highway Engineers and other departments. They came up with the language that allows a developer the option to put up a performance guarantee instead of actually stubbing a street to a property line and eventually constructing it. If the need would come for that street to be extended to the adjacent property owner, then it could be done. The money would be there for it to occur, but the stub and all the paving would not be there.

Ms. Theken said she received a letter from the Hinckley Township Trustees indicating that they support the recommendations of the Planning Commission regarding Section 604(B)(3), of the Proposed Amendments Medina County Subdivision Regulations.

There was no one else wishing to speak.

Mrs. Geissman moved to close the public hearing; seconded by Mr. Hambley. There was no discussion. Roll call showed all Commissioners voting AYE.

Mrs. Geissman moved to adjourn the meeting at 10:50 a.m.; seconded by Mr. Hambley. There was no discussion. Roll Call showed both Commissioners voting AYE.

All deliberations concerning official business and formal actions by this Board of Commissioners were conducted in an open public meeting this fourteenth day of May, 2007.

Respectfully submitted,

Pam Vereb, Clerk

COMMISSIONERS

Sharon A. Ray

OF

Patricia G. Geissman

MEDINA COUNTY

Stephen D. Hambley