

**MINUTES OF THE PUBLIC HEARING FOR CODE TEXT AMENDMENTS
SHEFFIELD LAKE, OHIO
November 26, 2024
www.sheffieldlake.net**

This public hearing for code text amendments was held Tuesday, November 26, 2024. President Rosso called the meeting to order at 6:31pm.

*******ROLL CALL OF MEMBERS*******

Present: President Rosso, Kovach, Stark, Cizl, Gee, Wtulich (late), DeBottis, Petrucci, Mayor Radeff, Law Director Graves, Finance Director Rummell, Service Director Hastings.

Excused: None.

Attending: Chief Kory, Citizens, videographer.

DISCUSSION: Law Director Graves states anytime that you have a proposed amendment to the planning and zoning code, prior to taking any action on that, we have to conduct a public hearing. The first ordinance is council #052 which amends section 1111.02(c)(4)(C) and establishing 1111.02(c)(4)(F). Current language provides that food trucks are subject to the temporary special event section and would be considered either limited or extensive impact depending on the duration. Extensive impact would be an event that occurs more than two times in a calendar year, each time for a duration of not longer than 45 days. Extensive impact would be any temporary special event that goes beyond three days. This ordinance takes food trucks and classifies them as limited impact. We also have a current ordinance in Work Session that would establish a fee for the permit for the food trucks. It also creates 1111.02(c)(4)(F) which defines specifically that food truck operations are a special events limited impact. Then you have Council #053 which amends table 1107-03 and section 1107.04 of the code. 1107-03 provides that commercial recreational facilities which are currently conditional uses in B1, B2 and B4 zoning districts would also be a conditional use in B5 and Industrial districts. B1, B2 and B4 where it's already a conditional use are actually considered more restrictive zoning districts. This will be opening it up as a conditional use in less restrictive zoning districts of B5 and Industrial. It also amends the definition of commercial recreational facilities set forth at 1131.02 to include food truck parks as a component of an outdoor recreational facility.

CITIZEN'S COMMENTARY: *David Cheyne, 5365 E. Lake Rd.* says classification of amendment #053 incorporating both the transfer of outdoor recreation and classification of food truck parks as being part of them seems not to be incredibly well thought out. The three industrial areas around Abbe and Walker Rd., while significant in size, this rule will then allow them to operate with any outdoor recreational facilities that are described in terms of any of the existing

code, not just in terms of what's anticipated. Around those particular areas, is a significant amount of residential property abutting and adjoining. Residents in the purchase of these areas would have looked in the existing industrial code and it states it's actively involved in indoor and generally quiet in terms of the operations. The transfer of outdoor recreation and food truck parks being defined simultaneously, while the very definition allows for something to be outdoor and noisy and most likely to occur after hours and into the evenings. The mayor in a recent publication stated that the city offers a peaceful and picturesque respite from the rest of the city. These type of activities I don't see as being applicable within this (inaudible). The city has also adopted a master plan. It quite clearly states that the industrial areas should actively procure or attempt to get in the relevant type of businesses that add to the income of the residents of the industry. These food trucks that are mobile, transient and can leave whenever they want to, don't affectively add to that situation as required by the master plan.

Tammy Asire, 648 Maplewood Ave. states the gentleman who just spoke talked about the fact that business in industrial areas are near residential. Look at our city, I don't believe there is any business or industrial area in the city that isn't near residential areas. The master plan; the city worked long and hard on it. We've pushed for it. One of the major functions we are looking for is more recreational opportunities. If there were an opportunity to have something recreational, including a pickleball court or ice-skating rink that didn't actually cost our tax dollars to build, that seems like a positive to me. One of the other features of the master plan was bringing in new businesses. I don't believe that master plan anywhere says we only want new businesses if they hire 100 people, etc. If there's opportunities for more businesses, that aren't costing us anything, I think it's good to look at. These changes aren't set at one particular piece of property or group of properties. This will affect the whole city. It could affect plan changes at Shoreway. Just something I would like everybody to think about seriously before you vote on it.

Cindy Cheyne, 5365 E. Lake Rd. says one quick point in response to the person who spoke before, the master plan, over 1/3 of the plan addresses recreational opportunities and they present over 21 different outdoor activities that residents have wanted. It's not like we are in a shortage of what we are doing for the city. I have three points regarding #052, the classifying of food trucks as limited impact events regardless of duration or frequency. First, I'm sure you would agree that food trucks sitting on a property for an unlimited amount of time will have an extensive impact upon surrounding properties. This amendment will allow this exact scenario without any prior review by council or citizen input. Food trucks are not garage sales. They can give people food poisoning; they emit fumes that can make people very ill. This kind of significant impact deserves council's review and input by the affected residents. If you pass this legislation, you are telling constituents you willingly give up your power to represent them and you eliminate any ability for them to be heard at all. Secondly, this amendment will discourage

new restaurants from coming to Sheffield Lake and push what few restaurants we do have, out. Brick and mortar restaurants have a vested interest in the community and in succeeding. They become part of the community, they involve themselves in events and sponsorships, but a mobile food truck is just that, mobile. Transient by its very nature. It has minimal overhead, no local workers, no real commitment to the city. If things get tough or they get a better opportunity, they just leave. A great example is our new coffee shop. Passage of this legislation means someone can setup a food truck indefinitely in a parking lot and start serving coffee. Who will suffer? That new coffee shop, because they are the ones with expenses and overhead and then they will shut their doors. Then when the food truck decides to leave, the city will be left with nothing. The same thing could happen to the local pizza place. A brick and mortar restaurant can not compete with a mobile one who upon passage of this amendment will be able to operate indefinitely for essentially the cost of a permit. Lastly, why are we passing this legislation allowing food trucks unfettered access throughout the city without having regulations in place first? How id the city planning on keeping them in check without any rules for them to follow? From a legal perspective, this seems reckless. I can't even find a definition for what a food truck is. Where are our regulations concerning required certifications, chairs, tables, etc.? Avon Lake and Vermilion have entire chapters dedicated to food truck regulation. I urge you to do the same before you pass this amendment.

MEETING ADJOURNED: With no further business before this council, *Motion by Kovach/Second by Stark to adjourn at 6:45 pm. Yeas All.

CLERK OF COUNCIL AFFIRMATION: This Meeting Of The City Council Of The City Of Sheffield Lake, Ohio Was Held And Conducted Under All Rules And Regulations Governing The Sunshine Laws Of The State Of Ohio As They May Apply. All meetings are recorded and available in council offices.

CLERK OF COUNCIL/COMMITTEES

Brandy Randolph

I, Brandy Randolph, duly appointed Clerk of Council of Sheffield Lake DO HEREBY CERTIFY that this is a true and exact copy of the Minutes of the Public Hearing on November 26, 2024.

COUNCIL PRESIDENT

Richard Rosso

MAYOR

Rocky Radeff