

PLANNING COMMISSION

APRIL 30, 2015

The meeting was called to order at 7:00 p.m. by Chairman Chris Carry. Commission members present were: Chris Carry, Byron Choka, Tom Forquer, Seth Hudson, Eric Nicely, and Mayor Olmstead (6). Therese Witt was absent. Also present was Brody Walters, Planning and Zoning Administrator.

APPROVAL OF MINUTES OF MARCH 26, 2015 MEETING

Mr. Forquer stated that in the last paragraph on Page 3 of the minutes, it reads that he asked about the buffer lots and it should read Ms. Witt instead. Mr. Carry moved to approve the minutes of the March 26, 2015 meeting as corrected. Mr. Hudson seconded and the minutes were approved. Ayes: Carry, Forquer, Hudson, Nicely (4). Abstain: Choka and Olmstead (2).

ADMINISTRATOR'S REPORT

Mr. Walters reviewed the items that will be on the agenda for next month's meeting included rezoning changes for a part of the Riverford subdivision and the Bethel Assembly of God property on Eckel Junction Road, a Final Site Plan amendment for Schuetz Container, and further discussion regarding the Code Amendment regarding accessory structures.

Assignment of Permanent Zoning Schoen Annexation – The Reserve Subdivision Hull Prairie Road south of Chapel Creek

APPLICANT/OWNER/DEVELOPER

Aaron Schoen - Schoen Builders
134 W South Boundary St # B
Perrysburg, Ohio 43551

REQUEST

Chapter 1285 – Changes and Amendments
Chapter 1285.11 – Zoning of Newly Annexed Areas

PROPERTY LOCATION & DESCRIPTION

The subject property is located south of Chapel Creek Dr. on the west side of Hull Prairie Rd. and is identified by parcel number: P60-100-604000009500. The parcel is currently uninhabited and consists of both farm land and woods.

This approximately 15.64 acre parcel is currently zoned A1 (Agricultural) in Perrysburg Township.

BACKGROUND

The applicant submitted a request for water and sewer service requesting the extension of water and/or sanitary sewer from the City of Perrysburg. A Municipal Utility Overlay was granted for the property on May 20, 2014 which guarantees city utilities provided that annexation is pursued in good faith until complete.

Annexation to the City of Perrysburg is currently in progress with the Wood County Commissioners approving the first step of annexation on March 19, 2015. It is anticipated that this property will be officially annexed into the City of Perrysburg in the coming months.

RECOMMENDATION

The Planning & Zoning Administrator recommends that the Planning Commission recommend to City Council approval of the assignment of permanent zoning of R1 (Single-Family Residential) for the approximately 15.64 acre parcel identified in this report.

Further, it is recommended that a public hearing be set before City Council for June 16, 2015 at 6:20 p.m.

Mr. Walters reviewed the above Staff report. Aaron Schoen, the applicant, was present and stated that he was notified that Wood County has approved the annexation. Mr. Forquer asked if Sanctuary in the Woods is zoned R-1 and Mr. Walters said that it is, adding that R1 is the largest lot size single family residential zoning there is.

Mr. Carry moved to recommend to City Council approval of the assignment of permanent zoning R1 (Single Family Residential) for the approximately 15.64 acre parcel identified in the Staff Report and that a public hearing be set before City Council on June 16, 2015 at 6:20 p.m. Seconded by Mr. Forquer. Ayes: (6). Nays: (0).

Code Amendment – SAU: Wind Generator (Turbine) Chapter 1235.04(ww.a)

APPLICANT/OWNER/DEVELOPER

Ron White
Owens Illinois
One Michael Owens Way
Perrysburg, OH 43551

REQUEST

Chapter 1285 – Changes and Amendments
Chapter 1235.04(ww.a) – Wind Generator (Turbine)

PROPERTY LOCATION & DESCRIPTION

The proposed code amendment to Chapter 1235.04(ww.a) would affect all I2 (General Industrial) zoned properties within the City of Perrysburg.

BACKGROUND

The Planning and Zoning code currently allows for the installation and use of wind turbines, subject to Special Approval Use (SAU) on land zoned A1, R1, I1, I2 and INS.

Recently, the PZ Division has been presented with a code amendment request by Owens Illinois (OI) that would modify the current requirements and permit OI to install a new generation turbine.

ANALYSIS

The analysis below includes 3 different versions of a code amendment pertaining to this issue. It is anticipated the Planning Commission will act in one of the following ways:

1. Vote not to recommend amending the code.
2. Vote to recommend approval of either proposal #1, #2 or #3.
3. Vote to recommend a new proposal provided by the Planning Commission.

Additional Information:

"Bowling Green is home to Ohio's first utility-sized wind farm. There are four turbines that are 257 feet tall. These turbines are as tall as a 30-story building and generate up to 7.2 megawatts of power — enough to supply electricity for approximately 2,500 residential customers. Located about six miles from the city, the turbines can be seen for miles and have become a local attraction."

THE CODE CURRENTLY READS

1235.04(ww.a) Wind Generator (Turbine)

(1) The maximum height of any turbine shall be 100 feet. The maximum height shall be considered the total height of the turbine system including the tower, and the maximum vertical height of the turbine's blades. Maximum height therefore shall be calculated by measuring the length of a prop at maximum vertical rotation to the base of the tower at grade.

(2) Any turbine erected on a parcel of land will need to establish a "clear fall zone" from all neighboring property lines and structures, as well as any structures on the parcel intended for the turbine. A turbine will need to be erected and placed in such a manner that if it were to fall, whatever direction the fall occurs would be contained solely on the property where the turbine is located at, and would not strike any structures including the primary dwelling, and any accessory buildings or uses.

(3) The turbine, including the prop blades, turbine, cowling and tower shall be painted or coated white, gray or sky blue. Logos or other identification markers other than those of the manufacturer and model type shall not be permitted anywhere on the turbine.

(4) Wind turbines must be maintained in good working order. Turbines that become inoperable for more than six (6) months must be removed by the owner within thirty (30) days of issuance of a zoning violation. Removal includes removal of all apparatuses, supports, and/or other hardware associated with the existing turbine.

(5) A zoning permit shall be required before construction can commence on an individual wind turbine system.

(6) Applicant shall provide the City with the following items and/or information as part of the Special Approval Use application:

A. Location of all public and private airports in relation to the location of the turbine, as well as any applicable FAA restrictions that may be applicable to the turbine.

B. An engineering report that shows:

1. The total size and height of the unit.
2. The total size and depth of the unit's concrete mounting pad.
3. An average decibel rating for that particular model.
4. A list and/or depiction of all safety measures that will be on the unit including anti-climb devices, grounding devices and lighting protection.
5. Data specifying the kilowatt size and generating capacity of the particular unit.

C. A site plan showing the location of the unit in relation to existing structures on the property, roads and other public rights of way and neighboring properties.

D. Evidence of a "clear fall zone" with the manufacturers' recommendation must be attached to the engineering report.

E. Color of unit, as well as the location and size of the manufacturers' identifying logos shall be included in the plan.

F. A maintenance schedule, as well as a dismantling plan that outlines how the unit will be dismantled shall be required as part of the application.

#1 PROPOSED CODE AMENDMENT LANGUAGE (O-I proposal)

1235.04(ww.a) Wind Generator (Turbine)

** For areas zoned I-2, the maximum height of any turbine shall be 80 meters. The maximum height shall be considered the hug height of the turbine. Maximum height therefore shall be calculated by measuring from the centerline of rotation of the rotor to the base of the tower at grade. For areas zoned I-2, the “clear fall zone” must not include any regularly occupied structures, but may include industrial structures or accessory buildings that are not regularly occupied.

** This proposal would not replace the current code text but would be added to the current code as “#7”.

#2 PROPOSED CODE AMENDMENT LANGUAGE (O-I proposal)

1235.04(ww.a) Wind Generator (Turbine)

** Any wind turbine located on public owned land or within an I-2 district is exempt from the regulations outlined in this section. However, a wind turbine located in an I-2 district must be erected and placed in such a manner that if it were to fall, whatever direction the fall occurs would be contained solely on the property where the turbine is located.

** This proposal would not replace the current code text but would be added to the current code as “#7”.

#3 PROPOSED CODE AMENDMENT LANGUAGE (city staff proposal)

1235.04(ww.a) Wind Generator (Turbine)

(1) The maximum height of any turbine shall be determined by the Planning Commission based on the proposed location and perceived impact to adjacent properties. The maximum height shall be measured from the ground to the center of the “hub”.

(2) Any turbine erected on a parcel of land will need to be erected and placed in such a manner that if it were to fall in any direction it would be solely contained on the property where the turbine is located.

(3) The turbine, including the prop blades, turbine, cowlings and tower shall be painted or coated white, gray or sky blue. Logos or other identification markers shall not be permitted anywhere on the turbine.

(4) Wind turbines must be maintained in good working order or must be removed by the owner within thirty (30) days of issuance of a zoning

violation. Removal includes removal of all apparatuses, supports, and/or other hardware associated with the existing turbine.

(5) A zoning permit shall be required before construction can commence on an individual wind turbine system.

(6) Applicant shall provide the City with the following items and/or information as part of the Special Approval Use application:

- A. An engineering report that shows:
 - 1. A site plan indicating the setback to all adjacent property lines or right-of-ways.
 - 2. The total height of the unit.
 - 3. The concrete mounting pad details.
 - 3. An average decibel rating for that particular model.
 - 4. Data specifying the kilowatt size and generating capacity of the particular unit.

RECOMMENDATION

The Planning and Zoning Administrator recommends that the Planning Commission recommend to city council approval of code amendment proposal #3.

Further, it is recommended that a public hearing be set before City Council for June 16, 2015 at 6:15 p.m.

Mr. Walters reviewed the above Staff Report. Lisa Babington and Jim Seiwert of O-I were present along with Jereme Kent from One Energy. Ms. Babington stated that O-I is committed to sustainability and they are looking to generate energy with a much lower carbon footprint. The applicant was asked about using solar energy, and Mr. Seiwert stated that wind is much more efficient than solar energy. He said their goal is to reduce energy and emissions. He said it would also help cut energy costs and they are asking all of their plants to look at ways to cut energy costs, which is one of their highest costs. Mr. Nicely asked about the height of the turbine. Mr. Kent said that O-I uses more power than the closest 1,000 homes. The turbine that they are looking to install would generate the equivalent of 400 to 500 homes and to get to that scale, you have to have the height. Mr. Forquer asked if they could use two 200' turbines instead of one 400' turbine. Mr. Kent explained that a 200' turbine would actually generate only one quarter of the power of a 400' turbine as the ratio is four to one in an open field, and it would require more land than O-I has available. The Commission raised concerns about the fall zone, blade failures and possible noise issues. They felt that they needed more time to do additional research because of the concerns raised. Mr. Kent offered to take the Commission members on a tour of a facility that would have a similar turbine to what O-I would like to install.

Mr. Forquer moved to table the proposed Code Amendment to Section Ch. 1235.04(ww.a). Mr. Hudson seconded. Ayes: (6). Nays: (0).

There being no further business, the meeting adjourned at 8:05 p.m.

Respectfully submitted,

Mary Jo Sutton