



September 10, 2025

Ms. Bonnie Guyer, Secretary
Russell Township Zoning Commission
P.O. Box 522
Novelty, Ohio 44072

Re: Proposed Zoning Amendment ZC 2025-1
Initiated on August 27, 2025

Please be advised that the Geauga County Planning Commission at its meeting held on September 9, 2025, voted to recommend approval with modifications of the proposed Russell Township Zoning Amendment ZC 2025-1 as initiated by the Russell Township Zoning Commission on August 27, 2025 as follows:

Section 2.1:

Family: Recommend five (5) remain as the number limit.

Glare:

- Recommend new language be formatted as "...held **five (5)** feet above..." This same comment applies to anywhere in the resolution numerical requirements are referenced.
- A standard of five (5) feet is being established as the height to measure glare, but a horizontal distance is not provided. Recommend a distance be established. Also recommend this be considered further regarding enforceability, training, and calibration of a light meter.
- Recommend the Township consider establishing a maximum lighting level for a property, such as a maximum average foot candle level (or other measurement of light).

Licensed Residential Facility: In the reference to 5123.19(a)(5)(a), recommend correcting the first "(a)" to "(A)".

Lot Frontage: Lot frontage is unnecessarily defined twice. Recommend the existing definition be removed considering the modifications proposed in "Lot Line, Front, or Frontage"

Permanent Parcel Number: The words "permanent parcel number" should not be included in the definition. It should state something related to the identification number for taxing purposes. Recommend the Township consult with the County Auditor.

Solar: The proposed resolution does not include definitions of "small wind farm" and "small solar farm" which the Township can choose to define and prohibit or define and regulate. Recommend the Township consider what they may want to do in terms of regulating or prohibiting these two types of alternative energy.

Story: Recommend grammar correction: insert “a” between “be” and “story”

Use: The definition of “Use” is meant to be general. Recommend the Township consider rewording to “An activity permitted by right, conditionally, or prohibited within...”

Section 2.2(C): It may be distracting to bold all defined terms in the resolution and cumbersome to track/bold all defined terms with future amendments. Capitalization, not bolding, is the standard way to reference defined terms. Recommend this be reconsidered.

Section 3.1

- “zone” is being struck in the title and elsewhere so recommend reference to “zone” be changed to “zoning district” in the first paragraph.
- Plural form is not necessary; recommend removing for all eight districts listed.
- “Passive Park District Zoning Districts” is awkward. Recommend changing to “Passive Park Zoning District”. Same general comment applies to #7 for Active Park as well. This will require updates to other references to these zoning districts elsewhere in the resolution.

Section 4.1(C)(A): Recommend the indentation be corrected after the word “pertaining”

Section 4.4(D): Caution the extent to which the Township can realistically enforce some of these regulations, in particular trimming of landscaping, as townships cannot adopt property maintenance regulations like municipalities.

Section 4.4(G): The first sentence seems unnecessary as the language that follows stipulates where parking and loading/unloading spaces can be located. Recommend revising.

Section 4.4(L): Recommend the Township consider a lesser driveway setback for smaller lots, similar to how the Township has smaller building setback exceptions for lots under three acres.

Section 4.5(A): New language is being added for clarification but “A” in general relates to subdivision road design criteria, not zoning. The 120 feet dimension appears to be incorrect. If the Township desires to maintain a reference, recommend a reference be added that cul-de-sacs must comply with the current version of The Standard Specifications and Procedures for the Design and Construction of Subdivision Road in Geauga County as adopted by the Geauga County Board of Commissioners. However, recommend this language be reconsidered altogether as these are subdivision design criteria enforced by the County.

Section 4.7(ee): The language “for the purpose of transporting persons or property” limits the ability to prohibit uses that are only transportation related, which would not include a construction trailer or dumpsters, as an example. Also, mobile home is listed but it is not meant to transport persons or property. General recommendation is for “ee” to be reviewed to ensure all scenarios are covered.

Section 4.10(A): The last sentence establishes that agricultural buildings or structures must comply with the building setbacks, permitted by ORC 519.21(B)(2). The language “However, this Resolution does regulate the use of land for agricultural purposes...” gives the impression there are other regulations elsewhere in the resolution. Recommend for the intent to regulate agriculture on lots one acre and less in platted subdivisions and in areas compliant with the 15-lot minimum

requirement be clarified. Recommend other zoning resolutions be referred to that provide specific regulations regarding agriculture (Bainbridge and Auburn as examples.)

Section 4.11(F)(1): Recommend establishing a maximum sign height.

Section 4.11(F)(5):

- Recommend "One (1)..."
- One sign is restrictive. Recommend Township consider allowing the number of signs based upon lot width. Refer back to the updated Model.

Section 4.11(G)(1)(b):

- Concern with referencing "home occupation" and "bulletin board signs" as it relates to potentially regulating free speech. Section (F)(1) states all lots may have one sixteen square feet sign, so it is covered.
- Recommend revising "b", "c", and "c" formatting

Section 4.11(G)(1)(c) (the "2nd "c"): Sixteen square maximum for home occupation signs conflicts with the four square feet listed in "b". Recommend correcting.

Section 4.11(H)(2): Pylon signs are in the Model, but the Township does not have to include them as a sign design as they are typically not favored due to the visibility of the pole. Recommend considering removing reference to pylon.

Section 4.11(O): Three minutes is rather long. Recommend the Township consider establishing a more reasonable maximum display duration, specifically no less than 10 seconds.

Section 4.14(E)(1):

- Recommend changing "is" to "as"
- Recommend establishing a height at which the measurement is taken.

Section 4.17(C): Reference to State of Ohio is too generic. Recommend "C" only state the 50MW facilities or greater are exempt from zoning.

Section 5.2(A)(1): Reference to "such single one-family dwelling" again here is duplicative; recommend it be removed.

Section 5.2(A)(2) Accessory Dwelling Units (d): If cooking facilities are not permitted, it is simply a residential addition that includes a living room, bedroom, and bathroom. Recommend this entire section be reconsidered.

Section 5.9(B)(1): ORC 519.211 allows for review of cell towers in residentially zoned areas and not specifically commercial or industrial zoning districts. Recommend the Township review the existing language with their APA.

Section 6.1(B): Recommend including language that states the application form must be the current version as approved by the Board of Township Trustees at the time of application; updated versions should be noted by date. This will help with establishing what version of the form was used as it may be updated from time to time.

Section 6.3(E): The zoning inspector does not have the sole authority to revoke a conditional use permit. Recommend revising this section upon discussion with the Township's APA as the Prosecutor's Office will be drafting an amendment to the Model.

Section 6.5(B)(14): General concern that private and parochial schools are being held to a higher standard and not treated similarly as this requirement is not made of public schools. Recommend this be considered.

Section 6.5(B)(15):

- Recommend the indentation be corrected.
- Recommend this paragraph and Section 6.5(B) be reviewed regarding treating similar uses similarly.

Section 6.5(K): As a mobile food unit is not a building, structure, or use of land, but rather a vehicle, trailer, cart, and the like, recommend this proposal be handled through O.R.C. Section 505.94 titled "Registration and regulation of transient vendors."

Section 7.4(A)(3): Recommend removing the italics for "lot"

Section 7.5: Recommend reference to the zoning inspector be added as the inspector would make the decision, which could be appealed to the BZA if the applicant claims zoning inspector error.

Section 9.13: Recommend the same comment in the section related to conditional uses (the application must be the current version approved by the Board of Township Trustees at the time of submittal.)

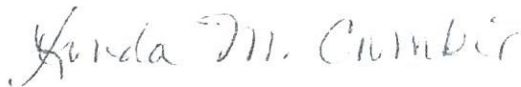
Section 10.5: Recommend the same comment in the section related to conditional uses (the application must be the current version approved by the Board of Township Trustees at the time of submittal.)

Section 11.9: On September 30, 2025 portions of Am. Sub. HB 96 will become effective including the increase related to the minimum amount of signatures required for a zoning referendum. It will increase to 35%. Recommend this be factored into the amendment.

Pursuant to R.C. 519.12, the Planning Commission's recommendation must be considered by the Zoning Commission at its public hearing regarding the proposed amendment. After the hearing, the recommendation is to be forwarded to the Board of Township Trustees. If the subject amendment is adopted by the Board of Township Trustees, a copy thereof must be provided to this office within five (5) business days after its effective date. Additionally, if the amendment is adopted, once effective, remember to update the zoning resolution on the Township's website.

If you have any questions, please contact the Planning Commission at (440) 279-1740.

Sincerely,



Linda M. Crombie, AICP
Planning Director, Geauga County Planning Commission

c: Susan Wieland, APA
Amendment file