

**Joint Town/Village of Lima Planning Board Meeting**  
August 18, 2021

**MEMBERS PRESENT:**

George Gotcsik, Chairman; Wayne Childs, Ericka Elliott, Doug Best, Jacob Button

Absent: Andy Britton, Ericka Elliott, Paul Osbourne.

**GUESTS:**

Bruce Mayer

**OLD BUSINESS:**

**Planned Development-Entertainment District Law**

Though this will be sent to the Lima Planning Board after the County Planning Board, and we will wait for a formal referral, it was felt that a discussion by the board was necessary.

**Page 3, Item 12**

“Provide for a more desirable environment than would be possible through the strict application of other provisions of the Town’s zoning regulations;”

- This item give this new district the power to operate and not adhere to all our current zoning regulations.

**Section C, Item 1**

“Land to be considered for PD-E zoning must contain a minimum of 5 contiguous acres and may be located in any zoning districts(s).

- This item means that the new proposed district could be located anywhere in the town limits next to any structure or zoning area, as long as it is 5 contiguous acres, creating an open season on zoning changes. It could be placed in any area whether it is currently zoned Agriculture, Industrial, Commercial, and Residential.
- This negates the purpose of having zoning at all.
- Though 5 acres is the minimum, there is no maximum that could be rezoned.

**General comments on this proposed legislation**

- Don’t need planning board approval to establish the district.
- Once a PD-E is established it cannot be taken out unless the owner of the land sells the land with permission to remove the PD-E designation.
- This seems very similar to spot zoning.
- Though a site plan can be reviewed by the Planning Board, comments and feedback are suggestions and do not have to be adhered to by the Town Board.
- This law would allow hotels, multi-family, and residential where amenities such as a pool or clubhouse would not be accessible to the general public. None of these possible uses

meet with the main definition of “entertainment”. If this law is passed you don’t have to have an entertainment district, and anything within the town can be rezoned.

- These are usually mixed use district and the term “entertainment” seemed out of place in reviewing with other codes across the country.
- Typically these are used in more developed urban areas where you have reached capacity of what your zoning is allowing. You have built out all your residential stock, you filled all your commercial areas and then your community starts to change. This type of legislation is used to break down the “Jefferson Roads” of the world, where there is no walkability, there is no reasonable way for people to live adjacent to retail, and you have forced vehicular traffic, and created parking issues.
- The last time this was used in Lima, on Slocum Street, the proposal was for business in the front of the property and housing in the back. The businesses were put in, but the housing was never put in over the last 20 years.
- We don’t see the problem that is trying to be solved with this legislation, or mistakes from the past that are trying to be corrected. We don’t see the planning challenges in Lima that parallel the Jefferson road example. PD’s are used to overcome mistakes, or develop beyond the use of your zoning. We have talked both on this board and in our comprehensive plan about wanting to fill our downtown business district first, filling empty storefronts and build from a village core. At this time we don’t have examples of what people are not able to do under our current zoning.
- Entertainment can be done currently in certain places, with a special use permit, or a specific proposal using community input.
- This law is not consistent with the comprehensive plan, more than 70% of the people surveyed want this community to stay rural.
- This law went to the county planning board without the following from the Lima Planning Board.
  - o A report from the local planning board on new land use regulations, zoning amendments and comprehensive plans.
  - o Municipal board meeting minutes of the proposed action need to be attached.
- The Planning Board would love to work with the Town Board on considerations on ways to create an entertainment venue, this law is not the way to do it.

### **Firewood Zoning (permitted uses 250-11) (Continued Discussion)**

- Settled on 5 acres
- Storage needs to be behind the front of the dwelling
- Hours of operation 8am to 8pm

### **Lima Signage Code (Continued Discussion)**

- Discussion continued about sign packages like the village of Dansville, inside certain districts or businesses.
- Discussion was had about rear signage, which is not currently in our current signage law.
  - o Should this be the same calculation as the front of the building?
- Color pallet for signage should be reviewed by the HPC.

- Decal signage
  - o 50% of the window as clear

Respectfully submitted,  
Jason Stryker  
Planning Board Secretary