

# Gates Mills Comprehensive Plan

Advisory Committee Meeting #5  
Community House  
1460 Chagrin River Road

January 9, 2023 5:30 PM



## PRELIMINARY Agenda

(Distributed 1/3/23)

Time	
5:30 pm	Overview of Progress to Date <ul style="list-style-type: none"><li>• Revisions to Goal Statements A &amp; B</li></ul>
5:35 pm	Breakout Discussion #1: Access and Connections refinement <ul style="list-style-type: none"><li>• Facilitated Discussion among Breakout Groups</li><li>• Report out</li><li>• Discussion by entire group</li></ul>
6:15 pm	Breakout Discussion #2: Rural Village Character & Harmony with Nature refinement <ul style="list-style-type: none"><li>• Facilitated Discussion among Breakout Groups</li><li>• Report out</li><li>• Discussion by entire group</li></ul>
6:55 pm	Next Steps



## Draft 2032 Goals

*(Revisions based on suggestions from Advisory Committee members)*

- A. **RURAL VILLAGE CHARACTER.** Preserve/retain the history-steeped rural character of Gates Mills, including its extensive wooded hillsides, the beautiful Chagrin River, vast expanses of natural green space and the Village's numerous well-tended historic estates.
- B. **HARMONY WITH NATURE.** Aspire to be a leading sustainable municipality in the Chagrin River Valley committed to reducing environmental damage, addressing climate change, and encouraging low-impact/green infrastructure strategies to improve Gates Mills' resilience.
- C. **COMMUNITY PRIDE & ENGAGEMENT.** Promote/foster a sense of community pride and, appreciation and increase engagement among all residents.
- D. **DESIRABLE HOUSING & NEIGHBORHOODS.** Promote and preserve the variety and value of existing housing and neighborhoods, while carefully managing the limited allowance for new housing that preserves the Village's character and quality in order to attract new wage-earning residents and provide options for existing residents.
- E. **ACCESS & CONNECTIONS.** Promote a safe and convenient transportation system that facilitates local travel, promotes walking and biking, and fosters physical well-being.
- F. **QUALITY AMENITIES & SERVICES.** Continue to maintain and enhance community amenities/services that support a high quality of life with the right balance of community services for taxes paid, while respecting residents' desire to protect and enhance the natural environment.
- G. **SENSIBLE FISCAL POLICIES.** Maintain fiscal prudence to ensure long-term achievement of the Village's vision while allowing for adaptability with changing priorities.

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**Deleted:** Protect/preserve the natural environment and habitat of the Chagrin River Valley in order to reduce environmental damage, address climate change, and encourage low-impact/green infrastructure strategies, as well as to provide opportunities to enjoy nature.

## DISCUSSION QUESTIONS

### Breakout Discussion #1: Goal E. Access and Connections refinement

- Facilitated Discussion among Breakout Groups
  - Discussion Materials:
    - Updated Goal E text on pages 4 and 5.
    - Map of Protected/Preserved Land on page 6.
  - Discussion Questions: Over 75% of Advisory Committee members agreed with Objective E.2. to increase pedestrian and biking facilities in the Village, however many indicated further discussion was needed regarding the various strategies listed in E.2.1, E.2.2 and E.2.3.
    1. Do you agree that a high priority of the Village should be to expand the sidewalk network in the Village Center as described in E.2.1?
    2. What are the advantages and disadvantages of providing connections (in general or in specific locations) as described in E.2.2? (refer to page 6 Map of Protected/conserved Open Space land)
      - a. Between neighborhoods and the Village Center,
      - b. Between neighborhoods and North Chagrin Metroparks
      - c. Within and between neighborhoods?
    3. Do you agree with advocating for a trail system on land owned by the Village and GMLC? (pedestrian only? Or pedestrian and bridle?)
- Report Out
- Discussion by Entire Group



## Goal E. ACCESS & CONNECTIONS

Promote a safe and convenient transportation and trails system that facilitates local travel, promotes walking and biking, and fosters physical well-being.  
Objectives/strategies include:

### Objective E.1. Maintain quality road infrastructure.

#### Strategy E.1.1. Continue to monitor traffic speeds along major roads such as Chagrin River and Sherman Road.

Concerns were raised about safety concerns due to speeding traffic along Chagrin River Road and other roads in the Village. Conduct a traffic analysis of streets with known issues to verify the issues.

#### Strategy E.1.2. Review and update the Village's strategy for road construction and maintenance.

Road maintenance and repair was a common issue cited on the Community Survey.

### Objective E.2. Increase pedestrian, ~~biking~~ and ~~other trail~~ facilities throughout the Village.

~~Based on the results of the community survey, a significant percentage of residents support increasing walking, biking and trails throughout the Village.~~

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#### Strategy E.2.1. ~~Expand the sidewalk network within the Village Center.~~

~~A new sidewalk was recently installed from the interurban bridge to the Gates Mills Post Office. The Village is completing plans to extend the sidewalk to Gates Mills Elementary School. Expand the network by installing the remaining short missing linkages within the Village Center such as from the interurban bridge to the Dan Collister polo field on Epping, in front of the Old Livery Tavern around the corner to north side of Old Mill, from Southwick House along Epping to the Hunt Club riding arena, and along Old Mill to Founder's Park. Linking places within the village center where there already are large concentrations of pedestrians for special events should be a higher priority than installing longer bike trails to North Chagrin reservation or between neighborhoods.~~

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#### Strategy E.2.2. Provide family-friendly trail/access connections to the Village Center, ~~to~~ North Chagrin Reservation, and between neighborhoods.

Based on the 2022 Community Survey, residents were most dissatisfied with the existing roadway conditions as they related to pedestrian and bicycle safety.

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- a. Identify locations where connectivity is desired, such as connecting surrounding neighborhoods to the Village Center, and where sidewalks are needed. Prioritize locations where potential bike lanes and walking paths are possible without creating traffic problems or undermining the privacy of nearby home owners ~~and other locations where pedestrian safety~~



~~needs to be enhanced. For example, 72% of residents who responded to the community survey supported creating a marked bike lane along Gates Mills Boulevard.~~

~~b. Identify where pedestrian and biking bridges exist over the Chagrin River, creeks and roads. If there are inadequate existing crossings, identify/evaluate suitable locations for additional bridges.~~

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~~c. Identify and pursue outside grant funding for increasing pedestrian and bicycling connectivity.~~

**Strategy E.2.3. Explore the idea of creating a trail system on land owned by the Gates Mills Land Conservancy and the Village of Gates Mills, with limited connection to the Metroparks.**

The Gates Mills Land Conservancy has acquired approximately 285 acres of vacant land in the Village and another 98 acres of Village-owned land are restricted through conservation easements. Currently, the Land Conservancy holds periodic events such as the naturalist walks and talks at the Sherman Road Preserve and have granted access to various school districts for educational programs. However, due to funding and manpower limitations and safety issues, unrestricted access to GMLC properties is not possible.

a. ~~Where possible, re-create the bridle trail system within the Village on property owned by the Gates Mills Land Conservancy and the Village of Gates Mills.~~

b. In the event additional funding is obtained, consider creating trails on additional large parcels for use by residents, designed in a way that protects adjacent private property.

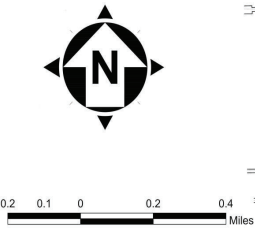
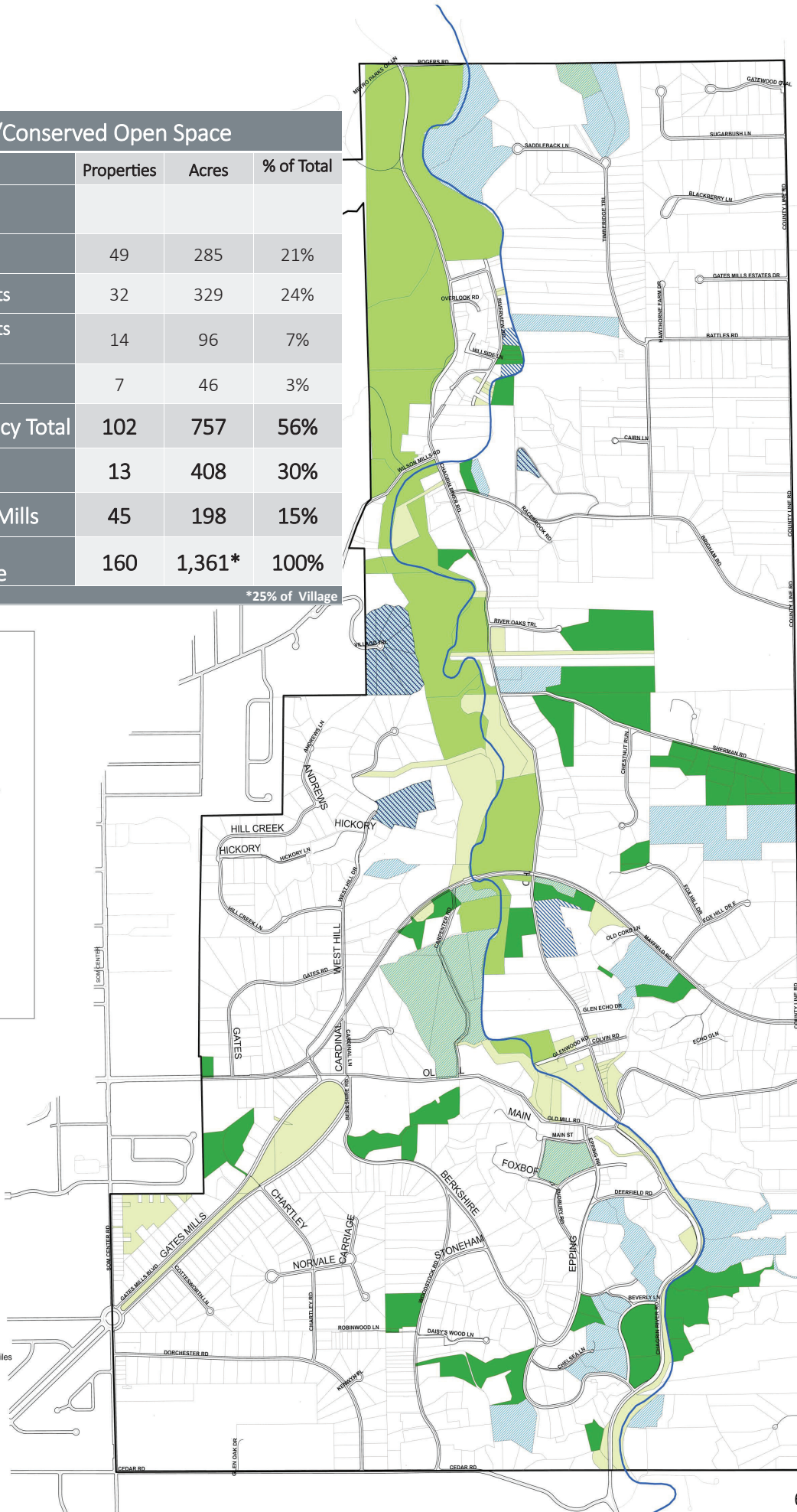
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Protected/Conserved Open Space			
	Properties	Acres	% of Total
<b>Gates Mills Land Conservancy</b>			
1. Fee Owned	49	285	21%
2. Conservation Easements	32	329	24%
3. Conservation Easements (partial)	14	96	7%
4. Deed Restrictions	7	46	3%
<b>Land Conservancy Total</b>	<b>102</b>	<b>757</b>	<b>56%</b>
<b>Add'l Metroparks</b>	<b>13</b>	<b>408</b>	<b>30%</b>
<b>Add'l Village of Gates Mills</b>	<b>45</b>	<b>198</b>	<b>15%</b>
<b>Total Protected/Conserved Open Space</b>	<b>160</b>	<b>1,361*</b>	<b>100%</b>

\*25% of Village

**Legend**

- Chagrin River
- Streets
- Right-of-Way
- Parcels
- Municipal Boundary
- Deed Restriction (Partial)
- Deed Restrictions
- Conservation Easements
- Village Owned
- Metroparks
- GMLC Fee-Owned



## DISCUSSION QUESTIONS

### Breakout Discussion #2: Goals A. & B. Rural Village Character & Harmony with Nature refinement

- Facilitated Discussion among Breakout Groups:
  - Discussion Materials:
    - Updated Goal A, (less Strategy A.1.2) and Updated Goal B text on pages 8 to 14.
    - Background Materials: Summary of current Village regulations regarding natural resource protection on page 15. Map of Natural Features on page 17.
  - Questions – a majority of Advisory Committee agreed to retain the resource-related objectives and strategies, however some recommended refinements and additions and many indicated further discussion was needed for various items:
    1. **Do you agree with the refinements made to Goal A and Goal B?** Goal A. Rural Village Character And Goal B. Harmony with Nature have been refined to clarify that Goal A focuses on the visual importance of rural elements in maintaining character while Goal B focuses on environmental protection (for example, the Night Sky objective has been moved to Goal A and a new Recycling objective has been added to Goal B).
    2. **Do you agree with the revisions to the strategies under A.2. Protecting important scenic features?** There was general agreement that Objective A.2. Protecting Important Scenic Features as seen from the Road, should be in the plan, but there is some uncertainty as to the strategies. CT has refined the strategies. **Should Objective A.2. be retained as revised or further refined? If yes, how so?**
    3. **Do you agree with the Sustainability Strategies that have been expanded under Goal B.?** A number of Advisory Committee members noted the need for further discussion on the topics:
      - a. B.1. Alternative energy
      - b. B.2. Resource protection
      - c. B.3. Composting (added to the list)
- Report out
- Discussion by entire group



## Draft 2032 Goals and Objectives

The following draft goals and related objectives support the above overall vision.

### Goal A. RURAL VILLAGE CHARACTER

Preserve/retain the history-steeped rural character of Gates Mills, including its extensive wooded hillsides, the beautiful Chagrin River, vast expanses of natural green space and the Village's numerous well-tended historic estates.

Objectives/strategies include:

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#### Objective A.1. Preserve, protect and enhance the natural environment and habitat of the Chagrin River Valley.

Much of the Village's rural character is due to the hundreds of acres of "unspoiled" natural beauty of wooded areas and open spaces in and surrounding the Chagrin River valley. While over 25% of land in the Village is publicly preserved/conserved open space, including nearly 700 acres owned or conserved by the Gates Mills Land Conservancy (GMLC), 400+ acres owned by the Cleveland Metroparks and nearly 200 acres owned by the Village of Gates, the low housing density also contributes to the Village's rural character. In addition, large expanses of preserved/conserved natural areas also provide important environmental services such as reducing damages from flooding and erosion thereby protecting the Chagrin River and its watershed.

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Strategy A.1.1. Continue to support land conservation efforts through partnership with the Gates Mills Land Conservancy (GMLC) and strategic collaboration with the Metroparks while also recognizing the need to maintain a stable tax base.<sup>1</sup>

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- a. Utilize the Conservation Levy proceeds to fund land conservation efforts. The current Conservation Levy revenue sharing agreement between the Village and GMLC essentially commits GMLC's 50% share of the levy proceeds to the establishment of a \$700k GMLC cash reserve to fund its stewardship function in perpetuity. Consider utilizing some or all of the Village's remaining 50% share of the Conservation Levy proceeds to fund enhancement activities such as replenishment and expansion of the tree canopy, removal of invasive plants and necessary erosion control plantings on Village- and GMLC-owned properties in accordance with the Stormwater Management Master Plan.

**Deleted:** The Gates Mills Land Conservancy (GMLC) was established as a non-profit tax-exempt organization in 1988. To date, GMLC has preserved /protected nearly 700 acres of natural areas in Gates Mills. Gates Mills residents recently voted to continue to support the organization through property taxes. ¶

- b. Promote the benefits of conservation easements on home sites to encourage residents to explore possible conservation options in coordination with the Village and GMLC. For

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<sup>1</sup> Village residents have continuously supported the Land Conservancy since 1991. Voters have renewed the 1-mill tax levy on four occasions in 1996, 2001, 2006, 2011, 2016, which resulted in an operating agreement where 95% of the funds collected went to GMLC. The other 5% of the funds were segregated into a special Village Land Conservation Fund to be used consistent with the levy's conservation purposes. In 2021, an amended Operating Agreement between the Village and the Land Conservancy was approved by voters, which resulted in an operating agreement where 50% of the funds collected went to the GMLC and the other 50% to the Village's Land Conservation Fund. Levy Funds are restricted and are used only for purchase of land, expenses associated with acquisition of deed restrictions or conservation easements and stewardship expenses associated with such land and conservation easements. Source: <https://www.gatesmillslandconservancy.org/funding>





example, donating a qualified easement is a charitable deduction which can result in income tax and property tax reductions.

c. Explore creative options to incentivize conservation easements and/or lower the density of development on available properties based the Village's determined optimal balance of tax exempt preserved land vs. privately held conserved land.

d. Investigate additional funding opportunities to support land conservation efforts.

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**Objective A.2. Protect important scenic views and natural landscaping along roadway corridors.**

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In the community survey, Gates Mills residents overwhelming (99%) noted they highly value the Village's historic ambiance and rural/natural environment including views of the Chagrin River, wooded hillsides and meadows. Indeed, roadway corridors throughout Gates Mills are known for cultural resources such as historic fence lines and walls, as well as natural resources such as open fields and natural wooded areas. Points along some roadways also offer more expansive panoramic vistas over the Chagrin River Valley. These scenic views from the road are significant community resources that reflect the Village's character and are highly valued by residents. Scenic views may be negatively impacted by new housing construction, other man-made structures or other alteration of the natural environment. Protection of these scenic resources is a significant component of maintaining the rural character and quality of life of the Village, both for natural resource conservation and view shed protection. Recognizing, preserving, and enhancing or improving the view from the road is a critical element in sustaining Gates Mill's unique character-defining features and sense of place.

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**Strategy A.2.1. Identify, inventory and catalog the scenic areas of the Village in order to determine scenic corridors and scenic views that should be protected.**

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An inventory and cataloging of scenic resources (which could include utilizing GIS mapping and data analysis) is the first step for identifying, prioritizing and mapping scenic views and developing suitable protections. A viewshed is defined as the view of an area from a specific vantage point; a computer model of this; and the area that comprises this view. The National Scenic Byways Program, a voluntary, community-based program, provides resources (including potential funding) to assist local communities in identifying and protecting scenic areas.

**Strategy A.2.2. Explore the potential of adopting regulations and design guidelines that would protect the identified scenic roadway corridors. For example, regulations such as noted below could be considered for specific roadways that are determined to be scenic corridors.**

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- a. Whenever a new house is proposed in a designated scenic corridor, require a minimum amount of vegetative screening along the road to maintain the natural character that currently exists. Ensure it provides ample dense screening of the new house from the existing street and adjoining properties, and require the density of screening to be maintained in perpetuity.
- b. Along identified scenic roadways, encourage new homes to be located on the parcel in such a way that minimizes their visibility from the public right-of-way, wherever possible, while seeking to limit the expansion of additional hardscaping and the number of trees being cut down, as part of the site plan review process for new housing construction. This is consistent with the 1997 Growth Management Plan recommendation that with the exception of removing trees for a driveway, vegetation located within 200 feet of the public right-of-way should remain natural to eliminate view of a structure from the road. This provision would not apply in the Village Center area and other historic areas where the existing character is created by the historic houses visible from the street.

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**Strategy A.2.3. Update the Village's Conservation Development District regulations (Ch 1160) to include designated scenic corridors as one of the important resources to be protected as part of the restricted open space requirement. The Conservation Development District regulations already stipulate that the "Restricted Open**

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Space": conserve a development site's significant natural features such as steep slopes, floodplains, wetlands, and woodlands. This strategy recommends adding consideration of scenic views from the road of attractive natural features such as ridge lines, steep slopes, woodlands, streams, and lakes, as well as views of historic features and landmarks (which may or may not be along scenic corridors).

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### Objective A.3. Preserve, protect and increase the tree canopy in the Village.

Gates Mills has the second highest percentage of tree canopy (defined as the amount of ground covered by leaves when viewed from above) in Cuyahoga County. The extensively wooded areas throughout the Village significantly contribute to the rural natural character. However, between 2011 and 2017, the Village experienced a 5% loss in tree canopy due to tree blight and land clearing for new housing construction. In addition, preserving trees on hillsides helps to prevent landslides.

#### Strategy A.3.1. Strictly enforce tree protection regulations.

- a. Continue to require a permit for tree cutting within the Village in compliance with Chapter 1173. The Village adopted Chapter 1173 Tree Cutting regulations in 1993 to order to "preserve the woodland nature and vegetational aesthetics for which the Village is known", in addition to numerous environmental benefits. This chapter requires a developer or property owner to obtain a permit before tree cutting can occur as part of new construction or any other earth-disturbing activity.
- b. Continue to enforce the Protected Hillside Zone regulations which were adopted in 1992 in order to preserve and enhance the natural beauty of hillsides in the Village by encouraging the maximum retention of natural features including trees and other natural plant formations, which help to retain the sense of identity and rural image for which the Village is known.

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#### Strategy A.3.2. On Village property, maintain existing trees and systematically plant new trees that will thrive in a warming climate.

According to the Ohio Department of Natural Resources Division of Forestry, maintaining existing tree health is, over time, more cost effective than planting new trees. Consider incorporating the recommendations from the Cuyahoga County Greenprint for maintaining and planting new trees as part of the Village's policies for village property in order to maintain and ensure regeneration, as well as enhance the quality of the tree canopy cover.

- a. Adopt a Village tree plan that includes tree planting, maintenance, and tree removal standards, guidelines and policies. This includes developing strategies to maintain the existing forests on Village-owned land such as occasionally removing dominant trees so that smaller trees may thrive and removing vines.
- b. Adopt a tree replacement policy to ensure that whenever a tree is removed by the Village, it will be replaced.

! In a Conservation Development, a minimum of 50% of the development site must be designated and preserved as open space in perpetuity (1160.06(b)).



c. Consider establishing a Village Tree Commission to assist in creating and implementing a Village Tree Plan. If a Tree Commission is established, the Village may wish to become a Tree City USA (Arbor Day Foundation), which would provide recognition and possible some assistance to the Commission through their local Service Forester representative.

More information is available at:

<https://www.arborday.org/programs/treeCityUSA/index.cfm#becomeSection>

Annual Tree City recognition is achieved by meeting four overarching standards:

1. Maintaining a tree board or department
2. Having a community tree ordinance
3. Spending at least \$2 per capita on urban forestry
4. Celebrating Arbor Day

**Strategy A.3.3. Consider providing educational resources for residents to help them choose the right tree for the right place.**

Potential resources range from providing website links to information about tree species that thrive in NEO trees to more specific information about the Village's Forest and the benefits and care of trees that could be spearheaded by a Village Tree Commission, noted in Strategy A.3.2. In addition, the Ohio Department of Natural Resources, Division of Forestry has a Service Forester for Cuyahoga County. On their Landowner Assistance page, there are links for the list of Service Foresters and private arborists, etc. if the Village wanted to seek professional assistance.

See also their website: <https://ohiodnr.gov/discover-and-learn/safety-conservation/about-odnr/forestry/landowner-assistance>

**Objective A.4. Ensure Dark, Star-filled Skies for Future Generations. [moved from B.3.]**

Dark Sky lighting is lighting provided only where it is needed, while reducing unnecessary scattered light and glare. Dark Sky efforts focus on only using as much light as is needed and when it is needed.

**Strategy A.4.1. Adopt an Outdoor Lighting Ordinance to establish a standard for night sky friendly practices, while maintaining visibility for pedestrians.**

Adopting an outdoor lighting ordinance helps to preserve the night sky, improve visibility on village streets, reduce energy waste and protect the quality of life within the Village

**Strategy A.4.2. Investigate becoming a designated Dark Sky Place.**

Investigate the possibility of the Village becoming a designated Dark Sky Place through the International Dark Sky (IDA) Association Dark Sky Places Program or similar program. Night sky designation programs allow residents and local leaders to get involved in night sky preservation through responsible lighting policies and public education.

- a. Educate residents on the importance of dark skies to ecosystems.

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## Goal B. HARMONY WITH NATURE

Aspire to be a leading sustainable municipality in the Chagrin River Valley committed to reducing environmental damage, addressing climate change, and encouraging low-impact/green infrastructure strategies to improve Gates Mills' resilience. Objectives/strategies include:

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### Objective B.1. Encourage/facilitate the use of alternative and clean energy systems.

Strategy B.1.1. Consider revising the zoning regulations to permit additional alternative and clean energy options such as ground mounted solar panels, etc. with appropriate requirements/limitations to ensure there are minimal negative impacts on adjacent property.

The current regulations permit solar panels on the roof of a residential structure provided the panel does not extend above the ridge line, nor is visible from the street. Solar panels may also be attached to an accessory structure in the rear yard. Ground mounted panels are not permitted. Given the large lot size and wooded nature of the community, consider allowing ground mounted panels for flexibility, and evaluating their suitability and impacts based on the a comparison of impacts of other structures that are permitted on the property (i.e. solar panels on a storage shed in the rear yard).

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Wind turbines are currently not permitted anywhere in the Village, which is appropriate based on the unlikelihood of suitable sites due to the extensive tree cover.

Strategy B.1.2. Adopt zoning regulations for Electric Vehicle Charging Stations (EVCS) and investigate the feasibility of installing stations in the Village Center.

By proactively addressing EVCS in the zoning code the Village facilitates their installation because property owners know the rules when planning improvements.

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### Objective B.2. Ensure all properties are well-maintained through environmentally responsible best practices in compliance with Village ordinances to protect both public and private investments.

**Deleted:** protected/conserved public and privately-owned open spaces

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Strategy B.2.1. Review the existing resource protection regulations for effectiveness and revise/update if necessary.

For example, the current floodplain regulations allow construction within the floodplain as long as the first floor elevation of the building is at or above the flood protection elevation. (see summary of resource protection regulations on following page).

Strategy B.2.2. Diligently enforce existing (updated) resource protection regulations including stormwater management, riparian setback regulations and hillside protection regulations.

[moved to A.4.]

**Deleted:** Objective B.3. .Ensure Dark, Star-filled Skies for Future



**Objective B.3. Promote composting, recycling and diversion opportunities to reduce the amount of material going to landfills.**

**Strategy B.3.1. Explore ways to promote yard waste and food waste composting.** Composting is nature's way of recycling. It is an easy and economical way to both reduce trash going to landfills and build healthy soil. Composted material, when reapplied as part of a soil or fertilizer replenishment program, results in fewer emissions of Green House Gases and small amounts of carbon storage.

**Objective B.4. Consider seeking LEED for Cities [municipalities] certification.**

LEED<sup>1</sup> for Cities helps leaders of local governments (cities and villages) create and operationalize responsible, sustainable and specific plans for natural systems, energy, water, waste, transportation and many other factors that contribute to residents' quality of life, create healthier places for people, enhances resilience, and increases overall sustainability.

**Strategy B.4.1. Investigate tools and strategies other NEO communities have adopted to encourage property owners to incorporate sustainable practices.**

One local example is the Village of Orange, which adopted the Village's own locally created Green Certification Program patterned after the LEED certification program. The Village drafted guidelines and standards for new construction and also established a certificate of recognition that is awarded to applicants who meet a certain level of the certification requirements.

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<sup>1</sup> LEED stands for Leadership in Energy and Environmental Design, created by the U.S. Green Building Council

## Environmental Protection Regulations Adopted by Village

### 1992 **Chap 1175 - Protected Hillside Zone**

**Intent:** To ensure that development in Protected Hillside Zone minimizes problems due to water runoff and soil erosion that results from changes to topography. Review process is intended to encourage the maximum retention of natural topographical features such as natural drainage swales, streams, slope ridge lines, rock outcropping, vistas from and of the hillside, trees and other natural plant formations, and to retain the sense of identity and image that the Protected Hillside Zone areas now impart to the Village, along with additional statements in Section 1175.01.

**Protected Hillside Zone:** Zone map prepared by village engineer. Zone includes areas of unstable soil and generally hillsides having a slope of 12% or greater.

**Permit required** to do any earth-disturbing activity. Requires a grading plan, geotechnical report, vegetation inventory and management plan, and landscape plan. (additional permitting requirements added in 2014)

### 1993 **Chap 1173 – Tree Cutting**

**Intent:** To preserve the woodland nature of the Village, stabilize sloped grades, reduce surface runoff, erosion and downstream flooding, retain areas of rainfall percolation into the water table, ameliorate climatic and weather extremes, support wildlife and preserve the vegetational aesthetics for which the Village is known, along with additional statements in Section 1173.01.

**Regulations** apply when development requires the removal or reduction of trees and vegetation, and seek to reduce the number of potentially hazardous or otherwise undesirable trees and vegetation, to select more beneficial trees and vegetation as opposed to less beneficial, and to promote a mixture of ages and species of vegetation where it naturally may occur.

**Permit required** for homeowners cutting down **three or more trees per year** that are larger than 9" caliper. (additional limitations apply)

In 2018, added Sec 1173.06 – Logging for Economic Gain Prohibited.

### 2007 **Chap 1160 Conservation Development District:**

- Minimum project size 25 acres
- Permits SF, and 2-3 units Attached
- Same Density as the underlying district
- Minimum 50% of site to be preserved as open space
- Requires rezoning

### 2010 **Chapter 1341 – Flood Damage Reduction**

**Intent:** to minimize the impact of development on adjacent properties within and near flood prone areas.

**Permit required** for any filling, grading or construction activity within the floodplain.

New construction is permitted, but must be designed so that lowest floor, including basement, is elevated to or above the flood protection elevation.

2016 **Chap 1174 – Comprehensive Stormwater Management**

**Intent:** To “control the volume, rate, and quality of stormwater runoff originating from property being developed so that surface water and groundwater are protected and flooding and erosion potential are not increased”; “maintain predevelopment hydrology and groundwater recharge on as much of the site as practicable”; and limit the installation of “new impervious surfaces and compact soils where necessary to support the future land use;” along with additional statements noted in 1174.01.

**Requirement:** All soil disturbing activities that **disturb one (1) or more acres of land** (with some exceptions) must submit a “comprehensive stormwater management plan” prepared by a professional engineer.

2016 **Chap 1171 – Erosion and Sediment Control**

**Intent:** To ensure that when development occurs, protective measures are taken to minimize damage to property and degradation of water resources.

**Requirement:** All soil disturbing activities that **disturb one (1) or more acres of land** (with some exceptions) must submit a “stormwater pollution prevention plan” prepared by a professional engineer that complies with state and federal requirements.

2020 **Chap 1176 – Riparian Setbacks**

Prohibits development and most soil disturbing activity within the riparian area based on the drainage area of the watercourse.

- Minimum 120 ft setback on each side of watercourses draining an area greater than 20 sq miles and up to 300 sq miles;
- Minimum 75 ft on each side of watercourses draining an area greater than ½ sq mile to 20 sq miles; and
- Minimum 25 ft on each side of watercourses draining an area less than ½ sq mile and having a defined bed and bank as determined the village.

Where the 100-year floodplain is wider than the riparian setback, Chapter 1341 governs use of the area between the riparian setback and 100-year floodplain limit;



