Planning Commission Memorandum

To: Karla Richards, Clerk of Council

From: Pat Ryan, Interim Boards & Commissions Secretary PR

Date: 11-15-2010

Re: Approved/Signed Planning Commission Minutes:
Tuesday, October 26, 2010

Attached you will find a copy of the approved/signed Planning Commission minutes from Tuesday, October 26, 2010.

The original document has been forwarded to, and will be on file with the Clerk of Council as the official record.

E-mail: Mayor (per Admin. Sec.)
Administrative Officer
Finance Director
Planning Commission
Fire Chief
Council
Engineer
Capital One
Supt. of Building & Zoning

cc: App. File/Posting

City of Norton
PLANNING COMMISSION
Tuesday, October 26, 2010

The Planning Commission of the City of Norton, Ohio, convened for a public meeting in Council Chambers at the Safety Administration Building. Chairman Spisak called the meeting to order at 6:00p.m.

I. ATTENDANCE:

PRESENT: Ralph Dowling, Mark Spisak, John Conklin, Janet Jacobs

ABSENT: Todd Houser

ALSO PRESENT: Pat Ryan, Zoning Inspector

II. PUBLIC APPLICATIONS: None

III. OLD BUSINESS:

1) **Continuation of Discussion on Setbacks for Residential, Business and Industrial Districts**

Chairman Spisak asked Ms. Ryan for comments. Ms. Ryan stated that she and Mr. Arters discussed the format and they felt that the new format with the charts was clearer. Mr. Ryan said she received the proposed code electronically from Northstar Planning so she can use that format easily.

The Commission discussed the residential dimensions on the chart from the 2003 proposed code. The Commission decided they would like to see the notes shown with asterisks and the additional 25' for corner lots numbered and correspond to footnotes instead of with asterisks. The Commission was comfortable with the RU-1 dimensions as listed. The Commission discussed the 800 sq. foot minimum floor area for R-2 and R-3. Ms Ryan suggested the column read minimum 'first' floor area and the Commission agreed. The Commission discussed increasing the first floor area for a ranch style home but decided to leave it at 800 sq. ft. with the first floor wording change. Under the R-4 minimum floor area per one-family dwelling the Commission questioned the 1000 sq. ft. number and suggested reducing that to 800 square feet per single-family dwelling unit making it the same as R-2 and R-3. For the R-4 and R-5 minimum floor area per dwelling unit two and three family make it 600 sq. ft. for now and asked Ms. Ryan to contact Columbia Woods Apartments and ask what size their apartments are. Ms. Ryan suggested changing the column to read 'minimum floor area per dwelling unit – multi-family.

The Commission reviewed the minimum front yard dimensions and questioned the 30 foot dimension in R-4 and 50-foot in R-5. Ms. Ryan stated that currently the dimension in R-4 is 60 feet. The Commission suggested making it 50 feet to be consistent. Ms Ryan said perhaps the dimension relates to interior drives within a multi-family development and in that case it may be appropriate but she suggested leaving it at 50 feet and addressing it at site plan review or as a variance.

The Commission reviewed side yard setbacks. Ms. Ryan said these did not change. Mr. Conklin asked if the 5-foot side yard in R-3 met fire codes or minimums. Ms. Ryan stated this is what the current code states and they have not had an issue with it as far as she knows. Mr. Dowling stated

that in the Barberton code the dwellings have to be at least 10 feet from the property lines but that accessory buildings could be 5 feet. Mr. Conklin said he would like to see the 5-foot dimension go to 10 feet and the total side yard go to 20 feet. The Commission members agreed.

The Commission reviewed the maximum lot coverage and the need to add accessory building size limits. Ms. Ryan listed some issues regarding accessory buildings under the current code. Ms. Ryan stated the current allowances are very generous and people can have numerous structures before they meet the minimum allowances. Ms. Ryan said this could be resolved in several ways. Ms. Ryan said the overall size could be a based on a percentage of the acreage, for instance 2%, which keeps the accessory building allowance in proportion to acreage, limit it by lot acreage and building square footage as is done now, or control it by maximum lot coverage. Ms. Ryan stated she has seen the percentage method done and it works well. The Commission discussed the areas required for replacement septic systems and if the maximum lot coverage should allow for this need. Ms. Ryan explained that currently the Summit County Health Department is asking that residents wanting to put in accessory structures have a site evaluation done by them to determine if their current septic system is working properly and if the accessory structure is impacting a needed future septic replacement site. Ms. Ryan said that, for instance, a proposed accessory structure would be located in the only available area on the property that is suitable for a replacement septic system then the county would not allow that location to be impacted and the owner would then have to move, resize or not construct the structure. Ms. Ryan stated another method she has seen done with very few variances is to allow only one accessory building, not including decks, pools, etc, with the exception of a detached garage. This would allow a property owner that had a detached garage could build one accessory building up to a specific size based on their acreage.

The Commission reviewed the Business and Industrial dimensions. Ms. Ryan said the Commission should consider a greater front yard setback for Cleveland Massillon Road to allow for future widening. The Commission discussed creating a walking town center in the Cleveland Massillon/Greenwich Rd. area by reducing the front setback but requiring sidewalks, side and/or rear parking and landscaping/trees. This would encourage smaller community type businesses and push the larger, high traffic businesses up toward the freeway. The Commission and Ms. Ryan felt that the 22,000sq. ft. number in B-1 is appropriate. Ms. Ryan said they could increase the lot size in the B-2 and B-3 to accommodate larger businesses near the freeway. Chairman Spisak stated that the area where the schools are located is an area where you could place an overlay district similar to what Hudson did when Morse Controls moved out. Chairman Spisak stated he did not see the need for a reduced setback north of the library. Chairman Spisak sited the Library and the Digestive Center as examples of nice development, landscaped and parking out of the front yard. Chairman Spisak said this would reflect the Comprehensive Plan recommendations. The Commission discussed the width of sidewalks in the center of town and requiring trees along the street. Ms. Ryan recommended the Commission also review page 40, item B - Landscape Setbacks, it may also need to be revised.

Chairman Spisak recommended the Commission members review the Comprehensive Plan so they can merge that into the dimensions.

2) Application R2-2010 - continuation
Rezoning on Cleveland Massillon Road

Mr. Conklin made a motion to table the rezoning Application R2-2010 until December 14, 2010 at 6pm. Ms. Jacobs seconded. ROLL CALL: Mr. Dowling-Yes, Ms. Jacobs-Yes, Mr. Conklin-Yes, Mr. Spisak-Yes. Motion passed 4-0.

IV. NEW BUSINESS; None

IV. MINUTES:

Mr. Spisak made a motion to approve the minutes from August 24, 2010. Mr. Dowling seconded. ROLL CALL: Mr. Conklin-Yes, Ms. Jacobs-Yes, Mr. Dowling-Yes, Mr. Spisak-Yes. Motion passed 4-0.

V. ADJOURNMENT:

Chairman Spisak said the next meeting would be November 9, 2010.
With no further business before the Commission, Chairman Spisak adjourned the meeting at 7:58pm.

Planning Commission Chair/Vice-Chair

Planning Commission Vice-Chair/Member

12/14/10
Date

Pat Ryan
Interim Secretary

1256.02 DIMENSION REQUIREMENTS FOR DISTRICTS

The dimensions of lots, yards, and building heights in districts shall conform to the requirements of the following table and as otherwise provided in this Zoning Code:

Table 1256.02
DIMENSION REQUIREMENTS FOR DISTRICTS

	RESIDENTIAL DISTRICTS					
	One Family Dwellings				**1,2,3 Family**	**Multifamily**
	R-U1	**R-1**	**R-2**	**R-3**	**R-4**	**R-5**
Minimum Lot Area (square feet) With Sanitary Sewer	45,000	25,000	15,000	12,000	8,500 per dwelling unit	Minimum lot 130,000, but not less than 4,500 per dwelling unit
Minimum Lot Area Without Sanitary Sewer*	45,000	45,000	45,000	45,000	Not permitted.	
**See required Health Department approval, Section 1256.01I*						
Minimum Lot Width (feet)** With Sanitary Sewer	220**	125**	100**	~~75~~ 85**	1-family – 75 2-family – 100 3-family - 125	100
Minimum Lot Width Without Sanitary Sewer	220**	200**	200**	200**	Not permitted	
**For corner lots, add 25 feet						
Minimum Lot Depth (feet)	200	200	150	150	150	200
Minimum Front Yard (feet)	60	60	50	50	30	50
Minimum Rear Yard (feet)	50	50	50	50	50	50
Minimum Side Yard	25	10	10	5	10	15
Total of side yards at least:	80	20	20	15	20	30
Corner lot: minimum side yard abutting street line***	25	25	25	25	25	25
*** See also 1256.01j regarding corner lot rear yards abutting side yards						
Maximum Bldg. Height Feet	35 feet	35 feet	35 feet	35 feet	35 feet	35 feet*
Maximum Lot Coverage (% of total lot area)						70%
Minimum Floor Area per dwelling unit One-family dwelling	1,500	1,000	800	800	1,000	
Minimum Floor Area per dwelling unit Two & Three family dwelling					600	

Table 1256.02 DIMENSION REQUIREMENTS FOR DISTRICTS (Continued)	**BUSINESS DISTRICTS**			
	B1	**B2**	**B3**	**O1**
Minimum Lot Area (square feet)	22000	22000	22000	22000
Minimum Lot Frontage and Lot Width (feet)	75 ft	75 ft	75 ft	75 ft
Abutting Residential District	150	150	150	100
Minimum Lot Depth	150 ft	150 ft	150 ft	150 ft
Maximum Lot Coverage	65%	65%	65%	65%
Minimum Front Yard	50 feet	50 feet	50 feet	50 feet
Minimum Side Yard	10 feet	10 feet	10 feet	10 feet
Minimum Rear Yard	30 feet	30 feet	30 feet	30 feet
Minimum Side or Rear Yard Abutting Residential District *See alternative yards and buffer provisions in 1256.03.*	100 feet	100 feet	100 feet	50 feet
Maximum Building Height	40 feet	40 feet	40 feet	

	INDUSTRIAL DISTRICTS	
	I-1	**I-2**
Minimum Lot Area	87,000 sq ft	85,000 sq ft
Minimum Lot Frontage	150 feet	150 feet
Minimum Lot Width	200 feet	175 feet
Minimum Lot Depth	200 feet	200 feet
Maximum Lot Coverage	70% of total lot area	70%
Minimum Front Yard	50 feet	75 feet
Minimum Rear Yard	50 feet	50 feet
Minimum Side Yard	20 feet	30 feet
Minimum Side, or Rear Yard Abutting Residential District *See alternative yards and buffer provisions in 1256.03.*	100 feet	100 feet
Maximum Building Height	40 feet	50 feet

	RECREATION DISTRICTS
	Commercial Recreation
Minimum Lot Area	10 acres
Minimum Lot Width	500 feet
Minimum Lot Depth	500 feet
Maximum Lot Coverage by Structures	10% of total lot area
Minimum Front Yard	50 feet
If parking in front yard:	100 ft
Minimum Side Yard	30 feet
Minimum Rear Yard	30 feet
Maximum Height	35 ft.

1256.03 BUFFERS REQUIRED: REDUCED SIDE AND REAR YARDS

a. On every lot located in a Business or Industrial District and which abuts a Residential District, buffers shall be provided to reduce or prevent impacts of business or industrial uses upon dwelling uses. The buffers shall be in the form of a yard dimension as provided in Table 1256.02. As provided in Subsection 1256.03b below, a lesser yard dimension supplemented by physical improvements and complying with an approved site plan may be approved by the Planning Commission when the Commission finds that such yards, improvements, and site design result in a reduction or prevention of impacts similar to the greater yard dimension provided in Table 1256.02.

b. Buffer Improvements in Reduced Yards

1. Business Districts. On a lot located in a Business District and which abuts a Residential District

A. The minimum side or rear yard abutting the Residential District shall be fifty (50) feet provided that a solid fence, six (6) feet in height, shall be installed along the property line or within the yard; or the minimum side or rear yard abutting the Residential District shall be twenty-five (25) feet provided that a solid masonry wall, six (6) feet in height, shall be installed along the property line or within the yard;

B. A minimum of one (1) tree shall be installed for every fifty (50) feet of such side or rear yard line;

a. The site plan for the lot, including the fence or wall, trees, and orientation of the structures and uses relative to the Residential District is approved by the Planning Commission.

2. Industrial Districts. On a lot located in an Industrial District and which abuts a Residential District:

A. The minimum side or rear yard abutting the Residential District shall be fifty (50) feet provided that a solid wood fence, six (6) feet in height, shall be installed along the property line or within the yard;

B. A minimum of one (1) tree shall be installed for every fifty (50) feet of such side or rear yard line;

C. The site plan for the lot, including the fence, trees, and orientation of the structures and uses relative to the Residential District is approved by the Planning Commission.

1256.04 VISIBILITY AT STREET INTERSECTIONS

On a corner lot in any ~~Residence~~ District, nothing shall be erected, placed, planted or allowed to grow in such a manner as to materially impede vision between a height of two and one-half (2 1/2) feet and ten (10) feet above the centerline grades of the intersecting streets, in the area bounded by the street lines of such corner lots and a line joining points.

1258.06 IMPROVEMENT AND MAINTENANCE

All parking areas shall be improved and maintained as follows:

a. Improvement. All open off-street parking areas shall be paved with asphalt or concrete or similar material as approved by the City Engineer. As specified in this Zoning Code, lots shall be provided with necessary passageways and driveways. All such space shall be determined to be required space on the lot on which the same is situated and shall not thereafter be encroached upon or reduced in any manner. Such parking areas shall be paved with a dustless, durable, all-weather pavement.

b. Grading and Drainage. Parking and loading areas shall be graded and drained and provided with adequate drainage facilities so that the adjacent properties and rights-of-ways shall not receive surface runoff water from the proposed parking area except in drainage facilities approved by the City Engineer.

c. Pavement Markings. Striping and other pavement markings shall be installed and maintained in all parking and loading facilities, except those provided in conjunction with dwellings, as required by the City Engineer.

d. Illumination of Parking Areas. Parking areas for nonresidential uses shall be illuminated to protect the public safety whenever the public street lights are lit and when the buildings served are in operation. The lighting fixtures shall be designed and located so as not to reflect direct rays of light into adjoining Residential Districts and streets. Intensity shall not be of excessive brightness or cause a safety hazard to users of such parking spaces or occupants of adjoining premises. Flickering, moving, or intermittent illumination shall not be permitted.

e. Screening and Landscaping of Parking Areas.

1. Small Parking Lots. Lots designed to provide more than five (5) but less than fifteen (15) parking spaces shall provide landscaping areas as approved by the Planning Commission.

2. Large Parking Lots. Large parking lots (lots designed for fifteen (15) or more parking spaces) in any district shall provide landscaped areas, including perimeter and interior areas, as follows.

A. Interior Landscaping.

a. Interior landscaped areas (planting islands) shall be constructed within the parking lot. The total area of the landscaped areas shall be at least one hundred-fifty (150) square feet for every ten (10) parking spaces.

b. Planting islands shall be surrounding on at least three sides by paved areas of the lot. Planting islands shall be curbed and shall have a minimum of seven (7) feet in width, as measured from back of curb to back of curb.

c. One tree shall be planted in the planting islands for every ten (10) parking spaces.

B. Landscaped Setbacks Landscaped setback areas shall be provided as follows:

a. Front Yard and Side Yard Abutting Street. Where a parking lot is located in the front yard of a lot or in a side yard abutting a street, the parking lot shall be setback at least ten (10) feet from the street right-of-way. One shrub (minimum two (2) feet in height at time of planting) shall be planted for each three (3) feet of the width of the parking lot measured parallel to the right-of-way line. One (1) ornamental or shade tree shall be planted for each fifty (50) feet of the width of the parking lot.

b. Side and Rear Yards Adjacent to Non-Residential. Where a parking lot is located in the side or rear yard of a lot and the lot abuts a lot in a non-residential district, the parking lot shall be setback at least five (5) feet from the lot line. One shrub (minimum two (2) feet in height at time of planting) shall be planted for each three (3) feet of the width of the parking lot measured parallel to the lot line. One (1) ornamental or shade tree shall be planted for each fifty (50) feet of the width of the parking lot.

c. Side and Rear Yards Adjacent to Residential. Where a parking lot is located in the side or rear yard of a lot and the lot abuts a lot in a residential district, the parking lot shall be setback at least twenty (20) feet from the lot line. A fence, wall, or earth berm, at least four (4) feet in height shall be installed. One shrub (minimum four (4) feet in height at time of planting) shall be planted for each three (3) feet of the width of the parking lot measured parallel to the lot line. One (1) ornamental or shade tree shall be planted for each fifty (50) feet of the width of the parking lot.

3. All required landscape areas, fences, walls, and earth berms, shall be maintained in good condition.

1258.07 PARKING AND STORAGE RESTRICTIONS.

a. Major Recreational Equipment. *(See definition in Chapter 1270 under "Vehicles".)* No major recreational equipment shall be parked or stored on any lot in a Residential District, except:

1. in a carport or enclosed building; or
2. on any part of the lot not closer to the street than the dwelling, provided, however, that such equipment may be parked anywhere on a residential premises for a period not to exceed twenty-four (24) hours, during loading or unloading. No such equipment shall be used for living, sleeping or housekeeping purposes when parked or stored on a residential

lot or in any location not approved for such use.

b. Trucks, Tractors, Trailers and Other Commercial Vehicles Prohibited.

1. No truck, tractor, trailer or other commercial vehicle licensed to transport more than one ton shall be stored or parked in or upon any lot or portion of a lot situated in any residential district, or in any location not approved for such use.
2. Temporary Parking. The temporary parking of any truck, tractor, trailer or other commercial vehicle licensed to transport more than one (1) ton, in or upon any lot in any Residential District for the purpose of making a delivery or sale of goods, wares, materials, merchandise or service to the owner or occupant of any dwelling in said District, shall not be deemed to be a violation of this Zoning Code, provided that said sale or delivery is made within a reasonable time.

c. Parking and Storage of Unlicensed Vehicles. Automotive vehicles or trailers of any kind without current license plates, or equipment or material not incidental to occupancy use, shall not be parked or stored on any lot in a residential district, other than in completely enclosed buildings.

d. Disabled vehicles. No disabled vehicle shall be stored or located in a residential district outside of a fully enclosed building.

CHAPTER 1260: SIGNS

1260.01 PURPOSE

These sign regulations, which include provisions to control the type, design, size, location, illumination, and maintenance of signs, are hereby established in order to achieve, among others, the following purposes:

a. To promote and maintain the appearance and values of districts while protecting and promoting the communication needs and speech rights of property owners; and

b. To promote the public health, safety and welfare by avoiding conflicts between signs and traffic control devices, avoiding traffic hazards, and reducing visual distractions and obstruction.

1260.02 COMPLIANCE REQUIRED

Signs shall be designed, erected, painted, repainted, posted, reposted, placed, replaced, hung, displayed, altered, reconstructed, moved or maintained, in whole or in part, only in accordance with the provisions of this Zoning Code. The provisions of this chapter shall not amend or in any way interfere with other rules or regulations governing traffic or public safety signs.

1260.03 ZONING PERMIT REQUIRED; EXCEPTIONS

a. Permit Required. A Zoning Permit shall be required prior to the erection, display, relocation, replacement, reinstallation, or alteration of any sign, including temporary signs, except as otherwise specifically exempted in Subsection 1260.03(b). In addition to the standard requirements for applications for Zoning Permits, applications for signs shall include detailed information regarding the design of the sign, including dimensions, materials, method of attachment or support, source of illumination, and its location on the site and the relationship to any building or structure onto which it is or is proposed to be installed or affixed.

b. No Zoning Permit shall be required for:

1. Periodic repair, repainting, or maintenance which does not alter the sign including, but not limited to, the sign face, design, or structure;
2. Changing the lettering, graphic, or information on a permanent sign specifically approved as a changeable copy sign, whether automatic or manual;

Planning Commission Memorandum

To: Karla Richards, Clerk of Council
Council

From: Pat Ryan, Interim Boards & Commissions Secretary PR

Date: 10-27-2010

Re: PC Resolution No. 18-2010

Application R2-2010 and
Map Amendment
Proposing rezoning for multiple parcels, or portion of parcels, from various zoning districts to B-2 Neighborhood Business to allow for the orderly development of the Cleveland Massillon corridor from Greenwich Road north to the I-76.US224 Freeway.

Attached you will find a copy of PC Resolution No. 18-2010 Approving the above Amendment. To table Application R2-2010 until December 14, 2010.

The original resolution has been forwarded to, and will be on file with the Clerk of Council as the official record.

E-Mail: Mayor (per Admin. Sec.)
Administrative Officer
Planning Commission
Board of Zoning & Building Appeals
Municipal Engineer
Supt. of Building & Zoning
Council

cc: PC Minutes
File

PLANNING COMMISSION
RESOLUTION

PC RESOLUTION NO.: 18-2010

RE: TABLING
R2-2010
UNTIL 12/14/10

The Planning Commission does hereby make the following recommendation(s) on the above:

Vote on Motion: FOR 4 **AGAINST** Ø **ABSTAIN** ____

Therefore PC Resolution No. 18-2010 **is:**

APPROVED ____ **DENIED** ____ **TABLED** ✓

This resolution shall be sent to:
Administration for _____ **it's action or for** ✓ **it's information, and**
Council for _____ **it's action or for** ✓ **it's information.**

Planning Commission Chair/Vice-Chair

Planning Commission Vice Chair/Member

10/26/2010
Date