



Proposed Amendments for Public Hearing

Zoning Amendment # 2019-008

Section 150.02 B – Definitions

Proposed New Definition:

PROJECT AREA: In a commercial or industrial area, the part of the lot which is being utilized for a building or development, based on a submitted plot plan. This may or may not include the entire parcel.

Zoning Amendment # 2019-009

Section 640.07 H – Term and Extension of Variance

Section 640.07 H Existing:

- H. Term and Extension of Variance. Variances shall expire one year from the date of their enactment, unless prior thereto, construction has begun in accordance with the granted variance. Construction is deemed to have begun when all necessary excavation and piers or footers of the structure included in the application have been completed. There shall be no modification of variances except by further consideration of the Board of Zoning Appeals. Requests for renewal of expired variances shall be considered the same as an application for a variance and shall meet all requirements for application and review pursuant to this Section.

Section 640.07 H Proposed (shown in bold):

- H. Term and Extension of Variance. **There shall be no modification of variances except by further consideration of the Board of Zoning Appeals. Area variances shall not expire once they have been granted by the Board of Zoning Appeals. Use variances shall expire one year from the date of their enactment, unless prior thereto, construction has begun in accordance with the granted variance.** Construction is deemed to have begun when all necessary excavation and piers or footers of the structure included in the application have been completed. Requests for renewal of expired variances shall be considered the same as an application for a variance and shall meet all requirements for application and review pursuant to this Section.

Zoning Amendment # 2019-010

Section 320.09 – Supplemental Requirements for Planned Residential Developments

Section 320.09 Existing:

- A. Privacy for individual principal buildings shall be maintained through the use of landscaping and screening.
- B. Street lighting and street signs shall be adequate for safety and security.
- C. Additional development requirements formulated to achieve the objectives of this Chapter may be established at the time the PRD development plan is reviewed. Any such development requirements adopted with such plan shall become binding land use requirements for the proposed PRD.

Section 320.09 Proposed (shown in bold):

- A. Privacy for individual principal buildings shall be maintained through the use of landscaping and screening.
- B. Street lighting and street signs shall be adequate for safety and security.
- C. **All downspouts, footer drains and surface drains shall connect to storm sewers.**
- D. **Additional development requirements formulated to achieve the objectives of this Chapter may be established at the time the PRD development plan is reviewed. Any such development requirements adopted with such plan shall become binding land use requirements for the proposed PRD.**

Zoning Amendment # 2019-011

Section 340.09 D – Accessory Use Regulations for Lake Districts

Section 340.09 D Existing:

- D. Additional Regulations for Accessory Buildings.
1. Accessory buildings that are detached from the principal building shall comply with the setback requirements of Schedule 340.09 and shall be located a minimum of 7 feet from the principal building.
 2. All other accessory buildings shall be attached to the principal building, shall be made structurally a part thereof, and shall comply with the setback requirements for principal buildings set forth in Schedule 340.05.

Section 340.09 D Proposed (shown in bold):

- D. Additional Regulations for Accessory Buildings.
1. Accessory buildings that are detached from the principal building shall comply with the setback requirements of Schedule 340.09 and shall be located a minimum of 7 feet from the principal building, **except carports which have no minimum spacing requirement from the principal building.**
 2. All other accessory buildings shall be attached to the principal building, shall be made structurally a part thereof, and shall comply with the setback requirements for principal buildings set forth in Schedule 340.05.

Zoning Amendment # 2019-012

Section 390.03 C & D – Specific Standards for Conditional Uses

Section 390.03 C Existing:

- C. Exception to Height Regulations. The height of a non-residential building permitted as a conditional use in a residential district shall not exceed 35 feet, except that church spires, cupolas, domes, towers, and flag poles, located upon or constituted as an integral part of an institutional building may be erected to a height not to exceed 75 feet when the building is setback from each lot line at least one foot for each foot of additional building height above 35 feet when permitted by the Board of Zoning Appeals.

Section 390.03 C Proposed (shown in bold):

- C. Exception to Height Regulations. The height of a non-residential building permitted as a conditional use in a residential district shall not exceed **35 50** feet, except that church spires, cupolas, domes, towers, and flag poles, located upon or constituted as an integral part of an institutional building may be erected to a height not to exceed 75 feet when the building is setback from each lot line at least one foot for each foot of additional building height above **35 50** feet when permitted by the Board of Zoning Appeals.

Section 390.03 D Existing:

D. Specific Development Standards.

1. The Board of Zoning Appeals may limit the hours of operation to ensure that the conditional use is compatible with the surrounding uses.
2. For parcels of two or more acres in residential districts, all points of vehicular entrance or exit shall be on an arterial street or collector street located no closer than:
 - a) Two hundred (200) feet from the intersection of two arterial streets, or
 - b) One-hundred (100) feet from the intersection of an arterial street and a local or collector street.
3. No lighting shall constitute a nuisance and in no way shall impair safe movement of traffic on any street or highway. All outside lighting shall be shielded from adjacent properties.
4. Floodlights, searchlights, loudspeakers or similar structures shall not be erected or used in any manner that will cause hazards or annoyance to the public generally or to the occupants of adjacent property.
5. All trash receptacles shall be screened according to Chapter 430 with a fence, wall or building.
6. Grading and surface drainage provisions shall be prepared by a registered engineer and reviewed or approved by the Portage County Engineer, where applicable.

Section 390.03 D Proposed (shown in bold):

D. Specific Development Standards.

1. The Board of Zoning Appeals may limit the hours of operation to ensure that the conditional use is compatible with the surrounding uses.
2. For parcels of two or more acres in residential districts, all points of vehicular entrance or exit shall be on an arterial street or collector street located no closer than:
 - a) Two hundred (200) feet from the intersection of two arterial streets, or
 - b) One-hundred (100) feet from the intersection of an arterial street and a local or collector street.
3. No lighting shall constitute a nuisance and in no way shall impair safe movement of traffic on any street or highway. All outside lighting shall be shielded from adjacent properties.
4. Floodlights, searchlights, loudspeakers or similar structures shall not be erected or used in any manner that will cause hazards or annoyance to the public generally or to the occupants of adjacent property.
5. All trash receptacles shall be screened according to Chapter 430 with a fence, wall or building.
6. Grading and surface drainage provisions shall be prepared by a registered engineer and reviewed or approved by the Portage County Engineer, **Rootstown Township Zoning Department, and/or Rootstown Township Road Department**, where applicable.

Zoning Amendment # 2019-013

Section 390.06 G – Commercial Recreation, Outdoor; and Riding Stables, Swimming Pools, and Golf Courses

Section 390.06 G Existing:

- G. **Commercial Recreation, Outdoor; and Riding Stables, Swimming Pools, and Golf Courses** shall comply with the following:
1. The proposed use shall not generate excessive noise, odor, dust or smoke beyond the premises. In order to minimize any effects of the above, the Board of Zoning Appeals may require all applicable surface areas to be paved, and impose additional noise reduction measures, including mounding, landscaping and sound barriers, to ensure that the level of noise is less than or the same as the prevailing noise levels of permitted uses in the District.
 2. All active recreation areas shall be enclosed by a fence having a minimum height of 6 feet, unless a different enclosure is approved by the Board of Zoning Appeals.
 3. All structures including lighting fixtures shall have a maximum height of 35 feet.
 4. Rifle ranges, skeet shooting ranges, pistol ranges and other uses involving the use of fire arms shall not be permitted.
 5. Public restrooms shall be provided and maintained.
 6. Vehicular access to such uses shall be located on a major street.
 7. In a residential district, only incidental retail uses such as a snack bar, restaurant or retail shop shall be permitted as part of the golf course. Such retail facility shall be provided for the convenience members and no sign advertising the retail facility shall be permitted.
 8. Swimming pools shall comply with the following additional requirements:
 - a) The enclosure required in subsection 2 above shall be kept locked at all times the pool is not in use. No part of such fence or enclosure shall be located in a required yard.
 - b) The Board of Zoning Appeals may limit the maximum lot coverage of related buildings and lounging/deck areas.

Section 390.06 G Proposed (shown in bold):

- G. **Commercial Recreation, Outdoor; and Riding Stables, Swimming Pools, and Golf Courses** shall comply with the following:
1. The proposed use shall not generate excessive noise, odor, dust or smoke beyond the premises. In order to minimize any effects of the above, the Board of Zoning Appeals may require all applicable surface areas to be

paved, and impose additional noise reduction measures, including mounding, landscaping and sound barriers, to ensure that the level of noise is less than or the same as the prevailing noise levels of permitted uses in the District.

2. All active recreation areas shall be enclosed by a fence having a minimum height of 6 feet, unless a different enclosure is approved by the Board of Zoning Appeals.
3. All structures including lighting fixtures shall have a maximum height of ~~35~~ **50** feet.
4. Rifle ranges, skeet shooting ranges, pistol ranges and other uses involving the use of fire arms shall not be permitted.
5. Public restrooms shall be provided and maintained.
6. Vehicular access to such uses shall be located on a major street.
7. In a residential district, only incidental retail uses such as a snack bar, restaurant or retail shop shall be permitted as part of the golf course. Such retail facility shall be provided for the convenience members and no sign advertising the retail facility shall be permitted.
8. Swimming pools shall comply with the following additional requirements:
 - a) The enclosure required in subsection 2 above shall be kept locked at all times the pool is not in use. No part of such fence or enclosure shall be located in a required yard.
 - b) The Board of Zoning Appeals may limit the maximum lot coverage of related buildings and lounging/deck areas.

Zoning Amendment # 2019-014

Section 610.03 A – Zoning Certificate Application Requirements

Section 610.03 A Existing:

- A. Zoning Certificates for Single-family Dwellings and Uses Accessory Thereto. An application for construction or alteration of a single-family dwelling or use accessory thereto shall include following:
1. The completed application form, along with the application fee as established by the Trustees.
 2. One copy of a general vicinity map.
 3. Two copies of a plot plan showing the following. Such plans shall be legibly drawn to scale and shall be based on an accurate survey.
 - a) Property boundary lines and the exact dimensions and area of the lot to be built upon or utilized.
 - b) Right-of-way of adjacent streets.
 - c) Location, dimensions, height, bulk of all structures to be erected or altered.
 - d) The existing and intended use(s) of all land and buildings.
 - e) Dimensions of yards, driveways, and parking spaces.
 4. A road culvert permit when required by Section 610.09.
 5. A letter from the appropriate public agency(s) stating that the proposed development or use conforms or will conform to all applicable sanitary sewer, water, floodplain, EPA, fire, and health departments and wetland regulations, if applicable.

Section 610.03 A Proposed (shown in bold):

- A. Zoning Certificates for Single-family Dwellings and Uses Accessory Thereto. An application for construction or alteration of a single-family dwelling or use accessory thereto shall include following:
1. The completed application form, along with the application fee as established by the Trustees.
 2. One copy of a general vicinity map.
 3. Two copies of a plot plan showing the following. Such plans shall be legibly drawn to scale and shall be based on an accurate survey.
 - a) Property boundary lines and the exact dimensions and area of the lot to be built upon or utilized.
 - b) Right-of-way of adjacent streets.
 - c) Location, dimensions, height, bulk of all structures to be erected or altered.
 - d) The existing and intended use(s) of all land and buildings.

- e) Dimensions of yards, driveways, and parking spaces.
- 4. **A permit shall be required for tying any and all stormwater into a storm sewer. A hole shall be drilled for access into the top half of the pipe, and a rubber connection boot shall be installed and sized accordingly.**
- 5. **A road culvert permit when required by Section 610.09.**
- 6. **A letter from the appropriate public agency(s) stating that the proposed development or use conforms or will conform to all applicable sanitary sewer, water, floodplain, EPA, fire, and health departments and wetland regulations, if applicable.**

Zoning Amendment # 2019-015

Section 620.07 B – Review Criteria for Planned Residential Developments

Section 620.07 B Existing:

- B. Final Development Plan. For a final development plan, the Zoning Commission shall determine that:
1. Adequate provision is made for safe and efficient pedestrian and vehicular circulation within the site and to adjacent property.
 2. The development will have adequate public service and open spaces.
 3. Buildings and open spaces are in proportion and scale with existing structures and spaces in the surrounding area.
 4. Restricted open space areas are not isolated from one another by unrelated physical obstructions such as buildings and parking areas.
 5. Natural separations of dwelling types are created by careful planning of streets and clustering of buildings using natural land features and open space for separation. Cul-de-sacs and loop streets, coupled with open spaces, should be used to achieve separation and create identity for sub-areas within the PRD.
 6. The development will preserve and be sensitive to the natural characteristics of the site in a manner that complies with the applicable regulations set forth in this Resolution.
 7. Adequate provision is made for storm drainage within and through the site so as to maintain, as far as practicable, usual and normal swells, water courses and drainage areas, and shall comply with the applicable regulations in this Resolution and any other design criteria established by the Township or any other governmental entity which may have jurisdiction over such matters.
 8. If the project is to be carried out in progressive stages, each stage shall be so planned that the foregoing conditions are complied with at the completion of each stage.

Section 620.07 B Proposed (shown in bold):

- B. Final Development Plan. For a final development plan, the Zoning Commission shall determine that:
1. Adequate provision is made for safe and efficient pedestrian and vehicular circulation within the site and to adjacent property.
 2. The development will have adequate public service and open spaces.
 3. Buildings and open spaces are in proportion and scale with existing structures and spaces in the surrounding area.

4. Restricted open space areas are not isolated from one another by unrelated physical obstructions such as buildings and parking areas.
5. Natural separations of dwelling types are created by careful planning of streets and clustering of buildings using natural land features and open space for separation. Cul-de-sacs and loop streets, coupled with open spaces, should be used to achieve separation and create identity for sub-areas within the PRD.
6. The development will preserve and be sensitive to the natural characteristics of the site in a manner that complies with the applicable regulations set forth in this Resolution.
7. Adequate provision is made for storm drainage within and through the site so as to maintain, as far as practicable, usual and normal swells, water courses and drainage areas, **footer drains, downspout drains and surface drains**, and shall comply with the applicable regulations in this Resolution and any other design criteria established by the Township or any other governmental entity which may have jurisdiction over such matters.
8. If the project is to be carried out in progressive stages, each stage shall be so planned that the foregoing conditions are complied with at the completion of each stage.