



Proposed Amendments for Public Hearing

Zoning Amendment # 2021-014

Section 150.02 B – Definitions

Existing Definition:

(87) HOTEL/MOTEL/INN: Any structure consisting of one or more buildings, with more than five sleeping rooms, that is specifically constructed, kept, used, maintained, advertised, or held out to the public to be a place where sleeping accommodations are offered for pay to transient guests for a period of thirty days or less, including, but not limited to, such a structure denoted as a hotel, motel, motor hotel, lodge, motor lodge, or inn.

Proposed Definition:

(87) HOTEL/~~MOTEL/INN~~: ~~Any structure consisting of one or more buildings, with more than five sleeping rooms, that is specifically constructed, kept, used, maintained, advertised, or held out to the public to be a place where sleeping accommodations are offered for pay to transient guests for a period of thirty days or less, including, but not limited to, such a structure denoted as a hotel, motel, motor hotel, lodge, motor lodge, or inn.~~ A commercial establishment offering to the public daily, five (5) or more individual sleeping room accommodations available for reservation, with a resident proprietor or on-site manager, an identifiable main entrance and lobby, a staffed desk or office for the registration of guests on a 24-hour basis, security, staff to provide daily housekeeping services, dining, fitness, and meeting accommodations within a single building. Offering guest services. Direct access to the lobby, common area and rooms is provided via internal corridors.

Zoning Amendment # 2021-016

Section 620.02 – Development Plan Review Required

Section 620.02 Existing:

Review of a general development plan and/or final development plan shall be conducted in compliance with the following:

- A. General Development Plan. A general development plan that indicates the general concept of development for an entire site; including the general location of use areas, open space and circulation pattern, shall be required for:
 - 1. All Planned Unit Residential Developments;
 - 2. All Planned Commercial Developments.
- B. Conditional Use Approval. When applying for a Planned Commercial Development, all conditional uses shall be applied for and approved by the Board of Zoning Appeals before submission of the final development plan. As part of the final development plan process, the Zoning Commission will include the final site plan for any conditional uses.
- C. Final Development Plan. A final development plan that indicates, among other things, the exact location of buildings, parking areas, access drives, signs, and outdoor storage areas shall be required for the following:
 - 1. Planned Residential and Planned Commercial Developments following review and approval of a general development plan.
 - 2. Platted subdivisions.
 - 3. New construction of all permitted uses in multi-family, commercial, and industrial districts, except single-family dwellings.
 - 4. New construction of all conditional uses.
 - 5. Any existing or previously approved development meeting the criteria of subsections B.1 through B.5 above that proposes to alter, reconstruct, or otherwise modify a use or site; including expanding the floor area of the permitted use greater than 10% of the original approved development plan, increasing the number of dwelling units in a multi-family development, or changing the use which requires an increase in the amount of parking or a change in the site's circulation.

Section 620.02 Proposed (shown in bold):

Review of a general development plan and/or final development plan shall be conducted in compliance with the following:

- A. General Development Plan. A general development plan that indicates the general concept of development for an entire site; including the general location of use areas, open space and circulation pattern, shall be required for:
 - 1. All Planned Unit Residential Developments;
 - 2. All Planned Commercial Developments.
- B. Conditional Use Approval. When applying for a Planned Commercial Development, all conditional uses shall be applied for and approved by the Board of Zoning Appeals before submission of the final development plan. As part of

the final development plan process, the Zoning Commission will include the final site plan for any conditional uses.

- C. Final Development Plan. A final development plan that indicates, among other things, the exact location of buildings, parking areas, access drives, signs, and outdoor storage areas shall be required for the following:
1. Planned Residential and Planned Commercial Developments following review and approval of a general development plan.
 2. Platted subdivisions.
 3. New construction of ~~all permitted the following~~ uses or structures in multi-family, commercial, and industrial districts; ~~except single family dwellings.~~
 - a) **All new principal buildings, except single-family dwellings, two-family dwellings, agricultural buildings, or accessory uses associated with those dwellings.**
 - b) **All new accessory buildings and structures greater than 1200 square feet in size.**
 - c) **An expansion to an existing building whereby the expansion is greater than 5000 square feet.**
 - d) **An expansion to an existing building whereby the expansion is greater than 25 percent of the existing floor area.**
 - e) **An expansion of a parking lot by 10 or more spaces.**
 4. New construction of all conditional uses **not included in subsections C.1 through C.3.**
 5. ~~Any existing or previously approved development meeting the criteria of subsections B.1 through B.5 above that proposes to alter, reconstruct, or otherwise modify a use or site; including expanding the floor area of the permitted use greater than 10% of the original approved development plan, increasing the number of dwelling units in a multi family development, or changing the use which requires an increase in the amount of parking or a change in the site's circulation.~~ Alteration or expansion of an existing or previously approved development, including an increase in the number of lots or dwelling units.

Section 620.06 – Development Plan Review Procedures

Section 620.06 Existing:

Development plans, both general and final, shall be reviewed according to the following procedures.

A. Review by the Zoning Commission, Others.

The Zoning Inspector shall review the submitted application for completeness in accordance with Section 610.04, and when determined complete shall distribute the application according to the following:

1. Review by Zoning Commission.

- a) The Zoning Inspector shall distribute all applications for development plan review to the Zoning Commission.
- b) The Zoning Commission may request that the applicant supply additional information deemed necessary to adequately review and evaluate the proposed development.
- c) The Zoning Commission shall review the proposed general development plan at one or more of its public meetings.
- d) The Zoning Commission shall hold a public hearing on the application. Notice of such public hearing shall be given by first class mail to property owners within 500 feet of the property line of the property on which the use is proposed and to adjacent property owners other than the applicant regardless of the distance when the applicant owns separate parcel(s) within the 500 feet radius. A "certificate of mailing" shall be obtained from the post office for each mailing. Further notice shall be given in one or more newspapers of general circulation in the Township at least 10 days before the date of said public hearing. All notices shall set forth the time and place of the public hearing and the nature of the proposed development plan. Failure of delivery of such notice shall not invalidate action taken on such application.

2. Review by Rootstown Township Fire Department and Other Public Entities.

The application may be transmitted to appropriate township departments and other public agencies for review and comment. Any reports or comments shall be compiled and reviewed by the Zoning Inspector and transmitted to the Zoning Commission prior to the time of the Commission's review.

3. Review by Consultants.

The application may be transmitted to appropriate professional consultants for review and comment. Any reports, comments, or expert opinions shall be compiled and reviewed by the Zoning Inspector and transmitted to the Zoning Commission prior to the time of the Commission's review. The cost of the review by the consultant shall be the expense of the applicant.

B. Action by Zoning Inspector.

The Zoning Inspector shall take action on applications for all permitted uses requiring review of development plans, except planned residential developments, according to the following:

1. The Zoning Commission shall make a recommendation to the Zoning Inspector within 60 days from the date the application was determined complete or an extended period as may be agreed to by the applicant. In the event the Zoning Commission fails to make a recommendation within 60 days from the date the application was determined complete and the applicant does not agree to an extension, the Zoning Inspector shall make a decision without a recommendation from the Zoning Commission at the end of the 60 day period.
2. The Zoning Inspector shall make a decision based on the advice and recommendation of the Zoning Commission except as otherwise noted in subsection 1 above. The development plan shall be:
 - a) Approved as submitted; or
 - b) Approved subject to specific conditions not included in the plan as submitted, such as, but not limited to, on-site control of access to streets and landscaping specifications; or
 - c) Denied because the proposed plan does not meet the requirements and purposes of these regulations. When denied, the Zoning Inspector shall indicate the deficiencies and modifications to the development plan that if made would bring the development plan into compliance.

C. Action By Zoning Commission for Planned Residential Developments. The Zoning Commission shall act on applications for planned residential developments.

1. The Zoning Commission shall:
 - a) Approve the development plan as submitted; or
 - b) Approve the development plan subject to specific conditions not included in the plan as submitted, such as, but not limited to:
 - 1) For General Development Plans - improvements to the general lot layout, open space arrangement or on-site control of access to streets;
 - 2) For Final Development Plans – improvements to the lot layout, open space arrangement, on-site control of access to streets, or landscaping specifications.
 - c) Deny the development plan because the proposed plan does not meet the requirements and purposes of these regulations. When denied, the Zoning Commission shall indicate the deficiencies and modifications to the development plan that if made would bring the development plan into compliance.

2. Failure of the Zoning Commission to act within 60 days from the date the application was determined complete, or an extended period as may be agreed upon, shall, at the election of the applicant be deemed a denial of the development plan.

Section 620.06 Proposed (shown in bold):

Development plans, both general and final, shall be reviewed according to the following procedures.

- A. ~~Review by the Zoning Commission, Others.~~ The Zoning Inspector shall review the submitted application for completeness in accordance with Section 610.04, and when determined complete shall ~~distribute the application according to the following:~~ be forwarded to the appropriate governmental agencies for their review and recommendations. Incomplete applications shall be returned to the applicant, and the review process shall not continue until the application is determined complete.
 1. ~~Review by Zoning Commission.~~ If the Zoning Inspector determines that a variance is required, then an application to the Board of Zoning Appeals shall be submitted. Variances shall be reviewed and a decision rendered by the Board of Zoning Appeals prior to approval of the Development Plan Review application by the Zoning Inspector.
 - a) ~~The Zoning Inspector shall distribute all applications for development plan review to the Zoning Commission.~~
 - b) ~~The Zoning Commission may request that the applicant supply additional information deemed necessary to adequately review and evaluate the proposed development.~~
 - c) ~~The Zoning Commission shall review the proposed general development plan at one or more of its public meetings.~~
 - d) ~~The Zoning Commission shall hold a public hearing on the application. Notice of such public hearing shall be given by first class mail to property owners within 500 feet of the property line of the property on which the use is proposed and to adjacent property owners other than the applicant regardless of the distance when the applicant owns separate parcel(s) within the 500 feet radius. A "certificate of mailing" shall be obtained from the post office for each mailing. Further notice shall be given in one or more newspapers of general circulation in the Township at least 10 days before the date of said public hearing. All notices shall set forth the time and place of the public hearing and the nature of the proposed development plan. Failure of delivery of such notice shall not invalidate action taken on such application.~~
 2. ~~Review by Rootstown Township Fire Department and Other Public Entities.~~ The application may be transmitted to appropriate township departments and other public agencies for review and comment. Any reports or comments shall be compiled and reviewed by the Zoning Inspector and transmitted to the Zoning Commission prior to the time of the Commission's review. Applications for Planned Residential Developments, Planned Commercial Developments, and platted subdivisions shall be forwarded to the Zoning Commission. Other

applications may be forwarded to the Zoning Commission if further review is requested by the Zoning Inspector or the applicant.

B. ~~3. Review by Consultants.~~ The application may be transmitted to appropriate township departments, public agencies, or professional consultants for review and comment. Any reports, comments, or expert opinions shall be compiled and reviewed by the Zoning Inspector and, if applicable, transmitted to the ~~Zoning Commission prior to the time of the Commission's review~~ appropriate zoning board. Comments from the Zoning Inspector and other review agencies shall be sent to the applicant to make any required revisions. ~~The Any cost of the for~~ review by ~~the a~~ consultant shall be the expense of the applicant. ~~The applicant may request an administrative meeting with the Zoning Inspector to review comments.~~

C. ~~B. Action by Zoning Inspector.~~ The Zoning Inspector shall take action on applications for all permitted uses requiring review of development plans, except planned residential developments, **planned commercial developments, and platted subdivisions. according to the following:**

~~1. The Zoning Commission shall make a recommendation to the Zoning Inspector within 60 days from the date the application was determined complete or an extended period as may be agreed to by the applicant. In the event the Zoning Commission fails to make a recommendation within 60 days from the date the application was determined complete and the applicant does not agree to an extension, the Zoning Inspector shall make a decision without a recommendation from the Zoning Commission at the end of the 60 day period. The Zoning Department shall give notice of development application by first-class mail to property owners within 500 feet of the property line of the property on which the use is proposed and to adjacent property owners other than the applicant regardless of the distance when the applicant owns separate parcel(s) within the 500 feet radius. A "certificate of mailing" shall be obtained from the post office for each mailing. Failure of delivery of such notice shall not invalidate action taken on such application.~~

1. ~~2.~~ The Zoning Inspector shall make a decision based on the **advice and recommendation of the Zoning Commission except as otherwise noted in subsection 1 above** comments received by review agencies. The development plan shall be:

- a) Approved as submitted; or
- b) Approved subject to specific conditions not included in the plan as submitted, such as, but not limited to, on-site control of access to streets and landscaping specifications; or
- c) Denied because the proposed plan does not meet the requirements and purposes of these regulations. When denied, the Zoning Inspector shall indicate the deficiencies and modifications to the development plan that if made would bring the development plan into compliance.

2. **Changes to the approved site plan shall require re-submittal for review pursuant to this Section. The Zoning Inspector shall review**

the changes and determine if the changes are in conformance with this Resolution. Further review by other agencies may be required.

- D. ~~Action By Zoning Commission for Planned Residential Developments.~~ The Zoning Commission shall act on applications for planned residential developments, **planned commercial developments, and platted subdivisions.**

1. **The Zoning Commission shall hold a public hearing on the application. Notice of such public hearing shall be given by first class mail to property owners within 500 feet of the property line of the property on which the use is proposed and to adjacent property owners other than the applicant regardless of the distance when the applicant owns separate parcel(s) within the 500 feet radius. A "certificate of mailing" shall be obtained from the post office for each mailing. Further notice shall be given in one or more newspapers of general circulation in the Township at least 10 days before the date of said public hearing. All notices shall set forth the time and place of the public hearing and the nature of the proposed development plan. Failure of delivery of such notice shall not invalidate action taken on such application.**

2. **The Zoning Commission may request that the applicant supply additional information deemed necessary to adequately review and evaluate the proposed development.**

3. ~~1~~ The Zoning Commission shall:

- a) Approve the development plan as submitted; or
- b) Approve the development plan subject to specific conditions not included in the plan as submitted, such as, but not limited to:
 - 1) For General Development Plans - improvements to the general lot layout, open space arrangement or on-site control of access to streets;
 - 2) For Final Development Plans – improvements to the lot layout, open space arrangement, on-site control of access to streets, or landscaping specifications.
- c) Deny the development plan because the proposed plan does not meet the requirements and purposes of these regulations. When denied, the Zoning Commission shall indicate the deficiencies and modifications to the development plan that if made would bring the development plan into compliance.

4. ~~2~~ Failure of the Zoning Commission to act within 60 days from the date the application was determined complete, or an extended period as may be agreed upon, shall, at the election of the applicant be deemed a denial of the development plan.

5. **Changes to the approved site plan shall require re-submittal for review pursuant to this Section. The Zoning Commission shall review the changes and determine if the changes are in conformance with this Resolution. Further review by other agencies may be required.**

See below for clean copy

Section 620.02 Proposed (clean copy):

Review of a general development plan and/or final development plan shall be conducted in compliance with the following:

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 - a) All new principal buildings, except single-family dwellings, two-family dwellings, agricultural buildings, or accessory uses associated with those dwellings.
 - b) All new accessory buildings and structures greater than 1200 square feet in size.
 - c) An expansion to an existing building whereby the expansion is greater than 5000 square feet.
 - d) An expansion to an existing building whereby the expansion is greater than 25 percent of the existing floor area.
 - e) An expansion of a parking lot by 10 or more spaces.
 4. New construction of all conditional uses not included in subsections C.1 through C.3.
 5. Alteration or expansion of an existing or previously approved development, including an increase in the number of lots or dwelling units.

Section 620.06 Proposed (clean copy):

Development plans, both general and final, shall be reviewed according to the following procedures.

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 1. If the Zoning Inspector determines that a variance is required, then an application to the Board of Zoning Appeals shall be submitted. Variances shall be reviewed and a decision rendered by the Board of Zoning Appeals prior to approval of the Development Plan Review application by the Zoning Inspector.
 2. Applications for Planned Residential Developments, Planned Commercial Developments, and platted subdivisions shall be forwarded to the Zoning Commission. Other applications may be forwarded to the Zoning Commission if further review is requested by the Zoning Inspector or the applicant.
- B. The application may be transmitted to appropriate township departments, public agencies, or professional consultants for review and comment. Any reports, comments, or expert opinions shall be compiled and reviewed by the Zoning Inspector and, if applicable, shall be transmitted to the appropriate zoning board. Comments from the Zoning Inspector and other review agencies shall be sent to the applicant to make any required revisions. Any cost for review by a consultant shall be the expense of the applicant. The applicant may request an administrative meeting with the Zoning Inspector to review comments.
- C. Action by Zoning Inspector. The Zoning Inspector shall take action on applications for all permitted uses requiring review of development plans, except planned residential developments, planned commercial developments, and platted subdivisions.
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 - a) Approved as submitted; or
 - b) Approved subject to specific conditions not included in the plan as submitted, such as, but not limited to, on-site control of access to streets and landscaping specifications; or

- c) Denied because the proposed plan does not meet the requirements and purposes of these regulations. When denied, the Zoning Inspector shall indicate the deficiencies and modifications to the development plan that if made would bring the development plan into compliance.
 3. Changes to the approved site plan shall require re-submittal for review pursuant to this Section. The Zoning Inspector shall review the changes and determine if the changes are in conformance with this Resolution. Further review by other agencies may be required.
- D. Action By Zoning Commission. The Zoning Commission shall act on applications for planned residential developments, planned commercial developments, and platted subdivisions.
 1. The Zoning Commission shall hold a public hearing on the application. Notice of such public hearing shall be given by first class mail to property owners within 500 feet of the property line of the property on which the use is proposed and to adjacent property owners other than the applicant regardless of the distance when the applicant owns separate parcel(s) within the 500 feet radius. A "certificate of mailing" shall be obtained from the post office for each mailing. Further notice shall be given in one or more newspapers of general circulation in the Township at least 10 days before the date of said public hearing. All notices shall set forth the time and place of the public hearing and the nature of the proposed development plan. Failure of delivery of such notice shall not invalidate action taken on such application.
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 - a) Approve the development plan as submitted; or
 - b) Approve the development plan subject to specific conditions not included in the plan as submitted, such as, but not limited to:
 - 1) For General Development Plans - improvements to the general lot layout, open space arrangement or on-site control of access to streets;
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 - c) Deny the development plan because the proposed plan does not meet the requirements and purposes of these regulations. When denied, the Zoning Commission shall indicate the deficiencies and modifications to the development plan that if made would bring the development plan into compliance.
 4. Failure of the Zoning Commission to act within 60 days from the date the application was determined complete, or an extended

period as may be agreed upon, shall, at the election of the applicant be deemed a denial of the development plan.

5. Changes to the approved site plan shall require re-submittal for review pursuant to this Section. The Zoning Commission shall review the changes and determine if the changes are in conformance with this Resolution. Further review by other agencies may be required.