



Proposed Amendments for Public Hearing

## Zoning Amendment # 2024-010

### Section 450.02 B – Nonconforming Buildings or Structures: Additions, Alterations, and Reconstruction

#### Section 450.02 B Existing:

B. Additions, Alterations, and Reconstruction. A nonconforming building or structure shall be permitted to be altered, added to or enlarged one time only, provided that the addition conforms to the regulations of the district in which it is located. Any such alteration, addition, enlargement or extension shall not exceed 20 percent of the square footage of the floor area of the building or structure as it existed at the effective date of this Resolution, unless the proposed addition would eliminate the non-conforming status of the building or structure on the parcel in which it is located. Where the land contains more than one building or structure, the combined square footage shall be considered.

#### Section 450.02 B Proposed (shown in bold):

B. Additions, Alterations, and Reconstruction. A nonconforming building or structure shall be permitted to be altered, added to or enlarged **one time only**, provided that the addition conforms to the regulations of the district in which it is located. **Any such alteration, addition, enlargement or extension shall not exceed 20 percent of the square footage of the floor area of the building or structure as it existed at the effective date of this Resolution, unless the proposed addition would eliminate the non-conforming status of the building or structure on the parcel in which it is located. Where the land contains more than one building or structure, the combined square footage shall be considered.**

# Zoning Amendment # 2024-011

## Section 230.07 – Fire Protection, Lighting, and Utilities

### Section 230.07 Existing:

SECTION 230.07 FIRE PROTECTION, LIGHTING, AND UTILITIES.

Any residential development requiring a street conforming to the Portage County Subdivision Regulations shall be equipped at all times and comply with the following:

- A. Adequate fire extinguishing equipment and fire hydrants as determined by the Fire Department which serves that area.
- B. Adequate artificial lighting of streets which meet the standards in effect in subdivision allotments in the Township as to number, candle power, location, and type of support.
- C. All utility lines shall be placed underground.

### Section 230.07 Proposed (shown in bold):

SECTION 230.07 FIRE PROTECTION, LIGHTING, ~~AND~~ UTILITIES, **AND ROADS IN SUBDIVISIONS.**

Any residential **or commercial** development requiring a street conforming to the Portage County Subdivision Regulations shall be equipped at all times and comply with the following:

- A. Adequate fire extinguishing equipment and fire hydrants as determined by the Fire Department which serves that area.
- B. ~~Adequate artificial lighting of streets which meet the standards in effect in subdivision allotments in the Township as to number, candle power, location, and type of support.~~ **An adequate layout of streetlights to meet the functional security needs of the proposed land use without adversely affecting adjacent properties or the community. An exterior lighting plan shall be submitted as part of the development plan review process. Any user fees shall be paid for by the HOA.**
- C. All utility lines shall be placed underground.
- D. **Roads shall be built with curb and gutter and shall comply with the minimum road pavement specifications and road cross-sections for curbed roads, in accordance with Section 521 of the Portage County Subdivision Regulations.**

## **Section 620.05 – Final Development Plan Submission Requirements**

### **Section 620.05 Existing:**

An application for final development plan review shall be required for each phase of development. Eight (8) sets of the application and the application fee shall be submitted to the Zoning Inspector. The application shall include the following maps, plans, designs and supplementary documents, unless items are determined by the Zoning Inspector to be inapplicable or unnecessary and are waived in writing by the Zoning Inspector.

- A. An accurate legal description prepared by or certified by a registered surveyor of the state;
- B. A property location map showing existing property lines, easements, utilities and street rights-of-way;
- C. A final development plan, prepared by a qualified professional and drawn to an appropriate scale, indicating the following:
  - 1. Proposed fee simple lots for single-family detached dwellings.
  - 2. Use, location and height of existing and proposed buildings and structures, other than proposed units on fee simple lots;
  - 3. Location of all public rights-of-way and private streets;
  - 4. Location and configuration of off-street parking areas and loading areas; the arrangement of internal and in-out traffic movement including access roads and drives; and lane and other pavement markings to direct and control parking and circulation;
  - 5. Proposed and existing fences, walls, signs, lighting;
  - 6. Location and layout of all proposed and existing outdoor storage areas including storage of waste materials and location of trash receptacles;
  - 7. Sanitary sewers, water and other utilities including fire hydrants, as required, and proposed drainage and storm water management;
  - 8. Dimensions of all buildings, setbacks, parking areas, drives and walkways.
- D. Maps showing existing and proposed grading contours, wooded areas, wetlands and other environmental features;
- E. Preliminary architectural plans for the proposed development or use, showing exterior elevations and building floor plans, prepared by a professional engineer, architect, or surveyor (which shall contain their respective seal).
- F. Proposed landscaping and screening plans indicating the preliminary description of the location and nature of existing and proposed vegetation, landscaping and screening elements and any existing trees to be removed;
- G. Summary table showing total acres of the proposed development; number of acres devoted to each type of use including streets and open space; number of dwelling units by type;

- H. A road culvert permit when required by Section 610.09.
- I. 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, grading and surface draining, floodplain, EPA, fire, and health departments and wetland regulations, if applicable.
- J. Other information necessary for the evaluation of the final development plan as deemed necessary by the Zoning Inspector.

**Section 620.05 Proposed (shown in bold):**

An application for final development plan review shall be required for each phase of development. Eight (8) sets of the application and the application fee shall be submitted to the Zoning Inspector. The application shall include the following maps, plans, designs and supplementary documents, unless items are determined by the Zoning Inspector to be inapplicable or unnecessary and are waived in writing by the Zoning Inspector.

- A. An accurate legal description prepared by or certified by a registered surveyor of the state;
- B. A property location map showing existing property lines, easements, utilities and street rights-of-way;
- C. A final development plan, prepared by a qualified professional and drawn to an appropriate scale, indicating the following:
  - 1. Proposed fee simple lots for single-family detached dwellings.
  - 2. Use, location and height of existing and proposed buildings and structures, other than proposed units on fee simple lots;
  - 3. Location of all public rights-of-way and private streets; **and, for any new roads, a curb-and-gutter road cross-section that meets the minimum road pavement specifications of the Portage County Subdivision Regulations;**
  - 4. Location and configuration of off-street parking areas and loading areas; the arrangement of internal and in-out traffic movement including access roads and drives; and lane and other pavement markings to direct and control parking and circulation;
  - 5. Proposed and existing fences, walls, signs, lighting;
  - 6. Location and layout of all proposed and existing outdoor storage areas including storage of waste materials and location of trash receptacles;
  - 7. Sanitary sewers, water and other utilities including fire hydrants, as required, and proposed drainage and storm water management;
  - 8. Dimensions of all buildings, setbacks, parking areas, drives and walkways.
- D. Maps showing existing and proposed grading contours, wooded areas, wetlands and other environmental features;

- E. Preliminary architectural plans for the proposed development or use, showing exterior elevations and building floor plans, prepared by a professional engineer, architect, or surveyor (which shall contain their respective seal).
- F. Proposed landscaping and screening plans indicating the preliminary description of the location and nature of existing and proposed vegetation, landscaping and screening elements and any existing trees to be removed;
- G. Summary table showing total acres of the proposed development; number of acres devoted to each type of use including streets and open space; number of dwelling units by type;
- H. A road culvert permit when required by Section 610.09.
- I. 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, grading and surface draining, floodplain, EPA, fire, and health departments and wetland regulations, if applicable.
- J. Other information necessary for the evaluation of the final development plan as deemed necessary by the Zoning Inspector.

## **Section 620.07 B – Review Criteria for Planned Residential Developments: Final Development Plan**

### **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, 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.

**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.
  9. **Adequate fire protection, lighting, utilities and roads are provided in accordance with Section 230.07.**

10. A homeowners' association shall be established to maintain any open space within the development.

## **Section 620.07A.B – Review Criteria for Planned Commercial Developments: Final Development Plan**

### **Section 620.07A.B Existing:**

- B. Final Development Plan: For a final development plan, the Zoning Commission shall determine by a majority vote that:
  1. Conditional Uses have been reviewed and approved by the Board of Zoning Appeals.
  2. The final development plan reflects all changes, additions, eliminations, and issues agreed to by both the applicant and the Commission in the approval of the general development plan.
  3. All conditions of the general development plan approval have been satisfied.
  4. Final development studies including but not limited to traffic studies and storm water management studies show results that are acceptable to the Zoning Commission.
  5. The development will have open space areas that meet the objectives of the Comprehensive Plan.
  6. Restricted open space areas are not isolated from one another by unrelated physical obstructions such as buildings and parking areas.
  7. Open space has been distributed throughout the entire development to the maximum extent possible.
  8. Storm drainage is managed, to the extent practicable by maintaining existing natural storm water courses and drainage areas. However, such drainage 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.
  9. The applicant complies with all regulations contained in this resolution that apply to this development plan, which have not been specifically waived or altered by the Commission.

**Section 620.07A.B Proposed (shown in bold):**

- B. Final Development Plan: For a final development plan, the Zoning Commission shall determine by a majority vote that:
1. Conditional Uses have been reviewed and approved by the Board of Zoning Appeals.
  2. The final development plan reflects all changes, additions, eliminations, and issues agreed to by both the applicant and the Commission in the approval of the general development plan.
  3. All conditions of the general development plan approval have been satisfied.
  4. Final development studies including but not limited to traffic studies and storm water management studies show results that are acceptable to the Zoning Commission.
  5. The development will have open space areas that meet the objectives of the Comprehensive Plan.
  6. Restricted open space areas are not isolated from one another by unrelated physical obstructions such as buildings and parking areas.
  7. Open space has been distributed throughout the entire development to the maximum extent possible.
  8. Storm drainage is managed, to the extent practicable by maintaining existing natural storm water courses and drainage areas. However, such drainage 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.
  9. The applicant complies with all regulations contained in this resolution that apply to this development plan, which have not been specifically waived or altered by the Commission.
  10. **Adequate fire protection, lighting, utilities and roads are provided in accordance with Section 230.07.**



# Zoning Amendment # 2024-012

## Section 480.15 – Purpose, Solar Energy Systems

### Section 480.15 Existing:

Small solar systems shall be permitted as an accessory use in all zoning districts in accordance with the requirements of this section.

### Section 480.15 Proposed (shown in bold):

Small solar systems shall be permitted as an accessory use in all zoning districts in accordance with the requirements of this section. **The combined total square footage permitted to be constructed on a parcel shall not exceed ten (10) percent of the parcel's overall size for parcels under ½ of an acre and five (5) percent on parcels over ½ of an acre or 2,178 square feet, whichever is larger.**