

**PLANNING COMMISSION
CITY OF WILLOUGHBY
WORK SESSION
MAY 4, 2017
WORK SESSION MEETING
MINUTES**

PRESENT: R. Fiala; C. Cox; K. Kary; G. Merhar, Chairman

ABSENT: None

OTHERS: Janice Lipscomb, Econ. Development Mgr.; Darryl Keller; Chief Bldg. & Zoning Official

Councilmen: Jerry Ranally, Bob Carr, Bob Harrold; Christopher Woodin

Chairman Merhar called the work session meeting to order at 6:05 p.m.

Janice Lipscomb

ZONING CODE BOOK UPDATE

Mr. Dave Hartt and Mrs. Kris Hopkins represented CT Consultants. Mrs. Hopkins explained the packets that were handed out. She would like to discuss the new chapter with the changes and the primary issues that were remaining from Phase I. The Lakeshore Gateway District is currently a standalone chapter (Chapter 1143), but it is now incorporated into the Business District Chapter (Chapter 1141, Page 92). They kept the Purpose Statement the same but inserted the Lakeshore Gateway District into the Schedule of Permitted Uses. There are minor changes to the list of uses. They have added attached family dwellings and live/work units were added as a conditional use. The philosophy with the Lakeshore Gateway District was that a developer could propose anything in line with the rules that were outlined in the Lakeshore Gateway District through a Development Plan and then there would be some negotiation in terms of setback requirements etc. They developed specific minimum standards similar to the other districts. The standards take into account the fact that the buildings are close to the street and are more compact, more than in other commercial districts. The "PS" (A use listed in Schedule 1131.03 denoted by the letter "PS", is a use permitted by right as a principal use, provided that all requirements of other City Ordinances and this Planning and Zoning Code have been met, including the supplemental use-specific requirements set forth in Chapter 1155.) The column "Use Specific Standards Reference" refers to the specific supplemental use requirements located in Chapter 1155, which is currently called "Conditional Use Requirements". It has been consolidated and contains all of the regulations for gas stations, parks etc. that were not in the Conditional Use chapter but were in the district chapters. On page 100 the Residential Development Standards and Lakeshore Gateway District were basically single family homes and were governed by the R-50 standards with multi-family being governed by residential multi-family with some exceptions. There were duplications in the text, so they wanted to identify those requirements that differ from the R-50 and the R-MF-L low rise. There was some discussion on this. Mrs. Lipscomb would like the two acre minimum requirement removed and would leave it up to the Planning Commission to decide. The minimum acreage is being removed but they are adding the multi-family regulations of eight dwellings per acre in the Lakeshore Gateway District for multi-family. Single family has no minimum lot size and has reduced setbacks. There are landscaping and screening requirements in the Lakeshore Gateway District that were moved to the Landscaping chapter and also a set of Design

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Guidelines for the landscaping chapter that are applicable/useful to everyone who must abide by the landscaping standards. The allowance for modification for parking standards has been moved to the Parking chapter. There were Design Guidelines in the Lakeshore Gateway District that mirrored what was in Chapter 1109, so they were consolidated in Chapter 1181, Design Guidelines. There were other provisions that were in the existing Business Chapter 1141 that effected buildings in the retail business district (e.g. - requiring a certain amount of window area at the street level etc.) that were moved to Chapter 1181. The current code does not define the types of uses such as buildings, districts that are governed by the Design Guidelines. Some of the current Design Guidelines apply mainly to retail districts. She discussed whether they should apply to Industrial Development in industrial districts. In Section 1181.03, the Building Design Standards and Principles that are in the current code would apply to multi-family and business districts. On page 198 there is a section that states "In an industrial district, any building on a lot that abuts Euclid Avenue, Vine Street, Lost Nation, SR 91 or Erie Street shall comply with the design standards set forth in Section 1181.03". Mrs. Lipscomb suggested adding downtown business not located in the historic district. Mr. Fiala made the suggestion that one of the Design Review Board (DRB) members should also be a member of the Planning Commission. Mr. Kary agreed as he was a member of the DRB for many years. Mrs. Hopkins stated the code says, on page 34, as part of the development plan review that a recommendation from the DRB pursuant to the authority and procedures of Chapter 1347 for any proposal related to an historic building or in an historic district. There was some discussion on this subject. Mrs. Hopkins stated they also added a few sustainability considerations (Page 199) that do not mandate anything, but if you want to do these things they are encouraged. The Storm Water Management now allows porous and pervious pavement materials; energy efficient materials and art etc. are permitted. Mr. Fiala asked if someone is asking for a tax abatement or grant can the city ask, as part of the grant application, that they must follow the sustainability standard. Mrs. Hopkins stated yes, anytime you are giving away money you can require it.

Mrs. Hopkins stated in the Amendments section there are two things that were added. There was an issue with a private individual, not related to the city, who wanted to make a text amendment and the code did not permit it, so there is an allowance added for that. The other factors to consider when a text or map amendments are being proposed are on Page 62. Spot zoning was discussed and some examples were given. Mrs. Hopkins stated these factors are intended to help you think through the range of things that would impact whether it is a good decision or not.

Chapter 1345 Environmental Assessment Statements (EAS) page 202. Currently any time a Development Plan is submitted the EAS is required and they are submitted to the Building Department to Mr. Darryl Keller. Mr. Keller then forwards the EAS to the Clerk of Council. The Clerk of Council checks it for completeness and distributes it to administrative personnel and City Council. It then goes to Council with comments and is reviewed, then is sent back to the Planning Commission and back to Council for a final vote. There was some discussion on this subject. Mr. Hartt stated they would like to eliminate one meeting to speed up the process. Council and the administration would send their comments to the Planning Commission and the Planning Commission would review the comments and Council would still have the authority, if there are compelling reasons, to overturn the Planning Commission's recommendation(s) at the end of the

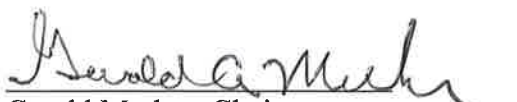
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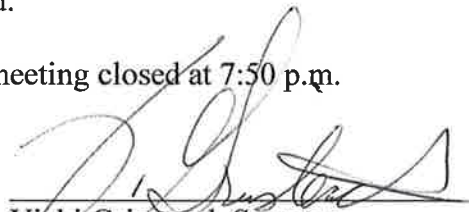
process. There was more discussion on this subject. Mrs. Hopkins stated they also suggest reducing the types of things that require an EAS. If it is a reoccupancy of an of existing building, then it will not need an EAS. Also if there is an approved site plan and they are expanding in any way, including increasing the parking or dwelling units that there should be a threshold. The threshold in which you could increase by would be 20% or less before you need an EAS. An EAS will be required for grading or clearing only in an overlay district and Mr. Keller agreed. The EAS is currently in Chapter 1345 and had been repealed from Chapter 1109 but will be added back to Chapter 1109.

Mr. Keller had addressed the requirements of City Engineer approval prior to issuing a Certificate of Occupancy, which could conflict with the regulations of the Ohio Building Code. Mr. Keller cannot deny occupancy if the applicant has complied with the building code. A change of terminology is proposed. They will change "Certificate of Occupancy" to "Certificate of Zoning Approval". Mr. Fiala stated most communities require a Zoning Certificate to ensure zoning is in compliance, then they obtain the building permit and both are checked at the end. Mrs. Hopkins agreed and this is what they are suggesting. There was discussion on this subject.

On Page 173, Electronic Signs, Mrs. Hopkins stated they added electronic message signs are not permitted in the Downtown Business or Historic Districts. An electronic sign may be a portion of a building sign or freestanding sign, or may comprise the entire area of the sign, and shall not exceed 75% of the total sign area of any sign. The section on portable signs flags (page 176) has been removed and added to the prohibited sign section on page 178. There was some concern about sexually oriented copy and there is a section in the Codified Ordinances that deals with sexually inappropriate material, so there is a reference to that; (Sexually Oriented Copy. No sign shall display any obscene material, or depict or describe any specified sexual activities or specified anatomical areas, as defined by Section 533.01 of the Codified Ordinances.) On page 179, under "Illumination" they added a requirement on illumination at night, but discovered after distribution of the packet, a better way to do the illumination that refers to foot-candles which is an easier form of measurement to take and less expensive. This section will be changed to this form of measurement. On Page 180 they added a section on temporary signs and they need to be made durable, weather-resistant and anchored sufficiently. Mr. Woodin asked if there was any discussion or changes to the fence ordinance and there were no changes made to that section. There was some discussion on this subject. Mr. Woodin would like to see six foot stockade fences be allowed for privacy reasons. The Planning Commission can discuss changing the ordinance to allow stockade fences. Mr. Hartt stated the next step is to have the final draft ready for the Planning Commission to discuss at the second meeting in May. Mr. Ranally asked about a former business that would like to become a winery with a full liquor license in the downtown business district and it is permitted.

There being no further business the Work Session meeting closed at 7:50 p.m.


Gerald Merhar, Chairman


Vicki Grinstead, Secretary