

**PLANNING COMMISSION
CITY OF WILLOUGHBY
WORK SESSION
APRIL 30, 2019
WORK SESSION MEETING
MINUTES**

PRESENT: Jodi McCue; K. Kary, Vice Chairman
ABSENT: S. Norris; C. Cox; M. Wildermuth; Chris Woodin
OTHERS: Darryl Keller; Chief Bldg. & Zoning Official; Thomas Thielman, Comm. Dev. Director
Council Members: John Tomaselli; Bob Carr; Bob Harrold;
Dan Anderson, Katie McNeil; Mayor Fiala

Vice Chairman Kary called the work session meeting to order 6:00 at p.m.

DISCUSSION

Planning Commission

ZONING CODE BOOK UPDATE

Vice Chairman Kary stated if anyone outside of the Planning Commission or Council has any comments they may put them in writing and send them to the Board Secretary, Mrs. Grinstead.

Mrs. Hopkins of CT Consultants presented a packet to the Planning Commission and Council, Zoning Map revisions and an agenda. Mrs. Hopkins had a list of key topics she wished to address in the code. The map presented shows the elimination of the Motor Service and the Commercial Manufacturing Districts. The Overlay Districts that were changed in 2017 are still the same and are on the maps.

No. 1 Sign amendments, Chapter 1163. Non-residential freestanding Signs: Restricting freestanding ground signs (Pg. 184, 190). She included some reductions in the total sign area and changing the formula for how they are calculated (Pg. 185). Pylon signs were eliminated and only ground and pole signs are in the code (Pg. 182). The formula for the way the sign area is calculated is on page 190. The suggested changes for Schedule 1163.06(e) are on page 190. They retained the allowance for the signs at the interchange area. There are allowances for larger sites to have more sign area in C.O. 1163.06(e) in the note/bonus section (a, b, c, d).

Nonconforming Signs: The discussion at the last meeting was if they eliminate pole signs than how do you address the non-conforming signs. In speaking with the law director it was decided if nothing on the sign is changing structurally and they are just changing the sign face, the business will not lose the non-conforming status. There is an amortization of signs with a three-year allowance, but again speaking with the law director, they kept this provision and extended it to six years. The city would have to inventory all non-conforming signs and the time limit allowed, and inform the business owners. The Board of Zoning Appeals can extend this time period. There was a brief discussion on this subject. Mayor Fiala said if there was a visibility issue the city would support this as a hardship. Council and Planning Commission agreed to keep this item as presented.

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Works of Art: The next issue is public art and murals and do these items fall under the sign code. Mrs. Hopkins said for C.O. 1163.09 Signs Exempt from Regulation, they changed it to include historical or commemorative markers, murals etc. (Pg. 199) and she also added a definition under C.O. 1163.02 for Commercial Message (Pg. 181).

There was some discussion on public art as to when and how it can be applied since there is no current ordinance addressing this issue. Mrs. Hopkins stated this should be its own code and Mayor Fiala agreed. This item will be up for review at a future meeting.

No. 2 Strengthen the ability to regulate and monitor changes in businesses in the Historic Downtown: C.O. 1141.03 Offices and financial institutions: conditional uses in the D-B District. On Pg. 99 she suggested making office and financial businesses conditionally permitted in the Historic District and is paired with conditions on Pg. 105. C.O. 1141.10 (is a new section) First Floor Requirements: The city would prefer retail shops, restaurants etc. on the first floor of downtown buildings to attract consumers. On pages 55 and 56 there is currently a provision for a zoning certificate and is differentiated from a zoning permit. Re-occupancy requires zoning certificate. There is a provision in C.O. 1109.11(a)(2) which requires the applicant to obtain a certificate of compliance before occupancy of land or building etc. (Pg. 56).

C.O. 1309.08(6) also added a requirement for vacant storefronts to install visual barriers and to which districts that this would apply (Pg. 222-223).

Section 1347.07 and 1347.08, Clarifies that demolition permit required to obtain a certificate of appropriateness. NOTE: 1347.08(5) allows City Council to delay demolition for up to two years. (Pages 229-230).

No. 3 Regulations pertaining to Use of Houses for Transient Lodging: This section clarifies that any short terms rentals are not a permitted use and are not “grandfathered”. Chapter 1103 Definitions have been revised. Family- primary place of residence, does not include transient housing (Pg. 8). Rooming House- added definition from Chapter 759, (Page 19). Also Chapter 759 (Business Regulations) clarifies that new rooming houses are not permitted (Pages 231-232). Chapter 779 (Business Regulations) clarifies where transient lodging is permitted - hotels, inns and bed and breakfast establishments (Pg. 233).

No. 4 Fences in Residential Districts. 1131.10(i)(1) 40% “openness” required for fences in the front yard (Pg. 81). This was changed from the original 50% openness required. 1131.10(i)(3) Allows shadow box fences and lattice-topped fences (Figure 1131.10(i)(2), Pg. 82). There was a brief discussion on commercial fencing.

No. 5 Zoning Map Amendments. Elimination of the MS-B Motorist Service Business District - rezone parcels to R-B Retail Business. Elimination of the C-M Commercial Manufacturing District - rezone parcels

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to L-I Light Industrial. Added Limited Retail Overlay District to certain parcels zone L-I. Also added Limited Industrial Overlay district to certain parcels zoned G-B. Mrs. Hopkins gave a few examples. This would give flexibility to certain districts.

Mrs. Hopkins said one of the items that is relevant to the discussion is changing the MS district to Retail Business District. The reason for this is the one thing that is not permitted in the Retail Business District are hotels. Hotels and motels are permitted in the General Business District.

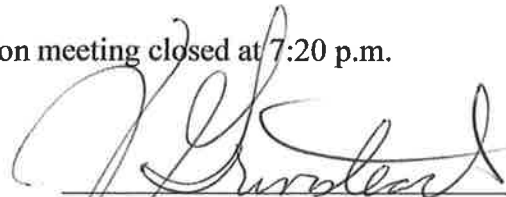
Mr. Carr said his thought would be to rezone it all to General Business. Mrs. Hopkins said this would allow urgent care and medical facilities, microbreweries etc. in this district. The decision was made to rezone it all as General Business with the exception of the corner where the drug store is.

Mayor Fiala wanted to address a few items. The fee for the EAS is not specifically identified, and it was in previously. They would like to know the reason it is not in the code. Mrs. Hopkins said all of the fees were removed, but there should be a notice that there is a fee that is determined by City Council. She said she would research this further.

Mayor Fiala stated the EAS is a city requirement and why is a public notice required, plus there is a cost involved for advertising. Also can the legislative portion be on the same night as the approval of the EAS for City Council. Currently this item has to come before Council twice and they would like to eliminate this step. If there is an issue Council has the ability to table the item.

There being no further business the Work Session meeting closed at 7:20 p.m.


Ken Kary, Vice Chairman


Vicki Grinstead, Secretary