

PLANNING COMMISSION
Regular Meeting
J. V. Stone Council Chambers
100 W. Spring Valley Road
Tuesday, July 28, 2020

At 7:27 p.m., Mr. Clark called the meeting to order and led the Pledge of Allegiance.

ATTENDANCE

Members Present: Paul Clark, Robert Muzechuk, Bill Etson, Amy Korenyi-Both, and Don Stewart.

Also present were City Planner Mark Yandrick, Municipal Attorney Scott Liberman, Assistant City Planner Joey O'Brien, Development Director Michael Norton-Smith, Community Relations Officer John Davis, and Assistant to the Clerk of Council Donna Fiori.

EXCUSE ABSENT MEMBERS

MOTION: Ms. Korenyi-Both moved to excuse Kevin Von Handorf and James Durham from the meeting; seconded by Mr. Muzechuk. The motion passed 5-0.

APPROVAL OF MINUTES

No additions or corrections were noted for the minutes of the Work Session meeting of June 30, 2020.

MOTION: Ms. Korenyi-Both moved to approve the June 30, 2020 Work Session meeting minutes as distributed; seconded by Mr. Stewart. The motion passed 5-0.

No additions or corrections were noted for the minutes of the Planning Commission meeting of June 30, 2020.

MOTION: Mr. Stewart moved to approve the June 30, 2020 Planning Commission meeting minutes as distributed; seconded by Ms. Korenyi-Both. The motion passed 5-0.

PUBLIC HEARINGS

**Application P-2020-0017: Unified Development Ordinance Text Amendments
City Initiated Updates
Mark Yandrick, 100 W. Spring Valley**

Mr. Yandrick introduced Community Relations Officer John Davis. Officer Davis spoke in support of the proposed sign changes from a public safety standpoint related to Electronic Message Centers.

Mr. Yandrick invited comments from Planning Commission as he explained the more substantive changes for the annual clean-up as shown on the distributed memo and powerpoint presentation.

1. Article 9.05.A.9. Sidewalk Sales

Sidewalk Sales from 9.05.A.9.(B)(C) are permitted for a maximum period of time up to three days and no more than five sidewalks sales in a calendar year. This has been often utilized for larger temporary use events spanning multiple days. This is not

business-friendly to furniture stores that typically run on longer events or for small businesses that may run weekly events. The proposal is to modify the number of days in a calendar year to 20 days and not limit the amount of events in a calendar year.

2. Article 9.05.A.10. Mobile Food Vendor

The current Mobile Food Vehicle Vendor regulations of the UDO are confusing and this proposal clarifies the requirements and permits needed.

This also organizes the uses of Mobile Vehicle Vendors to four allowable categories of approval, which makes it easier to understand.

- 1) Industrial and Office Uses
- 2) General Commercial Uses
- 3) Public Parks, Library and Civic Spaces
- 4) Carnival Events

Commission advised to update Table 9.1, Permitted Land Uses in the Base Zoning Districts to include Mobile Food as a permitted use in O-PD.

Mr. Stewart noted to add Centerville before Municipal Code in the last sentence of 9.05.A.10.c.

3. Article 9.05, Table 9.1 Permitted Land Use Table

Craft Breweries, Distilleries, and Microwineries are not listed as a Land Use in the Land Use Table or the UDO. While its use is somewhere between a bar and a craft artisan workshop, there has never been an appropriate classification. The proposal is to permit this land use in the B-2, B-PD, I-1 and I-PD zoning districts, and to require a Conditional Use approval to operate in the APD district.

Media Production and Printing Services are currently listed in the Land Use Table as Industrial Uses but with current technology and trends, these uses are less intense than in previous decades. This proposal would allow Media Production in the O-PD and APD Districts and would allow printing services in the OPD District while requiring a Conditional Use permit within the APD. This should minimally impact residential properties and allow additional uses for these types of businesses in the City.

4. Article 9.13.B. Side and Rear Easements

The requirements for side and rear easements are incorrectly listed under the Minimum Right-Of-Way widths. This proposal keeps the same language but gives its own heading (Article 9.13.K) as a required improvement within the platting process. This change will make it easier for applicants to understand.

5. Article 9.13.H. Fiber Optics

6. Article 9.23.M. Fiber Optics

This proposal adds a 2" fiber optics and necessary pull boxes to an improved roadway or thoroughfare to connect to a future or existing fiber conduit provider. This is helpful to install and connect fiber with the City's new Fiber Optic Ring.

7. Article 9.25.B. Landscape Bonds

This proposal extends the landscape bond required time that the improvements need installed from six months to twelve months with the opportunity for the City Planner to extend this to two years. It would require a City Council approval beyond two years.

While the City requires this bond to approve the Zoning Certificate, it often takes longer on larger projects, such as the current projects at Cornerstone Development. This helps to formalize our code in alignment with some of the needs of development processes.

8. Article 9.29.B.2.c. Hard Paved Surfaces for Recreational Vehicles

This proposal formalizes that recreational vehicles must be parked or stored on a hard paved surface. While this is listed elsewhere within the off-street parking standards, this addition will help with enforcement and transparency to make it clear for recreational vehicle owners.

9. Article 9.29.F. Number of Parking Spaces Required

This proposal formalizes that applicants will need to adhere to the accessible parking spaces from the Ohio Building Code to comply with the American Disabilities Act.

10. Article 9.29.F. Table 9.8 Parking for Barbers, Hair and Tanning Salons

This proposal modifies the parking table for Barbers, Hair and Tanning Salons. The current proposal is 2.0 spaces per sheet or chair and 1.0 space per employee on the largest work shift. Having conversations with many existing and prospective businesses over the last seven years, most salons have stylists working different hours that the business never has each seat in operation at one time. Staff considered that while a stylist could have multiple clients being treated at one time, or a customer waiting for services, that 2.0 is a high requirement. Staff proposes 1.6 spaces per seat or chair while keeping the 1.0 space per employee of the largest work shift

11. Article 9.31.C.5.b. Driveway Dimensions for Single-Family and Two-Family Residences

The current code specifies that driveways must be a minimum of 20' long behind the right-of-way line. This does not specify the regulations if it's a private street and there is not a right-of-way line. The proposal clarifies that it shall be 20' behind the sidewalk or a 30' behind the curb if a sidewalk is not present. The 30' requirement would not require additional pavement than what occurs for a property owner with a public street or private street with a sidewalk.

12. Article 9.39.C.7. Accessory Structures for Larger Parcels

The City's current code only permits accessory structures on a residential property to not exceed 750 total square feet. Unfortunately, this is a disadvantage for larger properties in the city. This proposal allows properties in the R-1a zoning district that are larger than 1.0 acre in lot size to have 1,250 square feet of accessory structures. This larger space may allow a property owner to store larger equipment to maintain a larger property.

13. Article 9.39.D. Pool Setbacks

The current code specifies that pools and all portions must remain setback 10' from side and rear property lines. This is unclear whether this applies to decks and patios adjacent to pools. This clarifies that pools must be 10' away from rear and side property lines while decks and patio shall be at least 5' from side and rear property line and located outside of an easement.

14. Article 9.51.A.5. Purpose of Sign Ordinance

This proposal modifies the purpose of the sign ordinance to account for a revision to permit internal rotation of signs.

15. Article 9.51.C.5. Prohibited Sign Characteristics, Sign Movement

This proposal eliminates this prohibition of sign characters and relocates it within the general provision in both the permanent and temporary signage category. Now that internal rotation is permitted, it streamlines the code to relocate this under the general provisions section of the sign code.

16-17. Article 9.51.D.15-16. Static Fixed Message

The existing language is being relocated to Electronic Message Center regulations in 9.51.G.1.c. to align with other regulations in a central location. Currently a sign, including an electronic message center sign, shall have a constant visual image for 10 minutes. This proposal is to reduce it to one (1) minute. This aligns closer to other communities within the region and allows business more flexibility in temporary sign messaging.

This section is proposed to be replaced with a section that permits internal rotation of a permanent sign. Any other rotation or movement remains prohibited.

18. Article 9.51.D.21. General Provisions: Temporary Signage for new businesses

This proposal allows new businesses that receive Zoning and Occupancy certificates to have 30 days of temporary signage that would not count towards the temporary signage allowance. They wouldn't need a permit but it would need to follow the regulations of the UDO for time, place and manner. This option is valid until six months after the business opens.

19. Article 9.51.G.1.b. Sign movement

This proposal maintains the portion contains to prohibit flashing lights but removes the prohibition from movement of permanent signs.

20. Article 9.51.G.1.c. Electronic Message Centers

This proposal changes the portion of a ground that is an electronic message center from 25% to 60% to allow great flexibility for signage for businesses in the City.

This proposal also relocates the static fixed image and Electronic Message Center Night-Time Illumination sections of the code from General Provisions to this section to have the regulations one consolidated location. In addition, an electronic message center sign shall have a constant visual image for ten minutes. This proposal is to reduce it to one minute. This aligns closer to other communities within the region and allows business more flexibility in temporary sign messaging.

21. Article 9.51.G.4.a. Temporary Ground Signs

For commercial properties outside of the APD, this would increase the amount of days a temporary signs is permitted in a calendar year from 30 to 45 days. This proposal does not modify temporary wall signs allowance in the APD, which still permits up to 30 days per each half-year for an annual total of 60 days.

22. Article 9.51.G.4.b. Temporary Wall Signs

For commercial properties outside of the APD, this would modify the area of a wall sign to 3/10 of the building frontage with a maximum of 40 square feet. As an example, a building with a 100' building frontage, would be allowed a 30 square feet. This modifies the current allowance, which is a blanket 12 square feet, regardless of the building size. Properties in the APD will still be permitted a 12 square foot wall sign.

23-26. Article 11.02 Definitions

Craft Breweries, Distilleries and Microwineries are being added to the Land Use Table and this definition identifies those uses.

Exterior and Internal Rotation are being added as it relates to the permitted and prohibited sign movement.

Commission discussed and agreed the word movement should be removed from the internal rotation definition.

Internal Rotation –The rotation ~~or movement~~ of a sign that does not extend beyond the sign area when in motion.

Pawnshop is not used elsewhere in the Unified Development Ordinance and is being requested to be removed.

The definition of swimming pools excluded private swimming not open to the public and staff felt that this was an oversight error in the definition. The proposed definition aligns with language within 9.39 of the code related to pools.

Mr. Clark opened the public hearing and seeing no speakers, closed it.

MOTION: Mr. Etson moved to recommend approval of the revisions of the UDO to City Council with the corrections as stated; seconded by Mr. Muzechuk. The motion passed 4-1.

COMMUNICATIONS

Mr. Yandrick provided the following communications:


- Staff level discussion with applicants potential work sessions.
- Thanks to Mr. Clark and Mr. Muzechuk for attending City Council Work Session.
- Mr. O'Brien has created a mapping application for residents to view case files.

Mr. Muzechuk inquired if the Speedway project would be going before City Council. Mr. Yandrick stated a record plat for Speedway is anticipated to go before Planning Commission in August or September followed by City Council.

Mr. Clark requested a brief update on the status of Uptown. Mr. Norton-Smith stated COVID-19 has presented a slow down in the progress with the intent for a community informational meeting in the third quarter.

ADJOURNMENT

Seeing no further business, Mr. Clark adjourned the meeting at 7:40 p.m.



Paul Clark, Chair