

**ROOTSTOWN TOWNSHIP
ZONING CODE UPDATE WITH AMENDMENTS
June 2017**

Received: May 2 and 18, 2017

Meeting Date: June 20, 2017

Reviewed by: Todd Peetz

AMENDMENT 1

Section 350.01 Purpose and Section 350.13 Development Plan Review

Proposed Change:

Section 350.01 Existing:

Commercial Districts (R-O, V-C, C-1, C-2, and C-3) and their regulations are established in order to achieve, among others, the following purposes:

- A. To provide in appropriate and convenient locations, sufficient areas for business activities, the exchange of goods and services;
- B. To protect residential neighborhoods adjacent to business and commercial uses by restricting the types of establishments, particularly at the common boundaries, which would create congestion, noise or other objectionable influences;
- C. To protect and stabilize both residential and nonresidential developments from congestion by requiring off-street parking facilities;
- D. To provide a Residential Office District (R-O) that encourages development of professional, administrative and executive offices which are compatible with residential uses, and which serve as transitional uses between more intensive land uses such as major thoroughfares and/or commercial districts, and less intensive uses such as single-family residential development. It is recognized and anticipated that some dwelling units within this district may be converted to office uses.
- E. To provide a Village Center District (V-C) that encourages a mix of uses in a compact, yet cohesive, "village" environment. This district is intended to encourage infill development in the Township's historic "center" by ensuring that new structures can be constructed in the same manner as the existing structures, and to encourage reuse of existing residential structures by retail establishments and offices.
- F. To provide Retail Commercial Districts (C-1) for certain retail and personal service establishments in areas adjacent to residential neighborhoods and to ensure that these areas are developed in a manner appropriate for locations abutting residential areas;
- G. To provide General Commercial Districts (C-2) for commercial services and activities in locations that are adequately served by major streets and other facilities. This district is

established to encourage the grouping of general commercial establishments and to permit limited outdoor activities in areas that are adequately screened from view.

- H. To provide Highway Interchange Districts (C-3) in locations at the freeway interchange for higher intensity commercial establishments that need the locational advantages of highway interchanges such as accessibility, visibility, and nearness to large volumes of passing traffic.
- I. To promote the most desirable and beneficial use of the land in conformity with the Comprehensive Plan.

Section 350.01 I Proposed (shown in bold and underlined):

Commercial Districts (R-O, V-C, C-1, C-2, and C-3) and their regulations are established in order to achieve, among others, the following purposes:

- A. To provide in appropriate and convenient locations, sufficient areas for business activities, the exchange of goods and services;
- B. To protect residential neighborhoods adjacent to business and commercial uses by restricting the types of establishments, particularly at the common boundaries, which would create congestion, noise or other objectionable influences;
- C. To protect and stabilize both residential and nonresidential developments from congestion by requiring off-street parking facilities;
- D. To provide a Residential Office District (R-O) that encourages development of professional, administrative and executive offices which are compatible with residential uses, and which serve as transitional uses between more intensive land uses such as major thoroughfares and/or commercial districts, and less intensive uses such as single-family residential development. It is recognized and anticipated that some dwelling units within this district may be converted to office uses.
- E. To provide a Village Center District (V-C) that encourages a mix of uses in a compact, yet cohesive, "village" environment. This district is intended to encourage infill development in the Township's historic "center" by ensuring that new structures can be constructed in the same manner as the existing structures, and to encourage reuse of existing residential structures by retail establishments and offices.
- F. To provide Retail Commercial Districts (C-1) for certain retail and personal service establishments in areas adjacent to residential neighborhoods and to ensure that these areas are developed in a manner appropriate for locations abutting residential areas;
- G. To provide General Commercial Districts (C-2) for commercial services and activities in locations that are adequately served by major streets and other facilities. This district is established to encourage the grouping of general commercial establishments and to permit limited outdoor activities in areas that are adequately screened from view.
- H. To provide Highway Interchange Districts (C-3) in locations at the freeway interchange for higher intensity commercial establishments that need the locational advantages of highway

interchanges such as accessibility, visibility, and nearness to large volumes of passing traffic.

- I. To promote the most desirable and beneficial use of the land in conformity with the Comprehensive Plan and the Rootstown Township Design Guidelines (2017, as amended).

Section 350.13 Existing:

Uses, buildings and structures in commercial districts shall be permitted only after development plans have been reviewed and approved according to the procedures set forth in Chapter 620.

Section 350.13 Proposed (shown in bold and underlined):

Uses, buildings and structures in commercial districts shall be permitted only after development plans have been reviewed and approved according to the procedures set forth in Chapter 620 and the Rootstown Township Design Guidelines (2017, as amended).

Rationale: To direct applicants in commercial districts to refer to the Rootstown Township Design Guidelines.

Staff Comment: This change is to reflect the recently approved Architectural Guidelines.

Staff Recommendation: Staff recommends approval as submitted.

AMENDMENT 2

**Section 610.03(A) Zoning Certificate Application Requirements
Section 610.12 Commercial and Industrial Certificate of Use
Section 620.05 Final Development Plan Submission Requirements**

Section 610.03 A Existing:

- A. Zoning Certificates for Single-family Dwellings and Uses Accessory Thereto. An application for construction or alteration of a single-family dwelling or use accessory thereto shall include following:
 1. The completed application form, along with the application fee as established by the Trustees.
 2. One copy of a general vicinity map.
 3. Two copies of a plot plan showing the following. Such plans shall be legibly drawn to scale and shall be based on an accurate survey.
 - a) Property boundary lines and the exact dimensions and area of the lot to be built upon or utilized.
 - b) Right-of-way of adjacent streets.

- c) Location, dimensions, height, bulk of all structures to be erected or altered.
 - d) The existing and intended use(s) of all land and buildings.
 - e) Dimensions of yards, driveways, and parking spaces.
- 4. A road culvert permit when required by Section 610.09.
 - 5. 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, floodplain and wetland regulations, if applicable.

Section 610.03 A Proposed (shown in bold and underlined):

- A. Zoning Certificates for Single-family Dwellings and Uses Accessory Thereto. An application for construction or alteration of a single-family dwelling or use accessory thereto shall include following:
 - 1. The completed application form, along with the application fee as established by the Trustees.
 - 2. One copy of a general vicinity map.
 - 3. Two copies of a plot plan showing the following. Such plans shall be legibly drawn to scale and shall be based on an accurate survey.
 - a) Property boundary lines and the exact dimensions and area of the lot to be built upon or utilized.
 - b) Right-of-way of adjacent streets.
 - c) Location, dimensions, height, bulk of all structures to be erected or altered.
 - d) The existing and intended use(s) of all land and buildings.
 - e) Dimensions of yards, driveways, and parking spaces.
 - 4. A road culvert permit when required by Section 610.09.
 - 5. 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, floodplain, **EPA, fire, and health departments** and wetland regulations, if applicable. **Other information necessary for the evaluation of the plan as deemed necessary by the Zoning Inspector.**

Section 610.12 Existing:

No commercial or industrial structure shall be occupied without a township certificate of use prior to opening. This certificate will be for all new businesses, including owner changes, tenant changes, and/or name changes.

Section 610.12 Proposed (shown in bold and underlined):

No commercial or industrial structure shall be occupied without a township certificate of use prior to opening. This certificate will be for all new businesses, including owner changes, tenant changes, and/or name changes. **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. Other information necessary for the evaluation of the plan as deemed necessary by the Zoning Inspector.**

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 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 and underlined):

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.

Rationale: To have consistent requirements for public agency approval for new uses in all zoning districts.

Staff Comment: By combining all three it is easier to see the similarities and differences within the existing text. The proposed amendments essential create a consistent requirement.

Staff Recommendation: Staff recommends approval as submitted.

**SHALERSVILLE TOWNSHIP
ZONING MAP AMENDMENTS
JUNE 2017**

**Received: June 7, 2017
Meeting Date: June 22, 2017
Reviewed by: Todd Peetz**

**Applicant: Daryl & Kurt Guyette,
4023 Lake Rockwell Road
Ravenna, OH 44266**

**AMENDMENT 1
Amend Zoning Map from LI-D Light Industrial
to A/R-R Agricultural Rural Residential District**

PROPOSED/RECOMMENDED CHANGES

The proposed change is to change the Zoning Map from LI-D Light Industrial to A/R-R Agricultural Rural Residential District. The proposed rezoning area is immediately east of the former Ravenswood Golf Course. The amendment area consists of 12.37 acres. The parcel number is: 33-059-00-00-001-000 (12.37 acres) the total area is the subject parcel is 40.59 acres and the balance will remain light industrial.

The information provided by the applicant/township is included in the report as appendix 1. Also see letter from a concerned citizen dated May 31, 2017 at the end of the package.

This proposed amendment is to allow the property owners to be able to sell off a few parcels that front on Lake Rockwell Road. The remainder of the property would remain zoned light industrial. There is additional consideration that the balance of the former Ravenswood Golf Course could also be rezoned at some future date to residential. The proposed area to be rezoned to Agricultural Rural Residential is a depth of 600 feet from Lake Rockwell Road. There is an existing house on the property within the 600 foot area in the middle of the proposed change. The concern from the Airport per their letter is to not allow or encourage more residential in the area. It should be noted that the 600 foot depth is approximately or slightly less than ½ mile from the airport runway. It also should be noted that there is an existing house on the property and adjacent to the property and several houses closer than ½ mile from the airport runway.

Note: *Italics* depict differences between O-C Open Space Conservation and I-1 Industrial Research and Office District zoning

Requirements	LI-D Existing	A/R-R Proposed
Use Type	Light Industrial	Agricultural Residential
Minimum Lot Size	2.5 acres .	2 acres Duplex 2.5 acres.
Minimum Lot Width	200 Feet	150 Feet
Minimum Lot Frontage	80 Feet	<i>150 Feet</i>
Minimum Front Yard Depth	80 Feet	80 Feet
Minimum Rear Yard Depth	50 Feet	<i>25 Feet</i>
Minimum Side Yard Depth	25 Feet 50 Feet Abutting Residential	20 Feet.
Maximum Building Height	45 Feet *The maximum height of any building, structure, tower, tree or pole shall not exceed the height regulations established by the Portage County Regional Airport Authority and/or the Federal Aviation Administration.	<i>35 Feet</i>
Minimum Living Floor Area	N/A	<i>1,200 sq. ft. single 2,400 sq. ft. duplex</i>
Minimum Open Space	N/A	N/A.

Surrounding Zoning:

North	East	South	West
LI-D Light Industrial District	A/R-R Agricultural Rural Residential	Light industrial and rural residential, in Ravenna Township	LI-D Light Industrial

Surrounding Existing Land Uses:

North	East	South	West
Vacant Undeveloped and Airport	Residential	Residential and Agriculture	Vacant former Ravenswood Golf Course closed

The subject parcel is 898 feet wide with the proposed minimum lot width of 150 feet that would allow only 5 lots to be created.

TRANSPORTATION

Based on five (5) lots the number of trips and one existing home the number of trips would be negligible especially with the decrease in trips to the former golf course.

WATER AND SEWER RESOURCES

Water and Sewer is not available at the site, but could be extended.

NATURAL RESOURCES

There are hydric soils on the east side of the subject parcel, but they are not listed as wetlands. The remainder of the subject area has no environmental limitations.

COMMENTS

The proposed zoning change does not appear to alter the character of the area. The concern is the proximity to the Portage County Regional Airport. The Airport Board is strongly opposed to the zoning change being that any new housing may only add to conflicts dealing with noise in the area.

There is an existing house on the subject property and homes adjacent to the east of the subject property. The property line is approximately and slightly less than ½ mile from the airport runway. There are no wetlands or flood plains associated with the subject property.

The applicant was prudent to split the parcel zoning to provide a buffer from the airport property. We do not believe that adding a residential development on the former Ravenswood Golf Course would be compatible with the existing airport.

Our dilemma is there are already residential homes in this vicinity. We could recommend approval as long as the new homes were ½ mile or more from the airport runway. The FAA guidelines suggest that 65 decibels or less are compatible with residential. We were unable to find the noise contours associated with the Portage County Airport.

RECOMMENDATION

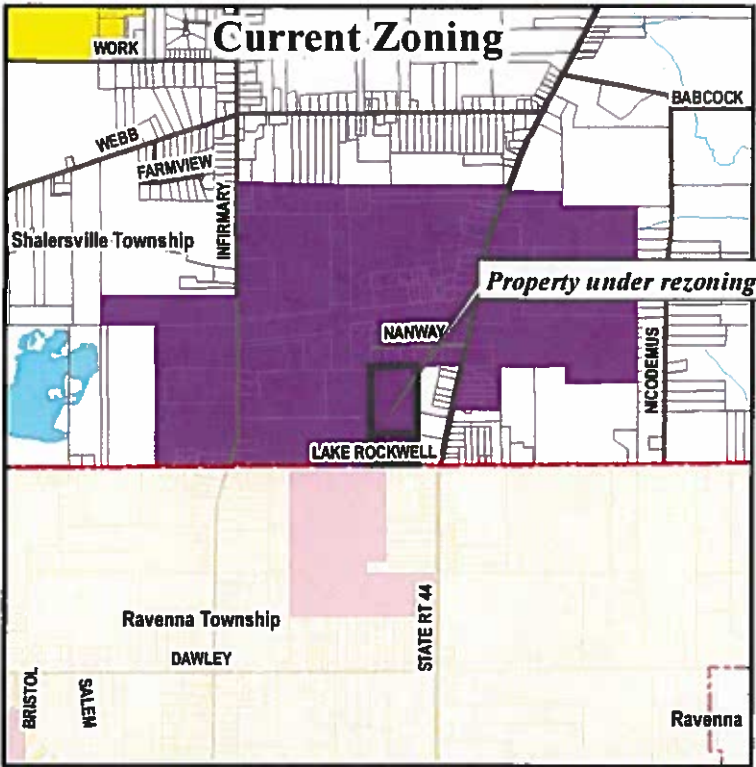
Staff would recommend approval, but also would recommend a residential building separation of approximately ½ mile or 65 decibels or less from the airport runway.

Proposed Rezoning

Shalersville Township

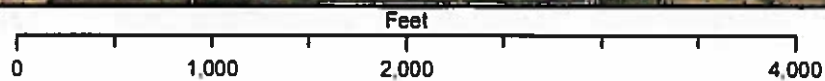
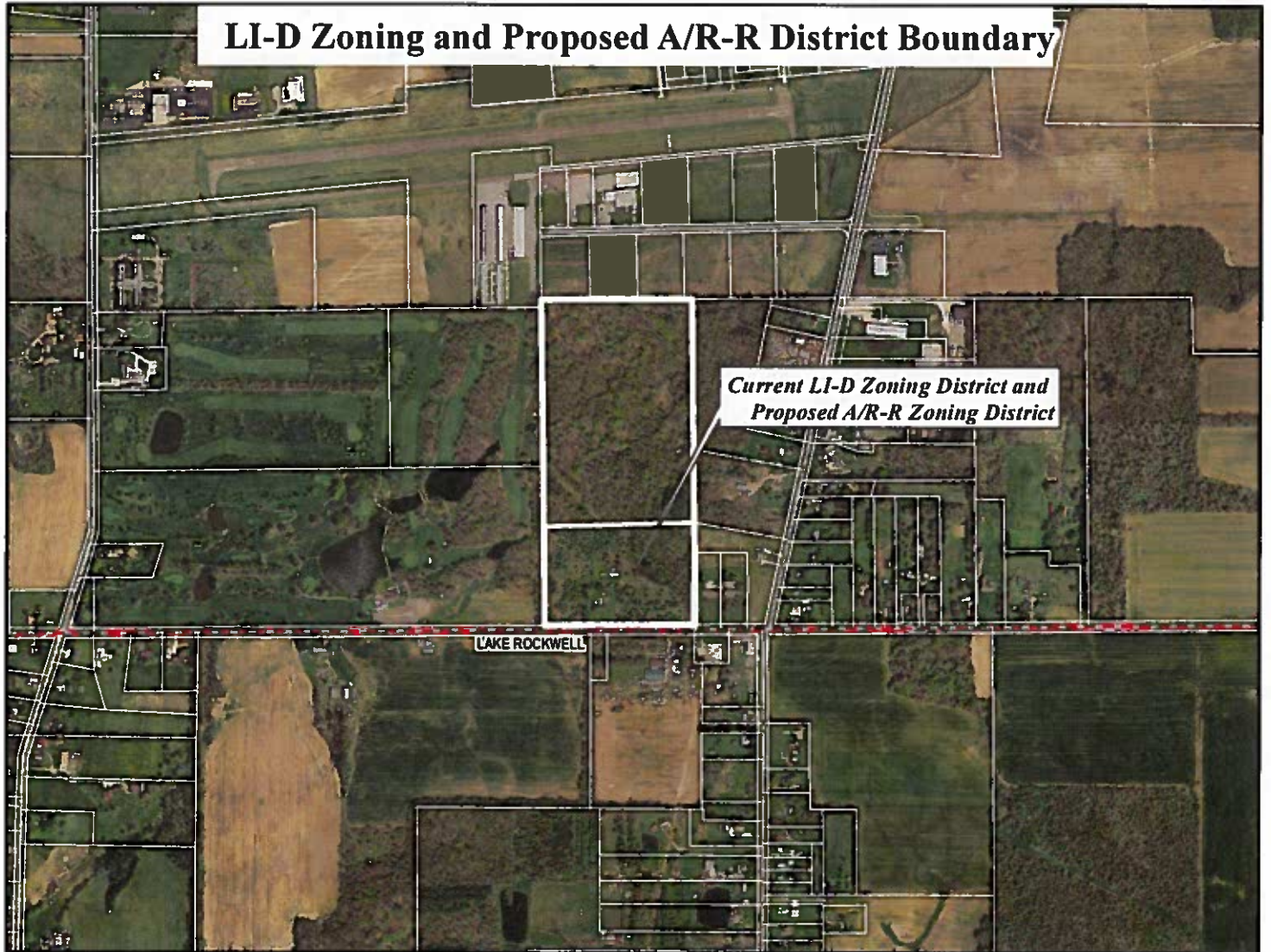


-  A/R-R Agricultural/Rural Residential
-  L-R Low Density Residential
-  R-2 Low Density Residential w/sewer
-  N-C Neighborhood Commercial
-  M-R Mixed Residential
-  LI-D Light Industrial

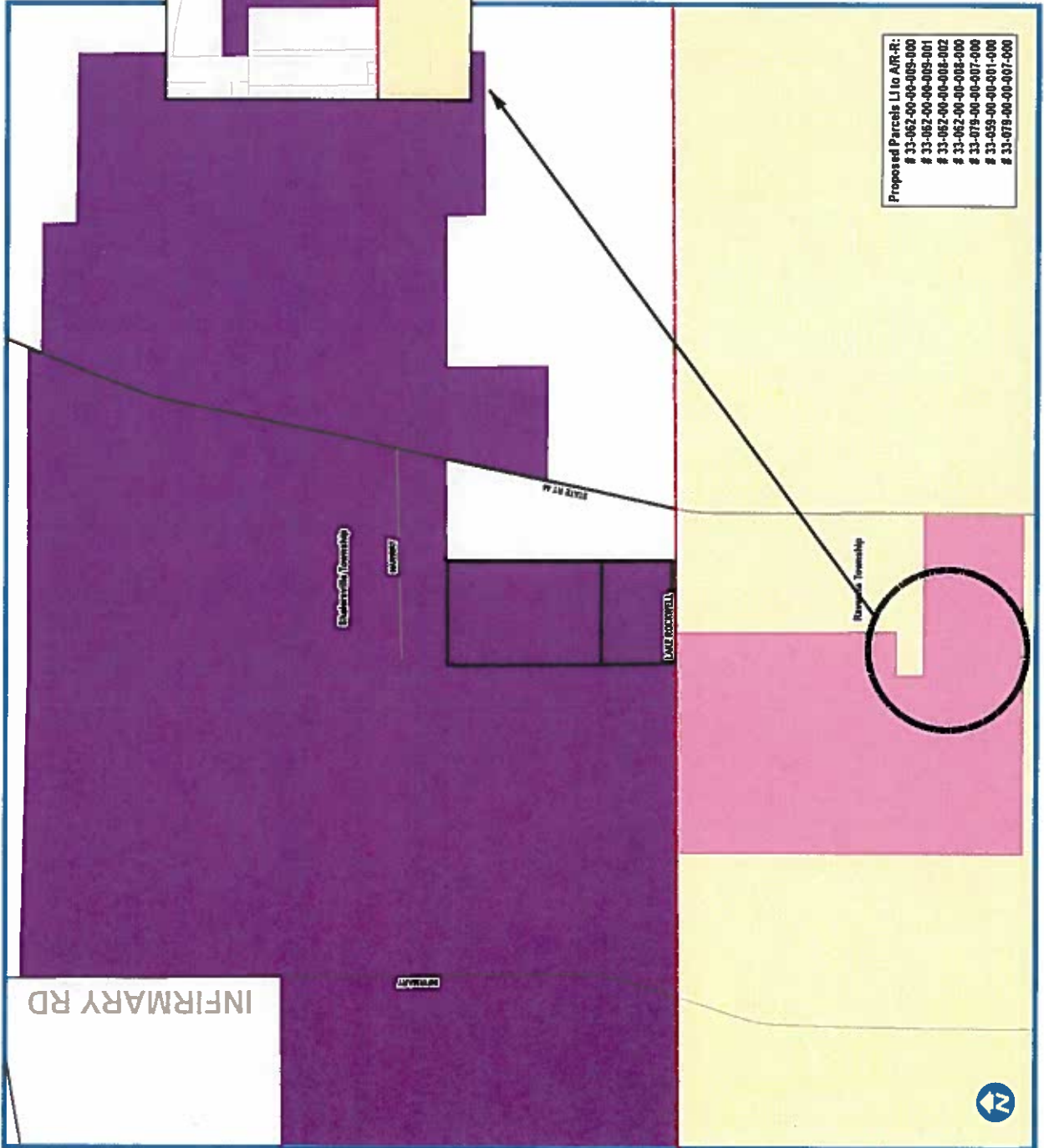


LI-D Zoning and Proposed A/R-R District Boundary

Current LI-D Zoning District and Proposed A/R-R Zoning District



Shalersville Township Zoning Change



Proposed Parcel LI to AR-R:
 # 33-062-00-00-005-000
 # 33-062-00-00-005-001
 # 33-062-00-00-005-002
 # 33-062-00-00-005-000
 # 33-079-00-00-007-000
 # 33-059-00-00-001-000
 # 33-079-00-00-007-000

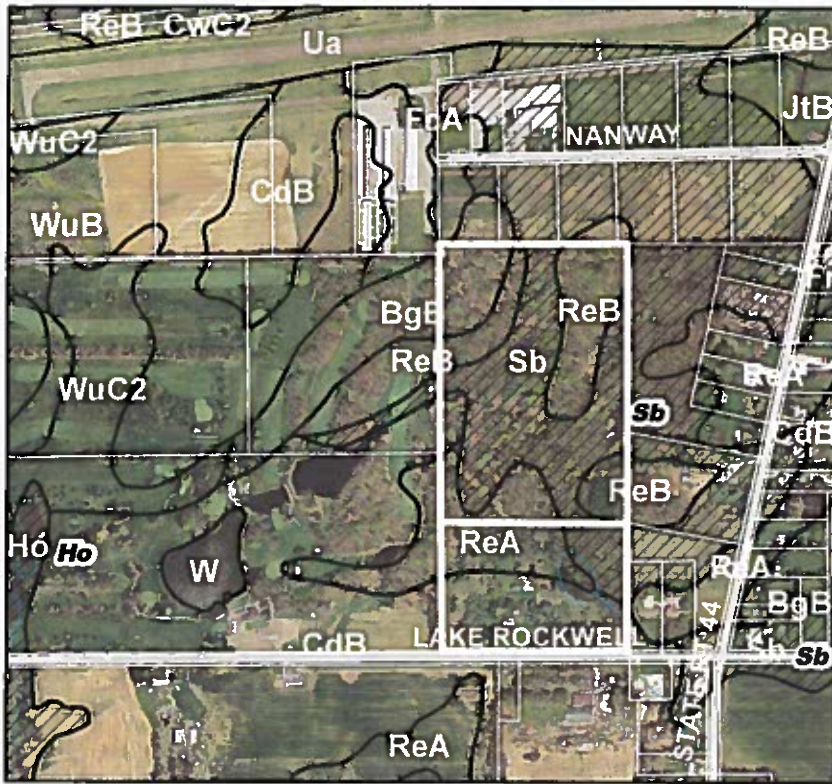
- AR-R Agricultural/Rural Residential
- L-R Low Density Residential
- R-2 Low Density Residential w/sewer
- N-C Neighborhood Commercial
- M-R Mixed Residential
- LI-D Light Industrial




Sources: Parcels, roads, Portage County GIS, January 2017;
 Zoning districts, Shalersville Township, 2015.
 Prepared by Portage County Regional Planning Commission,
 May 2017.

Soils, Wetlands, Flood Hazard Areas & Priority Conservation Areas

Shalersville Township Rezoning

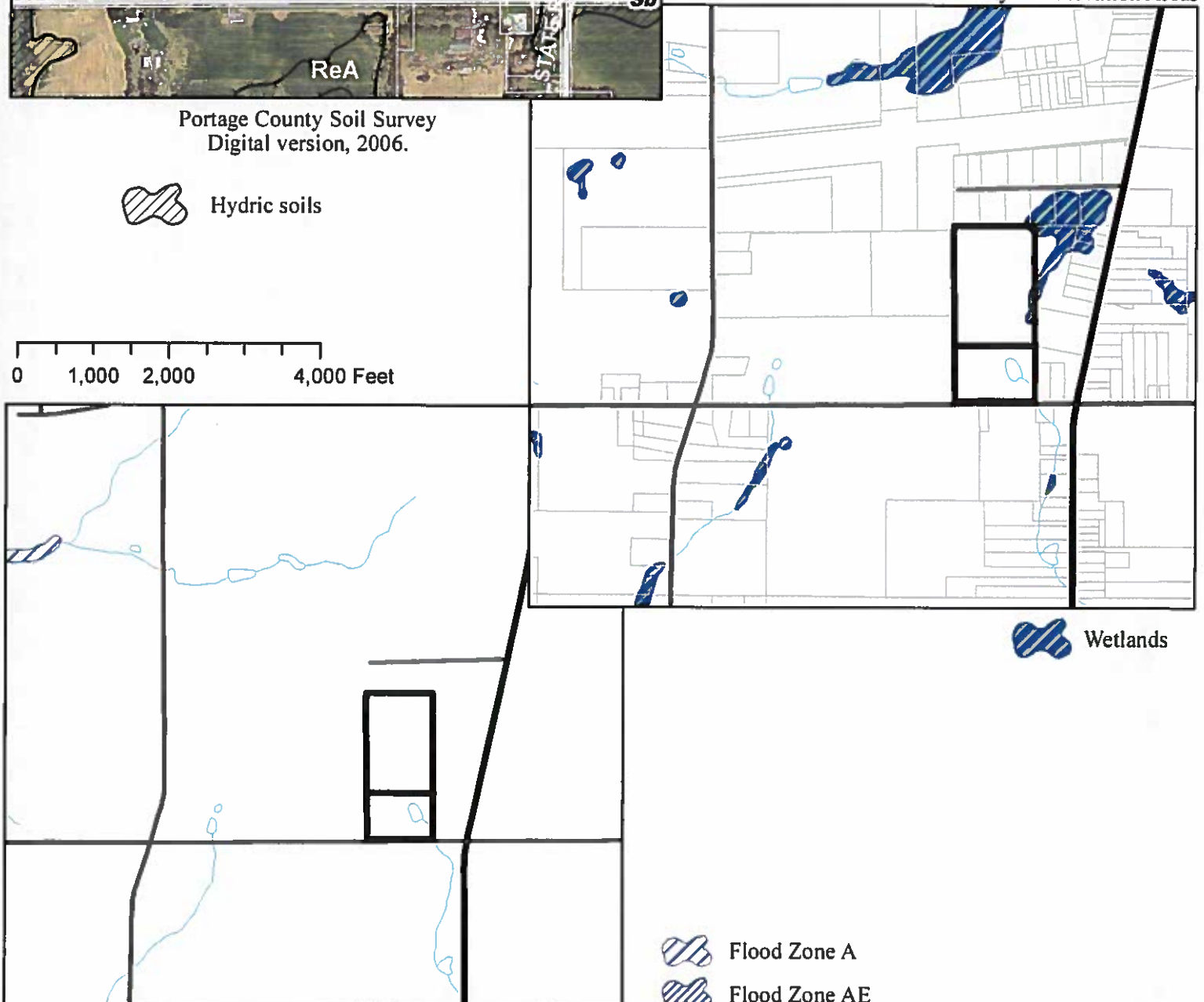


Portage County Soil Survey
Digital version, 2006.

 Hydric soils

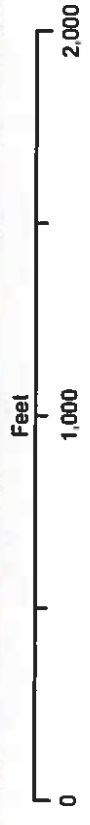
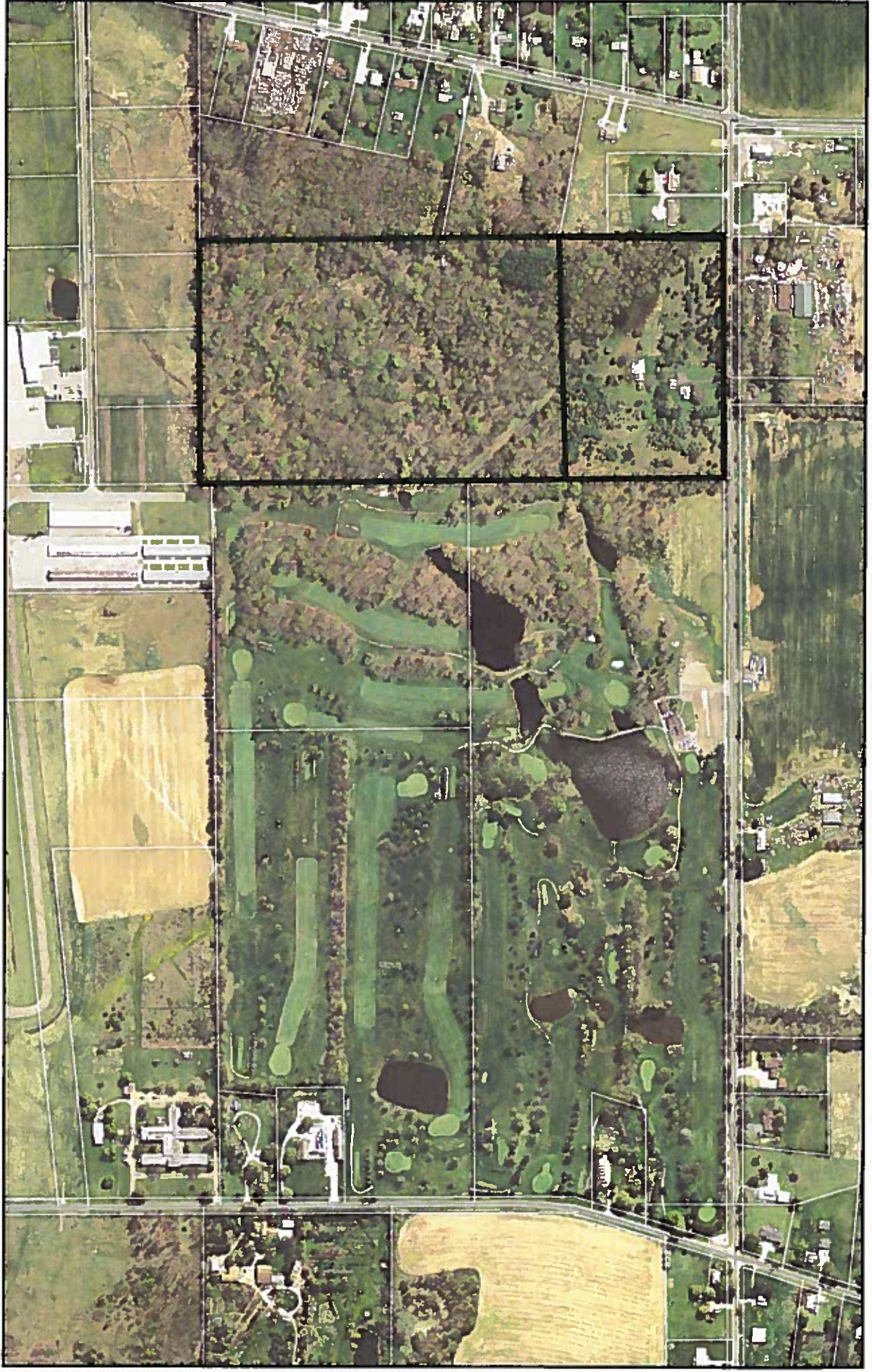
0 1,000 2,000 4,000 Feet

Wetlands & Priority Conservation Areas



Existing Land & Proposed A/R-R District Infirmiry Rd.

Shalersville Township





May 31, 2017

Mr. Todd Peetz
Director
Portage County Regional Planning Commission
124 N Prospect St
Ravenna, OH 44266

Dear Todd

It has come to our attention that the property formerly operated as Ravenswood Golf Course is being considered, or being petitioned, for a zoning change. We believe the property is currently zoned as light industrial.

As a Board, we need to voice our concern for any consideration of this property for residential zoning / development. The property lies adjacent to the Portage County Regional Airport and directly beneath aircraft traffic patterns. If developed residentially it would create conflicts between homeowners, aircraft operators, aviation business and the airport in perpetuity.

It is clear the best use of the property is, as zoned, for light industrial development given its immediate access to the transportation infrastructure (Airport, Turnpike, I76) and the proximity to utility tie-ins. As a light industrial property, it would be in concert with aviation operations from Portage County Regional Airport and would contribute to the tax base, growth and development of Shalersville Township and Portage County.

The Board appreciates your consideration in this matter. Please let me know if you have any questions or if you require any additional information.

Sincerely
Portage County Regional Airport Authority

A handwritten signature in black ink, appearing to read "Chris Gilmore", written over a light blue horizontal line.




Chris Gilmore
President, Board of Trustees

cc Nancy Vines, Shalersville Township Trustee
Ronald Kotkowski, Shalersville Zoning Commission
Portage County Regional Airport Board of Trustees

4039 Nanway Blvd, Ravenna, OH 44266
Phone: (330) 298-3277
www.flykpov.com



Land Use Noise Sensitivity Matrix

		55-65 DNL	65-75 DNL	75+ DNL
 Residential	1-2 Family			
	Multi-Family			
	Mobile Homes			
	Dorms, etc.			
 Institutional	Churches			
	Schools			
	Hospitals			
	Nursing Homes			
	Libraries			
 Recreational	Sports/Play			
	Arts/Instructional			
Commercial	Camping			
Commercial	All Uses			
Industrial	All Uses			
Agricultural	All Uses			

PER FAR PART 150	COMPATIBLE	
	INCOMPATIBLE	

X:\FAA\LAND USE\THE LAND USE MATRIX.COR DATE: OCT 1995

SHALERSVILLE TOWNSHIP
ZONING CODE UPDATE WITH AMENDMENTS
JUNE 2017

Received: June 7, 2017
Meeting Date: June 22, 2017
Reviewed by: Todd Peetz

Overview:

The following amendments are being proposed by Shalersville Township to address natural disaster situations where a residential structure is damaged or destroyed. The Township would like to amend the following sections consistently in their zoning book. This does not include new residential structures.

AMENDMENT 1

Proposed Amendment:

Remove the following from “conditional” and make it a “permitted”.

Sections 311(G); 321(G); 332(G); 342(F); 352(G) and 362(D)

G. Temporary building or trailer for dwelling purposes while a permanent dwelling is being reconstructed following a fire or other natural disaster. ~~for a period of one (1) year with option of one (1) additional year. The dwelling structure shall be removed from the premises after the two (2) year period, subject to Subsection 101.~~

Add in Sections 310(F); 320(F); 331(D); 341(M); 351(L) and 361(J)

Staff Comment:

This is revising an existing policy so the applicants do not have to go through the conditional use process. The Zoning Commission would like to allow structures destroyed by fire or natural disasters to be allowed to quickly secure their property and not make them wait 30 plus days to go through a conditional hearing and the expense of it. My only cautionary comment is the proposed amendment as we received would indicate they are removing the time line for how long a temporary trailer can stay on the property. We would recommend leaving the time line in there so that reconstruction is done in a timely manner.

Staff Recommendation: Staff recommends approval with the suggestion of leaving the time requirements in the text.

AMENDMENT 2

Proposed Amendment:

Add Section 511 Non-Conforming Uses

Non-Conforming Structures Destroyed by Natural Disasters. Non-conforming residential or commercial uses or structures destroyed beyond the control of the owner (i.e.; flood, windstorm, fire, snow, ice, rain, earthquake, or other such disaster) may be repaired or replaced. If replaced, it shall be replaced by a structure of an equal or better condition than the original non-conforming structure or comply with the current Zoning Resolution. Such structures shall be completed within a period of one (1) year from the date of the damage or destruction.

Staff Comment:

They are using the language that Rootstown is using for their non-conforming uses. This is partially brought on as a result of lending practices being stricter and wanting assurances that the asset being a home can be rebuilt as a non-conforming structure. This language helps to ease the concerns from lending institutions.

Staff Recommendation: Staff recommends approval as submitted.