

6/5/19

TO: Northfield Center Township Trustees
FROM: Northfield Center Township Zoning Commission
RE: Proposed Text Amendments

At their Regular Meeting held on 5/13/19, the Zoning Commission moved to recommend to the Trustees for their approval, the proposed text amendments to the following sections of the Northfield Center Township Zoning Resolution:

Chapter 130 "Definitions", adding multiple definitions regarding different types of signs and a new definition of "buffer zone."

Chapter 420 "Sign Regulations", replacing entire chapter with newly proposed text.

Chapter 430 "Landscaping and Screening", proposed text to Section 430.04.

Chapter 640 "Appeals and Variances", proposed text to Section 640.03.

Chapter 660, "Amendments", proposed text to Section 660.03.



**ILENE
SHAPIRO**
COUNTY EXECUTIVE

May 9, 2019

Judy Flauto
Township Secretary
546 Brandywine
Northfield Center,
Ohio 44067-2494

Re: Amendments of Chapter 130 Definitions, Signs

Dear Ms Flauto:

The purpose of a review by a County or Regional Planning Commission, of proposed Township zoning text amendment as required by Section 519.12 of the Ohio Revised Code, is to assist the Township Zoning Commission by providing it with recommendations based on expert opinion, and/or planning and development considerations that often extend beyond township boundaries and which might not be obvious from the local point of view. It is not the function or the intent of the County of Summit Planning Commission to dictate local policies or to regulate the decisions of local governing bodies. It is in the spirit of assistance and advice that the Summit County Planning Commission will consider the proposed zoning text amendment that was submitted for review.

The Summit County Planning Commission took action at its last meeting held on April 25, 2019. The actions concerned the Northfield Center Township Zoning Commission proposal to amend Chapter 130 Definitions, signs.

RECOMMENDATION: Staff recommended to the County of Summit Planning Commission that the requested text amendment be **APPROVED** with due consideration to staff comments.

ACTION: After proper review and due consideration, the Summit County Planning Commission recommended that the proposed text amendment, be **APPROVED** with due consideration to staff comments and to have legal counsel review before township approval.

In order to keep our records current, the Department of Community and Economic Development, Planning Division requests that a copy of the proposed amendments be sent to this office, if and when they are approved by the Township Trustees.

Respectfully submitted,



Stephen Knittel

Senior Administrator

County of Summit Department of Community and Economic Development

Cc: Allen Mavrides

Dennis Tubbs

File

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Proposed text amendments to Chapter 130 “Definitions”:

Remove the current definition for “Electronic Message Sign”

Remove the current definition for “Sign”

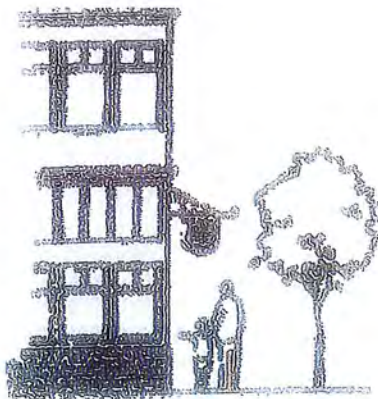
Add the following definitions to Chapter 130:

A-Frame or Sandwich Board Sign: A sign made of wood, cardboard, plastic or other lightweight and rigid material having the capability to stand on its own rigid supporting frame in the form of a triangle or an inverted V and being portable and movable. Also known as a sandwich board sign.



Awning Sign: any hood or awning made of cloth or with metal frames attached to a building and supported by the ground or sidewalk.

Blade or Projecting Sign: a sign that is attached to the wall of a building and is perpendicular to the flow of either pedestrian or vehicular traffic.



Bulletin Board: an announcement sign which directs attention to and is located on the lot of a public or semipublic institution.

Canopy Sign: a sign attached to the soffit or fascia of a canopy, covered entrance or walkway, or to a permanent awning or marquee.



Changeable Copy Sign: a sign designed to display multiple or changing messages whether by manual, mechanical or electronic means. Such signs are characterized by changeable letters, symbols or numerals that are not permanently affixed to the structure, framing or background allowing the letters, characters, or graphics to be modified from time to time manually or by electronic or mechanical devices. Electronically changed signs may include either electronic message boards or digital displays and are defined separately.



Dilapidation: Dilapidation includes any sign where elements of the sign area or background have portions of the finished material missing, broken, peeling or illegible; where the structural support is visibly bent, broken, dented, rusted, peeling, corroded, or loose; or where the sign or its elements are not in compliance with the adopted electrical code and/or the Building and Housing Code.

Directional: A sign indicating a direction or location to which traffic, whether pedestrian or vehicular, is requested to move within the parcel for the purpose of traffic control and public safety.

Electronic Sign: A changeable copy sign for which the text, letters, numbers, pictures, or symbols forming the informational portion of the sign consists of flashing, intermittent, or moving lights, including any LED screen or any other type of video display. This definition does not include signs that have internal or indirect illumination that is kept stationary or constant in intensity and color at all times when such sign is in use or any government sign located within the right-of-way that functions as a traffic-control device and is described and identified in the Ohio Manual of Uniform Traffic Control Devices.



Free-Standing Ground Sign: A stationary sign which is not affixed to a building or supported by a pole or poles. It may be supported from the ground by means of a free-standing wall, monument, or other structural support system.

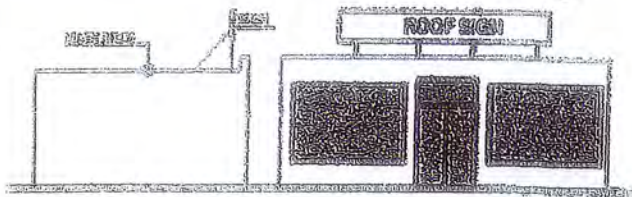


Marquee Sign: A sign attached to the soffit or fascia of a marquee, to a roof over entrance or to a permanent awning.



Permanent Sign: A sign permanently affixed or attached to the ground or a structure and which cannot be removed without special handling, such as removing or dismantling the foundation or a portion thereof, fasteners, adhesives or similar materials providing support or structural integrity for the sign.

Roof Sign: A sign placed, inscribed or supported upon a roof or upon any structure which extends above the roof line of any building.



Sign: Any display, figure, painting, drawing, placard, poster or other device, visible from a public way, which is designed, intended or used to convey a message, advertise, inform or direct attention to a person, institution, organization, activity, place, object or product. It may be a structure or part thereof or it may be painted on or attached directly or indirectly to a structure. It may be painted on stone or be formed out of shrubbery.

Sign Area: For a freestanding sign, is the space enclosed within the extreme edges of the sign for each sign face, not including the supporting structure. For a Wall or Panel sign, where attached directly to a building wall or surface, the space within the outline enclosing all the characters of the words, numbers or design.

Sign Face: The entire display surface area of a sign upon, against, or through which copy is placed.

Temporary: A banner, pennant, poster, or advertising display constructed of paper, cloth, canvas, plastic sheet, cardboard, wallboard, plywood, or other like materials that appears to be intended or is determined by the Zoning Inspector to be displayed for a limited period of time.

Wall or Panel Sign: A sign integral with the exterior face of an exterior wall of a building or attached to the wall or parallel with the wall and projecting not more than twelve inches therefrom.

Window Sign: A sign painted, attached or affixed to the interior or exterior surface of a window or door of a building.



**LENE
SHAPIRO**
COUNTY EXECUTIVE

May 9, 2019

Judy Flauto
Township Secretary
546 Brandywine
Northfield Center,
Ohio 44067-2494

Re: Amendments of Chapter 420 Signs

Dear Ms Flauto:

The purpose of a review by a County or Regional Planning Commission, of proposed Township zoning text amendment as required by Section 519.12 of the Ohio Revised Code, is to assist the Township Zoning Commission by providing it with recommendations based on expert opinion, and/or planning and development considerations that often extend beyond township boundaries and which might not be obvious from the local point of view. It is not the function or the intent of the County of Summit Planning Commission to dictate local policies or to regulate the decisions of local governing bodies. It is in the spirit of assistance and advice that the Summit County Planning Commission will consider the proposed zoning text amendment that was submitted for review.

The Summit County Planning Commission took action at its last meeting held on April 25, 2019. The actions concerned the Northfield Center Township Zoning Commission proposal to rewrite Chapter 420 Signs.

RECOMMENDATION: Staff recommended to the County of Summit Planning Commission that the requested text amendment be **APPROVED** with *due consideration to staff comments*.

ACTION: After proper review and due consideration, the Summit County Planning Commission recommended that the proposed text amendment, be **APPROVED** with *due consideration to staff comments*, to have legal counsel review before township approval and to ensure visibility not only at street corners but also at driveways.

In order to keep our records current, the Department of Community and Economic Development, Planning Division requests that a copy of the proposed amendments be sent to this office, if and when they are approved by the Township Trustees.

Respectfully submitted,



Stephen Knittel

Senior Administrator

County of Summit Department of Community and Economic Development

Cc: Allen Mavrides

Dennis Tubbs

File

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REPLACE CURRENT CHAPTER 420 "SIGN REGULATIONS" OF THE NORTHFIELD CENTER TOWNSHIP ZONING RESOLUTION WITH THE FOLLOWING NEW CHAPTER 420:

**CHAPTER
420
Sign
Regulations**

420.01 PURPOSES.

The purpose of this chapter is to provide for the type, design, location and size of signs and to regulate their installation and maintenance, in order to:

- (a) Promote and maintain attractive and high-quality Residential Districts and promote attractive public facilities;
- (b) Provide for reasonable and appropriate methods for identifying establishments in business and industrial districts by relating the size, type and design of signs to the size, type and design of the business and industrial establishments;
- (c) Promote the public health, safety and welfare by avoiding conflicts between signs and traffic control devices, avoiding traffic hazards and reducing visual distractions and obstructions;
- (d) Control the design of signs so that their appearance will be aesthetically harmonious with an overall urban design for the area by:
 - 1. Assuring the appropriate design, architectural scale and placement of signs;
 - 2. Assuring that signs are placed in an orderly and attractive manner on the building or the site;
 - 3. Assuring that the amount of information on the sign is legible and achieves the intended purpose.
- (e) Promote the most desirable developments and economic activity in accordance with the objectives of the Township; and
- (f) Protect property values.

420.02 COMPLIANCE; APPLICATION OF CHAPTER.

- (a) Signs shall be designed, erected, altered, reconstructed, moved and maintained, in whole or in part, in accordance with the provisions of this chapter.
- (b) The construction, erection, safety and maintenance of all signs shall be in accordance with this chapter, but the provisions of this chapter shall not amend or in any way interfere with the codes, rules or regulations governing traffic signs within the Township.

- (c) The display of official public notices, or the flag, emblem or insignia of an official governmental body, shall not be governed by the provisions of this chapter.

420.03 PROHIBITED SIGNS.

Signs shall be permitted in each use district and regulated as to type, size and location as provided in this chapter. Unless otherwise specifically permitted herein, the following signs are prohibited in all districts.

- (a) Pennants, ribbons, streamers, strings of light bulbs, spinners, feathered flag banner or sign or other similar devices;
- (b) Mobile, portable, or wheeled signs;
- (c) Signs placed on parked vehicles or trailers for the purpose of advertising a product or business located on the same or adjacent property, excepting an identification sign which is affixed to a vehicle regularly operated in the pursuance of day-to-day business or activity of an enterprise;
- (d) Roof signs;
- (e) Inflatable images;
- (f) Signs containing flashing, moving, intermittent, or running lights or which imitate traffic control devices provided, however, that changeable copy signs shall be permitted as regulated by this ordinance;
- (g) Signs which employ any part or element which revolves, rotates, whirls, spins, flutters or otherwise makes use of motion to attract attention;
- (h) Beacons or searchlights;
- (i) High intensity strobe lights;
- (j) Signs which hang less than eight and one-half (8.5) feet above a pedestrian walkway or less than fourteen (14) feet above a vehicular path;
- (k) Window signs except as specifically authorized herein; and
- (l) Window frame lighting: light emitting diode or other types of bar, string, or strand lighting, whether white or another color, within or directly outside of window frames of their buildings.
- (m) Neon unless used in window signs or as approved by the Zoning Inspector.

420.04 PERMIT REQUIRED.

- (a) A zoning permit is required prior to the display, erection or alteration of any sign except as otherwise provided in this Chapter. Repairs or maintenance not involving structural or electrical changes may be permitted without obtaining a permit.
- (b) Routine maintenance or changing parts of signs shall not be considered an alteration of a sign, provided that the maintenance or change of parts does

not alter the type of installation, surface area, heights, or otherwise make the sign non-conforming.

- (c) Applications for sign permits shall be made upon forms provided by the Zoning Inspector.
- (d) Upon determining that a sign application is complete and accurate, the Zoning Inspector shall approve the application.
- (e) Any sign application which requires a variance shall first be submitted to the Board of Zoning Appeals for consideration.
- (f) No signs except highway safety signs shall extend into any right-of-way.

420.05 VALIDITY OF PERMIT.

If the work authorized under a sign permit has not been completed within one (1) year after the date of issuance, the permit shall become null and void.

420.06 FEES.

Fees for sign permits shall be charged in accordance with the schedule of sign fees as established by Trustee resolution.

420.07 REVOCATION.

The Zoning Inspector is hereby authorized to revoke any permit issued by him upon failure of the holder thereof to comply with any provisions of this chapter.

420.08 FAILURE TO OBTAIN A PERMIT.

Any person who erects, alters or moves a permanent sign after the effective date of this Chapter without obtaining a permit as required by this section, shall be subject to a penalty under Section 690.04.

420.09 PERMITS NOT REQUIRED.

Signs which do not require a zoning permit include:

- (a) Official notices or advertisements posted or displayed by or under the direction of any public or court officer in the performance of official or directed duties, provided, that all such signs must be removed no more than ten (10) days after their purpose has been accomplished.
- (b) Any sign wholly within the confines of a building and oriented so as to be out of view from outside the building.
- (c) One sign per entrance door in a non-residential district which shall be limited to two (2) square feet in size and located within five (5) square feet of the entrance door.
- (d) Signs located within the grounds of public facilities such as baseball fields, stadiums, community centers, and other public facilities placed by a

governmental entity.

- (e) Any sign not expressly requiring a permit under this chapter.
- (f) Sign faces that are visible from the public right of way but are not intended for public view and are not discernible in message due to the small size of the sign's text, copy, or graphics as viewed from the public Right of Way. Such signs shall not exceed twelve (12) square feet in area and shall not exceed 6 feet in height.
- (g) Signs that are an integral part of the original construction of vending or similar machines, fuel pumps, or similar devices;
- (h) Signs that are constructed of paper, cloth, or similar expendable material, attached to the inside of a window, do not exceed 8 square feet in sign face area, and do not cover more than 25% of the area of the window pane; and
- (i) Temporary Ground Signs as regulated in Residential districts set forth in Sections 420.12 and 420.13.
- (j) Political yard signs and political advertising signs protected by the First Amendment of the United States Constitution.

420.10 MEASUREMENT DETERMINATIONS.

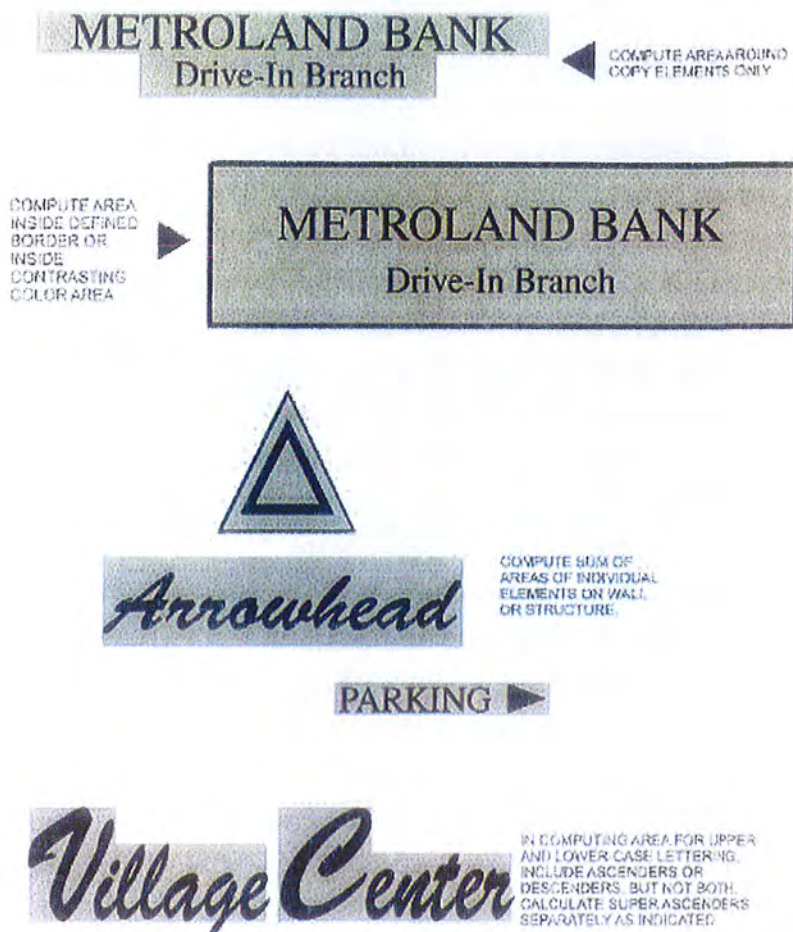
The following shall be the basis for determining sign area, sign height, and building or tenant frontage.

(a) Sign Area and Dimensions.

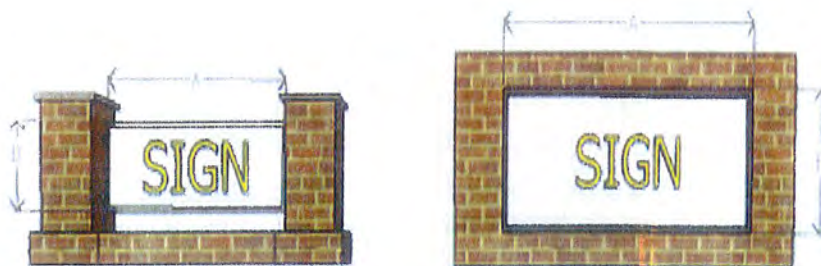
Sign area shall include the entire face of the sign from edge to edge, including any frame or structure around the perimeter of the sign, provided however, that a proportional framing or structure around the display area may be excluded by the Planning Commission.

- (1) For a sign comprised of individual letters, figures or elements on a wall or similar surface of a building or structure, or an irregular shaped free-standing sign, the area of the sign shall be the area of not more than three (3) adjacent regular geometric shapes that encompasses the perimeter of all the elements in the display. Regular geometric shapes are squares, rectangles, circles, ovals, triangles, and trapezoids.
- (2) When separate elements are organized to form a single sign, but the elements are separated by open space, the area of the sign shall include the space between the elements.

SIGN AREA — COMPUTATION METHODOLOGY



(3) For free-standing signs:



- A. The sign area shall be computed by the measurement of one (1) of the faces when two (2) identical display faces are joined, are parallel or are within 30 degrees of being parallel to each other and are at no point separated by a distance that exceeds two feet.
- B. The portion of a solid sign base, up to a maximum height of two (2) feet,

nor three (3) feet in height each.

B. Wall Signs

1. One per street frontage not to exceed forty (40) square feet in area.

(2) Temporary Signs

A. One temporary wall banner not to exceed thirty-two (32) square feet may be displayed for no longer than 30 consecutive days. No more than 4 temporary wall banners may be displayed in any one year.

B. A total of twelve (12) square feet of temporary freestanding signs not more than four (4) feet in height. No single sign shall be larger than six (6) square feet. The total number of signs is not limited provided the signs are in compliance with the maximum amount of area permitted.

(3) No sign shall be erected closer than fifteen (15) feet from the street right of way line or within six (6) feet of any property line. Signs shall not obstruct the visibility at street corners.

(4) Permanent signs permitted by this section may be externally illuminated provided the external illumination of the sign shall not be of excessive brightness and shall be designed and shielded so as to prevent glare and minimize light trespass onto adjacent properties and to prevent view of the light source from any adjoining residential property and/or vehicles traveling on public rights-of-way.

420.13 SIGNS PERMITTED IN B-R RESIDENTIAL DISTRICTS.

(a) The following sign regulations are established for residential uses in the R-2 Multiple Family and R-3 Townhouse Districts. Permits shall be required for the following signs:

(1) Permanent Signs

A. Freestanding Signs

1. One (1) permanent free-standing sign not greater than twenty-four (24) square feet in area nor six (6) feet in height shall be permitted at each entrance to a Multiple Family or townhouse development.

2. Two permanent free-standing signs, neither of which shall be more than one (1) square foot in area nor three (3) feet in height.

3. Two (2) Directional signs not more than three (3) square feet in area nor three (3) feet in height each.

B. Wall Signs

1. One per street frontage not to exceed forty (40) square feet in area.

(2) Temporary Signs

- A. A total of 12 square feet of temporary signs not more than four (4) feet in height. No single sign shall be larger than six (6) square feet. The total number of signs is not limited provided the signs are in compliance with the maximum amount of area permitted.
 - B. One temporary free-standing sign not exceeding thirty-two (32) square feet in area nor six (6) feet in height may be erected during active construction of a residential subdivision development, provided that no such sign shall be displayed for longer than two (2) years.
- (3) Permanent signs permitted by this section may be externally illuminated provided the external illumination of the sign shall not be of excessive brightness and shall be designed and shielded so as to prevent glare and minimize light trespass onto adjacent properties and to prevent view of the light source from any adjoining residential property and/or vehicles traveling on public rights-of-way.
- (4) No sign shall be erected closer than fifteen (15) feet from the street right of way line or within six (6) feet of any property line. Signs shall not obstruct the visibility at street corners.

420.14 SIGNS PERMITTED IN THE T-C, C-1, C-4 BUSINESS DISTRICTS.

(a) The following sign regulations are established for uses in the B-1 Retail Business District:

- (1) Area of Signage. The total area of all permanent signs for each use, building, or land under common ownership or control shall not exceed one (1) square foot for each lineal foot of the building wall or facade which faces the principal street or contains the main entrance.

(2) Permanent Signs

A. Freestanding

1. Each building is permitted one freestanding sign on a base no larger than 8x8 feet. Such sign shall not exceed ten (10) feet in height, and the lowest horizontal projecting feature of the sign shall not be less than eight (8) feet above grade. The freestanding sign shall not exceed thirty-two (32) square feet in area. Signs shall not be located closer than ten (10) feet to a front property line, or five (5) feet from a side property line.

2. Properties that have multiple freestanding buildings on the same parcel and have a shared entrance and exit shall be permitted one ground sign for each building, provided such building is a minimum of 2,500 square feet in gross floor area. Each sign shall be in conformance with the requirements of this section.

B. Wall Signs

1. The maximum sign area for a wall sign shall be one (1) square foot per one (1) linear foot of store front.
2. Buildings with frontage on two or more public streets shall be permitted an additional sign on each secondary frontage provided the sign shall not exceed twenty-five percent (25%) of the area of the sign permitted on the primary frontage. In no case shall the area of the signs exceed the total amount of signage permitted on the site.
3. No more than one (1) wall sign shall be permitted per building frontage or individual tenant space.
4. Wall signs shall be affixed flat to the wall of the building and not project more than one (1) foot.
5. Signs in the T-C, C-1 and C-4 Districts may be illuminated only in conformance with Section 420.11 "D".

C. Canopy or Awning Signs

1. Canopy or awning signs are subject to the same size regulations for wall signs and shall not exceed an area equal to twenty-five percent (25%) of the canopy or awning.
2. If a canopy or awning and wall sign are used in conjunction with each other, the total square footage of both signs must be added together to determine the total square footage permitted. Such signs shall also conform to requirements of 420.14

D. Directional Signs

1. No more than two (2) permanent freestanding directional signs not exceeding three (3) square feet in area and located not more than three (3) feet above grade shall be permitted at each access drive to the site.

(2) Temporary Signs

- A. Temporary signs may be displayed for no longer than 30 consecutive days. No more than 4 temporary signs may be displayed in any one year. In multi-tenant buildings or properties with multiple buildings, the property owner shall be a joint applicant for all permits for each temporary sign.
 - B. Each building is permitted one temporary wall banner not to exceed 24 square feet.
 - C. Each building is permitted one temporary freestanding sign per tenant not more than six (6) square feet in area nor three (3) feet in height.
3. Window signs

- A. The total area of all window signs, inclusive of both permanent and temporary, shall not exceed twenty-five (25) percent of the area of a single window.
 - B. Illuminated signs, which may include neon and LED shall not be greater than ten (10) percent of a single window. The intensity shall not be a distraction to the motoring public.
 - C. For purposes of this section, a single window shall include the entire area of glass with a separation between the glass panes less than four (4) inches.
4. "A" Frame or Sandwich Board Signs
- A. "A" frame or Sandwich Board signs shall be limited to two (2) feet in width and three (3) feet in height.
 - B. Businesses are permitted one (1) "A" Frame or Sandwich Board sign which must be located on the property on which the business is located.
 - C. All "A" Frame or Sandwich Board signs must be removed at the end of each business day and may only be displayed during the posted hours the business is open.
 - D. "A" Frame or Sandwich Board signs shall not be located on the public sidewalk or within the right-of-way.
 - E. Such signs shall be located not more than five (5) feet from the right-of-way to the business and shall not block sight visibility from a public street or driveway.
 - F. Signs located on private sidewalks or pedestrian paths must provide a minimum of five (5) feet clear area for passage of pedestrians.
 - G. For multi-tenant commercial buildings, one (1) sign per tenant is permitted with a minimum of twenty (20) feet separation maintained between signs.
 - H. No attachments, illumination, banners, balloons, ribbons, flags or moving parts are permitted with the sign.

420.15 SIGNS PERMITTED IN THE I-1 INDUSTRIAL DISTRICT.

- (a) The following sign regulations are established for uses in the I-1 Industrial District:
 - (1) Signs shall be permitted in the I-1 Industrial District as authorized and approved by the Zoning Inspector. The Zoning Inspector shall have sole authority to establish the size, design, character, height, number, style and location of all signage within the I-1 District.
 - (2) Permits shall be required for signs in the I-1 District. No permit shall be issued without the approval of the Zoning Inspector.

420.16 NONCONFORMING SIGNS.

- (a) Signs which were legally in existence prior to the effective date of this Chapter, but which do not conform with the provisions hereof, may be maintained as a matter of right.
- (b) Normal maintenance such as painting, cleaning, or minor repairs to the sign face shall be permitted on all such nonconforming signs.
- (c) Relocation or replacement of a nonconforming sign or any alteration in the size or structure of such sign or a change in the mechanical facilities, type of illumination or sign face material, shall cause the sign to lose its status as legally nonconforming and said sign shall be immediately brought into compliance with this Chapter.
- (d) If more than 50% of the sign area is damaged, it shall be repaired to conform to this Chapter.
- (e) If a non-conforming sign ceases to be used for any reason for a continuous period of six (6) months, the non-conforming sign shall be eliminated and the sign shall thereafter be required to comply with the requirements of this Chapter.
- (f) For the purpose of amortization, these signs may be continued from the effective date of this Chapter for a period not to exceed five (5) years.

420.17 PENALTY.

Refer to Chapter 690.04 of the Northfield Center Township Zoning Resolution.



**ILENE
SHAPIRO**
COUNTY EXECUTIVE

May 9, 2019

Judy Flauto
Township Secretary
546 Brandywine
Northfield Center,
Ohio 44067-2494

Re: Amendments of Chapter 430 Landscaping and Screening Requirements and Chapter 130 Definitions

Dear Ms Flauto:

The purpose of a review by a County or Regional Planning Commission, of proposed Township zoning text amendment as required by Section 519.12 of the Ohio Revised Code, is to assist the Township Zoning Commission by providing it with recommendations based on expert opinion, and/or planning and development considerations that often extend beyond township boundaries and which might not be obvious from the local point of view. It is not the function or the intent of the County of Summit Planning Commission to dictate local policies or to regulate the decisions of local governing bodies. It is in the spirit of assistance and advice that the Summit County Planning Commission will consider the proposed zoning text amendment that was submitted for review.

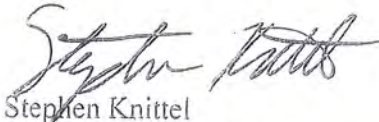
The Summit County Planning Commission took action at its last meeting held on April 25, 2019. The actions concerned the Northfield Center Township Zoning Commission proposal to amend Chapter 430 Landscaping and Screening Requirements and Chapter 130 Definitions

RECOMMENDATION: Staff recommended to the County of Summit Planning Commission that the requested text amendment be **DISAPPROVED** with due consideration to staff comments.

ACTION: After proper review and due consideration, the Summit County Planning Commission recommended that the proposed text amendment, be **APPROVED** with due consideration to staff comments, add definition of "Landscape Area", the proposed definition of "Buffer Zone" is not straight forward and should be rewritten.

In order to keep our records current, the Department of Community and Economic Development, Planning Division requests that a copy of the proposed amendments be sent to this office, if and when they are approved by the Township Trustees.

Respectfully submitted,



Stephen Knittel

Senior Administrator

County of Summit Department of Community and Economic Development

Cc: Allen Mavrides

Dennis Tubbs

File

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County of Summit - The High Point of Ohio
Planning Commission
Zoning Text Amendment
Buffering & Screening
Northfield Center Township

Item No.: 7
Meeting: April 25, 2019
Applicant: Northfield Center Township Zoning Commission
Proposal: **Buffering & Screening**
Processor: Stephen Knittel

Proposal: The applicant has proposed that the Northfield Center Township Zoning Resolution Chapter 430 Landscaping and Screening Requirements Section 430.04 be amended to add text regulating screening of residential areas from commercial and industrial areas and that the Chapter 130 Definitions be amended to have a new definition of "Buffer Zone".

Proposed Text Amendments: Text that is ~~struck through~~ is text proposed for deletion, new proposed text is underlined.

BUFFER ZONE:

The purpose of a buffer is to create a visual and/or physical barrier between conflicting, incompatible and/or visually undesirable land uses and to obscure the view of outdoor storage, rubbish areas, dumpsters, parking, loading areas or structures. A buffer may be an earthen berm, a fence, a wall, natural vegetation or a combination of the above.

Sec. 430.04 SCREENING AND BUFFERING OF RESIDENTIAL.

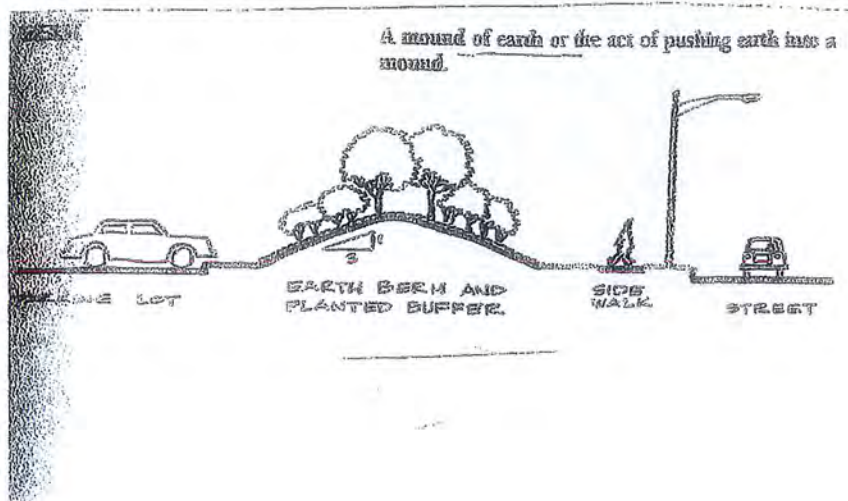
When a lot in any Business-Residential, Commercial or Industrial District abuts a Residential District and for all nonresidential uses permitted as a conditional use in a residential district, screening and buffering along the entire length of the common boundary shall be provided in accordance with the following regulations.

- A. Width of Buffer Zone. Each required buffer zone shall have a minimum width equal to the parking setback required for the district in which the lot is located.
- B. Buffer Zone Requirements. The buffer zone shall be preserved and maintained in accordance with the following:
 1. A minimum of 35% of the buffer zone shall be preserved, left undisturbed in its natural state.
 2. Not more than 15% of the buffer zone may be disturbed during construction of the development. Upon completion of construction, the disturbed area

shall be planted with trees, shrubs and/or other ornamental plantings. Fences shall be permitted to be erected within this disturbed area.

3. When the natural vegetation within the required buffer zone does not form a solid continuous visual screen or does not have a minimum height of 6 feet along the entire length of the common boundary of the residential district or property, screening in compliance with the following shall be installed:

- a) Screening. Screening within the buffer zone shall consist of one (1) or a combination of two (2) or more of the following:
- 1) A dense vegetative planting incorporating trees and/or shrubs of a variety that shall be equally effective in winter and summer. Trees and/or shrubs shall be adequately spaced to form a solid continuous visual screen within three years after the initial installation.
 - 2) A non-living opaque structure, such as a solid masonry wall, or a solid fence, that is compatible with the principal structure.
 - 3) A fence with openings through which light and air pass, together with a landscaped area at least ten feet wide.
 - 4) A maintained, landscaped earthen-mound at least 5 feet wide.
- b) Height of Screening. The height of screening shall comply with the following:
- ~~1) Visual screening walls, fences, or mounds and fences in combination shall be a minimum of 6 feet high measured from the natural grade, in order to accomplish the desired screening effect.~~
 1. Visual screening walls, fences, or mounds and fences in combination shall be a minimum of six (6) feet high, measured from the natural grade, and evergreen plantings shall be planted at a maximum distance of ten (10) feet on center to provide an effective buffer unless otherwise specified.
 - 2) Vegetation shall be a minimum of 6 feet high measured from the natural grade, in order to accomplish the desired screening effect. The required height shall be achieved no later than twelve months after the initial installation.
- c) Placement of Screening. The location of the wall, fence, or vegetation shall be placed within the buffer zone to maximize the screening effect.
- d) Screening Responsibility. In the event land is rezoned from an industrial district to an O-C, R-1, or R-2 residential district so that the newly established residential district abuts an existing industrial



Summary of the changes proposed:

- Proposed new definition of "Buffering" to Chapter 130 "Definitions", to replace current definition of "Buffer Zone."
- Add proposed text for Chapter 430, Section 430.04: Screening of residential areas from commercial and industrial areas.

Staff Comments: Staff has several comments:

- Specify the types of trees and shrubs and hedges, otherwise the desired screening may not be achieved until after a few seasons of growth.
- Consider additional placement of trees, staggered rows of trees would offer greater screening than a single row.
- The steepness of the berm proposed, a base of 20 feet and a height of 6 feet, may be detrimental to vegetation growing on the berm and may be prone to erosion.
- Consider adding additional details about the distance between planted trees and distance of tree plantings from signs, lights, fire hydrants etc.
- The proposed section 4 starts with "The earthen berm" is this the same as the earthen-mound mentioned in 430.04(B)3a)4) ? That earthen-mound is required to be at least 5 feet wide while the proposed earthen berm is requiring a minimum of 20 feet.
- The section of proposed text "4 a. Screening" is very similar to existing text 430.04(B)3a) was the intent to have this text replace 430.04(B)3a)?

The proposed text combined with existing text in the section is confusing and not clear when the proposed section 4 is supposed to apply versus when the existing text.

Recommendation: Staff recommends to the Summit County Planning Commission that the proposed text amendments be **DISAPPROVE** with due consideration to staff comments.

district, it shall be the responsibility of the newly created residential property to provide the screening and buffering required in this Section. The required screening and buffering shall be located in the buffer yard required by Section 310.06E on the residential property abutting the industrial district, and shall be maintained by the residential property owner(s).

- e) Buffer Zone Plan. The buffer zone plan shall be specific to the type of screening option to be used.

4. The earthen berm shall be a minimum of 6 feet in height, and a minimum width of 20 feet. The height shall be measured from the natural grade.

- a. Screening: screening within the buffer zone shall consist of one (1) or a combination of two (2) or more of the following:

- 1. A dense vegetative planting incorporating trees and/or shrubs of a variety that shall be equally effective in winter and summer. Trees and/or shrubs shall be adequately spaced to form a solid, continuous visual screen within three (3) years of the initial installation.
- 2. A non-living opaque structure, such as a solid masonry wall, or a solid fence, that is compatible with the principal structure.
- 3. A fence with openings through which light and air pass, together with a landscaped area, at least ten (10) feet wide.
- 4. Shrubs and hedges shall be used to fill in between evergreen trees to ensure screening is effective.
- 5. The current owner shall maintain the required landscaping in good and healthy condition. In the event any required landscape material dies or is destroyed, it shall be replaced within six (6) months. Replacement material shall conform to the original intent of the landscape plan.
- 6. Ground cover shall be used and maintained on the berm to prevent erosion of the berm.
- 7. The evergreen screening shall be a minimum of six (6) feet in height at time of planting.

- b. Height of Screening: the height of screening shall comply with the following:

- 1. Visual screening walls, fences, or mounds and fences in combination shall be a minimum of six (6) feet high, measured from the natural grade, and evergreen plantings shall be planted at a maximum distance of ten (10) feet on center to provide an effective buffer unless otherwise specified.

* originally proposed to Planning Commission.

Proposed new definition of "Buffer Zone" to Chapter 130 "Definitions", # 20 to replace current definition of "Buffer Zone."

BUFFER ZONE:

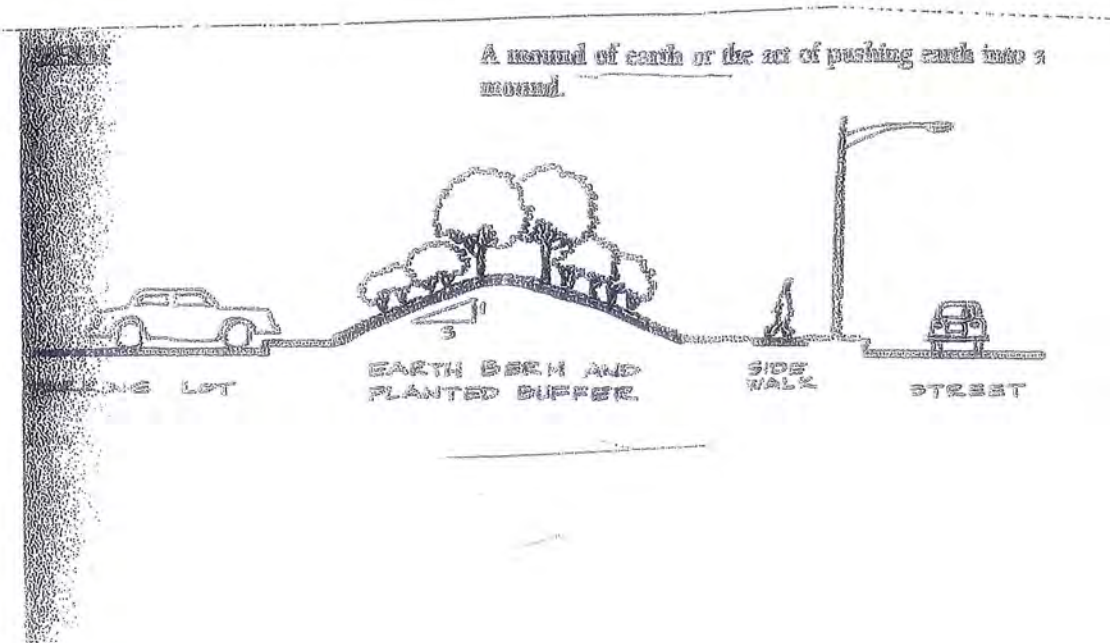
The purpose of a buffer is to create a visual and/or physical barrier between conflicting, incompatible and/or visually undesirable land uses and to obscure the view of outdoor storage, rubbish areas, dumpsters, parking, loading areas or structures. A buffer may be an earthen berm, a fence, a wall, natural vegetation or a combination of the above.

ADD A NEW # 4 and new letter "a" numbers 1-7, and also replacing the letter "b" #1 IN SECTION 430.04, to read:

4. The earthen berm shall be a minimum of 6 feet in height, and a minimum width of 20 feet. The height shall be measured from the natural grade.
 - a. Screening: screening within the buffer zone shall consist of one (1) or a combination of two (2) or more of the following:
 1. A dense vegetative planting incorporating trees and/or shrubs of a variety that shall be equally effective in winter and summer. Trees and/or shrubs shall be adequately spaced to form a solid, continuous visual screen within three (3) years of the initial installation.
 2. A non-living opaque structure, such as a solid masonry wall, or a solid fence, that is compatible with the principal structure.
 3. A fence with openings through which light and air pass, together with a landscaped area, at least ten (10) feet wide.
 4. Shrubs and hedges shall be used to fill in between evergreen trees to ensure screening is effective.
 5. The current owner shall maintain the required landscaping in good and healthy condition. In the event any required landscape material dies or is destroyed, it shall be replaced within six (6) months. Replacement material shall conform to the original intent of the landscape plan.
 6. Ground cover shall be used and maintained on the berm to prevent erosion of the berm.
 7. The evergreen screening shall be a minimum of six (6) feet in height at time of planting.
 - b. Height of Screening: the height of screening shall comply with the following:
 1. Visual screening walls, fences, or mounds and fences in combination shall be a minimum of six (6) feet high, measured from the natural grade, and

evergreen plantings shall be planted at a maximum distance of ten (10) feet on center to provide an effective buffer unless otherwise specified.

Also add the following exhibit of earthen berm:



* ZC reworked this after Planning
Commission's review.

Sec. 430.04 SCREENING AND BUFFERING OF RESIDENTIAL.

When a lot in any Business-Residential, Commercial or Industrial District abuts a Residential District and for all nonresidential uses permitted as a conditional use in a residential district, screening and buffering along the entire length of the common boundary shall be provided in accordance with the following regulations. The Zoning Inspector will determine the appropriate type of buffering.



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- A. Width of Buffer Zone. Each required buffer zone shall have a minimum width equal to the parking setback required for the district in which the lot is located.
- B. Buffer Zone Requirements. The buffer zone shall be preserved and maintained in accordance with the following:
1. A minimum of 85% of the buffer zone shall be preserved, left undisturbed in its natural state.
 2. Not more than 15% of the buffer zone may be disturbed during construction of the development. Upon completion of construction, the disturbed area shall be planted with trees, shrubs and/or other ornamental plantings. Fences shall be permitted to be erected within this disturbed area.
 3. When the natural vegetation within the required buffer zone does not form a solid continuous visual screen or does not have a minimum height of 6 feet along the entire length of the common boundary of the residential district or property, screening in compliance with the following shall be installed:
 - a) Screening. Screening within the buffer zone shall consist of one (1) or a combination of two (2) or more of the following:
 - 1) A dense vegetative planting incorporating trees and/or shrubs of a variety that shall be equally effective in winter and summer. Trees and/or shrubs shall be adequately spaced to form a solid continuous visual screen within three years after the initial installation.
 - 2) A non-living opaque structure, such as a solid masonry wall, or a solid fence, that is compatible with the principal structure.
 - 3) A fence with openings through which light and air pass, together with a landscaped area at least ten feet wide.
 - 4) A maintained, landscaped earthen-mound at least 5 feet wide.
 - b) Height of Screening. The height of screening shall comply with the following:
 - 1) Visual screening walls, fences, or mounds and fences in combination shall be a minimum of 6 feet high measured from the natural grade, and evergreen plantings shall be planted at a maximum distance of ten (10) feet on center to provide an effective buffer unless otherwise specified.
 - 2) Vegetation shall be a minimum of 6 feet high measured from the natural grade, in order to accomplish the desired

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screening effect. The required height shall be achieved no later than twelve months after the initial installation.

- c) Placement of Screening. The location of the wall, fence, or vegetation shall be placed within the buffer zone to maximize the screening effect.
- d) Screening Responsibility. In the event land is rezoned from an industrial district to an O-C, R-1, or R-2 residential district so that the newly established residential district abuts an existing industrial district, it shall be the responsibility of the newly created residential property to provide the screening and buffering required in this Section. The required screening and buffering shall be located in the buffer yard required by Section 310.06E on the residential property abutting the industrial district and shall be maintained by the residential property owner(s).
- e) Buffer Zone Plan. The buffer zone plan shall be specific to the type of screening option to be used.

4. The earthen berm shall be a minimum of six (6) feet in height and a minimum width of three (3) times the height. The height shall be measured from the natural grade.

- a) Screening: Screening within the buffer zone shall consist of one or a combination of 2 or more of the following:
 - 1) A dense vegetative planting incorporating trees and/or shrubs of a variety that shall be equally effective in winter and summer. Trees and/or shrubs shall be adequately spaced in a staggered configuration to form a solid, continuous visual screen within three (3) years of the initial installation. The trees shall be evergreens, such as spruce or another form of pine, and the shrubbery/hedges shall be evergreen.
 - 2) A non-living opaque structure, such as a solid masonry wall or a solid fence, that is compatible with the principal structure.
 - 3) A fence with openings through which light and air pass, together with a landscaped area, at least ten (10) feet wide.
 - 4) Shrubs and hedges shall be used to fill in between evergreen trees to ensure screening is effective.
 - 5) The current owner shall maintain the current landscaping in good and healthy condition. In the event any required landscape material dies or is destroyed, it shall be

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replaced within six (6) months. Replacement material shall conform to the original intent of the landscape plan.

- 6) Ground cover shall be used and maintained on the berm to prevent erosion of the berm.
- 7) The evergreen trees shall be a minimum of six (6) feet in height at time of planting.



**ILENE
SHAPIRO**
COUNTY EXECUTIVE

May 9, 2019

Judy Flauto
Township Secretary
546 Brandywine
Northfield Center,
Ohio 44067-2494

Re: Amendments of Chapter 640.03 and 660.03, Public Notification

Dear Ms Flauto:

The purpose of a review by a County or Regional Planning Commission, of proposed Township zoning text amendment as required by Section 519.12 of the Ohio Revised Code, is to assist the Township Zoning Commission by providing it with recommendations based on expert opinion, and/or planning and development considerations that often extend beyond township boundaries and which might not be obvious from the local point of view. It is not the function or the intent of the County of Summit Planning Commission to dictate local policies or to regulate the decisions of local governing bodies. It is in the spirit of assistance and advice that the Summit County Planning Commission will consider the proposed zoning text amendment that was submitted for review.

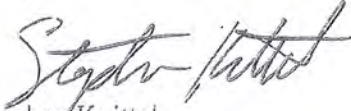
The Summit County Planning Commission took action at its last meeting held on April 25, 2019. The actions concerned the Northfield Center Township Zoning Commission proposal to amend Chapter 640.03 and 660.03 be amended to add text regulating public notification of adjacent property owners of an appeal of the board of zoning appeals.

RECOMMENDATION: Staff recommended to the County of Summit Planning Commission that the requested text amendment be **APPROVED**.

ACTION: After proper review and due consideration, the Summit County Planning Commission recommended that the proposed text amendment, be **APPROVED**.

In order to keep our records current, the Department of Community and Economic Development, Planning Division requests that a copy of the proposed amendments be sent to this office, if and when they are approved by the Township Trustees.

Respectfully submitted,



Stephen Knittel

Senior Administrator

County of Summit Department of Community and Economic Development

Cc: Allen Mavrides

Dennis Tubbs

File

M:\Development\Planning\texl_amendment\2019\NCT\April\PostSCPCPublicNotification.doc

The following text amendments are being proposed to Section 640.03, and are marked in red:

Sec. 640.03 PUBLIC HEARING BY THE BOARD.

Upon receipt of the material related to the proposed action, the Board of Zoning Appeals shall set a date for a public hearing to consider the appeal. Notice of such hearing stating the time, place, and object of the hearing shall be sent by first class mail, addressed to the parties making the request for appeal, at least 10 days prior to the date of the scheduled hearing. Not less than 10 days prior to the date set for such hearing or appeal, written notice of such hearing shall be sent by first class mail to **the parties contiguous and across the street to which such appeal or application relates**. Failure of delivery of such notice shall not invalidate action taken on such application. Such hearing shall be advertised by one (1) publication in one or more newspapers of general circulation in the Township at least 10 days before the date of such hearing. The Board may recess such hearings from time to time, and, if the time and place of the continued hearing is publicly announced at the time of adjournment, no further notice shall be required. Any person may appear before the Board at the public hearing on the application and state their reasons for or against the proposal.

The following text amendments are being proposed to Section 660.03, current letter "F" and are marked in red:

Section 660.03 "Amendments Initiated by Property Owners"

F. Notice to Property Owners. If the proposed amendment intends to rezone or redistrict ten or fewer parcels of land, as listed on the County Auditor's current tax list, written notice of the hearing shall be mailed by the Zoning Commission, by first class mail, at least 10 days before the day of the public hearing **to all owners of property contiguous to and directly across the street from the area proposed** to be rezoned or redistricted, to the names and addresses of owners as shown upon the records of Summit County, or the list of property owners furnished by the applicant. The notice shall contain the same information as required of notices published in newspapers as specified in Subsection (E), above. Failure of delivery of such notice shall not invalidate any such amendment.

