



Summit County Planning Commission (SCPC)
Thursday, January 26, 2023 - 3:00 p.m.
County of Summit, County Council Chambers
175 South Main Street, 7th Floor, Akron, Ohio
Meeting Agenda

- | | | |
|----|---|-----------------------|
| A. | Call to Order | Chair Mavrides |
| B. | Roll Call | Tubbs |
| C. | Approval of the December 15, 2022, SCPC Minutes | Chair Mavrides |
| D. | Business Items | Knittel |

Old Business

None

New Business

1. **Item # 1 - Text Amendment – Copley Township** - The applicant has proposed that the Copley Township Zoning Resolution be revised to add definitions of and address the specific use and types of motels/hotels.
2. **Item #2 - Text Amendment – Northfield Center Township** - The applicant has proposed that the Northfield Center Township Zoning Resolution be revised to add definitions of and address the use of Unmanned Aerial Vehicles/Drones.

- | | | |
|----|----------------------------------|-----------------------|
| E. | Report from Assistant Director | Tubbs |
| F. | Comments from Public | Chair Mavrides |
| G. | Comments from Commission Members | Chair Mavrides |
| H. | Other | |
| | 1. Legal Update | Matz |
| I. | Adjournment | Chair Mavrides |

County of Summit - The High Point of Ohio



Summit County Planning Commission (SCPC)

Thursday, December 15, 2022 - 3:00 p.m.

County of Summit, County Council Chambers
175 South Main Street, 7th Floor, Akron, Ohio

Meeting Minutes

A. Call to Order

Chair Mavrides

Chair Allen Mavrides called to order the Thursday, December 15, 2022 – SCPC monthly meeting at 3:00p.m.

B. Roll Call

Assistant Director Dennis Tubbs

SCPC Member	Present
Beckham, George	X
Dickinson, Erin	
Wiedie-Higham, Christine	X
Jones-Capers, Halle	X
Kline, David	X
Mavrides, Allen	X
Reville, Rich	X
Segedy, Jason	X
Snell, Jeff	X
Stoiber, Dennis	X
Terry, Robert	

Reported by *Dennis Tubbs*, we have a quorum for SCPC meeting Thursday, December 15, 2022 @ 3:00 p.m.

C. Approval of the SCPC monthly meeting minutes for Thursday, October 27th, 2022 **Chair Allen Mavrides**

SCPC Member	Motion	Second	Yea	Nay	Abstain
Beckham, George					X
Dickinson, Erin					
Wiedie-Higham, Christine			X		
Jones-Capers, Halle			X		
Kline, David		X	X		
Mavrides, Allen			X		

SCPC Member	Motion	Second	Yea	Nay	Abstain
Reville, Rich			x		
Segedy, Jason			x		
Snell, Jeff			x		
Stoiber, Dennis	x		x		
Terry, Robert					

Motion

Dennis Stoiber made a motion to *approve* the SCPC monthly meeting minutes for Thursday, October 27th, 2022, and it was seconded by David Kline, ***all in favor, Aye***, the SCPC monthly meeting minutes for Thursday, October 27th, 2022 the motion was *approved* with 1 abstentions.

D. Business Items

Stephen Knittel

Old Business

There was no Old Business to discuss

New Business

1. **Item # 1 - Boston Township – Text Amendment** – Proposed text amendment to limit the size of outdoor advertising signage in areas adjacent to and directly visible from the National Park, as well as restricting Bed and Breakfast / short term rental type uses to requiring the owner be on site.

Reported by Stephen Knittel:

Stephen Knittel reported the applicant is proposing a text amendment to limit the size of outdoor advertising signage in areas adjacent to and directly visible from the national park, as well as add language about bed and breakfast/short term rental housing to require the owners to be on sight during those usages. Staff recommendation is approval as the signage language has been reviewed by legal and there was no conflicting language found in the text.

Representation for the Township:

Mark Majeski, Planning and Zoning Consultant assisting the township and Randy Bergdorf (Trustee) The text is just minor language revisions focusing on sign regulations which had issues that needed to be addressed to reflect proper language.

Questions from the members:

Signage text amendment

Dennis Stoiber asked, Is this a limitation on the signs near the national park area?

Randy Bergdorf answered, year and years ago they came up with a document that was called a Gateway Community recommendation that they could go back to, but the township was not averse to the change and did not want to go back to that document.

Mark Majeski stated that they spoke to the planner at the parks and asked about other issues that need to be aware of or addressed and they also spoke about dark skies as signages are very bright and the planner will be accommodating to the lighting, but no other issues.

Jason Segedy asked, per the text amendment it seems as though this covers multiple types of signs. Is the text amendment limited to just ground signs or would it include business that has a sign across the front or sidewalk?

Mark Majeski answered, basically there are two (2) types of signs wall signs and ground signs if the wall sign or freestanding signs they will be placed further lower.

Jason Segedy was in approval of the verbiage as he stated in City of Akron the sign regulations have been revised with restriction and the distinction of what type of sign referenced is important.

Allen Mavrides asked, what does the text “directly visible” mean? From where? Why do we need this language? What does directly visible? Is there a definition to this?

Mark Majeski stated this is language from the reviewing attorney, not part of the regulations of the township.

The township does have provisions addressing lighting on ground signs, the placement of the lighting, and how it is directed so that you cannot see it directly from another property as it can become glaring and blinding and a waste of light.

Jeff Snell stated the billboards down Route 8 are those owned by the township.

Randy Bergdorf answered, No. This is not owned or apart of Boston Township.

Bed and Breakfast text amendment

Jeff Snell addressed Ohio Revised Code 563 Bill at the Ohio House in reference to Bed and Breakfast / short term rental has not been passed as of yet.

Jason Segedy stated that this has not been voted on as of yet. City of Akron has come up with its own Ordinance when it comes to short term rentals, but the Ohio House should be voting on this in the upcoming new year.

Jeff Snell advised the township to look at the regulations as this will be a prohibition to the language of short-term rentals that may affect the township.

Randy Bergdorf stated he understood in reference to non-owner occupied. The township understands that this is a unique situation in residential neighborhoods and may be an issue as the township will lose quite a bit of housing as the demand of housing or the time that the resident wants to stay. They are not much left, and they are trying to keep residential neighborhoods intact. As out of state buyers are buying all the properties that have come up for sale and are not residing in them. As now the properties are becoming free standing motels per se.

Rich Reville asked how are you going to identify if the owner is in the house?

Randy Bergdorf answered, it is in the text that the owner has be on the premises if it's a short-term rental there (in back of township regulations for Short-term rentals).

Jeff Snell read the Township text that states, “The short-term renters are permitted only if the owner is present at all times with the renter.”

Randy Bergdorf stated that short term rental is getting out of hand in the Village of Peninsula, and this has now become a business not a residence as there is a limited amount of housing in the area for people to reside long-term.

Jeff Snell and Jason Segedy advised that the township to come up to a uniform set that may require the property owner to live on-site in their amendment revisions in the future should Ohio Revised Code 563 pass.

The township has submitted a letter to Heidi Fault in reference to the concerns the township had in reference to short-term rentals.

County Engineer's Office: Not in attendance

Summit Soil and Water: Not in attendance

Questions from the Public: No comments from the public

SCPC Member	Motion	Second	Yea	Nay	Abstain
Beckham, George			x		
Dickinson, Erin					
Wiedie- Higham, Christine			x		
Jones-Capers, Halle			x		
Kline, David	x		x		
Mavrides, Allen			x		
Reville, Rich		x	x		
Segedy, Jason			x		
Snell, Jeff			x		
Stoiber, Dennis			x		
Terry, Robert					

Motion

David Kline made a motion to *approve* **Item # 1 - Boston Township – Text Amendment**, with due consideration to staff comments and it was seconded by *Rich Reville*, *all in favor*, *Aye*, the **Item # 1 - Boston Township – Text Amendment** passed with 0 abstentions.

- Item # 2 – Copley Township – Text Amendment** – Proposed text amendment to add definitions of and address the specific use and types of motels/hotels.

Reported by Stephen Knittel:

Per Stephen Knittel the applicant requested that Item # 2 – Copley Township – Text Amendment – Proposed text amendment to add definitions of and address the specific use and types of motels/hotels be tabled per the applicant’s request as they were not able to attend.

Representation for the Township: Not in attendance

Questions to the members:

Questions from the members:

County Engineer's Office:

Summit Soil and Water:

Questions from the Public:

SCPC Member	Motion	Second	Yea	Nay	Abstain
Beckham, George					
Dickinson, Erin					
Wiedie- Higham, Christine					
Jones-Capers, Halle					
Kline, David					
Mavrides, Allen					
Reville, Rich					
Segedy, Jason					
Snell, Jeff					
Stoiber, Dennis					
Terry, Robert					

Motion (No vote was made as per applicant request to table item)

_____ made a motion to _____ **Item # 2 – Copley Township – Text Amendment**, and it was seconded by _____, *all in favor, Aye*, the **Item # 2 – Copley Township – Text Amendment** _____ with ____ abstentions.

- 3. **Item #3 - Twinsburg Township - Text and Zoning Amendment** - proposed that the Twinsburg Township Zoning Resolution be revised to repeal the Interchange Mixed Use (IMU) District in its entirety, modify definitions and riparian setback regulations, and rezone the entire (repealed) IMU District to R-3

Reported by Stephen Knittel:

Stephen Knittel reported applicants proposed the township resolution be revised, this ties in with previous work done with the IMU District. Staff recommendation is approval.

Chapter 6: striking out

6.1 Classes and Types of Zoning Districts

~~Mixed-Use Districts: IMU Interchange Mixed Use District (effective 8/15/2008~~

Chapter 21 Definitions

21.111 Variance (Riparian) means a modification of the enforcement of the Riparian Setback Zoning Resolution that will not be contrary to the public interest and where, due to conditions peculiar to this property and not the result of the action of the applicant, a literal enforcement of the Zoning Resolution would result in undue hardship to the applicant, ~~except with regard to a Fashion Shopping Center, as defined in Section 12.13 of this Resolution~~

New language to read:

21.111 Variance (Riparian) means a modification of the enforcement of the Riparian Setback Zoning Resolution that will not be contrary to the public interest and where, due to conditions peculiar to this property and not the result of the action of the applicant, a literal enforcement of the Zoning Resolution would result in undue hardship to the applicant.

CHAPTER 22 RIPARIAN SETBACK REGULATIONS

22.8 Variances within Riparian Setback

a. Applications for variances to the provisions of this Chapter shall be submitted to the Twinsburg Township Board of Zoning Appeals, ~~except that applications for variances to the provisions of this Chapter for Fashion Shopping Centers in the IMU Interchange Mixed Use District shall be submitted to the Twinsburg Township Zoning Commission.~~

New language to read:

22.8 Variances within Riparian Setback

a. Applications for variances to the provisions of this Chapter shall be submitted to the Twinsburg Township Board of Zoning Appeals.

b. The Township Board of Zoning Appeals ~~or, where applicable, the Township Zoning Commission,~~ shall consult with representatives from the Summit SWCD; the Ohio Department of Natural Resources, Division of Natural Areas; the Ohio Environmental Protection Agency, Division of Surface Water; the County of Summit Engineer; the Department of Environmental Services of Summit County; the Summit County Health Department; or other technical experts as necessary to consider variance requests.

New language to read:

b. The Township Board of Zoning Appeals, shall consult with representatives from the Summit SWCD; the Ohio Department of Natural Resources, Division of Natural Areas; the Ohio Environmental Protection Agency, Division of Surface Water; the County of Summit Engineer; the Department of Environmental Services of Summit County; the Summit County Health Department; or other technical experts as necessary to consider variance requests.

f. In reviewing whether to grant variances, the Twinsburg Township Board of Zoning Appeals ~~or, where applicable, the Township Zoning Commission,~~ shall consider the following:

New language to read:

f. In reviewing whether to grant variances, the Twinsburg Township Board of Zoning Appeals shall consider the following:

Questions to the members:

Dennis Stoiber referred to the rezoning in Copley Township to rezone and list all parcels being rezoned.

Representation for the Township:

Rob Kagler, Twinsburg Township explained that this is repeal of district and the text changes are taking out any reference in the district and the other change in the chapters made from 15 years ago when the district was put into the zoning resolution. There are 50-60 parcels that are included up for rezoning. R3 zoning district that is begin rezoned two (2) is from prior to 2008 is 8800 square foot lots 80-foot width. Same zoning district as the land West across Haddon Road in Twinsburg Township.

Questions from the members:

Jason Segedy asked if R3 was a minimum lot size of 8800 square feet for a single-family lot?

Dennis Stoiber asked if all the listed parcels compliant with R3?

Rob Kagler answered, yes except for two (2) as they are owned by West Creek Conservancy, all the land surrounding the east to 480, south to Crownhill Cemetery and n to Rte. 82 are being preserved as they are all grant funded. Minus one (1) property owner that would not sell.

Jeff Snell questioned the language that states, “*The zoning board appeals shall consult representatives from all the various agency as necessary to consider the variance.*” He suggests that the township send a note that requires that the information be provided to the Board of Zoning appeals prior to the consideration so the developers can hear what the consultants have to say and do. He suggests that the language be a little stronger.

Rob Kagler advised that the language is already approved currently and cannot be changed, but the township will take back for consideration.

County Engineer’s Office: Not in attendance

Summit Soil and Water: Not in attendance

Questions from the Public: No comments from the public

SCPC Member	Motion	Second	Yea	Nay	Abstain
Beckham, George			x		
Dickinson, Erin					
Wiedie- Higham, Christine			x		
Jones-Capers, Halle			x		
Kline, David			x		
Mavrides, Allen			x		
Reville, Rich		x	x		
Segedy, Jason			x		
Snell, Jeff			x		
Stoiber, Dennis	x		x		
Terry, Robert					

Motion

Dennis Stoiber made a motion to *table* **Item # 3 – Twinsburg Township – Text Amendment**, with due consideration of staff comments and it was seconded by *Rich Reville*, *all in favor, Aye, Item # 3 – Twinsburg Township – Text Amendment* pass with *_0_* abstentions.

E. Report

Assistant Director Dennis Tubbs

1. 2023 Summit County Planning Commission calendar

Assistant Director Dennis Tubbs reported the 2023 Summit County Planning Commission calendar

SCPC Member	Motion	Second	Yea	Nay	Abstain
Beckham, George			x		
Dickinson, Erin					
Wiedie- Higham, Christine		x	x		
Jones-Capers, Halle			x		
Kline, David			x		
Mavrides, Allen			x		
Reville, Rich			x		
Segedy, Jason			x		
Snell, Jeff			x		
Stoiber, Dennis	x		x		
Terry, Robert					

Motion

Dennis Stoiber made a motion to *approve 2023 Summit County Planning Commission calendar*, and it was seconded by *Christine Wiedie-Higham, all in favor, Aye, the 2023 Summit County Planning Commission calendar passed* with 0 abstentions.

2. Updates on Subdivision Regulations

Assistant Director Dennis Tubbs reported that we have almost completed the review of the Subdivisions and should have a copy to the SCPC board members to review at the next SCPC by January 2023. We have to go through all the appendixes and update them as well as other documents. Referencing the County Engineers highway regulations. The law department Attorney Deborah Matz is still reviewing to assure language is appropriate. We will submit to townships to review as well.

Dennis Stoiber asked if the Subdivision Regulations will be redlined and also present new language.

F. Comments from Public

Chair Allen Mavrides

No comments from the public

G. Comments from Commission Members

Chair Allen Mavrides

No further comments from the Commission Members

H. Other

1. Legal Update

Attorney Deborah Matz

Attorney Deborah Matz reviewed the legislatures website on Short-term rentals was signed to State and Local Government committee and has had four (4) hearings, it was voted out of committee in May and there are no further updates in reference to this issue.

Updates on Litigation for Delfino - Riparian Variance – Kings Creek – Richfield Township -

The applicant is requesting a riparian variance to allow for up to 44 feet of encroachment, (less than 0.25 acres) for the construction of a house.

The law office did review an alternative design for the applicant as a settlement to resolve the issue and it did not resolve the concerns of Summit Soil and Water. The issue still under review is the septic system in the riparian as it is a prohibited use. We are still working on reviewing and getting a ruling on the issue.

I. Adjournment

Chair Allen Mavrides

SCPC Member	Motion	Second	Yea	Nay	Abstain
Beckham, George	x		x		
Dickinson, Erin					
Wiedie- Higham, Christine			x		
Jones-Capers, Halle			x		
Kline, David			x		
Mavrides, Allen			x		
Reville, Rich			x		
Segedy, Jason			x		
Snell, Jeff			x		
Stoiber, Dennis		x	x		
Terry, Robert					

Motion

George Beckham made a motion to *adjourn* the **Thursday, December 17, 2022, SCPC monthly meeting**, and it was seconded by *Dennis Stoiber*, **all in favor, Aye, the** Thursday, December 17, 2022, SCPC monthly meeting *adjourned* at 3:48 pm with 0 abstentions.

These minutes were recorded, prepared, and represent the writer’s best recollection of the items discussed by:

*Tazena Long, Administrative Assistant
 Department of Community and Economic Development
 Friday, December 30, 2022 @ 2:04 p.m.*



Planning Commission
Zoning Text Amendment
Hotel/Motel
Copley Township

Item No.: 1
Meeting: January 26, 2023
Applicant: Copley Zoning Commission
Proposal: **Hotel/Motel**
Processor: Stephen Knittel

Proposal: The applicant has proposed that the Copley Township Zoning Resolution be revised to add definitions of and address the specific use and types of motels/hotels.

Proposed Text Amendments:

Copley Township

ARTICLE 2 Definitions

2.3 Definitions

REMOVE

~~**HOTEL:** A commercially run establishment providing lodging. See also MOTEL~~

~~**MOTEL:** See HOTEL~~

ADD

EXTENDED STAY HOTEL: (TEMPORARY STAY MAY BE MORE THAN 30 DAYS)

A structure with more than five (5) units that contain independent provisions for living, eating, cooking, sleeping and sanitation and that is constructed, kept, used, maintained, advertised, or held out to the public to be a place where temporary residence may be more than thirty (30) days and is offered for pay to persons but is not used as the permanent or principal residence of the occupants.

Such Structure is approved pursuant to a valid certificate of occupancy issued by the building official having jurisdiction and licensed by the state fire marshal.

ADD

TRANSIENT HOTEL: (TEMPORARY STAY SHALL BE 30 DAYS OR LESS)

A structure consisting of one or more buildings, with more than five sleeping rooms, that is specifically constructed, kept, used, maintained, advertised, or held out to the public to be a place where sleeping accommodations are offered for pay to transient guests for a period of thirty days or less but is not used as the permanent or principal residence of the occupants.

Such Structure is approved pursuant to a valid certificate of occupancy issued by the building official having jurisdiction and licensed by the state fire marshal.

ARTICLE 4 Commercial Districts

Section 4.01 C-GR General Retail Commercial District

D. Conditionally Permitted Uses

REMOVE

7. Hotel/Motel

ADD

7. Transient Hotels

Section 4.02 C-NR (Neighborhood Retail) Commercial District

C. Conditionally Permitted Uses

REMOVE

7. Hotel/Motel

ADD

7. Transient Hotels

4.03 C-O/R (Office/Retail) Commercial District

C. Conditionally Permitted Uses

ADD

11. Extended Stay Hotels

Section 4.04 C-HS High Service Commercial District

B. Permitted Uses

1. Highway-oriented services and retail, including, but not limited to: gasoline service stations (both full service and multi-use), REMOVE hotels and motels, and restaurants.

C. Conditionally Permitted Uses

ADD

4. Transient Hotels

ARTICLE 7 Standards for Conditional Uses

Section 7.09 List of Conditional Uses and Districts Where Permitted

REMOVE

J. Hotel/Motel

ADD

J. Transient Hotel

C-GR, C-NR, C-HS

ADD

BB. Extended Stay Hotel

C-OR

Section 7.10 Additional Criteria for Specified Conditional Uses

REMOVE

J. Hotel/Motel

ADD

J. Transient Hotel

(C-GR, C-NR, C-HS)

ADD

1. Which such facility is approved by the building code official having jurisdiction and licensed by the state fire marshal for transient sleeping rooms. Transient hotels shall not offer or permit temporary residence (more than thirty (30) days) within rooms in the facility, and shall not offer or permit the serial or sequential occupation of several rooms in the facility by guests if such serial or sequential occupation will result in a total combined stay of more than thirty (30) days for the guests.
2. Transient hotels shall not offer or provide rooms having features of independent living facilities, including permanent provisions for living, eating, cooking, sleeping and sanitation.
3. Transient hotels approved by the building code official having jurisdiction and licensed by the state fire marshal as of the date of adoption of this definition (Insert Approval Date) shall not require Article 7 approval unless the owner of the hotel constructs or alters the hotel; the owner of the hotel surrenders the license issued to that hotel; the owner of the hotel changes the use or occupancy of the hotel; the license issued to the hotel is revoked or is not renewed; or as otherwise provided in Article 10-Nonconforming Structures Lots and Uses.
4. All structures and activity areas shall be located at least fifty (50) feet from all property lines.

ADD

BB. Extended Stay Hotel

(C-OR)

ADD

1. Units used for temporary residence shall not be used as the permanent or principal residence of the occupants, and extended stay hotel does not include apartment houses, apartments or other similar places of permanent or principal personal residence, or "dwelling" or "dwelling unit" as defined in this Resolution.
2. Extended stay hotels may offer transient guest accommodations for less than thirty (30) days within any units within the facility has a valid certificate of occupancy which indicates the specific rooms within the structure that can be uses as a temporary residence and licensed by the state fire marshal for transient stay purposes.
3. Extended stay hotels shall require approval pursuant to Article 7-Standards for Conditional Uses, provided that units approved for extended stay temporary residence purposes have a valid certificate of occupancy which indicates the specific rooms within the structure that can be used as a temporary residence and licensed by the state fire marshal for transient stay purposes. Extended stay hotels approved by the building code official having jurisdiction as of the date of adoption of this definition (Insert Approval Date) shall not require Article 7 approval for those existing units unless the owner of the hotel constructs or alters the hotel; the owner of the hotel surrenders the license issued to that hotel; the owner of the hotel changes the use or occupancy of the hotel; the license issued to the hotel is revoked or is not renewed; or as otherwise provided in Article 10-Nonconforming Structures Lots and Uses.
4. Parking spaces provided for 2 per unit
5. All structures and activity areas shall be located at least fifty (50) feet from all property lines

Recommendation: Staff recommends to the Summit County Planning Commission that the proposed text amendments be **APPROVED**.



Planning Commission
Zoning Text Amendment
UAV / Drones
Northfield Center Township

Item No.: 2
Meeting: January 26, 2023
Applicant: Northfield Center Zoning Commission
Proposal: **UAV / Drones**
Processor: Stephen Knittel

Proposal: To amend the Northfield Center Township Zoning Resolution Chapter 130 Definitions – Chapter 230 General Provisions: To add definitions of and address the use of Unmanned Aerial Vehicles/Drones.

Proposed Text Amendments:

Add to Chapter 130 “Definitions”:

Unmanned Aerial Vehicle (“UAV”): An Unmanned Aerial Vehicle (UAV), commonly known as a “Drone”, is an aircraft without a human pilot, crew, or passenger on board. UAV’s are a component of unmanned aircraft system, which include adding a ground-based control system of communication with a UAV.

Drone: See Unmanned Aerial Vehicle (“UAV”).

Add to Chapter 230 “General Provisions”, a new section, Sec. 23.019 to read:

230.19 Unmanned Aerial Vehicle (UAV or Drone)

- A. To establish regulations for Unmanned Aerial Vehicles for the safety and privacy of residents and business owners in Northfield Center Township.
- B. Private Drones shall be a permitted use in all zoning districts.
 1. Drones shall be operated within the airspace above the resident’s or business owner’s property.

2. Liability Insurance shall be required to cover personal and medical liability in case of an incident.

C. When required, Drones must be registered with the Federal Aviation Administration.

D. Prohibitions:

1. No Drones shall operate within four hundred (400) feet of schools, municipal owned buildings, active crime scenes or communication towers.
2. Drones use above any roadway is prohibited where it could impair the driver's line of sight.
3. Operation of Drones to view or capture people on private property, or view or capture images of private property that would otherwise not be visible without the use of the Drone, without the consent of the property owner.
4. Operation of a Drone that recklessly endangers person, wildlife, or property.
5. Operation of a Drone outside of the visual line of sight of the operator.
6. Operation of a Drone under the influence of alcohol, drugs or any condition that hampers the piloting capabilities.
7. No person shall equip any Drone with any weapon such as a firearm, explosive device, incendiary device, ballistic knife, knife, zip gun or dangerous ordnance.

Recommendation: Staff recommends to the Summit County Planning Commission that the proposed text amendments be **APPROVED**.