

**KENT PLANNING COMMISSION
BUSINESS MEETING
OCTOBER 27, 2020**

MEMBERS PRESENT: Amanda Edwards
Chris Clevenger-Morris
Peter Paino
Michael Bruder
Jeff Clapper

STAFF PRESENT: Eric Fink, Asst. Law Director
Bridget Susel, Community Development Director
Jennifer Barone, Development Planner

I. Call to Order

Ms. Edwards called the meeting to order at 5:02 p.m.

II. Roll Call:

Ms. Edwards, Mr. Paino, Mr. Clapper, and Mr. Bruder were present. Mr. Morris was absent.

MOTION: Mr. Clapper moved to excuse Chris Clevenger-Morris from the October 27, 2020 meeting. Mr. Paino seconded the motion. The motion carried 4-0.

VII. New Business

A. Zoning Code Update: Work Session Eleven

The proposed Zoning Code Text Amendment is being forwarded to the Commission for review and comment.

- **Proposed Chapter 1106: Standards Applicable to Specific Land Uses.**

Chapter 1106

Ms. Barone explained that Mr. Fink rewrote the Sexually Oriented Uses and Businesses (SOUB).

Ms. Susel stated that Mr. Fink still needs to create language prohibiting obscene language for the sign chapter. Ms. Susel stated that SOUB has been removed from the IC-R district and only conditionally allowed in the I district. She explained that the language is very restrictive for the special use in the I district.

Mr. Paino questioned whether it could be completely limited from all districts in the city.

Mr. Fink explained that if something is prohibited everywhere, then it is allowed everywhere in the case that it is overturned by the courts.

[Chris Clevenger-Morris joined the meeting.]

Ms. Edwards stated that she feels that the condition limiting how far away a SOUB needs to be from a residential district should be increased.

Mr. Paino stated that as long as the street doesn't interfere with where the houses are located, 500 feet should be adequate.

After discussion, it was decided to increase the distance to 1000 feet from schools, residential and other SOUB.

Mr. Bruder suggested a chart for all of the uses that would indicate which conditions apply to each use rather than repeating information.

Mr. Paino agreed.

Mr. Bruder feels that some of the conditions should apply to all uses.

Ms. Susel stated that the idea was to limit the need for variance requests for items that are unnecessary for that use.

Mr. Bruder stated the he feels that it is better to limit uses with conditions; it would be more consistent to have bedrock principles for all locations.

Ms. Barone stated that the Planning Commission can place conditions that they feel are necessary on any of the cases that come before them. She also added that they can add conditions to the proposed list.

Ms. Edwards and Mr. Morris expressed their concerns that information may get missed.

Mr. Bruder stated that his fear is that it would be easier to miss something while editing in the future if everything is listed separately under each use rather than in one place.

Mr. Fink stated that he agrees that having the information in one location is a good idea. He suggested putting the information in the section that says the conditionally permitted uses have to be consistent with the neighborhood.

Mr. Clapper stated that he doesn't feel that the current layout would be cumbersome for the applicant since they are typically looking at one use at a time.

Ms. Susel stated that this is why they grouped it this way; complete information is listed under each use.

Mr. Bruder noted that drive approaches are missing from 1106.04. He suggested a table that would show which conditions go with a particular use to help ensure that conditions are not missed in the text. He feels that not listing the conditions implies permission.

Mr. Paino restated Mr. Bruder's comment as good planning and good design include certain fundamental statements.

Mr. Fink asked Mr. Bruder which conditions should be listed for every use.

Mr. Bruder stated that the conditions listed under Funeral Homes A-D should be listed under each use. He also suggested adding the loud speaker condition.

Section 1106.03 D

Mr. Clapper questioned rental equipment and the term 'stored'.

Mr. Paino questioned the requirement 'must be stored behind front building lines'.

Mr. Clapper questioned why rental equipment was a part of this Section and suggested that it be its own use.

Section 1106.07

Mr. Clapper questioned the definition of loud speaker and suggested adding definitions.

Mr. Bruder agreed.

Mr. Fink read the definition of loud speaker from the Webster's dictionary.

Mr. Paino stated that he feels that the circulation condition needs to be more stringent for restaurant drive-thrus; make the developer prove that traffic will not back up. He stated that there are two issues: interfering with traffic on the street and interfering with traffic on site.

The Board requested research and examples on how other communities handle this issue. Methods of calculating drive-thru space and the challenge of receiving accurate data were also discussed.

Section 1106.08

Mr. Bruder questioned whether or not the parking is excessive as "per bedroom" versus "guest unit".

Guest unit will be changed to bedroom.

Ms. Susel stated that because a bed and breakfast is typically a single family structure that is owner occupied, typically they are just renting out bedrooms. She stated that the consultant also provided this language for this type.

Ms. Edwards noted that the title of Section 1106.08A refers to Guest Units as opposed to Bedroom.

Mr. Bruder questioned the districts where B & B's are allowed.

Mr. Fink stated that it is conditionally permitted in R2, R3, R4, RC, CR, ICR, C, CD, NC, and U.

Mr. Paino questioned where the parking spaces needed to be located; does it need to be on site.

Mr. Fink stated that parking has to always be on site unless it is in the CD District.

Mr. Clapper questioned the Maximum Guest Stay.

Ms. Susel stated that this language is similar to guests for single family rentals; staff will verify consistency with other categories.

Section 1106.12

This section will refer to the Ohio Revised Code as amended.

Section 1106.28

Mr. Paino noted that the criteria is not listed in section 1106.28E. Mr. Paino also questioned 1106.28F and how it fits in with the zoning code. He is concerned that there is conflict.

Staff stated that they will strike Section 1106.28F.

Ms. Susel stated that they will also be adding a definition for apartments to allow it to be conditionally permitted in the R4 and U districts. She stated that it will also allow up to 4 unrelated persons in a single residential unit.

[Mr. Paino exited the meeting]

Section 1106.30

Mr. Morris questioned the hours of operation for the farmer's markets and suggested 6am to 8pm.

Ms. Edwards and Mr. Bruder agreed.

Section 1106.22

Ms. Edwards questioned why the bond for the truck routes was removed from Section C.

Mr. Fink stated that it was removed due to the difficulty in enforcing bonds.

Section 1106.38

Ms. Edwards suggested leaving loud speakers in this section.

Section 1106.44

Mr. Clapper questioned if this section only applies to storage units as opposed to storage yards.

Storage yards are addressed separately.

Section 1106.46

Mr. Bruder stated that he feels that there needs to be more requirements for this use such as distance from other properties, fencing, storage location, etc. He referenced the items under the Junk Yard section.

Ms. Edwards suggested adding loud speakers.

Ms. Barone asked if the Board had any questions regarding the additional definitions that were added.

Mr. Bruder asked if there is a definition of "Dorm". He also suggested changing "Frat" to "Fraternity". He questioned whether there was a broader term that could be used.

Mr. Morris questioned whether or not the intent is to limit fraternity/sorority housing to university affiliated.

Mr. Bruder suggested fraternity, sorority and other affiliated group housing or something similar.

[Ms. Susel exited the meeting.]

Mr. Fink stated that currently it is defined as university affiliated; staff will review.

VII. Minutes

The August 18, 2020 minutes will be reviewed at the next meeting.

IX. Adjournment

MOTION: Mr. Morris moved to adjourn. The motion was seconded by Mr. Clapper. The motion carried 4 – 0. The meeting adjourned at 6:40 p.m.