



App. No. 096-2021-TA

Zoning Text Amendments

Harrisville Township

Meeting: October 6, 2021
Applicant: Harrisville Township
Hearing: TBD
Amendments: Revisions
Section 304 Supplementary Regulations
Section 401 Residential Districts
Section 403 Highway Service Business District
Section 404 Industrial District
Section 405 M Multi-Use District
Section 410 Home Occupation
Section 601 Sign Regulations
Creation of Section 411 Restricted Light Industrial Purpose District I-2
Reviewer: Denise Testa
Recommendation: **APPROVE WITH MODIFICATIONS**

Proposal: Tom Guggenbiller, Zoning Inspector, requested a review of revisions in several sections in the Harrisville Township Zoning Resolution and consideration of a new Section 411 Restricted Light Industrial Purpose District I-2.

Township revisions are shown in **red** with new text as underlined and deleted text as strike-through. Department of Planning Services (DPS) staff comments are shown black as ***bold and italics***.

Revisions in Section 304 Supplementary Regulations

Section 304.c Principal Building

No more than one principal building shall be permitted on any one lot and every principal building shall be located on a lot having frontage on a public street. Each principal building on a lot shall have its own access driveway to a public street or road located no closer than 10 feet from the closest lot line.

Revisions in Section 401 Residential Districts

Section 401.1.a Permitted Uses

One-family dwelling. Each buildable developed lot must have its own access drive located no closer than 10 feet from the closest lot line.

Section 401.2 Conditionally Permitted Uses

- ~~a.) Basement dwellings subject to Subsection 802.112.~~
- ~~b.) Independent trailers or mobile homes subject to Subsections 802.105 and 802.113.~~
- ~~i.) Airports subject to Subsection 802.124.~~

Revisions in Section 403 Highway Service Business District

Add revisions to the following Sections: 403.B.4 Limited Service District, 403.4 Highway Service Business District and 403.a.5 Interchange Commercial District.

All outdoor refuse storage areas shall be screened from view from adjacent properties. All refuse shall be stored in rodent-proof containers or enclosures. Refuse storage areas shall be maintained in a neat and orderly fashion so as not to attract insects, rodents or other pests and shall comply with applicable laws and regulations.

DPS Comments: This statement currently exists in Section 402-4 Supplementary Regulations of the Business District. By including this statement within these additional districts, the Township is maintaining consistency throughout all of their districts.

Revisions in Section 404 I-1 Industrial District

Section 404.I.1 and Permitted Uses

Heavy Truck/Agricultural and Construction Equipment Repair: Storage of customer equipment and vehicles outside of buildings shall be limited to a specified area not exceeding 400 square feet (or an area equal to 75% of the shop work area/floor space, excluding the office area and parts storage areas), and does not include employee parking. Equipment and materials shall be limited to quantities that do not constitute a fire, health or safety hazard. The area is not to include anything that could be classified as junk as defined or could be enforced against under ORC 505.87, 505-87, and/or junk vehicles (as defined under ORC 505.173), and is to include vehicles and or equipment for parts; ie: specifically but not limited to donor parts vehicles, no scrap vehicles, and no outdoor storage of scrap.

DPS Comments: Revise the last sentence from "...vehicles and or equipment for parts; ie: specifically but not limited..." to "...vehicles and/or equipment for parts including but not limited to..."

It is suggested the following statement be revised in order to further define the Township's expectations: "Equipment and materials shall be limited to quantities that do not constitute a fire, health or safety hazard determined by a local, state or federal agency."

Welding Shop

Revisions in Section 405 M Multi-Use District

Use zone to contain both I-1 I-2 Restricted Light Industrial, and Business (B-1 and B-1) zoning to be regulated by Section 402, 403, and 411.

DPS Comments: The Multi-Use District does not currently include parcels designated as I-1 Industrial District. Therefore, no parcels will be impacted as a result of this amendment.

Revisions in Section 410 Home Occupation

Section 410.A.7 Type 2 Home Occupation

A property owners' written verification and approval is required by the Township for a tenant's or nonowner occupant of the property's application for conditional use approval of a Type II Home occupation.

Section 410.B.4 Type 2 Home Occupation

Accessory buildings containing home occupation uses shall be limited in area to no more than 1,200 square feet (total). A larger building may be used, provided the home occupation area is structurally portioned to not exceed 1,200 square feet. Storage equipment and material outside of buildings shall be limited to a specified area not exceeding 600 square feet and shall be appropriately screened not to be visible from outside the property boundaries. This area is not to contain junk motor vehicles (as defined under ORC 505.173) or anything that could be defined as a nuisance and enforced against under ORC 505.87 & 505.871. Equipment and materials shall be limited to quantities that do not constitute a fire, health, or safety hazard.

DPS Comments: It is suggested the following statement be revised in order to further define the Township's expectations: "Equipment and materials shall be limited to quantities that do not constitute a fire, health or safety hazard determined by a local, state or federal agency."

A property owners' written verification and approval is required by the Township for a tenant's or nonowner occupant of the property's application for conditional use approval of a Type II Home occupation.

DPS Comments: In the Definitions section of the Zoning Resolution, it refers to a Type 2 Home Occupation. It is recommended the "Type II" in the proposal be revised to "Type 2" in order to remain consistent with the definition.

Revisions to Section 601 Sign Regulations

Section 601.1.A Sign Regulations

The following signs are permitted in any district and a zoning certificate shall not be required. No sign of any kind can be located within 10 feet of any road right of way or side yard lot lines in districts R-1, M, I, B-1, B-2, except as otherwise permitted by law.

Section 601.1.B Sign Regulations

The following signs are permitted only in a business or industrial district and a zoning certificate shall be required. In district B-3 and B-4 the Setback for signs from the road right of way set back shall be 25 feet with a 10 feet side yard setback.

Revisions in Section 800 Conditional Zoning Certificates

Section 801 Procedures for Making Application

Section 801.1.f Reapplication

No application for a Conditional Zoning Certificate which has been denied wholly or in part by the Board of Zoning Appeals shall be resubmitted, except on grounds of newly discovered evidence or proof of changed conditions which would be sufficient to justify reconsideration as determine by the Board of Zoning Appeals. ~~At the expiration of one (1) year from the original application a fee of fifty dollars (\$200.00) shall accompany each application.~~

DPS Comments: Staff supports this revision because residents should not be required to submit an annual application and fee as long as the land use complies with the conditional zoning certificate.

Creation of Section 411 I-2 Restricted Light Industrial Purpose

Section 411 RESTRICTED LIGHT INDUSTRIAL PURPOSE I-2

DPS Comments: Add the word “District” after “Purpose.”

The I-2 Restricted Light Industrial District is established to accommodate Light industrial uses in the fields of repair, storage, manufacturing, processing, wholesaling and distribution free from the encroachment of residential, retail, and institutional uses. This District allows for those uses which because of their normally unobjectionable characteristics, can be in relatively close proximity to residential and commercial districts. The I-2 District is intended to accommodate a broad spectrum of CLEAN industries operating under strict conditions.

The I-2 District will allow uses which generate a large volume of traffic which will benefit from the close proximity to I-71 and be accessible to a widely diverse and dispersed labor force including but not limited to, manual and skilled laborers and technical and administrative personnel.

A. PERMITTED USES: The permitted uses in the I-2 Restricted Light Industrial District shall be as follows:

1. Business services (cleaning, copying, limited printing, etc.)
2. Light assembling and packaging of materials or substances into new products;
3. Warehousing, excluding self-service storage facility or mini-warehouses;
4. Testing of products or processes relative to environmental, mechanical or safety standards as part of product development, or as a service to other organizations provided that no physical effect of the experimental or testing activity can be detected beyond the confines of the building in which the activity is located;
5. Laboratories/research facilities;
6. Administrative offices;
7. Construction trade supply and display businesses;
8. Wholesale establishments;
9. Wireless service provider structures.

B. The Zoning Commission shall have the power to permit any other use similar to or comparable in character to any of the specified uses listed in this section; and

DPS Comments: Under letter B, delete the last word “and.”

Since the I-2 Restricted Light Industrial Purpose District is new and not included in the current Comprehensive Plan, it is recommended that the Township provide guidance regarding the areas that may benefit from this zoning district. For example, the Comprehensive Plan discusses the Primary Economic Development Corridor – State Route 83, the most appropriate areas identified to encourage economic development. This area complements existing zoning districts such as Highway Services and Mixed-Use. In summary, the Township may want to consider mentioning the Primary Economic Development Corridor – State Route 83 as an area to consider with the I-2 District.

Section 411-2. PERMITTED ACCESSORY USES.

The permitted accessory uses in the I-2 Industrial Distribution District shall be as follows:

- A. Signs as regulated by Section 6: Sign Regulations.
- B. Accessory uses clearly incidental to the uses principally or conditionally permitted on the same premises.

DPS Comments: Section 411-2.B may be difficult to enforce because it is not clear about the definition of the incidental uses.

Section 411-3 CONDITIONALLY PERMITTED USES.

The Zoning Board of Appeals may issue conditional zoning certificates for the following uses:

- A. Governmentally owned and/or operated buildings and facilities.
- B. Collision Centers and Body Shops. The building shall be free standing and the sole use of the building shall be for the purpose of collision centers/body shops, and all automobile storage shall be indoors.
- C. All business, production, servicing, processing and storage shall take place within completely enclosed buildings, except as may be shown on site plans approved by the Zoning Board of Appeals as provided in Section 305. Where approved by the Zoning Board of Appeals, outdoor storage shall be permitted only as a conditional accessory use.
 - (1) All materials or waste which might cause fumes or dust, or which constitute a fire hazard or which may be attractive to rodents or insects shall be stored outdoors only in closed containers designed for that purpose.

Any assembly, production, processing, cleaning, servicing, testing, repair or storage of goods, materials or products within the I-2 District shall be conducted so as not to create odor, dust, noise, vibrations, smoke, glare, radiation, or electromagnetic interference in amounts greater than those permitted by appropriate Federal, State and/or performance standards established in this section.

(2)Storage.

- a. Recycled and/or reprocessed material shall not be stored in such a way that it presents a habitat for rodents or other vermin. Temporary or permanent outside storage is not permitted;

DPS Comments: End the last sentence in this section with a period.

Section 411 CONDITIONS THAT APPLY TO ALL USES.

- A. The use shall not create a public health nuisance.
- B. Open dumping, as defined in Ohio R.C. 3734.01 shall not be permitted at the facility.
- C. All noise and odors shall be confined to within the enclosed building such that no disturbance is made to any adjoining property owner or resident;
- D. Any activities beyond collection including, but not limited to, sorting, storage and/or processing of materials, shall be within an entirely enclosed structure. All permitted main and accessory uses and operations, except for off-street parking and loading facilities, shall be performed wholly within an enclosed building or buildings. Outdoor overnight parking of cargo carriers shall be permitted.
- E. Smoke, fly ash, dust and dirt. No industrial operation shall exhaust or discharge into the air, any quantity of smoke, fly ash, dust, dirt or similar form of air pollution which may become discernible as settlement at, or beyond, the boundaries of the lot occupied by the use.
- F. Ventilation fans shall be directed away from residences.
- G. Exterior doors shall not be left open for longer than necessary to provide ingress or egress to buildings.
- H. Noise. The sound pressure level at the nearest residential street, of any operation on a lot, other than the operation of auto-calls, bells, sirens or whistles, shall not exceed sixty (60) decibels or the average intensity of the street traffic noise at the nearest residential district, whichever is lower. No sound shall be objectionable due to intermittence, beat frequency or shrillness.
- I. Fire and explosion hazards. All permitted main and accessory uses shall be carried on only in buildings classified as fireproof by the Building Code.
- J. The Zoning Commission may impose reasonable restrictions upon hours of operation when the use is located within close proximity to residentially used land.

DPS Comments: It is recommended the Township consult with the Prosecutor's Office or Township Legal Counsel regarding Section 411.J because staff is not certain if a Township can impose restrictions with the hours of operation.

K. Recycling facilities shall not abut parcels zoned or planned for residential use.

L. Heat and Glare. All exterior lighting and all lighting or glare resulting from industrial processes shall be installed and/or shielded in such a manner that the light source will be sufficiently obscured to prevent glare on public streets and walkways or into any residential district. All exterior lighting shall be principally downlighting to reduce light pollution. No industrial operation that produces heat or glare perceptible from any property line of the lot on which the operation is located shall be permitted.

M. Radioactive or Electromagnetic Interference. Electromagnetic interference with radio and television reception is prohibited. Radioactive or electrical disturbances which adversely affect any form of life or equipment at or beyond the boundaries of the lot occupied by the use shall not be created.

N. Vibration. All uses shall cause no inherent and recurring generated vibration perceptible without instrumentation at any point along the boundary of the I-2 District. Vibrations shall not be permitted beyond the lot line occupied by the use which would be perceptible without the aid of instruments.

O. Odor. The release of materials capable of becoming odorous either by bacterial decomposition or chemical reaction in amounts perceptible at the property line shall be prohibited. The emission of odorous gases or other odorous matter in such quantities as to produce a public nuisance or hazard beyond the lot occupied by the use shall not be permitted. Any process which may involve the creation or emission of any odors shall be provided with a secondary system so that control will be maintained if the primary system should fail.

P. Hazardous Materials. It is the intent of the Township to limit the manufacture, processing, generation, storage or other use of hazardous materials in order to preserve the health and safety of persons both near the I-2 District as well as those who are employed within the I-2 District. The emission of toxic, noxious or corrosive fumes or gases which may be demonstrably injurious to property, vegetation, animal or human health at or beyond the boundaries of the lot occupied by the use, shall not be permitted. No industry shall discharge any treated or untreated sewage or industrial waste into any reservoir or lake, or discharge any untreated sewage or industrial waste into any stream. All methods of sewage and industrial waste treatment and disposal shall be approved by the State Department of Health and all effluent from a

treatment plant shall, at all times, comply with the requirements of the Ohio Water Pollution Control Board. All uses which employ hazardous materials are subject to the following:

(1) Uses which employ hazardous materials classified in the H-1, H-2 or H-3 Use Groups, as defined in Chapter 3 of the Ohio Basic Building Code (OBBC), shall be permitted, subject to the following:

a. Buildings with gross floor areas of 50,000 square feet, or less, shall have no more than 10 per cent of the gross floor area so classified by the OBBC; and

b. Buildings with gross floor areas of more than 50,000 square feet shall have no more than 5 per cent of the gross floor area so classified by the OBBC.

(2) Uses which employ chemicals which are health hazards as defined and classified in the H-4 Use Group by Chapter 3 of the OBBC shall be prohibited. Certification of compliance with this section shall be provided at the time of permit application.

Q. Trash Receptacles. All trash receptacles shall be located wholly within the main building or in an approved enclosed structure. Exterior trash enclosures shall be six feet in height with masonry walls on three sides with a solid gate or door on the fourth side. Enclosures shall be designed to be compatible in design and material as the main building. Exterior enclosures shall be at least six feet from the main building and provide a setback from property lines equal to the required loading area setback. Where adjacent to residential districts, trash enclosures shall be further screened with a landscape buffer approved by the Zoning Board of Appeals and/or Zoning Inspector.

Section 411-5 AREA AND HEIGHT REGULATIONS.

A. ONE principal building per lot

B. Lot area, yard and height regulations in an I-2 Restricted Light Industrial District are as follows:

(1). Minimum lot area: 2 acres

(2) Minimum lot width: 175 feet, except 275 feet where the side yard abuts a residential district.

(3) Minimum front yard width: 150 feet at Road ROW. Corner lot second front yard width: 150 feet.

(4) Minimum front yard building setback 100 feet from Right of Way with minimum 15 feet landscaped, remainder can be used for parking

(5) Minimum side yard building setback: 20 feet with 5 feet of landscaping additional, except 200 feet where the side yard is

adjacent to a residential district where 50 feet must be landscaped, the remainder can be parking

(6) Minimum rear yard building setback: 25 feet, 10 feet of landscaping additional, except 200 feet where the side yard is adjacent to a residential district where 50 feet must be landscaped, the remainder can be parking

(7) Permitted structures in the I-2 District shall not exceed sixty feet in height, provided however, that chimneys, domes, elevators, penthouses, skylights, spires, stacks, ventilators or other necessary appurtenant features usually carried above roofs or structures permitted in the district, when erected upon and as an integral part of a building may be erected above the height limit, but in no case shall such feature exceed seventy feet above the finished grade.

(8) Water towers, wireless or broadcasting towers, radio or television antennae and other similar structures may be erected above the height limit specified, subject to the following provisions:

a. The height from the base of such structure, or the uppermost point at which such structure is attached to a building, to the top of such structure shall be not greater than the horizontal distance from the base of the structure to the nearest adjoining residential property line and shall not exceed twenty feet in height.

b. Any structure detached from the main building shall not exceed thirty-five feet in height.

C. Adjacent to R District. Where the side or rear lot line abuts a residential district, 50 feet of the minimum side yard width or rear yard depth, measured from the side or rear lot line, shall be used as a screening yard. The remaining 150 feet of space may be used for off-street parking, for loading space or for any permitted purpose other than a building or permanent structure or any type of processing activity.

D. Buffering and Landscaping. Required front yards in an I-2 district shall be landscaped as required by this section. Parking and loading may be located in one of the required front yards of a corner lot. All landscaping shall be installed and maintained as required by property owner or occupant. Landscaping and buffering provided shall also be used to minimize or eliminate potential annoyances such as those resulting from noise, light glare, and wind, as well as to screen unsightly buildings, and outdoor storage areas from view.

E Requirements for Driveways

(1)The driveway and parking space with commercially acceptable asphalt, concrete and/or motor paving for the intended use.

(2) Width of driveway Ingress and egress driveways shall comply with the following standards: Maximum Width 36 feet Minimum Two-Way 24 feet Minimum One-Way 14 feet 4) Radii. Pavement or curb radius (at the highway edge) shall be in accordance with ODOT standards.

Section 411-6 SITE PLAN

- A. Review Required. All uses in the I-2 Light Industrial District shall be permitted only after review and approval of site plans by the Zoning Board of Appeals and/or Zoning Inspector as provided in this code. Site plans required by this chapter shall also comply with the provisions of section 305 of this code.
- B. Compliance. In addition to the other information required by this code to be included on site plans, all site plans in the I-2 zone shall include information showing compliance. This information shall also include non-proprietary information on production processes, raw materials, by-products, waste products, discharges into the air or the sanitary or storm sewer systems, and the nature and extent of any outdoor storage. The quantity of any hazardous materials employed by the applicant and the Material Safety Data Sheets (MSDS) must be included.
- C. Additional Studies. The Zoning Commission, the Township, and the Zoning Board of Appeals may determine the necessity of additional studies or expert advice as to the applicant's compliance with the zoning code. The cost of securing such studies or advice shall be borne by the applicant.

Section 411-7 PARKING / LOADING AND UNLOADING SPACES

- A. Off-Street Parking Requirements
- (1) Off-street parking spaces shall be provided in an amount not less than as set forth in this section. "Gross Area (GA)" means the total floor area designed for the use of a tenant or occupant. "Parking space" means an area not less than 162 square feet (9 ft. x 18 ft.) in area, exclusive of access drives and aisles.
- (2) Number of Parking Spaces - Five parking spaces required for each 1,000 square feet of gross area (GA).
- (3) The off-street parking facilities described above shall be provided outside the public right-of-way and on the same lot as is occupied by the business. In addition to the parking spaces provided above, the business shall provide space for loading or unloading off the streets and highways, outside the public right-of-way and on the same lot as it occupies. Access to truck loading and unloading spaces shall be provided in a way that will not interfere with public convenience.

- A. Off-street loading and unloading accessory parking areas shall provide spaces as follows:
 - 1. Commercial uses,- 480 square feet (12 x 40)
 - 2. Industrial uses - 720 square feet (12 x 60)
- B. Access to truck loading and Unloading spaces shall be provided directly from a public street or from any public right of way that will not interfere with public convenience.
- C. Loading space as required under this section shall be provided as area additional to off-street Parking spaces As required and shall not be considered as supplying off-street parking space.

Section 411-8 BUILDING AND LANDSCAPING DESIGN REGULATIONS

- A. PURPOSE: To direct basic building criteria/materials and size in the I-2 District so as to protect and preserve the appearance, character and value of adjacent properties, and thereby promote the general welfare by providing guidelines for new construction.

Section 411-9 ONE PRINCIPAL BUILDING PER LOT

Section 411-10 SETTING

Buildings shall be engineered as part of, and integral with the site rather than an appearance of being simply "placed" on the site. Structures should be designed to reinforce the natural character of the terrain (e.g., flat terrain-a building with strong horizontal lines).

Section 411-11 PLACEMENT

Buildings must be oriented with the front facade facing the primary highway unless access to a rear service road is available and should be located on the site in juxtaposition to parking areas in order to reduce the amount of glare and radiated heat and provide for adequate storm retention. Building locations should also reflect the location of imposed access driveways and yard requirements. Visual orientation to the main building entrance should be maintained, and the location of the service access drive should be subtly evident from the entrance drive.

Section 411-12 ARCHITECTURAL STYLES

DPS Comments: This section should be deleted because it does not include any content. However, it could be added as a revision in the future if content is available.

Section 411-13 MATERIALS

While style is subjective, there are certain regulations that are more precise and can help achieve the Township's goal of an overall quality development.

A. The criteria include but are not limited to:

- (1) No exposed concrete or cinder block on the front or sides of any building (except split face or other special "architecturally patterned" block) or through the-wall block
- (2) No exposed unstained woods including pressure treated "green" lumber
- (3) All windows should have the same sill level and be the same height window styles should not be mixed
- (4) No exposed steel nails shall be used on any wood surface that will rust and cause streaking and staining of the facade.
- (5) Non-matching materials such as brick (size, color, texture, etc.), window treatments (type number of panes, etc.), siding (type, spacing, etc.), wall lighting (color, intensity, uniformity, etc.), roofing (color, type materials, etc.)
- (6) No scrap or salvaged materials showing different degrees of "aging" or "weathering" shall be placed on the visible building facade unless there is sufficient amounts to complete the entire project
- (7) No unpaved parking areas or access driveways will be allowed. Paving will be required to the building setback line, with all area; positively drained.
- (8) Changes in the roof elevation should be accompanied with a corresponding change in an offset in the location of the building face.
- (9) Finished Facades. Each elevation of a building which is visible from the public right-of-way shall have a finished façade treatment.
- (10) Illumination Building facades may be illuminated as an architectural feature. Sources of light for illumination of buildings or grounds shall be shielded so that the light source is not directly visible from residential property with no light spillage on the adjoining residential property line. All exterior site lighting shall be down lighting with full cutoff fixtures. The maximum height of light poles shall be twenty-five (25) feet. Site lighting shall be installed in accordance with an approved site lighting plan. No

exposed incandescent bulbs or exposed fluorescent lighting strips. All bulbs must be enclosed in luminaries.

(B) Accessory Buildings. Accessory buildings shall be constructed to match and/or compliment the principal building in architectural style, finish treatment, materials, and colors.

(C) Solid Waste Enclosures. Dumpsters and other solid waste receptacles shall be screened from view with an enclosure constructed of materials which complements the principal building. Such enclosures shall be a minimum of six (6) feet in height and have a gated opening.

(D) Minimum Front Yard Depth. One hundred (100) feet from the road right-of-way with fifty (50) feet landscaped. 3. Minimum Side Yard Width on Each Side Fifty (50) feet with twenty-five (25) feet landscaped. 4. Minimum Rear Yard Depth One hundred (100) feet with thirty (30) feet landscaped.

Section 411-14 LANDSCAPE REGULATIONS

A. In the interest of promoting the public convenience, comfort, prosperity and general welfare of the residents of Harrisville Township, these regulations provide for the use, location and function of landscaping. More specifically, the purposes of these regulations are to:

(1) Provide reasonable, yet appropriate landscaping for all conditional uses authorized by this zoning resolution.

(2) Ensure that landscapes are located, designed and installed to maintain a safe and orderly pedestrian and vehicular environment.

(3) Maintain and protect the beauty, unique character and aesthetic environment of the Township.

(4) Provide review procedures that enable the township to comprehensively evaluate the appropriateness of a landscape plan to the site, building and surroundings.

(5) Provide for continuing maintenance of all landscaping.

B. Landscape Application Requirements. No zoning certification shall be issued for the construction, alteration or improvement of any conditionally permitted building, structure or parking and loading area unless a landscape plan is submitted.

C. Planting Area Requirements

(1) Planted Front Yard. A minimum depth of twenty (20) feet from the road right of way across the entire frontage. Landscaping shall consist of a combination of living materials such as grass, ground covers, shrubs, trees and may include nonliving durable material such as rocks, decorative walls, but shall exclude paving.

(2) Planted Building Front. A minimum of ten (10) feet wide, the length of the building width and within twenty (20) feet of the façade. Area may be broken by the entrance walks but walk area shall not exceed fifty (50%) percent of the building front area.

(3) Planted Side Yard. A landscape buffer, a minimum of ten (10) feet wide, shall be required along the side property line from the front of the building to the rear property line. If parking is planned in front of the building, the township may require that this landscape buffer extend to the front of the parking area. The minimum ten (10) foot wide landscape side yard buffer may be less than ten (10) foot (a minimum of 5 feet) in combination with a six (6) foot tall solid wood fence if there is not adequate room for ten (10) foot of landscaping.

(4) Planted Rear Yard. Forty (40) feet where yard borders residentially zoned property. Thirty (30) feet where rear yard borders commercially zoned property.

Section 411-15- LANDSCAPE MATERIAL QUALITY STANDARDS

The following minimum standards shall apply to the installation of all planted materials.

A. All plants shall conform to the American Association of Nurserymen Standards “American Standards for Nursery Stock” latest edition (ANSE Z60.1)

B. The following tree species may be used in any landscape plan but shall not be acceptable for allowance against the required quantity standards:

(1) Miniature tree species

(2) Poplars

(3) Cottonwood

(4) American Elm v. Ailanthus (Tree of Heaven)

(5) Mountain Ash

(6) Oregon Maple

(7) Box Elder

(8) Sumac Catalpa

C. The following tree species shall not be used:

(1) Thorne Honey Locust

(2) Osage Orange

(3) Hawthorn (thorn varieties)

(4) Catalpa

(5) Any willow species

Section 411-16 LANDSCAPE MATERIALS SIZE STANDARD

A. Evergreen Shrubs: Plants shall be no less than twenty-four (24) inches in height, or in the case of spreading varieties of shrubs, no less than twenty-four (24) inches in branch spread.

B. Deciduous Shrubs: Plants shall be no less than thirty (30) inches in height.

C. Conifer Evergreen Trees: Shall be no less than five (5) feet in height measured from the top of the soil ball.

D. Deciduous Trees: Shall be no less than one and three fourths (1 3/4) inch caliper (trunk diameter) as measured at six (6) inches above the crown of the roots (if bare root) or from the top of the soil ball

E. Turf: Shall be either commercially grown sod or lawn quality seed.

F. Landscape Material Quality Standards

G. Front Yard Requirements

1 All areas between the existing pavement and the developed portion of the site shall be landscaped within the commercial district.

2 The following minimum plant materials shall be provided and maintained

3. One (1) tree for each fifty (50) linear feet of lot frontage or fraction thereof, not including drive entrances

4. One (1) shrub for each ten (10) linear feet of lot frontage or fraction thereof, not including drive entrances.

5. Grass, ground covers or other approved live landscape treatment, excluding paving or gravel

H. Building Front Requirements

1 At least one-half (1/2) of the building front area shall be landscaped

2 Landscape materials shall include trees, shrubs, live ground covers and or lawn

3 The minimum number of trees required shall be according to the following schedule based on the building width: Building Width
Number of Trees To 80 feet 2 81' to 120' 3 Over 120' 4

4 Each tree shall be planted in an individually landscaped area of not less than one hundred (100) square feet

I. Perimeter Side and Rear Yard Landscaping Relating to Abutting Properties

1 The side yard shall be landscaped which may include shrubs or trees not to exceed four (4) feet in height (ultimate or maintainable growth) in front of the building setback line, with no height restriction behind the building set back line or in the rear yard.

J. Screening

1 Residential-visual screening (e.g., walls, fences, hedges or combinations) shall be required between all residences and commercially zoned property and all parking or service functions on any business site. Screening shall be at least six (6) feet in height and be the business' obligation to construct and maintain.

2 The following minimum plant materials shall be provided and maintained:

3 One (1) tree for each one-hundred (100) linear feet of sides and rear lot liens or fraction thereof, with fifty (50) percent of the requirement to be evergreen trees. Areas will be calculated individually to determine individual requirements.

4 One (1) shrub for each fifteen (15) linear feet in front of the building setback line, one (1) shrub for each ten (10) linear feet in all other side and rear yard.

5 Grass, ground cover or other live landscape materials. No artificial ground covers.

DPS Comments: The sections referencing materials may be difficult to enforce and does not provide flexibility to parcel owners.

DPS Comments: The Township has indicated the requested revisions have been reviewed by Bill Thorne, Township Legal Counsel. The variety of text amendments were a result of issues encountered during code enforcement, citizen feedback and Zoning Inspector diligence. In addition, the creation of the I-2 District is cumulative as a result of potential economic development opportunities. The I-2 District complements the existing B-4 properties owned by equipment dealerships.

In summary, this text amendment provides opportunities for economic development and supports the Harrisville Comprehensive Plan and Zoning Resolution.

Recommendation: Planning Services staff recommends the Planning Commission **APPROVE WITH MODIFICATIONS** the proposed text amendments to the Harrisville Township Zoning Resolution.