



**Village of Peninsula**

**AGENDA**  
**PLANNING COMMISSION MEETING**  
**Monday November 24, 2025; 7:00 p.m.**  
**Village Hall**  
**1582 Main Street**  
**Peninsula, Ohio 44264**

**CALL TO ORDER; ROLL CALL**

**CONSIDERATION OF MINUTES: October 27, 2025 Planning Commission Meeting**

**CITIZENS PARTICIPATION:**

**MAYOR'S REPORT:**

**COUNCIL LIAISON REPORT:**

**BUSINESS:**

Request from Carol J. Haramis, Trustee, to Approve Lot Split from Perm. Parcel No. 1100539, Creating New Parcel A (85.2542 acres), and the Survey/Plat Map Relating to this Lot Split.

Proposed Amendments to Village Parking Ordinance  
Chapter 1125, Schedule of Off-Street Parking

Building Footprint Limits  
Chapter 1113, Schedule of Regulations, Proposed New Subsection (k)

Proposed Amendments to Zoning Code Relating to Supplemental Regulations for Commercial and/or Industrial Uses Adjacent to Residential Uses:

Proposed New Section 1141.42  
Pertinent Amendments to Land Use Tables, Section 1109.03

Mixed-Use Zone Provision Amendments  
Chapter 1116

Additional Potential Zoning Code Amendments to be Discussed at Future Meetings:  
Commercial, Mixed-Use, and Public Institution Zone Exterior Lighting Ordinance

**ADJOURNMENT**

**RECORD OF PROCEEDINGS**  
**VILLAGE OF PENINSULA PLANNING COMMISSION**

**Held:** Monday, October 27, 2025

**CALL TO ORDER:** Mayor Schneider called the meeting to order at 7:00 p.m.

**ROLL CALL:**

Chairperson Karen Walters	Absent
Greg Canda	Present
Council Rep. Doug Steidl	Present
Mayor Daniel Schneider, Jr.	Present
Kevin Royer	Present

**OTHERS PRESENT:** Village Planner Rita McMahon, Solicitor Brad Bryan, Administrative Assistant Faith Dorton

**CONSIDERATION OF MINUTES:**

September 22, 2025 Planning Commission Meeting

Mr. Canda requested that the Minutes be amended to reflect that the 'wood store' is the River Light Gallery and clarify that Ms. Walters was in favor of clear evaluation criteria for parking requirement evaluations if the ordinance is amended to empower the Planning Commission to make such determinations. He then made a motion that was seconded by Mr. Steidl to approve the Minutes with Mr. Canda's requested amendments. Roll call vote: Mr. Royer, yes; Mr. Canda, yes; Mayor Schneider, yes; Mr. Steidl, yes. The Minutes were approved.

**CITIZENS PARTICIPATION:** None.

**MAYOR'S REPORT:** The Mayor announced that Trick-or-Treating is scheduled for Friday, October 31 from 6:00 p.m. until 8:00 p.m. Mr. Canda asked if there was any community gathering or party at the school or elsewhere. The Mayor said there was not this year.

**COUNCIL LIAISON REPORT:** Mr. Steidl reported Council was advised the Downtown Master Plan was approved by the Commission as a stand-alone document from the Long-Range Plan. The Zoning Map amendment ordinance had a first reading at this month's meeting. Two more readings and a public hearing will take place. Mr. Canda noted that during Citizens Participation at this month's Council Meeting, Ms. Riggins raised concerns about whether additional parking variances were needed for the River Light Gallery and Coffee House parcels. Mr. Canda asked whether such approvals would fall to Council, the Planning Commission, the BZA, or be handled within the rezoning ordinance itself. Ms. McMahon responded that no new variances would be required. The setbacks for all the properties comply with the Code and an existing parking variance was already granted involving the Coffee Shop and River Light Gallery lots. If there are any issues, the properties and businesses are considered legal nonconforming uses that do not require variances unless the use of the property changes later.

**BUSINESS:**

Proposed Amendments to Village Parking Ord. and Pertinent Parts of Schedule of Regulations:  
Chapter 1125 & Section 1113.01

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Ms. McMahon provided updated hard copies of the draft changes showing all proposed deletions (crossed out) and additions (underlined). Those indications did not come through in the online packet. She noted the draft contemplates a significant policy shift for the Commercial and Mixed-Use district requirements. Instead of fixed minimum parking requirements, applicants would propose the number of spaces they believe are appropriate, and the Commission would evaluate those proposals using clearly defined criteria as part of its site plan review. The changes also include revised off-street parking and loading rules, the removal of the detailed loading standards, and a reiteration that parking and loading arrangements would be approved through the Planning Commission review.

Ms. McMahon further explained the Code would expand the allowable distance for shared or off-site parking from 300 feet to 500 feet, noting that several existing lots fall within that radius. In response, Mr. Slocum suggested considering a quarter mile. Mr. Canda expressed concern about allowing that much flexibility, getting credited for parking spaces that far away, and the potential for that change to worsen the Village's already poor parking situation. Ms. McMahon cited the example of businesses and visitors using the Methodist Church parking lot. She also proposed clarifying language about when the Zoning Officer versus the Planning Commission approves parking plans. Accessory apartments above retail uses would be required to have at least one on-site parking space.

The group then discussed the existing parking requirements for multi-family dwellings, particularly the requirement that a three-bedroom unit effectively needs four spaces. Mr. Steidl stated he thought that was excessive. Mr. Canda asked how these rules intersect with short-term rental regulations. Ms. McMahon and Mr. Bryan clarified that short-term rentals are governed by a separate business ordinance with its own parking requirements that must still be met, regardless of the Zoning Code. Ms. McMahon also noted the draft contains a new maximum building footprint standard. In Commercial and Mixed-Use districts, the building itself should not cover more than 50% of the lot area, unless the Planning Commission approves otherwise. That addition is meant to control building size, recognize that parking demand is driven by building area, and avoid encouraging excessive coverage on already tight lots. Many of the existing buildings are already legally nonconforming with respect to parking and lot coverage.

Ms. McMahon described a new section that would formally set forth submittal and review criteria for parking in Commercial and Mixed-Use districts. Developers would be required to submit detailed information on proposed uses, peak parking demand, shared parking opportunities, nearby uses within 500 feet, on-street parking, public parking, and bike parking. She introduced a shared parking analysis tool developed by national planning organizations, explaining that it looks at peak hours and overlaps among different uses and helps determine whether a proposal's parking supply is reasonable. Mr. Canda supported attaching this tool as an official exhibit so that future Planning Commissions would have structured guidance. He voiced concern that a future Commission might be more favorable to intensive uses (e.g., many fast-food restaurants) and could over-approve projects. Ms. McMahon stated the Mayor and Council set policy through its appointments but agreed that embedding criteria in the Zoning Code helps.

With respect to decision-making, Ms. McMahon explained the Commission would evaluate whether there is a housing component and make sure on-site parking was provided for those units, whether expansions remove existing parking, whether the building footprint meets the new coverage standard, the nature and hours of operation, impacts on existing businesses and

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current parking conditions, the presence of amenities such as bike parking and gathering spaces, and consistency with the Zoning Code, Downtown Master Plan, and Long-Range Plan. The Commission could approve, approve with conditions, deny proposals, or require revisions. Permits would be required. The Zoning Officer would enforce the approved requirements.

Ms. Padrutt noted that campers and RVs sometimes use the Village lot at the end of N. Locust like a campground, often staying multiple nights and publicizing the spot on social media. Mr. Bryan emphasized that the lot is Village property, and it can be regulated by the Village. Overnight parking should be prohibited, and campers should be ordered to leave. It was determined that 'No Overnight Parking' signs should be erected at the lot.

Mr. Steidl and Mr. Canda described the proposed amendments as conscientious, comprehensive, and substantial. Mr. Steidl requested that the Commission have at least a month to study the changes and return with questions and potential refinements.

**Proposed Amendments to Zoning Code Relating to Supplemental Regulations for Commercial and/or Industrial Uses Adjacent to Residential Uses: Proposed New Section 1141.42 & Pertinent Amendments to Land Use Tables, Section 1109.03**

Ms. McMahon described the proposed amendment creating supplemental regulations for commercial or industrial properties that directly abut residential uses, explaining the goal is to protect nearby homes by establishing additional standards in the few areas where these conditions occur. She clarified for Mr. Canda that "adjacent" means physically touching, not across the street, and advised Mr. Craig the rule applies to residential uses, even those located in Commercial districts. The requirements limit building height to match the neighboring residence; shift commercial activity away from the shared property line; place loading docks, overhead doors, trash areas, and parking on the opposite side of the residential structure; favor office areas closest to the home; and mandate substantial evergreen buffering or fencing. The Commission could waive standards when appropriate, and the most restrictive code section would apply if multiple rules overlapped. Mr. Craig asked how long a vacant residential structure still counts as a residential use, Ms. McMahon explained if it's in a commercial district where single-family homes are permitted, it remains residential regardless of vacancy. A nonconforming residential use elsewhere would lose its residential status after two years. Mr. Craig noted such flexibility means developers must appear before the Planning Commission to understand what is feasible. Mr. Bryan reminded the group that applicants may request an informal review before the Commission prior to submitting full plans. The members then reflected on the rarity of site plan applications in recent years. Mr. Steidl noted the Commission has not seen a true site plan in his two-year tenure. Ms. McMahon mentioned the MBA building at Mill and Locust will eventually require Commission site plan review once its owner proceeds. She encouraged the group to consider the areas of town these rules would affect. She estimated there are roughly nine sites. Mr. Steidl agreed the concept is worthwhile if it is not rushed. Mr. Canda confirmed there is no urgent deadline by which this amendment needs to be finalized.

**Discussion of Possible Dark Skies Ordinance:**

Mr. Bryan asked whether the Commission desired to discuss the dark skies ordinance concept or wanted to do so at a future meeting because Ms. Frank-Hensley, the biggest proponent of such an ordinance, was not present at this meeting. Mr. Slocum noted that he also asked about adopting such an ordinance. Mr. Bryan and Ms. McMahon noted the concept

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was reviewed a few years ago, and the Commission did not want to go forward with it at that time. Ms. McMahon advised against pursuing a full dark skies ordinance due to its technical complexity and heavy enforcement needs. Instead, she suggested strengthening existing rules by enforcing current commercial lighting restrictions, requiring full cut-off fixtures, limiting pole heights, and preventing upward-shining lights. Mr. Slocum stated he would support such requirements, citing overly bright restaurant lighting that is visible from across the river. Problematic streetlights, which the Village does not control, were also discussed. Mr. Bryan added that after hours shut-off requirements must be balanced with security concerns.

**Additional Potential Zoning Code Amendments to be Discussed at Future Meetings: Possible Mixed-Use Zone Provision Amendments**

Ms. McMahon asked whether, alongside the proposed parking revisions and building footprint limits, the Commission wanted to add broader mixed-use standards, such as design, architectural, or landscape guidelines, to prevent inappropriate building scale or form. The Mayor questioned who would consistently and professionally review such standards. Mr. Steidl noted the challenge of protecting the Village's recognizable character without dictating specific architectural styles. Mr. Canda mentioned architectural review boards as a model. Mr. Craig pointed out that only properties within the existing Historic District have design protections, and areas outside it remain vulnerable.

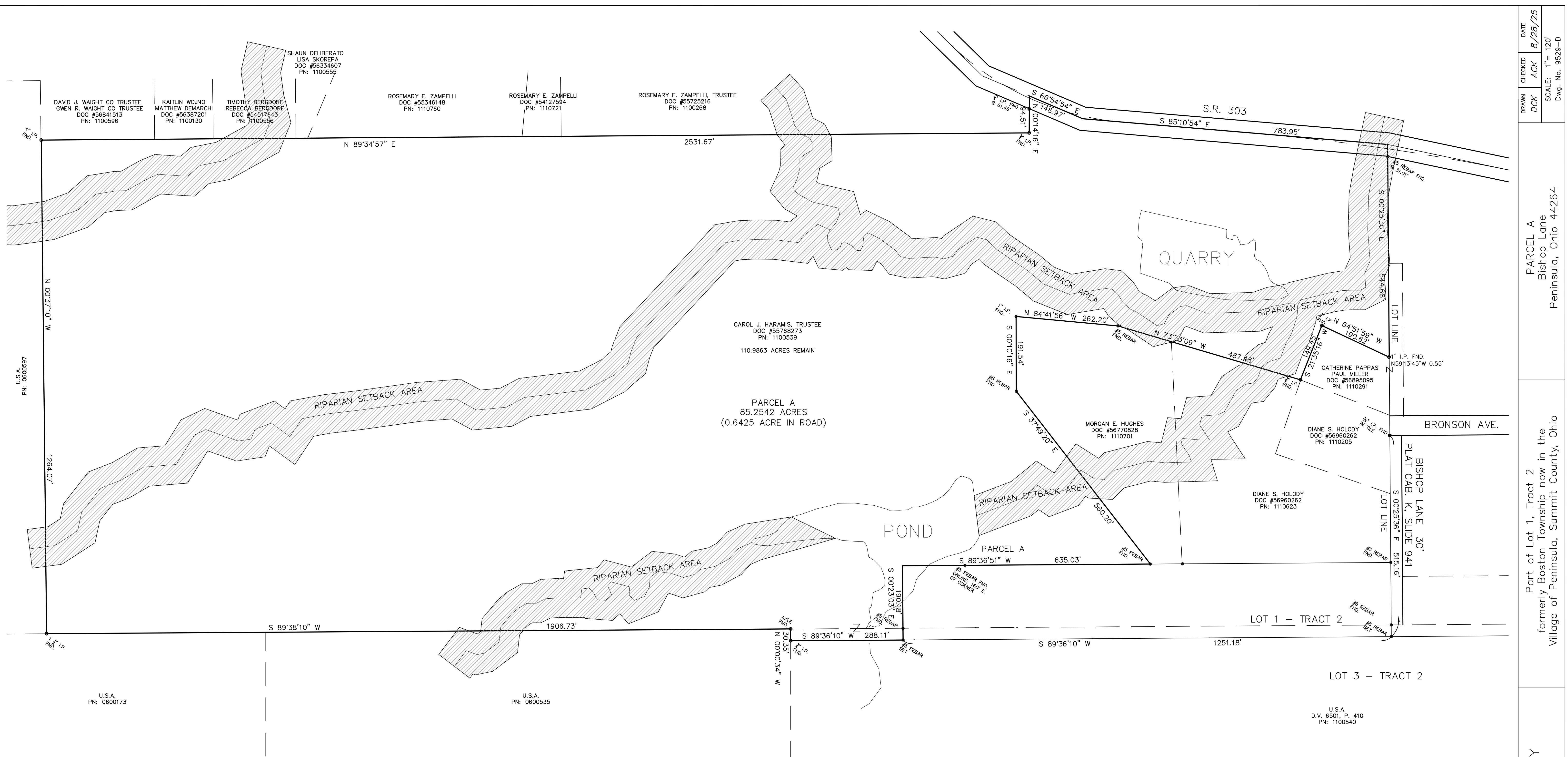
Ms. McMahon emphasized the Mixed-Use district contains only about five developable acres once existing businesses are accounted for. She asked whether the Commission wanted to create a framework for ensuring that future development is cohesive and appropriately scaled. Members discussed simple, non-style-specific protections, such as discouraging front-facing garage doors, requiring parking behind buildings, and ensuring building placement and massing "feel like they belong." Mr. Bryan added that the Planning Commission currently lacks strong standards to meaningfully approve or deny plans. Mr. Steidl recalled a past proposal that met all the technical zoning rules but would have been visually incompatible with the Village. Mr. DeAngelo noted he previously submitted ideas for such guidelines.

Mr. Canda asked about speed-limit control after seeing small towns in New York with lower limits on state and county routes. The Mayor and Mr. Bryan explained the Village can set limits on County roads, but altering the limits on State Rt. 303 requires petitioning the State, action from the Ohio General Assembly, or a formal traffic study, none of which are easy to obtain. Mr. Royer and Mr. Slocum raised issues with obscured speed-limit signs due to vegetation or pole placement. Mr. Bryan and Mayor Schneider acknowledged that sign visibility problems persist despite the Village's repeated attempts to address them.

**ADJOURNMENT:** Mayor Schneider made a motion that was seconded by Mr. Steidl to adjourn the meeting. Roll call vote: Mr. Royer, yes; Mr. Canda, yes; Mayor Schneider, yes, Mr. Steidl, yes. The meeting was adjourned at 8:29 p.m.

Respectfully submitted:  
Karen Walters, Chairperson

Date



OWNERS ACCEPTANCE:  
SUBDIVISION OF LAND OWNED BY CAROL J. HARMIS  
RECORDED IN DOC # 55768273  
PARCEL NO. 1100539

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CAROL J. HARAMIS

APPROVED BY THE VILLAGE OF PENINSULA

## VILLAGE OF PENINSULA MAYO

VILLAGE OF PENINSULA ZONING INSPECTOR

## RECORDS USED:

DEEDS AND PLATS OF RECORD AS SHOWN ON THIS PLAT

SUMMIT COUNTY ROAD RECORD: 0009-004 (RIVERVIEW ROAD).  
SUMMIT COUNTY ROAD RECORD: S303-007 (S.R. 303).

BOSTON TOWNSHIP TAX MAPS #26 & #27

SUMMIT COUNTY ENC. RECORDS: Interadic7546; Interadic9010

RECORD SURVEY: DOC #56545803

RECORDING OF THIS SURVEY. THIS SURVEY IS  
BEING RECORDED AS A GRAPHIC REPRESENTATION  
OF A LEGAL DESCRIPTION IN A DEED.

LEGEND

IRON PIN FND. (I.P.)  
PINCHED TOP IRON PIN FND. (I.P.P.)  
MON. BOX FND.  
STONE FOUND  
#5 REBAR FND.  
#5 REBAR SET  
(CAPPED - "KALSTROM, P.S. 6302")  
DRILL HOLE



IS SURVEY MEETS THE MINIMUM STANDARDS FOR BOUNDARY SURVEYS IN THE STATE OF OHIO AS SET FORTH IN OHIO ADMINISTRATIVE CODE CHAPTER 4733-37. THIS PLAT WAS PREPARED IN AUGUST, 2025 BY KALSTROM SURVEYING & MAPPING, LLC. 

Daniel C. Kalstrom  
DANIEL C. KALSTROM, PROFESSIONAL SURVEYOR (REG. NO. 6302)

BOUNDARY SURVEY  
PARCEL SPIT

SURVEYING  
NG, LLC  
5-8459

KALSTROM & MAPPIN  
(330) 865-  
Proj.

Proj.  
1163

## **FIDUCIARY DEED**

**Carol J. Haramis, Trustee of the Carol J. Haramis Family Trust dated May 13, 2010, and any amendments thereto, a trust created under the laws of the State of Ohio, of Summit County, Ohio, Grantor,** for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, grants with fiduciary covenants to **Carol J. Haramis, a married woman, of Summit County, OH, Grantee**, whose tax mailing address is 6050 Riverview Road, Peninsula, OH 44264, its entire interest in the following real property situated in Summit County, Ohio:

Parcel No. \_\_\_\_\_ (85.2542 acres)  
Prior Reference: Instrument #55768273  
Parcel Location: Bishop Lane

### **SEE ATTACHED "EXHIBIT A" FOR LEGAL DESCRIPTION**

Subject to easements, conditions, legal highways, restrictions of record and the lien of unpaid real estate taxes.

The undersigned is duly authorized to execute the instrument pursuant to a Memorandum of Trust executed on the same date as this instrument.

A title examination was not performed in the preparation of this document.

**(SIGNATURE PAGE TO FOLLOW)**

Executed this \_\_\_\_\_, 2025.

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**Carol J. Haramis, Trustee of the Carol J.  
Haramis Family Trust, dated May 13, 2010**

**Notary Acknowledgement**

STATE OF OHIO )  
                    )  
                    ) ss.  
COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_\_, 2025, by  
**Carol J. Haramis, Trustee of the Carol J. Haramis Family Trust, dated May 13, 2010.**

[SEAL]

Witness my hand and official seal.

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**Notary Public**

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**Commission Expiration Date**

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**Printed Name**

Instrument prepared by Ryan C. Conklin, Attorney at Law, Wright & Moore Law Co. LPA,  
137 North Sandusky Street, Delaware, Ohio 43015, (740) 990-0750.

After recording, return to same.

Situated in the Village of Peninsula, County of Summit and State of Ohio and known as being a part of Lot 1 and Lot 3, Tract 2, formerly Boston Township and being land owned by Carol J. Haramis as recorded in Document Number 55768273 of the Summit County Records and being more fully described as follows:

Beginning at a  $\frac{3}{4}$ " iron pipe in a 4" drain tile found at the intersection of the southerly line of Bronson Avenue (50' R/W) with the westerly line of Bishop Lane (30' R/W, Plat Cab. K, SL. 941) also being the easterly line of said Lot 1, Tract 2; Thence southeasterly along the westerly line of Bishop Lane and the easterly line of Tract 2, S-00°25'36"-E (bearings referenced to the Ohio Coordinate System, North Zone, NAD 83), 515.16 feet to a number five rebar set (capped #6302) and passing over a number five rebar found (capped #5916) at the southeasterly corner of said Lot 1, Tract 2 at 485.23'; Thence, S-89°36'10"-W, 1251.18 feet to a number five rebar set (capped #6302) and being the True Place of beginning for the land hereinafter described;

Thence S-89°36'10"-W, 288.11 feet to a  $\frac{3}{4}$ " iron pin found;

Thence, N-00°00'34"-W, 30.35 feet to an axle found;

Thence, S-89°38'10"-W, 1906.73 feet to a 1- $\frac{1}{2}$ " iron pin found;

Thence, N-00°37'10"-W, 1264.07 feet to a 1" iron pin found;

Thence, N-89°34'57"-E, 2531.67 feet to a  $\frac{3}{4}$ " iron pin found;

Thence, N-00°14'16"-E (passing over a  $\frac{3}{4}$ " iron pin found at 61.46'), 94.51 feet to the centerline tangent of S.R. 303;

Thence southeasterly along the centerline tangent of S.R. 303, S-66°54'54"-E, 148.97 feet to an angle point;

Thence southeasterly along the centerline tangent of S.R. 303, S-85°10'54"-E, 783.95 feet to the easterly line of said Lot 1, Tract 2;

Thence southeasterly along the easterly line of Lot 1, Tract 2 (passing over a number five rebar found at 31.01' (capped #5916), S-00°25'36"-E, 544.68 feet to a point (witness a 1" iron pin found, N59°13'45"W, 0.55'));

Thence, N-64°51'59"-W, 190.62 feet to a  $\frac{3}{4}$ " iron pin found;

Thence, S-21°35'16"-W, 149.45 feet to a  $\frac{3}{4}$ " iron pin found;

Thence, N-73°33'09"-W, 487.48 feet to a number five rebar found (capped #5916);

Parcel A (continued)

Thence, N-84°41'56"-W, 262.20 feet to a 1" iron pin found;

Thence, S-00°10'16"-E, 191.54 feet to a number five rebar found (capped #5916);

Thence, S-37°49'20"-E, 560.20 feet to a number five rebar found;

Thence, S-89°36'51"-W (passing over a number five rebar found at 475.03', capped #6302), 635.03 feet to a point in a pond;

Thence, S-00°23'03"-E, 190.18 feet to the True Place of Beginning for the land hereinbefore described and containing 85.2542 acres of land (includes 0.6425 acre in road) as surveyed by Daniel C. Kalstrom, Professional Surveyor (Reg. No. 6302) in August, 2025.

# CHAPTER 1125

## Schedule of Off-Street Parking

### **1125.01 Intent.**

**1125.02 Off-street loading and unloading space.**

**1125.03 Off-street parking development conditions.**

**1125.04 Table.**

**1125.05 Municipal facilities.**

**1125.06 Regulations for the development and maintenance of parking lots.**

**1125.07 Parking Requirements in the Commercial and Mixed -Use Districts**

### **1125.01 INTENT.**

The intent of this chapter is to provide for adequate private passenger vehicle and delivery truck parking for different types of land uses within the Village and to set standards for the construction and use of off-street parking facilities. Within this chapter, standards have been identified for:

- (a) The temporary parking of trucks with the primary intent of delivering goods for storage and/or sale to the general public;
- (b) The temporary parking of private passenger vehicles as a use incident to a principal use; and
- (c) The temporary parking of private passenger vehicles as a principal use of the site to serve another use district which has developed without adequate off-street parking.

### **1125.02 OFF-STREET LOADING AND UNLOADING SPACE.**

Whenever reasonably possible, On onthe same premises with every building, structure, or part thereof, erected and occupied within the C Commercial District and the MU Mixed Use District there shall be provided and maintained on the lot, adequate space for standing, loading and unloading services in order to avoid undue interference with public use of the streets or alleys. Loading spaces shall be as approved by the Planning Commission through the site plan approval process. Such space shall include a 10 foot by 55 foot loading space, with 14 foot height clearance, for every 10,000 square feet or fraction thereof, in excess of 2,000 square feet of building floor use or land use for the above mentioned purposes. A 10 foot by 25 foot loading space with a 14 foot height clearance shall be required for non residential uses of 2,000 or less square feet of building floor use or land use.

### **1125.03 OFF-STREET PARKING DEVELOPMENT CONDITIONS.**

In all zoning districts, off-street parking facilities for the storage or parking of private passenger vehicles hereafter erected, altered or extended after the effective date of this Ordinance shall be provided and maintained as herein prescribed:

- (a) The loading space as required in Section 1125.02 shall not be construed as supplying any off-street parking space.
- (b) When units or measurements used in determining the number of required parking spaces result in requirement of fractional space, any fraction up to and including one-half shall be disregarded and fractions over one-half shall require one space.

(c) Whenever ~~there a use requiring off-street parking is an increased~~ in floor area or changed in use, ~~and such use is located in of~~ a building existing on or before the effective date of this Ordinance, ~~the Planning Commission shall evaluate the need for additional parking per Section 1125.07.~~ If additional parking is determined to be required it may be provided on site or within 500 feet of the building through agreements with other property owners. ~~additional parking space for such additional floor area or changed use shall be provided and maintained in amounts hereafter specified for such use; provided, however, in the existing business districts where the Village and various property owners have or may cooperatively develop parking facilities, and additional parking space as required for the increased floor space is not available within the required 300 feet as required in this Ordinance, the Commission may, through negotiations with the owner of such property, vary the location of such required parking spaces or agree to the owner's participation in other authorized parking facilities which will furnish the same amount of space as required for his increased floor space within a distance of not more than 500 feet of the building.~~

(d) For the purpose of this chapter, "floor area" in the case of offices, merchandising or service types of use, shall mean the gross floor area used or intended to be used for services to the public as customers, patrons, clients or patients or as tenants, including areas occupied for fixtures and equipment used for display or sale of merchandise.

(e) Off-street parking facilities for one- and two-family dwellings shall be located on the same lot or plot of ground as the building they are intended to serve. The location of required off-street parking facilities for other than one and two-family dwellings and all multiple dwellings shall be within 500 feet of the building they are intended to serve, measured from the nearest point of the off-street parking facilities to the nearest point of the building.

(f) In the case of a use not specifically mentioned, the requirements for off-street parking facilities for a use which is mentioned and which such use is similar shall apply.

(g) Nothing in this chapter shall be construed to prevent collective provision of off- street parking facilities for two or more buildings or uses, provided that, collectively, such facilities shall not be less than the sum of the requirements for the various individual uses computed separately in accordance with the table in this chapter.

(h) Nothing in this section shall prevent the extension of or an addition to a building into an existing parking area which is required for the original building when the same amount of space taken by the extension or addition to a building is provided by an enlargement of the existing parking lot or an additional area within 500300 feet of such building.

(i) Such parking areas will be used solely for the parking of private passenger vehicles for periods of less than 24 hours (excluding parking devoted entirely to single family detached, two family, accessory apartments or three family dwellings) and shall not be used as off-street loading areas.

(j) No commercial repair work or service of any kind, or sales or display activities, shall be conducted in such parking areas.

(k) Such parking lots shall be used only for parking automobiles and no commercial activities, such as washing or greasing, sale of merchandise or purveying of foodstuffs, repair work or servicing of any kind shall be done thereon.

(l) No building or structure shall be hereafter built or permitted, except as necessary buildings for an attendant, not more than 50 square feet each in area and not more than 15 feet in height.

(m) Plans for development of any such parking lot must be approved by the Zoning Officer Planning Commission as required by Section 1125.07 before construction is started. No such land shall be used for parking until approved. by the Administrative Official.

(n) Any area once designated as required off-street parking shall not be changed to any other use unless and until equal facilities are provided elsewhere.

#### **1125.04 TABLE.**

(a) The amount of required off-street parking spaces for uses or buildings, additions thereto and additions to existing buildings, as outlined in Section 1125.04, shall be determined in accordance with the following table, and the space so required shall be stated in the application for a permit and shall be irrevocably reserved for such use and/or shall comply with this chapter.

(b) For those uses not specifically mentioned, the minimum requirements for off-street parking facilities shall be in accordance with a use which is similar in type and as approved by the Planning Commission.

<b>Use</b>	<b>Required Parking Space(s)</b>
(1) One-family dwellings.	Two for each dwelling unit.
(2) Two-family dwellings, multiple family dwellings, <u>Accessory Apartments</u>	<u>One and one-half for each unit and/or first bedroom and one additional for each additional bedroom over one. Units less than 550 sq. ft one space. All units over 550 sq. ft. 2 parking spaces.</u>
(3) <u>Accessory Apartment</u>	<u>One per unit located on site</u>
(4) (3), <u>Nursing</u> <u>and</u> convalescent homes and Assisted Living or similar uses.	.75 space per bed
(5) (4) Hotels.	One and half (1.5) for each guest room,
(6) (5) Libraries, museums, post offices. or similar uses	10 spaces plus one (1) for each 200 sq. ft. of floor area in excess of 2000 sq.ft.
(7) (6) Theaters and auditoriums (other than incidental to schools).	One for each four seats, plus 5 spaces
(8) (7) Churches, auditoriums incidental to schools.	One for each four seats in the main assembly area.
(9) (8) Schools, public or private.	two (2) spaces for each classroom plus one (1) space for each 300 sq. ft. of administrative space, plus sufficient space for the safe and convenient loading and unloading of students.
(10) (9) Assembly halls without fixed seats, community centers, civic clubs, fraternal orders, veterans' organizations, union halls and similar types of occupancy.	One for each four people allowed within the maximum occupancy load as established by the Fire Marshal.
(11) (10) Stadiums and sports arenas.	One for each four seats.
(12) (11) Mortuaries or funeral homes.	One for each 50 square feet of floor space in the slumber rooms, parlors or individual funeral service rooms.

<del>(13) (12) All Commercial uses, Industrial, Research and Laboratory uses and other uses located in the Commercial or Mixed-Use District Establishments for sale and consumption on the premises of alcoholic beverages, food or refreshments.</del>	<del>As established by the Planning Commission per section 1125.07 One (1) for each 50 sq. ft. or one (1) space for every 2 seats whichever is greater.</del>
<del>(13) Outdoor dining</del>	<del>One (1) space for every four (4) seats or one (1) per 100 sq. ft. whichever is greater.</del>
<del>(14) Medical or dental clinics, banks, business or professional offices.</del>	<del>One for each 200 square feet of floor area.</del>
<del>(15) Furniture and appliance stores, personal service shops (including beauty parlor and barber shops), household equipment or furniture repair shops, clothing or shoe repair or service shops, hardware stores, motor vehicle sales, wholesale stores and machinery sales.</del>	<del>One (1) space for every 250 sq. ft. of floor area</del>
<del>(16) All retail stores, except as otherwise specified herein.</del>	<del>One for each 250 square feet of floor space.</del>
<del>(17) Service garages, auto salesrooms, auto repair, collision shops.</del>	<del>One (1) space per 400 sq. ft. of sales/showroom plus one (1) space per service bay or stall plus one (1) space per 200 sq. ft. of additional floor area.</del>
<del>(18) Gasoline filling stations.</del>	<del>One (1) space per pump plus one (1) space for every 200 sq. ft. of floor area.</del>
<del>(19) Industrial establishments including manufacturing, research and testing laboratories, creameries, bottling works, printing shops, warehouses and storage buildings.</del>	<del>One (1) space for every 400 sq. ft. of floor area.</del>
<del>(14) (20) Indoor and outdoor amusement centers</del>	Shall be determined by Planning Commission through the conditional use approval.

## **1125.05 MUNICIPAL FACILITIES.**

Wherever the Council establishes off-street parking facilities by means of a special assessment district or by any other means, the Council may determine, upon completion and acceptance of such off-street parking facilities by the Council, all existing buildings or uses and all buildings erected or uses established thereafter within the special assessment district or districts shall be exempt from the requirements of this chapter for privately supplied off-street parking facilities.

## **1125.06 REGULATIONS FOR THE DEVELOPMENT AND MAINTENANCE OF PARKING LOTS.**

In all districts where off-street parking lots are the principal use of a site or are permitted as an adjunct to the lawful use of property therein, and such facilities provide parking privileges to owners, occupants, tenants, employees, patrons, customers, members, visitors, and invitees therein, such off-street parking lots shall be constructed and maintained subject to the following regulations:

(a) Application Requirements. An application for a permit to construct such a lot shall be submitted to the Village. After the Administrative Official has determined that the following mandatory provisions have been provided for, a permit shall be issued to the applicant. The application shall include a site plan along with all applicable construction details and elevations and shall include all items identified in this Section. All plans shall be prepared and sealed by a registered engineer.

(b) Ingress/Egress. Adequate ingress and egress shall be provided to meet the approval of the Administrative Official. Backing directly onto a street shall be prohibited.

(c) Construction Requirements. All parking lots shall, at a minimum, be surfaced and maintained with a durable and dustless surface (such as brick, stone, gravel or slag, washed silica pebbles, asphalt or concrete). All parking lots shall provide an adequate storm management system as approved by the Planning Commission in consultation with the Village Engineer and/or Zoning Officer.

(d) Lighting. All lighting used to illuminate any off-street parking area shall be so installed as to be confined within and directed onto only the parking area and property which it serves. No lighting shall be so located or visible as to be a hazard to traffic safety. Minimum light levels at any one location within the lots shall be one foot-candle, and maximum light levels at any point along the perimeter of the lot shall be one and one-half foot-candles. A lighting plan shall be submitted along with the site plan identified above and shall include all light locations, photometric diagrams and light fixture details. In addition, all off-street parking areas shall be designed and screened so as to minimize the presence of headlight glare on adjacent properties, particularly those zoned or used for residential purposes.

(e) Lots Located Opposite Residential Property. All street boundaries of such parking lots where residential property is located on the opposite side of the street shall provide screening of vehicle headlights to the residential property.

(f) Signs. No sign shall be erected upon such parking lots, except not more than one sign at each entrance to indicate the operator, the purpose for which operated and the parking rates, when charge is permitted. Such signs shall not exceed six square feet in area per site entrance and shall not extend more than eight feet in height above the nearest curb and shall be entirely upon the parking lot.

(g) Drive Width. Entry driveways shall be at least 12 feet wide for one-way travel and at least 24 feet wide for two-way travel.

(h) Layout Plan Requirements. Plans for the layout of off-street parking facilities shall be in accordance with the following minimum requirements:

Parking Angle	Stall Width (feet)	Aisle Width (feet)	Stall Length (feet)
Parallel	9	12	23
30"	9	12	18
45"	9	13	18
60"	9	18	18
90"	9	24	18

Facilities for the parking of tour busses, motorcoaches, and other large vehicles shall be designed in accordance with and depending upon the type(s) of vehicles proposing to be accommodated on a site.

(i) Parking for the Physically Handicapped. Parking requirements for the physically handicapped shall be in conformance with the Ohio Building Code.

(j) Maneuvering Lanes. All maneuvering lane widths shall permit one-way traffic movement, except that the 90-degree pattern may permit two-way movement.

(k) Other Driveway Standards. If abutting parking spaces are arranged at an angle other than those listed above, the minimum driveway width shall be determined according to the next higher standard from the table. For example, if 75-degree angle parking is provided, the minimum driveway width shall be the standards for 90-degree angle parking or 24 feet.

(l) Driveway Width for Driveways Used by Large Vehicles. If the driveway is regularly used by trash collection vehicles, delivery trucks or other large vehicles, the minimum width shall be increased to 24 feet.

(m) Other Improvements. Except for single- and two-family dwellings on individual lots, where three or more unenclosed parking spaces are provided, exclusive of driveways, the following additional improvements are required:

(1) Drainage. Parking areas shall be appropriately graded and equipped with facilities to collect and store stormwater on-site and transmit it to the approved public facilities, as determined by the Village Engineer and/or Zoning Officer.

(2) Marking. All parking spaces shall be appropriately marked with painted lines.

(n) Shared Parking and Access Facilities. In conjunction with multiple-family or nonresidential uses, two or more adjoining properties may be developed with shared parking and access facilities when approved under a single unified site plan. In such cases, the setbacks, curbing and perimeter landscaping requirement of this section shall not apply along the common property line.

(o) Setback Requirements. The setbacks of all off-street parking lots shall be in accordance with the requirements identified below:

(1) Front yard. No parking lot stalls or aisles shall be located closer than 5 feet to the public road right-of-way. In addition, and whenever possible, parking should be located behind building.

(2) Side yard on interior lot lines. No parking lot stalls or aisles shall be located closer than 10 feet to the adjoining parcel property line of a residential use and must be screened in accordance with section (q) herein. Parking lot stalls and aisles shall be permitted to abut the property line of an adjacent non-residential use.

(3) Side yard on street side of corner lots. No parking lot stalls or aisles shall be located closer than 5 feet to a street right-of-way.

(4) Rear yard. No parking lot stalls or aisles shall be located closer than 5 feet to the rear property line of nonresidential uses. When a parking lot is located adjacent to any residential use, the setback shall be 10 feet.

(5) Rear yard abutting a street. No parking lot stall or aisle shall be located closer than 5 feet to a street right-of-way.

(p) Landscape Screen Requirements. When required, parking spaces and parking areas shall be effectively screened with perimeter landscaping on all sides adjacent to or visible from adjacent properties, streets or alleys. Any parking area containing more than 50 spaces shall also include interior landscaping to further reduce the visual impacts of the areas, to reduce their heat radiation effects, to improve oxygen generation, and to reduce air pollution.

(1) Installation/maintenance. Landscape screening shall be installed and maintained as required in this Ordinance.

(2) Screening. Screening shall be provided for all non-residential uses where three or more unenclosed parking spaces are provided exclusive of driveways. Screening shall be provided in

accordance with a landscape plan submitted as part of the application and shall meet the design standards identified in this Ordinance.

(q) Design Standards for Landscape Screen Requirements.

(1) Deciduous or evergreen shrubs used in a perimeter landscape screen shall be at least two feet high at initial planting and shall be expected and permitted to grow to a height of at least three feet within two years of planting; such materials shall be expected and permitted to grow to a height of five feet. A solid six (6) ft fence may be installed in combination with the plant material if approved by the Planning Commission.

(2) At initial planting, deciduous trees shall be a minimum of two- and one-half-inch caliper, ornamental trees a minimum of two-inch caliper and evergreen trees a minimum of five feet in height.

(3) The required height of a perimeter landscape screen may be reduced where it is determined by the Village Engineer and/or Zoning Officer that such landscaping would interfere with traffic safety and visibility.

(4) The required height of a perimeter landscape screen may be increased where significant changes in elevations between an adjacent property or public right-of-way make it necessary to comply with the intent of this Ordinance.

(5) The selected combination of plant materials shall be a harmonious combination of living deciduous and evergreen trees, shrubs and vines irregularly spaced to provide an effective year-round screen and to present an aesthetically pleasing view, and all quantities shall be based on the on a landscape plan that has been submitted and approved by the Planning Commission.

(6) Loose groundcover or mulch materials shall be placed or effectively contained so they do not spill over into parking and access facilities or the public right-of-way.

(7) All required landscape features within three feet of the edge of parking or access facilities shall be protected from vehicle encroachment by curbing, wheel stops or similar means.

(8) Where 50 or more parking spaces are provided, there shall be at least 10 square feet of interior landscaped area per space provided within the overall perimeter of the parking area.

(9) Interior landscaped areas shall be at least 125 square feet in an area with a minimum dimension of no less than eight feet.

(10) At least one shade tree of a minimum two- and one-half-inch caliper shall be planted in each interior landscaped area.

(11) There shall be at least one interior landscaped area for each 50 parking spaces provided or fraction thereof.

(12) The application of the above standards may be adjusted, in part or in whole, to allow credit for healthy plant material to be retained on or adjacent to the site if such an adjustment is consistent with the intent of this article.

(13) Planning Commission may waive or modify any of the above listed criteria as part of the site plan review provided the intent of this section is maintained.

(r) Maintenance. It shall be the responsibility of the owner and occupant of the property to maintain all parking and access facilities in a safe and usable condition. This includes, among other things, patching, sealing and replenishing paving; repainting space markings; repairing or replacing curbing or wheel stops and cleaning on-site drainage facilities. It shall also be the responsibility of the owner and occupant to maintain required landscape in neat, clean, orderly and healthful condition. This includes, among other things, pruning, mowing, weeding, litter removal, replacement of dead or diseased plants, repair or replacement of broken or damaged walls, and the regular feeding and water of plant materials.

## **1125.07 PARKING REQUIREMENTS IN THE COMMERCIAL AND MIXED -USE DISTRICTS**

(a) To maintain flexibility, encourage the redevelopment or development of parcels within the Commercial and Mixed-Use Districts and to ensure that parking areas are the appropriate size for the proposed uses, the Planning Commission shall determine the appropriate number of parking spaces necessary on a site based on the following criteria:

1. In addition to the site plan, the submission of a parking assessment by the developer or property owner that evaluates the number of parking spaces that includes:
  - A list of proposed use or uses of the property;
  - The peak demand for each use;
  - The location and number of required handicapped parking;
  - A completed Village Shared Parking Analysis form;
  - A list of current uses within 500 feet of the site;
  - Location of on street parking adjacent to the site and number of spaces;
  - Location of public parking within 500 feet of the site;
  - Availability of shared private parking including an agreement for use of such parking;
  - Provisions for bike parking.
2. The Planning Commission shall review the parking assessment and evaluate the appropriateness of the proposed parking based on the following criteria:
  - a. If there is a housing component in the project, on-site parking shall be provided for each unit;
  - b. If an existing building is being expanded, will existing parking be eliminated;
  - c. Does the percentage of lot coverage by the building comply with the requirements of Section 1113.01(k);
  - d. The nature of the use or uses and the proposed hours and days of operation;
  - e. Will the amount of parking impact the existing businesses in the area;
  - f. Will the site provide amenities such as bike parking, public gathering spaces or unique design features that will be an asset to the Village;
  - g. Are there currently parking concerns in the area;
  - h. Will the development and parking layout advance the spirit and intent of the Zoning Code, the Downtown Master Plan and the Long-Range Plan;

(b) After review the Planning Commission may approve, approved with stipulations, or deny the number of spaces and the layout of the parking. If the number of parking spaces is denied the Planning Commission shall state the reasons for the denial. The applicant may revise the plan to address the reasons for denial and resubmit to the Planning Commission. If the Planning Commission approves the number and layout of the parking, the Zoning Officer shall incorporate

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the approved plan in the Zoning Permit. If the approval is with stipulations the Zoning Officer shall ensure that the stipulations are addressed and included on the final plan before issuance of a zoning permit. If the stipulations are not addressed the Zoning Officer shall return the application to the Planning Commission for additional review which may result in a denial of the plan.

## 1113.01 SCHEDULE OF REGULATIONS.

District/ Overlay	Lot Minimum		Maximum Height of Structures		Minimum Setback Requirements (Per Lot in Feet)				Minimum Floor Area	Maximum Lot Coverage
						Side Yards				
	Area (square feet)	Width (feet)	In Stories	In Feet	Minimum Front Yard	Least One	Total of Two	Rear Yard		
R-1, Rural Residential District	174,240 (4 acres)	300 (b)	2	35	200	65	130	100	(h)(1)	15%
R-2, "Small Town" Residential District	10,890 (1/4 acre) (a)	80 (b)	2	35	25	10	25	35	(h)(2)	30%
C, Commercial District	(c)	(b, c)	3(d)	45(d)	0	0 (f)	0 (f)	20	-	(k)
MU, Mixed Use District	(c)	(b, c)	3(d)	45(d)	0	0 (f)	0 (f)	20	(i, j)	(k)
PI, Public/Institutional District	(c)	(b, c)	2 (d)	35 (d)	0	0 (f)	0 (f)	20	-	(k)
CR, Conservation/ Recreation District	-	-	2	35	100 (g)	35 (g)	70 (g)	60 (g)	-	5%

### FOOTNOTES TO SCHEDULE OF REGULATIONS

- (a) In the event of no public water or sanitary sewer service availability, the minimum lot area and width in the R-2 District shall be determined by the amount and configuration of land necessary to accommodate private well(s) and or septic system(s), as determined by the Summit County General Health District. In no case, however, shall the minimum lot area be less than 10,890 square feet.
- (b) In all districts, in addition to meeting minimum lot width requirements, each lot shall also provide lot frontage conforming to the requirements of Section 1117.05.
- (c) In a C, MU, or PI District, lot minimum (area and width) and minimum front and side setback requirements shall be determined by the ability of a proposed use to meet all other requirements of this Ordinance.
- (d) In a C, MU, or PI District, as well as for additional uses in R-1 and R-2 Districts as specified in this Ordinance, additional building height may be permitted with Commission approval, upon providing justification to the Commission that the height is necessary for the operation of a proposed use.
- (e) In all districts, on a corner lot, the side yard abutting the secondary street shall be increased to the front yard for the district in which the lot is located.
- (f) In a C, MU, or PI District, where a lot abuts land in an R-1 or R-2 District, any side yard abutting such land shall be increased to 20 feet.

(g) In a CR District, there shall be no setback requirements for any lot line that abuts another lot in a CR District.

(h) (1) Single-family dwellings in the R-1 District shall comply with the following minimum floor area requirements:

(A)

Dwellings with or without basement	1400 sq. ft.
First floor of two-story or tri-level	800 sq. ft.

(B) Single Family dwelling shall comply with the following maximum floor area requirements:

Dwelling with or without basement	5500 sq.ft.
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(2) Single-family dwellings in the R-2, MU and C Districts shall comply with the following minimum floor area requirements:

(A)

Dwellings with or without basement	1000 sq. ft.
First floor of two-story or tri-level	700 sq. ft.

(B) Single Family dwelling shall comply with the following maximum floor area requirements:

Dwelling with or without basement	2800 sq.ft.
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(i) Two and three family dwellings on individual lots shall comply with the following minimum floor area requirements per unit:

(1)

Dwellings with or without basement	1,000 sq. ft.
First floor of two-story or tri-level	700 sq. ft.

(2) Two family buildings in the R-2 and MU Districts shall comply with the following maximum building area requirements:

Building with or without basement, includes both units	3200 sq.ft.
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(j) Multiple family dwellings in a multifamily development and accessory apartments shall comply with the following minimum floor area requirements per unit:

Unit with one bedroom	400 sq. ft.
Unit with two bedrooms	550 sq. ft.
Unit with three or more bedrooms	700 sq. ft.

(k) In a C, MU or PI District, ~~maximum lot coverage the building foot print shall not exceed 50% of the lot area unless approved by the Planning Commission. be determined by the ability of a proposed use to meet all other requirements of this Ordinance.~~

## 1141.42 SUPPLEMENTAL REGULATIONS FOR COMMERCIAL AND/OR INDUSTRIAL USES ADJACENT TO RESIDENTIAL USES.

- (a) Commercial or industrial uses adjacent to residential uses shall not exceed the height of the residential use.
- (b) All commercial and industrial uses located adjacent to residential uses shall buffer and screen the commercial and/or industrial operation from the adjacent residential use.
  - (1) Commercial/industrial uses adjacent to residential areas shall be designed to:
    - A. To the greatest extent possible shift commercial uses away from the living area of the adjacent residential use.
    - B. Shift loading docks and overhead doors to the opposite side of any residential building.
    - C. Locate parking facilities adjacent to residential property provided they are buffered and to the greatest extend possible away from the living area of the residential structure.
    - D. Locate trash bins, dumpsters and storage areas away from residential structure.
    - E. Locate office portions of a facility nearest to residential property.
  - (2) Screening when used to buffer adjacent residential property from commercial or industrial uses shall consist of landscaping or mounding or both.
    - A. The landscaping shall be at least 75% evergreen material which shall provide a minimum four-foot opaque appearance. The evergreen material may be supplemented by deciduous plants and trees.
    - B. If mounding is used it shall be a minimum of four feet in height and graded at a slope that can be maintained. All mounds shall be planted to prevent erosion.
    - C. The Planning Commission may approve the substitution of solid fencing for the required plant material. If fencing is used it shall consist of a solid fence or wall not less than four feet in height adjacent to parking areas and a minimum of six feet in height adjacent to all other operations. Fencing within the front setback shall be in conformance with Section 1117.12.
    - D. Screening and buffering shall be included on the site plan for review and approval by the Planning Commission. Screening shall be installed prior to building occupancy.
    - E. Screening and buffering shall be maintained in good condition. Plant material shall be replaced when necessary to maintain the minimum requirements of screening. Fencing shall be maintained in good repair at all times.
    - F. Where other sections of this code require screening or buffering the more restrictive shall apply.
- (c) Setbacks for commercial and industrial uses adjacent to a residential use shall be as required by Section 1113.01.
- (d) The Planning Commission may waive standards established by this section provided the spirit and intent of the section is maintained.

## 1109.03 LAND USE TABLES.

SYMBOL	KEY							
		RURAL RESIDENTIAL	SMALL TOWN RESIDENTIAL	COMMERCIAL	INDUSTRIAL	PUBLIC INSTITUTIONAL	CONSERVATION/RECREATION	
		P	Permitted Uses	C	A	Accessory Uses		
USES	Prohibited Use	R-1	R-2	C	MU	PI	CR	STANDARDS FOR LAND USES
<b>ANIMAL AND AGRICULTURAL USES</b>								
Garden Centers and Feed Stores					P		P	
Individual Produce Stands and Farm Markets		C					P	Sec. 1141.01
Farming		C	C				P	Sec. 1141.39
Greenhouses and Nurseries (Primary Use)		C					C	Sec 1141.09
Veterinary Clinics					C		C	Sec. 1141.02
Farmers' Markets		C		C			C	Sec. 1141.03
<b>RESIDENTIAL USES</b>								
Single Family Dwellings, Detached		P	P	P	P	P		
Residential Care Facility With 1 to 5 Persons (5119.34)		P	P	P	P	P		
Foster Homes (ORC Sec. 5103.02)		P	P	P	P	P		
Family Day-Care Homes, Type B (ORC Sec. 5104.01)		P	P	P	P	P		
Family Day-Care Homes Type A (ORC Sec. 5104.01)		C	C					Sec. 1141.04
Accessory Apartment				A	A			Sec. 1141.41
Farming for Personal Use		P	P	P	P	P	P	Sec. 1141.39
Bed and Breakfast Inns		C	C	P	P			Sec. 1141.05
Residential Care Facility 6 to 16 persons					C			Sec 1141.13
Two-Family Dwelling			C		C			Sec. 1141.06
Three Family Dwelling					C			Sec 1141.06
Multiple-Family Developments					C			Sec. 1141.07
<b>OFFICE AND SERVICE USES</b>								
Catering Facilities				A	P			Sec. 1141.10 <u>Sec 1141.42</u>
Banks and Financial Institutions				P	P			<u>Sec 1141.42</u>
Barber Shops, Beauty Salons and Nail Care				P	P			<u>Sec 1141.42</u>
Doctor, Dental and other health practitioners' offices and clinics.				P	P			<u>Sec 1141.42</u>
Massage Therapists				P	P			Sec. 1141.11 <u>Sec 1141.42</u>
Offices for Professional, Executive, or Administrative Uses, such as Attorneys,				P	P			<u>Sec 1141.42</u>

Accountants, Realtors, Architects, Artists, Insurance and Similar Occupations								
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USES	SYMBOL	KEY						STANDARDS FOR LAND USES
		RURAL RESIDENTIAL	SMALL TOWN RESIDENTIAL	COMMERCIAL	MIXED USE	PUBLIC INSTITUTIONAL	CONSERVATION/RECREATION	
		P	C	MU	PI	CR		
		R-1	R-2					
Workshops, Showrooms, Studios or Offices of Skilled Trades, such as Photographers, Decorators, Upholsterers, Tailors, Taxidermists, and Similar Businesses, or for Repair and Service of small appliances and equipment such as Bicycles, Electronics, Furniture, Shoes or Similar Items				P	P			<a href="#">Sec 1141.42</a>
Funeral Parlors or Mortuaries				C				
Nursing and Convalescent Homes, Assisted Living Facilities, and Senior Housing				C				
<b>COMMUNITY USES</b>								
Auditoriums and Performing Arts Theaters				P	P	P		Sec. 1141.14
Churches, Temples and Other Places of Worship			P	P	P			Sec. 1141.14
Child Care or Day Care Centers and Child Caring Institutions		P	P	P				<a href="#">Sec 1141.42</a>
Health Club or Fitness Center				P	P			
Cemeteries					P			
Educational Institutions, Public or Private, such as Elementary and Secondary schools and Colleges, Universities and Other Institutions of Higher Education					P			
Government Offices, such as Police and Fire Stations, Post Offices, Public Works or Road Maintenance Yards						P		
Halls for Civic Clubs and Membership Organizations						P		
Libraries, Museums and Fine Art Centers					P			
Recreation Facilities, Indoor (Community/Non-commercial) - (such as tennis/racquet courts, swimming pools, roller/in-line and ice-skating rinks and fitness tracks)					P			Sec. 1141.15
Recreation Facilities, Outdoor Passive (Community/non-commercial) - (such as parks, trails, conservation areas, licensed camp grounds and similar facilities)					P	P		Sec. 1141.15

Recreation Facilities, Outdoor Active (Community/non-commercial) - (such as playgrounds, athletic fields or courts, swimming pools, skating rinks fitness tracks, and similar facilities)					P	C	Secs. 1141.15, 1141.16		
	<b>SYMBOL</b>								
	P	Permitted Uses							
	C	Conditional Uses							
	A	Accessory Uses							
<b>USES</b>		Prohibited Use	<b>R-1</b>	<b>R-2</b>	<b>C</b>	<b>MU</b>	<b>PI</b>	<b>CR</b>	<b>STANDARDS FOR LAND USES</b>
Public Utility and Essential Service Structures and Uses Other than Wireless Telecommunications Facilities			C	C	C	C	C	C	Sec. 1141.17
<b>COMMERCIAL USES</b>									
Specialty Retail Establishments such as Antique Shops, Art Galleries, Florists, Gift Shops, Bakeries					P	P			<a href="#">Sec 1141.42</a>
Auto Parts Stores (without repair services)					P	P			<a href="#">Sec 1141.42</a>
Hardware and Home Improvement Stores and Building Supply Yards (indoor)					P	P			<a href="#">Sec 1141.42</a>
Laundromat and Dry-Cleaning Customer Pick-up/Drop-Off Only					P	P			<a href="#">Sec 1141.42</a>
Printing or Copy Centers					P	P			<a href="#">Sec 1141.42</a>
Eating and drinking places without the sale of alcohol, such as Restaurants, Coffeehouses, Doughnut Shops or Delicatessens					P	P			<a href="#">Sec 1141.42</a>
Eating and drinking places with the sale of alcohol such as Tavern, Pub, Brewpub, Cocktail Lounge, Night Club or Billiard and Pool Hall					P	P			<a href="#">Sec. 1141.18</a> <a href="#">Sec 1141.42</a>
Tobacconist or Cigar/Cigarette Shop					P	P			<a href="#">Sec. 1141.19</a> <a href="#">Sec 1141.42</a>
Video Rental Establishments					P	P			<a href="#">Sec. 1141.20</a> <a href="#">Sec 1141.42</a>
Retail Stores and Commercial Uses with up to 10,000 square feet of total gross floor area					P	P			<a href="#">Sec 1141.42</a>
Arcades and Indoor or Outdoor Amusement Centers, such as Miniature Golf, Golf Driving Ranges, Bowling Alleys, Batting Cages or Similar Facilities					C				Sec. 1141.15
Automobile, Truck and other Motor Vehicle Service facilities including gas stations, minor and major repair					C	C			<a href="#">Sec. 1141.21</a> <a href="#">Sec 1141.42</a>
Outdoor Eating Areas and Sidewalk Cafes					C	C			<a href="#">Sec. 1141.22</a> <a href="#">Sec 1141.42</a>
Recording Studios					C	C			<a href="#">Sec. 1141.23</a> <a href="#">Sec 1141.42</a>
Gunsmiths and Licensed Firearms Dealers					C				<a href="#">Sec. 1141.24</a> <a href="#">Sec 1141.42</a>

Hotels				C			Sec. 1141.25 <a href="#">Sec 1141.42</a>
Showroom, Sales Offices and Outdoor Sales or Display Area for Sales or Rentals of Goods, Products, Equipment, Machinery, Automobiles, Recreational Vehicles, Boats, Building Supplies, Hardware or Other Items				C			Sec. 1141.26 <a href="#">Sec 1141.42</a>

USES	SYMBOL	KEY						STANDARDS FOR LAND USES
		R-1	R-2	C	MU	PI	CR	
		RURAL RESIDENTIAL	SMALL TOWN RESIDENTIAL	COMMERCIAL	MIXED USE	PUBLIC INSTITUTIONAL	CONSERVATION/RECREATION	
		P	Permitted Uses	C	Conditional Uses	A	Accessory Uses	
Retail Stores and Commercial Uses with greater than 10,000 to 40,000 square feet of total gross floor area				C				Sec. 1141.27
Walk-up Windows and Curbside Pick- up			C	C				Sec. 1141.40
<b>INDUSTRIAL, RESEARCH AND LABORATORY USES</b>								
Brewery, Distillery or Winery				C				Sec. 1141.28
Carpet and Rug Cleaning and Similar Cleaning Businesses				C				Sec. 1141.28
Metal Casting, Fabricating, Buffing, Stamping, Shearing or Punching,				C				Sec. 1141.28
Light Industrial Activities such as:								
Warehousing and Bulk Indoor Storage Facilities				C				Sec. 1141.28
Assembly of Pre-manufactured Parts for Goods, Products, Equipment, Machinery, Hardware or Similar Items				C				Sec. 1141.28
Blacksmithing, Furniture or Cabinet Repair or Manufacture, Machine Shops and Welding Shops, Stone Finishing and Carving, Printing, Bookbinding, or Publishing, Woodworking Shops and Similar Uses				C				Sec. 1141.28
Manufacture of Products from Aluminum, Brass, or Other Metals,				C				Sec. 1141.28
Manufacture and assembly of small products such as Artificial Flowers, Ornaments, Awnings, Tents, Bags, Cleaning or Polishing Preparations, Brooms and Brushes, Buttons and Novelties, Canvas Products, Clothing for Wholesale Trade, Basket Material,				C				Sec. 1141.28

Bicycles, Shoes, Caskets, Brick, Clay, Glass, Shale, Tile Terra Cotta Products or Similar Items					
Research and Development Facilities, Technical Centers and Laboratories			C		Sec. 1141.28
Outdoor Storage of Goods, Products, Equipment, Machinery, Lumber, Landscaping and Building Supplies or Similar Items			C		Sec. 1141.29
Self-Storage Warehouses			C		Sec. 1141.31

	<b>SYMBOL</b>	<b>KEY</b>									
	P	Permitted Uses		RURAL RESIDENTIAL SMALL TOWN RESIDENTIAL COMMERCIAL MIXED USE PUBLIC INSTITUTIONAL CONSERVATION/RECREATION							
	C	Conditional Uses									
	A	Accessory Uses									
USES		Prohibited Use		R-1	R-2	C	MU	PI	CR	STANDARDS FOR LAND USES	
<b>OTHER USES</b>											
Accessory Off-Street Parking Lot for Private Passenger Automobiles				A	A	A	A	A	A		
Accessory Structures and Uses Customarily Incidental to any Permitted Use				A	A	A	A	A	A		
Garage Sales, Estate Sales and Private Auctions				P	P	P	P	P	Sec. 1141.32		
Garage for Commercial Vehicles					P	P	C	C	Sec. 1141.33		
Temporary Structures and uses, including Construction Buildings				C	C	C	C	C	Sec. 1141.34		
Circuses, Fairs, Revivals, Carnivals and Similar Uses					C	C	C	C	Sec. 1141.35		
Home Occupation				A	A	A	A	A	Sec. 1141.36		
Swimming Pools				A	A	A	A	A	Sec. 1141.37		
Wireless Telecommunications Facilities						C			Sec. 1141.38		
Sexually Oriented Businesses						P			Chapter 1151		
Drive-Thru and Drive-up Facilities									Sec. 1141.40		

To address the concerns about future development in the MU Mixed-Use District a new chapter is proposed. The Mixed-Use Chapter could provide various criteria for the site and building design. The following is a proposed draft. The items in red are highlighted for discussion. These are policy decisions that affect how the regulations are applied.

## CHAPTER 1116

### MIXED USE DEVELOPMENT

#### 1116.01 PURPOSE

It is in the best interests of the Village, its residents and the businesses in downtown Peninsula that the areas zoned MU Mixed Use be enhanced to promote a mix of uses, provide for pedestrian mobility and multiple transportation options, and be developed to complement the character and style of the existing community through quality landscaping and building design. The Mixed-Use district shall be designed to improve and enhance the downtown area, establish a high-quality business and living environment, and attract and sustain future economic development.

#### 1116.02 APPLICABILITY

In addition to the requirements established elsewhere in the Village of Peninsula Zoning Code, developments in the MU Mixed Use District which are in excess of one acre shall comply with the criteria established in this chapter.

*Questions for Planning Commission consideration?*

*Should these standards apply to all parcels in the district or just parcels larger than one acre?*

#### 1116.03 USES

- (a) All uses shall be in conformance with the requirements of Section 1109.03 of the Village of Peninsula Zoning Code.
- (b) Strip commercial shall be prohibited.
- (c) Parcels in excess of one acre at the time of the adoption of this regulation shall not be subdivided without approval of the Village of Peninsula Planning Commission.

*Questions for Planning Commission consideration?*

- 1. Should the MU District be a district that permits a variety of uses or should the development in the MU District be required to have multiple uses on a site. If wish to have each site have multiple uses the following may be appropriate:*

  - (a) Buildings must contain a mix of commercial and residential uses.*
  - (b) Projects shall provide a minimum of 30% of the gross floor area as non-residential uses.*
- 2. Should Strip Commercial be defined.*

#### 1116.04 SITE CRITERIA

- (a) A minimum of 10% of the development area shall be provided as open space exclusive of pavement and buildings. Setbacks other than the front setback may be counted as open space.
- (b) The front setback shall not exceed 20 feet. *(Currently there is no minimum or maximum setback)*
- (c) Parking shall be located in the rear or the side of the building. If located on the side of the building, parking it shall be behind the front wall of the building.
- (d) Pedestrian connectivity and sidewalks shall be provided and integrated into the Village's existing system.
- (e) The development shall comply with the landscape requirements established by Chapter 1129 of the Village of Peninsula Zoning Code.
- (f) Pedestrian site amenities such as benches, bike racks, etc. shall be provided on site and may be located within the front setback.

#### 1116.05 BUILDING DESIGN

- (a) Buildings shall have a coordinated and integrated design that is non-linear.
- (b) Street facing facades shall be broken into 30-foot-wide segments.
- (c) Building design shall take its design cues from the Downtown Master Plan which identified significant design elements within the Village.
- (d) Ground floor windows shall cover 60% of the front façade. Upper floor windows shall have a rhythmic pattern that complements the ground floor.
- (e) Building materials of all buildings in the development shall be complementary to each other but provide differentiation.
- (f) Buildings shall have sloped roofs, parapets and cornice treatment on all sides of the building.
- (g) Entrances shall be clearly identifiable.
- (h) No garage access shall be on the front of the building.

## 1116.06 REVIEW AND APPROVAL PROCESS

- (a) Development within the Mixed-Use District shall comply with the requirements of Chapter 1149 as they relate to site plan approval.
- (b) If the development is to be implemented in phases, the Planning Commission may require the Developer to enter into a written Development Agreement with the Village, which at a minimum includes, a projected timeframe for the development's completion, an assurance that all aspects of the development will be consistent with the Planning Commission approval and an acknowledgement that any future owner of the property will comply with the conditions of any approval.
- (c) The Planning Commission may waive or modify any of the criteria of this chapter provided the spirit and intent of these regulations are maintained.

*Questions for Planning Commission consideration?*

*Change the retail gross floor area of buildings in Section 1109.03 from 10,000 square feet to something less? Change the maximum gross square footage from 40,000 square feet to something else?*

*Change the maximum building height in Section 1113.01 from 3 stories or 45 feet to 2 stories or 35 feet?*