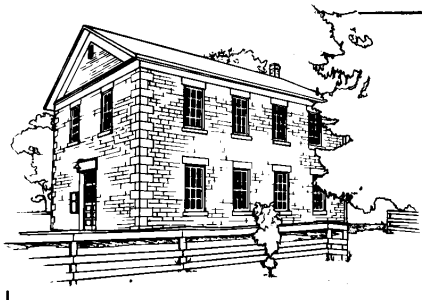


Village of Peninsula

# AGENDA

## PLANNING COMMISSION MEETING

**Monday October 26, 2026; 7:00 p.m.**
**Village Hall**
**1582 Main Street**
**Peninsula, Ohio 44264**

**CALL TO ORDER; ROLL CALL**

**CONSIDERATION OF MINUTES:** September 28, 2026 Planning Commission Meeting

**CITIZENS PARTICIPATION**

**MAYOR'S REPORT**

**COUNCIL LIAISON REPORT**

**BUSINESS**
**Historic District Certificate of Appropriateness Hearing**
Request for Certificate of Appropriateness from The Peninsula Foundation for Design Change for Residential Home at 6148 Riverview Road Property

**Proposed Amendments to Zoning Code**
Mixed-Use Zone Development; New Chapter 1116 (already reviewed and approved on 7/27/26)

Amendments to Chapter 1129; Landscaping, Screening, and Planting (already reviewed and approved on 9/1/26)

Amendments to Land Use Tables, Section 1109.03

Amendments to Standards for Specific Uses, Chapter 1141, Required by Changes to 1109.03

**Other Matters**
Interactive Zoning Map/Summit County GIS Services

Short-Term Rental Ordinance

Accessory Dwelling Units

**Additional Potential Zoning Code Matters to be Discussed if Time Permits**
Vacant Property Registration Ordinance
Commercial, Mixed-Use, and Public Institution Zone Exterior Lighting Ordinance

**ADJOURNMENT**

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

**Held: Tuesday September 1, 2026**

**CALL TO ORDER:** Ms. Frank-Hensley called the meeting to order at 7:01 p.m.

**ROLL CALL:**

| | | | |
|---|---|---|---|
| Chairperson Karen Walters | Absent | Greg Canda | Present |
| Council Rep. Amy Frank-Hensley | Present | Mayor Daniel Schneider, Jr. | Present |
| Kevin Royer | Absent | | |

**CONSIDERATION OF MINUTES**:
September 1, 2026 Planning Commission Meeting: Mr. Canda made a motion that was seconded by Mayor Schneider to approve the minutes. Roll call vote: Ms. Frank-Hensley, yes; Mr. Canda, yes; Mayor Schneider, yes. The minutes were approved.

**CITIZENS PARTICIPATION:** None.

**MAYOR'S REPORT:** The Mayor announced that the October 27th Council Meeting will include representatives from the CVNP, Conservancy, Cuyahoga Valley Scenic Railroad, and Summit County Engineer's Office to answer questions and discuss plans related to the area, including potential road realignment, railroad safety, and grant opportunities. The meeting will be a regular Council Meeting but will concentrate on the above discussions. Peddler's Day is Saturday October 3. The participating addresses have been posted on the website. The Wastewater Project plans are 98% complete. The Ohio EPA was pleased with the progress and Summit County's handling of the permitting requirements. The Project is still tentatively expected to break ground in the third or fourth quarter of next year, depending on financing.

**COUNCIL LIAISON REPORT:** Ms. Frank-Hensley announced the Summit County Engineer will give a presentation at the October 13th Council Meeting on the County's Surface Water Management District. The program could provide drainage and road improvement assistance, particularly in areas that may not be covered by a future sanitary sewer system. The program would involve an annual fee charged to each property in the Village. Council is still revising the proposed Events Policy. The approved short-term rental advisory ballot language is available on the Board of Elections website. The Commission expressed a desire to discuss the existing short-term rental ordinance at the October Meeting and what amendments might be needed based upon the various election result possibilities.

**BUSINESS:**
**Proposed Amendments to Zoning Code:**
Mixed-Use Zone Development; New Chapter 1116 (already reviewed and approved on 7/27/26) and Amendments to Chapter 1129; Landscaping, Screening, and Planting (already reviewed and approved on 9/1/26)

Ms. McMahon reported that no changes were made to the Mixed-Use Zone development regulations under Chapter 1116, which had been approved in July. The landscape screening and planting regulations were approved at the September 1 Meeting with minor adjustments, primarily to add year-round foliage screening requirements and correct typographical errors, wording, and formatting.

**Held: Tuesday September 1, 2026**

Amendments to Land Use Tables, Section 1109.03 and Amendments to Standards for Specific Uses, Chapter 1141, Required by Changes to 1109.03

Ms. McMahon outlined the updates made to the land-use tables that would allow individual produce stands and farm markets as conditional uses in the R2 district. The keeping of large domestic animals would be permitted in Conservation/Recreation and R1 districts only and be conditional in other districts. Additional proposed standards for produce stands include a five-foot setback from front and side property lines, submission of a site sketch identifying proposed structures, the location of off-street parking, and a general description of the products for sale, consideration of parking and traffic safety, operating hours between 8 a.m. and dusk, and limiting sales to agricultural products produced on the property. On-street parking would require Planning Commission approval based on whether it could be accommodated safely without creating traffic hazards or congestion. These activities would be subject to the applicable standards in Section 1141.39.

Commission Members discussed whether these requirements would be practical and proportionate, particularly for residents who occasionally sell surplus vegetables or other homegrown produce. Concerns included the difficulty of identifying property lines, preparing a product list in advance, obtaining approval before seasonal produce becomes unavailable, and enforcing the regulations. Ms. McMahon clarified that the rules were intended to regulate commercial activity rather than informal exchanges, such as giving away surplus vegetables or operating children's lemonade stands. She explained that conditional-use requirements already applied to produce stands in R1, while such stands were previously prohibited in other districts. The Commission also expressed a desire to allow farmers' markets as conditional uses in Commercial districts and Mixed-Use areas.

The conversation then turned to permitted recreational uses at Oxbow Meadows, including the possibility of primitive camping cabins or A-frame shelters like those offered at Heritage Farms. The Commission examined whether small-scale camping, cabin rentals, recreational equipment rentals, and privately operated camping areas are allowed under the proposed regulations. Ms. McMahon explained that modest accommodations without full household facilities qualify as campground-related uses, whereas units equipped for full-time residential living fall under a different regulatory category. Members raised questions about whether private property owners could offer temporary camping through online platforms and how these activities intersect with the Village short-term rental restrictions. The discussion highlighted the need to clarify the relationship between licensed campgrounds, conservation overlays, commercial recreation, and residential zoning requirements.

Another issue involved Section 1141.35, which pertains to circuses, revivals, carnivals, and similar events. Members questioned whether the provision was intended primarily for temporary travelling events or also covered longer-running activities, such as flea markets and seasonal events at Heritage Farms. They noted that existing events may have historical approvals or established practices, while new events could raise questions about permits, insurance, location restrictions, and public safety. The Commission agreed that these zoning provisions should be coordinated with the Village's developing events policy.

Members emphasized the importance of understanding the broader purpose of the zoning amendments and how they support the Village's long-range planning objectives. Rather than simply reviewing individual code provisions, they wanted a summary explaining the problems the changes were intended to address, the severity and frequency of those problems, and the

expected impact on residents, businesses, and future development. Ms. McMahon offered to prepare this explanatory summary and present the amendments to Council when appropriate. Members also discussed reviewing existing uses to ensure that current businesses and established activities would not be unintentionally affected, including consideration of grandfathered uses and other relevant historical circumstances.

It was agreed that Ms. McMahon would revise Section 1141.15 to reflect the discussion and prepare a summary of the proposed changes for Council. The amendments would return for additional discussion rather than being formally approved at this meeting. Members also recognized the need to coordinate the review schedule with the Mixed-Use Zone development moratorium, which will expire in December. Because Council would need a public hearing and at least 30 days' notice, the Commission discussed the possibility of extending the moratorium if necessary to allow adequate time for review and approval of the Ordinance amendments.

**Other Matters:**

Interactive Zoning Map/Summit County GIS Services Agreement

It was noted that there are discrepancies between the Village's Zoning Map and Summit County's GIS mapping system. Ms. McMahon explained that some zoning updates, including the changes made in 2020 and on Main Street, are not fully reflected in the County's records. While Summit County offers an intergovernmental agreement to provide comprehensive GIS services, which includes mapping of zoning districts, streets, and utilities, these services involve licensing and hourly fees. The Commission generally agreed that the immediate priority should be ensuring the County's existing online Zoning Map accurately reflects the current Village Map. Additional information, such as historic preservation and conservation overlays, and an exportable spreadsheet of parcel and zoning data, would also be beneficial. Rather than committing to the full agreement, Ms. McMahon proposed that she meet with the County GIS staff to explore whether these updates and data exports could be completed through a more limited, one-time service, at little or no cost.

Accessory Dwelling Units

Ms. McMahon first clarified that ADUs differ from accessory buildings, such as sheds and garages, because they provide a separate, complete living space that may be attached to a home, located above a garage, or built as a detached unit. She then provided a general review of the packet materials, which contained research and information on ADUs, considerations for developing local regulations, and examples from other communities. Potential issues include whether they should be permitted or conditional uses, building height, parking, driveway access, utilities, fees, and compatibility with neighborhood character. Ms. McMahon explained that before she drafts any regulations, the Village needs to reach a consensus on whether to permit ADUs. It Then needs to determine appropriate requirements relating to location, size, lot size, lot coverage, attachment, and septic or sewer connections. Participants raised concerns about the impact on the Village's character, stormwater systems, and existing small or nonconforming lots, as well as potential public health requirements related to septic systems. The group agreed that the documents provided were a helpful starting point, but further discussion and consideration of the local conditions are needed before determining what regulations would best suit the Village before moving forward with a potential zoning ordinance.

**Held: Tuesday September 1, 2026**

**ADJOURNMENT:** Mayor Schneider made a motion that was seconded by Mr. Canda to adjourn the meeting. Roll call vote: Ms. Frank-Hensley, yes; Mr. Canda, yes; Mayor Schneider, yes. The meeting was adjourned at 8:57 p.m.

Respectfully submitted:

Karen Walters, Chairperson Date

# VILLAGE OF PENINSULA
## ZONING PERMIT/CERTIFICATE OF COMPLETION APPLICATION

*This application must be submitted in person. Call Village of Peninsula Fiscal/Zoning Office at 330-657-2714.*

***Application for Zoning Permit and Certificate of Completion***

The undersigned hereby applies for a Zoning Permit for the following use, to be issued on the basis of the information contained and supplied within this application. With this application must be supplied four (4) sets of plot plans drawn to scale showing dimensions of lot and of existing and/or proposed structures and uses, access streets, parking area with spaces, access lanes and driveways, sewage disposal and water supply facilities and all easements, showing their locations and distances from street lines, building line, side and rear lot lines and between each other. If septic system is to be used, attach a copy of the approval for sanitary and water facilities given by Summit County Health Department and/or Ohio Environmental Protection Agency, as law requires. Also attach Surface Water Drainage Approval signed by the Peninsula Street Commissioner.

**1. Subject Property**

PROPERTY LOCATION: 6184 RIVERVIEW RD. PENINSULA OH 44264 — Property Size (Gross Area in Acres)

APPLICANT: THE PENINSULA FOUNDATION — ELIZABETH KUKWA, ASSETS MANAGER

Name of Business or Establishment (If Applicable):

**2. Zoned**

Currently Zoned: — Proposed Use:

☒ Residential ☐ Business ☐ Light Industry ☐ Sign

Previous Permit Number (If applicable):

**3. Project Description**

Fences, Walls, or Hedges: ☐ Existing ☐ New Description:

New:

Addition:

Remodel: Replacing rotted barn siding on 2ND floor dormer with painted cedar siding.

Accessory Building:

One (1) Story: Split Level: 1 ½ Story: Two (2) Story: X

Building Floor Area Square Feet: Basement: 360 First (1) Floor: 432 Second (2) Floor: 432 Third (3):

Building Height: Ft. above Grade. Accessory Building Floor Area Square Ft.

Estimated Value of Structure: $100K Flood Plain: Yes ☐ No ☒

***Check/Complete All That Apply:***

☐ No Improvements Proposed ☐ Demolition ☐ Private Septic System ☐ Private Well

New Building Construction:

Alcohol Sales: ☐ Beer & Wine or ☐ Full Line of Alcohol ☐ On-site Consumption or ☐ Off-site Consumption

**4. Applicant**

| | | |
|---|---|---|
| Name: ELIZABETH KUKWA | | Phone: (330) 592-0161 |
| Address: 6138 RIVERVIEW ROAD, SUITE F | | Fax: |
| City/State: PENINSULA OHIO | ZIP: 44264 | Email: elizabeth@peninsulahistory.org |

**5. Agent (Agente)** *If different from applicant*

| | | |
|---|---|---|
| Name: | | Phone: |
| Address: | | Fax: |
| City/State: | ZIP: | Email: |

| 6. Property Owner(s) | | |
|---|---|---|
| Name: THE PENINSULA FOUNDATION | | Phone: (330) 657-2528 |
| Address: 6138 RIVERVIEW RD., SUITE F | | Fax: |
| City/State: PENINSULA, OHIO | ZIP: 44264 | Email: elizabeth@peninsulahistory.org |

**Fees**

- ☐ Base Permit Fee:
- ☐ Additions:

TOTAL:

Signature (Blue Ink): Elizabeth Kukwa Date: 10-5-2026

Print Name: ELIZABETH KUKWA, ASSETS MANAGER Check One: ☐ Owner ☒ Applicant ☐ Agent

It is understood and agreed by this applicant that any error, misstatement or misrepresentation of material fact with or without intent, such as might or would

Signature: Elizabeth Kukwa Date: 10-5-2026

Print Name: ELIZABETH KUKWA, ASSETS MANAGER Check One: ☐ Owner ☒ Applicant ☐ Agent

**Property owner must have Summit County Health Department approval for location of septic system prior to issuance of Zoning Permit by Village of Peninsula.**

## BUILDING PERMITS are issued by STOW BUILDING DEPARTMENT

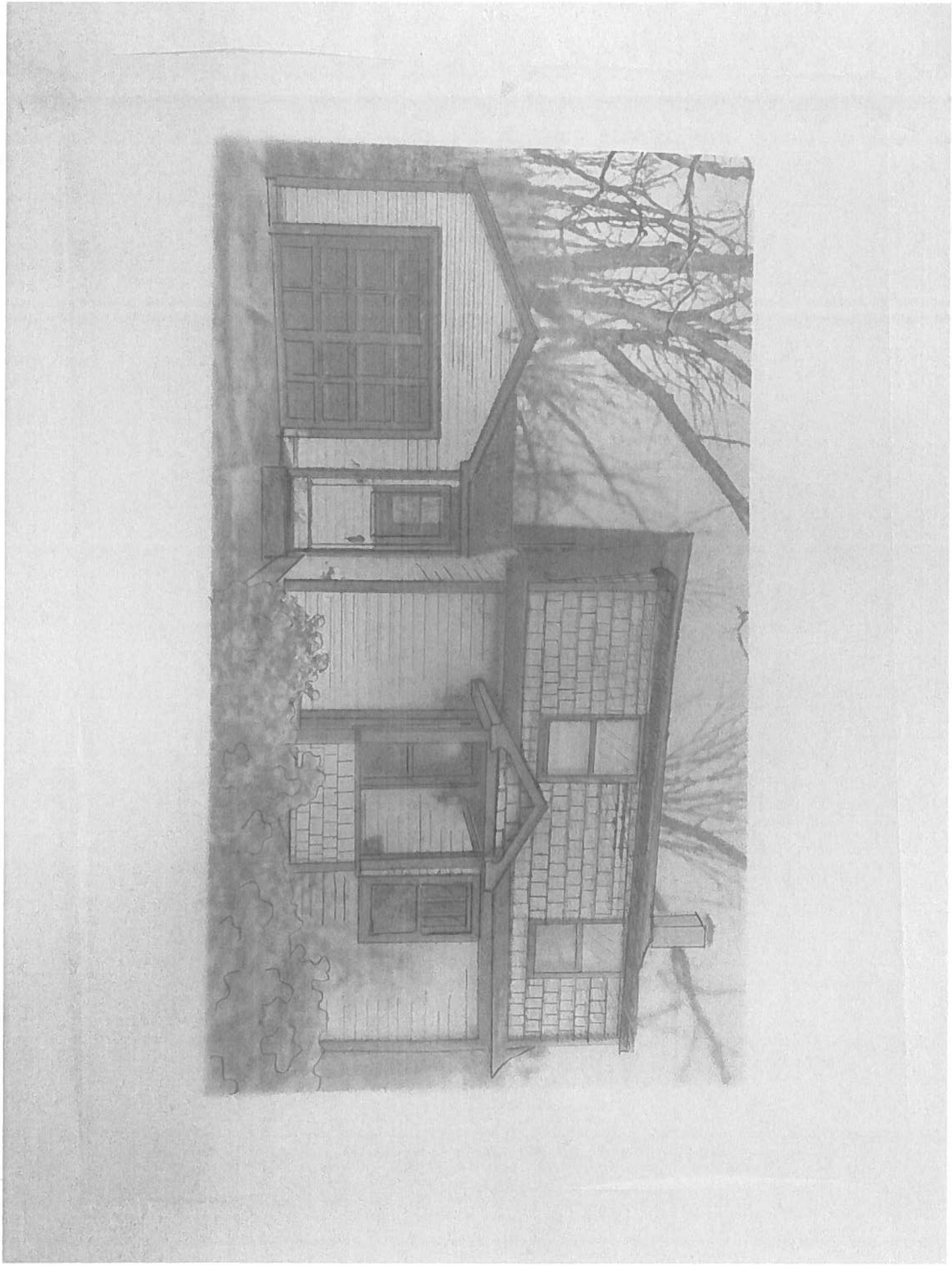
The structure, described in this application for a Zoning Certificate to erect and/or alter a structure or premises as described herein or shown in accompanying plans and specifications, is to be erected as shown on the accompanying plot plan. The information which follows and the accompanying plans and specifications with the representation therein contained are made a part of this application.

It is understood and agreed by this application that any error, misstatement or misrepresentation of material fact, or expression of material fact, either with or without intention on the part of this applicant, such as might, or would, operate to cause a refusal of this application, or any material alteration or change in the accompanying plans, specifications or structure made after filing this application and/or subsequent to the issuance of a Zoning Certificate in accordance with this application, without the approval of the Zoning Inspector, shall constitute sufficient ground for the revocation of such permit. The acceptance of this application constitutes an agreement to abide by all the conditions herein contained and to comply with all Ordinances of the Village of Peninsula and the State of Ohio relating to the structure herein described and/or the work to be done hereunder.

I hereby declare, under the penalties provided for in the Building Code and Zoning Ordinance of the Village of Peninsula for violation thereof, that the statement made in connection with this project in this application for a Zoning Certificate are to the best of my knowledge and belief, true.

| *THIS SECTION - STAFF USE ONLY* | | |
|---|---|---|
| **ZONING PERMIT APPROVAL:** ☐ Approved by Zoning Official | ☐ DENIED Approved by Zoning Official | Date: |
| Reasoning for Denial: | | |
| | | |
| ZONING OFFICIALS SIGNATURE: | | Date: |

Revised JULY 2013



6184 Riverview Road

Also Known As: Head House

The structure located at 6184 Riverview Road was originally built as a barn in the 1930s and converted into a residential home in the 1940s. It is believed that some of the structural lumber was taken from the original Peninsula Bandstand.

The Peninsula Foundation is renovating the property to bring it back into active use; renting it to a residential tenant. As part of our renovations, we would like to replace the rotted "barn-siding" with cedar shake shingle siding. Given the era of the structure, cedar shake siding would have been an appropriate siding material for residential homes and barns, being readily available for use in the 1930s and 40s.

The dominating residential style of home in the 1940s was known as 1940s Eclectic. This eclectic style would have used mixed materials such as shingle and clapboard, as well as mixing Early Settlement American style with Georgian, Federal, and Greek Revival Styles; known as colonial revival.

We plan on leaving the cedar shingles unpainted. The dutch clapboard will be painted Oyster Bar (SW 7565) with white trim.

New Chapter with changes from June as approved

# 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 shall comply with the criteria established in this chapter.

## 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) Developments that include both commercial and residential uses are encouraged but not required.

## 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. Open space is defined as any area of land within a development designed and intended for the common use of the residents or tenants of the development and their guests. The inclusion of the front setback area to meet the open space may be approved by the Planning Commission provided it contains site amenities such as outdoor gathering area, plaza, benches or similar uses.
(b) The front setback shall be a minimum of 5 feet not exceed 20 feet from the edge of right-of-way or the edge of pavement on a private street or drive.

(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. All parking areas shall be screened as required by Chapter 1125 of the Village of Peninsula Zoning Code.
(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.
(g) The separation between driveway access points from any public or private street to any development shall be a minimum of 40 feet. Combined access points are encouraged.
(h) Private streets shall comply with Section 1159.11 (i) of the Village of Peninsula Subdivision Code.

1116.05 BUILDING DESIGN

(a) Buildings shall have a coordinated and integrated design that contains a variation in the front façade so as not to be flat or on the same plane over the entire structure.
(b) Street facing facades shall be broken into 30-foot-wide segments. Facades may be broken by change in the plane of the building by a minimum of 12 inches, addition of architectural features such as porches, columns, roof overhangs or similar features.
**(c)** Building design shall take its design cues from the Downtown Master Plan which identified significant design elements within the Village which includes but is not limited to: balanced proportions and orderly symmetrical facades, gabled roofs, traditional double-hung windows, porches and overhangs, the use of stone accents, flat moldings and woodwork and accentuated entryways. Applicants should consider the Secretary of the Interior's Standards for the Treatment of Historic Properties for design inspiration.
(d) Ground floor windows and upper floor windows shall have a rhythmic pattern that complement each other.
(e) Building materials of all buildings in the development shall be complementary to each other but provide differentiation.
(f) Buildings shall have sloped roofs. If a flat roof is proposed it shall have 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.

With comments from 7/27/26

# CHAPTER 1129
# Landscaping, Screening and Planting


**1129.01 Purpose**
**1129.02 Performance standards.**
**1129.03 Scope.**
**1129.04 Plan submission requirements.**
**1129.05 Standards.**
**1129.06 Screening requirement.**
**1129.07 Modification of screening and buffer zone requirements.**
**1129.08 Materials.**
**1129. 09 Berms.**
**1129. 10 Location of screening.**
**1129. 11 Openings in walls, fences and berms; construction standards for walls.**
**1129.12 Bumper stops, curbing or wheel chocks in parking spaces.**
**1129.13 Corner clearance visibility.**
**1129.14 Irrigation of vegetation.**
**1129.15 Waiver of requirements.**
**1129.16 Scope of plant material requirements.**
**1129. 17 Plant materials not permitted.**
**1129.18 Installation and maintenance.**


## 1129.01 PURPOSE.

These regulations are intended to:

(a) Minimize the transmission from one land use to another of nuisances associated with noise, dust and glare.

(b) Minimize visual pollution that may otherwise occur within an urbanized area. Minimal screening provides an impression of separation of spaces, and more extensive screening can entirely shield the visual effects of an intense land use from a less intense land use.

(c) Establish a greater sense of privacy from visual or physical intrusion of intense land uses, the degree of privacy varying with the intensity of the screening.

(d) Safeguard the public health, safety and general welfare, preserve the aesthetic and environmental qualities, and enhance the community character.

## 1129.02 PERFORMANCE STANDARDS.

Every development shall provide sufficient screening so that:

(a) Neighboring properties are shielded from adverse external effects of that development, regardless of whether it is separated by a right-of-way.

(b) It provides a transition zone between dissimilar land uses.

## 1129.03 SCOPE.

(a) Except where more stringent standards or procedures are specified in this Ordinance, the standards and procedures in this chapter shall apply to all required

screening and buffering areas.

(b) For all commercial, industrial, office, institutional and multiple-family uses in Commercial and Mixed Use zoning districts and for non-residential uses in Residential districts and where commercial, industrial, office, institutional and multiple-family uses exist adjacent to an existing residential use there shall be provided and maintained on the sides of the property abutting, adjacent to, or across the street from a residential district or use a screening/buffer zone as specified in this chapter, unless otherwise waived or reduced by the Commission or official approving the site plan.

(c) For utility buildings, stations and/or substations, screening shall be provided consisting of a six-foot high wall, berm or fence, except when all equipment is contained within a building or structure which is comparable in appearance to residential buildings in the surrounding area.

**1129.04 PLAN SUBMISSION REQUIREMENTS.**

Whenever landscape, screening and/or a buffer zone are required in this chapter, a preliminary landscape/screening plan shall be submitted to the Zoning Officer and a final plan approved by the Commission or other official approving the site plan. The plan shall be prepared by a landscape architect and sealed by an architect, landscape architect or engineer, and shall contain the following:

(a) All applicable information required by this Ordinance for site plan review.

.

(b) The location, general size, and type of existing vegetation to be retained.

(c) Existing and proposed grades.

(d) A planting schedule and plan providing the following information:

(1) The botanical and common name of each plant used.

(2) The size of each plant to be used at the time of planting.

(3) The quantity of each plant to be used.

(4) Whether plants to be used are balled and burlapped, container grown or bare root.

(5) The spacing and location of all proposed trees, shrubs, and ground cover. Ground cover is defined as low-growing woody shrubs, deciduous or evergreen plants, perennial plants and/or vines, such as low blueberry (*Vaccinium vacillans*), bearberry (*Arctostaphylos uva-ursi*), Northern bayberry (*Myrica pensylvanica*), cotoneaster (*Cotoneaster horizontalis*), or blue rug juniper (*Juniperus horizantaus* 'Wiltoni'). Grass and shredded bark, wood chips, other similar mulch or landscaping stones are also acceptable as ground cover for greenbelt areas.

(e) The percentage of landscaped area, excluding detention ponds, to be provided on site.

**1129.05 STANDARDS.**

(a) The standards and explanation contained in this chapter establish the screening requirements which satisfy the general performance standards set forth in Section 1129.02, unless modifications as permitted under Section 1129.07 are applicable.

**1129.06 SCREENING REQUIREMENT.**

(a) Plant Material Requirements

With comments from 7/27/26

(1) Deciduous or evergreen shrubs used in a 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.

(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 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 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.

(b) Screening of Service Areas.

(1) For commercial, industrial, office, institutional and multiple-family uses, all service areas, loading and unloading activities shall be located to the greatest extent possible away from the living area of the adjacent residential use.

~~(1)~~(2) For commercial, industrial, office, institutional and multiple-family uses, all service areas, loading and unloading activities shall be screened on those portions of the lot which abut a residential use. Screening shall consist of walls, landscaped earthen mounds, fences, natural vegetation or an acceptable combination of these elements, provided that screening must be at least six (6) feet in height.

~~(2)~~(3) Natural vegetation screening shall have a minimum opaqueness of seventy-five percent (75%) year round. ~~during full foliage~~. The use of year-round vegetation, such as pines or evergreens, is encouraged. Vegetation shall be planted no closer than three (3) feet to any property line.

(c). Screening of Trash Receptacles.

(1) For commercial, industrial, office, institutional, and multiple-family uses, all trash and garbage container systems shall be screened or enclosed by walls, fences, or natural vegetation to screen them from view. Container systems shall not be located in front yards, and shall conform to the side and rear yard pavement setbacks in the applicable zoning District. The height of such screening shall be at least six (6) feet in height.

(2) Natural vegetation shall have a minimum opaqueness of seventy-five percent (75%) ~~at~~ year round.~~full foliage~~. The use of year-round vegetation, such as pines and evergreens, is encouraged.

(d). Buffering and Screening Requirements.

(1) For commercial, industrial, office and institutional uses which abut an existing residential use, a buffer zone with a minimum width of five (5) feet should be created. Such

screening within the buffer zone shall consist of fencing, natural vegetation or a combination of both. Vegetation shall be planted no closer than three (3) feet to any property line. Natural vegetation shall have a minimum opaqueness of seventy-five percent (75%) year round ~~during full foliage~~ and shall be a variety which will attain at a minimum ten (10) feet in height within five (5) years of planting.

(e). Perimeter Parking Landscaping

(1) Landscaping within the perimeter setbacks of all parking lots shall be in conformance with the standards established by Chapter 1125.

(f) Height of Commercial, Industrial, and Other Non-residential Uses.

All commercial, industrial, office and institutional uses which abut an existing residential use not exceed the height of the adjacent residential use unless the following criteria are met, unless waived by the Planning Commission:

(a) The commercial, industrial, office and institutional building is setback a minimum of 20 feet from the common lot line of the residential use.

(b) The commercial, industrial, office and institutional building will not exceed the height limit of the R-1 or R-2 residential district.

(c) Screening shall be provided as required by this chapter.

**1129.07 MODIFICATION OF SCREENING AND BUFFER ZONE REQUIREMENTS.**

Because of the wide variety of land uses and the relationships between them and because of many different circumstances, the Commission may reduce or waive the screening and buffer zone requirements of this chapter after a detailed review and evaluation of an alternative screening plan. Whenever the Commission modifies the screening requirement, it shall find that the following standards have been met:

(a) The landscape/screening plan shall protect the character of new and existing residential neighborhoods against negative impacts such as noise, glare, light, air pollution, trash and debris, and hazardous activities.

(b) The Commission shall determine the screening, width and type of buffer zone needed to ensure compatibility based upon the following criteria:

(1) The development is compatible with and sensitive to the immediate environment of the site and neighborhood relative to architectural design, scale, bulk, building height, identified historical character, disposition and orientation of buildings on the lot and visual integrity.

(2) The site has natural existing vegetation and/or topography, natural bodies of water or wetland areas or other existing conditions which offer screening consistent with the standards set forth in this chapter. The Commission shall require the retention of these natural features as a condition of site plan approval.

(3) The arrangement, design and orientation of buildings on this site lends itself so as to maximize the opportunity for privacy and isolation from negative impacts of this project.

**1129.08 MATERIALS.**

Fences shall be constructed out of any of the following materials: redwood, cedar, or No. 1 pressure treated wood, recycled lumber or vinyl closely resembling wood, wrought iron or aluminum closely resembling wrought iron, stone, brick, concrete with stone or brick veneer, or pre-cast concrete simulated stone or brick. All other materials including but not limited to

chain link, vinyl clad chain link, woven wire or plastic mesh (with or without wooden slats) are prohibited as buffer material unless otherwise and expressly permitted by the Planning Commission.

**1129.9 BERMS.**

(a) Earthen berms required under this chapter shall consist of raised earth with side slopes of three-to-one or flatter with a four-foot wide flat or slightly rounded crest contoured to the side slopes to facilitate maintenance.

(b) Berms shall be covered with grass or other ground cover to prevent erosion. Berms shall also be landscaped with plant materials. A detailed landscape plan with a plant material list, including quantity, species, minimum size and spacing, shall be submitted with the site plan and approved by the Commission.

**1129.10 LOCATION OF SCREENING.**

Screening required under this chapter shall be located directly adjacent to the lot line except where underground utilities interfere.

**1129.11 OPENINGS IN WALLS, FENCES, AND BERMS; CONSTRUCTION STANDARDS FOR WALLS.**

Walls, fences and berms required under this chapter shall have no openings for vehicular traffic or other purposes, except such openings as may be approved by the Commission. All walls required in this chapter shall be constructed of stone, brick or shall have brick veneer on the side facing the residential district. The height of the wall shall be measured from the prevailing grade of the land on the residential side of the wall or berm. Walls shall be erected on a concrete foundation which shall have a minimum depth of 42 inches below a grade approved by the Zoning Officer, and shall not be less than four inches wider than the wall to be erected.

**1129.12 BUMPER STOPS, CURBING OR WHEEL CHOCKS IN PARKING SPACES.**

Bumper stops, curbing or wheel chocks shall be provided in parking spaces adjacent to a wall, fence or berm required under this chapter to prevent a vehicle from encroaching on or damaging the screening improvement. Bumper stops, curbing or wheel chocks shall be placed four feet from the required screening improvement.

**1129. 13 CORNER CLEARANCE VISIBILITY.**

The Zoning Officer may require a reduction in the height of a screening improvement where necessary to ensure adequate sight distance and/or corner clearance visibility for drive approaches and public streets in proximity to a screening improvement. In this case height may be reduced only for that portion of the screening improvement necessary to provide adequate sight distance and/or corner clearance necessary for traffic safety. Where it is necessary to reduce the height of a screening improvement, height shall be reduced gradually.

**1129.14 IRRIGATION OF VEGETATION.**

Whenever a site plan requires landscaped earth berms or planted or natural vegetation screening, such areas shall be provided with an irrigation system or a readily available and acceptable water supply as approved by the Zoning Officer.

**1129.15 WAIVER OF REQUIREMENTS.**

The Commission or official approving the site plan may waive or reduce the requirements of this chapter upon determining that the following would apply:

(a) The purpose of this chapter cannot be met; and

(b) Compliance with the requirements would impose a practical difficulty on the applicant or would create safety hazards to pedestrians or motorists.

**1129.16 SCOPE OF PLANT MATERIAL REQUIREMENTS.**

Wherever in this chapter screening, planting and/or material in conjunction with an obscuring fence is required, it shall be planted within six months from the date of issuance of a temporary certificate of occupancy and shall thereafter be reasonably maintained with permanent plant materials to provide a screen to abutting properties. The location, type and quantity of the proposed landscape materials shall be installed in compliance with the landscape plan approved by the Commission or the official approving the site plan.

**1129.17 PLANT MATERIALS NOT PERMITTED.**

For the purposes of this chapter, the following plant materials shall not be permitted:

(a) Ailanthus (tree of heaven) (*Ailanthus altissima*).
(b) Ash (*Fraxinus spp*).
(c) Asian bittersweet (*Celastrus orbiculata*).
(d) Box elder (*Acer negundo*).
(e) Buckthorn (*Rhamnus spp*).
(f) Elm (*Ulmus spp*).
(g) Hedge privet (*Ligustrum)*.
(h) Japanese knotweed (*Polygonum cuspidatum*).
(i) Multiflora rose (*Rosa multiflora*).
(j) Norway maple (*Acer phatanoides*).
(k) Honeysuckle (*Lonicera spp*).
(l) Olive - Autumn and Russian (*Elaeagnus spp*).
(m) Poplar (*Populus spp*).
(n) Soft maple (*Acer saccharinum*).
(o) Purple loosestrife (*Lythrum salicaria*).

**1129.18 INSTALLATION AND MAINTENANCE.**

(a) Whenever a landscape planting screen or other plantings are required under this chapter, such plantings shall be installed according to accepted good planting procedures and in a sound workmanlike manner. All plant material shall meet current standards of the American Association of Nurserymen. Landscaping shall be installed prior to the issuance of a final occupancy permit.

(b) All landscaped areas shall be provided with an irrigation system or a readily available and acceptable water supply, as approved by the Zoning Officer.

(c) Three-inch overall depth of shredded, non-colored hardwood Cedar or Cypress bark or ground cover, as defined in Section 1129.04(d)(5), shredded bark, wood chips, other similar mulch or landscaping stones shall be used in all planting beds. The minimum mulch radius shall be two feet surrounding a shrub and four feet surrounding a deciduous or evergreen tree.

Deviations from this must be approved by the Zoning Officer before installation.

(d) All required landscape screening and planting shall be continuously maintained. Maintenance of plantings shall be done to ensure a healthy and neat appearance, free of disease and insect infestations as well as clear of weeds and debris. Unhealthy or dead plant material is to be replaced within one year from completion and inspection of plantings.

**INTERGOVERNMENTAL AGREEMENT**
**between**
**THE COUNTY OF SUMMIT, OHIO**
**and**
**----------**
**concerning**
**Geographical Informational Services**
**and addressing provided by the County**

**THIS INTERGOVERNMENTAL AGREEMENT** is made as of the date of the signature of the County Executive between the County of Summit, Ohio (the "County"), an Ohio county with its principal place of business located at 175 S. Main Street, Akron, Ohio 44308, by its Executive, and ---------- ("Political Subdivision"), an Ohio Political Subdivision, with its principal place of business located at ----------

**WITNESSETH:**

**WHEREAS,** the County maintains and operates a Department of Community and Economic Development, which, among other duties, provides addressing and Geographic Information Services ("GIS") through a Planning/GIS Division; and

**WHEREAS** Political Subdivision wishes to utilize said GIS Services, provided that it shall pay for any such services rendered as set forth herein; and

**WHEREAS,** it is necessary for the parties to execute this Intergovernmental Agreement to set forth the rights and duties of the parties concerning the provision of GIS Services by the County to Political Subdivision;

**WHEREAS**, the fees herein have been authorized by the adoption by **County Council Ordinance No. 2026-019**, attached hereto as **EXHIBIT A**; and

**NOW, THEREFORE**, in consideration of the covenants and promises set forth below, the parties agree as follows:

1. Services and Deliverables.

    a. County Responsibilities. The County shall, through its Department of Community and Economic Development – Planning/GIS Division ("County"), provide the services and deliverables identified in **EXHIBIT B**.

    b. Political Subdivision Responsibilities: The Political Subdivision agrees to procure and pay for the services identified in **EXHIBIT B** and the County agrees to provide

the same. Said services shall be selected from those listed in Section 3: Service and Fee Structure.

2. Payment.

a. Compensation. Political Subdivision agrees to compensate the County for services identified in **EXHIBIT B** at the rates established under this agreement, as authorized by County Council Ordinance No. 2026-019.

b. Invoicing. County will invoice Political Subdivision on a yearly basis for subscription costs. County will invoice Political Subdivision upon completion of other services. Invoices must be accompanied by documentation supporting all claimed expenses.

c. Payment. Political Subdivision agrees to pay proper, documented invoices within 60 days of receipt. County reserves the right to suspend services due to past due invoices.

3. Service and Fee Structure. The following Services and Deliverables are available for purchase by Political Subdivision from County, as authorized by County Council Ordinance No. 2026-019.

| Service | Fee | Details |
|---|---|---|
| **Custom Mapping** | | |
| Custom Map Design | $60 per hour. | Requests will be filled as workload permits. Minimum turnaround time for order is five working days. |
| Print 8½" x 11 | Black and White: $0.25<br>Color: $1.00 | |
| Print 11" x 17" | Black and White: $0.50<br>Color: $1.50 | |
| Print 18" x 24" | Black and White: $5.00<br>Color: $7.00 | |
| Print 2' x 3' | Black and White: $10.00<br>Color: $15.00 | |
| Print 3' x 4' | Black and White: $20.00<br>Color: $25.00 | |
| Storage Devices | At cost. | |
| Postage | At cost. | |

| Summit County GIS Data Portal: ESRI Subscription License | | |
|---|---|---|
| For access to the Summit County GIS Data Portal, Political Subdivision must obtain from the County a Subscription license for ESRI. Political Subdivision may choose between a viewer license, an editor license, or a creator license.<br><br>Rates are subject to any price change made by ESRI. Summit County will notify Political Subdivision of any price change and the parties will determine whether an addendum shall be executed. | | |
| ESRI Viewer License | Total License Fee: $325.00/yr.<br>- License Fee: $125.00/yr.<br>- Admin Fee: $200.00/yr. | Securely view maps, app, and content.<br>Monitor dashboards |
| ESRI Contributor License · | Total License Fee: $450.00/yr.<br>- License Fee: $250.00/yr.<br>- Admin Fee: $200.00/yr. | Review and apply simple edits in ArcGIS.<br>Explore data and collaborate with others.<br>Leverage Microsoft and Autodesk integrations.<br>250 ESRI Storage Credits. |
| ESRI Creator License | Total License Fee: $900.00/yr.<br>- License Fee: $700.00/yr.<br>- Admin Fee: $200.00/yr. | Collect and update data.<br>Securely receive work assignments.<br>Navigate routes online and offline.<br>Includes a named user access to ArcGIS Online.<br>500 ESRI Storage Credits. |
| Additional ESRI Storage Credits | $120/one thousand ESRI Storage Credits. | Block of 1000 credits.<br>Data Storage: 2.4 credits per 10 MB stored per month. |
| Technical Assistance | Included with all ESRI licenses. | The County will provide limited Technical Assistance to Political Subdivision to assist with the training and use of the Software. |
| | | |

| Additional Services | | |
|---|---|---|
| Drone Flight | $125.00 per hour of flight time.<br>Minimum one hour. | Image processing or other analysis at other Service rates. Storage devices can be provided as requested at actual cost. |
| Application Development and Support Assistance | $60 per hour. | The County will develop a custom application based on communication and direction from Political Subdivision. Applications developed under this section will be web-based and contain both Political Subdivision and County data and the tools within the application can be customized as needed. |

4. Term and Termination. The term of this Intergovernmental Agreement shall be effective as of the date of signature of the County Executive and continue for **one-year**, with five options to renew for additional one-year terms. Either party may terminate this Intergovernmental Agreement upon 30 days written notice. Upon termination of this Intergovernmental Agreement, the County shall complete any previously requested Services and Deliverables and invoice the Political Subdivision for such Services and Deliverables. Political Subdivision shall pay the County for all completed Services and Deliverables.

5. Data and Public Records.

    a. ESRI Storage Credits. This provision is subject to changes made by ESRI. Summit County will notify Political Subdivision of any change. Storage in Summit County GIS Data Portal is managed by ESRI Storage Credits. Data is stored at a rate of 2.4 ESRI Storage Credits per 10 MB per month. As shown in Section 3, credits are provided for certain ESRI license levels and additional ESRI Storage Credits may be purchased.

    b. Ownership. All data stored on the Summit County GIS Data Portal is property of the County of Summit.

    c. Use of Data. Data provided to the Political Subdivision under this Agreement may be used or redistributed by Political Subdivision without consent of County. Data provided by the Political Subdivision may be used by County for County GIS purposes. County will not share or redistribute non-public data provided by Political Subdivision without the written consent of the Political Subdivision.

    d. Public Records. All data and records associated with this Agreement are subject to the Ohio Public Records Act and any related public records laws. The County is responsible for fulfilling public records requests for all data owned and maintained by the County. County will notify Political Subdivision of a public records request that includes non-public data provided by Political Subdivision.

    e. Confidential Information. For purposes of this Agreement, "Confidential Information" means information that is exempt from disclosure under applicable public records law. Each party agrees to use Confidential Information solely for the purpose of performing its obligations under this Agreement and to protect such Confidential Information from unauthorized disclosure. Nothing in this Section shall be construed to prohibit either party from complying with its obligations under Ohio public records law.

6. Reports and Records. Each party shall maintain and provide to the other upon demand the following records and reports:

a. Accounting and fiscal records adequate to enable either party or the State of Ohio or any duly-appointed law enforcement Political Subdivision to audit either party pertaining to this Intergovernmental Agreement.
b. Other records and reports as required by either party comply with local, State of Ohio, and federal statutes and regulations pertaining to this Intergovernmental Agreement.
c. All records pertaining to this Intergovernmental Agreement shall be retained and made available for a minimum of six (6) years after the termination of this Intergovernmental Agreement.
d. County has a right to audit any records related to this Agreement maintained by Political Subdivision.

7. Relationship of Parties. The parties agree that the County is serving as an independent contractor as to the provision of Services and Deliverables to Political Subdivision. The parties further agree that at no time shall the relationship between the parties under this Intergovernmental Agreement be construed, held out or considered a joint venture or principal-agent.

8. Limitation of Liability. The County will not be liable to Political Subdivision for any error or omission made by the County in the performance by the County of its obligations under this Agreement and Political Subdivision releases the County from any claims, causes of action (including, but not limited to, negligence), or expenses of any kind or nature which are asserted against Political Subdivision due to the services and deliverables provided by the County to the Political Subdivisions. Political Subdivision acknowledges and understands that the County's insurance carrier only provides insurance coverage for the County and its employees acting within the scope of their employment.

    a. Insurance Coverage. Political Subdivision is not provided insurance coverage under the County's insurance policy. Political Subdivision will procure and maintain during the term of this Agreement adequate insurance coverage to cover the usage of applicable software and applications under this Agreement.
    b. Cyber Security Protections. Political Subdivision agrees to follow security protocols and procedures as set forth by Summit County's Office of Information Technology, including but not limited to multifactor authentication as a security measure to secure data and systems collected and utilized by the County and Political Subdivision and applicable training requirements.

9. Compliance. Each party agrees to comply with all applicable federal, state and local laws, orders, rules, and regulations.

    a. Federal and State of Ohio Equal Opportunity/Non-Discrimination. Political Subdivision expressly represents that its employees, agents, representatives, and

any other party working on its behalf shall comply with all applicable federal and State of Ohio non-discrimination, intimidation, and equal employment opportunity laws, statutes, rules, regulations, and executive orders, as amended. Political Subdivision certifies it does not maintain, and it will not permit its employees or Participants from performing services at any segregated facilities.

b. Ethics. Each party agrees to comply with Ohio Ethics Laws as listed in the Chapters 102 and 2921 of the Ohio Revised Code and the Chapter 5101 of the Ohio Administrative Code. By signing this Intergovernmental Agreement, each party certifies that it is in compliance with these provisions.

10. Miscellaneous.

a. Notices. Notices required to be sent under the terms of this agreement shall be sent to all the below addresses or e-mails. All mailed notices are effective upon receipt. E-mail notices are effective upon a response acknowledging receipt. A party may change its address by giving written notice to the other party in accordance with this Section.

| | |
|---|---|
| County:<br>Director of Law & Risk Management<br>County of Summit<br>175 S. Main Street, 8th Floor<br>Akron, Ohio 44308<br>bharnak@summitoh.net | Political Subdivision:<br>TITLE<br>COMMUNITY<br>ADDRESS<br>EMAIL |

b. Integration. This Intergovernmental Agreement represents the entire and integrated agreement between the parties. This Intergovernmental Agreement supersedes all prior and contemporaneous communications, representations, understandings, agreements or contracts, whether oral or written, relating to the subject matter of this Intergovernmental Agreement.

c. Amendment and Waiver. This Intergovernmental Agreement may not be amended, supplemented, or waived except by a writing signed by the parties. The waiver of any particular right or claim does not constitute a waiver of any other right or claim. This Intergovernmental Agreement may be amended to achieve additional goals of the County and Political Subdivision with the written consent of the parties.

d. Assignment. Neither party shall assign its rights or delegate its duties under this Intergovernmental Agreement without the prior written consent of the other party. Subject to such consent, Intergovernmental Agreement shall be binding upon and for the benefit of the parties hereto, their successors and assigns.

e. Capacity to Execute. Each party hereby certifies that all actions necessary to execute this Intergovernmental Agreement were taken and that the person

executing this Intergovernmental Agreement is authorized to do so and has the power to bind their respective party to the terms and conditions contained herein.

f. Review by Legal Counsel. Each party has had the opportunity to review this Intergovernmental Agreement with the assistance of legal counsel. Accordingly, the County and Political Subdivision agree that the rule of construction that any ambiguity in this Intergovernmental Agreement is to be construed against the drafting party is not applicable.

g. No Authority to Bind. Neither party has the power or authority to bind the other party to contracts or other obligations.

h. Severability. If any provision of this Intergovernmental Agreement is found invalid or unenforceable by an arbitration panel or a court of competent jurisdiction, the remainder of this Intergovernmental Agreement must continue in full force and effect.

i. Force Majeure. No party must be considered in default in the performance of any obligation hereunder, except the obligation to make payment, to the extent that the performance of such obligation is prevented or delayed by fire, flood, explosion, strike, war, insurrection, embargo, government requirement, civil or military authority, act of God, or any other event, occurrence or condition which is not caused, in whole or in part, by that party, and which is beyond the reasonable control of that party. The parties must take all reasonable action to minimize the effects of any such event, occurrence or condition.

j. Reservation of Rights. A delay or failure in enforcing any right or remedy afforded hereunder or by law must not prejudice or operate to waive that right or remedy or any other right or remedy, including any remedy for a future breach of this Intergovernmental Agreement, whether of a like or different character.

k. Governing Law. This Intergovernmental Agreement shall be governed by and construed in accordance with the laws of the State of Ohio, without giving effect to the principles thereof relating to conflicts of choice of laws.

l. Forum. Any litigation arising under this Intergovernmental Agreement must be litigated in the Akron Municipal Court or the County of Summit Court of Common Pleas, and each party submits itself to the jurisdiction and venue of those courts.

m. Survival. The following provisions, including subsections, shall survive the termination or expiration of this Agreement: Payment, Data and Public Records, Reports and Records, Limitation of Liability, Governing Law, and Forum.

n. Conflict. In the event of a conflict between this Agreement and any Exhibits attached hereto, the terms of this Agreement shall apply.

o. Counterparts; Electronic Signatures. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, and all such counterparts shall be deemed one and the same document. Electronic signature methods shall be deemed valid and binding for all purposes.

Intending to be legally bound, the parties have signed this Intergovernmental Agreement effective as of the date of the last signature.

**ORGANIZATION**

_____

By:
Title:

Date: _____

**COUNTY OF SUMMIT, OHIO**

_____

Ilene Shapiro
Executive
County of Summit, Ohio

Date: _____

APPROVED AS TO FORM AND CORRECTNESS:

_____

By:
Title:

Date: _____

_____

Brian Harnak
Director, Department of Law and Risk Management

Date: _____

**EXHIBIT A**

1 of 3

ORDINANCE NO. 2026-019

SPONSOR Executive Shapiro

DATE January 26, 2026 COMMITTEE Rules

**An Ordinance amending Section 113.12 of the Codified Ordinances of the County of Summit, entitled "Engineer and Planning and GIS Division Map Fees," to make certain updates and revisions to the fee schedule, for the Executive's Departments of Law and Risk Management and Community and Economic Development – GIS Division, and declaring an emergency.**

WHEREAS, Section 113.12 of the Codified Ordinances of the County of Summit, entitled "Engineer and Planning and GIS Division Map Fees," defines the fees that the County may charge for certain GIS services; and

WHEREAS, Section 113.12 was last updated in 2012 and since then the costs of GIS services, including software needed to perform the services, has increased; and

WHEREAS, the Executive wishes to amend Section 113.12 to update the pricing structure for services that the County may charge for GIS services to reflect current actual costs; and

WHEREAS, the Executive and Executive's Departments of Law and Risk Management and Community and Economic Development – GIS Division recommend the changes outlined in Exhibit A, a copy of which is attached to this Ordinance and incorporated herein as if fully restated, in order to update the Chapter; and

WHEREAS, this Council finds and determines, after reviewing all pertinent information, that it is necessary and in the best interest of the County of Summit to amend Section 113.12 of the Codified Ordinances of the County of Summit for the aforementioned reasons;

NOW, THEREFORE, BE IT ORDAINED by the Council of the County of Summit, State of Ohio, that:

SECTION 1

Section 113.12 of the Codified Ordinances of the County of Summit, entitled "Engineer and Planning and GIS Division Map Fees," is hereby amended as set forth in Exhibit A, a copy of which is attached to this Ordinance and incorporated herein as if fully restated.

ORDINANCE NO. 2026-019
PAGE TWO

SECTION 2

This Ordinance is hereby declared to be an emergency in the interest of the health, safety and welfare of the residents of the County of Summit and for the further reason that it is necessary to immediately amend Section 113.12 to update the services and fees for GIS services.

SECTION 3

Provided this Ordinance receives the affirmative vote of eight members, it shall take effect immediately upon its adoption and approval by the Executive; otherwise, it shall take effect and be in force at the earliest time provided by law.

SECTION 4

It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

INTRODUCED January 26, 2026

ADOPTED February 9, 2026

Signed by: Monique Willis
CLERK OF COUNCIL

Signed by: Erin Dickinson
PRESIDENT OF COUNCIL

APPROVED February 9, 2026

Signed by: Lisa Shapiro
EXECUTIVE

Voice Vote – YES: 11 – 0: Darrow, Dickinson, Donofrio, Ford, Higham, Kacyon, Licate, McKenney, Schmidt, Walters, Wilhite

ENACTED EFFECTIVE February 10, 2026

113.12 ENGINEER AND PLANNING AND GIS DIVISION MAP FEES.

Fees in the following amounts shall be charged by the Engineer and the Department of Community and Economic Development, Division of Planning and Geographic Information System, for the services set forth below and shall be made payable to the County of Summit when the service is performed:

| Service | Fee |
|---|---|
| 8½" x 11" | Black and White: ~~$0.10~~ **$0.25**<br>Color: ~~$0.50~~ **$1.00** |
| 11" x 17" | Black and White: $0.50<br>Color: ~~$1.00~~ **$1.50** |
| 18" x 24" | Black and White: ~~$3.00~~ **$5.00**<br>Color: ~~$4.00~~ **$7.00** |
| 2' x 3' | Black and White: ~~$5.00~~ **$10.00**<br>Color: ~~$6.00~~ **$15.00** |
| 3' x 4' | Black and White: ~~$8.00~~ **$20.00**<br>Color: ~~$10.00~~ **$25.00** |
| ~~Digital (CD)~~ | ~~$2.00~~ |
| Custom Map Design | ~~$45.00~~ **$95** per hour. **Government agencies will be charged the rate specified in executed GIS Services Intergovernmental Agreements.** Requests will be filled as workload permits. Minimum turnaround time for order is five working days. |
| Postage | At cost |
| **Drone Flight** | **$125.00 per hour of flight time. Minimum of one hour. Image processing or other analysis at other Service rates. Storage devices can be provided as requested at actual cost.** |
| **Additional Services** | **Additional services may be procured when agreed to in writing or as detailed in an executed GIS Service Agreement.** |

(Ord. 2009-130. Adopted 5-11-09; Ord. 2012-398. Adopted 10-22-12.)

## EXHIBIT B

Political Subdivision agrees to procure and pay for the following services, and the County agrees to provide the same:

# CHAPTER 741
# SHORT-TERM RENTAL REGULATIONS

## 741.01 PURPOSE AND INTENT.

(a) This Chapter is intended to protect and promote the health, safety, and general welfare of all the citizens of the Village of Peninsula and preserve the small-town character of the Village by requiring the registration and certification of short-term rentals within the Village. It is also the intent of this Chapter to protect the integrity of the residential neighborhoods while allowing property owners to receive remuneration from renting a dwelling or portions of a dwelling to help maintain the dwelling.

(b) The purpose of this Chapter is to regulate and limit short-term rentals in order to:

(1) Establish minimum standards and conditions for Short-Term Home Rentals and Owner-Occupied Short-Term Rentals that reflect the goals and policies of the Long Range Plan and the Planning and Zoning Code;

(2) Reinforce the purpose of the R-1 Rural Residential District by retaining a rural living environment in the district, maintaining suitable neighborhoods for families and children, and discouraging uses that would generate traffic on local streets in excess of normal traffic generated by the neighborhood;

(3) Acknowledge that the R-2 “Small Town” Residential District is intended to be more eclectic in its design, character, and size of housing, resulting in varied neighborhoods in close proximity to commercial and tourist attractions, while controlling the density of short-term rentals, preventing congestion on public streets, and reducing hazards to life and property; and

(4) Provide resident owners of property in residential districts the opportunity to generate additional income to support their continued ownership in the Village.

## 741.02 DEFINITIONS.

Caretaker. A Caretaker is an individual, other than the Certificate holder, who is responsible for the oversight and care of the short-term rental.

Certificate. A short-term rental certificate duly issued by the Village.

Owner-Occupied Short-Term Rental. A rental for less than thirty (30) consecutive days in which the owner is concurrently, personally occupying the premises with one or more renters who occupy a single room or multiple rooms in the same dwelling in which the owner is living; or while the renter is occupying a permitted accessory dwelling on the premises that has separate bathroom facilities. An Owner-Occupied Short-Term Rental property owner who has an additional, approved, accessory dwelling located on the same property may choose which dwelling in which they wish to reside, and which dwelling shall be the short-term rental unit. An Owner-Occupied Short-Term Rental property owner shall at no time be permitted to rent both the main dwelling unit and the accessory dwelling. A Short-Term Rental Certificate shall be issued for only one Owner-Occupied Short-Term Rental dwelling on the property.

Parking Space. For purposes of this Chapter, a parking space shall be a minimum of 9 feet by 18 feet, located off-street, outside of a road right-of-way, and in one of the following locations on the same lot as the short-term rental:

- in a garage or carport;
- within a paved or gravel driveway; or
- within a paved or gravel parking pad.

Renter. As used in this Chapter, a renter is an occupant or renter of a short-term rental pursuant to a rental agreement. The term "renter", as used herein, does not include guests of the occupant or renters, who are visiting between the hours of 7:00 a.m. and 11:00 p.m., provided the total number of visiting guests does not exceed the total number of renters permitted by the Certificate.

Septic System Operations Permit. As used in this Chapter, septic system operations permit means a valid permit issued by Summit County Public Health for the on-site septic system.

Short-Term Home Rental. For purposes of this Chapter, Short-Term Home Rental means any dwelling that is rented in its entirety for less than 30 consecutive days by persons other than the owner from whom the owner receives monetary compensation, and the owner is not present and personally living on the premises during the time of the rental. Rentals for 30 or more consecutive days to the same rentee(s)/guest(s) do not constitute a Short-Term Home Rental and are not subject to the Short-Term Rental Regulations.

Special Event. In association with a short-term rental, Special Event means a wedding, party, family reunion, or similar gathering that exceeds the maximum number of occupants allowed under the Short-Term Rental Certificate.

**741.03 APPLICABILITY.**

(a) Short-Term Home Rental Certificates that were issued prior the effective date of this amendment to Chapter 741 and are valid at the time the renewal application is submitted shall be permitted to be renewed provided that a renewal application is submitted prior to the expiration date of the Certificate and the Short-Term Home Rental property owner is in compliance with all other requirements outlined in this Chapter. A Certificate may be revoked for violations outlined in Section 741.09. If a Certificate is revoked, the property shall no longer be eligible to apply for a Certificate until the expiration of the time period set forth in Section 741.09(b)(1)(B) and will only be eligible to receive a Certificate if one is available. Owner-Occupied Short-Term Rentals shall continue to be permitted in all Village zoning districts provided the property owner obtains a Certificate in compliance with all applicable requirements of this Chapter.

(b) This Chapter applies to all residential dwellings and owners of those dwellings, regardless of zoning district, wherein the entire dwelling or portion of a dwelling is rented for a period of less than 30 days.

(1) Certificate Required. A Certificate is required prior to the rental of any dwelling or portion of any dwelling for a period of less than 30 days.

A. A Certificate issued by the Village shall be valid for the calendar year for which it is issued. Certificates shall automatically expire upon transfer of the property, and Certificates are not transferable to succeeding property owners.

B. A Certificate will be issued within 30 days of receipt of a complete application, provided the information on the application is accurate and is verified by an inspection of the property by the Village.

C. The Certificate shall indicate the maximum number of guests that can be accommodated at the rental in accordance with the standards listed in 741.04 of this Chapter.

D. A Certificate and Certificate holder shall be subject to all of the standards and penalties of this Chapter.

(2) Application. An application provided by the Village for a Short-Term Rental Certificate shall, at a minimum, include the following:

A. Address of property.

B. Property owner name(s). If the owner does not reside within a 30-minute drive time of the Short-Term Home Rental property, the property owner shall designate a Caretaker that meets the 30-minute drive time requirement.

C. Signature of property owner(s) and Caretaker, if any.

D. Number of bedrooms in the dwelling. For Owner-Occupied Short-Term Rentals, the number of available rooms to be rented.

E. Number of parking spaces as defined under 741.02.

F. Sketch of the property, indicating location of the dwelling, driveway, or other point of access, and designated parking spaces meeting the definition of a parking space under 741.02.

G. Contact information including: name, address, and 24-hour contact phone number for the owner of the property and the Caretaker, if any. Throughout the term of the Certificate, it is the Certificate holder's responsibility to inform the Village, in a timely manner, of any change in the Certificate holder or Caretaker's contact information or changes to any other information required in the application.

H. Proof of insurance as required by 741.04.

I. Proof of a valid Septic System Operations Permit for the septic system.

J. The domain addresses for all websites on which the property is being advertised as available for short-term rental and the unique URL for any of those listings.

(3) Renewal of Certificates.

A. All Certificates for both Owner-Occupied and Short-Term Home Rentals shall be renewed annually. Certificates expire on December 31 of the year in which they were issued. No rental shall occur until the rental Certificate is renewed. The fee for each Certificate shall not be prorated should a partial year permit be requested.

B. Renewal applications shall contain the same information as required for the initial application and shall be filed no later than November 15 of the year in which the Certificate expires. Renewal applications filed after November 15 will require an additional $200 late fee above and beyond the applicable application fee. If a complete application is not received by the expiration of the previous year's Certificate, the applicant is not entitled to a renewal. Renewal applications submitted after December 31st shall be placed on a wait list along with any new applications. After all renewal applications filed prior to January 1 are processed, and if any permits are available, the applicants on the wait list will be reviewed in the order in which they were received.

C. Short-Term Home Rental Certificate holders shall be required to provide evidence that their rental has been occupied for a minimum of 60 days during the previous calendar year to be permitted to renew their Certificate. If the Certificate was issued after January 1 and no Short-Term Rentals occurred in that year prior to the date the Certificate was issued, the total number of occupied days shall be an average of 5 days per month for each month the Certificate was valid.

**741.04 STANDARDS.**

(a) Short-Term Home Rental Standards. All Short-Term Home Rentals shall be subject to the following standards, in addition to the requirements set forth in 741.05 and 741.06 of this Chapter.

(1) Parking. Parking for guests in a Short-Term Home Rental shall only be in identified parking spaces as defined in this chapter. No on-street parking shall be permitted in association with a short-term rental. A minimum of 1-parking space per bedroom shall be provided, plus 1 additional space. If the Short-Term Home Rental location cannot meet the above requirement, the applicant shall indicate the number of spaces provided and restrict guests to that number of vehicles.

(2) Accessory Buildings. No Short-Term Home renters shall be permitted to sleep in any accessory building to the primary building on the site. Nor shall sleeping be permitted outside or in tents, campers, or other similar temporary structures outside of the main dwelling.

(3) Trash. Refuse and recyclables shall be stored in appropriate containers with tight-fitting lids and shall be regularly picked up by a licensed waste hauler.

(4) Safety Standards. The Short-Term Home Rental owner shall provide an affidavit

stating the short-term rental is in compliance with all applicable local, state, and federal laws and regulations.

(5) Special Events. Special events, as defined in this Chapter, are not permitted.

(6) Capacity Limit. The maximum number of renters to be accommodated shall be equal to the number of bedrooms multiplied by a factor of 2, plus 3 additional guests. Children 3 years of age and younger shall not count toward the capacity limit.

A. The number of bedrooms shall be as certified by the applicant and verified by inspection of the Village.

B. The certificate issued by the Village shall indicate the maximum number of renters that may be accommodated as calculated under these standards.

(7) Contact. The Certificate holder, or a Caretaker representing the property owner, must be available by telephone at all times and be physically located within a 30-minute drive time of the property in the event of an emergency or an issue that requires immediate attention.

(8) Certificate Number. The unique Short-Term Home Rental Certificate number included on the Short-Term Rental Certificate issued by the Village shall be:

A. Included in any advertisement for the rental; and

B. The Certificate shall be posted inside the property in a conspicuous location.

(9) Quiet Hours. Short-Term Home Rentals shall observe quiet hours between 10:00 p.m. and 7:00 a.m.

(10) Pets. Pets shall be secured on the premises or on a leash at all times.

(11) Applicable Rules. Renters shall be made aware of the rules applicable to the renters under this Chapter.

(12) Signs. Signs shall conform to the requirements of Chapter 1133 of the Village of Peninsula Zoning Ordinance.

(13) Insurance. A general liability insurance policy or certificate that shall provide minimum liability insurance coverage of not less than three hundred thousand dollars ($300,000) issued by an insurance company licensed to conduct business in the State of Ohio shall be provided. The policy or certificate shall provide notice of cancellation of insurance to the Village at least 10 days prior to cancellation.

(14) Short-term Rental Tax. Each Short-Term Home Rental shall charge the Short-Term Rental Tax on every rental and remit same to the Village in compliance with the requirements of Chapter 185 of the Village of Peninsula Codified Ordinances.

(15) Advertising. No person shall allow a dwelling to be listed or advertised as a Short-Term Home Rental prior to obtaining a permit or if the permit has been revoked, suspended, or denied. All advertisements shall include the Certificate number, occupancy limitations, parking requirements, quiet hours, and special event requirements. Advertisements shall be updated with current information throughout the year.

(16) Septic System. No Short-term Home Rental shall be permitted unless a valid Septic System Operations Permit from Summit County Public Health is provided.

(17) Record Keeping. All Short-Term Home Rental property owners shall retain, and upon request, make available to the Mayor or his or her designee, the Zoning Officer, or law enforcement officials, records to demonstrate compliance with this section, including, but not limited to, primary residency, the name of the Short-Term Home Rental guest responsible for the reservation and/or who rented the unit on each night, dates of the rental, price per night, and duration of stay in a Short-Term Home Rental.

(18) Smoke Detectors. Smoke detectors shall be provided and maintained within each sleeping area within each dwelling unit.

(19) Carbon Monoxide Detectors. Carbon monoxide detectors shall be provided on each floor of the dwelling unit which has fuel burning appliances for heating or cooking and in a central location outside each sleeping area on every level of the home as provided by Ohio Fire Code Technical Bulletin TB18-001, as updated from time to time. Fuel burning appliances include, but are not limited to, furnaces, fireplaces, ovens, and hot water tanks.

(b) Owner-Occupied Short-Term Rental Standards. Owner-Occupied Short-Term Rentals shall be permitted in any zoning district. All Owner-Occupied Short-Term Rentals shall comply with the following standards.

(1) Parking. Parking for guests shall be on the same lot as the dwelling. No on-street parking shall be permitted in association with the rental.

(2) Accessory buildings. If the rental unit is within an accessory building, it shall provide bathroom facilities within that building.

(3) Safety Standards. The Owner shall provide an affidavit stating that the rental is in compliance with applicable local, state, and federal laws and regulations.

(4) Capacity Limit. The maximum number of renters to be accommodated shall be equal to the number of bedrooms available for rent multiplied by a factor of 2, plus 3 additional guests. Children 3 years of age and younger shall not count toward the capacity limit.

A. The number of bedrooms shall be as certified by the applicant and verified by inspection of the Village, minus the number of bedrooms occupied by the permanent residents.

B. The Certificate issued by the Village shall indicate the maximum number of

renters that may be accommodated as calculated under these standards.

(5) Certificate Number. The unique Short-Term Rental Certificate number included on the Short-Term Rental Certificate issued by the Village shall be:

A. Included in any advertisement for the rental; and

B. The Certificate shall be posted inside the property in a conspicuous location.

(6) Insurance. A general liability insurance policy or certificate that shall provide minimum liability insurance coverage of not less than three hundred thousand dollars ($300,000) issued by an insurance company licensed to conduct business in the State of Ohio shall be provided. The policy or certificate shall provide notice of cancellation of insurance to the Village at least 10 days prior to cancellation.

(7) Short-term Rental Tax. Each Owner-Occupied Short-Term Rental shall charge the Short-Term Rental Tax on every rental and remit same to the Village in compliance with the requirements of Chapter 185 of the Village of Peninsula Codified Ordinances.

(8) Advertising. No person shall allow a dwelling to be listed or advertised as a short-term rental prior to obtaining a permit or if the permit has been revoked, suspended, or denied. All advertisements shall include the Certificate number, occupancy limitations, parking requirements, quiet hours, and special event requirements. Advertisements shall be updated with current information throughout the year.

(9) Septic System. No Owner-Occupied Short-Term Rental shall be permitted unless a valid Septic System Operations Permit from Summit County Public Health is provided.

(10) Record Keeping. All Owner-Occupied Short-Term Rental property owners shall retain, and upon request, make available to the Mayor or his or her designee, the Zoning Officer, or law enforcement officials, records to demonstrate compliance with this section, including, but not limited to, primary residency, the name of the short-term rental guest responsible for the reservation and/or who rented the unit on each night, dates of the rental, price per night, and duration of stay in a short-term rental.

(11) Smoke Detectors. Smoke detectors shall be provided and maintained within each sleeping area within each dwelling unit.

(12) Carbon Monoxide Detectors. Carbon monoxide detectors shall be provided on each floor of the dwelling unit which has fuel burning appliances for heating or cooking and in a central location outside each sleeping area on every level of the home as provided by Ohio Fire Code Technical Bulletin TB18-001, as updated from time to time. Fuel burning appliances include, but are not limited to, furnaces, fireplaces, ovens, and hot water tanks.

**741.05 SPECIAL REQUIREMENTS IN THE R-2 "SMALL TOWN" RESIDENTIAL, MIXED USE AND COMMERCIAL DISTRICTS FOR SHORT-TERM HOME RENTALS.**

Short-Term Home Rentals shall be permitted in the R-2 "Small Town" Residential District, the Mixed Use District, and the Commercial District, provided the total number of Short-

Term Home Rentals within those districts does not exceed 10 units. Owner-Occupied Short-Term Rentals as defined by Section 741.02 and regulated by Section 741.04(b) shall not count toward the total number of Short-Term Home Rentals permitted by this section.

**741.06 SPECIAL REQUIREMENTS IN THE R-1 RURAL RESIDENTIAL DISTRICT FOR SHORT-TERM HOME RENTALS.**

Short-Term Home Rentals shall be permitted in the R-1 Rural Residential District, provided that the total number of Short-Term Home Rentals in that district does not exceed 5 units. Owner-Occupied Short-Term Rentals, as defined by Section 741.02 and regulated by Section 741.04(2), shall not count toward the total number of short-term rentals permitted by this section.

**741.07 SHORT-TERM RENTAL TAX.**

(a) The Short-Term Rental Tax shall be 3% of the listing price, including any fees, for reservations 29 nights and shorter.

(b) The tax shall be collected and administered in conformance with Chapter 185 of the Village of Peninsula Codified Ordinances.

**741.08 FEES.**

(a) Each application for a Short-Term Home Rental Certificate shall be accompanied by an application fee of $500, plus a $250 Village inspection fee.

(b) Each application for an Owner-Occupied Short-Term Rental shall be accompanied by an application fee of $100, plus a $250 Village inspection fee.

**741.09 VIOLATIONS, DENIAL, OR REVOCATION OF CERTIFICATE, AND PENALTY.**

(a) Any of the following will be considered a violation of this Chapter:

(1) Failure to update information required on the application with the Village in a timely manner.

(2) Advertising either an Owner-Occupied or Short-Term Home Rental for a capacity in excess of that allowed under the Certificate issued by the Village.

(3) Permitting a number of persons in excess of that allowed under the Certificate issued by the Village to stay at the premises.

(4) Failure of the Certificate holder or his/her designated Caretaker to be available at any time during the tenure of an active Short-Term Home Rental, or failure of a homeowner to be present during the rental of an Owner-Occupied Short-Term Rental.

(5) Providing false or misleading information on the application for any Short-Term Rental Certificate or failing to include the information required by this Chapter in advertisements.

(6) Failure to obtain a Short-Term Rental Certificate when operating either an Owner-Occupied Short-Term Rental or a Short-Term Home Rental.

(7) Failure to comply with any of the standards listed in 741.04.

(8) The property taxes for the subject property are in arrears with the Summit County Fiscal Office.

(9) Short-Term Rental Taxes for the property that are due and owed are in arrears, and/or Short-Term Rental Tax reporting forms for the property have not been timely filed.

(10) The subject property has outstanding Building, Zoning, or Property Maintenance Code violations or outstanding violations from the Summit County Department of Health.

(11) The applicant, property owner, or Caretaker has refused, hindered, or prevented any inspection by the Village authorized by Section 741.04.

(12) Evidence of a violation for the purposes of this section needs to be only a de facto violation; a conviction for such violation is not a prerequisite for denial or revocation of a Certificate.

(b) Penalties.

(1) When the Village becomes aware of a violation of this Chapter, the Village may send a written notice to the property owner and/or Caretaker of the property that describes the location of the property, the nature of the violation, and the specific provisions of this Chapter being violated, giving the owner and/or Caretaker of the property no less than 10 days to eliminate the violation before action is taken by the Village to cancel the Certificate. The 10-day notice requirement shall not apply when the Village has previously cited the Certificate holder for, or provided notice to the Certificate holder of, the same type of violation within the past 365 days.

A. If the property owner and/or Caretaker does not eliminate the violation within 10 days, or an alternate amount of time specifically indicated in the violation notice, and the Village has not granted an extension to remedy the violation, the Mayor, or his or her designee, may revoke the Certificate. If a Certificate is revoked, the property owner and/or Caretaker shall cease renting the property. Property owners and/or Caretakers that continue to rent the property after the Certificate has been revoked are subject to the penalties set forth in Section 741.09(b)(3).

B. A property owner who has had their Certificate revoked may appeal the revocation decision by filing a notice of appeal with the Village Administrative Clerk within 10 days of the date of their receipt of the revocation notice. If a timely appeal is filed, Village Council shall hold a hearing on the revocation within 30 days of the notice of appeal filing date. The decision of Village Council on the appeal of the Mayor's, or Mayor's designee's, revocation action may be appealed in accordance with Ohio law. A property owner whose Certificate has been revoked shall be prohibited from re-applying for a

Village Short-Term Rental Certificate for a period of 1 year from the revocation date or final adjudication date of the revocation decision, whichever is later.

(2) A property owner who has had their Certificate denied may appeal the decision by filing a notice of appeal with the Village Administrative Clerk within 10 days of the date of their receipt of the notice of denial. If a timely appeal is filed, Village Council shall hold a hearing on the denial within 30 days of the notice of appeal filing date. The decision of Village Council on the appeal of the Mayor's, or the Mayor's designee's, denial to issue a permit may be appealed in accordance with Ohio law. A property owner whose Certificate has been denied shall be prohibited from re-applying for a Village Short-Term Rental Certificate for a period of 1 year from the denial date or final adjudication date of the denial decision, whichever is later.

(3) Any violation of Chapter 741 shall constitute a first-degree misdemeanor. Any person who is convicted of such a violation shall be subject to punishment by a fine not exceeding $1,000 or imprisonment not exceeding 180 days for each offense, or both, at the discretion of the court. Each day a violation occurs may be considered a separate offense. The imposition of any sentence shall not exempt the offender from having to comply with the requirements of this Chapter. Use of any rights and remedies set forth above shall not preclude the use of other remedies provided by law, including any additional rights of the Village to initiate proceedings in an appropriate court of law to restrain or prevent any non-compliance with any provisions of this Chapter, or to correct, remedy, or abate such non-compliance. Any failure or omission to enforce the provisions of this Chapter, or failure or omission to prosecute any violations of this Chapter, shall not constitute a waiver of any rights and remedies provided by this Chapter, or by law, and shall not constitute a waiver nor prevent any further prosecution of violations of this Chapter.