



Planning & Zoning Commission Meeting
Tuesday, November 24, 2020 - 6:30 PM
AGENDA

1. Call to Order
2. Roll Call
3. Public Comment
4. Action on Minutes
 - a. November 10, 2020
5. Design Standards
 - a. [Design Standards Draft](#)
6. Zoning Code Draft Part Two; Articles 7-10
 - a. [Zoning Code Draft](#)
7. Accessory Dwelling Unit Draft zoning
 - a. ADU Draft Chapter 1171.04
8. Other Business
9. Adjourn



Planning & Zoning Commission
Tuesday, November 10, 2020 - 6:30 PM
MINUTES

1. Call to Order

Committee Chair Ryan Green called to order the Planning and Zoning Commission meeting for November 10, 2020 at 6:36 p.m.

2. Roll Call

Present - Ryan Green, Ron Danne, Jesse Coppel, Benjamin Lee, Jon Merriman
Absent - None

Staff present - Bailey Klimchak - Village Planner, Jim Blair - Zoning Inspector, Teresa Monroe - Clerk of Council

Public present - None

3. Public Comment

No comments.

4. Approval of Minutes

a. October 27, 2020

ACTION: Ryan Green moved to Approve; Benjamin Lee seconded and all were in favor.

AYES: Ryan Green, Ron Danne, Jesse Coppel, Benjamin Lee, Jon Merriman

NOES: None

ABSTAIN: None

Passed 5 - 0

5. Variance Application 2020-354-Z

The Village of Johnstown is the applicant and is in the process of expanding the existing parking lot at the Trailhead park; ground has been compacted and gravel was put down today. Village code 1175.02 says that new parking needs to be paved; Ms. Klimchak said it is in the plans to improve and pave the parking lot, the variance is requested to buy some time for the new gravel to get compacted over the winter and still allow people to use the parking. Additionally, she said there is not money in the budget to pave it this year and granting the village the variance gives some leeway on paying to have it done; staff is hopeful that if OPWC funds are awarded for Jersey Street, the village could work with the contractor to pave the lot at the same time the roadway is paved. Chairman Green said

he would like to see a condition put on the variance that the lot would be paved at a later date. Mr. Lee asked if there was a cost estimate for the paving; Ms. Klimchak said she did not have a formal estimate but thinks it could be \$25,000 to \$35,000. Mr. Lee said he would like to see it paved by the end of 2021, in consideration for neighbors abutting the unimproved lot and the dust it would create. Mr. Lee reviewed the practical difficulty questions for the variance, answers as follows:

1. Yes; but application on how it affects the neighbors.
2. Relevant to the economic consideration of the applicant; thinks cost estimate is reasonable.
3. Yes; the adverse effect would be to the neighbors with the dust.
4. No; not engineered for services.
5. Yes
6. Yes; it could be turned back to grass.
7. As long as the conditional aspect is in place because it would be the same thing required of anyone else in the village.

Commission discussed timeline, requirement for paving, funding and conditions for the variance.

ACTION:	Ryan Green moved to Approve the variance with the condition that final asphalt topping is completed within one year, unless a variance extension is requested by the applicant, at which time the lot would be treated with Roller Compacted Concrete then final coat required by the end of year two; Jon Merriman seconded and the vote was as follows:
AYES:	Ryan Green, Ron Danne, Jesse Coppel, Benjamin Lee, Jon Merriman
NOES:	None
ABSTAIN:	None

Conditionally approved 5 - 0

- a. Application & Staff Report
6. Zoning Code Draft - Part Two

Bailey Klimchak said comments received are red lined, she is hoping tonight for review of sections three to six with edits made reviewed at the next meeting and an informal vote and approval of part two at the last meeting of the year.

 - a. Articles 3-6 Review. <https://johnstownoh.civicclerk.com/Web/GenFile.aspx?ad=301>

Commission reviewed Part Two, draft sections 3.01 through 6.08. Bailey Klimchak made edits discussed during the review.
7. Accessory Dwelling Units

Due to meeting length, Planner recommended moving discussion to next meeting.

Vision Statement: The Village of Johnstown is dedicated to providing a secure community environment that fosters cultural, recreational, educational and economic opportunities while preserving our unique historical character

Chairman Green said those with comments should email them around.

8. Zoning Inspector

a. Zoning Report October 2020

Zoning Inspector Jim Blair reviewed his report and answered questions of the Board on specific items in the report. Some discussion on the requirement for a traffic signal at US62 by Pulte Homes; conversations are ongoing with Pulte, Village staff and ODOT relative to the upcoming US62 project. Some committee discussion on acceptable percent of lot coverage for accessory structures of a temporary nature such as above ground swimming pools, sheds, swing-sets etc.

9. Other Business

1. Two meetings left in the year; reminder that the last meeting of the year is on a Wednesday in the first week, December 2nd.

10. Adjourn

ACTION:	Ryan Green moved to Adjourn; Jesse Coppel seconded and all were in favor.
AYES:	Ryan Green, Ron Danne, Jesse Coppel, Benjamin Lee, Jon Merriman
NOES:	None
ABSTAIN:	None

Passed 5 - 0

Meeting adjourned at 8:50 p.m.

Next P&Z meetings: Tuesday, Nov. 24, 2020 and Wednesday Dec. 2, 2020 (last one of the year)

Chapter 1171 Supplementary District Regulations

1171.04 ACCESSORY DWELLING UNITS

For purposes of this chapter, “accessory dwelling unit” is defined as a dwelling unit for occupancy by an individual who is providing services to a principal use of the property, such as watchmen, maintenance personnel, or temporary guests, including corporate residences; or an accessory dwelling associated with a single-family dwelling, two-family dwelling, or townhouse dwelling.

Accessory dwelling units shall be conditionally permitted in residential districts, subject to Chapter 1131. Accessory dwelling units will be considered as accessory structures for the purposes of 1171.03 (b). All accessory dwelling units must follow the zoning district development standards as well as the following conditions and requirements:

- (a) An accessory dwelling unit may be located within a principal single-family detached dwelling or a detached accessory building on the same lot as a principal dwelling.
- (b) The owner of the lot must live in the primary residence.
- (c) Accessory dwellings shall be no more than;
 - a. 500 square feet in UR districts,
 - b. 800 square feet in SR districts, and
 - c. 1,000 square feet in the RR district.
- (d) A detached accessory building must be assigned a separate mailing address.
- (e) A minimum of one off-street parking space shall be provided on the lot for the accessory dwelling unit in addition to the off-street parking spaces required for the principal dwelling unit.
- (f) The accessory dwelling shall contain a living area, one bath and a kitchenette (including a refrigerator, microwave oven and/or stove, and sink) and may contain no more than one bedroom. Each unit must also have a permanent foundation.
- (g) Accessory dwelling units will be separately metered.
- (h) No more than two adults shall occupy the accessory dwelling unit.
- (i) No new access points or driveways shall be created or installed for access to the accessory dwelling unit.
- (j) The accessory dwelling shall have a roof pitch and design character that matches that of the primary dwelling and shall be no more than one story.

Commented [BK1]: Is this enforceable?

Commented [AYS2R1]: Tough call. There has been a lot of litigation around the country related to AirBNB sort of prohibitions. I would suggest a more comprehensive short-term rental ordinance if we want to address this. Happy to look at this in more detail if Council/P&Z wants to continue with a prohibition. But there is risk.

Commented [BK3]: Village administration does not support reduced tap fees for accessory dwellings. Tap fees are carefully calculated by engineers and are in place for a reason. The fees go toward the enterprise fund that is used to make improvements and increase the capacity of our water and sewer plants. If residents are using water, then they need to pay the fee.

Commented [AYS4]: This also may be challenge. We need to look at this further as there has been litigation on restriction of number of individuals living in a structure.

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