

**City of Norton**  
**PLANNING COMMISSION**  
**Tuesday, February 12, 2013**

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The Planning Commission of the City of Norton, Ohio, convened for a public meeting in Council Chambers at the Safety Administration Building. Chairman Spisak called the meeting to order at 6:06 p.m.

**I. ATTENDANCE:**

**PRESENT:** Mark Spisak, Ralph Dowling, Janet Jacobs and Scott Testa

**ALSO PRESENT:** Russ Arters, Supt. of Bldg. & Zoning

**II. PUBLIC APPLICATIONS:**

None.

**III. OLD BUSINESS:**

Chairman Spisak said since there were no public applications, they would move on to general discussion of the zoning code.

Chairman Spisak said he reviewed NorthStar and the City of Wadsworth's zoning codes. He said besides taking a lot of the definitions from Wadsworth, he still prefers the charts that NorthStar presented. He said he still has a few questions, and knows that Mr. Ralph Dowling was also looking at the City of Bath's Zoning Code.

Mr. Dowling said in his opinion the City of Bath's zoning code looks a lot like the one from NorthStar, so he is wondering if NorthStar wrote Bath's code. He said he has a number for the City of Wadsworth to call and see if he can get a Word version of their zoning codes; he just hasn't had a chance to call.

Mr. Russ Arters, Superintendent of Building and Zoning, reminded the Commission to keep it simple. He suggested they might want to put in a clause that says where anything that is associated with a certain use, but not defined in the code, would be determined by him or the Commission. Mr. Arters said that no way could they name all the uses, but with that option they would adapt it into the proper zoning. He said their main concern is to get the uses set up for businesses.

After more general discussion, Mr. Arters said they seem to have different opinions on the uses. He then suggested they write down the uses on a big board to use as a reference guide during the meeting; Chairman Spisak said that would be a lot of writing.

*Planning Commission Approved Minutes  
2/12/13*

*by Rebecca Lukats Interim Boards & Commissions Secretary*

*\*\* Note: These Minutes are not verbatim. \*\**

Chairman Spisak said he didn't quite understand page 13 in NorthStar's code that dealt with industrial uses. He said they list repair shops for shoes, radios, TV's, domestic appliances, upholstery and furniture in their I-1 and I-2 Districts. He said he didn't know why they would put those in industrial zones, rather than put them in a regular business zone like the City's B-2 District. He doesn't understand the reasoning of putting them into an industrial district. Mr. Arters said they may be permitted, but they also could be conditional uses.

Mr. Dowling commented that auto repair and auto wash are listed as conditional uses in I-1 or I-2 District, yet an auto repair garage of small engines was listed as a conditional use in a B-3 District; he said our City has them in a B-3 District. Mr. Dowling said he struggled with the I - 1 District that shows uses that are light or heavy industries and then they also show a store in there. He said his thoughts were to maybe make them conditional uses. There was discussion about car lots also.

More general discussion was had about classifications for auto repair, auto wash, and marine storage. General consensus was not to have them placed in a business section, but rather under an I District instead. It was suggested if they don't want an auto wash in an industrial district, they could put them conditionally in a business district.

There was general discussion about having mini storage facilities as conditional use in an I-1 or B District. Mr. Arters said the biggest problem with mini storage facilities are that they take up so much land, saying there was a moratorium on them 7 or 8 yrs ago because of that reason. Mr. Arters reminded them there are different types of storage units. He said some are huge and they keep adding on. He said in his opinion, with something of that size he suggested a conditional use permit. Chairman Spisak commented that he could see it being conditional, because some places have enough space without it being an issue. The Chairman said the biggest problem with storage units is not knowing what is stored in them, even though they are considered to be regulated.

Chairman Spisak talked about drive-in or drive-up restaurants as being just in a B-3 District. Mr. Arters said he sees nothing wrong with them being a conditional use in any business section, depending on the location; they don't have to be specific to one zoning.

There was general discussion of dry cleaning and laundry being currently allowed in all three business districts. Mr. Dowling thought they should take a closer look at that, as he does not know of any dry cleaning business that does the processing within the City. Mr. Arters said Nichols Dry Cleaners is still busy. Chairman Spisak commented that he does not believe they process the dry cleaning at the Norton location, but rather sends it out; they do laundry there.

The next general discussion topic was commercial schools versus public or private schools; they are all in different districts, residential and business. Mr. Arters said in his opinion they all need to be in one district, like residential, which saves your business districts for actual businesses.

Mr. Dowling moved on to discuss child day care centers and how they are listed in I-1 and I-2 Districts. Mr. Arters said that is where a lot of them are being placed. Mr. Arters' suggestion was that they identify public, private, charter and church schools or centers, and just leave them in the residential districts only. There was more general discussion about group homes or day care homes.

Mr. Scott Testa discussed the districts for driving schools or welding schools. In his opinion they would need to have flexibility as to where they would go, according to the type of school. Mr. Arters said they did have a welding/fabrication school on Barber Road. Mr. Arters suggested that if the school pertained to heavy use or mechanical use, they could possibly put it in an I-1 District by a clause in the code; he said they don't get very many of those, except on occasion. Mr. Dowling said maybe they needed to redefine schools.

There was discussion about wireless telecommunication towers/antennas, and not allowing them to be in residential districts unless the property was owned by the City. Mr. Arters cautioned that if someone has high ground as part of their property, would the Commission deny them being allowed to put up wireless communication tower.

Mr. Dowling talked about animal hospitals or kennels. Mr. Arters said the zoning on those are sensitive, as most other cities have them on back roads, off the main beaten path. Mr. Arters said dog kennels could be a conditional use in a B-3 District with the rest in I-1 and I-2 Districts. Mr. Arters said in his opinion the reason other cities put them in a business district versus a residential area is that the dogs could bark all night; that would not be good in a residential district. Mr. Dowling said it looks like there is no permitted use, only conditional. Mr. Arters said that would be good if they were conditional, which means they would have to come in with a site plan and go before the Commission, but not Council. Mr. Arters said you would have more control over them and the Commission could set their hours.

Mr. Arters said again that they want to put in just the basics, and if they can't find a use, he or the Commission would figure out the best district to place them.

Mr. Dowling discussed how he would format the Excel spreadsheet, with the uses listed and districts listed in a chart form. He said the chart form would be better than the City's current code that you have to flip back and forth between pages to make a determination. He said he liked the City of Bath's example of that; it's much easier to review. Mr. Arters said maybe they should print the City of Bath's code and use that as their guide; all members agreed.

Mr. Arters said maybe they could put all businesses into an Industrial District and then piece meal those out into the Business Districts as you review them.

Mr. Testa asked for an explanation of a "conditional" use. Mr. Arters explained how a use is allowed in a zoned district and how sometimes the Planning Commission will put conditions on the business. Once the business is operating and it is found that they did not abide by the conditions, they are brought back before the Commission to explain why. The Commission would then make a determination if they can remain as a conditional use in that district.

Chairman Spisak asked if there was any other old business; no one spoke.

#### **IV. NEW BUSINESS;**

Chairman Spisak asked if there was any new business.

The new OPERS (Ohio Public Employees Retirement System) forms the members received were explained. These forms have to be filled out by each member and turned back into Amber in the Finance Department. These have to be filled out prior to any payment they will receive from the City, and she asked that they be turned in before the end of the month.

A New Agricultural District application packet was handed out to the members that will go on the next meeting's Agenda. Discussion was had about the time limit involved to hear this application, as Council has to hear it within 30 days of its filing.

The Commission members were asked if they accepted the 2013 tentative meeting schedule. Chairman Spisak said yes, it was accepted and the secretary could go ahead and distribute it.

#### **IV. CONSIDERATION OF MINUTES:**

Chairman Spisak moved on to consider the minutes from May 8, 2012, and asked if there were any additions or corrections to the minutes. **Hearing none, Chairman Spisak asked for a motion. Mr. Dowling moved to accept the minutes as written; seconded by Chairman Spisak. ROLL CALL: Mr. Dowling – Yes; Chairman Spisak-Yes; Ms. Janet Jacobs-Yes; and Mr. Testa- Abstain. The motion carried 3-0-1 to accept the minutes.**

Ms. Janet Jacobs asked if the detail business was still open on Gardner Boulevard beside Henry's Restaurant. Mr. Arters said he hasn't heard anything, speculating that maybe they are just remodeling the inside. Mr. Dowling said he heard it was due to the lack of funding for the business. Mr. Arters said if so, a conditional use should go in there. There was more discussion as to the types of business that should go in there.

Mr. Dowling asked about the timeline for the completion of the dental building on Cleveland Massillon Road. Mr. Arters said they were hoping for March or April. Mr. Arters said completion of the outside will be rough until it is springtime. Mr. Arters said they had a delay, so it will probably be more like April before it is finished.

Chairman Spisak moved on to consider the minutes from January 24, 2013. Since they were just distributed late in the day, February 11<sup>th</sup>, it was decided to table these minutes until the next meeting for all to have more time for review. **Chairman Spisak moved to table the minutes of January 24, 2013 to the next meeting; seconded by Ms. Jacobs. ROLL CALL: Chairman Spisak-Yes; Ms. Jacobs-Yes; Mr. Dowling – Yes; and Mr. Testa- Yes. The motion carried 4 – 0 to table the January 24, 2013 minutes until the next meeting.**

**V. ADJOURNMENT:**

With no further business before the Commission, Chairman Spisak announced the next scheduled meeting would be February 26, 2013, and adjourned the meeting at 6:48PM.

  
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Planning Commission Chair/  
Vice-Chair

  
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Planning Commission Vice-Chair/  
Member

3/26/13  
Date

