

BUILDING & BUILDING CODES COMMITTEE
MINUTES
October 17, 2005

The Building & Building Codes Committee meeting was held on October 17, 2005, at North Royalton City Hall, 13834 Ridge Road. The meeting was called to order at 7:47 p.m.

Present: Chair Vincent Gentile, Robin Zaccardelli, Lisa Uffman-Kirsch; Council President Robert Stefanik, Denise Bobulsky, Don Willey, Tom Koch, Building Commissioner Rito Alvarez, Cuyahoga County Planning Carol Thaler, Cleveland Metroparks Dick Kerber and Gary Ellsworth, Neil Price, Paula Recker, Sun Star Reporter Joanne Dumound.

Mrs. Uffman-Kirsch proposed amendments to the minutes of September 19, 2005. The audio tape will be reviewed and amendments can be made after the review is submitted to the committee. Moved by Ms. Zaccardelli, seconded by Mr. Gentile to approve the minutes of September 19, 2005. 2 yeas/1 nays (Uffman-Kirsch). Motion carried.

UNFINISHED BUSINESS:

1. Clean Ohio Fund/Cuyahoga County Green Space Plan for North Royalton

Mrs. Thaler reviewed the County Green space plan. (See attached) They have two goals with the plan. One is citizen and local official involvement in taking the plan and working with it in their community. Another issue is to have more detailed studies to determine where the steep slopes are, what the land uses around it are, where does the Rocky River flood, and how that impacts the riparian and wetland areas in the region. This comes into play with the Metro Parks partnering with local communities in preparing applications to meet the goals of the Clean Ohio Fund.

Dick Kerber and Gary Ellsworth reviewed the Metroparks role in the open space preservation, resource preservation and conservation. The east branch Rocky River study was reviewed, the potentials and the role of the agencies was discussed. Goal: 1. Open space preservation and protection of the river and being sensitive to development and community interests. 2. Connecting Hinckley to Mill Stream via natural resource corridors and trails. The evaluation has been conducted and it is at the phase where they are working with the communities in trying to decide what is the best way and what is the role of the groups involved, County Planning in helping to put together Ordinances, the Metro Parks in assuming management of large blocks or smaller blocks of land, and what are the roles of the communities and what are the preferences of the community. These are jointly made decisions. The Metro Parks is currently working on plans with Richfield Township and Hinckley Township in preserving green space.

County Planning and the Metro Parks are available to help make decisions on how the city wants the future of the community to be. There is one more round of Clean Ohio Fund money and a potential to get some of the money available. The funding is extremely competitive.

There was further discussion on the location of the areas to be proposed and what has the best chance of receiving funding based on location. This is what the community would know better. Projects have a better chance of scoring well that would preserve land and have a restoration component. Projects that have joint communities involved within the scoring criteria will score better.

The Metro Parks representatives said that they would also welcome working with the city in making plans for preserving space beyond that of the Clean Ohio Funding opportunity.

2. Low impact development (LID)

No further information.

3. Proposed changes to Zoning Codes Village concept for R1A per RRZ

Mr. Alvarez has not reviewed the proposed changes.

Mrs. Uffman-Kirsch said that she would like further definition of the direction of items 2 and 3 on the agenda. Having more of a village concept in R1A was the original concept similar to what is in Rural Residential zoning. She wondered if the village concept being the new PUD was the direction of some members—if so she feels that is two different things. She would like to go back to the original discussion and incorporate the Rural Residential Village concept and make it fit as an option in the R1A zoning. The revision of the PUD code, which may have some components of the village, should be a completely separate discussion.

Mr. Gentile said he would like to revamp the PUD code and make it more of a village setting. He felt that as we rewrite the village concept it may have the components to replace the PUD and call it something different. The new PUD could be an option in R1A. A sticking point in the discussion of PUD code change is the commercial component.

Mrs. Uffman-Kirsch feels the two should remain separate discussions because the PUD was made different in the type of land use with the village having the requirement of another type of use in addition to residential. She suggested that because of the pending IDC the PUD discussion should be considered first.

It was determined to proceed with an overall outline of changes desired to the current PUD be submitted. These are requested to be submitted by the November meeting. It was discussed that a consultant to assist with these changes would be desirable, but the current lack of funding for this necessitates proceeding with Council members and the Administration. Mr. Gentile will send a memo to the Mayor asking for her recommendations.

4. PUD Chapter 1280 revisions

See discussion in item 2 above.

5. Chapter 1282 Off-Street Parking and Loading

Mr. Alvarez said that some of the items being discussed are in our current code. He reviewed the recommendation of Mr. Arrendale, but has not seen the information from Mrs. Thaler. The committee provided Mr. Alvarez with material that is being used to determine the recommended changes to our existing code and what the committee is trying to accomplish, along with review of the discussion from the meeting last month occurred.

An agenda will be prepared for a work session to be scheduled so that members may be ready for discussion.

6. Licensing Requirements

Mr. Alvarez explained how licensing came about. There was additional discussion of the information. Mr. Alvarez will discuss this with the Law Director.

7. Proposed amendments to Chapter 1440 Department of Buildings

Mrs. Uffman-Kirsch reviewed this subject and said she will be sending Mr. Alvarez a memo.

8. Plan review fees and administrative costs.

There was discussion about these charges. It was discussed that this should also be reviewed by the Engineering Department.

9. Proposed Ordinances 05-81, 05-82, 05-83, and 05-84 temporary banners/pennants

Mrs. Uffman-Kirsch distributed her memo dated October 17, 2005, regarding additional amendments to the defeated temporary banner legislation (05-81) and proposed Ordinance 05-82. (See attached)

Revised temporary banner legislation (Defeated Ordinance 05-81):

First WHEREAS clause clarifies that we do currently allow banners and pennants.

Third WHEREAS clause was added because of the concerns heard at the Planning Commission meeting that we do not want banners flying all over the place. The current code allows banners and it allows the banners to be 100% of the permanent signage. The allowable signs could right now be doubled with temporary banners. So this will indicate that a reduction is desired.

Mr. Hartman gave recommendations regarding anchoring ground signs. The fourth WHEREAS clause addresses Mr. Hartman's concern as well as other additional changes.

Section 1 amends Section 1284.18 which talks about temporary signs. The word "temporary" was added to differentiate it from the previous Section 1284.17 which talks about prohibited signs. "Seasonal" is added. The underlined portion shows an addition that was recommended by Mr. Hartman that "the sign is attached to anchored, stationary poles or stakes." Further that sign face area of banners should not exceed "20%" of the maximum area of permanent signs. It is reducing the amount of face area not the number of signs.

Amendments to proposed Ordinance 05-82:

Section 1 amends Section 1284.03 which provides a definition for business banners/pennants. After reviewing the proposed legislation Mrs. Uffman-Kirsch thought that the specification of "temporary" should be made and further referred it back to Section 1284.18 which gives the criteria. The reason that she added "which must meet the requirements of 1284.18" is because the header for the section above gives completely different size requirements. It gives specific square footage requirements for all below it and that is not applicable for temporary signs and is why it should be referred back to the temporary sign legislation.

Mrs. Bobulsky asked how the 120 days was determined in the legislation 05-81. Mrs. Uffman-Kirsch said that four months would keep with the intent to provide business-friendly amendments to our sign code while still understanding that we do not want to look like a carnival. The 120 days if you note the word "seasonal" with that was to make it friendlier to businesses that are only open a short time of the year.

It was asked about a business open all year long, but it has changing seasons. The response was that the proposal would allow for a total of 120 days in any year all at one time or split up. It was asked about a business that might be selling something seasonal but has left the area and the sign is left behind still flying and the city would not have a legal right to require the removal of this. There are places that have been observed to do that in other communities. The response given was that the permit still is required and would not be given if it would be determined that the time of the selling would elapse before the 120 days. Mr. Hartman currently keeps track of the number of days used in the year.

Mrs. Uffman-Kirsch said this is more business friendly, there are controls, and it is reducing the amount of what is currently allowed on face area by 80%.

It was stated that increasing the length of time to 120 days may be considered too long and it may be abused.

Mrs. Uffman-Kirsch wants to move this out of committee. She will be placing the new temporary banner legislation on the Council Agenda where it will be a mandatory referral to Planning Commission in order that it can go through the process. She will be recommending the amendments to proposed Ordinance 05-82 and this will have to be referred back to Planning Commission.

Mrs. Uffman-Kirsch moved to send this as amended in the October 17, 2005, memo for consideration to Council without a recommendation, seconded by Ms. Zaccardelli. 3 yeas/0 nays. Motion carried.

10. Building permits available online

Mr. Alvarez said it is an increasingly popular thing to do. He feels that the no fee permits would be ok to put up. The permits with fees applicable would create too much confusion in case someone might be sending the wrong amount of money. He will get that to the Webmaster.

NEW BUSINESS:**1. Section 1276.34 Exterior Masonry Surfaces Business Districts**

Mr. Gentile would like to change to: Require all exterior surfaces to be face brick, stone or other finished type of masonry. Common concrete block is not permitted on any exterior surfaces. Approved by the Planning Commission.

Mr. Gentile said that there was some discrepancy regarding the facing surfaces of buildings. There is a problem with one company only doing three sides to their building. It is needed to clarify our codes to reflect that it means all sides of a building.

Discussion occurred to change as follows:

1276.34 EXTERIOR MASONRY SURFACES.

All exterior masonry surfaces on buildings constructed in any Business District shall be of face brick, stone or other finished type of masonry. ~~Common concrete block shall not be permitted except on rear walls adjacent to rear property lines where expansion can occur, provided that the rear wall does not face residential areas, public facilities, schools, churches, etc., and that all openings, doorways and transitions are returned in brick.~~

Proposed to remove the second sentence.

Mr. Alvarez commented on how designers and builders might try to work around this.

Mr. Gentile will send a memo to ARB to ask what their thoughts would be on this change.

Mrs. Uffman-Kirsch moved to adjourn the meeting, seconded by Ms. Zaccardelli. 3 yeas/0 nays. Motion carried. 3 yeas/0 nays. Meeting adjourned at 9:50 p.m.