

Merriman Valley Schumacher Code – Supplemental Report

Report Date: 03-26-24	Meeting Date: 04-02-24
Applicant:	Planning Division
Application Summary:	The City is proposing a text amendment, per <u>Section 1113.06 Text Amendments</u> , to incorporate the Merriman Valley Schumacher Area Code based on the recommendations in the Merriman Valley Schumacher Master Plan completed in 2022.
File Presenter:	Rob Kurtz, AICP, Planning Director

At the 2/21/24 meeting, Planning Commission requested the following:

1. Remove the term “small apartment buildings” from Section 2.2.2 A to make consistent with previous revisions (Attachment I, page 2-10);
2. Provide the new zoning districts in the City of Akron (Attachment II);
3. Review the allowed densities and/or the CN and N district boundaries

Items #1 and #2 have been addressed (please see Attachments I and II).

Regarding Item #3, the boundaries of the proposed CN and N districts are generally informed by the Master Plan. While the Master Plan does not dictate the exact boundaries, it serves as a guide. This analysis considered: the MVS Master Plan themes; the existing code limitations; and existing building types and densities in the area including both older more established developments as well as more recent ones.

One of the primary themes in the Master Plan was to encourage development in a more environmentally sensitive and sustainable manner. The required minimum open space in the proposed MVS code significantly contributes to this objective.

Portage Trail is located in the State Road Portage Trail Planning Area, and the existing residential zoning along Portage Trail is primarily R-3 (See Attachment III). In terms of density and minimum open space required, the existing zoning would allow the following:

	R-3	RM Overlay State Rd. -Portage Tr. <i>(Subject to Restrictions Attach. IV)</i>
Dwelling Units/Acre	3-4	10
Min. Open Space	600 sq. ft. /dwelling unit	600 sq. ft. /dwelling unit

In addition to single family dwellings in the area, as Map 1 shows (next page), there are also condominium and apartment developments in close proximity to the MVS study area.

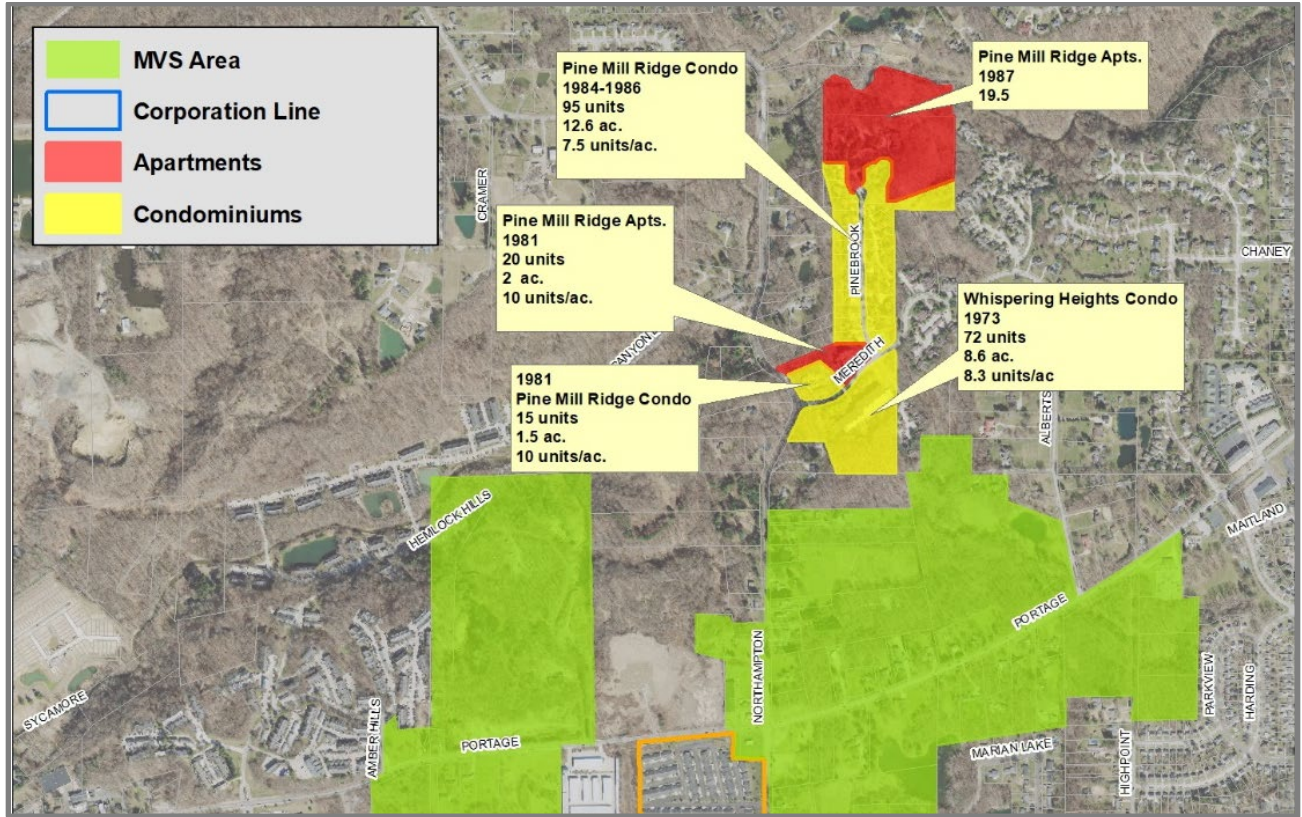


Figure 1 - Existing Condominium and Apartment Developments

The table below provides an analysis of some of these multi-family developments including the total acreage, number of units, open space provided, and density (dwelling units/acre).

DEVELOPMENT	YEAR BUILT	TOT. ACRES	UNITS	UNITS PER ACRE	OPEN SPACE
Whispering Heights Condominiums	1973	8.6	72	8.4	72%
Pine Mill Ridge Apartments (Meredith Ln)	1981	2	20	10.0	70%
Pine Mill Ridge Condo (Meredith Ln)	1981	1.5	15	10.0	60%
Pine Mill Ridge Condo (Pinebrook Tr.)	1984-86	12.6	95	7.5	NA
Pine Mill Ridge Apartment (end of Pinebrook Tr.)	1987	19.5	40+	NA	56%
Villages of Sycamore	2020	29	143	4.9	43%
Average Open Space Provided					60%
<i>Source: Summit County Auditor Tax Cards and Planning Department files; open space calculated from Summit County GIS</i>					

The density of the developments constructed in the 1970's and 1980's have a range from approximately 7-10 dwelling units/acre. Recently constructed Sycamore Village was built at a density of almost 5 units/acre. The average open space for these developments is approximately 60%.

The proposed MVS Code provides a minimum open space standard based on the gross acreage of a site versus the number of dwelling units in the current Code. This ensures that future developments will preserve additional open space which is one of the primary themes in the MVS Master Plan. This analysis also revealed that the in order to accommodate the densities found in the area, the minimum open space should be modified. Based on these factors, staff recommends the following adjustments to the open space and maximum density standards.

District	MVS Version 3/26/24		MVS Version 1/26/24		Existing Code	
	CN	N	CN	N	R-3	RM Overlay
Dwelling Units/Acre	8	10	12	NA	3-4	10
Minimum Open Space	60%	20%	70%	20%	600 sq. ft./dwelling unit	600 sq. ft./dwelling unit

CONCLUSION/BENEFITS

When compared to the existing code, as proposed the amendments will accomplish the following

1. Significantly increase the open space standards
 - a. Minimum based on gross acreage (as opposed to dwelling units)
 - b. Requires open space adjacent in the front of development and a minimum of adjacent to 40% of lots must be adjacent to open space
2. Maintains the maximum density when compared to the existing Development Code
3. Enhances rural feel with the scenic buffer along Portage Trail & Northampton Road
4. Increase connectivity requirements (projects must contain a system of sidewalks/paths which are connected to adjacent streets or existing trails)
5. Enhanced building design standards in new MX-F primarily along Akron-Peninsula Rd.
6. Modification of uses permitted uses along Akron-Peninsula Road
 - a. Allowed: maker space; lodging; eating and drinking
 - b. Not Allowed: personal storage; auto dealerships
 - c. Personal Storage modified to a "limited use" in E-1 & C-1 Districts

Attachment I – Revised MVS Code Pages

Div. 2.1. Applicability

All activity filed after the effective date of this Code must comply with the standards in this Chapter, as further specified below.

2.1.1. General Applicability

- A. Standards apply based on the type of activity proposed, as shown in the table below. For all zoning districts, the standards apply as shown in the table below. For items where "standards do not apply", refer to regulations in Title 3, [Table 1132-2](#), Title 4, [Subsection 1142.02](#) and other applicable regulations in the Development Code.

		New Construction	Addition	Site Modification	Facade Modification	Change of Use	Major Renovation	Maintenance & Repair
Sec. 2.5.2	Site Width	●	○	○	○	○	○	○
Sec. 2.5.3	Dwelling Units per Lot	●	○	○	○	●	●	○
Sec. 2.5.4	Coverage	●	●	●	○	●	○	○
Sec. 2.5.5	Streetscape	●	●	●	○	○	○	○
Sec. 2.5.6	Blocks	●	○	○	○	○	○	○
Sec. 2.5.7	Setbacks	●	●	○	○	○	○	○
Sec. 2.5.8	Transitions	●	●	●	○	●	●	○
Sec. 2.5.9	Building Frontage	●	●	○	○	○	○	○
Sec. 2.5.10	Parking Location	●	●	●	○	○	○	○
Sec. 2.5.11	Massing	●	●	○	○	○	○	○
Sec. 2.5.12	Ground Story	●	●	○	○	○	○	○
Sec. 2.5.13	Transparency	●	●	○	●	○	○	○
Sec. 2.5.14	Entrances	●	●	○	●	○	●	○

● = Standards apply ○ = Standards do not apply

- B. The applicability in the Table above may be further limited in the applicability provisions for each set of standards in *Div. 2.5, Rules of Interpretation*.

2.1.2. Project Types

A. New Construction

Any activity that includes the construction of a new building or structure, except accessory structures in Neighborhood Districts. For accessory structures in Neighborhood Districts, please refer to Item G, Maintenance & Repair in this subsection.

B. Addition

Any substantial expansion or enlargement of an existing building or structure. Includes activity that increases the floor area or the height of an enclosed space within an existing building.

C. Site Modification

Any substantial modification to a site, including landscaping, trees, fencing, walls, lighting, grading, flatwork, and parking lots including resurfacing and restriping of existing parking lots.

D. Facade Modification

Any substantial change to the exterior envelope of a building. Includes changes to any of the following: the facade of a building; the amount of exterior foundation wall that is exposed above finished grade; or an architectural element (including a balcony, porch or deck) attached to a facade. Includes any change to a facade that goes beyond the definition of maintenance and repair.

E. Change of Use

A change in use or a modification of an area designed and intended for a specific use from the previously approved use. Includes a change in the principal use of any portion of a building, site or lot from one of the uses specified in *Div. 3.3, Use Standards* to another. Includes the expansion of floor area, site area or lot area dedicated to a use or an increase in the intensity of a use, such as an increase in seating capacity or the number of persons in care.

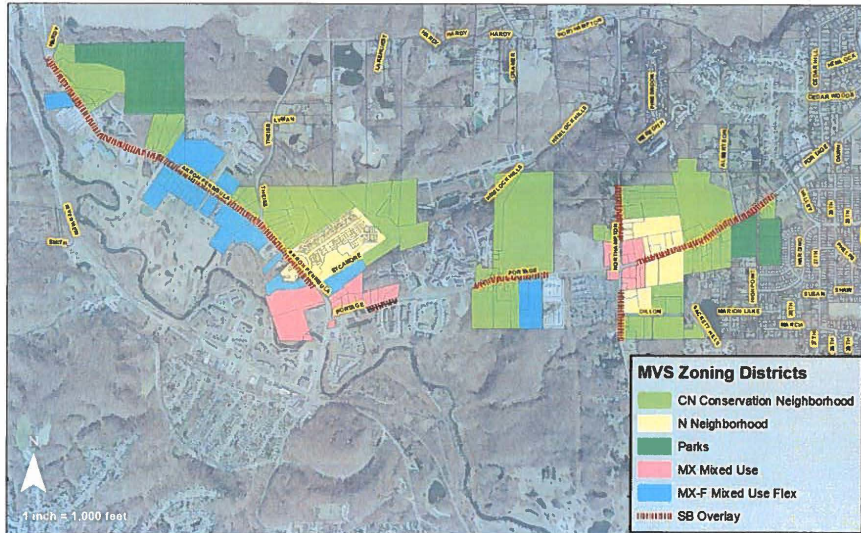
F. Major Renovation (Interior)

Modification of the interior of any building or structure that does not expand the building or structure, but includes more than 50% of the floor area of any story of the structure. Does not include interior modifications to meet fire, life safety, and handicapped requirements, regardless of the amount of floor area included. Includes any change that goes beyond the definition of maintenance and repair.

G. Maintenance & Repair

Activity done to correct the deterioration, decay of, or damage to, any part of a building, structure, or lot, that does not involve a change or modification of the existing design, outward appearance or applicable zoning requirements. In-kind replacement of deteriorated or damaged parts of a building is considered maintenance and repair. Maintenance and repair includes repair of site components such as parking lots or landscaping. **This category shall also include accessory structures in Neighborhood Districts.**

Div. 2.2. Neighborhood Districts



CN	N
Small lot single-unit homes, duplexes, townhomes.	Small lot single-unit homes, duplexes, townhomes.
2.5 story/35' height (max)	2.5 stories/35' height (max)
60% min. open space required for sites	20% min. open space required for sites

2.2.1. CN Conservation Neighborhood

A. OVERVIEW

A walkable neighborhood environment with a variety of low-intensity housing options (including townhomes, duplexes and single-unit homes on small lots) located with access to adjacent, permanently conserved open space.



B. SITE REQUIREMENTS

1. Project sites, not individual lots, located within a Conservation Neighborhood District must meet the following dimensional requirements:

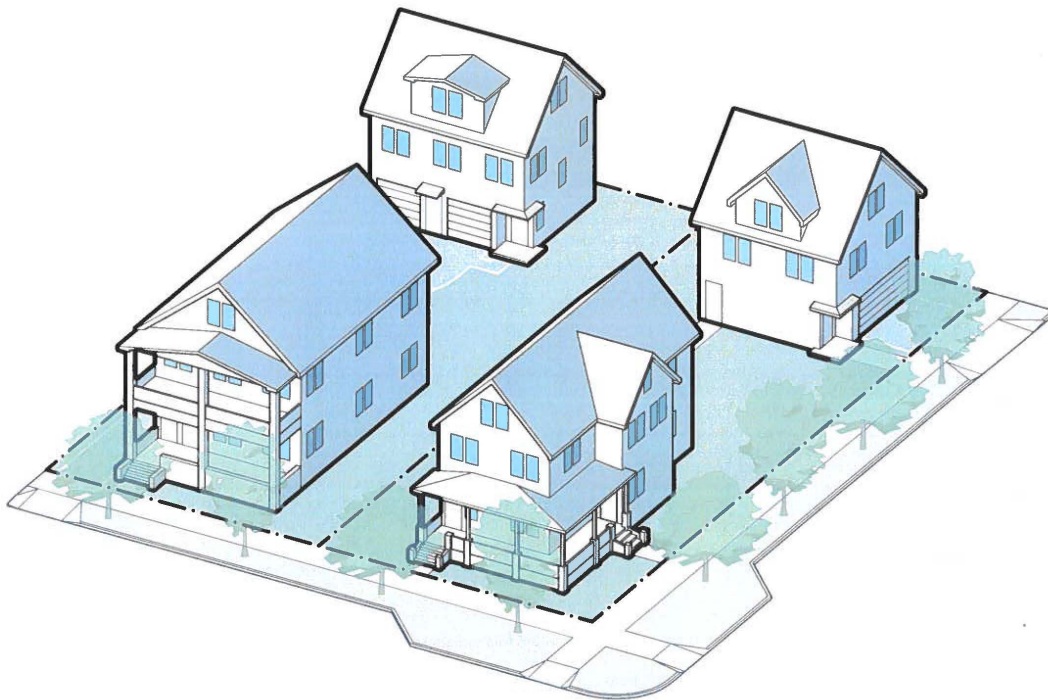
District Summary	
Dwelling units per acre (max)	8
Open space required (min)	60%
% of lots abutting open space (min)	40%
Contiguous open space area (min)	60%
Width of open space (min)	50'

2. Project sites must contain an interconnected system of sidewalks and pedestrian/bicycle trails that allow connection through the open space to adjacent streets, or where not bounded by streets, the adjacent property. Where no trails exist on adjacent property, a trail stub up to the adjacent property line is required.

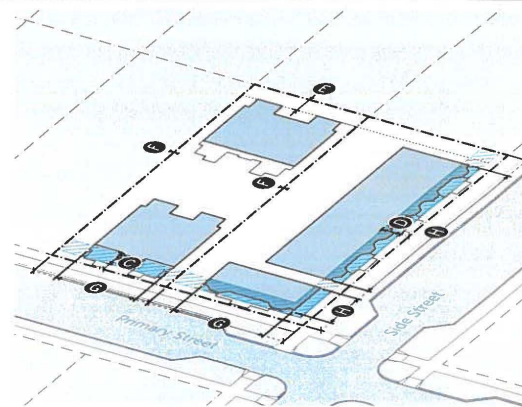
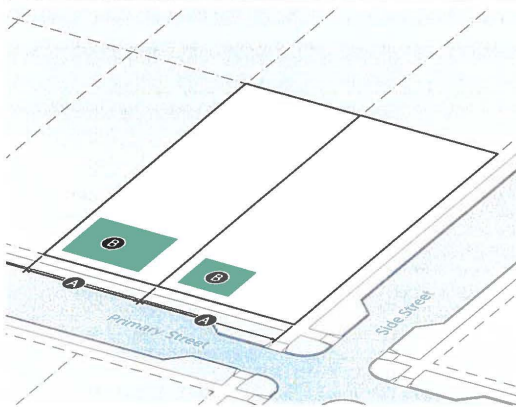
2.2.2. N Neighborhood

A. OVERVIEW

A walkable neighborhood environment with a variety of moderate-intensity housing options (including townhomes and single-family detached homes on small lots) located with access to nearby commercial and other uses.



A. SITE STANDARDS

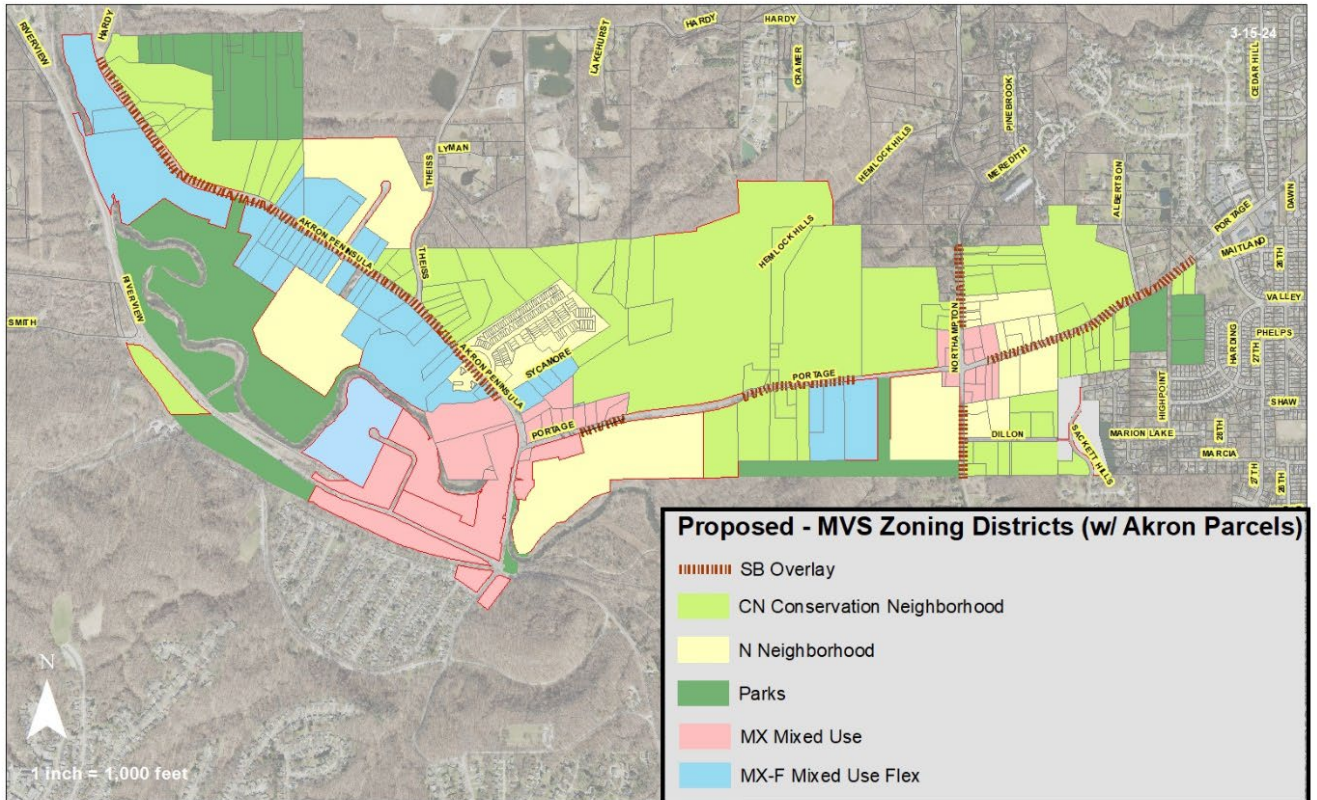


1. Site Width	Sec. 2.5.2
A Width (min)	
Front access	40'
Side/rear access	18'
1. Dwelling Units	Sec. 2.5.3
Dwelling units per lot (max)	2
2. Coverage *	Sec. 2.5.4
B Outdoor amenity space (min)	10%
Building coverage (max)	
Less than 5 dwelling units	60%
5 or more dwelling units	70%
3. Streetscape	Sec. 2.5.5
Sidewalk width (min)	6'
Planting area	
Width (min)	6'
Type	Tree lawn
Tree spacing (max)	40' avg. on center
4. Blocks	Sec. 2.5.6
Block perimeter (max)	1800'
Block length (max)	600'

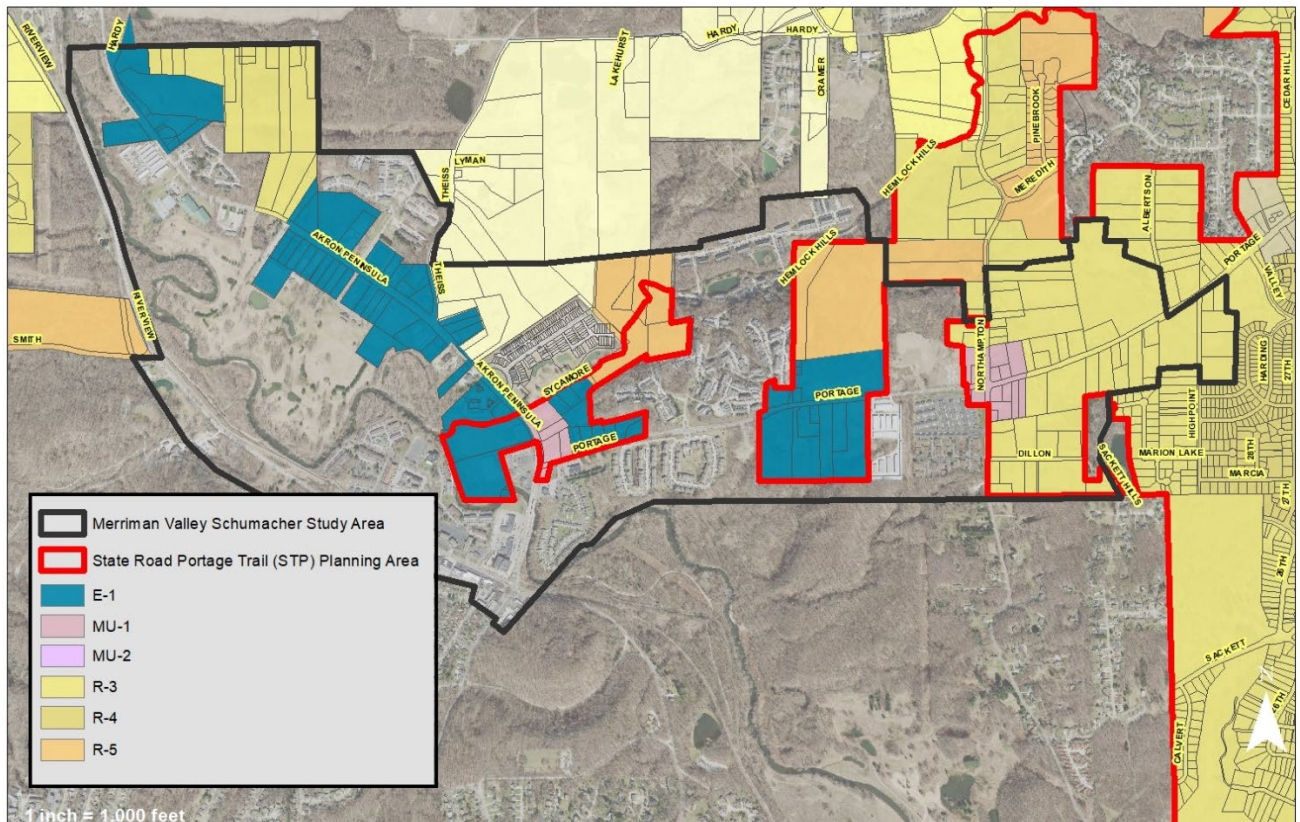
5. Setbacks	Sec. 2.5.7
C Primary street (min/max)	Established Setback Range or 5'/15'
D Side street (min/max)	5'/15'
E Rear (min)	15'
F Side (min)	5'
Between attached units (min)	0'
6. Transitions	Sec. 2.5.8
Transition setback (min)	n/a
Screening type required	n/a
7. Building Frontage	Sec. 2.5.9
G Primary street (min)	65%
H Side street (min)	40%
8. Parking Location	Sec. 2.5.10
Front street yard	Not allowed
Side street yard	Not allowed
Rear yard	Allowed
Side yard	Allowed

* Overall Site Coverage (max.) 80%
 **Maximum dwelling units/acre - 10

Attachment II – Proposed Districts w/ Akron Districts



Attachment III – Existing Zoning w/Planning Area



Attachment IV – RM, Mixed Density Residential Overlay Criteria

1132.19 RM, Mixed-Density Residential Overlay

- A. Planning Criteria. The following criteria shall be used to assist in determining the appropriateness of zoning property to the RM, Mixed-Density Residential overlay:
1. A RM Overlay may be applied to the R-1, R-2, R-3, or R-4 zoning districts (resulting in R-1RM, R-2RM, R-3RM, or R-4RM zoning districts respectively.) A single overlay may be applied to two or more different zoning districts.
 2. A newly established RM Overlay shall be at least five acres. However, a smaller parcel may apply the RM Overlay if it is contiguous to an existing R-M Overlay or separated only by a public right-of-way. Additions to the R-M District may use the entire existing district and the new addition for evaluation of these planning criteria.
 3. The RM Overlay shall only be applied in relation to an immediately adjacent existing or planned Mixed-Use District, in order to create a more integrated and walkable neighborhood.
 4. The overall gross density for a RM Overlay shall be:
 - a. 6 dwelling units per acre in the NH Planning Area;
 - b. 10 dwelling units per acre in the SPT and BMF Planning Areas; and
 - c. 16 dwelling units per acre in the CR Planning Area.
 - d. Accessory dwelling units shall not count towards density requirements.
 5. Overall density may exceed gross densities described in Section 1132.19 A.4 by 15% with any LEED® new construction or Neighborhood Certification.
 6. An RM Overlay shall have the greatest diversity of dwelling categories and dwelling types as possible, and should have a minimum of 3 different dwellings types eligible in an R-M Overlay, according to Table 1131-2: Zoning Districts and Uses.