



**CITY OF TALLMADGE
PLANNING & ZONING COMMISSION
MEETING MINUTES**

THURSDAY, APRIL 3, 2025
7:00 p.m.

COUNCIL CHAMBERS

CALL TO ORDER

Chair Patrick Larson called the meeting to order at 7:00 pm.

PLEDGE OF ALLEGIANCE

ROLL CALL

Commission Members present: Patrick Larson
Julie Oliver
Stephan Ryder
Kevin Heilmeier
Bob Kostko

Administration present: Carol Siciliano-Kilway, Mayor
Megan Raber, Law Director
Helene Hussing, Assistant Public Service Director
Kelli Funk, Planning and Zoning Manager

ADOPTION OF MINUTES

A motion to adopt the February 6, 2025, minutes was made by Mr. Heilmeier and seconded by Mrs. Oliver.

All members voted in favor. (5-0)

AGENDA ADDITIONS

None

CORRESPONDENCE AND COMMUNICATIONS

None

AGENDA ITEMS

A. FILING- None

B. CASES

Case PZC-25-03-01

Amendment to Zoning Code Text

Applicant: City of Tallmadge
Zoning Code: 1104 | Use Regulations: Accessory Uses/Accessory Containers

Mrs. Hussing gave a presentation on the case.

DISCUSSION

Mr. Larson: Any comments from the commission?

Mr. Ryder: I just wanted to speak to a couple of the rules in the summary portion, page 2 summary of proposed codes and there's bulleted regulations in there. One was about the 15%, not increasing impervious surface by more than 15%. I am wondering if you take the max size 40 x 90, that is 360 square feet. Is that going to cause any adverse storm water issues for three of these on a site? Do we

need to put anything about storm water for three container units on a site? Is there evidence that it would cause storm water problems?

Mrs. Hussing: It is three and the engineer or someone decides that this needs review...

Mr. Ryder: That is a decision that the engineer would make on these?

Mrs. Hussing: I do not know how big it is.

Mr. Ryder: That is what I was thinking.

Mrs. Hussing: If you have a much larger area that does not have a lot of impervious surfaces.

Mr. Ryder: Maybe then contributes to the bigger.

Mrs. Hussing: That could contribute to it yes.

Mr. Ryder: One thing I would maybe add is that you would not want these placed in a flood plain or in front of any drainage ways or culvert pipes. If you get water under these things, they would probably float.

Mrs. Hussing: That might already be in our flood plain language in development standards. Yes, I think that is in our flood plain, but I can look that up.

Mr. Ryder: Just curious.

Mr. Kostko: Question on setbacks. Ten-foot set back from property lines and structures. So that is the building? So, they cannot have one of these right up next to the building? It has to be ten feet away? And another one about screening. It is supposed to be completely screened?

Mrs. Hussing: It must be fully screened by a fence or landscape buffer. So, if you are at the road and they already have a screen up or landscaping that is considered screening.

Mr. Kostko: It does not mean it has to be surrounded by a fence or anything? Just from the front road?

Mrs. Hussing: We should maybe add that to it.

Mr. Larson: I think we talked; you were looking at it as a dumpster enclosure. Is that not what we are looking for?

Mrs. Hussing: I think we just do not want to see it from the road. Because if you enclose it like a dumpster enclosure, it would be difficult to access.

Mr. Kostko: Because that is a large area.

Mrs. Hussing: Yes, that is a large area. That would be an unnecessary financial burden on a business.

Mr. Larson: Well, if I am driving down the road there is a potential that this area could be in sight from three sides. Correct? Not just from the front? Depending on where it was placed.

Mrs. Hussing: Correct. Yes.

Mr. Larson: You are going to have to clarify a little bit. Might not want it totally enclosed.

Mrs. Hussing: It should be screened from the property lines. Screened from neighbors.

Mr. Larson: In a sense you are screening all 4 sides then?

Mrs. Hussing: But it does not have to be against the container. If the trailer is in the back yard, if they already have existing screening in the front, they do not have to add more screening in the front.

Mr. Kostko: Does the building count as screening?

Mrs. Hussing: Sure. It is screened.

Mr. Kostko: If you cannot see the back of their property from the road. One or three of these could be placed behind their building ten feet away?

Mrs. Hussing: Yes, but it would be screened from the neighboring properties as well.

Mr. Larson: See that's kind of where I am getting from. Depending on how you are viewing this thing, if you are talking screening, if this is up against an adjacent property, they are not just looking at the back of it. They would be looking at at least three sides. In addition to that the front, these doors are going to open, and they are going to have access to that. So, the screening, they are going to have to leave provisions. A dumpster enclosure you have a big swinging gate, and it is right up against the dumpster. If you are talking about trees, you are not going to plant trees right in front of this thing because then you could not have access to it.

Mrs. Hussing: Correct.

Mr. Larson: I guess leave that up to the discretion of...? This is an administrative thing, correct? This does not come to us every time somebody wants to put these in?

Mrs. Hussing: Correct. Unless it's part of a larger project.

Mr. Kostko: That is where I was going with my question of, here I have a building that's hiding from the road, and I have woods behind me. I am not putting a fence at the woods.

Mr. Larson: So, do we just leave that to the discretion of the Zoning Department? Each individual case will be different. There may not be any of these things that happen. But I am looking at, for example, the property over on Mogadore Road, where the building is actually in Portage County. So, the back of that project is facing the industrial places back there. But, if it was far enough over, facing the building to the left, driving down the road you could potentially see three sides of it. So, at that point what do you screen? Basically, just screen all four sides? Or do you tell them to put it behind the building?

Mrs. Hussing: We have in the actual code; it says it is consistent with the screening requirements for service structures which is in 1106.05. We do address everything that you are saying. Enclose any service structure on all sides is required unless the structure must be frequently moved in which screening on all, but one side is required. So, there is a whole, and then not to exceed 12 feet. There is a whole bunch of regulations.

Mr. Larson: So, do you need to reference this?

Mrs. Hussing: We have it in the text. Sorry it should have been more, should have looked at the text.

Mr. Larson: Any other questions?

Mr. Kostko: The outside condition of these trailers? Painted? Rusted? Is it not addressed or concerned?

Mr. Larson: I think the intent of the screen was to hide that because these things can be in various conditions. That is the purpose of the screening, is to hide that type of thing. Obviously if you plant trees, you are not going to plant them enough to where it would totally screen it out. You put a fence up, that would definitely hide them.

Mr. Ryder: Require any uniform painting on these? Bright yellow would be, ok?

Mr. Larson: Again, these are going to be in industrial areas. I guess if you had a ratty looking thing, it really is up to the building/business owner to not want that as a problem. I don't see any place where we are really going to be heavily traveled down a road that it is going to make a difference because most of the industrial stuff is not on a primary road correct?

Mrs. Hussing: You can see it on Northeast Ave, South Thomas. But again, we are limiting it to the backyard. The other thing, Mr. Ryder, is that accessory structures are allowed in the flood plain but limited to six hundred square feet. There are limitations of how, so it doesn't float away.

Mrs. Oliver: For the Law Director. Will the adoption of this by council at some point make it easier for us to regulate what is out there currently? I am feeling like it's better that we have more specific legislation or codes that will allow us to do that. Am I correct in that?

Mrs. Hussing: I feel like we would have more strength while still being friendly to businesses by just saying they are not allowed. People are struggling with storage, and it is a secure structure that's waterproof and keeps everything well inside. It is a friendlier approach rather than saying it's prohibited. It's very difficult to enforce its prohibited and still be kind to the businesses as they are trying to run their business.

Mrs. Oliver: This way you are giving them some options in certain areas.

Mrs. Hussing: Correct.

Mrs. Raber: Going back to the discussion a few minutes ago about the condition of the containers. I do think that was a good point when it comes to those that may be adjacent to residential. So, we may want to add an additional language that if it is a property that is abuts residential that they need to maintain the condition of the container with uniform paint. More/somewhat aesthetically pleasing version of it rather than a rusty junked up one. Which if it is an industrial area may not be as important.

Mr. Larson: Would we in that particular case want to increase the level of screening?

Mrs. Raber: That's a thought too. We all know it takes awhile usually for the screening to become, especially depending on if they do the shrubs, trees, or arborvitae, takes a while for the that screening to fully develop.

Mr. Ryder: Just a standard on aesthetics. It must be painted a certain subdued color of some sort.

Mayor Kilway: Even if it is just maintained with like, as stated a uniformed paint, that is much easier for a businessperson to go out there and paint it, make it look nice, as opposed to spending the money/extra money on screening or a fence/shrubbery/anything like that. It would make it easier for business owners.

Mr. Larson: Going back to the building on Mogadore that was on the agenda last month. We made him fence in that area that he was going to be storing equipment. Not just a fence but so you could not see through there. Maybe we do not need to do that in an industrial area although we made him do it.

Mayor Kilway: But I think his equipment was not being enclosed in anything else within that area. So, he was just having his equipment lay out in the yard. I think that is a little different than having another storage unit within that area.

Mr. Larson: I am thinking of the aesthetics. So, we screened it because we did not want people looking at his trucks or whatever was parking in there. It was abutted by an industrial district. How many places in the city do we have that instance? Where you have an industrial residence that abuts residential?

Mayor Kilway: That whole area down by Commerce, Osceola, Tacoma, there is nonconforming residential all throughout that. There are homes right next to industrial buildings. And then Northeast as well.

Mrs. Hussing: Also, on Newton and on Southwest, R4 and R2 are all residential.

Mr. Larson: I think my personal preference would be that if it abutted a residential area, we would require more than just shrubs. We would require a fence that you could not see through.

Mr. Heilmeier: Do you need shrubbery then?

Mr. Larson: No.

Mr. Heilmeier: I thought you said in addition.

Mr. Larson: No. I think that would be the prescribed screening if it were residential. Again, just trying to be sensitive to that situation but if it's an industrial situation I think you could just go with general shrubbery.

Mrs. Hussing: I wanted to give you another piece of information that is in our property maintenance code, it is in the industrial section. Exterior surfaces, except for materials that have been designed or

manufactured to remain untreated, all exterior wood composition or metal surfaces shall be protected from the elements by paint or other protective covering. Surfaces shall be maintained so as to be kept clean and free of flaking, loose, or peeling paint/covering. By adding this zoning code text to our zoning code, we are actually creating an accessory structure that is then enforced through the property maintenance code. So that is the same as a building an accessory structure, so they do have to maintain it. Paint it, keep it rust free, no flaking. That part is addressed.

Mr. Larson: I am thinking more not the appearance, the residential structure having to look at the back of shipping containers whether they are in good shape or not.

Mr. Ryder: That also solves the issue of what color it is painted.

Mrs. Oliver: Is it your understanding or your experience I guess that these are mostly permanent?

Mrs. Hussing: Yes, they really are. If they consider them as temporary, they have them up for years.

Mr. Heilmeier: If they say they are temporary do not we have a time limit on them?

Mrs. Hussing: We do. But they are prohibited right now. It is difficult to enforce.

Mr. Larson: So, we are not considering them temporary structures. It is just accessory use. Like putting in a shed.

Mrs. Hussing: Correct.

Mr. Larson: Will these apply to these trailers up there? If someone brings in a trailer and fences it in and paints it, would that be ok to, or will the wheels have to be taken off?

Mrs. Hussing: It is either or. But again, it must be in the rear yard. Whatever's happening on West Ave would not be permitted. Plus, it is in the West Ave Overlay.

Mr. Kostko: So, there is a permit process for this. When they come in for a permit, they have to show what? A picture of it? Right then and there is when everything gets approved or not approved. You know they are going to be in a residential. They are showing you a picture that has artistic graffiti all over it, that one is not getting approved. So, at the permitting stage is where it is going to get approved or not.

Mrs. Hussing: That is why we have these regulations here. So that we can make a determination.

Mr. Larson: They would have to provide you with a site plan to show you the location.

Mrs. Hussing: Correct. Just like when someone applies for a shed.

Mrs. Oliver: I am guessing most of the ones that are there now did not go through a permit process.

Mrs. Hussing: Oh no. And nobody complains about them.

Mr. Larson: So, what do we want to do about the screening? We just let it go the way it is?

Mrs. Hussing: Do you feel the screening requirements for service structures is sufficient?

Mr. Heilmeier: Sounds to me that they must maintain a certain degree of appearance-wise coloring and that type of stuff, I think we are getting way into the weeds on this one.

Mr. Larson: It should be screened. You've got twenty-five feet, the extra buffer. If they put some decent screening in, I guess we would be fine.

The following motion was made by Mr. Ryder and seconded by Mrs. Oliver.

I move to recommend to City Council the approval of Ordinance 2025-44, amending and supplementing Section 1104.06 Accessory and Temporary Use Table and Section 1104.08 N Outdoor Storage of Vehicles and Equipment of the Tallmadge Codified Ordinances based on the evidence that:

- 1. The proposed amendment is consistent with the adopted City plans, and the stated purposes of this code;**

- 2. The proposed amendment is necessary or desirable because of changing conditions, new planning concepts or other social or economic conditions; and
- 3. The proposed amendment will promote the public health, safety and general welfare.

All members present voted in favor. (5-0)

Mrs. Hussing gave the Commission a short update on last month's case at 399 West Ave.

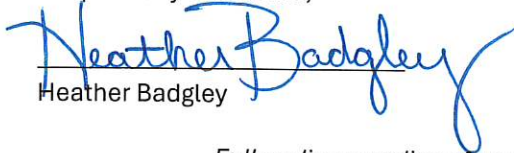
ADJOURNMENT

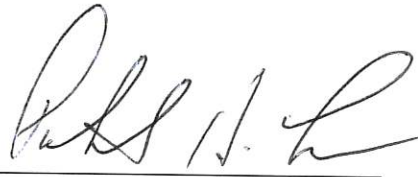
A motion to adjourn was made by Mrs. Oliver and seconded by Mr. Ryder.

All members present voted in favor. (5-0)

Meeting adjourned at 7:38 pm.

Respectfully submitted,


Heather Badgley



Patrick Larson, Chair

Full audio recording of meeting is hereby incorporated as part of meeting record.