

## Zoning and Development Regulations

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Achieving the character, housing, and environmental protection goals of this plan will be a challenge. Much of the land in Plain Township has already developed with a variety of suburban growth from Canton and North Canton. In many places, Plain Township is indistinguishable from these cities as development on one side of the city limits is identical to development on the other side. This common, conventional suburban development pattern has eroded the Township's separate identity from the two cities. With a 2000 Census population of 35,543, Plain Township has left its rural past behind. Unfortunately, most of its rural character and open space is gone as well.

However, significant areas of open land remain—approximately 4,700 acres of land is undeveloped. Some of this land is actively farmed, some is vacant, and other parcels contain woods, wetlands, and other natural features. Much of this remaining open land is in key locations in terms of environmental resources or where important Township facilities could be located. Large parcels remain undeveloped along Nimishillen Creek, within floodplain areas, in areas with good potential for public park space, or in areas where investment by the Township could strengthen the community identity. The *Upper Muskingum Ecosystem Analysis: Plain Township* provides an excellent description of the various environmental factors present in Plain Township. This plan will reference and incorporate that study as it provides extensive data to justify resource protection and selected property acquisition.

Plain Township must enact development policies and more proactive zoning controls to ensure the remaining land in the Township is developed in a way which is sensitive to environmental constraints and the need to maintain a balanced tax base. Height, setback, and bulk controls need to be tailored to help ensure the character of existing neighborhoods is preserved in the face of new development. Innovative measures need to be taken to create more housing opportunities for all of Plain Township's population, especially its expanding elderly population.

The most important tool Plain Township can use to guide development is the existing zoning resolution. While much of the detailed site plan review takes place at the county level, final authority over what land uses take place where rests with the Township in terms of zoning approvals. Using this authority effectively as well as coordinating closely with the Stark County Regional Planning Commission and other local regulatory agencies will be vital to preserving important environmental assets and remaining rural characteristics of the Township. Specifically, this plan recommends the Township use the R-6 Planned Unit Development (R-6 PUD) district to guide development of remaining large open parcels. The R-6 district is established to "...provide for progressive and innovative planning and development..." and can be an important tool for achieving environmental and rural character goals for the Township, and promoting a mixture of residential and commercial land uses.

As pointed out previously, allowing existing large open parcels to remain under their current R-R Rural Residential and R-1 Single Family Residential zoning will likely result in a continuation of the existing conventional development pattern with little regard for environmental features or community character.

For these reasons, this plan recommends the Township begin to proactively rezone selected property to R-6 PUD in advance of development. Specific areas for rezoning are identified in the Planning Policy Area section. Using R-6 PUD zoning will help the Township achieve its planning goals of environmental protection, open space preservation, and strengthening character and identity. However, R-6 PUD zoning also will be a challenge for the Township, as it will require a higher level of involvement and review from township planners and administrators, and coordination with the Stark County Regional Planning Commission. Under the current ordinance the R-6 PUD district requires site plan review and approval from the Township Trustees prior to a R-6 PUD district being approved. The Stark County Planning Commission will have a role in site plan review, but final responsibility will rest with Plain Township.

Following is a discussion of open space subdivision design that the Township should consider in order to assure that increased use of R-6 PUD zoning does not simply result in higher density, lower quality residential subdivisions.

## Open Space Subdivision Guidelines

Open space development is an alternate form of residential and commercial development, which incorporates open or green space as part of the site design. It is a conscious effort to preserve the significant features of the pre-development character of a property as much as possible.

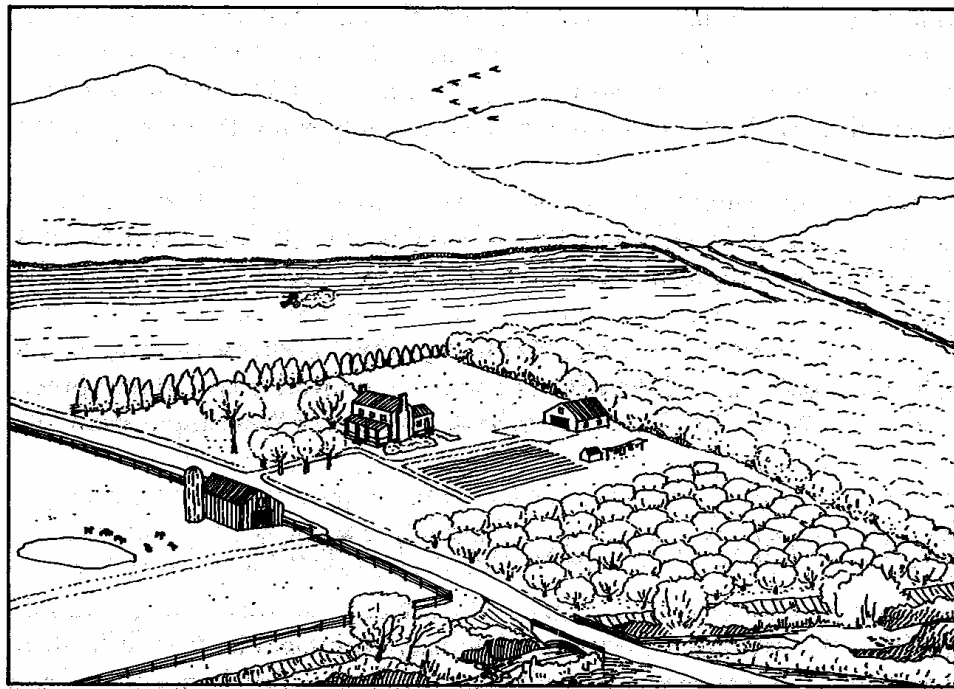
The current language for the R-6 PUD district contains several provisions which lead toward open space subdivision planning. It provides for flexibility and variation in housing types, promotes efficiency in land use and preservation of natural areas and significant environmental resources, requires establishment of usable open space, and permits an increase of development density. A PUD district under R-6 zoning must set aside 30% of the total land area for open space. This open space must be held and maintained by a homeowners association or other joint organization. Furthermore, under the current zoning ordinance, public sanitary sewer is required for establishing an R-6 PUD district.

Properly designed open space development will preserve the most important environmental features of the landscape including stream channels, lakefront, wetlands, floodplains, steep slopes, as well as other sensitive environmental features. It also maintains the character of the landscape by minimizing disturbance to natural and cultural qualities such as woodlands, meadows, and farmland.

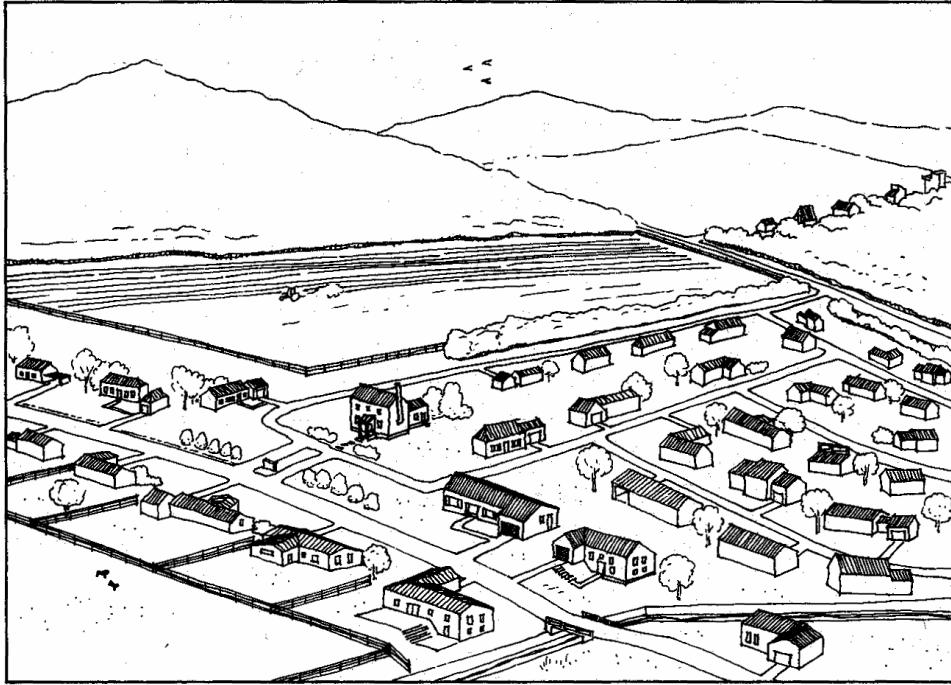
In conventional subdivision design, the primary goal is to fit the highest number of lots on a parcel of land. This usually occurs at the expense of providing quality open space or preserving significant features of the landscape. Open space subdivision design uses a much more creative approach of blending development needs with environmental and historic features of the landscape. Rather than platting an entire property with lots, sensitive areas, historic sites, and important natural features are identified on a property and preserved from the outset as open space. The remaining land on the parcel is developed with lots, houses, roads, and other subdivision features. What results is a higher quality subdivision design, which preserves (or even enhances) existing natural features. Through this subdivision method, development can be accommodated without completely destroying the natural landscape.

In order to preserve the number of lots permitted on a site by the zoning resolution, the community must compromise on development regulations in the form of increased density and decreased lot sizes on those portions of the site, which are platted. In many cases, the normally allowed number of lots/houses can be maintained in an open space subdivision plan by clustering the buildings closer together.

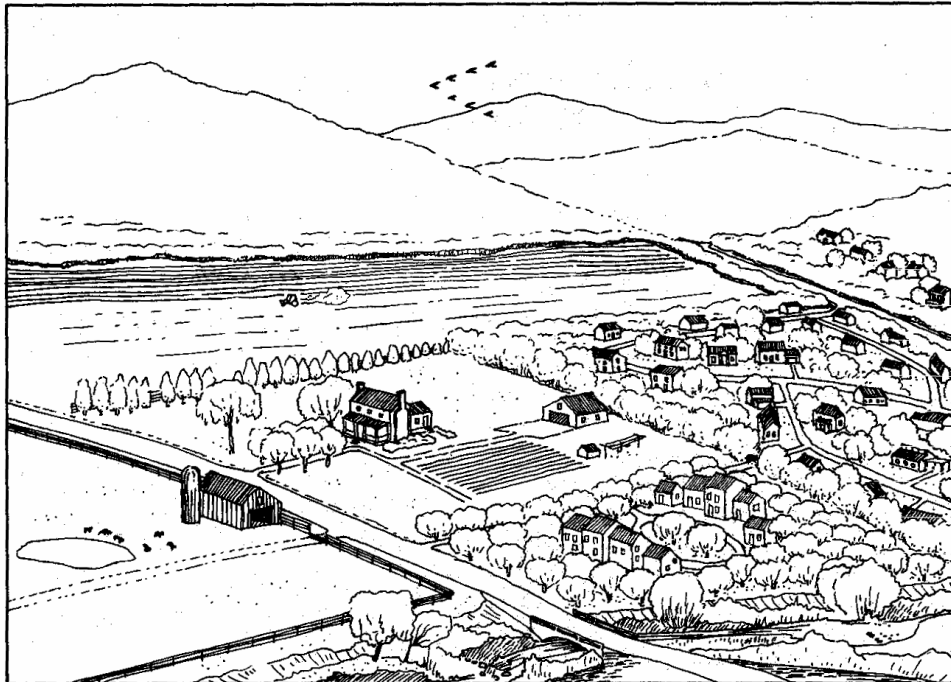
**Rural Parcel Prior to Development**



**Parcel With Conventional Subdivision Development**



**Parcel With Open Space Subdivision Design**



*Illustrations from Saving America's Countryside: A Guide to Rural Conservation (1989)*

In brief, the following factors should be considered when evaluating an open space development proposal. The *Upper Muskingum Ecosystem Analysis: Plain Township* report prepared by Davey Resource Group analyzes these factors in detail in terms of their environmental and ecological significance. The data prepared in this study will be invaluable to the Township administration in deciding how and where to protect the area's environmentally sensitive areas through open space development regulations.

- Existing vegetation;
- Slopes;
- Soils;
- Hydrology: wetlands, streams, ponds, floodplain, groundwater resources;
- Wildlife habitat;
- Cultural resources: farms, cemeteries, historic or archeological sites;
- Views into and out of the property; and
- Adjacent land uses.

The Countryside Program in Lynhurst, Ohio has identified the following as elements of good open space site design.

- The presence of large, contiguous areas of open space, generally with dimensions greater than 100 feet;
- Centrally located or distributed open space so that physical and visual access is available to all users of the development;
- A circulation network of sidewalks and trails provided throughout the open space areas;
- Substantial linkages between open spaces rather than narrow strips or no linkage at all;
- Creative siting of buildings in the development to preserve and enhance views of open preserve areas, and protects views of the site from existing roads; and
- Whenever possible, open space internal to the development is linked to other open or recreation spaces in the community.

## Nimishillen Creek

There are large areas along the Nimishillen Creek corridor which remain undeveloped. These areas are sensitive to development because of floodplain and wetlands which are associated with the creek, and because of their potential value as open space or parkland.

Nimishillen Creek has special importance to the land use character of the Township. The waterway itself and the riparian landscape along it are important natural areas in their own right as well as reminders of Plain Township's history as a rural, agricultural and milling community. As important as this landscape is, it is also fragile and can be dramatically impacted by increased development. Because of these factors, the Township should consider implementing a Nimishillen Creek Protection Overlay District as a way to protect this natural amenity for future generations.

The idea behind an overlay district would be to create development and land use standards specifically geared toward the unique aspects of this riparian landscape. Defining an overlay district which runs along the creek corridor, combined with the development plan review process of the R-6 Planned Unit Development District, would allow the Township to enact policies related to:

- Floodplain protection and management
- Wetland protection and management
- Preserving vegetation along creek corridor
- Providing access or right-of-way for future trail systems which link to the Stark County trail system
- Erosion control
- Open space protection

## Commercial Development

Approximately 78% of the developed land in Plain Township is being used for residential uses. That leaves approximately 22% of the developed land with commercial, industrial, and other uses. The typical breakdown most communities strive for is 70% residential uses and 30% for all other uses. This breakdown contributes to a more balanced fiscal picture in that the property tax revenue generated from commercial and industrial uses offsets the costs for serving residential development. Usually, the tax revenue generated from a residential property does not equal the cost of serving that property with infrastructure and services.

In Plain Township's case, an analysis of local budget figures over the last few years indicates that it costs the Township an average of \$614.00 annually per household to provide public services. It takes the residential property tax collected from a home costing \$214,000.00 to equal the cost for providing service. Since not every house in Plain Township is assessed at this value, property tax which is generated from residential development does not cover the cost of service.

This situation is not at all unique to Plain Township. Generally, residential development can't pay for itself if it is taxed at a rate acceptable to residents. This is why it is important for communities to maintain a proper commercial/residential land use ratio. Commercial development requires fewer community services than residential uses which puts less of a strain on a community's service capacity. At the same time, commercial

development generates far more tax revenue than residential development. This revenue offsets the costs of providing services to residential development.

One of the goals of this plan is to “Establish and maintain a sound revenue base for Plain Township through an appropriate balance of land uses.” In order to accomplish this, the Township needs to take a stronger role in encouraging redevelopment of existing commercial areas, and planning for appropriate new commercial centers in conjunction with future residential development.

### **Existing Commercial Areas**

Redevelopment of existing areas should be emphasized before creating new ones. Infrastructure is already in place for commercial uses in existing developed areas, and land use patterns have adjusted to a commercial presence. Encouraging redevelopment of existing commercial developments would be an efficient use of the township’s land and public infrastructure resources.

There is an opportunity through redeveloping commercial areas for Plain Township to have a stronger role in economic development planning and marketing the Township. The recent creation of a new Planning and Economic Development Director position signals the importance of these issues to Plain Township.

Three commercial areas with potential for additional commercial development or redevelopment have been identified through this planning process. They are:

- Easton Street between Market Avenue and Middlebranch Avenue
- Whipple Avenue north of Avondale
- Maret Avenue east of Harrisburg Road

Each of these three areas contains a unique mixture of uses and will present different challenges for commercial development. Easton Street currently is lined with residential uses and vacant land. It has potential to develop as a significant commercial corridor which would link with the township’s government center to help create a focal point for the community. Whipple Avenue is already a commercial district, although some areas along this road have fallen into disrepair. On the west side of the road in Jackson Township, commercial development there appears to be faring better. Competing with these areas will be a primary objective for Whipple Avenue redevelopment. Maret Avenue is also an existing commercial district with some opportunities for redevelopment of declining areas.

The Township will need to carefully balance the goals of attracting commercial development and community character and design standards. The goal of attracting development does not necessarily mean that the Township should accept any and all proposed projects. The plan’s goal statements of building a stronger identity for Plain Township and creating a better quality of life can in part be implemented by encouraging higher quality development.

The Transportation Policies section of this report discusses the idea of Corridor Planning. Easton Street would be an ideal location for this type of focussed project plan. Encouraging commercial development along this road will require rezoning of vacant land and possible redevelopment of other parcels. It would create a relatively large shift in land uses, with the potential of creating a vibrant commercial center. However, the needs of nearby and adjacent residential properties should be balanced with potential commercial growth. Writing a corridor plan for Easton Street would be an excellent method to bring together the various tools of land use planning, zoning and development regulations, transportation planning, access management, and economic development activities. Likewise, these ideas could also be implemented in redevelopment of Whipple Avenue.

### **New Commercial Development**

Opportunities for new large scale commercial development are limited in Plain Township. A shopping area in a far-flung corner of the township could benefit from being relatively immune from any annexation attempts by Canton or North Canton. But, the current land use and infrastructure pattern support redevelopment of existing commercial centers with intense uses.

However, that is not to say that any commercial development would be impossible in outlying areas. The current Plain Township R-6 PUD district standards specify that a maximum of 5% of a development can be used for accessory business uses. These could be neighborhood-scale retail and other low intensity commercial uses. This specification only applies to PUD development proposals that contain twenty acres or more.

While the potential for PUD commercial development is not large, given these specifications, it should not be discounted as a way to create additional commercial development within Plain Township and help to maintain a good commercial/residential tax base mixture.

### **Gateways and Identity**

Character and identity of a rural area are difficult to preserve in the face of increasing real estate development. As Canton and North Canton have expanded over the years, the difference between town and country has eroded. There is no apparent sense of leaving the areas in the city and entering the township as it historically used to be.

Plain Township should differentiate itself from the sprawling growth of the cities. Part of what can strengthen Plain Township's identity is encouraging quality development and preservation of open space. Both of these take place through regulatory strategies. By taking the conscious effort to require specific site development standards which will consider the aesthetic values of the community, Plain Township can differentiate itself. Beyond regulations, the township should consider capital investment in projects which can build a stronger sense of Plain Township as a separate place from Canton and North Canton.

Easton Street is identified as an area which could be developed as a commercial district and focal point for the Plain Township community. Establishing distinct gateways along Easton Street will be an important part of establishing this district. In addition to the Easton Street corridor, gateway projects should be considered for other important roadways in Plain Township. Large road projects are programmed by the Stark County Area Transportation Study. Township identity and gateway projects could be incorporated into these road improvements. Gateway statements could be incorporated on smaller Township-funded road improvements as well.

Elements of what these gateway projects entail can vary. A straightforward approach which is successful in many communities is construction of attractive signs which indicate the limits of the Township. An attractive design could be a ground-mounted or freestanding sign incorporated with a low wall and landscaping. Care should be taken that any signage is low impact and identifies the Township limits in an unobtrusive way. Signs could be complimented with additional landscaping, street trees, or roadway alterations such as decorative paving strips and/or boulevard sections.

Beyond public investment in gateway improvements, Plain Township could examine use of a gateway overlay zone which would impose additional site design and landscape standards on private property owners. Regulations and standards would be targeted on enhancing the gateway presence created by public projects.

## Planning Policy Areas

Plain Township contains a variety of different land uses and development areas. Some areas are indistinguishable from the cities of Canton and North Canton. Others are very rural and relatively undeveloped. This plan recommends the Township focus land use strategies through the use of different Planning Policy Areas. One blanket approach to land use planning will not be able to accommodate the unique situations of each Policy Area. Fine-tuning policy decisions and land use planning based on the unique situations in each Policy Area will result in a better overall plan approach.

### **Northern Residential**

#### *Boundary*

The Northern Residential Policy Area is generally bounded by Lake Township to the north, Jackson Township to the west, the City of North Canton to the south, and the Norfolk and Western railroad right-of-way to the east.

#### *Existing Conditions*

- Transitioning from undeveloped to developed area
- Substantial tracts of farmland, wooded areas, and vacant property
- Commercial and industrial uses in northwest corner along Whipple Avenue

- New single family residential development becoming dominant land use
- Portions of the Northern Residential Policy Area are not served with public sanitary sewer
- Township Park: Diamond Community Park

#### *Priority Planning Issues*

- Preservation of open space and rural character as area continues to develop with residential subdivisions
- Existing soil conditions are creating problems with continued suburban residential development on septic systems
- Annexation from North Canton is an attractive alternative to property owners who wish to develop but cannot because of shortfalls in Plain Township infrastructure
- Impact from future Shuffel/Interstate 77 interchange

#### *Planning Strategies and Development Policies*

- Possible purchase of environmentally sensitive properties to preserve open space
- Monitor soil suitability to assess continued use of septic tanks or other on-site sewage disposal systems
- Discourage high-density development in areas without public sewer available
- Purchase properties to the northwest for economic development purposes tied into airport and I-77 expansion
- Implement design standards to ensure compatibility between commercial development to the northwest and the predominant residential land uses
- Encourage installation of public sanitary sewer and water service
- Signs and Plain Township signature elements should be considered where they may strengthen community identity

#### *Zoning Recommendations*

The Northern Residential Policy area has some of the largest parcels still available for development in Plain Township. Much of this open land is zoned R-R Rural Residential and R-1 Single Family Residential. It also contains significant areas with wetlands and 100-year floodplain. If the current zoning remains in place, it is likely this area of the Township will develop with a standard suburban pattern that will not be sensitive to environmental features or the need to provide neighborhood parks and open space. Plain Township should consider rezoning these areas to R-6 Planned Unit Development, and using the development review authority of this district, to encourage a more innovative open space subdivision development pattern.

In addition to residential areas, the Township should identify properties to the northwest, which have the most industrial and commercial development potential related to the Akron/Canton Airport, and zone these areas appropriately.

## **Eastern Residential**

### *Boundary*

The Eastern Residential Policy Area has a highly irregular boundary. It is generally bounded to the north by Lake Township, to the east by Nimishillen Township, to the south by State Route 62, and to the west by Nimishillen Creek.

### *Existing Conditions*

- Large areas of farmland and open space with significant amounts of floodplain and wetlands along Nimishillen Creek
- Some older, rural residential development along with a large area of single family subdivision development abutting Nimishillen Township
- Some industrial uses in the southern portion of the policy area, and some industrial zoning in the northern portion abutting Lake Township
- General lack of water and sewer infrastructure
- High demand for development
- Township Park: Alpine Community Park

### *Priority Planning Issues*

- Annexation of southern portions of this Policy Area from the City of Canton
- Continued mutual economic development agreements between Canton and Plain Township
- Lack of sewer and water infrastructure
- Increasing development pressures
- Maintaining existing residential property values
- Encourage preservation and renovation efforts in Middlebranch

### *Planning Strategies and Development Policies*

- Provide sewer and water infrastructure to industrial properties in southern portion of Policy Area
- Continue use of mutual economic development agreements when annexations from Canton take place
- Signs and Plain Township signature elements should be considered where they may strengthen community identity
- Code enforcement efforts should be increased

### *Zoning Recommendations*

The township should consider purchasing property along the Nimishillen Creek for open space preservation. Alternately, as discussed previously an overlay zoning district could be created in order to preserve wetland areas along the creek from development.

There is a large area to the north which is currently zoned I-2 General industrial. Uses permitted in this district would likely have a negative impact on the creek and its watershed, as well as on the remaining rural character. The need for a large industrial site in this area of Plain Township should be reevaluated, and the property considered for rezoning to a less intense district.

### **Central**

#### *Boundary*

The Central Policy Area is generally bounded to the north by Easton Street, to the east by Nimishillen Creek, to the south by Cathy Drive, and to the west by the City of North Canton.

#### *Existing Conditions*

- Stable residential neighborhoods built primarily prior to 1980
- Some older core residential neighborhoods—initial suburban development from Canton and North Canton
- Some existing commercial plazas to the north along Easton Street (which includes the Plain Township Hall)

#### *Priority Planning Issues*

- The commercial plaza at Middlebranch Road and Easton Street is experiencing high vacancy mostly due to obsolete building design. Aged infrastructure is also located in this area, and some areas lack sewer and water service.
- Encouraging development along Easton Street Corridor

#### *Development Strategies and Policies*

- Develop the Easton Street corridor with a variety of land uses which will help create a Township focal point or district. Development of this corridor should take place in conjunction with development standards and design review, access management policies, and maintaining existing property values by encouraging high-quality development.
- Redevelopment of existing commercial areas in conjunction with Easton Street corridor development
- Continued maintenance within existing residential neighborhoods
- Extension of sewer and water service to areas which lack it

### *Zoning Recommendations*

The Township should consider rezoning several large parcels available for development from the current R-1 Single Family Residential district to R-6 Planned Unit Development and implement open space subdivision guidelines for future construction. This would encourage more innovative and flexible development and would give the Township additional development review authority. Reserving enough land for neighborhood parks should be a priority as this area continues to develop.

Property available to develop which lies along Nimishillen Creek should be considered for purchase by the Township in order to preserve open space within the floodplain. Another alternative through the R-6 District is to enforce design guidelines which require new development to be sensitive to these environmental features of the land. Creation of an overlay zone specific to the needs and concerns along Nimishillen Creek is another alternative for protection of environmental resources.

### **Southeast Commercial**

#### *Boundary*

The Southeast Commercial Policy Area is bisected by the City of Canton and has irregular boundaries. It is bounded generally to the north by US Route 62 and the Canton city limits, to the east by Nimishillen Township, to the south by Canton Township, and to the east by the City of Canton.

#### *Existing Conditions*

- Non-contiguous boundaries and landlocked parcels due to Canton annexations into the area
- Industrial uses along southern border
- Viable commercial uses along Atlantic/Columbus corridor
- Older residential neighborhoods with mixture of property values

#### *Priority Planning Issues*

- Residential neighborhood and industrial property decline
- Annexation of industrial areas from City of Canton
- Zoning code and building code violations, related to small lot sizes and poorly maintained rental properties
- Stormwater management problems
- Establishing/maintaining sense of Plain Township identity

#### *Development Strategies and Policies*

- Increase code enforcement efforts along with programs to encourage investment in residential property repair, purchase, and upgrade

- Implement economic development grants and programs to make industrial and commercial areas more attractive for investment, development, and redevelopment
- Pursue Clean Ohio Funds for potential brownfield redevelopment
- Implement mutual economic development agreements when future annexations occur
- Review stormwater management planning and implementation
- Place signs and Plain Township signature elements to strengthen identity
- Redevelopment of Atlantic Avenue/Columbus Road corridor
- Pursue funds to encourage additional housing rehabilitation and infrastructure programs in the area for low to moderate income households

### *Zoning Recommendations*

The majority of this policy area is built out, and most of the remaining open land appears to be zoned for uses appropriate for future development. One exception is the existing R-1 Single Family Residential zoning. The Township should consider rezoning existing R-1 Single Family Residential Parcels to R-6 Planned Unit Development in order to encourage more innovative development, and to attract investment to the area.

### **Southwestern Residential/Whipple Avenue**

#### *Boundary*

This policy area contains the neighborhoods southwest of Canton and North Canton and the commercial development which runs along Whipple Avenue. It is bounded generally by Canton and North Canton to the north and east, Canton Township to the south, and Jackson Township to the west.

#### *Existing Conditions*

- Along Whipple Avenue, the majority of land uses are commercial with some scattered single-family residential development
- Residential areas between Cleveland Avenue and I-77 includes generally modest houses on smaller lots, with a large percentage of renter-occupied units. There is evidence of zoning code violations and property dis-investment
- Neighborhoods southwest of I-77 are generally stronger with stable housing stock and successful commercial areas. In addition, there are some wooded and farm areas which provide open space. There are also several parks and schools.

#### *Priority Planning Issues*

- Property dis-investment in neighborhoods east of I-77
- Stormwater management problems
- Maintaining a separate identity from Canton and North Canton
- Lack of township-owned park in neighborhoods east of I-77

- There is a large tract of land in the northern portion of the area that is owned (not annexed) by the City of North Canton. The City's plans for this property are unknown.
- Areas along Whipple Avenue are indistinguishable from the City of North Canton. Annexation is threatening these areas as well.
- Impact from future Shuffel/Interstate 77 interchange

#### *Development Strategies and Policies*

- Whipple Avenue Corridor should focus on development/redevelopment of commercial sites, design standards for ensuring compatibility between land uses, access management standards, and taking advantage of development opportunities presented by the Akron/Canton Airport and I-77 expansion
- Signs and Plain Township signature elements should be considered where they may strengthen identity
- Code enforcement efforts should be increased in residential neighborhoods east of I-77, especially related to absentee-landlord owned properties.
- Stormwater problems should be addressed by implementing a township-wide stormwater management study
- Plain Township should explore purchasing additional land in order to provide more Township-owned park facilities.
- Maintain a dialog with the City of North Canton regarding plans for the property they own within this policy area.
- Investigate property management.

#### *Zoning Recommendations*

The majority of this policy area is already built out. Some vacant parcels remain zoned R-1 Single Family Residential. The Township should consider rezoning these parcels available for development to R-6 Planned Unit Development and implement open space subdivision guidelines for future construction. This would encourage more innovative and flexible development and would give the Township additional development review authority. There are also some significant areas of floodplain which should be considered for purchase by the township for use as parks or open space preservation.