

ORDINANCE NO. 2025 - 080

AN ORDINANCE AUTHORIZING AMENDMENTS TO THE CITY OF KENT'S ZONING CODE IN ORDER TO CLARIFY TEXT, CORRECT ERRORS AND INCLUDE ELEMENTS FROM THE RECENTLY UPDATED DESIGN GUIDELINES AND DECLARING AN EMERGENCY.

WHEREAS, on June 16, 2021, Council adopted an updated Zoning Code in order to make the Code more understandable and user friendly; and

WHEREAS, Kent City Council approved updated Design Guideline in December, 2023 to complement the Kent Zoning Code; and

WHEREAS, on July 15, 2025, staff met with the Planning Commission to discuss the proposed text amendments and voted unanimously to recommend Council approve all the proposed text amendments; and

WHEREAS, the following chapters will be amended:

- 1) Chapter 1103: Zoning Districts, Land Use, and Zoning Map;
- 2) Chapter 1104: Supplemental Zoning District Standards and Overlay Zoning Districts;
- 3) Chapter 1106: General Provisions.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kent, Portage County, Ohio:

SECTION 1. That Kent City Council does hereby authorize the amendments of the City of Kent's Zoning Code and is more fully set forth in Exhibit "A", attached hereto and incorporated herein.

SECTION 2. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council, and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

SECTION 3. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the residents of this City, for which reason and other reasons manifest to this Council this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: 8/20/25
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: 8/20/25
Date

ATTEST: Kathleen Coleman
Kathleen Coleman
Clerk of Council

I, KATHLEEN COLEMAN, CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF **ORDINANCE NO. 2025-080**, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON August 20, 2025.

(SEAL)

Kathleen Coleman
KATHLEEN COLEMAN
CLERK OF COUNCIL



CITY OF KENT, OHIO



DEPARTMENT OF COMMUNITY DEVELOPMENT

DATE: July 30, 2025

TO: Dave Ruller, City Manager

FROM: Bridget Susel, Community Development Director *BOS*

RE: Proposed Text Amendments to Zoning Code

The Community Development Department met with the Planning Commission on July 15, 2025 to discuss modifications to proposed text amendments to Zoning Code "Chapter 1104: Supplemental Zoning District Standards and Overlay Zoning Districts" based on public comments received at the May 7, 2025 Council Committee meeting. The modifications included changes to the wording in eight of the items and the deletion of one item.

As a summary reminder, pursuant to prior discussions with Kent City Council, the Community Development Department has been developing Zoning Code regulation language in order to codify the recommendations included in the "Update to the Design Guidelines" that was approved by Council in December 2023.

In October 2024, Council approved the first design-related Zoning Code amendments specific to the "Downtown/West River Overlay District" (Chapter 1104). Attached are the second design-related proposed amendments to Chapter 1104 of the Zoning Code. These proposed regulations address exterior building elements/features, materials and massing.

The Community Development Department also is addressing some other needed text amendments that will assist with clarifying some existing regulations, update Zoning District use tables to include the correct name for a previously amended land use and add a requirement for the complete removal of abandoned outdoor lighting fixtures.

The following chapters incorporate proposed text amendments:

- CHAPTER 1103: ZONING DISTRICTS, LAND USE, AND ZONING MAP
- CHAPTER 1104: SUPPLEMENTAL ZONING DISTRICT STANDARDS AND OVERLAY ZONING DISTRICTS
- CHAPTER 1106: GENERAL PROVISIONS

I am respectfully requesting time at the August 6, 2025 Council Committee meeting to discuss the proposed text amendments recommended by the Planning Commission in greater detail and to request Council authorization, with emergency, to incorporate the text amendments into the City's Zoning Code.

Please let me know if you require any additional information in order to add this item to the Land Use Committee agenda. Thank you.

Cc: Hope Jones, Law Director
Eric Fink, Assistant Law Director
Tim Sahr, Development Engineer
Kailyn Cyrus, Development Planner
Kathy Coleman, Clerk of Council

Attachment

Staff is recommending proposed amendments to the City of Kent Planning and Zoning Code for two new land uses: (Black text = existing to remain; Blue text = proposed new text, Green text = existing headings in Zoning Code, red text = stricken language, Purple text = discussion item only)

Proposed Zoning Code Text Amendments

1103.07 TABLE OF LAND USES BY DISTRICT

Land Use	O-R	R-1	R-2	R-3	R-3A	R-4	R-C	C-R	IC-R	C	C-D	N-C	U	R-T-O	I	Development Condition
Accessory Buildings Subordinate Structures	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Section 1106.10

SECTION 1103.08: O-R: OPEN SPACE-RECREATION DISTRICT

SECTION 1103.09: R-1: LOW DENSITY RESIDENTIAL DISTRICT

SECTION 1103.10: R-2: MEDIUM DENSITY RESIDENTIAL DISTRICT

SECTION 1103.11: R-3: HIGH DENSITY RESIDENTIAL DISTRICT

SECTION 1103.12: R-3A: EXTENDED HIGH DENSITY RESIDENTIAL DISTRICT

SECTION 1103.13: R-4: MULTIFAMILY RESIDENTIAL DISTRICT

SECTION 1103.14: R-C: HIGH DENSITY MULTIFAMILY-COMMERCIAL DISTRICT

SECTION 1103.15: C-R: COMMERCIAL HIGH DENSITY MULTIFAMILY RESIDENTIAL DISTRICT

SECTION 1103.16: IC-R: INTENSIVE COMMERCIAL RESIDENTIAL DISTRICT

SECTION 1103.17: C: COMMERCIAL DISTRICT

SECTION 1103.18: C-D: COMMERCIAL DOWNTOWN DISTRICT

SECTION 1103.19: N-C: NEIGHBORHOOD COMMERCIAL DISTRICT

SECTION 1103.20: U: UNIVERSITY DISTRICT

SECTION 1103.21: R-T-O: RESEARCH, TECHNOLOGY AND OFFICE DISTRICT

SECTION 1103.: I: INDUSTRIAL DISTRICT

Strike and amend the language, as listed below, in every table in the above specified Zoning Code sections:

(b) Permitted Uses.	(c) Conditionally Permitted Uses.
(1) Accessory Buildings Subordinate Structures (Section 1106.10)	

1106.12 FENCES AND WALLS.

(g) Maximum Height. No fence or wall hereafter erected may be in excess of six (6) feet in height above the grade of the surrounding land, except that the ~~Planning Commission~~ Community Development Director may approve a height of up to eight (8) feet in ~~I: Industrial Districts~~ if the ~~Planning-Commission~~ Community Development Director determines that a higher fence is necessary for the safety and security of the site based on the use of the site or any use of an adjoining site.

1106.17 EXTERIOR LIGHTING AND GLARE.

(E) Abandoned and Inoperable Lighting. When a light fixture is removed or deemed abandoned or inoperable, all brackets, poles, bases, wiring and any other structural element that was part of or in support of a lighting fixture must be removed and the site on which it was located restored to align with the surrounding site conditions.

1104.01 ARCHITECTURAL DESIGN REVIEW OVERLAY DISTRICTS.

1104.01 (f). Downtown / West River Overlay District Exterior Design Requirements.

- (1). Signs and Lighting
 - i. Box and cabinet wall signs are prohibited.
 - ii. Internally lit signs are prohibited.
 - iii. Wall and blade signs for street level and second story uses must be externally lit.
 - iv. Wall and blade signs must use dimensional letter forms, a minimum of a half-inch in depth, and cannot be painted acrylic.
 - v. Back-lit/halo illumination signs can be installed on buildings with a minimum of three (3) or more stories, measured from street level finished grade, and that contain commercial or mixed uses.
 - vi. containing commercial or mixed uses and with a minimum of three (3) or more stories, measured from street level finished grade.

(2). Building Design: Exterior Elements, Materials and Massing

- i. Street level/first floor height requirement, measured at grade, is a minimum of twelve (12) feet. Lower street level height is permitted only if the height is the same as abutting properties.
- ii. Materials used on the street level/first floor, measured at grade, building façade frontage must be constructed of durable materials, including but not limited to masonry, stone or other material that requires minimal maintenance. Use of stucco, fiber cement siding, or insulated finishing systems (i.e. vinyl siding) is prohibited on the street level/first floor and the second story building façade frontage.
- iii. Street level/first floor, measured at grade, building facade frontage must incorporate a first or second story façade projection or recessed offset of 6-18 inches to differentiate the street level/first floor and/or second story from the upper floors.
- iv. Newly constructed buildings must incorporate a minimum of two (2) building features on the building façade frontage that are visible on abutting properties. Building features include, but are not limited to, choice of building materials, arches, pilasters, columns, cornices, window style/sizing, door style and fixed appurtenances such as canopies and lighting fixtures.
- v. Newly constructed buildings with a height more than two (2) feet taller than existing abutting properties must step back stories above thirty-five feet, measured at grade.

(3) Street Level Windows and Entrances

- i. All windows on the street level/first floor, measured at grade, building façade frontage must provide views that allows the public visibility of the interior.
- ii. Windows must be constructed of clear or lightly tinted glass. Any tinting of windows must allow a minimum of 80% of sunlight to pass through windows located on the street level/first floor, measured at grade. Reflective glass is prohibited.

- iii. Windows located on the street level/first floor, measured at grade, building façade frontage must have a minimum of eighteen (18) inches between grade and the bottom sills of the windows.
 - iv. A minimum of 50% of the street level/first floor, measured at grade, building façade frontage facing a public street must be comprised of windows. All horizontally proportioned windows on the street level/first floor must be divided into vertically proportioned components through the use of multi-part window components such as mullions, muntins or grilles.
 - v. A minimum of one (1) entrance located on the building façade frontage must orient towards the public street and be differentiated from the abutting façade through the inclusion of a projected entranceway feature, including but not limited to a, canopy, portico, overhang, or cover.
-

Open discussion and input from Planning Commission with regards to regulating exterior façade color (façade and accent elements).

- Two Commissioners stated the property owner/tenant should be able to determine color based on business type and branding without regulatory limitations.
- One Commissioner supported regulating use of neutral color on the main portions of business but acknowledged difficulty in identifying/defining neutral with enough specificity it could be codified. This Commissioner did not have concern with use of colors for trim/accent features.
- One Commissioner saw both perspectives as having value (regulating color vs. not regulating color).

Staff is recommending proposed amendments to the City of Kent Planning and Zoning Code for two new land uses: (Black text = existing to remain; Blue text = proposed new text, Green text = existing headings in Zoning Code, red text = stricken language, Purple text = discussion item only)

Proposed Zoning Code Text Amendments

1103.07 TABLE OF LAND USES BY DISTRICT

Land Use	O-R	R-1	R-2	R-3	R-3A	R-4	R-C	C-R	IC-R	C	C-D	N-C	U	R-T-O	I	Development Condition
Accessory Buildings Subordinate Structures	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Section 1106.10

SECTION 1103.08: O-R: OPEN SPACE-RECREATION DISTRICT

SECTION 1103.09: R-1: LOW DENSITY RESIDENTIAL DISTRICT

SECTION 1103.10: R-2: MEDIUM DENSITY RESIDENTIAL DISTRICT

SECTION 1103.11: R-3: HIGH DENSITY RESIDENTIAL DISTRICT

SECTION 1103.12: R-3A: EXTENDED HIGH DENSITY RESIDENTIAL DISTRICT

SECTION 1103.13: R-4: MULTIFAMILY RESIDENTIAL DISTRICT

SECTION 1103.14: R-C: HIGH DENSITY MULTIFAMILY-COMMERCIAL DISTRICT

SECTION 1103.15: C-R: COMMERCIAL HIGH DENSITY MULTIFAMILY RESIDENTIAL DISTRICT

SECTION 1103.16: IC-R: INTENSIVE COMMERCIAL RESIDENTIAL DISTRICT

SECTION 1103.17: C: COMMERCIAL DISTRICT

SECTION 1103.18: C-D: COMMERCIAL DOWNTOWN DISTRICT

SECTION 1103.19: N-C: NEIGHBORHOOD COMMERCIAL DISTRICT

SECTION 1103.20: U: UNIVERSITY DISTRICT

SECTION 1103.21: R-T-O: RESEARCH, TECHNOLOGY AND OFFICE DISTRICT

SECTION 1103.: I: INDUSTRIAL DISTRICT

Strike and amend the language, as listed below, in every table in the above specified Zoning Code sections:

(b) Permitted Uses.	(c) Conditionally Permitted Uses.
(1) Accessory Buildings Subordinate Structures (Section 1106.10)	

1106.12 FENCES AND WALLS.

(g) Maximum Height. No fence or wall hereafter erected may be in excess of six (6) feet in height above the grade of the surrounding land, except that the ~~Planning Commission~~ **Community Development Director** may approve a height of up to eight (8) feet in **I: Industrial Districts** if the ~~Planning Commission~~ **Community Development Director** determines that a higher fence is necessary for the safety and security of the site based on the use of the site or any use of an adjoining site.

1106.17 EXTERIOR LIGHTING AND GLARE.

(E) Abandoned and Inoperable Lighting. When a light fixture is removed or deemed abandoned or inoperable, all brackets, poles, bases, wiring and any other structural element that was part of or in support of a lighting fixture must be removed and the site on which it was located restored to align with the surrounding site conditions.

1104.01 ARCHITECTURAL DESIGN REVIEW OVERLAY DISTRICTS.

1104.01 (f). Downtown / West River Overlay District Exterior Design Requirements.

- (1). Signs and Lighting
 - i. Box and cabinet wall signs are prohibited.
 - ii. Internally lit signs are prohibited.
 - iii. Wall and blade signs for street level and second story uses must be externally lit.
 - iv. Wall and blade signs must use dimensional letter forms, a minimum of a half-inch in depth, and cannot be painted acrylic.
 - v. Back-lit/halo illumination signs can be installed on buildings with a minimum of three (3) or more stories, measured from street level finished grade, and that contain commercial or mixed uses.

- vi. containing commercial or mixed uses and with a minimum of three (3) or more stories, measured from street level finished grade.

(2). Building Design: Exterior Elements, Materials and Massing

- i. Street level/first floor height requirement, measured at grade, is a minimum of twelve (12) feet. Lower street level height is permitted only if the height is the same as abutting properties.
- ii. Materials used on the street level/first floor, measured at grade, building façade frontage must be constructed of durable materials, including but not limited to masonry, stone or other material that requires minimal maintenance. Use of stucco, fiber cement siding, or insulated finishing systems (i.e. vinyl siding) is prohibited on the street level/first floor and the second story building façade frontage.
- iii. Street level/first floor, measured at grade, building facade frontage must incorporate a first or second story façade projection or recessed offset of 6-18 inches to differentiate the street level/first floor and/or second story from the upper floors.
- iv. Newly constructed buildings must incorporate a minimum of two (2) building features on the building façade frontage that are visible on abutting properties. Building features include, but are not limited to, choice of building materials, arches, pilasters, columns, cornices, window style/sizing, door style and fixed appurtenances such as canopies and lighting fixtures.
- v. Newly constructed buildings with a height more than two (2) feet taller than existing abutting properties must step back stories above thirty-five feet, measured at grade.

(3) Street Level Windows and Entrances

- i. All windows on the street level/first floor, measured at grade, building façade frontage must provide views that allows the public visibility of the interior.
- ii. Windows must be constructed of clear or lightly tinted glass. Any tinting of windows must allow a minimum of 80% of sunlight to pass through

windows located on the street level/first floor, measured at grade. Reflective glass is prohibited.

- iii. Windows located on the street level/first floor, measured at grade, building façade frontage must have a minimum of eighteen (18) inches between grade and the bottom sills of the windows.
- iv. A minimum of 50% of the street level/first floor, measured at grade, building façade frontage facing a public street must be comprised of windows. All horizontally proportioned windows on the street level/first floor must be divided into vertically proportioned components through the use of multi-part window components such as mullions, muntins or grilles.
- v. A minimum of one (1) entrance located on the building façade frontage must orient towards the public street and be differentiated from the abutting façade through the inclusion of a projected entranceway feature, including but not limited to a, canopy, portico, overhang, or cover.