

**HOUSING & BUILDING STANDARDS COMMITTEE MEETING
WEDNESDAY, OCTOBER 2, 2013
6:30 PM**

CHAIRMAN O'HARE HAS CALLED A HOUSING & BUILDING STANDARDS COMMITTEE MEETING FOR **WEDNESDAY, OCTOBER 2, 2013** AT **6:30 PM** IN THE EUCLID MUNICIPAL CENTER COUNCIL CHAMBER.

AGENDA

1. Vacant property update and discussion:

A. Vacant lots: inventory, disposition, illustrations of neighborhood developments.

Summary: Demolition of foreclosed and abandoned houses has resulted in the transfer of numerous lots into the City of Euclid Land Bank Program. The program provides an opportunity to accommodate new development, create community greenspace, and benefit neighboring property owners.

Members of the Department of Planning and Development will provide an update on Euclid's existing vacant property inventory and an update on the City of Euclid's existing landbank program.

Lilah Zautner, Manager of Special Projects and Land Re-use for the Cuyahoga County Landbank, will discuss her experience with the successful re-use of landbank lots throughout Cuyahoga County.

B. Vacant property registration: review of status

No pending legislation related to this agenda item is to be voted upon at this meeting. The council, administration and residents will have the opportunity to learn and share concerns and ideas on how to preserve and maximize the value and utility of vacant properties for the benefit of property owners, neighbors and the city as a whole.

2. **Ord. (334-13)** An ordinance repealing Section 1387.03 of the Planning & Zoning Code and creating Section 1359.05(g) of the Planning & Zoning Code of the Codified Ordinances of the City of Euclid to provide for enhanced requirements when installing security door or window guards, gates or bars on retail, commercial and industrial uses. (Sponsored by Councilperson O'Hare by request of Planning & Development Director)

Summary: *Prior applications for permits for the installation of security gates at local businesses prompted a moratorium on the issuance of new permits and the review of the City's regulations related to security gates.*

The purpose of the review was to attempt to balance the needs of business owners (to invest in protecting their property) with the need to minimize negative impacts on residents and surrounding property properties.

The Department of Planning and Development has proposed legislation to establish consistent requirements and considerations for approval of the installation of security gates that includes review by both the Planning and Zoning Commission and Architecture Review Board.

A vote to send the legislation to the Planning and Zoning Commission or to leave in committee is expected.

3. Residential storm water backflow devices

NOTES: *Wastewater backflow devices that prevent flow of water into properties have been in the news lately, especially in light of the impact of recent severe storms. In fact, a variety of these types of devices have been used for decades with varying degrees of success in preventing basement flooding. However, their use and misuse have in worst-case scenarios cause significant property, sewer system damage and expense for the homeowner.*

The City of Euclid neither endorses nor prohibits backflow devices. A Service Dept. representative will provide a brief overview of typical costs (for permit from the city, installation charges by a licensed plumber, etc), installation and maintenance considerations.

There is no current legislation related to this topic

4. Other matters.

REGINA CAHILL
CLERK OF COUNCIL

COMMITTEE: JONES, LANGMAN, SCARNIENCH, VAN HO, O'HARE

(334-13)

Ordinance No.

By Councilperson O'Hare (by request)

An ordinance repealing Section 1387.03 of the Planning and Zoning Code and creating Section 1359.05(g) of the Planning and Zoning Code of the Codified Ordinances of the City of Euclid to provide for enhanced requirements when installing security door or window guards, gates or bars on retail, commercial and industrial uses.

WHEREAS, the City of Euclid wishes to enact more comprehensive regulations on securities gates and bars placed on local businesses; and

WHEREAS, the existing ordinance allows for the installation of a wide variety of security gates throughout the City of Euclid; and

WHEREAS, the City wishes the installation of security gates and bars to be aesthetically appealing to the community and surrounding businesses.

WHEREAS, the City wishes to minimize negative public perceptions which might follow the installation of overly intrusive barrier type security systems which might tend to have a blighting influence on surrounding properties.

NOW THEREFORE, be it ordained by the Council of the City of Euclid, State of Ohio:

Section 1: That Section 1387.03 of the Planning and Zoning Code of the Codified Ordinances of the City of Euclid is hereby repealed in its entirety.

~~1387.03 SECURITY DOOR GUARDS AND GATES.~~

~~—The installation or use of any type of steel windows or door guards, folding gates, grating or steel bars placed across doors or windows in a Class U4, U5, U6 or U8 Use District, shall be conditioned upon the issuance of a special permit by the Planning and Zoning Commission, which permission shall be confirmed by Council before becoming effective.~~

Section 2: That Section 1359.05(g) of the Planning and Zoning Code of the Codified Ordinances of the City of Euclid is hereby amended to read as follows:

1359.05(g) Metallic Door and Window Guards, Grates, Bars Shutters and Rolling Shutters

The installation or use of any type of metallic window guards or door guards, folding gates, grating or bars shutters or rolling shutters placed across doors or windows in a retail or commercial or industrial use or accessory building shall be conditioned upon the issuance of a special permit by the Planning and Zoning Commission. In reviewing the request for a special permit the business operator must demonstrate the following:

(a) That unprotected windows and doors would be at risk to damage through crime or vandalism, to a degree which would constitute a hardship to the operation of the business. Evidence of hardship shall include but is not limited to the following:

(1) Incidents of criminal activity or vandalism on site or in proximity to the subject property.

(2) Incidents of criminal activity or vandalism at similar business establishments locally or regionally.

(3) Evidence of particular risk factors for crime or vandalism related to the specific location or physical features of the property, hours of operation and hours of non-operation.

(4) Evidence of risks which may be specific to the trade or business involving the application.

(b) Upon finding a need for a special permit, in order to promote high standards of design and operation, the Planning and Zoning Commission shall: refer the special permit application to the Architectural Board of Review which shall review elevation drawings, and installation specifications materials construction documents and color samples based on compatibility with the following factors:

(1) The system and installation of window or door guards, folding gates, grating or steel bars placed across doors or windows shall minimize visibility from public streets and where practical shall be entirely installed on the interior of the window and door frames.

(2) The security system design and installation shall, as much as is practical, minimize the visibility of track and storage systems as they would be seen from the exterior of the building.

(3) Any system to be installed within a multi tenant structure shall consider the context and impact on other tenants of the larger premises.

(4) The design shall, to such degree as is practical, minimize the visual impact of the system in both the open and closed positions.

(5) The design shall be visually compatible with the surrounding area and the general expectations of the specific use district and adjacent districts applicable to the subject property and it's neighborhood context.

(6) The owner or tenant shall participate in the City of Euclid "Knox Box" emergency entry program administered through the Fire Department.

(Section 1387.03 of the Planning and Zoning Code of the Codified Ordinances of the City of Euclid be and the same is hereby repealed.

Section 3: 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 any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4: That this ordinance shall be in full force and effect from and after the earliest period allowed by law.

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Effective:

Mayor