

# City of Solon

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## Record of Ordinances

Requested by the  
Planning Commission and  
Council

RESOLUTION NO: 2004-111

INTRODUCED BY: Kraus

### A RESOLUTION ADOPTING THE RESIDENTIAL GROWTH MANAGEMENT POLICY STATEMENT AND DECLARING AN EMERGENCY

WHEREAS, the Master Plan Committee has held meetings and study sessions to update the city's Master Plan; and

WHEREAS, as a part of the Master Plan update process, the Committee prepared a policy for residential growth management which will be a part of the final document; and

WHEREAS, due to the importance of maintaining growth management goals and the detrimental effect unmanaged growth can have on the viability of the city and, therefore, the health, safety and welfare of residents, the Planning Director, Planning Commission, and Council support immediate adoption of the Residential Growth Management Policy Statement which was prepared as a part of the Master Plan update process.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Solon, State of Ohio:

SECTION 1. That the Residential Growth Management Policy Statement, attached hereto as Exhibit "A," is hereby adopted.

SECTION 2. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare and for the further reason that it is immediately necessary to manage the city's growth; wherefore, provided this Resolution receives the affirmative vote of two-thirds of the members of Council elected or appointed, it shall take effect immediately upon its passage and execution by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed: May 17, 2004

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
Clerk of Council

# RESIDENTIAL GROWTH MANAGEMENT POLICY STATEMENT

(A FAST-TRACKED COMPONENT OF THE CITY OF SOLON MASTER PLAN)

## BACKGROUND AND RATIONALE

The City of Solon has long recognized that it has a vital interest in sensibly regulating “build-out” population density. The City recognizes that, among other negative impacts, unregulated population growth will diminish the quality of, and place an undue burden on, City infrastructure, government service levels, schools, and general quality of life.

The City has historically utilized three (3) basic planning tools to manage ultimate build-out population density and achieve it’s goals. These are:

1. *Establishing and implementing “larger” lot zoning districts including the current “U-1-D” and “U-1-E” (1 acre and 5 acre single family residential) zoning districts.*
2. *Requiring the consolidation of contiguous substandard sized lots in common ownership.*
3. *Removing land from potential development through public purchase.*

Citizen input, provided to the City through the Master Plan Citizens Committee and the Community Attitudes Survey, has indicated basic community support for the continuation and enhancement of the City’s population management policies, including the prohibition of high density development and the active preservation of open space.

## RESIDENTIAL GROWTH MANAGEMENT POLICIES

As the regulation of build-out population density is an issue of vital importance having potential impact on the future viability of the community, it is recommended that City decision makers strictly and consistently apply the population management tools that are currently available according to the following recommended policies:

1. **VARIANCE POLICY-** *The City should strictly enforce existing Zoning Ordinance and Subdivision Code requirements that regulate the buildability of lots (ie: minimum lot area and lot dimension requirements, and any other associated lot design criteria). No variance should be granted to make otherwise un-buildable property buildable except in strict accordance with "Practical Difficulties Test" (Duncan vs. Village of Middlefield).*

*While all factors of the "Practical Difficulties Test" are applicable, it is recommended that the City decision makers give particular consideration to two (2) relevant standards when considering requests to make otherwise un-buildable property buildable. These are:*

- a. *Did the property owner purchase the property after the relevant zoning and/or subdivision ordinance was enacted ?*
- b. *Would enforcement of the relevant zoning and/or subdivision ordinance make the property out of character with the surrounding area ?*

2. **EXPANSION OF "LARGER" LOT ZONING DISTRICTS -** *The City should maintain and/or expand the areas devoted to "larger" lot residential zoning classifications (ie: zoning classifications requiring lots of one acre or greater in area) where feasible, being careful to maintain adequate living opportunities for people of all income levels within the City.*
3. **RESTRICTION OF "SMALLER" LOT ZONING DISTRICTS -** *The City should avoid the expansion of areas devoted to "smaller" lot residential zoning classifications (ie: zoning classifications permitting lots of less than one acre in area) except for the purpose of expanding senior housing opportunities as per the recommendations of the City of Solon Master Plan.*
4. **RESTRICTION OF TWO FAMILY AND MULTI-FAMILY ZONING DISTRICTS -** *The City should avoid the expansion of areas devoted to two-family and/or multi-family residential zoning classification, except for the purpose of expanding senior housing opportunities as per the recommendations of the City of Solon Master Plan.*
5. **RESTRICTION OF CLUSTER HOUSING -** *The City should permit cluster housing, and other flexible development, only on condition that the maximum density level proposed within any cluster development does not exceed that which would be permitted within the underlying zoning classification. To this end, a "yield plan" shall be submitted accurately designating the number of living units that could be constructed on the property if developed in strict accordance with all City Subdivision and Zoning Code requirements.*
6. **PUBLIC ACQUISITION OF OPEN SPACE -** *The City should seek to acquire areas of open space where feasible as per the "Open Space Policies" of the City of Solon Master Plan.*