App. No. 048-2026 TA

# Zoning Text Amendment

Liverpool Township

**Meeting:** August 5, 2026
**Applicant:** Liverpool Township Zoning Commission (ZC)
**Hearing:** TBD
**Amendments:** Article II General Regulations
Article III District Regulations
**Reviewer:** Denise Testa
**Recommendation:** **APPROVE WITH MODIFICATIONS**

**Proposal:** Bryan Snyder, Zoning Inspector for Liverpool Township, requested a review of proposed revisions to Articles II and III of the Liverpool Township Zoning Resolution (Resolution). The pdf page numbers identify where the proposed text appears within the Resolution.

The Department of Planning Services, in consultation with the Prosecutor's Office, reviewed the proposed amendments for consistency with sound planning principles, the Liverpool Township Development Policy Plan (Plan), and the relationship between the proposed zoning amendments and other applicable regulations. Staff identified several proposed amendments that would benefit from clarification or modification before adoption. The principal issues identified during the review include:

- Regulatory Consistency: Several amendments propose amendments that are also regulated through Subdivision Regulations (SubRegs), Engineering Regulations, or other state and county regulations. Staff recommend revising these provisions to avoid duplication and conflicting regulatory requirements.
- Controlled Density Zoning: Several proposed amendments substantially reduce development potential within the Controlled Density Zoning (CDZ) District. Staff recommend evaluating whether these changes remain consistent with the district's stated purpose of providing design flexibility in exchange for permanent open space preservation.
- Administrative Clarity: Several amendments would benefit from additional clarification to improve consistency in administration, reduce ambiguity, and clearly distinguish zoning approvals from engineering, health, and building permitting processes.

## ARTICLE II GENERAL REGULATIONS

**Section 216(E)(3) Conformance with Site Plan**
Page 16

The proposed performance bond requirement raises questions regarding the appropriate scope of zoning administration. Financial guarantees for public or private improvements are typically administered through subdivision regulations or engineering review processes. The proposed revision needs clarification of what improvements the Township intends to bond, define the purpose of the bond, identify the specific improvements subject to bonding, and clarify how the requirement would apply to private improvements. This amendment appears to duplicate the bonds required by the County and Sanitary Engineers. Staff recommend deleting Article II Section 216(E)(3) in its entirety.

**Section 217(A)(5) Oil and Gas Well Regulations**
Page 17

No comment.

**Section 219(A)(4) Private Streets and Common Driveways Standards**
Page 19

The proposed amendment appears to regulate street construction standards, which are more typically addressed through the SubRegs and Engineering Regulations. Staff recommend revising or deleting all regulations related to technical street construction requirements to avoid duplication or conflict with the SubRegs and Engineering Regulations.

**ARTICLE III DISTRICT REGULATIONS**
**Section 301 Rural Residential District (R-R)**

The purpose of the Rural Residential District,

"… is to provide for rural residential development at a low density which will promote the continuation of the predominant rural residential character of the Township. Where central sewer and water facilities are not available it is the intention of this district to allow residential development of sufficiently low density to preclude creation of public health and safety problems which could result in the need to extend central facilities in an uneconomical fashion. Where central sewer and water are available, it is the intention of this district to provide for low density residential development at a density of one (1) acre per dwelling unit. To ensure that existing and planned sewer and water facilities are most efficiently utilized, the one (1) acre per dwelling unit density will not be permitted outside the planned service areas as indicated in the Liverpool Township Development Policy Plan."

**Section 301.1 Purpose**
Page 23

This is an administrative change. No comment.

**Section 301.3(A)(1) Lot Requirements**
Page 25
**Section 301.3(A)(2) Lot Requirements**
Page 25

The proposed amendments would increase the minimum lot size within the R-R for properties served by central water and sanitary sewer. The amendment is consistent with the goals and recommendations of the Plan, which supports maintaining the rural character of the community through lower-density residential development.

Increasing the minimum lot size will reduce the maximum residential density permitted within the district which preserves open space, protects the township's rural character, and implements the long-term land use vision established in the Plan.

Although public water and sanitary sewer systems can accommodate higher-density residential development, the availability of public utilities does not require a community to maximize development density. Townships may establish development standards that reflect adopted planning policies and desired community character.

The proposed amendment implements the Plan by aligning zoning regulations with the Township's stated growth management objectives and ensuring that future residential development occurs at a density consistent with the community's vision.

The amendment will reduce the number of residential lots that may be created within the district. However, the reduction in permitted density is consistent with the Township's adopted Plan policies and represents a determination regarding the appropriate pattern of future development.

In summary, the amendment is consistent with the Plan and reflects the Township's long-term objectives of preserving rural character, managing residential growth, and maintaining a development pattern that reflects the community's adopted vision.

**Section 301.3(B)(3) Lot Requirements**
**Section 301.5 General Requirements (new section)**
Pages 25-26

Several proposed amendments regulate development standards that are also addressed through SubRegs, Engineering Regulations, public utility requirements, or state health regulations. Staff recommend coordinating these provisions with the applicable agencies to avoid duplication, conflicting standards, and administrative uncertainty.

1. Main Access Points

In Ohio, regulating the layout of streets and determining how many access points within a subdivision for safety or traffic flow is explicitly designated as a subdivision regulation under ORC Chapter 711. The SubRegs indicate that no single access subdivision shall contain more than 50 dwelling units. The SubRegs establish a fifty (50) dwelling unit threshold for requiring a second access point. The proposed amendment would establish a different threshold for developments within the CDZ District.

2. Zoning Regulates Land Use, Not Public Improvements

Under ORC Section 519.02, townships are authorized to regulate, among other things, the use of land, yard requirements, density, and the location of buildings. The proposed amendments for public road rights-of-way and a mandatory second street connection overlap with regulations commonly addressed through the SubRegs and Engineering Regulations.

The proposed amendment also regulates public sanitary sewer systems and household sewage treatment systems. While the Township has authority to regulate land use through its Resolution, the Sanitary Engineer and Health Department oversee the technical permitting, design, installation, operation, inspection, and maintenance of public sanitary sewer systems and household sewage treatment systems.

Staff recommend that provisions related to public sanitary sewer service be reviewed by the Medina County Sanitary Engineer/Ohio EPA and that provisions related to household sewage treatment systems be reviewed by the Medina County Health Department to ensure the proposed language does not duplicate, conflict with, or exceed the regulatory authority established under state law.

Household Sewage Treatment Systems (HSTS) are regulated by the local board of health pursuant to ORC Chapter 3718 and Ohio Administrative Code Chapter 3701-29.

Public sanitary sewer systems are regulated by the County Sanitary Engineer, Ohio EPA, and other agencies having jurisdiction.

**Section 306 Controlled Density Zoning (CDZ) Overlay District**
Page 38

According to the Resolution,

"These zoning regulations are promulgated to promote the preservation and protection of the rural atmosphere of the Township while providing for anticipated residential development. To accomplish that purpose Controlled Density Zoning encourages the permanent preservation of relatively large tracts of land (consisting of, but not limited to, open natural areas, woodlands, greenway systems, wildlife habitats, flood plains, agricultural lands, wetlands, and waterways) of the Rural Residential District. These provisions and requirements are established as alternatives to a number of the residential lot requirements found elsewhere in the Resolution. Reductions permitted in these requirements are in exchange for the permanent preservation of open space and other natural features that can benefit not only the residents of the development but the general population of the Township.

Controlled Density Zoning is structured to be consistent with the principles and intentions of the Liverpool Township Development Policy Plan and the Liverpool Township Zoning Resolution. Under no circumstances will its implementation supersede any relevant provisions in either document."

**Section 306.5(1) Density Requirements**
Page 39

The purpose of the CDZ is to provide an alternative development pattern that preserves open space while accommodating anticipated residential development. The proposed density calculation may significantly reduce the number of allowable dwelling units by excluding constrained lands and required open space from the density calculation. From a planning perspective, a conservation or controlled-density district should typically provide flexibility in exchange for preserving open space. It should not function as a mechanism to substantially reduce otherwise permitted density unless that reduction is an explicit policy objective supported by the Plan.

Staff notes that the amendment:
1. Increases the acreage per dwelling on sewered land from 1.0 acre to 1.2 acres;
2. Bases density on a reduced land area (buildable acreage only); and
3. Requires 40% permanent open space.

Collectively, these amendments substantially reduce development potential while also limiting the design flexibility that is a defining characteristic of conservation development. If the Township's legislative intent is to reduce residential growth, that is a legitimate policy choice. However, the purpose section should be amended to clearly state that objective. Otherwise, there is a disconnect between the purpose of the district and the proposed density methodology.

Staff recommend the Township revise the purpose statement to expressly state that the district is intended to reduce residential density to preserve rural character or reconsider the density formula, so it better reflects the stated purpose of providing design flexibility in exchange for permanent open space rather than imposing multiple layers of density reduction. This would make the Resolution more internally consistent and easier to administer.

**Section 306.8(A)(2) Yard Requirements**
Page 39

While preserving rural character may be an important planning objective, requiring open space to be located in a specific area of every development may unnecessarily limit site design flexibility. A requirement that open space be located between the roadway and residences may unintentionally discourage preservation of the most environmentally significant areas of a site, such as wetlands, streams, woodlands, or steep slopes. Staff recommends allowing alternative open space configurations that achieve the objectives that would better accommodate varying site conditions, environmental features, and subdivision layouts.

**Section 306.8(C)(1) General Requirements**
Page 40

The proposed 30-unit threshold conflicts with the SubRegs, which establish a 50-unit threshold for requiring additional access. Creating different thresholds between zoning and SubRegs may create inconsistent review standards for the same development proposal. Staff recommend coordination with the SubRegs to ensure consistency between subdivision and zoning regulations. Establishing different access thresholds may create conflicting development standards and uncertainty for applicants, particularly where a subdivision is subject to both zoning review and subdivision approval.

Access management is an important component of subdivision design and should be evaluated comprehensively with consideration of roadway capacity, emergency response needs, surrounding development patterns, and applicable engineering standards. Staff recommend defining “main access point” in Article IX.

If the Township determines that a more restrictive access standard is necessary within the CDZ, the basis for the reduced threshold should be clearly documented to demonstrate that the requirement advances a specific health, safety, or planning objective.

**Section 306.8(L) General Requirements (Addition)**
Page 41

No comment.

**Section 306.10 Screening Specification**
Page 41

No comment.

## ARTICLE XI DEFINITIONS

**Definition for Zoning Certificate**
Page 86

Staff recommend the following revision to this definition to provide a clear purpose of the zoning certificate to, "A document issued by the Zoning Inspector confirming that a proposed use, lot, structure, or development complies with the applicable requirements of the Township Zoning Resolution."

A Zoning Certificate authorizes the establishment of a use or commencement of activities regulated by the Resolution, but it does not constitute approval of engineering plans, construction plans, building permits, or other permits required by federal, state, county, or other local agencies.

Staff recommend deleting language stating that "no work may begin until all other agency approvals are obtained" unless the Township has a specific legal basis and enforcement mechanism for doing so. The zoning inspector's role is to enforce zoning compliance. The County Engineer, Health Department, Building Department, Sanitary Engineer and other agencies retain authority over their respective permits and approvals. The applicant may proceed with activities authorized by the zoning certificate at their own risk if other required approvals remain pending; however, such activities do not relieve the applicant of responsibility to obtain all required permits and approvals from other agencies.

**Department of Planning Services Recommendation:** Staff recommend the Medina County Planning Commission **APPROVE WITH MODIFICATIONS** the proposed text amendments to the Liverpool Township Zoning Resolution.