



Planning Commission
App. No. 092-2013-TA

Zoning Text Amendment

Lafayette Township

Meeting:	October 7, 2015
Applicant:	Lafayette Township Zoning Commission
Hearing:	September 1, 2015 (Zoning Commission)
Amendments:	1. New Section 310 – Lake Road North Overlay District (LRNOD) 2. Revision to Section 303, Light Commercial District 3. Revision to Section 304, Light Manufacturing and Research District
Reviewer:	Susan Hirsch

Deleted text is indicated as ~~strikeout~~ and staff comment are *italicized*.

PROPOSED AMENDMENT TO ZONING RESOLUTION OF LAFAYETTE TOWNSHIP, MEDINA COUNTY, OHIO

1. Add entire new section to read:

SECTION 310 LAKE ROAD NORTH OVERLAY DISTRICT (LRNOD)

- Section 310.1 Purpose
 - Section 310.2 Area of the Lake Road North Overlay District
 - Section 310.3 Uses
 - Section 310.4 Area and Yard Requirements
 - Section 310.5 Supplementary Regulations
-

Section 310.1 PURPOSE:

The purpose of this overlay district is to provide landowners in the designated area the option of applying for activation of the provisions of the overlay district for the purpose of developing their property for commercial uses. The existing zoning regulations remain in effect until such time as the Lafayette Township Trustees approve the application for activation following the procedures outlined within this section. The overlay district will provide for a variety of retail, services and administrative establishments that will support and compliment the nearby Innovation Park as it develops. Creation of the Lake Road North Overlay District is supported by the Lafayette Township Comprehensive Plan for economic development and it will provide a buffer from the industrial development along Lake Road within the City of Medina.

1. *The purpose paragraph states that, “the overlay district will provide for a variety of retail, services and administrative establishments that will support and compliment the nearby Innovation Park as it develops.” Staff questions whether “Transportation Services such as gas station, car wash” would fit that purpose.*
2. *The purpose paragraph also states that the LRNOD will, “...provide a buffer from the industrial section of the City of Medina.” The area covered by the*

proposed LRNOD is far greater than what would be required to “buffer” from the industrial uses on Lake Road. Also, several of the uses permitted in this proposed district, i.e. gas stations, car washes and restaurants, are uses that often, in themselves, require buffering from residential uses.

Section 310.2 AREA OF THE LAKE ROAD NORTH OVERLAY DISTRICT

The area included in this overlay district are the properties east and west of the centerline of Lake Road, to the depth of One Thousand Feet (1000’), from the boundary of Medina City’s Industrial sector in the north, to the intersection of State Route 162 at its southern end. No part of Innovation Park is in the overlay district. Reference the attached map for Section 310.2 Area.

1. *As indicated on the attached map, there is an area east of the rail/trail that is within 1000’ feet of Lake Road and therefore included in the LRNOD that cannot be accessed through the district and should not be included. Also, there is an area north of Wedgwood Road and west of the rail/trail that is beyond the 1000’ limit that should be included. This area is a remaining part of a parcel that is within the LRNOD and it would be difficult to develop on its own.*
2. *A separate map amendment depicting the effective area of the LRNOD must be submitted in conjunction with the proposed text.*

Section 310.3 USES

PERMITTED USES:

1. Business and Professional Offices
2. Personal Service Facilities such as hair care, dry cleaning, photography
3. Restaurants
4. Business Support Services such as advertising, copying, protective services
5. Sport/Physical Fitness Center
6. Transportation Services such as gas station, car wash
7. Parks, Playground
8. Day Care Centers, child/adult
 1. *Several of the uses proposed to be permitted in the LRNOD district, i.e. gas stations, car washes and restaurants, are uses that are often incompatible with adjacent residential uses and as such should be required to buffer from residential uses.*
 2. *Also, several of the uses proposed to be permitted in the LRNOD district, i.e. business and professional offices, and business support services, are uses that are permitted uses or permitted limited accessory uses within the Innovation Park District. Encouraging these uses outside the Park may limit their development within the Park.*

Section 310.4 AREA AND YARD REQUIREMENTS

Setback requirements apply to Principal and Accessory Buildings.

- A. Lot Area - The minimum lot area in the LRNOD shall be the size of the current existing lot. Existing lots may be combined.
- B. Lot Width - The minimum lot width at the building line shall be 100 continuous feet.
- C. Building Setback - The minimum building setback from street right-of-way shall be 75 feet. The required front yard may be used for parking, except for a landscape strip as provided for in Section 510.
- D. Side and Rear Yard –
 - 1. The minimum side yard shall be 25 feet, 10 feet of which shall be a landscape strip, except when abutting an existing residential use lot when the minimum side yard shall be 50 feet of which 25 feet shall be landscaped.
 - 2. The minimum rear yard shall be 50 feet, 10 feet of which shall be a landscape strip, except when abutting an existing residential use lot when the minimum rear yard shall be 75 feet of which 50 feet shall be landscaped.

On a lot with a 100' width, it is not possible to build with residential uses on both sides as the entire lot will comprise the side yard setbacks; and if there is a residential use on only one side, the building area will be limited to a 25 foot width.

Section 310.5 SUPPLEMENTARY REGULATIONS

- A. Site Plan Review – No zoning permit shall be issued for any use in the LRNOD until site plans have been reviewed and approved by Lafayette Township according to the procedures and requirements set forth in Section 216, New Construction Site Plan Review and Conformance. Lafayette Township may seek assistance from experts, whose cost will be borne by the applicant, as it feels is needed to insure compliance with these regulations. Lafayette Township will supply the applicant with an estimate of those costs prior to their occurrence.
- B. Outdoor Storage –
 - 1. No open outdoor storage will be allowed in the LRNOD. All storage will be in totally enclosed accessory structures, not in front yards, and will be clearly shown on the site plan.
 - 2. Screening shall be used around accessory buildings so that they are not viewed from adjacent residential use lots. This screening can be topographic, landscape, walls and/or fences.
 - 3. Accessory buildings will comply with lot and yard regulations.
Suggest “shall” rather than “will” in 3. above.

- C. Dumpsters – All solid waste will be disposed of in an enclosed container or dumpster that will be screened on all four sides. Said container shall be kept in the side or rear yards in accordance with minimum setbacks.
- D. Fences and Walls – See Article II, Section 220, Fences and Walls.
- E. Comparable Uses – The Zoning Commission, with the approval of the Lafayette Township Trustees, may permit any use which is comparable in character to any of the uses in this section and which is in accord with the purposes of this district. *Staff suggests that the Township provide criteria for establishing “comparable character.”*

2. Proposed amendment to Sec. 303 would remove the word “conditional” in Sec. 303.2 Uses as well as in the heading of Table I and in the footnote to Table I. It would also eliminate the second “Note” in the footnote to Table I. In addition, in Table I, under C. 5 Automobile dealership, change “C” to “P” (a change from a conditional use to a permitted use).

Sec. 303 Local Commercial District (LC) (Effective 9/18/2003)

- 303.1 Purpose
- 303.2 Uses
- 303.3 Area and Yard Requirements
- 303.4 Supplementary Regulations

Sec. 303.1 PURPOSE.

The purpose of this district is to provide for a variety of retail, service and administrative establishments to serve the needs of the residents of Lafayette Township. The LC District regulations are designed to avoid excessive demands on community facilities, as specified in the Lafayette Township Comprehensive Plan, and to provide opportunities in designated areas for well-planned, commercial development to serve surrounding residential areas, which is clean, quiet and free of hazardous or objectionable elements.

Sec. 303.2 Uses
Refer to Table I, Schedule of Permitted, ~~Conditional~~ and Accessory Uses.

TABLE I

Schedule of Permitted, ~~Conditional~~ and Accessory Uses:

		LC Local Commercial District
C. Automotive/Transportation		
1.	Agricultural equipment, construction equipment, implements sales, service and rental, provided such uses comply with zoning code.	P
2.	Automotive service station	P
3.	Car wash	P
4.	Gasoline station	P
5.	Automobile dealership	<u>Change “C” to “P”</u>

Note: P = Permitted Use; ~~C = Conditional Use~~; A = Accessory Use; NP = Not Permitted.

Note: Reference is made to Article VI, Section 604 — Specific Criteria for Conditional Uses. This amendment eliminates conditional uses within the Local Commercial (LC) zoning district. Currently, auto dealership is the only conditionally permitted use.

- 3. Proposed amendment to Sec. 304 would remove the word “conditional” in Sec. 304.2 Uses as well as in the heading of Table II and in the footnote to Table II. It would also eliminate the Reference sentence in the footnote to Table II. In addition, in Table II under C5 Automobile dealership, change “C” to “P” and under C1 Hotel, motel, change “C” to “P” (both a change from a conditional use to a permitted use).**

SECTION 304 LIGHT MANUFACTURING AND RESEARCH DISTRICT (LM/R)

- 304.1 Purpose
- 304.2 Uses
- 304.3 Area and Yard Requirements
- 304.4 Performance Standards
- 304.5 Supplementary Regulations

Section 304.1 PURPOSE.

The purpose of this district is to provide for certain light manufacturing and related uses, which have no objectionable effects on the surrounding area of the community. The LM/R District regulations are designed to avoid excessive demands on community

facilities as specified in the Lafayette Township Comprehensive Plan and to provide opportunities in designated areas for well-planned, light manufacturing development on surrounding areas, which are clean, quiet and free of hazardous or objectionable elements.

It is the intent of this district to encourage industrial use developed on a unified site, which is planned and developed specifically as an industrial park to accommodate several uses, or as a large site to accommodate a single use.

Section 304.2 USES.

Refer to Table II, Schedule of Permitted, ~~Conditional~~ and Accessory Uses.

TABLE II

Schedule of Permitted, ~~Conditional~~ and Accessory Uses:

	LM/R Light Manufacturing and Research District
C. Automotive/Transportation	
1. Agricultural equipment, construction equipment, implements sales, service and rental, provided such uses comply with zoning code.	P
2. Automotive service station	P
3. Car wash	P
4. Gasoline station	P
5. Automobile dealership	<u>Change “C” to “P”</u>
D. Lodging	
1. Hotel, motel	<u>Change “C” to “P”</u>

Note: P = Permitted Use; ~~C = Conditional Use~~; A = Accessory Use; NP = Not Permitted.

Reference is also made to Article VI, Section 604 – Specific Criteria for Conditional Uses. *This amendment eliminates conditional uses within the Light Manufacturing and Research (LM/R) zoning district. Currently, auto dealership and hotel, motel are the only conditionally permitted uses.*

Staff Comments:

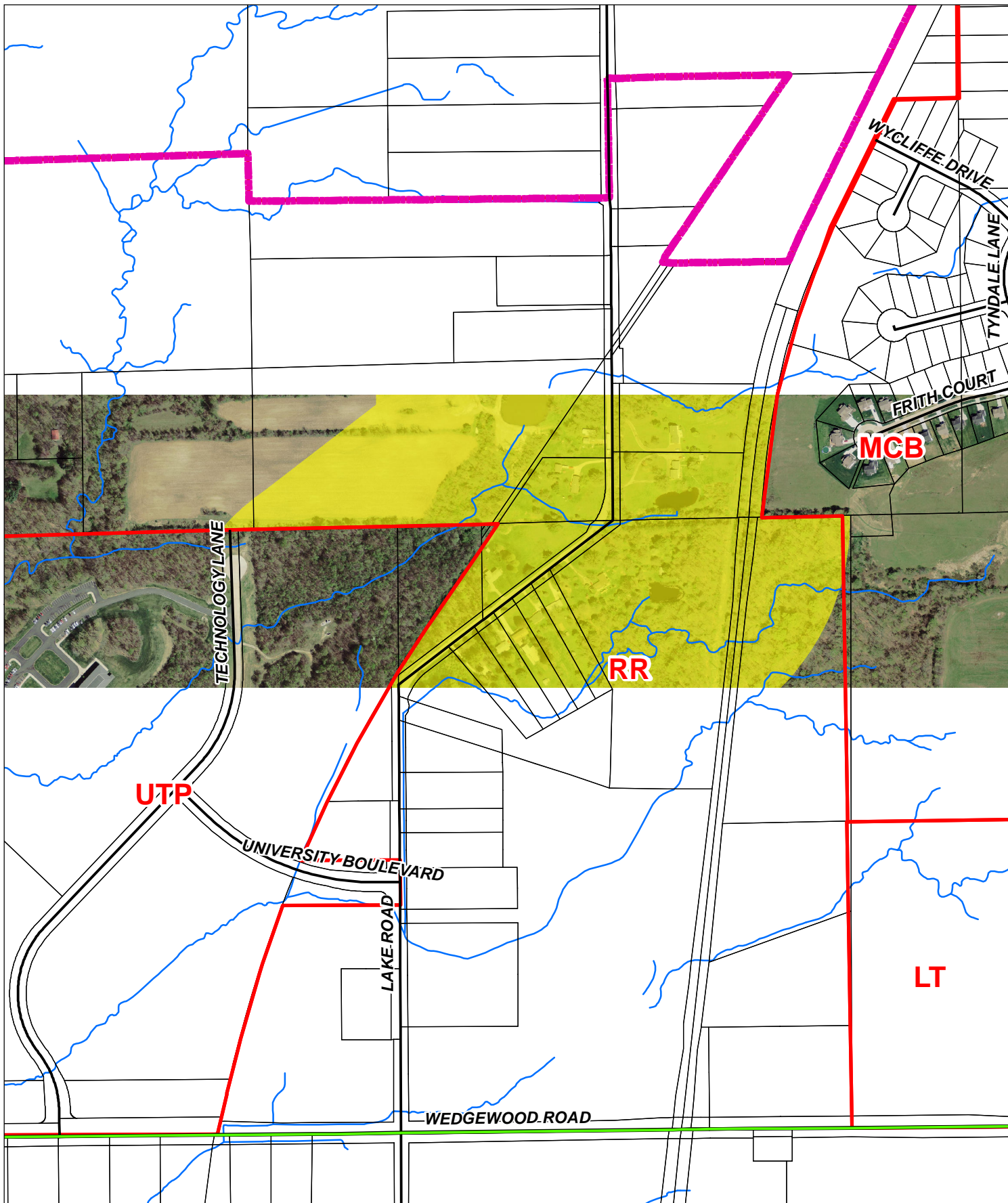
- Typically, zoning resolutions provide for two types of uses: permitted and conditional. Permitted uses are those allowed as a right provided the landowner meets all other

- requirements, e.g., building code requirements.¹ Conditional uses (also known as special exceptions) are also allowed in the zoning resolution but they are uses that may have significant impact on adjoining properties. They are permitted under conditions specified in the zoning regulations.
2. Auto dealerships and hotels, motels may have significant impacts such as traffic, lighting, and noise; however, no greater impact than some of the uses that are currently permitted by right. It is difficult to ascertain why auto dealerships are currently Conditional uses in the Local Commercial District and uses such as gas stations and car washes are Permitted uses. Likewise, why are hotels, motels a Permitted use in the Local Commercial (LC) District but a Conditional use in the Light Manufacturing and Research (LM/R) District?
 3. Both the Light Manufacturing and Research (LM/R) District and the Local Commercial District require that all uses receive site plan review and approval prior to the issuance of a zoning certificate. Also, main and accessory building within these districts must comply with Performance Standards (Section303.4 and Section304.4) prior to occupancy and use.
 4. Requiring an applicant to receive site plan approval from the Zoning Commission and Conditional Use approval from the Board of Zoning Appeals would be redundant and cumbersome. However, there is some question as to the Zoning Commission's authority to approve site plans (other than within planned developments).
 5. A map amendment reflecting the area of the LRNOD must be submitted in conjunction with the proposed text.

Staff Recommendation: Staff recommends **APPROVAL WITH MODIFICATIONS** for the above proposed text amendments to the Lafayette Township Zoning Resolution subject to Staff Comments. Staff further recommends that Lafayette Township submit this text amendment to the Prosecutors Office for their final review and that a map amendment reflecting the area of the LRNOD be submitted also.

R:\wp\planning\Text_Amend\Lafayette\2015\092-2015TA_Lake_Road_North.doc

¹ Stuart Meck & Kenneth Pearlman, *Ohio Planning and Zoning Law*, 2015 Edition, § 9:11, 511(Thomas Reuters). June, 2015.



Visit us on the web at www.planning.co.medina.oh.us

**Lake Rd. North Overlay District
Informal Review
Lafayette Township**

