



Zoning Text Amendment
Lafayette Township



Meeting: October 2, 2019
Applicant: Lafayette Township Zoning Commission (ZC)
Hearing: (ZC)
Amendments: Add SECTION 226 AGRITOURISM
 Edits to SECTION 310 LAKE ROAD NORTH OVERLAY DISTRICT (LRNOD)
Reviewer: Sonja Pagniano
Recommendation: **APPROVAL WITH MODIFICATIONS**

Proposal: In a letter dated August 6, 2019 Lynda Bowers, Trustee for Lafayette Township submitted proposed amendments of Lafayette Township Zoning Resolution sections 310 and 226. They requested a review and recommendation from the Medina County Planning Commission at their earliest convenience.

The complete text amendment proposal includes the following:

- A. Add SECTION 226 AGRITOURISM
- B. Add to SECTION 310 LAKE ROAD NORTH OVERLAY DISTRICT (LRNOD)
 - a. New Permitted Use Added (9)
 - A. (9) Attached Dwelling Community
 - a) 1) Minimum Development Area
 - b) 2) Minimum Street Frontage of Development Area
 - c) 3) Setback Requirements
 - d) 4) Dwellings
 - e) 5) Signs
 - f) 6) Utilities
 - g) 7) Storage and Waste Removal
 - h) 8) Parking and Private Garages
 - i) 9) Site Plan Review

New text is underlined, text to be deleted is shown as ~~strikethrough~~. Staff comments are shown as ***bold and italics***.

SECTION 226 AGRITOURISM – A PERMITTED USE IN ALL DISTRICTS

In the interest of the public health and safety, no agritourism operation shall be granted a zoning permit unless the following conditions have been satisfied:

226.01 The agritourism provider shall provide evidence the farm on which the agritourism operation is proposed has ten acres or more devoted to agriculture production. If such farm has less than ten (10) acres, evidence shall be provided that such farm produces an average yearly gross income of at least twenty-five hundred dollars (\$2,500) from agricultural production.

226.02 The agritourism provider shall identify the educational, entertainment, historical, cultural and/or recreational relationship of the agritourism operation to the existing agricultural use of the property.

226.03 The agritourism provider shall submit a floor plan of the structure to be used for agritourism activities and a site plan of the property illustrating all structures, setbacks from property lines for all structures.

226.04 The size and setback for any structure used primarily for agritourism activities shall meet the following requirements:

- a) If less than 500 square feet, a structure shall be subject to the standard minimum front, side and rear yard setbacks for principal structures for the zoning district.
- b) If a structure is 500 square feet or more, the following setback shall apply:
- c) The height from grade shall not exceed 35 feet

<u>SIZE OF STRUCTURE</u>	<u>SETBACK FROM EXISTING RESIDENCE</u>
<u>500 to 1,499 square feet</u>	<u>300 feet</u>
<u>1,500 to 2,499 square feet</u>	<u>400 feet</u>
<u>Equal to or greater than 2,500 square feet</u>	<u>500 feet</u>

226.05

- a) Agritourism operations shall provide a minimum number of parking spaces as determined by the Zoning Inspector based upon similar uses identified in the off-street parking regulations correlated to the intensity of the use, such as peak attendance periods and the size of the structure and/or land area designated for agritourism activities provided in the application.
- b) The Zoning Inspector shall not require the parking area be improved, including any requirements governing drainage, parking area base, parking area paving or other such improvement.

226.06 The agritourism operator shall provide ingress and egress via access points on a public road approved by the entity having jurisdiction of the road being accessed. Such ingress and egress shall be designed to accommodate emergency vehicle access to the satisfaction of the fire department having jurisdiction over the property upon which the agritourism operation is located.

SECTION 310 LAKE ROAD NORTH OVERLAY DISTRICT (LRNOD)

SECTION 310.3 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
9. Attached Dwelling Community. Residential uses subject to the following requirements and an approved site plan as follows:
 - (1) Minimum Development Area. Ten (10) acres.
 - (2) Minimum Street Frontage of Development Area. One hundred (100) feet.
 - (3) Setback Requirements.
 - A. Front setback. Dwellings and garages shall be located at least fifty (50) feet from the street right-of-way.
 - B. Side and Rear Yard Setbacks. Structures shall be setback from the side and rear development area boundary lines as follows:
 1. Attached dwellings: not less than twenty-five (25) feet.
 2. Garages, accessory storage buildings, patios, and off-street parking areas: not less than twenty (20) feet.
 - (4) Dwellings. The dwellings in an Attached Dwelling Community may include single- family dwellings, two-family dwellings, and attached dwellings.
 - A. An attached dwelling means a building in which three or more dwelling units are structurally attached to one another, side by side, and erected as one building; each dwelling unit being separated from the adjoining unit or units by a party wall extending from the basement floor to the roof without openings, except for openings in uninhabited attic space to accommodate mechanical and/or utility systems that extend between units; and each such building being separated from any other building by space on all sides, and including such elements as separate ground floor entrances.
 - B. The total number of dwelling units in an Attached Dwelling Community shall not exceed seven (7) units per acre.
 - (5) Signs. A single one-or two-sided freestanding sign shall be permitted at each vehicular entry to the Attached Dwelling Community or for each group of dwellings provided the sign does not exceed forty-eight (48) square feet per side nor exceed eight (8) in height above the surrounding finished grade. All freestanding signs shall be approved by the Zoning Inspector.
 - (6) Utilities. Access to public water and sanitary sewer are required.
 - (7) Storage and Waste Removal.
 - A. Ample inside or enclosed storage space shall be provided for waste collection receptacles.
 - B. All maintenance vehicles shall be stored in an enclosed building.
 - (8) Parking and Private Garages.
 - A. Not less than two (2) parking spaces, either enclosed or unenclosed, shall be provided for each dwelling unit located in convenient proximity to the dwellings they are intended to serve.
 - B. The design and layout of parking spaces, aisles, and entrances and exits shall comply with the requirements of Section 501.
 - (9) Site Plan Review. An Attached Dwelling Community shall require approval of a site plan by the Zoning Commission according to the requirements of Section 216.

Comment: Per phone conversation with Lynda Bowers, Trustee for Lafayette Township, on September 24th, 2019, the additional permitted use for the cluster unit developments seemed a natural fit and more palatable than industry. Their legal counsel wrote the addition of Section 226 AGRITOURISM.

This text amendment is also intended to establish zoning regulations that are consistent with changes that were made to Ohio Revised Code Section (ORC) (§) 519.21 by the 131st General Assembly in September of 2016. These changes were enacted in order to provide protections to entities engaged in agritourism and associated businesses. One of the ways these changes addressed agritourism was to specifically identify what and how agritourism uses and structures may be regulated by township zoning. The proposed text primarily regulates agritourism consistently with the parameters established by the ORC.

The proposed text is substantially consistent with the Lafayette Township Comprehensive Plan.

Recommendation: Planning Services staff recommends the Planning Commission **APPROVE WITH MODIFICATIONS** the proposed amendments to the Lafayette Township Zoning Resolution.

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