

Medina Township

ZONING RESOLUTION

Effective January 21, 1984

Including Revisions and Updates to March 22, 2019



MEDINA COUNTY, OHIO

This Zoning Resolution was conceived in the belief that it supports the attitude and rights of the majority of the residents of Medina Township. By working within its guidelines, it will enhance this community of people and their endeavors.

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ARTICLE I

PURPOSE

The zoning districts and the regulations specified for each district established by this resolution have been constructed in accordance with a general plan for the physical development of Medina Township. This plan, called the Medina Township Development Policy Plan, provides thoroughly considered land use policies for the sound and orderly development of the unincorporated area of the Township.

It is the purpose of this Zoning Resolution to promote the safety, health, morals, convenience and general welfare; to encourage the use of lands and natural resources in the Township according to their character, adaptability, and suitability for particular purposes; to conserve social and economic stability, property values, and the general character and trend of community development; to prevent excessive concentration of population; to lessen congestion on the streets and highways, to eliminate the need to extend centralized sewer and water outside the 1981 sewer service areas as reflected in the sewer service area map dated 1981 and contained in the Comprehensive Plan, to encourage proper drainage, ¹ educational, recreational, and other public facilities; to conserve life, property, and natural resources and the expenditure of funds for public facilities and services. For these purposes, standards for community development and means for the enforcement of such standards are herein established in accordance with the Medina Township Development Policy Plan.

It is the further purpose to adopt provisions for each designated zoning district within which the location, size and use of buildings and minimum open spaces, sanitary and safety measures required and the maximum number of families to be housed in buildings erected or altered in the future, are specified.

¹ Revised (03-10-2003)

ARTICLE II

DEFINITIONS

For the purpose of this Resolution, certain terms are hereby defined. Words used in the present tense shall include the future; the singular number shall include the plural and the singular; the word "shall" is mandatory and not advisory; the word "building" shall include the word "structure", the word "used" shall include the words "arranged," "designed," "constructed," "altered," "converted," or "intended to be used", and a "person" shall mean, in addition to an individual, a firm, corporation, association, or any legal entity which may own and/or use land or buildings.

Accessory Use/Building is a use customarily incidental and subordinate to the principal use or building, located on the same lot or premises as the principal use or building.

Agriculture shall include farming, dairying, pasturage, apiculture, horticulture, floriculture, viticulture, animal and poultry husbandry, and fish hatchery.

Alley is a public right-of way which affords only a secondary means of access to abutting property.

Alteration as applied to a building or structure is a change or rearrangement in the structural parts or in the exit facilities, or an enlargement, whether by extending on a side or by increasing in height, or the moving from one location or position to another.

Antennas shall include all conventional communication receiving devices in addition to all types of Satellite UV receiving units. All antennas shall be considered structures for purposes of this code and require a permit. Roof dish antennas under three feet in diameter and, television antennas under three feet in height are exempt.¹

Apartment/Multi-Family a building arranged, intended or designed to be occupied by three or more families living independently of each other.

Basement is a story, suitable for business or habitation, partially below the level of the adjoining street or ground and below the first tier of floor beams or joists. When a basement floor is less than two (2) feet below the average grade, it will be rated as the first story or ground floor.

Boarding House is a dwelling where meals or lodging and meals are provided for compensation to two (2) or more persons by pre-arrangement for definite periods. A boarding house is to be distinguished from a hotel.

¹ (Revised 11-30-1995)

Building is a structure designed, built or occupied as a shelter or roofed enclosure for persons, animals or property, and when separated by a firewall, each such separated portion of such structure shall be deemed a separate building.

Building, Earth-Sheltered is a structure built wholly or partially underground which may have one or more floors at ground level designed for permanent occupancy. This type of dwellings is to be differentiated from a basement dwelling in that earth-sheltered dwellings are designed for permanent occupancy. No additional stories are planned for a later date, as with basement dwellings.

Building Height is the vertical dimension measured from the average elevation of the finished lot grade at the front of the building, to the highest point of ceiling of the top story in the case of a flat roof; to the deck line of a mansard roof; and to the average height between the plate and ridge of a gable, hip or gambrel roof.

Building Line is a line in back of and parallel to the street right-of-way line which intersects the closest portion of a structure existing or to be constructed, excluding steps and uncovered porches.

Building, Principal is the building housing the principal activity performed on any lot.

Centralized Sewer System is where individual lots are connected to a common disposal system, whether publicly or privately owned and operated.

Centralized Water System is where individual lots are connected to a common distribution system, whether publicly or privately owned and operated.

Deck is a structure on an area adjoining a dwelling that is adapted similarly to the same use as a porch or patio.¹

Density is the number of families residing on or dwelling units developed on an acre of land.

Dwelling is any building (except a house trailer or mobile home as defined herein), which is wholly or partly used or intended to be used for living or sleeping² by one or more human occupants.

Dwelling, Cluster is a single family attached or detached building designed for or occupied exclusively by one family.³

¹ Revised (05-11-1989)

² Revised (05-12-1993)

³ Revised (05-09-2001)

Dwelling, Single Family is a detached building designed for or occupied exclusively by one family and occupies its own legal lot of record which meets the minimum lot size standards of the appropriate zoning district at the time it was created.¹

Dwelling, Two-Family is a detached building designed for or converted or occupies exclusively by two families living independently of each other with cooking and toilet facilities in each dwelling unit.

Dwelling, Multi-Family is a detached building designed for or converted or occupies by three or more families living independently of each other with cooking and toilet facilities in each dwelling unit.

Dwelling, Single-Family Attached is a building of either one or two story construction consisting of two or more dwelling units, not one above another, having common or adjoining walls and designed so that every dwelling unit has a private outside entrance at ground level.

Dwelling Unit is a space within a dwelling comprising living, dining, sleeping room or rooms, storage closets as well as space and equipment for cooking, bathing, and toilet facilities all used by only one family.²

Elderly Senior Citizens are persons who are fifty-five years of age or older.³

Essential Service is the erection, construction, alteration or maintenance by public utilities or municipal departments or commissions of underground or overhead gas, electrical, steam, or water transmission or distribution systems, collection, communications, supply or disposal systems, including poles, wires, mains, drains, sewers, pipes, conduit, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, and other similar equipment and accessories in connection therewith, but not including building reasonably necessary for the furnishing of adequate service by such public utilities or municipal departments or commissions or for the public health or safety or general welfare.

Family is one or more persons occupying a dwelling unit and living as a single housekeeping unit whether or not related to each by birth or marriage as distinguished from a group occupying a boarding house, lodging house, hotel, tourist dwelling, sorority or fraternity. A family may also include domestic servants and gratuitous guests.

Garage, Private is a building or part thereof accessory to a main building and providing for the storage of automobiles and in which no occupation or business for profit is carried on other than that permitted as a home occupation and not reducing the storage of that number of vehicles for which such garage was designed.

¹ Revised (05-09-2001)

² Revised (05-12-2003)

³ Revised (05-23-1993)

Garage, Public or Storage is a building or part thereof other than a private garage for the storage of motor vehicles and in which service station activities may be carried on.

Gasoline Service Station is any area of land, including any structure or structures "Hard Surface" is a surface of Portland cement, bituminous asphaltic cement or paving bricks. Gravel, chip and seal or other similar treatments are not to be considered hard surfaces for the purposes of this Zoning Resolution.

Home Occupation is any use customarily conducted entirely within a dwelling and carried on by the inhabitants thereof, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof. Clinics, hospitals, barber shops, beauty shops, tea rooms, tourist homes, animal hospitals, kennels, among others shall not be deemed to be home occupations.

Hotel or Motel is a building occupied or used as a more or less temporary abiding place of individuals or groups of individuals with or without meals and in which there are more than five (5) sleeping room and in which no provision is made for cooking in any individual room.

Junk is litter, scrap iron, scrap tin, scrap brass, scrap copper, scrap lead or scrap zinc and all other scrap metals and their alloys, and bones, rags, used cloth, used rubber, used rope, used tinfoil, used bottles, old or used machinery, used tools, used appliances, used fixtures, used utensils, used lumber, used boxes or crates, used pipe or pipe fittings, used automobile or airplane tires, and other manufactured goods that are so worn, deteriorated or obsolete as to make them unusable in their existing condition but are subject as being dismantled.

Junk Motor Vehicle is a motor vehicle that meets all of the following criteria: 1) Three years old or older; 2) Apparently inoperative; 3) Extensively damaged including but not limited to any of the following; missing wheels, tires, engine, or transmission.¹

Junkyard is a place where junk, waste, discarded, or salvaged materials are bought, sold, exchanged, stored, baled, packed, disassembled or handled, including automobile wrecking yards, house wrecking, and structural steel materials and equipment, but not including the purchase or storage of used furniture and household equipment, used cars in operable condition, used or salvaged materials part of manufacturing operations.

Landscaping shall consist of a combination of living materials such as grass, ground covers, shrubs, trees, and may include non-living durable materials such as rocks, mulch, decorative walls, fences but shall exclude paving and road gravel.²

¹ Revised (02-10-1999)

² Revised (11-30-1995)

Loading Space is an off-street space or berth on the same lot with a building or contiguous to a group of buildings for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials and which abuts upon a street, alley or other appropriate means of access.

Lot is a parcel of land occupied or capable of being occupied by one or more buildings and the accessory buildings or uses customarily incident to it including such open spaces as are required by this Resolution.

Lot, Corner is a lot at the point of intersection of and abutting on two or more intersecting streets, the angle of intersection being not more than 135 degrees. It is the land occupied or to be occupied by the corner buildings.

Lot, Depth of is the main distance from the right-of-way line of the street at the front of the lot to its opposite rear line measured in the general direction of the side lines of the lot. Where the right-of-way is not established it shall be assumed to be sixty (60) feet.

Lot Frontage is the distance between side lot lines measured along a right-Of-way line of a public or private street.

Lot Interior is a lot other than a corner lot.

Lot Lines are the lines defining the limits of a lot.

Lot, Minimum Area of is the area of a lot computed exclusive of any portion of any right-of-way for any public or private road.

Lot of Record is a lot which is part of a subdivision, the plat of which has been recorded in the Office of the Recorder of Medina County or a lot described by metes and bounds, the deed to which has been recorded in the Office of the Recorder of Medina County.

Lot, Width of is the width measured at the actual building line.

Minimum Building Setback Line is a line in back of a parallel to the street right-of-way line and at such distance from the street right-of-way line as required by the minimum building setback in the district in which it is located. Where the right-of-way width is not established it shall be assumed to be sixty (60) feet.

Minimum Living Floor Area is the living floor area and shall consist of areas such as living room, bedroom, bathroom, dining room, rooms for cooking, den, library and family rooms, but shall not include areas such as porches, breezeways, terraces, utility rooms, garages and basements.

Mobile Home is a movable or portable structure designed and constructed to be towed as a unit or units on its or their own chassis and running hear on the public streets or highways and designed, constructed and equipped with the necessary service connections for human occupancy and habitation.

Non-Conforming Use is a lawful building, structure or use of land existing at the time of the enactment of this Resolution which does not conform to the regulations.

Nursing or Convalescent Home is any dwelling with sleeping rooms where persons are housed or lodged and furnished with meals and nursing care for hire.

Open Space is an area of land which is in its natural state or is developed only for the raising of agricultural crops or for public outdoor recreation.

Parking is the temporary holding of a vehicle for a period longer than required to load or unload persons or goods.

Patio/Courtyard an area that adjoins a dwelling, is often paved and is adapted especially to outdoor dining.,¹
⁷ this includes fire pits and outdoor kitchens.

Public Utility is any person, firm, corporation, governmental agency or board fully authorized to furnish and furnishing to the public electricity, gas, steam, telephone, telegraphy, transportation, water or any other similar public service. ²

Retirement Community Facility – definitions and all references removed 02-23-2001. ³

Rooming House or Lodging House is a building other than a hotel where lodging only is provided for two (2) or more persons for compensation pursuant to previous arrangement but not open to the public or transients.

School is any building or group of buildings which meet State requirement as a vocational facility or which meets State requirements for elementary, secondary or higher education. ⁴

School, Elementary is any school licensed by the State that meets State requirements for elementary education.⁵

School, Secondary is any school licensed by the State and that is authorize to award diplomas for secondary education. ⁶

¹Revised (03-15-2000)

² Revised (05-02-1993)

³ Revised (02-23-2001)

⁴ Revised (12-10-1997)

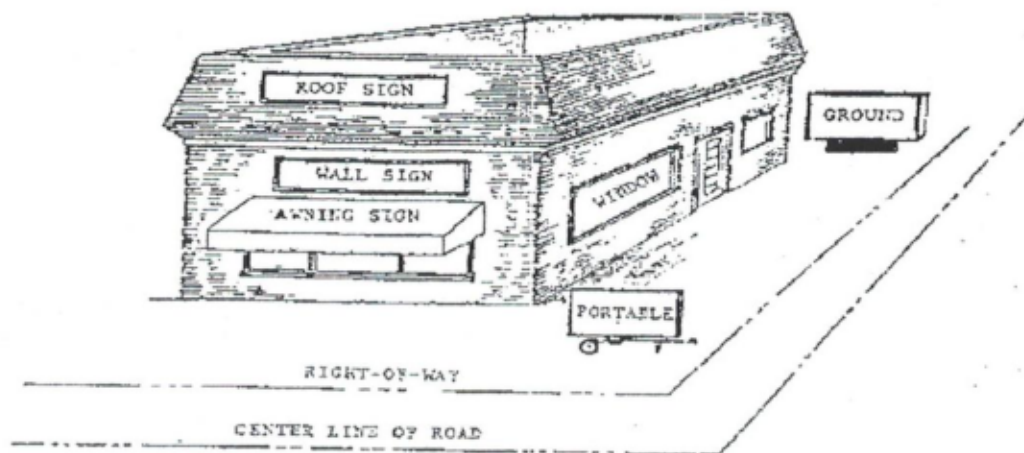
⁵ Revised (12-10-1997)

⁶ Revised (12-10-1997)

⁷ Added (01-03-2016)

Shelter, Fallout is a structure or portion of a structure intended to provide protection to human life during periods of danger from nuclear fallout, air raids, storms, or other emergencies. Fallout shelters are accessory uses.

Sign a structure or natural object such as a tree, rock, bush and the ground itself, or part thereof, or device attached thereto or painted or represented thereon, including any letter, word, banner, flag, balloon, other inflatable devise, pennant, badge, or insignia of any governmental agency or of any charitable, or religious, educational or similar organization and/or search light, which shall be used to attract attention to any object, product place, activity, person, institution, organization or business. The word "sign" shall include a writing, representation, other figure of similar character located on the interior of a building only when (1) illuminated (2) located so as to be viewed from the exterior of a building. ¹



Sign, Figure A – Revised (03-15-2000)

Sign, Awning is a sign that is mounted on, painted on or attached to an awning.

Sign, Billboard is a sign which directs attention to a business, commodity, service or entertainment conducted, sold or offered at a location other than the premises on which the sign is located. See "Sign, Off-Premises" or "Sign, Outdoor Advertising".

¹ Revised (11-30-1995))

Sign, Digital Message is a sign on which the copy/image changes through electrical or electronic intervals. ¹

Sign, Directional is a sign which has as its primary function to direct vehicular or pedestrian traffic upon a premises and which contains no advertising matter other than the name of the business or other activity to which the sign relates. ²

Sign, Flashing is any directly or indirectly illuminated sign which exhibits changing natural or artificial light or color effects by any means whatsoever.

Sign, Freestanding is any non-movable sign not affixed to a building.

Sign, Governmental is a sign erected and maintained pursuant to and in discharge of any governmental functions or required by law, ordinance or other governmental regulation.

Sign, Ground is any sign placed upon or supported by the ground independent of any other structure. See Figure A. ³

Sign, Identification is a sign giving the nature, logo, trademark or other identifying symbol, address, or any combination of the names, symbols and addresses of building, businesses, developments or establishments on the premises where they are located.

Sign, Illuminated is a sign lighted by or exposed to artificial lighting either by lights on or in the sign or directed towards the sign.

Sign, Inflatable is a static air or gas filled structure. ⁴

Sign, Off-Premise See "Sign, Billboard" or "Sign, Outdoor Advertising".

Sign, Outdoor Advertising is a structure or surface including the supporting structure made necessary thereby, which is or is to be erected upon the ground, or wall of a building and which is used, erected, intended and/or designed to be used for the public display of posters, painted display of posters, painted displays, electrical displays, pictures or other pictorial or reading matter, for the benefit of a person, organization, business, or cause not residing or located on the lot or in the building or on a lot adjoining the lot or building where said appliance, structure or surface is, or is to be located. An outdoor advertising sign shall include: any card, cloth, plastic, paper, metal, painted glass, wood, plaster, stone or other sign of any kind or character whatsoever, placed for outdoor advertising purposes on the ground or on any tree, wall, bush, rock, post, fence, building, structure or thing whatsoever. For the purpose of these regulations, the term outdoor advertising signs shall not include temporary political and special event signs as regulated by this Resolution. See "Sign, Billboard" or "Sign, Off-Premise"

¹ Revised (05-28-2010)

² Revised (03-15-2000)

³ Revised (03-15-2000)

⁴ Revised (01-02-2015)

Sign, Portable removed by resolution (01-02-2015) See "Sign, Temporary"

Sign, Roof is a sign that is mounted on the roof of a building or which is wholly dependent upon a building for support and which does not project above the point of a building with a flat roof or the eave line of a building with a gambrel, gable, hip or mansard roof. See Figure A.

Sign, Temporary is a sign affixed to a building, structure or placed on the ground constructed of cloth, canvas, fabric, plywood or other material designed or intended to be displayed for a limited period of time. See Figure A.¹

Sign, Wall is any sign painted on, attached to or erected against or incorporated as a part of the wall of a building or structure with the exposed face of the sign in a plane parallel to the plane of said wall. See Figure A.

Sign, Window is a sign that is applied or attached to the interior of a window or located in such manner within a building that it can be seen from the exterior of the structure through a window. See Figure A.

Story, Height of is the vertical distance from the top surface of one floor to the top surface of the next above. The height of the topmost story is the distance from the top surface of the floor to the top surface of the ceiling joists.

Street, Public is a public thoroughfare which has been dedicated or deeded to the public for public use and accepted by the County and which affords principal means of access to abutting property.

Street, Private is a thoroughfare which affords principal means of access to abutting property built to present county engineering standards but which has not been deeded to the public.²

Structure is anything constructed or erected which requires location on the ground, including billboards, decks, swimming pools, hot tubs, ponds and lakes but not including fences or walls used as fences, driveway basketball nets, swing sets, driveways and similar items.³

¹ Revised (01-02-2015)

² Revised (04-17-1985)

³ Revised (03-15-2000) and (Revised (03-10-2003

Structural Alterations is any change in the supporting members of a building such as bearing walls, columns, beams, girders or any substantial changes in the roof and exterior walls.

Swimming Pools/Hot Tubs shall be deemed as accessory use and a structure. ¹

Thoroughfare is a street or alley.

Tourist Home is a dwelling in which overnight accommodations are provided or offered for transient guests for compensation.

Truck, Light is a truck which as a gross vehicle weight of 10,000 pounds or less. ²

Trailer Park or Mobile Home Park is an area where two (2) or more trailers or mobile homes are parked or which is used or offered for the purpose of providing parking space for two (2) or more trailers for dwelling and sleeping purposes.

Yard Depth, Front is the perpendicular distance between the street right-of-way line and the nearest portion of any structure existing or to be constructed excluding steps and uncovered porches. Where the right-of-way is not established, it shall be assumed to be sixty (60) feet.

Yard Depth, Rear is an open unoccupied space on the same lot with any building between the rear line of the building and rear line of the lot and extending the full width of the lot.

Yard Width, Side is the perpendicular distance between the established side lot line and any portion of any structure existing or to be constructed on said lot.

¹ Revised (11-30-1995)

² Revised (11-30-1995)

ARTICLE III

GENERAL REGULATIONS

SECTION 301 DISTRICTS AND MAPS

For the purpose of carrying out the provisions of this Resolution, the unincorporated area of Medina Township is hereby divided into the following districts:

1. RR – Rural Residential District
2. SR—Suburban Residential District
3. UR—Urban Residential District
4. BL—Limited Business District
5. BG—General Business District
6. BI—Intensive Business District

The districts, as shown on the map hereto attached are to be used as a general guide. The official zoning district map is on file at the Medina Township Hall.

SECTION 302 GENERAL COMPLIANCES

- A. Except as hereinafter provided, it shall be unlawful to locate, erect, construct, reconstruct, enlarge or structurally alter any building, except in conformity with the regulations of the district in which such building is located.
- B. Except as hereinafter provided, it shall be unlawful to use any land or building for any purpose other than is permitted in the district in which such land or building is located.
- C. No open space provided about any building, for the purpose of complying with the provisions of this Resolution, shall be considered as providing open space for any other building.
- D. No parcel of land held under one ownership, with or without buildings, at the time this Resolution become effective, shall be so reduced, nor shall any such parcel be subdivided in any manner below the minimum lot width and lot area required by this Resolution.

SECTION 303 GENERAL REGULATIONS OF LOTS AND BUILDINGS

- A. Principal Buildings – No more than one principal building shall be permitted on any one lot, and every principal building shall be located on a lot having frontage on a public or private street. ¹
- B. Corner Lots – Corner lots in all districts are required to have the minimum front yard requirements as indicated in that districts facing both streets.

¹ Revised (04-17-1985)

- C. Required Yards – All buildings shall maintain the minimum frontage, side and rear yards indicated in that district.
- D. Accessory Buildings – Accessory buildings shall comply with all yard regulations applicable to the principal building.
- E. Building Height
 - 1. Except as specifically stated in other parts of these regulations no building shall be erected, converted, enlarged, reconstructed or structurally altered to exceed a maximum height of 35 feet.
 - 2. Fire or parapet walls, skylights, towers, flagpoles, chimneys, smokestacks, water tanks or similar structures may be erected above the height limits herein. The above exceptions may not be erected to exceed more than 15 feet over the height limits; nor shall such structure be used for any purpose other than a use incidental to the main use of the building.
 - 3. Radio, television and other communication aerials or masts, steeples and bell-towers may be erected to any height if the structure is set back from each yard line at least one (1) foot for each foot of additional structure height above the limit otherwise provided in the district in which the structure is located.¹

SECTION 304 – USES EXEMPT FROM REGULATION

- A. Agriculture – Nothing contained in this Resolution shall prohibit the use of any land for agricultural purposes or the construction or use of buildings or structures incident to the use for agricultural purposes of the land upon which said buildings or structures are located and no zoning certificate fee shall be charges for such use, building or structure subject to the following:
 - 1. All farm buildings shall conform to the yard requirements of the applicable zoning district.
 - 2. Farm dwellings shall conform to all provisions of this Resolution and shall require a zoning certificate and fee.
 - 3. Farm markets or roadside stands as defined in the Ohio Revised Code Section 519.21 shall not be located within the road right-of-way and in no case shall be within 25 feet of the traveled portion of the road and shall provide adequate facilities for off the road parking.

¹Revised (02-23-2001)

- B. Public Utilities – This Resolution shall not apply to the location, erection, construction, reconstruction, change, alteration, maintenance, removal, use or enlargement of any buildings or structures of any public utility or railroad whether publicly or privately owned or the use of land by any public utility or railroad for the operation of its business.

SECTION 305 – NUISANCES

- A. Unlawful Uses – It shall be unlawful to use land in any district providing such use is noxious, dangerous or offensive by reason of odor, dust, smoke, gas, noise, fumes, flame, vibration, refuse matter or water-carried waste.
- B. Prohibited Uses – The following uses but not limited thereto shall be deemed to constitute a nuisance and shall not be permitted in any district:
1. Metallic powder works
 2. Manufacture of storage of explosives, gunpowder or fireworks
 3. Bulk petroleum station with tanks above ground
 4. Chemical plant
 5. Crematory
 6. Distilling of bones, fat or glue; glue or gelatin manufacturing
 7. Manufacturer of fertilizer
 8. Slaughter houses
 9. Dumping, storing, burying, reducing, dispensing of or burning garbage, refuse, scrap metal, rubbish, offal or dead animals, except such as a result from the normal use of premises unless such dumping is done at a place provided by the Township Trustees for such specific purposes¹
 10. Pollution of streams or watercourses
 11. Junkyards, automobile graveyards or places for the collection of scrap metal, paper, rags, glass or junk for sale, salvage or stored purposes

¹Revised (08-13-1998)

12. Trailer parks, cabins/cottages ¹
13. Outdoor theaters, commercial amusement parks
14. Hospitals and sanitariums for contagious diseases, insane mental cases, drug or liquor addicts
15. Aviation fields
16. Basement wholly or partially below the grade or the lot upon which they are located for dwelling purposes, temporary or permanent. Earth sheltered buildings as defines in Article II are specifically permitted
17. Tents, except those erected by scouts, church groups, civic groups, supervised by owner of property and leader of group not to remain longer than a two week period
18. Storage of Junk Motor Vehicles which are not concealed as per Medina Township Trustees Resolution dated June 9, 1998, as Number 98-0008. ²

SECTION 306 – SITE PLAN REVIEW

- A. Intent – Having prepared and adopted a Township Plan and established a continuing planning process, site plan review criteria are hereby established to achieve, among others the following purposes:
 1. To provide for the integration of new developments with the surrounding environment.
 2. To ensure that new development will make proper use of the natural environment.
 3. To ensure that sites are properly designed for traffic circulation and emergency access.
 4. To provide assurances that a single development or one built in progressive stages will be completed in accord with the approved design.
- B. Review Required – Site plans shall be reviewed by the **(1)** Zoning Inspector, **(2)** Zoning Commission and **(3)** Township Trustees as required by this section for all uses except residential uses in residential districts. The Township Trustees may find that a site plan review is not required where no changes are proposed. Site plans shall be reviewed as states on the Medina Township Site Plan Review Procedure Form. ³

¹ Revised (03-15-2000)

² Revised (02-10-1999)

³ Revised (07-09-1996)

- C. Review of Large Developments – Sites which are ultimately intended for more than one building, whether located on a single parcel or on development plan for the entire site prior to approval of the more detailed plans required below. A general development plan shall include all adjoining land in common ownership or control at the time of application. Applications for a general plan approval shall be filed with the Zoning Commission Secretary and shall show approximate locations of all buildings; drive openings to adjacent streets and major internal drives. The general plan shall be reviewed by the Zoning Commission and Township Trustees as specified in E below and shall be subject to the review standards in G below. Review of a general plan shall focus on circulation within the site, between adjacent sites, between the site and adjacent highways. All detailed site plans shall comply with the circulation system on the general development plan. The general development plan shall be applicable to all present and future owners of the land encompassed therein. ¹
- D. Application for Plan Approval – An application for review of a detailed site plan shall be filed with the Zoning Commission Secretary. The application may be filed by the developer on behalf of the land owners or by a group of owners acting jointly. The application shall include unless waived by the Township Trustees as not being applicable for small projects, the required number of copies of the following maps, plans, designs and supporting documents: ²
1. A property location map and topographic survey of the proposed development area including property lines, easements, street right-of-way, topographic contours at the two-foot intervals, existing structures and landscape features.
 2. Plans of the development including the following elements:
 - a) Site plan drawn to a legible scale, indicating the location, type, and use of buildings, the use and divisions of all land and the location of structures on surrounding properties. All commercial structures will show the gross square footage, (based on the Exterior dimensions of the building), the net square footage and design/seating capacity (when applicable). ³
 - b) Architectural drawing of buildings and other structures including signs.
 - c) Existing wooded areas and large isolate trees one foot or more in diameter.
 - d) Landscape Plan – Refer to Section 306, Paragraph J. ⁴
 - e) Recreation, open space and other land features.

¹Revised (03-12-1992)

²Revised (11-20-1995)

³Revised (03-15-2000)

⁴Revised (07-09-1996)

- f) The substance of covenants, grants of easements, or the restrictions proposed to be imposed upon the use or maintenance of lands and buildings.
 - g) Such other reasonable information as may be required.
 - h) A fee for site plan reviews as established in the Schedule of Fees.
- E. Referral for Review and Reports – Upon receipt of an application for a site plan review, the Zoning Commission Secretary shall refer the site plan to the **(1)** Zoning Commission, **(2)** Zoning Inspector, and **(3)** Township Trustees for review. The Township Trustees may seek expert advice and recommendations from the County Engineer, Planning Commission, and/or other County agencies or private consultants. The Trustees shall within 60 days of the receipt of the complete application along with recommendations from the Zoning Inspector and Zoning Commission grant approval of the plan as submitted, grant approval subject to specific changes or conditions or deny approval of the plan. ¹
- F. Final Plan – Should any modifications be required by the Township Trustees during the preliminary plan approval procedures, a final plan shall be required. The Township Trustees shall act upon the final plan at its next regularly scheduled meeting after submission of the plan. ²
- G. Review Criteria – Criteria utilized by the Zoning Commission and Township Trustees during the review process shall include, but not be limited to the following:
- 1. All developments should be designed to preserve the natural amenities of the site.
 - 2. The site plan shows a proper relationship between thoroughfares, service roads, driveways and parking areas and the requirements of this Resolution.
 - 3. All development features including the principal buildings, open spaces, service roads, driveways, and parking areas are so located and related as to minimize the possibility of any adverse effects upon adjacent development.
 - 4. Grading, surface drainage and sediment control provisions comply with applicable sections of the Medina County Storm-water Management and Sediment Control Regulations.
 - 5. The design and construction standards of all public improvements shall conform to the provisions of the Medina County Subdivision Regulations.

¹Revised (03-12-1992)

²Revised (03-12-1992)

6. Maximum possible visual privacy for residential properties adjacent to unlike use or uses shall be provided through good design and landscaping.
 7. The Architectural design of buildings should be developed with consideration given to the relationship of adjacent development in terms of building height, mass, texture, materials, line, pattern and character.
 8. Building location and placement should be developed with consideration given to minimizing removal of trees and change of topography.
 9. On-site circulation should be designed as to make possible adequate fire and police protection.
 10. Lighting shall be so designed as to create neither a hazard nor a nuisance to adjacent properties and uses.
 11. Site design methods to decrease energy consumption should be encouraged. Energy conservation methods may include, but not be limited to orientation of buildings to maximize solar access and natural ventilation from prevailing summer breezes, use of landscape materials for shade and for winter wind barriers and use of topography to deflect winter winds.
 12. Trash storage and other outdoor storage areas shall be screened from adjacent properties and/or from adjacent streets.
 13. The plan shall conform to the concepts expressed in the adopted Medina Township Development Policy Plan and to the intent and substance of the zoning district.
- H. Conformance with Approved Final Plan – The use, placement and dimensions of all buildings, driveways, sidewalks, parking areas, curb cuts and the installation landscaping, fences and walks shall conform to the approved final plan.

Zoning Inspector must inspect new construction sites prior to construction. At the completion of a stake survey, an applicant must contact the Zoning Inspector for an appointment for inspection. ¹

A financial guarantee shall be placed with the Medina Township Trustees to ensure the installation of the landscaping, the hard surfacing of private drives and parking areas and the surface water drainage, all in conformance with approved plans. This financial guarantee shall be in the form of a performance bond, bank draft or certified check in the amount of 10% (percent) of the building cost with a minimum of \$1,000 and a maximum of \$10,000. ²

¹Revised (07-09-1996)

²Revised (03-15-2000)

I. Issuance and Revocation of Zoning Certificate – Upon the approval of a site plan application and the deposit of a financial guarantee in an appropriate amount, the Zoning Inspector shall issue a zoning certificate specifying the conditions of the approval. Approval of a site plan and the zoning certificate, if any, however shall expire if construction has not begun within one year after the date of the approval. At the end of one year any deposit of a financial guarantee shall be returned to the depositor and each reapplication thereafter shall be accompanied by the required data and fees.

J. Landscaping Standards ¹ – as required by site plan

1. Objective: To enhance the architectural features of a structure and improve the appearance of off-street vehicle parking and of outdoor sales and service areas so as to protect and preserve the appearance, character and value of adjacent properties and thereby promote the general welfare by providing for the installation and maintenance of landscaping for screening effects and aesthetic qualities.

2. The landscaped area shall be left clear and unobstructed except for approved walks, signage, fencing, ground lighting device and fire protection devices. ²

3. Planting Area Requirements: (See Figure 1)

The area requirements set forth below shall apply where no specific provisions are otherwise set forth under the specific zone requirements.

a) Front Yard – Minimum twenty (20) feet in depth of the total front yard excluding right-of-way. ³

b) Building Front – Minimum ten (10) feet wide, the length of the building width and within thirty (30) feet of the façade. Area may be broken by entrance walks but walk area shall not exceed fifty (50%) percent of the building front area.

c) Side Yards – Minimum of fifteen (15) feet wide from the front yard to the rear yard per side.

d) Rear Yard – Minimum of fifteen (15) feet in depth the entire width of the lot.

4. Landscape Material Quality Standards:

The following minimum standards shall apply to the installation of all plant materials.

a) All plants shall conform to the American Association of Nurseryman Standards, "American Standard for Nursery Stock" latest edition.

¹Revised (11-30-1995)

²Revised (12-08-1998)

³Revised (03-15-2000)

- b) The following tree species may be used in any landscape plan but shall not be acceptable for allowance against the required quantity standards:

Miniature tree species:

Poplars
Willows
American Elm
Mountain Ash
Oregon Maples
Box Elder
Sumac

- c) The following tree species shall **NOT** be used:

Thorned Honeylocust
Osage Orange
Hawthorn (thorned varieties)
Cottonwood
Ailanthus (Tree of Heaven)
Catalpa

5. Landscape Material Size Standards:

- a) Evergreen Shrubs – Plants shall be no less than twenty-four (24) inches in height or in the case of spreading varieties of shrubs no less than twenty-four (24) inches in branch spread.
- b) Deciduous Shrubs – Plants shall be no less than thirty (30) inches in height.
- c) Conifers (Evergreen Trees) – Shall be no less than five (5) feet in height measured from the top of soil ball.
- d) Deciduous Trees – Shall be no less than one and three-fourths (1 ¾ inch caliper (trunk diameter) as measured at six (6) inches above the crown of the roots (if bare root) or from the top of the soil ball.
- e) Turf – Shall be either commercially grown sod or lawn quality seed. Seed shall be sown at a rate of not less than three (3) pounds per 1,000 sq. feet.

6. Landscape Material Quantity Standards:

a) Front Yard Requirements

1. A landscape area between the R.O.W. and the developed portion of the site shall be provided on all lots within the district.
2. The following minimum plant materials shall be provided:
 - One (1) tree for each fifty (50) linear feet of lot frontage or fraction thereof, not including drive entrances.
 - One (1) shrub for each ten (10) linear feet of lot frontage or fraction thereof, not including drive entrances.
 - Grass, ground covers or other approved live landscape treatment, excluding paving or road gravel.

b) Building Front Requirements

1. At least one-half of the building front area (as defined) shall be landscaped.
2. Landscape material shall include trees, shrubs, live ground covers and/or lawns and may include non-living durable materials such as rocks, mulch, decorative walls, and fences but shall exclude paving and road gravel.
3. The minimum number of trees required shall be according to the following schedule based on building width:

<u>Building Width</u>	<u>Number of trees</u>
To 80'	2
81' feet to 120 '	3
Over 120'	4

4. Each tree shall be planted in an individually landscaped area of not less than 100 sq. ft.

c) Perimeter Side and Rear Yard Landscaping Relating to Abutting Properties:

1. The side yards shall be planted with shrubs not to exceed four (4) feet in height (ultimate or maintainable growth) in front of the building setback line with no height restrictions behind the building setback line or in the rear yard. Trees shall be provided according to the following schedule:

2. The following minimum plant materials shall be provided:
 - One (1) tree for each one hundred (100) linear feet of sides and rear lot lines or fraction thereof, with fifty (50%) percent of the requirement to be evergreen trees. Areas will be calculated individually to determine individual requirement.
 - One (1) shrub for each fifteen (15) linear feet in front of the building setback line, one (1) shrub for each ten (10) linear feet in all other side and rear yards.
 - Grass, ground cover or other live landscape material excluding paving and road gravel and may include non-living durable materials such as rocks, mulch, decorative walls and fences.

d) Interior Landscaping – Parking Lots

1. Ten (10) square feet of landscaped area shall be provided for each parking space (shown striped in Figure 2) excluding spaces abutting a perimeter driveway for which landscaping has already been provided.
2. Total landscaped area shall be separated into smaller specific areas which will be located so as to break up the expense of pavement.
3. Each separate landscaped area shall be not less than one-hundred (100) square feet in area, and shall contain at least one (1) tree.
4. One (1) tree with a clear trunk of at least five (5) feet shall be provided for each one-hundred (100) square feet or fraction thereof of individually required landscaped area.
5. In addition to trees, the landscaped areas shall be adequately planted or otherwise treated with approved landscaping materials not to exceed three (3) feet in height above parking lot grade.

e) Landscaping of other Vehicle Use Areas – under 50,000 square feet paved surface:

1. One (1) square foot of landscaped area shall be provided for each one hundred (100) square feet of paved area or fraction thereof, excluding the first 5,000 square feet. Landscape areas should be individual areas but in certain cases may be supplements to the perimeter.
2. One (1) tree with a clear trunk of at least five (5) feet shall be provided for each one hundred (100) square feet of required landscaped area or fraction thereof.

f) Landscaping of other Vehicle Use Areas – over 50,000 square feet:

1. One (1) square foot of landscaped area for each one hundred (100) square feet of paved area, for the first 50,000 square feet excluding the first 5,000, plus one (1) square foot of landscaped area for each two-hundred (200) square feet or fraction thereof.
2. Total landscaped area should be separated into smaller specific areas which will be located whenever possible to break up the expense of pavement.
3. Each area whether separated landscape or perimeter supplement must be one hundred (100) square feet or more in area and shall contain at least one (1) tree.
4. One (1) tree with a clear trunk of at least five (5) feet for each one hundred (100) square feet of required landscaped area or fraction thereof.
5. In addition to the trees, the landscaped areas shall be adequately planted or otherwise treated with approved landscaping material not to exceed three (3) feet in height.

7. Sight Distance Requirements for Plantings: (See Figure 3)

- a) Driveways – At all points of access from a public right-of-way (R.O.W.) unobstructed cross visibility shall be maintained between height of three (3) feet and six (6) feet above the level of the driveway, eight (8) feet above the surface of the driveway where semi-trailers enter or exit and up to ten (10) feet from the edge of the access drive.
- b) R.O.W. Corners – At the intersection of two or more right-of-ways. Unobstructed visibility must be maintained. All landscape material shall be kept below three (3) feet in height and/or above eight (8) feet in height in a triangle formed by an imaginary line with end points on the two R.O.W.'s thirty (30) feet from the intersection of the two R.O.W. lines. Height measurements are to be made from the level of the center (crown) of the adjacent street pavements.

8. Screening:

- a) Residential – Visual screening (e.g. walls, fences, hedges or combinations) shall be required between all residentially zoned or residentially used property and all parking or service functions on any business site. Screening shall be six (6) feet in height.
- b) Other Business – Visual screening (defined above) shall be allowed between all business parking areas, in side yard areas, but shall not exceed four (4) feet in height in front of the building setback line.

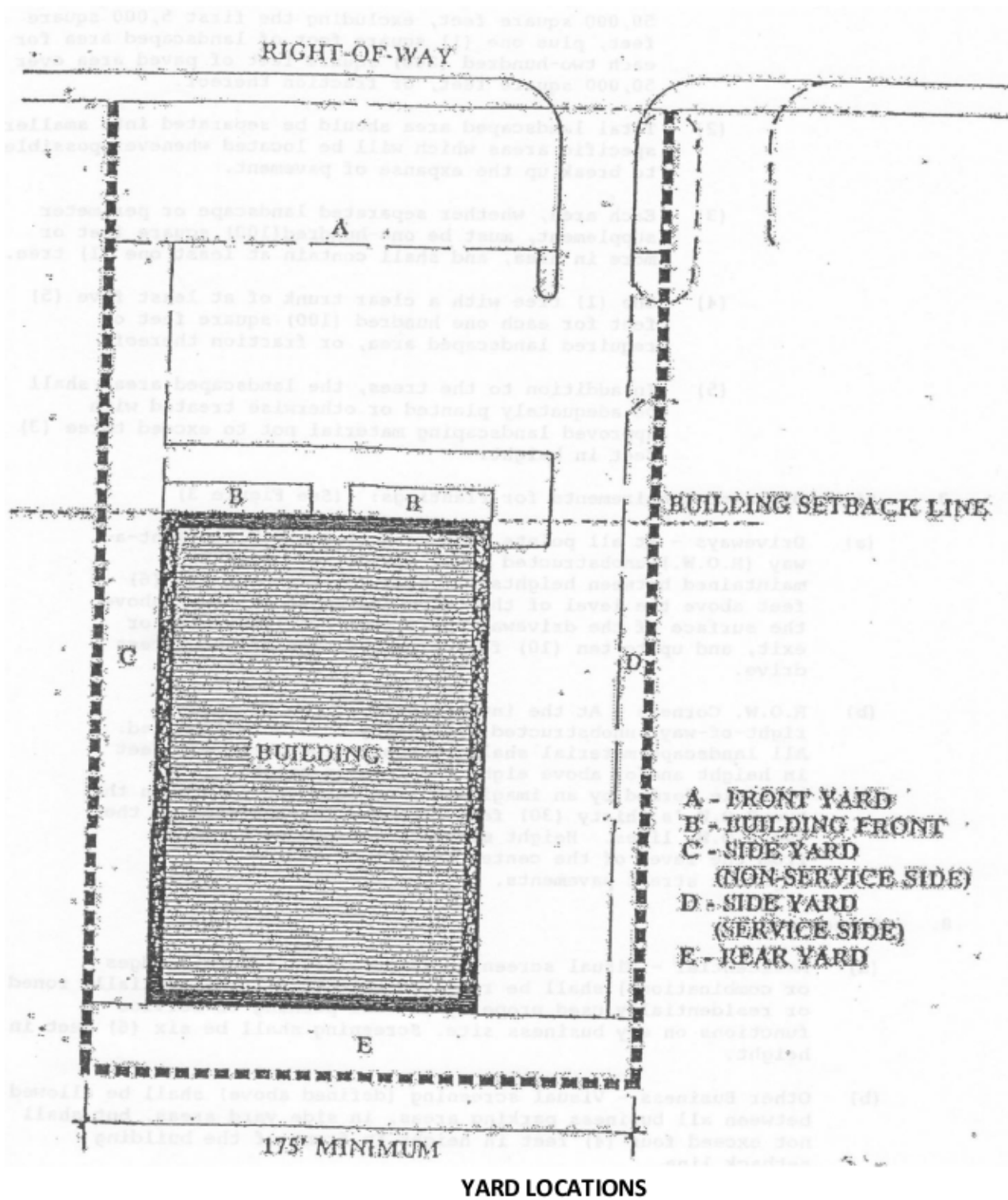
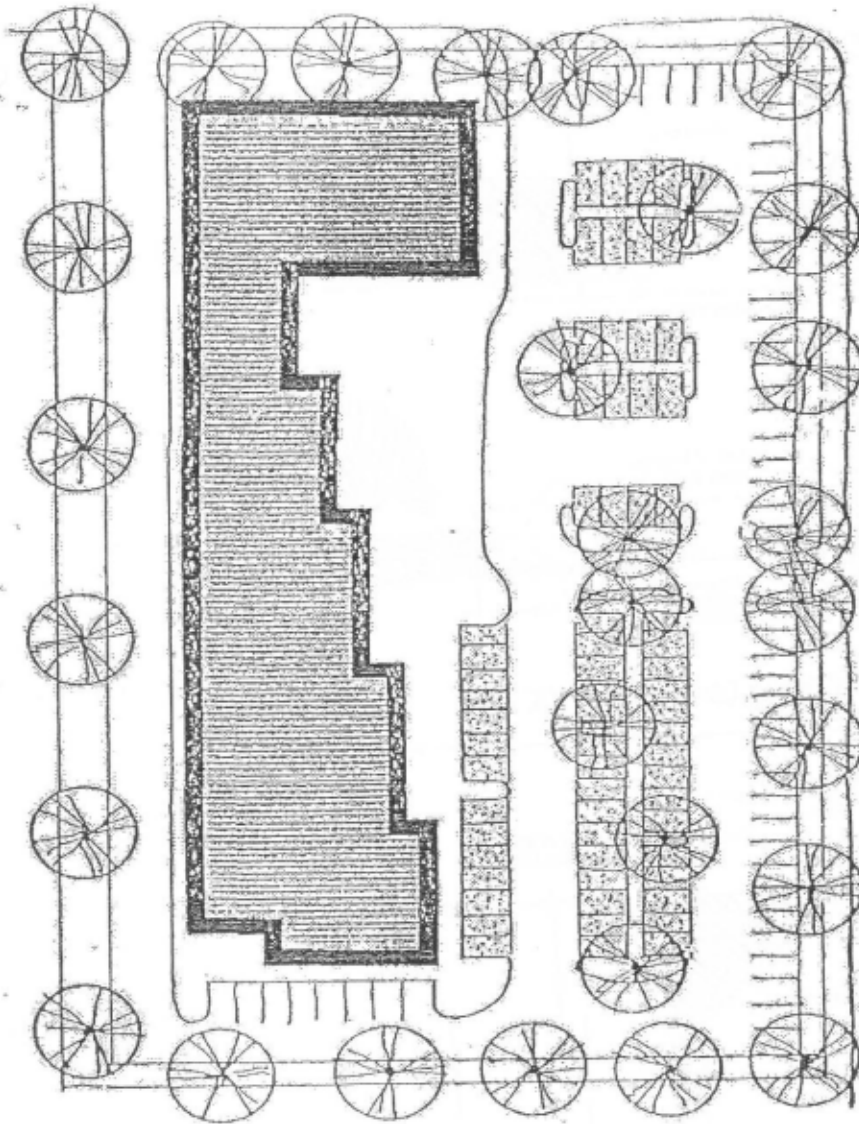
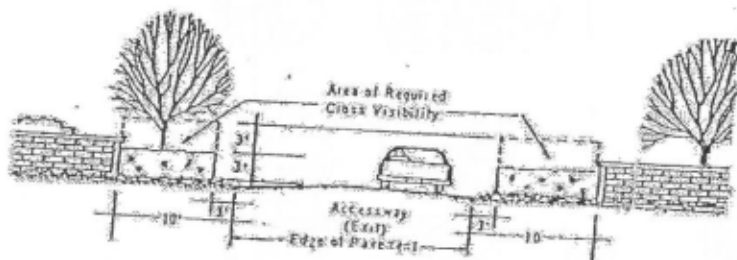
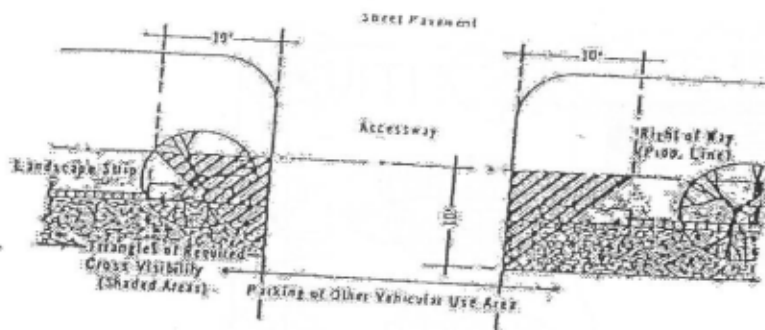


Figure 1 – (Revised 11-30-1995)

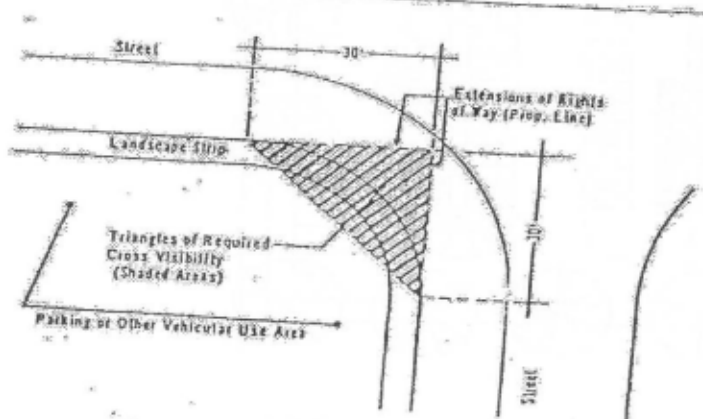


INTERIOR LANDSCAPING - PARKING LOTS

Figure 2 – (Revised 10-30-1995)



DRIVEWAYS (ACCESSWAYS)



R.O.W. CORNERS

Figure 3 – Revised (11-30-1995)

SECTION 307 – MINIMUM FLOOR AREA

A. No structure shall be erected, reconstructed, or converted for use as a dwelling unit unless the minimum living floor area per dwelling unit is provided as follows:

1. Single family attached or multi-family units:

- | | |
|------------------|-------------------|
| - One bedroom | 800 square feet |
| - Two bedrooms | 900 square feet |
| - Three bedrooms | 1,000 square feet |

2. One story single-family dwelling with full basement 1,000 square feet

3. One story single-family dwelling without a full basement 1,200 square feet

4. One and one-half (1½) or two (2) story single-family dwelling 800 square feet
minimum first floor

B. The term “Minimum living floor area” is defined in Article II.

SECTION 308 – SUPPLEMENTAL REGULATIONS

The following uses shall meet the special requirements listed for each use in addition to the standard regulations in the district in which the use is permitted:

A. Ponds and Lakes – Ponds and lakes are permitted in all districts. Public or private ponds or lakes, including embankments containing over 1-1 ½ feet of water depth shall be considered as structures for the purposes of permits. In no case shall a pond or lake be located closer than 25 feet to main building.

Ponds or lakes shall meet standards and specifications of the Medina County Soil and Water Conservation District and Chapter 1521 of the Ohio Revised Code. Lakes or ponds used for domestic water supply shall also meet the requirements of the Medina County Sanitary Code.

Upon making application for a zoning permit, the applicant is required to submit to the Zoning Inspector a copy of the proposed pond and/or lake plans which have been reviewed by the Medina County Soil & Water Conservation District and the Medina County Health Department if applicable.

The Zoning Inspector shall inspect ponds and lakes during their construction and shall require that all construction conforms to the approved plans.

- B. Home occupations – Home occupations are permitted as an accessory use according to the definition in Article II and the requirements listed below:
1. Such use shall not involve any extension or modification of the dwelling which will alter its outward appearance as a dwelling.
 2. There shall be no signs indicating the presence of the home occupation.
 3. Not more than 25% of the floor area of the dwelling including the basement shall be used to conduct the home occupation.
 4. No home occupation shall be conducted in an accessory building.
 5. The home occupation shall be conducted solely by persons residing on the premises with no non-resident employees.
 6. The home occupation shall not change the residential character of either the dwelling or the immediate neighborhood.
 7. The use shall not constitute primary or incidental storage for a business or activity conducted elsewhere.
 8. No activity, materials, goods, or equipment indicative of the home occupation shall be visible from the street or from adjacent property.
- C. Churches and Schools – In the districts so designated, churches and schools shall meet the following requirements, in addition to the standard district requirements. Where the following requirements differ from the standard district requirements, the stricter requirements shall apply:
1. All structures (except minor structures such as utility poles and meters) and activity areas shall be located at least 100 feet from all property lines.
 2. No lighting shall constitute a nuisance, shall in any way impair safe movement of traffic on any street or highway.
 3. The use shall be located on a major or secondary thoroughfare. For the purpose of this subsection, a major thoroughfare is defined as a state or federal highway and a secondary thoroughfare is defined as a county road.

4. All permitted installations shall be maintained in a neat, orderly condition so as to prevent injury to the community.
 5. Such uses shall not require uneconomical extensions of utility services at the expense of the community.
 6. Site locations shall be preferred that offer natural or man-made barriers that would lessen the effect of intrusion into an area.
- D. Educational, Religious, or Philanthropic Institutions, Institutions for Human Medical Care – In the districts so designated, these uses shall meet the following general and specific requirements, in addition to the standard district requirements. Where the following requirements differ from the standard district requirements, the stricter requirements shall apply:
1. All structures (except minor structures such as utility poles and meters) and activity areas shall be located at least 100 feet from all property lines.
 2. No lighting shall constitute a nuisance, shall in any way impair safe movement of traffic on any street or highway.
 3. The use shall be located on major thoroughfares or at intersections of major and/or secondary thoroughfares.
 4. All permitted installations shall be maintained in a neat, orderly condition so as to prevent injury to the community.
 5. Such developments shall be located adjacent to non-residential uses such as churches, parks, or commercial districts.
 6. Such uses shall not require uneconomical extensions of utility services at the expense of the community.
 7. Site locations shall be preferred that offer natural or man-made barriers that would lessen the effect of intrusion into an area.
- E. Cemeteries – In the districts so designated, cemeteries shall meet the following requirements in addition to the standard district requirements. Where the following requirements differ from the standard district requirements, the stricter requirements shall apply:
1. The area proposed for a cemetery shall be used for cemetery purposes only.

2. Only memorial park cemeteries having grave markers flush with the surface of the ground shall be permitted. The term "marker" to refer to the name of the deceased.
3. Except for office uses incidental to cemetery operations, no business or commercial uses of any kind shall be permitted on the cemetery site.
4. Minimum area required for a cemetery site to be 40 acres.
5. Pavement width of driveways shall be at least 20 feet.
6. Drives should be of useable shape, improved with bituminous, concrete, or equivalent surfacing and so graded and drained as to dispose of all surface water accumulation within the area.
7. Pavement is to be installed as development progresses and as indicated on the final plans approved by the Township Trustees.
8. Sufficient parking space shall be provided as to not deter traffic flow within the cemetery.
9. A gravesite shall not be within 200 feet of an existing residence and in no case shall a grave site be closer than 30 feet from an adjoining property line.
10. In order to provide visual screening from adjacent properties, the Township Trustees shall have the power to determine the need for and amount of plant materials, walls or fences, or any combination of these on any property line of land under consideration. The plans and specifications for the overall site development shall include the proposed alignments of such plantings and structures.
11. Only signs designating entrances, exits, traffic direction, and titles shall be permitted and must be approved by the Township Trustees.
12. Provisions shall be made for landscaping throughout the cemetery.
13. Location of cemetery buildings and all other structures shall conform to front, side, and rear yard building lines of the particular district in which it is located.
14. No gravesites shall be located within 100 feet of the right-of-way of any publicly dedicated thoroughfare.
15. The Township Trustees shall require that financial guarantees be made that the cemetery will be developed as proposed on the plans approved by the Trustees. Guarantees shall be in a form approved by the Trustees and may be one of the following:

- a) A financial guarantee in the amount of \$25,000 for cemeteries of 40 acres. An additional \$5,000 shall be required for each 10 acres added at a later date. The amount of the guarantee will be reduced annually and by an amount that will leave the balance of the guarantee proportional to the portion of the cemetery not developed to the specifications of the plans approved by the Trustees..
- b) Other Methods as might be worked out by the Township Trustees, developers and their legal advisors.

16. The Township Trustees shall require that a trust fund of an amount set by the Trustees be established by the cemetery developers for the perpetual maintenance of the cemetery grounds. The trust fund would be established before any burial spaces are sold or used and would be held and invested by a financial institution mutually agreed upon by the developers and the Township Trustees. A percentage of the money from the sale of each burial space would be put in to the maintenance trust fund. The percentage would be an amount set by the Township Trustees. Interest yielded by the fund would be applied toward the maintenance of the cemetery grounds.

F. Multi-Family Dwellings – All single-family attached cluster and multi-family dwellings in any Business District should adhere to the requirements outlined in Section 403.4.E covering single-family attached cluster and multi-family development in Planned Unit Developments excluding the minimum acreage requirement plus the requirements set forth below. ¹

- 1. Lighting shall not constitute a nuisance, shall in any way impair safe movement of traffic on any street or highway.
- 2. All permitted installations shall be maintained in a neat orderly condition so as to prevent injury to the community.
- 3. To secure the optimum effect of transition from a residential to a non-residential district, the Township Trustees shall have the power to determine the need for and amount of plant materials, walls, fences or any combination of these on any property line of land under consideration. The plans and specifications, including density and height figures for the overall site development shall include the proposed arrangement of such plantings and structures.
- 4. Density shall not exceed the following maximums:
 - a) BL District – 6 dwelling units per acre per parcel
 - b) BI District – 6 dwelling units per acre per parcel ²

¹Revised (05-09-2001) and (03-10-2003)

²Revised (07-09-1997)

5. Density shall be calculated so as to exclude all public and private right-of-ways.¹
6. There shall be no more than six (6) dwelling units per structure.
7. Minimum site area – one (1) acre.
8. All units shall be serviced by central sewer and central water.
9. All utilities shall be installed underground.
10. Outdoor refuse storage shall be screened from view.
11. These uses shall comply with the lot width and frontage requirements and the front, side, and rear setback requirements in the applicable zoning districts.
12. Individual multi-family buildings shall be separated from each other by at least 15 feet.
13. Multi-family dwelling shall be appropriately screened or buffered from adjacent non-residential uses.

G. Governmentally Owned Building/Facilities (Non-Recreational)

In the districts so designated, these uses shall meet the following requirements, in addition to the standard district requirements. Where the following requirements differ from the standard district requirements, the stricter requirements shall apply:

1. All structures (except minor structures such as utility poles and meters) and activity areas shall be located at least 100 feet from all property lines.
2. Lighting shall not constitute a nuisance, or shall in any way impair safe movement of traffic on any street or highway.
3. The use shall be located on major thoroughfares or at intersections of major and/or secondary thoroughfares.
4. All permitted installations shall be maintained in a neat orderly condition so as to prevent injury to the community.

¹Revised (04-17-1985)

5. Site locations shall be preferred that offer natural or man-made barriers that would lessen the effect of intrusion into the area.
 6. Such uses shall be properly landscaped to be harmonious with surrounding residential uses.
- H. Recreational Uses (Non-Campground) – In the districts so designated, this use shall meet the following requirements in addition to the standard district requirements. Where the following requirements differ from the standard district requirements, the stricter requirements shall apply:
1. All structures (except minor structures such as utility poles and meters) and activity areas shall be located at least 100 feet from all property lines.
 2. Loud speakers which cause a hazard or annoyance shall not be permitted.
 3. There shall be no more than one directional identifying sign oriented to each abutting road identifying the activity.
 4. Lighting shall not constitute a nuisance or in any way impair safe movement of traffic on any street or highway.
 5. All permitted installations shall be maintained in a neat orderly condition so as to prevent injury to the community.
 6. Site locations shall be preferred that offer natural or man-made barriers that would lessen the effect of intrusion into an area. Such uses should be properly landscaped to be harmonious with surrounding residential uses.
 7. Only retail uses which are customarily accessory or incidental to the main recreational use shall be permitted as part of the park. Permitted retail uses are refreshment stands, concession stands, and park office. Buildings and signs for such retail uses shall not be arranged to attract customers from adjacent highways.
- I. Oil and Gas Wells – Oil and gas wells shall meet the following requirements in addition to compliance with Chapter 1509 of the Ohio Revised Code and other applicable State and Federal laws:
1. Tanks shall be kept painted, manholes locked, and remote fill valves be locked.
 2. Three (3) copies of a site plan shall be submitted to the Township Zoning Inspector showing the location of the main power and gas shut-offs, all wells, any fences, and any facilities related to wells, including the directions of flows and control mechanisms. Information regarding the access point

(or street address is one exists) for the well head and storage tanks shall also be provided. Any change from the original site plan shall be updated.

3. Valves, fences shall be keyed alike, with keys on deposit with the township police and fire departments. Emergency phone numbers shall also be supplies to the township police and fire departments.
4. Shut-off valves shall be painted a conspicuous color.
5. All installations shall be accessible to public safety vehicles with access roads for at least 14 feet in width and turn-arounds. Such access roads shall be improved with gravel, chip-and-seal, or hard surface as necessary to prevent the deposit of mud and debris on the road during normal servicing.
6. The truck loading area must be outside the road right-of-way and at least 50 feet from any side or rear lot line.
7. The immediate area (20-foot radius around wellheads and tanks) shall be kept mowed to minimize fire hazard.
8. All oil and gas wells, storage tanks, and separator units shall be placed no nearer than the ORC 1509 permits from any residence or public building. Nor shall any such building be erected within 300 feet from any oil or gas well, storage tank, and/or separator units, abandoned or not abandoned. All wells, storage tanks, and separator units shall be at least 100 feet from a road right-of-way and shall conform to all side and rear setback requirements of the appropriate districts. A landscape strip shall be provided between adjacent residential properties and permanent oil and gas facilities.¹
9. No open fires shall be permitted with 200 feet of any gas well or storage tank.
10. Township fire departments and police departments shall be notified prior to flaring.
11. All oil and gas production equipment at a wellhead and related storage tanks shall be diked. Said dikes shall be liquid tight. Such dikes shall be constructed to recommended standard of the Medina County Engineer. A diversionary swale shall be constructed where a dike is or is likely to be eroded or damaged by storm-water runoff. Such swale shall be constructed to recommended standards of the Medina County Engineer. A diversionary swale shall be constructed where a dike is, or likely to be eroded or damaged by storm-water runoff. Such swale shall be constructed to recommended standards of the Medina County Engineer.

¹Revised (08-13-1998)

12. Where a site is on a steep slope or in a flood plain, liquid tight tanks shall be used in lieu of pits.
13. Any subsurface drainage systems encountered in the construction of pits shall be plugged at a point no closer than 20 feet to the pit wall on both the inlet and outlet of said system.
14. Road damage caused by drilling equipment shall be repaired by the driller. All mud and debris deposited on the road by the vehicles involved in the drilling, equipping, and servicing of a well must be removed daily.
15. A well shall not be drilled within 200 feet of existing water well.
16. No brine shall be deposited in local waterways.
17. All temporary pits shall be enclosed immediately with temporary fencing such as snow fence. ¹
18. The Zoning Inspector may inspect oil and gas wells and storage sites at any reasonable time and order compliance with all local regulations.

¹ Revised (03-12-1992)

ARTICLE IV

DISTRICT REGULATIONS

SECTION 401 – RURAL RESIDENTIAL DISTRICT (RR)

SECTION 401.1 – PURPOSE

The purpose of the RR Rural Residential District is to accommodate residential development at a low density that will promote the continuation of the predominantly rural residential character of the Township outside of the sewer service area. It is the intention of this district to allow single family residential development and related compatible uses of sufficiently low density/intensity to preserve the natural environment and to preclude creation of public health and safety problems which will result in extensions of central facilities.

SECTION 401.2 – USES

A. Permitted Uses

1. One-family dwellings.
2. Accessory buildings and uses, including home occupations but excluding tents, cabins/cottages, mobile homes and all other temporary living quarters.
3. Signs as regulated by Article VI.
4. Parking as regulated by Article V.
5. Churches and other places of worship subject to Article III, Section 308.C.
6. Governmentally owned or privately owned and/or operated recreational uses. ¹
7. Governmentally or privately owned and/or operated recreational uses such as: picnic areas, playgrounds, private parks, swimming facilities, golf courses, tennis clubs, country clubs, equestrian activities, and other similar recreational facilities or uses of similar character. Uses similar in character to the following shall be excluded: commercial recreational uses such as drive-in theaters, miniature golf courses, golf-driving ranges, pistol ranges or other ranges for the use of firearms; the operation of snowmobiles, motorcycles and all other terrain vehicles when conducted as a business such as by renting such vehicles or charging a fee in order to operate such vehicles on private property or the inviting of spectators to view the operation of such vehicles or allowing competition among such vehicles with or without charging a fee. Uses permitted under this category shall be subject to Article III, Section 308.H. ²

¹ Revised (02-23-2001)

² Revised (08-13-1998)

8. Governmentally owned and/or operated buildings and facilities other than those listed above subject to Article III, Section 308.G.
9. Cemeteries subject to Article III, Section 308.E.

SECTION 401.3 – LOT AND YARD REQUIREMENTS ¹

- A. Minimum Lot Area – Three (3) acres exclusive of road right-of-way. ²
- B. Minimum Lot Width – 200 feet at building line. ²
- C. Minimum Lot Frontage – 200 feet except 160 feet on outside curve of public street and 100 feet on cul-de-sac turn around. ²
- D. Minimum Front Yard Depth – 100 feet exclusive of road right-of-way. ²
- E. Minimum Side Yard Width – 25 feet.
- F. Minimum Rear Yard Depth – 40 feet.
- G. Driveways – Every lot in the RR zone shall have its main point of entrance and exit across its lot frontage, a minimum of 10 feet from any property line. ²

¹ Effective (07-10-2002)

² Revised (03-10-2003)

SECTION 402 – SUBURBAN RESIDENTIAL DISTRICT (SR)

SECTION 402.1 - PURPOSE

The purpose of the SR Suburban Residential District is to accommodate residential development at a lower density that will promote the continuation of the predominately rural residential character of the Township within a portion of the sewer service area. It is also the intention of this district to allow single family residential development and related compatible uses of sufficiently lower density/intensity to preserve the natural environment and to act as a buffer between the RR and other districts.

SECTION 402.2 – USES

A. Permitted Uses

1. One-family dwellings.
2. Accessory buildings and uses, including home occupations but excluding tents, cabins/cottages, mobile homes, and all other temporary living quarters.
3. Signs as regulated by Article VI.
4. Parking as regulated by Article V.
5. Churches and other places of worship subject to Article III, Section 308.C
6. Elementary and Secondary Schools, subject to Article III, Section 308.C ¹
7. Governmentally or privately owned and/or operated recreational uses, such as: picnic areas, playgrounds, private parks, swimming facilities, golf courses, tennis clubs, country clubs, equestrian activities, and other similar recreational facilities or uses of similar character. Uses similar in character to the following shall be excluded: commercial recreational uses such as drive-in theaters, miniature golf courses, golf-driving ranges, pistol ranges or other ranges for the use of firearms; the operation of snowmobiles, motorcycles, and all other terrain vehicles when conducted as a business such as by renting such vehicles or charging a fee in order to operate such vehicles on private property or the inviting of spectators to view the operation of such vehicles or allowing competition among such vehicles with or without charging a fee. Uses permitted under this category shall be subject to Article II, Section 308.H ²

¹ Revised (12-10-1997)

² Revised (08-13-1998)

8. Governmentally owned and/or operated buildings and facilities other than those listed above subject to Article III, Section 308.G
9. Cemeteries subject to Article III, Section 308.G

SECTION 402.3 – LOT AND YARD REQUIREMENTS

- A. Minimum Lot Area – One (1) acre exclusive of road right-of-way.
- B. Minimum Lot Width – 125 feet at building line.
- C. Minimum Lot Frontage – 125 feet, except 95 feet on outside curve of public street and 70 feet on cul-de-sac turn around.
- D. Minimum Front Yard Depth – 70 feet, 80 feet on a State, County or Federal Highway exclusive of road right-of-way. ¹
- E. Minimum Side Yard Width – 20 feet.
- F. Minimum Rear Yard Depth – 35 feet.
- G. The lot and yard requirements in this section apply to lots served by central sanitary sewers and either central water facilities or cisterns. Lots which fail to meet both conditions shall comply with the lot and yard requirements in Section 401.3
- H. Driveways – Every lot in the SR zone shall have its main point of entrance and exit across its lot frontage, a minimum of 10 feet from any property line. ²

¹ Revised (03-15-2000)

² Revised (03-10-2003)

SECTION 403 – URBAN RESIDENTIAL DISTRICT (UR)

SECTION 403.1 – PURPOSE

The purpose of the UR Urban Residential District is to allow residential development at a density of about two (2) units per acre, in those areas of Medina Township within the 1981 sewer service area, around the City of Medina. The UR District is designed to allow efficient use of the facilities already in place, to maintain the natural topography and landscape to the extent possible and to allow for planned developments that allow flexible development standards while maintaining the two (2) units per acre overall density.

SECTION 403.2 – USES

A. Permitted Uses

1. One family dwellings.
2. Accessory buildings and uses, including home occupations, but excluding tents, cabins/cottages, mobile homes and all other temporary living quarters.
3. Signs as regulated in Article VI.
4. Parking as regulated by Article V.
5. Churches and other places of worship subject to Article III, Section 308.C
6. Elementary and Secondary Schools subject to Article III, Section 308.C
7. Governmentally or privately owned and/or operated recreational uses such as: picnic areas, playgrounds, private parks, swimming facilities, golf courses, tennis clubs, country clubs, equestrian activities, and other similar recreational facilities or uses of similar character. Uses similar in character to the following shall be excluded: commercial recreational uses such as drive-in theaters, pistol ranges or other ranges for the use of firearms; the operation of snowmobiles, motorcycles and all other terrain vehicles when conducted as a business such as by renting such vehicles or charging a fee in order to operate such vehicles on private property or the inviting of spectators to view the operation of such vehicles or allowing competition among such vehicles with or without charging a fee. Uses permitted under this category shall be subject to Article III, Section 308.H ¹
8. Governmentally owned and/or operated buildings and facilities other than those listed above subject to Article III, Section 308.G

¹ Revised (08-13-1998)

9. Cemeteries subject to Article III, Section 308.E
10. Planned developments subject to Section 403.4

SECTION 403.3 – LOT AND YARD REQUIREMENTS

- A. Minimum Lot Area – 22,500 square feet exclusive of road right-of-way.
- B. Minimum Lot Width – 100 feet at building line.
- C. Minimum Lot Frontage – 100 feet, except 80 feet on outside curve of public street and 60 feet on cul-de-sac turn around.
- D. Minimum front Yard Depth – 50 feet, except 80 feet on any Federal, State or County Highway, exclusive of road right-of-way.
- E. Minimum Side Yard Width – 15 feet.
- F. Minimum Rear Yard Depth – 30 feet.
- G. Minimum Accessory Use Rear Yard Setback-15 ft. ¹
- H. The lot and yard requirements in this section apply to lots served by central sanitary sewers and either central water facilities or cisterns. Lots which fail to meet both condition shall comply with the lot and yard requirements in Section 401.3

SECTION 403.4 – PLANNED DEVELOPMENTS

- A. Purpose

It is the purpose of this Section to recognize and accommodate in a unified development, creative and imaginative residential development and to permit those innovations in the technology of land development that are in the best interests of Medina Township. In order to accomplish this purpose, it is the intent to permit:

1. A variety of dwelling types including single-family, single-family attached, cluster, and multi-family compatible with the purpose of planned unit development (PUD'S). ²

¹Revised (03-22-2019)

²Revised (02-23-2001)

2. Flexible spacing of lots and buildings in order to encourage:
 - a) The conservation of natural amenities of the landscape.
 - b) The provision of readily accessible recreation areas and green spaces.
 - c) A more efficient use of land than is generally achieved through conventional development; resulting in substantial savings through shorter utilities and streets.

B. Permitted Uses

1. Dwellings, including single-family, single-family attached, cluster, and multi-family. ¹
2. Open space shall be appropriate for the residential use intended, may include, along with the natural environmental features, swimming pools, tennis courts, golf courses and other traditional recreational facilities. These facilities are to be used mainly by the residents and their guests of the district in which the facilities are located. Streets, schools, parking lots, structures for habitation or storage and the like shall not be included as part of the required open space and recreational facilities. All open space shall be in useable designated parcels of land and any linear open space and shall be a minimum of 50 feet in width.
3. Accessory buildings and uses, including home occupations, but excluding tents, cabins, mobile homes and all other temporary living quarters.

C. General Regulations

1. Density – The density of cumulative total of all land having been given Final Development Plan Approval shall never exceed a maximum gross density of 2.0 dwelling units per acre. The maximum density for single-family attached, cluster and/or multi-family dwelling units shall not exceed a density of 6 dwelling units per acre per parcel of land. Gross density shall be determined by dividing total dwelling units by the gross area of the development, excluding all rights-of-way existing prior to the approval of the development. ²
2. Minimum Area – A planned development shall contain a minimum of 50 acres. All land within the development shall be contiguous in that it shall not be divided into segments by (1) any limited access highway, or (2) any tract of land (other than streets or rights-of-way for pipelines or electric transmission lines) not owned by the developer of the planned development.

¹Revised (02-23-2001)

² Revised (02-23-2001)

3. Central Sanitary Sewer and Water Facilities – Shall be provided at the time of development.
4. Walls and Privacy Enclosures – Solid walls, screen and privacy enclosures which are designed as an integral or component part of the dwelling structure shall conform to the front and rear yard requirements and shall not exceed a height of 6 (six) feet.
5. Outside Lighting – All common areas shall be provided with outside lighting to adequately illuminate all walkways and driveways so as not to create a nuisance to any resident or nearby properties.
6. All Utilities – Shall be installed underground.
7. Parking – As regulated by Article V.

D. Single-Family Detached Regulations

1. Minimum Lot Area – 12,750 square feet exclusive of road right-of-way.
2. Minimum Front Yard Depth – 50 feet, except 80 feet from a County, State, or Federal highway, exclusive of road right-of-way.
3. Minimum Rear Yard Depth – 30 feet.

a) SPECIAL SETBACK PROVISION – FORESTVIEW ESTATES SUBDIVISION ¹

In light of the fact that the single-family detached dwelling in the Forestview Estates Subdivision are being developed pursuant to Medina Township's former R-2 Zoning as such existed on March 29, 1979, since repealed pursuant to Judgment Entry in Case No. 5501 Medina County Common Pleas Court, entered on the 8th day of May, 1991, and thus recognizing the unique nature of such subdivision, as well as the fact that improper setback instructions were issued by the Township on May 22, 1993 in regard to the subdivision.²

¹Revised (02-10-1999)

²Revised (03-22-2019)

4. Minimum Accessory Use Rear Yard Setback-10 ft.
SETBACK PROVISION ALSO APPLIES TO R-2 FORESTVIEW ESTATES SUBDIVISION.¹
 5. Minimum Side Yard Width – 10 feet.
 6. Minimum Loft Frontage – 50 feet.
 7. Minimum Lot Width – 75 feet at the building line.
- E. Single-Family Attached, Cluster and Multi-Family ²
1. Front Yard Depth – 50 feet, except 80 feet from a Federal, State or County highway. No front yard shall be used for purposes of service to the dwellings or parking areas. Services such as garbage or refuse disposal, storage space, laundering or clothes drying facilities are specifically prohibited.
 2. Minimum Rear Yard Depth – 30 feet. ³
 3. Separation From Other Structures And Other Boundaries - Single-family attached, cluster and multi-family structures shall be separated from any single-family detached dwellings by a distance not less than twice the height of the single-family attached or multi-family structures. Any non-single-family detached structure shall be separated from a like structure (not structurally joined) by a distance of not less than one-half (½) the height of the taller of the two (2) structures. Any non-single-family detached structure shall be separated from any lot line a distance of not less than twice the height of the structure. All cluster units shall be separated from a like structure by a distance of not less than one-half (½) the height of the taller of the two (w) structures or a minimum of 15 feet, whichever is the greater. A patio or deck attached to a cluster unit shall be considered as private outdoor space and shall not be considered in the measurement of distance separation of cluster units. ⁴
 4. Garbage and Refuse Facilities – Not more than one garbage refuse pickup station or unit shall be permitted for each 10 independent dwelling units and each shall be of such size and capacity as will provide adequate and well located space for garbage and refuse. Pickup units shall be located in the rear or side of the buildings housed in any appropriate structure and all such units together with all garbage and refuse disposal from apartment development shall be serviced and picked up and otherwise disposed of by the owner of the apartment building.
 5. Here shall be no more than 6 (six) dwelling units per structure.

¹ Revised (03-23-2019)

² Revised (02-23-2001)

³ Revised (03-15-2000)

⁴ Revised (05-11-1989)

F. Street System

Collector streets and major thoroughfares shall be designated as such by the developer upon submission of general plans as provided in Section H, hereafter. Such designations shall be subject to modification by the Township Trustees so that an efficient traffic circulation system is established. There shall be no direct access from single-family detached residential lots to an arterial thoroughfare and direct access from single-family detached residential lots to collector thoroughfares shall be minimized. When there are more than thirty (30) dwelling units in a grouping, they shall have a primary access to said dwelling units from a public or dedicated street.

G. Open Space

At least 25% (percent) of the total acres in a proposed Planned Development permitted by this section shall be devoted to private open space or recreational facilities exclusive of dwellings, streets, parking areas and residential lots. Such open space, including any recreational facilities proposed to be constructed in such space, shall be clearly shown on the plan, shall be physically situated so as to be readily accessible, available to, and useable by all the residents of the Planned Development and having direct access to a dedicated street. All open space and recreational facilities shall be provided no later than one (1) year from Final Approval of Uses by the Medina Township Trustees. No land once dedicated to private open space or recreational facilities as part of a planned development shall thereafter be counted as open space for an expansion of said planned development, or any other planned development or reduced in area for the original planned development by conversion to another use.¹ No variation from the open space shown on the plan shall be permitted without the consent from the Township trustees and Zoning Board of Commissioners.² In order to secure proper improvement and maintenance of common open space and other common amenities in any proposed Planned Development, the landowner shall provide for and establish an organization for the ownership and maintenance of any common open space and other commonly owned amenities. This organization shall have as a minimum the following:

1. The nature of the membership is mandatory in the organization by owners and/or residents.
2. Permanence of open space safeguards.
3. Liability of organization for insurance, taxes and maintenance of all facilities.
4. The organization shall have the capacity to administer common facilities and preserve the benefits of common open space to the development.

¹ Revised (06-20-2005)

² Revised (03-15-2000)

5. If these requirements are not met and the open space is not maintained properly, the Township Trustees shall have the right to maintain said open space in accordance with the law by means of assessing this organization with any and all expense incurred.
6. In lieu of the above open space requirements, a golf course and similar recreational uses within a PUD with covenants stating that such land shall remain as permanent open space shall satisfy the open space requirements. All covenants shall be included in the general site plan review process. All covenants shall remain with the land. ¹

H. Development Plan Procedure

1. General Plan Approval – At the time of the application for a zoning certificate, the required number of copies of the general plan for the development of the land shall have been filed by the owner or owners of the land involved, with the Zoning Commission Secretary. Said plan shall be reviewed by the (1) Township Trustees (2) Township Zoning Inspector (3) Township Zoning Commission. The Zoning Commission and Zoning Inspector's comments shall be submitted to the Township Trustees prior to their decision and prior to issuance of a zoning permit. The general plan (which may be set forth on one or more maps or in one or more instruments), copies of which shall be retained by the Township Trustees, Township Zoning Commission and Township Zoning Inspector and deposited with the Township Clerk, shall have been drawn to scale, shall have been prepared and certified by an architect or engineer authorized to practice in the State of Ohio, and shall show the following: ²
 - a) The boundaries of the project.
 - b) North arrow and date.
 - c) The topography of the project using two (2) foot contour intervals.
 - d) The proposed street system for the project.
 - e) The areas to be used for single-family dwellings, single-family attached dwellings and the areas to be used for multi-family dwellings shall be shown and recorded as envelopes containing the footprint of the building. ³
 - f) Descriptive data as to the methods to be employed to preserve and maintain open space.

¹ Revised (01-24-1993)

² Revised (03-12-1992)

³ Revised (03-15-2000)

- g) The areas into which such project is to be divided for different uses, the use proposed for each type and area, the number of dwelling units by type and size in any given location.
- h) The total population density for the project in number of dwelling units per acre of the project.
- i) Descriptive data concerning the sewer, water, and storm drainage facilities within the project identifying the entity whether public or private to whom such facilities are to be dedicated or transferred.
- j) The location of the proposed parking lots within the project including descriptive data.

Upon review and approval of the general plan by the Township Trustees, a zoning certificate may be issued for the project: the implementation of the project is then subject to the further qualifications, requirements and provisions set forth below. No substantial change from the approved General Plan shall be made without prior approval by the Township Trustees.

2. Final Approval of Uses in a Planned Development – For Final Approval of Uses, the owner shall file a Final Development Plan for any specific area within the project or the overall project with the Township trustees together with a letter of application for such approval. A zoning certificate must be obtained for each structure and this is granted only after Final Approval of uses has been obtained from the Township Trustees. Such Final Development Plan must show the following:
 - a) The area to be developed and the area to be devoted to open space for the use of all residents of the area with accurate acreage, courses, and distances as determined by a licensed surveyor who shall certify the accuracy thereof.
 - b) The location and floor plans of all buildings.
 - c) A copy of the Declaration for the Condominium as required by Section 5311 of the Ohio Revised Code, descriptive data as to the methods to be employed to preserve and maintain open space.
 - d) A detailed landscaping plan for all areas proposed for parking and single-family development.
3. Conditions for Final Approval of Uses – The Township Trustees shall give the Final Approval of Uses only upon finding that the following conditions are met:
 - a) All applicable, general or specific requirement of the Medina Township Zoning Resolution as existing at the time of the General Plan Approval.

- b) The Final Development Plan accurately sets forth the area to be developed and the area set aside as open space with appropriate boundaries established by course and distances, and the acreage within the area to be approved is set forth as well as the acreage of the area to be set aside as open space for the use of all residents of the area.
- c) The Final Development Plan is in accordance with the General Plan which has been previously filed with and approved by the Township Trustees and for which the zoning certificate had been issued.
- d) The density of dwelling units in any area does not exceed that shown on the General Plan. The overall density of the district has not been exceeded with respect to the total figure shown on the General Plan. The Final Development Plan for the initial phase shall contain all of the open space approval in the General Plan.

SECTION 404 – LIMITED BUSINESS DISTRICT (BL)

SECTION 404.1 – PURPOSE

The purpose of the BL Limited Business District is to provide for those commercial land uses which can be compatible in a predominately residential area with or without central sewer and water service. The range of commercial uses permitted in the District and the limitations on the scale of uses are designed to prevent a commercial strip.

SECTION 404.2 – USES

A. Permitted Uses ¹

1. Retail shops such as antique shop, floral shop, gift shop, beauty and barber shop.
2. Office buildings such as business, administrative, governmental offices, professional offices, including travel agency, real estate, insurance and engineering offices, medical and dental offices, banks, savings and loans. ²
3. Drive-in or drive-up facilities accessory to a permitted use including freestanding automated teller machines.
4. Churches, schools and other educational, religious or philanthropic institutions subject to Article III, Section 308.C and D.

³ *Single-family attached, cluster and multi-family dwellings have been removed from the Limited Business District (BL)*

5. Auxiliary retail or service use that is directly related to the main use such as a cafeteria to service employees of the building or a pharmacy in a medical building, provided such use shall have a maximum area of ten (10%) percent of the first floor area and there shall be no indication of such use on the exterior of the building.
6. Signs subject to Article VI
7. Parking subject to Article V.

¹ Revised (11-30-1995)

² Revised (07-09-1996)

³ Removed from Zoning Resolution (07-24-2004)

Comparable Uses – The Zoning Commission, with the approval of the Township Trustees may permit any use which is comparable in character to any of the uses listed in this section and which is in accord with the purposes of the BL District.

SECTION 404.3 – LOT AND YARD REQUIREMENTS AND LANDSCAPING STANDARDS

The purpose of lot, yard and landscaping requirements is to minimize noise, reduce air pollution, enhance the appearance of individual and contiguous development areas, and to retain within the Limited Business District the character of the Township's natural environment that is the community's signature. ¹

- A. Minimum Lot Width – 150 feet at the building line.
- B. Minimum Lot Frontage – 150 feet, except 110 feet on outside curve of public street and 75 feet on cul-de-sac turn around. ²
- C. Minimum Front Yard Depth – 100 feet exclusive of road right-of-way.
- D. Minimum Side Yard Width and Rear Yard Depth ³
 - 1. For commercial or business enterprises adjacent to or abutting other commercial enterprises, side yard width and rear yard depth are as follows:
 - a) BL District lots with frontages ranging from 150 feet to 199 feet:
 - 1. Minimum side yard width must be 20 feet, of which 5 feet shall be landscaped buffer zone.
 - 2. Minimum rear yard depth must be 20 feet, of which 5 feet shall be a landscaped buffer zone.
 - b) BL District lots with frontages ranging from 200 feet to 299 feet:
 - 1. Minimum side yard widths must be 25 feet, of which 10 feet shall be a landscaped buffer zone.
 - 2. Minimum rear yard depths must be 25 feet, of which 10 feet shall be a landscaped buffer zone.

¹Revised (12-09-1998)

²Revised (12-09-1998)

³ Revised (11-30-1995)

c) BL District lots with frontages in excess of 300 feet:

1. Minimum side yard width shall be 30 feet, of which 15 feet shall be a landscaped buffer zone.
2. Minimum rear yard depth shall be 30 feet, of which 15 feet shall be a landscaped buffer zone.

2. For commercial or business enterprises adjacent to or abutting a residential district or use, or adjacent to or abutting an existing single-family or multi-family residential use, side yard widths and rear yard depths are as follows:

a) BL District lots with frontages ranging from 150 to 299 feet:

1. Minimum side yard width shall be 75 feet, of which 25 feet shall be landscaped and/or screened buffer strip as determined during review of site plans as required by Section 306. The remaining 50 feet may be used for parking but not for outdoor material storage.
2. Minimum rear yard depth shall be 75 feet, of which 25 feet shall be landscaped and/or screened buffer strip as determined during review of site plans as required by Section 306. The remaining 50 feet may be used for parking but not for outdoor material storage.

b) BL District lots with frontages in excess of 300 feet:

1. Minimum side yard width shall be 100 feet, of which 50 feet shall be landscaped and/or screened buffer strip as determined during review of site plans as required by Section 306. The remaining 50 feet may be used for parking but not for outdoor material storage.
2. Minimum rear yard depths shall be 100 feet, of which 50 feet shall be landscaped and/or screened buffer strip as determined during review of site plans as required by Section 306. The remaining 50 feet may be used for parking but not for outdoor material storage.

SECTION 404.4 – SUPPLEMENTAL REGULATIONS

- A. Site Plan Review – Site plans for all proposed commercial sites and for all exterior modifications to existing commercial sites in the BL zone shall be reviewed as required by Section 306.
- B. Outdoor Storage – All outdoor storage, including refuse shall be screened from view from the street and from all adjacent properties.
- C. Landscaping – Refer to Section 306.J ¹
- D. Change of ownership, change of use – require new site plan ²

¹ Revised (07-09-1996)

² Added (01-03-2016)

SECTION 405 – GENERAL BUSINESS DISTRICT (BG)

SECTION 405.1 – PURPOSE

The purpose of this BG General Business District is to provide for a variety of office, retail and service activities in areas with central sewer and water service. Uses permitted in this District are those compatible with a shopping center or with other typical uses in a suburban shopping area. BG Districts are intended to be compatible and harmonious with adjacent residential uses and to minimize disruptions to traffic flow on major arterial highways.

SECTION 405.2 – USES

A. Permitted Uses ¹

1. Food and food services, including supermarkets, delicatessens, bakeries, restaurants, sandwich shops and specialty foods.
2. General merchandise and apparel, including department stores, variety stores, clothing stores, shoe stores, yard goods, furs and leather goods.
3. Furniture and home furnishings, including furniture, lamps, appliances, carpeting and upholstery.
4. Other retail, including hardware, automotive supply (retail parts and accessories), paint, wallpaper, music, records, hobbies, toys, tobacco stores, books, drugstores, sporting goods and garden centers.
5. Service facilities, including banks, savings and loans, beauty and barber shops, watch repair, cleaning and laundry (retail outlet only), photography studio and travel agent.
6. Sale of new and used cars and light trucks. ²
7. Gasoline filling stations providing storage tanks are underground.
8. Business and professional offices.
9. Motion picture and theatrical playhouse.
10. Hotel and motel.
11. Indoor amusement and recreation.

¹ Revised (07-07-1997)

² Revised (04-17-1985)

12. Churches, schools and other educational, religious or philanthropic institutions subject to Article II, Section 308.C and D

13. Accessory uses clearly incidental to the uses permitted on the same premises.

14. Signs subject to Article VI.

15. Parking subject to Article V.

- B. Comparable Uses – The Zoning Commission with the approval of the Township Trustees, may permit any use which is comparable in character to any of the uses listed in this section and which is in accord with the purposes of the BG District.

SECTION 405.3 – LOT AND YARD REQUIREMENTS AND LANDSCAPING STANDARDS ¹

The purpose of lot, yard and landscaping requirements is to minimize noise, reduce air pollution, enhance the appearance of individual and contiguous development areas and to retain within the General Business District the character of the Township's natural environment that is the community's signature. ²

A. Minimum Lot Width – 150 feet at the building line.

B. Minimum Lot Frontage – 150 feet ³, except 110 feet on outside curve of public street and 75 feet on cul-de-sac turn around. ⁴

C. Minimum Front Yard Depth – 100 feet exclusive of road right-of-way.

D. Minimum Side Yard Width and Rear Yard Depth – ⁵

1. For commercial or business enterprises adjacent to or abutting other commercial enterprises, side yard width and rear yard depths are as follows:

¹ Revised (11-30-1995)

² Revised (11-30-1995)

³ Revised (05-11-1989)

⁴ Revised (12-09-1998)

⁵ Revised (01-23-1997)

- a) BG District lots with frontages ranging from 150 feet to 199 feet:
 - 1. Minimum side yard width must be 20 feet, of which 5 feet shall be a landscaped buffer zone.
 - 1. Minimum rear yard depth must be 20 feet, of which 5 feet shall be a landscaped buffer zone.
- b) BG District lots with frontages ranging from 200 feet to 299 feet:
 - 1. Minimum side yard width must be 25 feet, of which 10 feet shall be a landscaped buffer zone.
 - 2. Minimum rear yard depths must be 25 feet, of which 10 feet shall be a landscaped buffer zone.
- c) BG District lots with frontages in excess of 300 feet:
 - 1. Minimum side yard width shall be 30 feet, of which 15 feet shall be a landscaped buffer zone.
 - 2. Minimum rear yard depth shall be 30 feet, of which 15 feet shall be a landscaped buffer zone.
- 3. For commercial or business enterprises adjacent to or abutting a residential district or use, or adjacent to or abutting an existing single-family or multi-family residential use, side yard width and rear yard depths are as follows:
 - a) BG District lots with frontages ranging from 150 feet to 299 feet:
 - 1. Minimum side yard width shall be 75 feet, of which 25 feet shall be landscaped and/or screened buffer strip as determined during review of site plans as required by Section 306. The remaining 50 feet may be used for parking but not for outdoor material storage.
 - 2. Minimum rear yard depths shall be 75 feet, of which 25 feet shall be landscaped and/or screened buffer strip as determined during review of site plans as required by Section 306. The remaining 50 feet may be used for parking but not for outdoor material storage.
 - b) BG District lots with frontages in excess of 300 feet:

1. Minimum side yard width shall be 100 feet, of which 50 feet shall be landscaped and/or screened buffer strip as determined during review of site plans as required by section 306. The remaining 50 feet may be used for parking but not for outdoor storage.
2. Minimum rear yard depths shall be 100 feet, of which 50 feet shall be landscaped and/or screened buffer strip as determined during review of site plans as required by Section 306. The remaining 50 feet may be used for parking but not for outdoor material storage.

SECTION 405.4 – SUPPLEMENTAL REGULATIONS

- A. Site Plan Review – Site plans for all proposed commercial sites and for all exterior modifications to existing commercial site in the BG zone shall be reviewed as required by Section 306.
- B. Outdoor Storage – All outdoor storage including refuse shall be screened from view from the street and from all adjacent properties.
- C. Landscaping – Refer to Section 306.J ¹
- D. Central Facilities – All sites shall be served by central water and central sewer systems.
- E. Change of ownership, change of use – to require new site plan submission. ²

¹ Revised (07-09-1996)

² Added (01-03-2016)

SECTION 406 – INTENSIVE BUSINESS DISTRICT (BI)

SECTION 406.1 – PURPOSE

The purpose of the BI Intensive Business District is to accommodate a wide range of commercial and wholesale uses along Pearl Road (Route 42) in the Township. The wide range of uses permitted in the BI District including multiple family dwellings is suitable in the Township only in this area which is already developed with a variety of uses in areas with central sewer and water services. The BI District is further intended to prevent further traffic hazards in this area by requiring site of adequate width and to provide adequate buffering or screening between commercial uses and residential uses or districts.

SECTION 406.2 – USES

A. Permitted Uses

1. Hotel, tourist home restaurant, lunchroom, garage, and motel for transient use.
2. Retail store or shop, repair shop, beauty parlor, funeral home, mercantile establishment bank, office or office building, studio and garden center.
3. Hospital or rest home other than for contagious diseases, insane, mental cases, drug or liquor addicts.
4. Veterinary hospitals or kennels.
5. Gasoline filling stations, providing storage tanks are underground and auto dealers.
6. Indoor theater, bowling alley, dance hall, skating rink, miniature golf course and driving range.
7. Job printing and newspaper printing plant.
8. Coal yard, builder's supply, ice storage and sales, plumbing and heating supply and contractor's yard.
9. Dairy and locker plants.
10. Clubs, lodges, fraternal, charitable or social organizations.
11. Churches, schools and other educational religious or philanthropic institutions subject to Article III, Section 308.C and D.

12. Wholesale and repair services for machinery and equipment.
 13. Accessory uses clearly incidental to the uses permitted on the same premises.
 14. Signs subject to Article VI.
 15. Parking subject to Article V.
 16. Single-family attached cluster and multi-family dwellings subject to Article III, Section 308.F and Article IV, Section 403.4.E. ¹
- B. Comparable Uses – The Zoning Commission with the approval of the Township Trustees may permit any use which is comparable in character to any of the uses listed in this section and which is in accord with the purposes of the BI District.

SECTION 406.3 – LOT AND YARD REQUIREMENTS AND LANDSCAPING STANDARDS ²

The purpose of lot, yard and landscaping requirements is to minimize noise, reduce air pollution, and enhance the appearance of individual and contiguous development areas and to retain within the Intensive Business district the character of the Township's natural environment that is the community's signature. ³

- A. Minimum Lot Width – 150 feet at the building line.
- B. Minimum Lot Frontage – 150 feet, ⁴ except 110 feet on outside curve of public street and 75 feet on cul-de-sac turn around. ⁵
- C. Minimum Front Yard Depth – 80 feet exclusive of road right-of-way.
- D. Minimum Side Yard Width and Rear Yard Depth ⁶
 1. For commercial or business enterprises adjacent to or abutting other commercial enterprises, side Yard widths and rear yard depths are as follows:
 - a) BI District lots with frontages ranging from 150 feet of 199 feet:

¹ Revised (05-09-2001) Revised (03-10-2003)

² Revised (11-30-1995)

³ Revised (11-30-1995)

⁴ Revised (05-11-1989)

⁵ Revised (12-09-1998)

⁶ Revised (01-23-1997)

1. Minimum side yard widths must be 20 feet, of which 5 feet shall be a landscaped buffer zone.
 2. Minimum rear yard depths must be 20 feet, of which 5 feet shall be a landscaped buffer zone.
- b) BI District lots with frontages ranging from 200 feet to 299 feet:
1. Minimum side yard widths must be 25 feet, of which 10 feet shall be a landscaped buffer zone.
 2. Minimum rear yard depth must be 25 feet, of which 10 feet shall be a landscaped buffer zone.
- c) BI District lots with frontages in excess of 300 feet:
1. Minimum side yard widths shall be 30 feet, of which 15 feet shall be a landscaped buffer zone.
 2. Minimum rear yard depth shall be 30 feet, of which 15 feet shall be a landscaped buffer zone.
2. For commercial or business enterprises adjacent to or abutting a residential district or use or adjacent to or abutting and existing single-family or multi-family residential use, side yard widths and rear yard depths are as follows:
- a) BI District lots with frontages ranging from 150 feet to 299 feet:
1. Minimum side yard widths shall be 75 feet, of which 25 feet shall be landscaped and/or screened buffer strip as determined during review of site plans as required by Section 306. The remaining 50 feet may be used for parking but not for outdoor material storage.
 2. Minimum rear yard depths shall be 75 feet, of which 25 feet shall be landscaped and/or screened buffer strip as determined during review of site plans as required by Section 306. The remaining 50 feet may be used for parking but not for outdoor material storage.

b) BI District lots with frontages in excess of 300 feet:

1. Minimum side yard widths shall be 100 feet, of which 50 feet shall be landscaped and/or screened buffer strip as determined during review of site plans as required by Section 306. The remaining 50 feet may be used for parking but not for outdoor material storage.
2. Minimum rear yard depths shall be 100 feet, of which 50 feet shall be landscaped and/or screened buffer strip as determined during review of site plans as required by Section 306. The remaining 50 feet may be used for parking but not for outdoor material storage.

SECTION 406.4 – SUPPLEMENTAL REGULATIONS

- A. Site Plan Review – Site plans for all proposed commercial sites and for all exterior modifications to existing commercial sites in the BI zone shall be reviewed as required by Section 306.
- B. Outdoor Storage – All outdoor storage, including refuse shall be screened from view from the streets and all adjacent properties.
- C. Landscaping – Refer to Section 306.J ¹
- D. Central Facilities – All sites shall be served by central water and central sewer systems.
- E. Change of ownership, change of use – to require new site plan submission. ²

¹ Revised (07-09-1996)

² Added (01-03-2016)

ARTICLE V

ON-SITE PARKING AND CIRCULATION

SECTION 501 – INTENT

On-site parking and circulation requirements are established for the following purposes:

- A. To relieve congestion so the streets can be utilized more fully for movement of vehicular traffic.
- B. To screen adjoining residential neighborhoods from non-residential parking.
- C. To provide efficient access between parcels within commercial areas.
- D. To provide regulations and standards for accessory off-street parking and loading facilities.

SECTION 502 – MEASUREMENT UNITS

Definitions and standard are hereby established for determining required parking and loading facilities, as follows:

- A. Off-Street Parking Space means an open or enclosed area directly accessible from a public street, directly accessible from a drive or aisle and not less than 10 feet wide by 19 feet long exclusive of all drives, aisles, ramps and turning spaces.
- B. Floor Area For Determining Parking Requirements means the floor area of the specified use excluding stairs, washrooms, elevator shafts, maintenance shafts and rooms storage spaces, common corridors, display windows, fitting rooms and similar areas.
- C. Off-Street Loading Space means an open or enclosed part of a building directly accessible to a public street used for the loading or unloading of goods and products accessory to the main use.

SECTION 503 – PARKING SPACES REQUIRED

The minimum number of off-street parking spaces shall be as required below and must include physically challenged (handicapped) spaces comply with current Ohio ADA Regulations. ¹

In addition to the required loading and unloading areas, off-street parking areas shall be provided on the premises as follows:

¹ Revised (11-30-1995)

A. Residential

1. Single-family dwellings: Two (2) spaces per dwelling unit.
2. Multi-family and single-family attached: Three (3) spaces per dwelling unit, one (1) of which shall be enclosed or semi-enclosed.
3. Hotel, motel, tourist home: One (1) space per rental unit plus one (1) space for each employee (see also requirements for places of assembly, places serving food and drinks and any other applicable requirements).

B. Community Facilities and Institutions

1. Health facilities: General and special hospitals: One (1) space per three beds plus one (1) space for each two employees.
2. Nursing home, sanitarium: One (1) space per two (2) beds.
3. Churches and places of assembly: One (1) space per four seats for public assembly.

C. Recreation

1. Dance halls, skating rink, swimming pools, lodge halls and assembly rooms: One (1) space per 100 square feet of the area devoted to recreation activity and to spectators or spaces equal to 30% (percent) of design capacity (in persons), whichever is greater.
2. Bowling alleys: Eight (8) spaces per lane.

D. Business and Offices

1. Shopping centers, Retail stores and Services: ¹
 - a) Less than 4,000 square feet – Six (6) spaces for each 1,000 square feet of gross floor area.
 - b) 4,000 to 10,000 square feet – Five (5) spaces for each 1,000 square feet of gross floor area.
 - c) 10,000 square feet or greater – Four (4) spaces for each 1,000 square feet of gross floor area.
 - d) Places primarily serving food and drinks – One (1) space per 75 square feet of customer service area or one (1) space per each two (2) seats, whichever is greater. ²

¹ Revised (11-30-1995)

² Revised (07-09-1996)

2. Offices: ¹

- a) Medical and dental offices and banks: Five (5) spaces per 1,000 square feet floor area and one (1) space per employee with a minimum of four (4) employee spaces per suite.
- b) Offices of other types: Five (5) spaces per 1,000 square feet floor area.

E. Wholesale and Repair Services – One (1) space per employee but not less than four (4) spaces.

F. Requirements for Additional Buildings or Uses – For buildings or uses not scheduled above, the Township Trustees shall apply the unit of measurement set forth in the above which is deemed to be more similar to the proposed building or use.

SECTION 504 – LOCATION OF FACILITIES

- A. Distance – The required parking facilities shall be located within a walking distance of the permitted principle use of building to be served and shall be located on the same lot as the use served.
- B. Yards – Parking shall not be permitted with a required front or side yard in all R Districts. In all B Districts, open off-street parking may be located in a required front yard provided a landscaped strip as required in each B District is located between the parking area and the street right-of-way.
- C. Multi-family – Parking areas for single-family attached and multi-family dwelling units, excluding those areas enclosed/attached to the dwelling and one (1) space on the driveway to the enclosed space shall be separated from all dwellings by a minimum of 20 feet of landscaped area.

SECTION 505 – PARKING AREA DESIGN

- A. Grading, Marking, Pavement and Curbing – Parking areas and driveways shall be graded and drained so as to dispose of all surface water without injury to adjacent properties or the public and improved with material as specified below:
 - 1. The following types of uses shall be paved with hard surface: Single-family attached and multi-family dwellings; planned unit developments; hotels or motels; health facilities; bowling alleys; shopping centers; retail stores and services; offices and wholesale and repair services for heavy machinery and equipment.
 - 2. The following types of uses may be paved with either chip-and-seal or hard surfaces: nursing homes; sanitariums; churches and places of assembly; dance halls; skating rinks; swimming pools and lodge halls.
 - 3. The following types of uses may be paved with gravel, chip-and-seal or hard surface: One (1) family dwellings.

¹ Revised (11-30-1995)

Parking spaces shall be so arranged and marked to provide for orderly and safe parking and storage of vehicles in accordance with the requirements in Table 1, and shall be so improved with bumper guards or curbs to define parking spaces or limits of paved areas.

- B. Landscaping – Refer to Section 306.J. ¹
- C. Internal Access – The Zoning Commission and Township Trustees may require parking areas for adjacent commercial sites to be designed to provide internal pedestrian and vehicle access between sites. Such access points shall be in well-defined locations and landscaping or other visual or physical barriers along the common property lines shall be maintained.
- D. Illumination of Parking Areas – Parking areas shall be illuminated to protect the public safety. The lighting fixtures shall be designed and located so as to not reflect direct rays of light on adjoining residential districts and streets. Intensity shall not be of excessive brightness to cause a safety hazard to users of such parking spaces or occupants of adjoining premises. Flickering, moving or intermittent illumination shall not be permitted. Freestanding lights shall not exceed a height of twenty (20) feet.

SECTION 506 – ACCESS DRIVES

- A. General – the location, width and number of access drives serving off-street parking facilities shall be planned in such a manner as to interfere as little as possible with the use of adjacent property and the flow of traffic on the street system.
- B. Locations – Access drives to parking areas shall be provided for all uses according to the standards set forth in Table 2, except that single-family dwellings are excluded from the minimum distance between center line of drives.

The Zoning Commission and Township Trustees may require these distances to be increased in order to minimize interference with the flow of traffic on adjacent streets. The Zoning Commission and Township Trustees may permit a decrease in the required distance if such decrease will not unduly interfere with the flow of traffic on dedicated streets.

- C. Driveway Depth – Access drives to parking areas of more than 500 spaces shall extend into the parking facility a distance of not less than 75 feet from the street right-of-way with a solid curb or other barrier on each side of the drive.
- D. Driveway Width – The width of driveways at the curb (or pavement) line and at the right-of-way line shall comply with the requirements in Table 3. The Zoning Commission and Township Trustees may permit wider driveways for three or more entrance/exit lanes for those drives with a high volume of traffic. In the case of a four-land drive, the lanes shall be designed as two (2) adjacent entrance and exit lanes divided by a minimum six (6) foot wide barrier.

¹ Revised (07-09-1996)

TABLE 1					
PARKING AREA DEMENSIONS					
A. Degrees	0°	30°	45°	60°	90°
B. Stall Width	10.0'	10.0'	10.0'	10.0'	10.0'
C. 19' Stall to Curb	10.0'	18.2'	20.5'	21.5'	19.0'
D. Aisle Width One-Way	12.0'	11.0'	13.0'	18.0'	24.0'
Two-Way	24.0'	-	-	-	24.0'
E. Curb Length Per Car	23.0'	20.0'	14.0'	11.5'	10.0'
F. Total Bay Width (Wall to Wall)	44.0'	47.4'	54.0'	61.0'	62.0'
G. Center-to-Center Width - (assuming front bumper overhangs)	-	38.7'	46.09'	56.0'	-

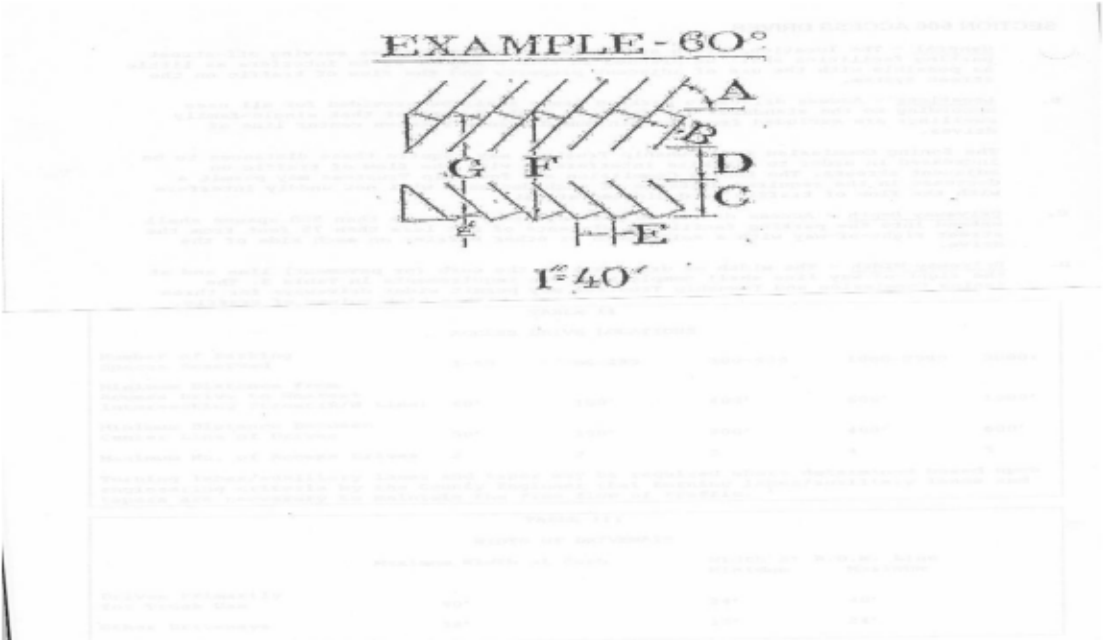


TABLE 2					
ACCESS DRIVE LOCATIONS					
Number of Parking Space Reserved	1-59	60-299	300-999	1000-2999	3000+
Minimum Distance from Access Drive to Nearest Intersecting Street (R/W Line)	40'	100'	400'	600'	1000'
Minimum Distance between Center Line or Drives	50'	100'	200'	400'	600'
Maximum No. of Access Drives	2	2	3	4	5
Turning lanes/auxiliary lanes and taper may be required where determined based upon engineering criteria by the County Engineer that turning lanes/auxiliary lanes and tapers are necessary to maintain the free flow of traffic. ¹					

TABLE 3			
WIDTH OF DRIVEWAYS			
	Maximum Width at Curb	Width at R.O.W. Line	
		Minimum	Maximum
Drives Primarily For Truck Use	80'	24'	40'
Other Driveways	38'	12'	24'

¹ Revised (11-30-1995)

- E. Drive-in Stacking Area – Drive-in facilities which provide services to customers waiting in their cars such as fast food pick-up windows, drive-in bank windows and car washes shall provide stacking area for waiting vehicles of at least 130 feet in order to ensure that waiting vehicles will not extend into a public right-of-way. The Zoning Commission and Township Trustees may increase the required stacking area for uses which will require additional stacking space.

SECTION 507 – OFF-STREET LOADING FACILITIES

On the same lot with every building, structure, or part thereof, erected hereafter to be used for other than dwelling purposes, adequate space for standing, loading and the unloading of motor vehicles shall be provided to avoid undue interference with the public use of streets and sidewalks. Loading space shall be provided in addition to off-street parking areas and shall not be located in a required front yard. Loading spaces may be located between a building which it serves and a required yard.

Loading areas and adjacent areas required for turning and backing shall be improved as required in Section 505.

SECTION 508 – REVIEW OF FACILITIES

Plans for on-site parking and loading facilities shall be submitted and reviewed in accordance with all provisions of this Article and Section 306.

ARTICLE VI ¹

SIGN REGULATIONS

SECTION 601 – PURPOSE

To control the use, size, type and location of all allowable signage within the Township so as to protect and preserve the appearance, character and value of adjacent properties and thereby promote the general welfare and safety by providing for the installation of signage of a unified and consistent appearance for identification and information. It is further intended to reduce sign or advertising distractions and obstructions that may contribute to traffic accidents. ²

SECTION 602 – LIMITATION

- A. Official Signs Excluded from Regulations – All signs erected and maintained pursuant to any governmental function and necessary to the public safety and welfare are exempt from regulation under this Article.
- B. ODOT Permits – All signs within 660 feet of the rights-of-way of Interstates 71 and 271, Routes 18 and 42 are also subject to regulation by the Ohio department of Transportation (ODOT) under Ohio Revised Code Chapter 5516 and the regulations adopted pursuant to Chapter 5516. Zoning certificates for signs within 660 feet of these rights-of-way shall not be issued without evidence that a permit has first been issued by ODOT or notice from ODOT that a state permit is not necessary.
- C. Outdoor Advertising – Section 519.20 of the Ohio Revised Code states that for the purposes of township zoning, “outdoor advertising shall be classified as a business use and be permitted in all district zoned for industry, business or trade, or lands used for agricultural purposes.” Uch signs are further subject to the regulations established in Section 606.

SECTION 603 – GENERAL REQUIREMENTS

The regulations in this section shall apply to all signs in all zoning districts

- A. Prohibited Signs – Animated, flasher-type, blinker-type and racer-type moving signs shall be prohibited.
- B. Location – Signs shall be erected so as not to obstruct traffic sight lines or traffic control lights at road intersections. No sign shall be within any road right-of-way.
- C. Similarity to Traffic Control Devices – Signs visible from a road shall not contain any words or symbols that would cause confusion because of their resemblance to highway traffic control or directional signals.

¹ Revised (05-11-1989)

² Revised (11-30-1995)

D. Illumination

1. Unless otherwise restricted in this Resolution, signs which are illuminated shall henceforth use indirect internal and/or external indirect lighting only. The source of light shall not be visible from the road and external sources shall create neither a hazard nor a nuisance to adjacent properties. No flashing, revolving or intermittent illumination shall be employed.
2. Any illuminated business sign (including those illuminated by neon or other gaseous type tubes or by incandescent lamps) erected within one hundred (100) feet of an intersection where an illuminated device has been provided for the control of traffic shall not be duplicated in the electric light of such sign in any colors appearing in the traffic control signal.

E. Movement – No sign shall employ any parts or elements which revolve, rotate, whirl, spin or otherwise make use of motion to attract attention. No sign or part thereof shall contain or consist of flags, ² posters, pennants, ribbons, streamers, spinners, balloons, and/or any inflatable devices, search light or other similar moving devices. Such devices as well as strings of lights shall not be used for the purpose of advertising or attracting attention when not part of a sign. ¹

F. Required Openings – Signs shall not project over or obstruct the required windows or doors of any building or attach to or obstruct a fire escape.

G. Public Service Signs – Subsection A and D of this section shall not apply to any sign performing a public service function indicating time, temperature or similar services.

H. Sign, Measurement of – The dimensions of a sign shall be calculated based upon the area normally visible from any one (1) direction. The area shall be measured by the smallest square, rectangle, circle or combination thereof which will encompass the entire advertising device including decorative border, trim cutout and extension. Frames and other structural members not including advertising matter shall not be included in calculation of the surface area. A logo, however, is to be considered part of the sign. (For example: a rectangular sign measuring four (4) feet by six (6) feet with a display on both sides shall be considered 24 square feet, as would a four (4) foot by (6) foot sign with display on only one (1) side.) When separate elements are organized to form a single sign but the elements are separated by open space, the area shall be calculated by determining the geometric form or combination of forms which comprise all the display area including the space between the elements. (See Figures 4 and 5).

¹ Revised (08-13-1998)

² Removed (the word “banners”) (01-03-2016)

SECTION 604 – SIGNS PERMITTED IN ANY DISTRICT WITHOUT A PERMIT

The following types of signs shall be permitted in any district and shall not require a zoning certificate:

- A. Residence Sign – One (1) name plate not exceeding two (2) square feet in area shall be permitted for each dwelling.
- B. Institutional Sign – A church, school, community center or other public or institutional building for its own use: an announcement sign or bulletin board not over 20 square feet in area and not to be located closer than 10 feet to any road right-of-way.
- C. Real Estate Sign – One (1) unlighted real estate sign not exceeding four (4) square feet in area pertaining only to the sale, lease or rent of the particular building, property or premises upon which displayed. Such sign shall be removed within 10 days of the completion of said sale (title transfer), lease or rental.
- D. Roadside Stand Signs – One (1) unlighted sign not more than 20 square feet in area in conjunction with a roadside stand which shall be used to advertise agricultural products on the premises. Such signs shall be located outside of the road right-of-way. Such signs shall be removed at the conclusion of the seasonal sales.
- E. Political Signs – Signs promoting issues or candidates for public office shall be permitted in any district within the Township. Such signs shall not be placed on utility poles, over public property, in the right-of-way and shall not be any closer than ten (10) feet to the side lot line. Such signs shall not exceed five (5) square feet in area. Such signs and all supporting materials shall be removed within ten (10) days following the election to which they relate.
- F. Window Signs – See Section 605.J.

SECTION 605 – ACCESSORY SIGNS REQUIRING A PERMIT ¹

The following types of accessory signs shall be permitted in all zoning districts unless otherwise specified and shall require a zoning certificate.

- A. Development Sign - One (1) temporary real estate sign advertising the development of the premises upon which it stands or the opening of a new subdivision within which such sign is located and maintained upon the issuance of a temporary 1 year month renewable zoning certificate. Such sign shall not exceed 35 square feet in area and shall not be located closer than 10 feet to any road right-of-way. ²

¹ Pole Signage removed (03-15-2000) and Portable Signs removed (01-02-2015)

² Revised (05-17-2001)

- B. Subdivision Sign – One (1) permanent sign not to exceed 24 square feet exclusive of decorative walls, fences or base identifying a subdivision or neighborhood may be permitted. Such sign shall not exceed 6 feet in height or be located closer than 25 feet to any road right-of-way. One double sided sign shall be permitted at each entrance to a residential development.⁵
- C. Identification Sign – In lieu of the freestanding sign permitted in H below, one (1) identification sign at the primary entrance to an integrated grouping of businesses may be permitted. Such sign shall identify the name of the grouping of businesses and shall not exceed 75 square feet in area and 25 feet in height. No portion of the sign shall be located within 20 feet of any road right-of-way or within 40 feet of any adjacent property.¹
- D. High-Rise Sign – In addition, each business may, within 660 feet of the Interstate 71 right-of-way have one (1) pole type high-rise accessory sign that is designed to be seen from Interstate 71. Such sign shall be located within 660 feet of the Interstate right-of-way and shall be located within 50 feet of the business's activity area (building or parking area). Such signs shall have a maximum height of 100 feet and a maximum area of 160 square feet.²
- E. Service Station Signs – In addition to the other signs permitted by this section, gasoline filling stations may have not more than one (1) unlighted, double-faced accessory sign per pump island. Such sign shall have a maximum area of 5 square feet and shall be permanently attached to the pump island. Allowed signage on canopies is one (1) square foot per one (1) linear foot of canopy, not to exceed sixteen (16) sq. feet.⁶
- F. Sign, Builder's – One (1) unlighted temporary builder's sign not exceeding 16 square feet in area advertising the development of the premises upon which it stands may be located and maintained upon the issuance of a temporary (6 month) zoning certificate. Such sign shall not be located closer than 10 feet to the road right-of-way. (No fee required.)³
- G. Billboard/Outdoor Advertising – Off premises signs (billboards) shall be permitted only in commercial and industrial districts and land used for agriculture, as required by Section 519.20 of the Ohio Revised Code and shall require a zoning certificate. Such signs shall be located so as to maintain the same minimum front, side and rear yard requirements as for buildings in that district except that no such sign shall be located closer than 1000 feet to a dwelling. Nor shall any such sign be permitted closer than 1000 feet to a public park, public or parochial school, library, church, hospital or similar institution. The maximum area of such sign shall be 300 square feet. The maximum height of such sign shall be 35 feet. Such signs visible to approaching traffic on either or both sides of a right-of-way shall have a minimum spacing of at least 500 feet.⁴

¹ Revised (03-15-2000) ² Revised (03-15-2000) ³ Revised (10-31-1985)

⁴ Revised (11-30-1995) ⁵ Added (01-03-2016) ⁶ Added (01-03-2016)

- H. Ground Sign – One freestanding on the ground type business name sign per parcel upon which a business building is located may be erected except in the case of a corner lot where one (1) sign may be placed in the front yard facing each thoroughfare. Such sign shall not exceed thirty-two (32) square feet in the area per side and the overall height of the sign shall not be more than ten (10) feet from grade level at the site of the sign. No such sign shall be located closer than ten (10) feet to the road right-of-way nor closer than twenty (20) feet to any side yard. The placement of such ground sign shall be located in the required landscaping or buffer strip, if one is required.
- I. Wall, Roof and Awning Signs – In addition to the other signs permitted by this section, each business shall be permitted one (1) accessory wall, roof or awning sign provided the following conditions are met:
1. Each business whether free standing or occupying one (1) or more units of a multi-unit structure, shall be permitted one (1) wall sign whose dimensions shall be based on the linear measurement of the amount of the front of the building or unit (s) utilized by the business. One (1) square foot of sign for each linear foot of this exterior measurement is allowed up to a maximum of 80 square feet per business. For instance, a business utilizing 34 feet of the linear front of a given structure would be permitted up to a 34 square foot sign regardless of the buildings overall dimension. Owners, lessors and/or lessees of a multi-unit business structure are urged to, but not required to strive for a degree of consistency in signage. Wall signs shall not project from the face of the wall more than 18 inches and shall not extend above or beyond the building wall. ¹ Buildings facing more than one (1) adjacent right-of-way may have one (1) wall sign facing each adjacent right-of-way. ⁴
 2. Roof signs shall conform to the dimensional restrictions described in the preceding paragraph (I.1). Roof signs shall not project above the roof of a building with a flat roof nor shall a roof sign project above the eave line or peak of a building with a gambrel, gable, hip or mansard roof. Roof signs shall not project outward beyond the bottom of the eaves of the building. ²
 3. Awning signs shall conform to the dimensional restrictions described in the paragraph (I.1) of this section. No awning shall extend above the building wall. Posts or columns beyond the building lines shall not be permitted for awnings. Every awning shall be securely attached to and supported by the building. ³
- J. Window Signs – Special and periodic advertising sign (s) located inside an enclosed building and visible through a window (s) shall be allowed where the area of the sign (s) does not exceed twenty 20% (percent) of window area. Such sign shall advertise only those products and services provided on the premises. (No permit required.)

¹ Revised (06-14-2001)

² Revised (06-14-2001)

³ Revised (06-14-2001)

⁴ Added (01-03-2016)

- K. Temporary Signs – Shall be limited to one (1) temporary sign per property not to exceed thirty-two (32) square feet including a sign placed on vehicles for advertising purposes, which may be placed on a building or on any premises for not more than fourteen (14) days, three (3) times per calendar year (January 1st through December 31st). The sign shall be at least 10 feet from any road right-of-way except as otherwise specified in this code. The fourteen (14) day periods may be contiguous if the property owner so desires. ¹
- L. Directional Signs – Signs shall be located on the premises which they serve. Each sign may not exceed four (4) square feet, with the number, location and height to be determined upon review of the individual site plan by the Zoning Commission. ²
- M. Digital Message Signs – Are permitted for ground signs only and shall be permitted in all business districts. A Digital Message Sign shall meet the following requirements:
1. Frequency. Copy change shall not be more frequent than once per sixty (60) seconds and both text and color shall remain static between intervals.
 2. Color. Any Digital Message Sign erected within one hundred (100) feet of an intersection where an illuminated device has been provided for the control of traffic shall not duplicate the electric light of such sign in any colors appearing in the traffic control signal.
 3. Illumination. Illumination level of a digital Message Sign shall not exceed .3 foot candle as measured from the adjacent right-of-ways.
 4. Digital Message Signs shall be programmed to dim and brighten automatically in response to changes in ambient light to avoid undue brightness.
 5. Digital Message Signs shall be programmed to “freeze” or go blank if there is a malfunction so that flashing or other distracting movement does not result. ³

¹ “Portable Signs” deleted entirely and replaced with “Temporary Signs (01-02-2015)

² Revised (03-15-2000)

³ Revised (05-28-2010)

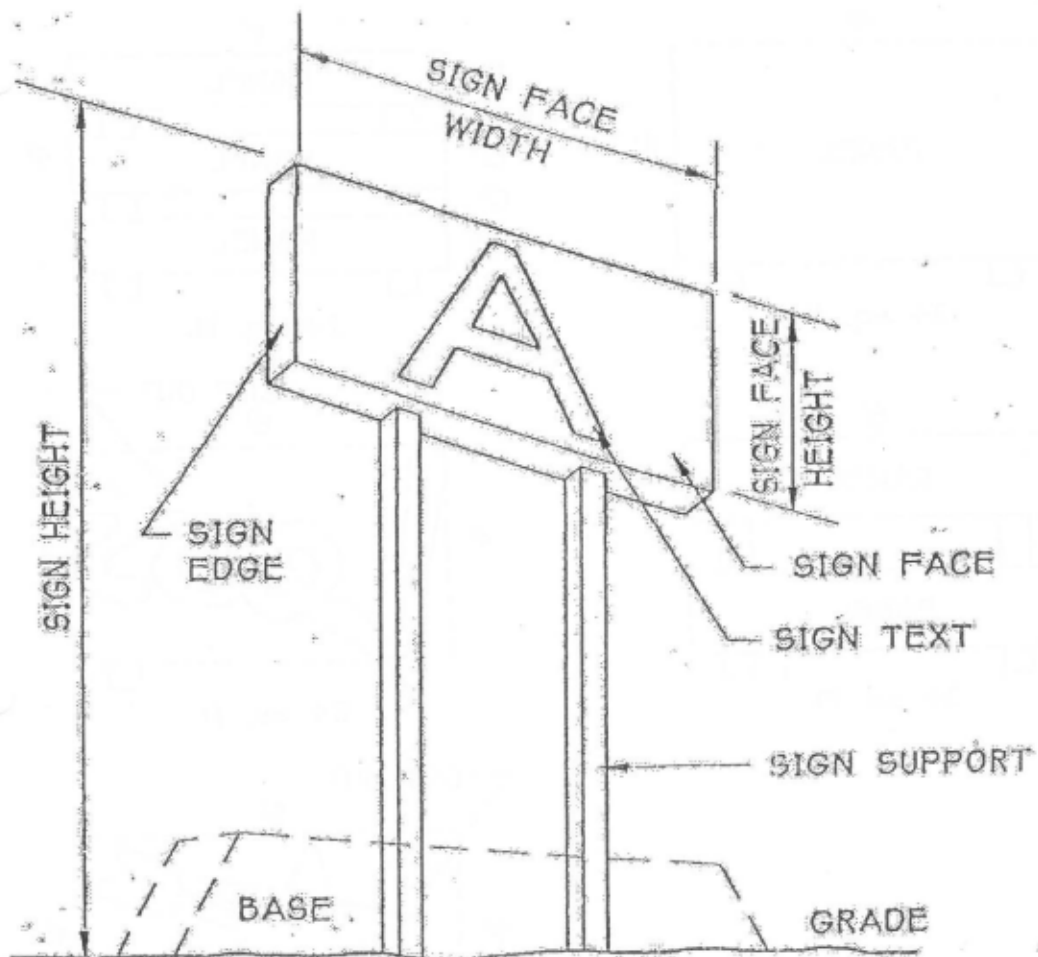
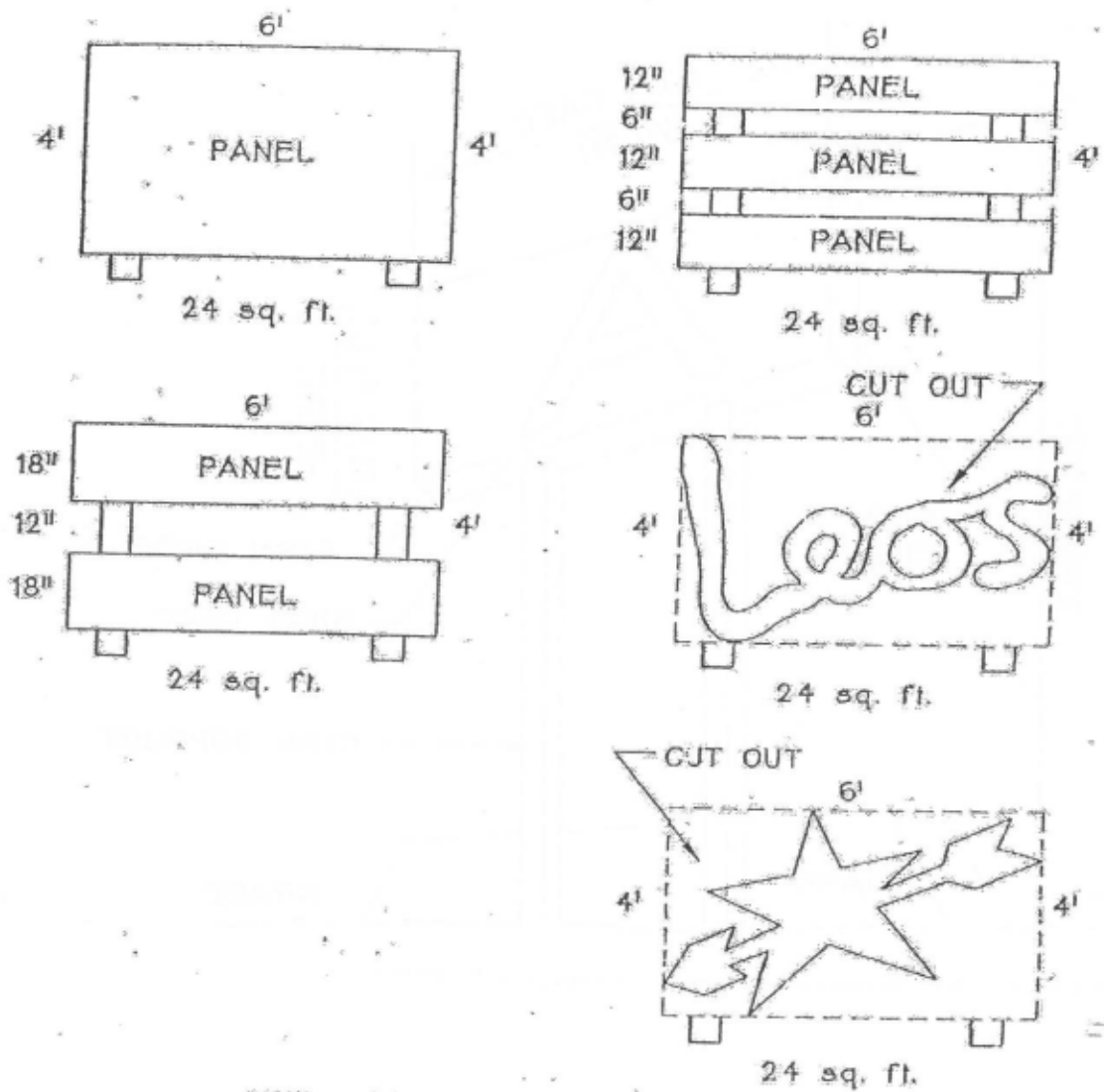


Figure 4 – Sign Measurement Elements – Revised (11-30-1995)



SIGN MEASUREMENT CRITERIA

Figure 5 – Typical Signs – Revised (11-30-1995)

SECTION 606 – ENFORCEMENT

- A. Safe Condition – The Zoning Inspector may order any sign to be painted or refurbished at least once a year if needed to keep the sign in a safe condition. All supports, guys, braces and anchors for such signs shall be maintained in a safe condition. The Zoning Inspector may order removal of any such sign that is not so maintained and it shall be unlawful for the owners or persons having charge of such sign not remove the same after receiving notice from the Zoning Inspector to do so.
- B. Removal – If the Zoning Inspector shall find that any sign or other advertising structure regulated herein is unsafe or insecure or is a menace to the public or has been constructed or erected or is being maintained in violation of the provisions of this Resolution, notice shall be given in writing by the Zoning Inspector to the owner, agent or person having the beneficial use of said sign, who shall thereafter immediately correct the condition for which said notice was given.
- C. Violation – If the Zoning Inspector shall find that any sign or other advertising structure regulated herein is unsafe or insecure or is a menace to the public or has been constructed or erected or is being maintained in violation of the provisions of this Resolution, notice shall be given in writing by the Zoning Inspector. If the structure is not removed or altered so as to comply with the standards herein set forth within the time set by the Zoning Inspector, except for portable or temporary signs which must be removed immediately upon notice, in addition to any other lawful remedy, the Trustees then shall have the right to order removal of said sign according to the authority granted to the Trustees by the State Legislature.

ARTICLE VII

NON-CONFORMING USES

SECTION 701 – ABANDONMENT

An existing non-conforming use may be continued except that if it is discontinued for two (2) years or more it shall then be deemed abandoned and any further use must be in conformity with the uses permitted in such district.

SECTION 702 – COMPLETION ON CONSTRUCTION

Any building arranged, intended or designed for a non-conforming use, the construction of which has been started at the time of the passage of this Resolution but not completed, may be completed and put to such non-conforming use providing it is done within one (1) year after this Resolution takes effect.

SECTION 703 – RECONSTRUCTION

Any building or structure, existing as a non-conforming use at the time this Resolution takes effect which is destroyed by fire or the elements may be reconstructed and restored providing the same is done within two (2) years from the date of said destruction.

SECTION 704 – EXTENSION

A building or structure devoted to a non-conforming use at the time this Resolution takes effect may be altered or enlarged once, not to exceed 35% (percent) of the square footage of the original structure.

SECTION 705 – CHANGE TO CONFORMING USE

Whenever a non-conforming use has been changed to a more restrictive non-conforming use, such use shall not thereafter be changed to a less restricted or non-conforming use.

SECTION 706 – NON-CONFORMING LOTS OF RECORD

- A. In any district in which single family dwellings are permitted, a single family dwelling and customary accessory buildings may be erected on any legal lot of record at the effective date of the adoption or amendment of this Resolution, notwithstanding limitation imposed by other provisions of the Resolution, provided all such lots are approved by the Medina County Health Department for on-site sewer and water facilities if applicable. This provision shall apply even though such lot fails to meet the requirements for area or width, or both that are generally applicable in the district provided that yard dimensions and requirements other than those applying to area or width, or both, of the lot shall conform to the current regulations for the district in which such lot is located. Variances of requirements listed in this resolution other than lot area or lot width shall be obtained only through action of the Zoning Board of Appeals as provided in Appendix I.
- B. A non-conforming lot or lots of record which do not comply with the area or width or both of the current Medina Township Zoning Resolution may be considered for replat or combination so long as any change in the area, width or both of new non-conforming lot or lots resulting from said replat or combination does not create any lot less compliant with the current legal lot regulations. Any new – non-conforming lot or lots created as a result of this section must also comply with conditions as set forth in Section 706.A. ¹

¹ Revised (09-14-2014)

ARTICLE VIII

INTERPRETATION

In interpretation and application, the provisions of this Resolution shall be the minimum requirement adopted for the promotion of public health, safety, morals, comfort and general welfare.

Nothing herein shall repeal, abrogate, annul or in any way impair or interfere with any provision of law or any rules or regulations, other than zoning regulations, adopted or issued pursuant to law relating to the construction and use of buildings or premises.

Where this Resolution imposes a greater restriction upon the use of buildings or premises or upon the height of buildings or requires larger yards than are imposed or required by other provisions of law, rules, regulations, covenants or agreements the provisions of this Resolution shall control, but nothing herein shall interfere with, abrogate, or annul any easements, covenants, deed restrictions or agreements between parties which impose restrictions greater than those imposed by this Resolution.

ARTICLE IX

ADMINISTRATION AND ENFORCEMENT

SECTION 901 – ZONING INSPECTOR

For the purposes of enforcing the Zoning Resolution, the Township Trustees shall establish and fill the position of Township Zoning Inspector, together with such assistants as the Trustees deem necessary. The term of employment, rate of compensation and other such conditions shall be set by the Township Trustees.

SECTION 902 – ZONING CERTIFICATE APPLICATION AND ISSUANCE

- A. Certificate Required – Before constructing, changing the use of or altering any building or structure including accessory buildings or changing the use of any premises, application shall be made to the Township Zoning Inspector for a zoning certificate. ¹
- B. Application – The application shall indicate the exact location of all the existing structures and the proposed construction, alteration, showing the proposed location, dimensions, height, use of the structure, parking space dimensions and any other pertinent data necessary to determine compliance with this resolution. ²
- C. Sanitary Approval – The application shall include evidence that sanitary sewage disposal facilities for the use have been approved by the Medina County Health Department or the Medina County Sanitary Engineer as appropriate.
- D. Time for Issuance – Within ten (10) days after the receipt of the application, the Zoning Inspector shall issue a zoning certificate if the application complies with the requirements of this Resolution and application is accompanied by the proper fee or refuse the same if it does not comply.
- E. Term for Certificate – The zoning certificate shall become invalid at the expiration of one (1) year after date of issuance unless construction is commenced, in which event the certificate will be valid for two (2) additional years.

Any zoning certificate for a change in use shall be invalid unless such change is exercised within one (1) year after date of issuance.

¹ Revised (12-09-1998)

² Revised (12-09-1998)

- F. Culvert Permit – No zoning certificate shall be issued to build any structure within the Township which has ingress or egress to a road until the owner of such property has secured a permit from the Ohio Department of Transportation, the County Engineer, or the Township Trustees (whichever authority has jurisdiction) and completed proper installation of such culvert, if such culvert is necessary for the adequate removal of storm water from the vicinity.

SECTION 903 – SCHEDULE OF FEES, CHARGES AND EXPENSES

The Township Trustees shall by resolution establish a schedule of fees, charges and expenses and a collection procedure for zoning certificates, amendments, appeals, variances, site plan approvals and other matters pertaining to the administration and enforcement of this Resolution requiring investigations, inspections, legal advertising, postage and other expenses. The schedule of fees shall be posted in the office of the Zoning Inspector and may be altered or amended only by Resolution of the Township Trustees. Until all applicable fees, charges and expenses have been paid in full, no action shall be taken on any application or appeal. (See APPENDIX V)

**ARTICLE X
VALIDITY**

Each section, sub-section, provision, requirement, regulation or restriction established by this Resolution or any amendment thereto, is hereby declared to be independent and the holding of any part to be unconstitutional, invalid or ineffective for any cause shall not affect nor render invalid the Resolution or amendments thereto as a whole or any other part thereof, except the particular part so declared to be invalid.

**ARTICLE XI
REPEALER**

All existing Resolutions of Medina Township, Ohio, inconsistent herewith, are hereby repealed.

**ARTICLE XII
EFFECTIVE DATE
JANUARY 21, 1984**

This amended shall take effect and be in full force and effect from and after the earliest period allowed by law.

Recommended by Medina Township Zoning Commission:

Date: _____

Rita M. Holt, Chairperson

Adopted by the Township Trustees:

Date: _____

Charles Riddleburgh, Chairman

Alliss J. Strogan

Richard F. Shurell

APPENDIX I
BOARD OF ZONING APPEALS

A Board of Zoning Appeals is hereby created and shall have such power as specified in Chapter 519 of the Ohio Revised Code and as follows:

- A. Composition, Appointment and Removal – The Board shall consist of five (5) members appointed by the Township Trustees. The members shall be residents of the unincorporated area of Medina Township. The term of office shall be five (5) years and the terms shall be so arranged that the term of one member will expire each year. Members shall serve until their successors are appointed and qualified.

Members shall be removable by the Township Trustees for non-performance of duty, misconduct in office or other causes, upon written charges being filed with the Trustees. A copy of the charges shall be served upon the member so charged. The member shall be given an opportunity to be heard and answer such charges before an executive session of the Township Trustees, after which time a public hearing is to be held regarding such charges. Vacancies shall be filled by the Township Trustees and shall be for the unexpired term.

B. Organization

1. Officer, Rules – The Board shall elect a Chairman from its membership and shall prescribe rules for the conduct of its affairs.
 2. Quorum – Three (3) members of the Board shall constitute a quorum at all meetings. The act of a majority of the members present at a meeting at which a quorum is present shall be necessary to effect an order, take action, make decisions or act on any authorization.
 3. Meetings – The Board shall meet at the call of its Chairman and at such other times as it may determine. All meetings of the Board shall be open to the public.
 4. Witnesses – The Board Chairman or Acting Chairman may administer oaths and the Board may compel the attendance of witnesses in all matters coming within the purview of the Board.
 5. Proceedings – The Board shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact and shall keep records of its examinations and other official actions. The Board's minutes and records shall be immediately filed in the office of the Township Trustees and shall be a public record.
- C. Administrative Appeals – The Board shall have the power to hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by the Zoning Inspector in the enforcement of this Resolution. Administrative appeals shall be reviewed according to the procedures listed in this section.

D. Variance Appeals

1. General – The Board shall have the power to authorize upon appeal, in specific cases, such variance from the terms of the Zoning Resolution as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of this Resolution will result in unnecessary hardship and so that the spirit of this Resolution shall be observed and substantial justice done. Variance appeals shall be reviewed in the manner specified below and according to the procedures in Item E.
2. Limitations – Under no circumstances shall the Board of Zoning Appeals grant a variance to allow a use not permissible under the terms of this Resolution in the zoning district involved, or any use expressly or by implication prohibited by the terms of this Resolution in said zoning district. No non-conforming use of neighboring lands, structures, or buildings in the same zoning district and no permitted or non-conforming use of lands, structures or buildings in other zoning districts shall be considered grounds for issuance of a variance. Variances shall not be granted on the grounds of convenience or profit but only where strict application of the provisions of this Resolution would result in unnecessary hardship.
3. Supplementary Conditions – In granting a variance appeal, the Board may impose such conditions as it may deem necessary to protect the public health, safety and morals or to further the purposes and intent of this Resolution, including the requirement of a bond to guarantee that all special conditions imposed by the Board will be complied with.

E. Procedure for Administrative and Variance Appeals

1. General – Appeals to the Board of Zoning Appeals concerning the powers specified in Item C and D for administrative appeals and variance appeals may be taken by any person or corporation or by any officer of Medina Township adversely affected by any decision of the administrative officer. Such appeal shall be taken within twenty (20) days after the decision by filing with the officer from whom the appeal is taken and with the Board of Zoning Appeals, a Notice of Appeal specifying the grounds. The officer from whom the appeal is taken shall forthwith transmit to the Board of Zoning Appeals all the papers constituting the record upon which the action appealed from was taken. ¹
2. Stay of Proceedings – An appeal shall stay all proceedings in furtherance of the action appealed, unless the Zoning Inspector shall certify to the Board of Zoning Appeals after the notice of the appeal has been filed, that a stay would cause imminent peril to life or property. In such cases, proceedings shall not be stayed by other than a restraining order granted by the board or by a court having lawful jurisdiction.

¹ Revised (03-12-1992)

3. Public Hearing and Notice – The Board of Zoning Appeals shall hold a public hearing within a reasonable period of time after the receipt of an appeal. Notice of the hearing shall be published in a newspaper at least ten (10) days before the date of the public hearing. The notice shall state the time place and object of the public hearing. Notices shall be sent at least ten (10) days before the hearing to all parties adjacent to or across the road from the subject property. The Board may recess such hearing and if the time and place of the continued hearing is publicly announced at the time of adjournment, no further notice shall be required. ¹
4. Comment of Zoning Commission – Applications for appeals may be submitted by the Board of Zoning Commission for review and comment. The comment of the Zoning Commission will be submitted in writing to the Board prior to its public hearing and shall be included in the minutes of that hearing.
5. Decisions – Within a reasonable time after the public hearing, the Board of Zoning Appeals shall approve, approve with supplementary conditions or disapprove the request for appeal. A copy of the Board's decision shall be transmitted to the applicant and to the Zoning Inspector. Such decision shall be binding upon the Zoning Inspector and shall be incorporated in the terms and conditions of the zoning certificate whenever a permit is authorized by the Board. Any person adversely affected by a decision of the Board may appeal to the Court of Common Pleas on the grounds that the decision was unreasonable or unlawful.

¹ Revised (03-12-1992)

APPENDIX II ZONING COMMISSION

The Zoning Commission is hereby created and shall have such power as specified in Chapter 519 of the Ohio Revised Code and as follows:

- A. Powers – The Zoning Commission shall have the following duties:
 - 1. Initiate amendments to the text or map of this Resolution.
 - 2. Review all proposed amendments to this Resolution and make recommendations to the Township Trustees.
 - 3. Review all site plans as specified by Section 306 and planned developments as specified in Section 403.4 and make recommendations to the Township Trustees.
 - 4. Make recommendations to the Township Trustees on all matters concerning planning, zoning and development in Medina Township.
- B. Members – The Zoning Commission shall be composed of five (5) members who reside in the unincorporated area of Medina Township, to be appointed by the Township Trustees. The terms of members shall be of such length and so arranged that the term of one (1) member will expire each year. Members shall serve until their successors are appointed and qualified.
- C. Procedures – The Zoning Commission shall annually elect officers from its members. The Zoning Commission may prescribe rules for the conduct of its affairs as are not in conflict with this Resolution or Ohio Statutes. Three (3) members of the Board shall constitute a quorum at all meetings. The Zoning Commission shall keep records of its proceedings.
- D. Dismissal – Members shall be removable by the Township Trustees for non-performance of duty, misconduct in office or other causes upon written charges being filed with the Trustees. A copy of the charges shall be served upon the member so charged. The member shall be given an opportunity to be heard and answer such charges before an executive session of the Township Trustees, after which time a public hearing is to be held regarding such charges. Vacancies shall be filled by the Township Trustees and shall be for the unexpired term.

APPENDIX III ENFORCEMENT OF REGULATIONS

The Zoning Inspector shall inspect each alleged violation, and shall, in writing, order correction of all conditions which are found to be in violation of this Resolution.

- A. Correction Period – After a written order is issued, all violations shall be corrected within the period of time as specified by the Zoning Inspector based on the nature of the violation. Any violations not corrected within the specified time period shall be reported to legal counsel who shall initiate prosecution procedures.¹
- B. Penalty – The owner or owners of any building or premises or part thereof where anything in violation of this Resolution shall be placed or shall exist, any tenant or occupant of such building or premises involved in instituting or implementing any such violation and any other person who shall violate any of the provisions of this Resolution or fail to comply therewith shall for each violation or non-compliance be deemed guilty of a misdemeanor and upon conviction thereof be fined according to the Ohio Revised Code. Each day such violation or failure to comply shall exist shall constitute a separate offense.²
- C. Prevention of Violations – In case any building is or is proposed to be located, erected, constructed, reconstructed, enlarged, changed, maintained or used, or any land is or is proposed to be used in violation of any provisions of this zoning Resolution or supplements or amendments thereto, the Board of Township Trustees, the Prosecuting Attorney of the County, the Township Zoning Inspector, or any adjacent or neighboring property owner who would be especially damaged by such violation, in addition to other remedies provided by law may institute by injunction, mandamus, abatement or any other appropriate action or proceeding to prevent, enjoin, abate, or remove such unlawful location, erection, construction, reconstruction, enlargement, change, maintenance or use. The Township Trustees may employ special Counsel to represent them in any proceedings or to prosecute any actions brought under this section.

¹ Revised (10-11-2017)

² Revised (11-30-1995)

APPENDIX IV AMENDMENTS

The Trustees of Medina Township may amend by Resolution the number, shape, area, or regulations of district established on the Zoning Districts Map or the regulations set forth in this Resolution. All amendments shall be made according to the procedures required by Section 519.12 of the Ohio Revised Code and this Appendix and only after receipt of recommendations from the Zoning Commission.

- A. Initiation of Amendments – Amendments to the Zoning Resolution may be initiated by one of the following:
 - 1. Motion of the Township Zoning Commission, or
 - 2. Passage of a resolution by the Township Trustees and certification to the Zoning Commission, or
 - 3. Filing of an application with the Zoning Commission by one or more owners of property within the area proposed to be changed or affected by the proposed amendment or supplement to the Zoning Resolution.
- B. Applications – Applications for zoning text or map amendments shall be on a form prescribed by the Township Trustees and shall include the required number of copies of the following: ¹
 - 1. Application form.
 - 2. Map of land to be rezoned drawn by registered surveyor.
 - 3. If 10 or less parcels are to be rezoned, a list of all property owners and their mailing addresses who are within, contiguous to, or directly across the street from the parcel (s) proposed to be rezoned and others that may have a substantial interest in the case.
- C. Referral to Planning Commission – Within 5 days after initiation of a zoning amendment, the Zoning Commission shall transmit a copy of the amendment to the county or regional planning commission. The planning commission shall recommend the approval or denial of the proposed amendment or the approval of some modification thereof and shall submit the recommendation to the Zoning Commission. This recommendation shall be considered at the public hearing held by the Zoning Commission on the proposed amendment.

¹ Revised (03-12-1992)

- D. Referral to Ohio Department of Transportation – The Director of the Ohio Department of Transportation shall be notified concerning proposed zoning amendments affecting any land within 300 feet of the centerline of a certified (journalized) new highway or highway improvement or within 500 feet from the intersection of an existing public road with said centerline. Upon receipt of an application for rezoning in this area, the zoning Commission shall notify the Director by registered or certified mail and shall then proceed with the requirements of this Appendix. However, the Township Trustees shall not act on the amendment for a period of 120 days from receipt of this notice by the Director.

During the 120 day period or any extension agreed to by the Director and the property owner, the Director shall proceed to acquire the land required for the highway improvement or to determine that acquisition at that time is not in the public interest. Upon receipt of notice from the Director that the property will be acquired, the Trustees shall refuse to rezone the land that the Director intends to acquire. If the Director provides notice that acquisition at that time is not in the public interest or at the expiration of the 120 day period or any extension, the Trustees shall proceed to approve or disapprove the amendment in the manner specified below.

- E. Public Hearing by Zoning Commission – Upon the initiation of an amendment to the zoning Resolution, the Zoning Commission shall set a date for a public hearing. The hearing shall be held more than 20 but less than 40 days from the date of the initiation of the amendment.

- F. Notice – Notice of the Zoning Commission public hearing shall be given as follows:

1. Newspaper – Notice shall be given by publication in one or more newspapers of general circulation in the Township at least 10 days before the date of the hearing. The notice shall state the time and place of the public hearing, the nature of the proposed amendment or supplement and a statement that after the conclusion of the hearing the matter will be referred for further determination to the Township Trustees.
2. Property Owners – If the proposed amendment or supplement intends to rezone or redistrict 10 or fewer parcels of land as listed on the tax duplicate, written notice of the hearing shall be mailed by the Zoning Commission for first class mail at least 10 days before the date of the public hearing to all owners of property within, contiguous to and directly across the road from the area proposed to be rezoned. The notice shall include the same information required above for newspaper notice.

- G. Action of the Zoning Commission – The Zoning Commission shall within 30 days after the hearing recommend the approval, denial or the approval of some modification of the proposed amendment. The Zoning Commission shall submit its recommendation and the application, together with the recommendation if any of the county or regional planning commission to the Township Trustees.

H. Public Hearing and Notice by Township Trustees – The Township Trustees shall upon receipt of the recommendation set a time for a public hearing on the proposed amendment or supplement. The hearing shall be held within 30 days from the receipt of the recommendation from the Zoning Commission. Notice of public hearing shall be given by the Trustees by one (1) publication in one (1) or more newspapers of general circulation in the Township at least 10 days before the date of the hearing. The published notice shall set forth the time and place of the public hearing and summary of the proposed amendment.

I. Action of the Township Trustees – Within 20 days after the public hearing, the Trustees shall either adopt or deny the recommendations of the Zoning Commission or adopt some modification thereof. In the event the Trustees deny or modify the recommendation of the Zoning Commission, the unanimous vote of the Trustees shall be required. Amendments adopted by the Township Trustees shall become effective 30 days after the date of such adoption unless within that period a referendum petition as described below is presented to the Trustees.

J. Referendum

1. A referendum petition must be signed by a number of registered voters residing in the unincorporated area of the Township equal to at least 8% (percent) of the total vote cast for all candidates for governor in such area at the last preceding general election at which a governor was elected. The petition shall request the Township Trustees to submit the amendment to the electors of such area for approval or rejection at a special election to be held on the day of the next primary or general election.
2. Each part of the petition shall contain the number and the full and correct title, if any, of the zoning amendment or supplement, furnishing the name by which the amendment or supplement is known and a brief summary of its contents. Each petition shall contain all information required therein and shall also be covered by the rules specified in Section 3501.38 of the Ohio Revised Code.
3. The petition shall be filed, accompanied by an appropriate map of the area affected by the zoning proposal, with the Board of Township Trustees. The Trustees shall then transmit the petition within two (2) weeks of its receipt to the Board of Elections, which shall determine the sufficiency and validity of the petition. The petition shall be certified to the Board of Election not less than 75 days prior to the election at which the question is to be voted upon.
4. No amendment for which a referendum vote has been requested shall be put into effect unless a majority of the vote cast on the issue is in favor of the amendment. Upon certification by the Board of Elections that the amendment has been approved by the voters, it shall take immediate effect.

K. Form of Petition – The form of a petition calling for a zoning referendum and the statement of the circulator shall be substantially as follows: (See Forms)