ARTICLE I

TITLE, INTERPRETATION AND PURPOSE
(EFFECTIVE: December 19, 2012)

SECTION 101 TITLE.
This Resolution shall be known and may be cited as the Lafayette Township Zoning Resolution.

SECTION 102 MINIMUM REQUIREMENTS.
In their interpretation and application, the provisions of this Resolution shall be held to be minimum requirements, adopted in the interest of the public health, safety, convenience, comfort, prosperity and general welfare. Whenever the requirements of this Resolution conflict with the requirements of any other lawfully adopted resolution, the most restrictive, or that imposing the higher standards shall govern. Uses not listed in this Resolution shall not be permitted, except as determined by procedures contained in Article X.

SECTION 103 SEPARABILITY.
Should any section or provision of this Resolution be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Resolution as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

SECTION 104 CONFLICTING RESOLUTION.
All resolutions or parts of resolutions in conflict with this Zoning Resolution or inconsistent with the provisions of the Resolution are hereby repealed to the extent necessary to give this Resolution full force and effect.

SECTION 105 PURPOSE.
In the best interest and in order to promote the public health, safety, convenience, comfort, prosperity or general welfare of the residents of Lafayette Township, Medina County, Ohio, and to ensure orderly growth and development in said township, the Lafayette Township Board of Trustees has found it necessary and advisable to adopt this Zoning Resolution in accordance with the Lafayette Township Comprehensive Plan to regulate:

- The location, height, bulk, number of stories and sizes of buildings and other structures;
- The use of land for business, industry, residential use and/or recreation;
- Reasonable residential landscaping standards.

In order to accomplish the above purposes, this Resolution divides the township into zoning districts of sufficient number, shape and area as the Lafayette Township Board of Trustees determines and provides for the administration and enforcement of such regulations.
## Article II
### General Regulations

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### Section 201  Establishment of Districts

The following zoning districts are hereby established for the unincorporated areas of Lafayette Township, Medina County, Ohio: Rural Residential District, Medina City Buffer District, Local Commercial District, Light Manufacturing & Research District, Flood Plain District, Lafayette Township Transitional District, Chippewa Resort Overlay District, Innovation Park Planned Unit Development District, and Lake Road North Overlay District. The above zoning districts have been formulated to realize the general intent set forth in the Preamble of this Resolution, and in addition, the specific purpose of each zoning district shall be as stated.

### Section 202  Uniformity of Regulations

All regulations shall be uniform for each class or kind of building or other structure, or use throughout each district except as specifically provided.

### Section 203  Zoning District Map

The districts established in Article III (District Regulations) as shown on the Official Zoning Map, which, together with all data, references, explanatory material and notations thereon, are hereby officially adopted as part of this Resolution and hereby incorporated by reference herein, thereby having the same force and effect as if herein fully described in writing. The Official Zoning Map shall remain on file in the office of the Township Fiscal Officer, and shall be maintained by the Zoning Inspector.
SECTION 204  INTERPRETATION OF DISTRICT BOUNDARIES

Where uncertainty exists with respects to the boundaries of any of the districts as shown on the zoning map, the following rules shall apply:

A. Where district boundaries are so indicated as approximately following the center lines of thoroughfares or highways, street lines, or highway right-of-way lines, such center line, street lines, or highway right-of-way lines shall be construed to be said boundaries;

B. Where district boundaries are so indicated that they approximately follow the lot lines, such lot lines shall be construed to be said boundaries;

C. Where district boundaries are so indicated that they are approximately parallel to the center lines or street lines of streets, or the center lines or right-of-way lines of highways, such district boundaries shall be construed as being parallels thereto and at such distance there from as indicated on the Official Zoning Map. If no distance is given such dimensions shall be determined by the use of the scale shown on the Official Zoning Map;

D. Where the boundary of a district follows a railroad line, such boundary shall be deemed to be located in the middle of the main tracks of said railroad line.

SECTION 205  REQUIRED COMPLIANCES

Prior to any new building construction, application must be obtained from the Zoning Inspector. No building or structure shall be erected, converted, enlarged, reconstructed or structurally altered, nor shall any building, structure or land be used in a manner which does not comply with all of the district provisions established by this Resolution for the district in which the building, structure or land is located. Any change in use, enlargement, or structural alteration requires a new zoning permit.

SECTION 206  EXEMPT USES

Exempt uses shall be those as provided by the Ohio Revised Code and other applicable laws.

SECTION 207  OBJECTIONABLE, NOXIOUS, OR DANGEROUS USES, PRACTICES OR CONDITIONS

No land or building in any district shall be occupied or used in any manner which creates or contributes to the existence of conditions which are dangerous, injurious, harmful, noxious, or objectionable, or which may otherwise adversely affect surrounding areas or adjoining premises, except that any use permitted by this Resolution may be undertaken or maintained if acceptable measures and safeguards to reduce any dangerous or objectionable conditions to acceptable limits, as established in this Section, are properly exercised. Specifically, the occupation or use of any land or building in any district shall be in violation of this Resolution if one or more of the following conditions are found to exist at any time:

1. The use or storage of flammable or explosive materials, if not adequately protected by firefighting and fire-protection equipment or by such safety devices as are normally required for such activities;

2. Radioactivity or air pollution is present in violation of the regulations of the Ohio Environmental Protection Agency;
3. Hazardous wastes are present in violation of the regulations of the Ohio Environmental Protection Agency;

4. Erosion caused by wind or water is carrying objectionable substances onto any adjacent lot or property;

5. Water pollution or contamination is present in violation of the regulations of the Ohio Environmental Protection Agency.

SECTION 208

GENERAL REGULATIONS OF LOTS

A. Street Frontage - Except as otherwise provided in this Resolution, every principal building shall be located on a lot having frontage on a public or private street and also have a driveway entering onto such a street.

B. Change in Ownership - No space which, for the purpose of a building, has been counted or calculated as part of a side yard, rear yard, front yard, or other open space required by this Resolution, may, by reason of change in ownership or otherwise, be counted or calculated to satisfy the yard or other open space requirement for any other building.

C. Projections into Yard Area - Every part of a required yard shall be open to the sky unobstructed, except: (1) parking of automobiles as regulated by Article V (Off-Street Parking), (2) fences, and (3) patios.

D. No parcel of vacant land held under one ownership shall be so reduced or subdivided such that the resulting lot width, frontage, lot area or yard dimensions are below the minimum requirements of this Resolution, unless transferred as a non-buildable lot.

E. Corner Lots

1. Required Yards Facing Street - Corner lots in all districts shall have the minimum required front yard facing both streets.

2. Visibility at Corner Lots - No obstruction to view in excess of two (2) feet in height from the nearest existing roadway shall be placed on any corner lot within a triangular area formed by the street right-of-way lines and a line connecting them at points thirty (30) feet from the intersection of the street lines so as to obstruct clear view from vehicles.

F. The use of solar energy collectors for the purpose of providing energy for heating and/or cooling is a permitted accessory use in all zoning districts. Solar collectors shall be considered as structures and shall meet all zoning regulations, including height and yard regulations of this Township.

SECTION 209

LOT STORAGE

A. Disabled or Unlicensed Motor Vehicles and Semi-trailers - Disabled motor vehicles, unlicensed motor vehicles and unlicensed semi-trailers, which are parked on any lot for more than sixty (60) days shall be stored within an enclosed building with permanently attached walls, unless proven that such vehicle is actively and continuously being restored.

B. Junk - No lot in any district shall be used for outside dumping, storage, or processing of junk, except as may occur in the normal use of the premises for the use that is permitted.
C. Longtime Storage - Not withstanding any other provision of this Resolution, the long-term storage in preexisting structures shall be allowed. No active business operation shall be permitted and no daily or weekly in or out movement shall be permitted.

SECTION 210 GENERAL REGULATIONS OF STRUCTURES AND CONSTRUCTION

A. Construction Begun Prior to Zoning Amendment - Nothing contained in these regulations shall hinder the construction of a building or prohibit its use where construction has started before the effective date of these regulations provided that a valid zoning certificate has been obtained and provided further that such building shall be completed within two (2) years from the date of passage of the regulations.

B. Individual Driveways

1. Gravel is to be applied to all new driveways, prior to construction of any structure to eliminate mud being tracked onto existing streets or highways. Any mud tracked onto streets or highways shall be removed there from immediately.

2. Where such driveway crosses a filled ravine, the graded surface shall have seeded banks having a slope not less than 3 to 1.

3. Where a curve occurs in a driveway, the inside edge of the drive surface shall have a minimum radius of thirty-five (35) feet.

4. Exact location of a driveway shall be shown on drawings presented to the Zoning Inspector.

5. All driveways shall be a least ten (10) feet from all side and rear lot lines.

6. All single-family/two-family lots shall have a driveway surface at least ten (10) feet wide. All other uses shall have a driveway surface of twelve (12) feet wide. An additional unobstructed three (3) feet on each side of driveway surface is required.

7. The minimum requirements for a driveway are as follows:
   a. Slight crown in center
   b. 6" limestone base
   c. Compacted
   d. Dust preventative added
   e. Maintained in smooth surface at all times
   f. Limestone to be added when needed in future

C. Common Drives – No common driveways are allowed in the rural residential district in Lafayette Township. However, common driveways are allowed in business districts and in planned unit developments. (Effective 12/19/12)

D. Building Height

1. Except as specifically stated in other parts of these regulations, no building or structure shall be erected, constructed, enlarged, reconstructed or structurally altered to exceed a
maximum height of thirty-five (35) feet. 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 the structure.

2. The height limitations do not apply to spires, belfries, cupolas, water tanks, ventilators, chimneys or other appurtenances usually required to be placed above roof level, and not intended for human occupancy.

E. Sewer/Water Systems - No zoning certificate will be issued by the Zoning Inspector unless there is furnished with the application for said permit an approval by the Medina County Health Department or permits from the Medina County Sanitary Engineer for water and sewer facilities.

F. Public and Private Streets and Easement of Access

1. The arrangement, character and location of all streets public and private shall be in accordance with the adopted Lafayette Township Comprehensive Plan, the City of Medina Thoroughfare Plan, the Medina County Thoroughfare Plan, and the Medina County Subdivision Regulations.

2. Board of Zoning Appeals Approval - Development on private streets or easements of access, except for common driveways as defined herein, are to be reviewed by the Board of Zoning Appeals as conditionally permitted uses, subject to standards established in Article VI (Conditional Zoning Certificates). The Board of Zoning Appeals shall obtain a recommendation from the County Engineer and the County Planning Commission. Private streets and easements of access are subject to review under the Medina County Subdivision Regulations.

3. Set Back - For the purpose of computing required setback lines, the right-of-way for a private street or easement of access shall be thirty (30) feet from the center of the improved portion of the street or easement of access.

G. Principal Building - No more than one principal building shall be permitted on any one lot zoned for single-family dwellings, except that more than one (1) single-family attached or multi-family building part of a planned development may be permitted on a single lot.

H. Accessory Building (Effective 12/19/12) – An accessory building or structure shall comply with all front, rear and side yard setback regulations applicable to the principal building, unless otherwise specified.

All accessory buildings require a permit.

I. Temporary Buildings - Temporary buildings, tool sheds and trailers for use incidental to construction work may be erected in any zoning district; however, such temporary building shall be removed within thirty (30) days after completion of construction. A zoning permit for all temporary buildings is required.

J. House Numbering – All new sub-division and/or residential housing must obtain and post a reflective house number at the entrance of the property either posted upon the mailbox or permanent post and which shall maintain an unobstructed view from the roadway.

SECTION 211 SWIMMING POOLS

Public or private in-ground or above-ground swimming, wading, or other pools containing over two (2) feet of water depth shall be considered as structures for purposes of permits and shall
conform to all required yard setback lines. The construction, plumbing and electrical requirements, inspection and other safety facilities shall be regulated by the County codes.

SECTION 212  PONDS AND LAKES (Effective 12/19/12)

A. Ponds and lakes shall be considered as structures for the purpose of requiring permits.

B. A pond or lake shall be constructed such that its surface area and the embankments associated with it shall be located at least twenty-five feet (25') from all property lines and at least fifty feet (50') from any road right-of-way. In no instance shall a pond or lake be located less than twenty-five feet (25') from the principal building.

C. Ponds or lakes shall be located entirely within the lot lines of an individual lot.

D. Ponds or lakes shall meet the specifications of the Medina County Stormwater and Sediment Control Rules and Regulations, 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.

E. A zoning certificate shall be obtained prior to construction of a pond or lake. Upon making application for a zoning permit, the applicant shall be required to submit to the Zoning Inspector a copy of the proposed pond or lake plans, which have been reviewed and approved by the Medina County Engineer’s Office and by the Medina County Health Department (if applicable in the case of lakes or ponds for domestic water supply).

F. Ponds or lakes utilizing more than ten (10) acres of drainage area shall have plans prepared by a professional engineer.

SECTION 213  STORMWATER MANAGEMENT AND SEDIMENT CONTROL

Any non-farm earth disturbance activity that is performed which involves more than 5000 square feet is required to comply with the Medina County Stormwater Management and Sediment Control Rules and Regulations.

SECTION 214  MINIMUM FLOOR AREA OF DWELLINGS

A. Single-Family Dwellings

1. One story dwelling unit shall have a floor space designed and used for living quarters of not less than 1,250 square feet on a concrete slab. One story dwelling with a full basement must have not less than 1,000 square feet of living space, excluding the basement.

2. One and one-half story dwelling unit without a full basement to have not less than 1,400 square feet total living space. One and one-half story dwelling unit with a full basement to have not less than 1,350 square feet total living space excluding the basement.

3. Two story dwelling unit without a full basement to have not less than 1,636 total square feet living space. Two story dwelling unit with a full basement to have not less than 1,536 square feet total living space excluding the basement.

4. Bi-level dwelling unit to have not less than 1000 square feet on main floor not to
include utility room.

5. Split level or tri-level dwelling unit without a basement to have not less than 1,450 square feet total living space. Split level or tri-level dwelling unit with a full basement to have not less than 1,350 square feet total living space excluding the basement.

B. Two-Family Dwellings

Each unit in a two-family dwelling shall meet the requirements in Section 214.A.

C. Multi-Family Dwellings (Planned Developments Only)

One Bedroom Dwelling Units - 750 square feet
Two Bedroom Dwelling Units - 900 square feet
Three Bedroom Dwelling Units - 1050 square feet
Four or More Bedroom Dwelling Units - additional 150 square feet for each bedroom over three (3).

SECTION 215 HOME OCCUPATIONS (Effective 7/17/13)

Home Occupations shall be permitted according to the definition and criteria established below and the district regulations of Article III (District Regulations).

A. Criteria

1. Such home occupation use shall be conducted by persons residing on the premises, with no non-resident employees.

2. Such home occupation shall be carried on entirely within the residential dwelling or in an accessory building, which is normally associated with the residential use. Such home occupation shall be carried on wholly indoors.

3. Such home occupation shall be clearly incidental and subordinate to its use for residential purposes. The maximum amount of floor area devoted to a home occupation shall be limited to one of the following: (a) twenty-five percent (25%) of the total floor area of the dwelling unit or six hundred (600) square feet, whichever is less. If this amount includes the basement of a residence, not more than fifty percent (50%) of the floor area can be included, OR if an accessory structure is used for a home occupation, the maximum floor area shall not exceed six hundred (600) square feet.

4. No activity, materials, goods or equipment indicative of the occupation shall be visible from the street or adjacent property.

5. No traffic shall be generated by such home occupation in greater volume than would normally be expected in a residential area. Reference is made to Article IV Sign Regulations (in residential districts).

6. No equipment or process shall be permitted or used in such home occupation that creates noise, odor, dust, vibration, electrical interference or other causes or which is found to be unsafe by the Medina County Board of Health.
7  A zoning permit shall be required for all home occupation uses.

SECTION 216  NEW CONSTRUCTION SITE PLAN REVIEW AND CONFORMANCE  
(Effective 10/15/14)

A.  General - All business uses, light manufacturing and research uses, multi-family uses and other such uses as specifically required shall have a site plan approved by the Township Trustees prior to the issuance of a zoning certificate.

In order to promote the orderly development of the site plan to required specifications, the Zoning Commission and the Zoning Inspector shall encourage informal discussions with the applicant prior to formal application for a zoning certificate. Site plans shall be submitted to the Zoning Inspector.

B.  Assistance - Site plans may be submitted by the Township for review and comment to other local agencies having expertise felt to be of value. The cost of securing expert advice or studies shall be borne by the applicant.

C.  Application Requirements - The site plan shall be drawn to a legible scale, shall show topographical features of the lot, building placement, activity areas, and shall include a circulation and parking plan, landscape plan, and architectural renderings of the structures. A description of the proposed development or operation shall be provided in sufficient detail to indicate possible emission of energy or matter beyond the lot lines, with engineering plans for the handling of any excess. The site plan shall include drawings of accessory buildings, signs and screening for trash or other outdoor storage areas.

D.  Application Approval Process (where applicable) –

1.  All applications shall be submitted to the Lafayette Township Zoning Inspector or Zoning Commission Secretary. Once deemed complete, the township official shall submit the site plan and accompanying information and drawings to the Zoning Commission and the Medina County Planning Commission for concurrent review.

2.  The Zoning Commission shall review the application and make a recommendation to the Lafayette Township Trustees within forty-five (45) days after the last public meeting at which the site plan is reviewed.

3.  The Lafayette Township Trustees shall review all submitted materials and the recommendations of the Zoning Commission and Medina County Planning Commission. If the site plan is approved or approved with modifications the Trustees shall authorize the issuance of a zoning certificate.

4.  The Trustees shall act on any site plan submitted under this section within forty-five (45) days from the time of the receipt of the recommendations of the Zoning Commission and Medina County Planning Commission. Any person(s) submitting a site plan may agree to a longer review period by the Board of Trustees.

5.  At any time during the review process the Board of Trustees may seek expert advice or cause special studies to be made for input to its review of any plans or proposals. Proposed building plans shall be reviewed by authorized representatives of the Lafayette Township Fire Department to assure conformance with appropriate fire, safety and
building conditions. The cost of securing expert advice or studies shall be borne by the applicant.

E. The Process of A Site Plan Review

1. Preliminary Development Plan Submission Requirements

An application for preliminary development plan review shall include a plan for the entire area of the proposed project. The application may be filed by the developer on behalf of the landowner, or by a group of owners of the land within the development area acting jointly upon receipt of written approval by property owner(s). Twelve sets of the application and the plans along with the application fee shall be submitted to the Zoning Inspector. Application for preliminary development plan review shall disclose all uses and their general locations proposed for the development and shall include the following maps, plans, designs and supplementary documents. All maps and plans shall be drawn to an appropriate scale.

The plan shall include:

a. A property location map.

b. The location of existing structures within the development area and access points.

c. The general location of existing buildings, parking and access drives on parcels within 100 feet of the site.

d. A topographic survey of the proposed development area, with contours lines at two-foot intervals.

e. Existing major vegetation features, wooded areas and large isolated trees, one foot or more in diameter.

f. Location of wetlands, the floodplain boundary and floodplain elevation as delineated by the Federal Emergency Management Agency, rivers and streams and their related river or stream bank, ponds, and water courses.

g. Delineation of existing drainage patterns on the property, existing wells and well sites.

h. The general location of development areas identified by use, including any lots and restricted open space areas if part of the proposed project.

i. Proposed phases if the project is to be developed in stages indicating the phase(s) during which any common facilities are anticipated for construction.

j. The following items for developments, in addition to the items identified in subsections a-l above:

(1) Areas or structures of known historic significance;

(2) The location, size, number of units, and density of cluster areas;

(3) Natural features to be conserved and any required buffer areas; and

(4) Any proposed recreational facilities.

2. Final Development Plan Submission Requirements

An application for final development plan review shall be required for each phase of development. Twelve sets of the application and the application fee shall be submitted to the Zoning Inspector.
The application shall include the following maps, plans, designs and supplementary documents, unless items are determined by the Zoning Inspector to be inapplicable or unnecessary.

a. An accurate legal description prepared by a registered surveyor of the state.

b. A property location map showing existing property lines, easements, utilities and street rights-of-way.

c. A final development plan, prepared by a qualified professional and drawn to an appropriate scale, indicating the following:

   (1) Use, location and height of existing and proposed buildings and structures, other than proposed units on lots;
   (2) Location of all public rights-of-way, private streets and common drives;
   (3) Location and configuration of off-street parking areas and loading areas; the arrangement of internal and in-out traffic movement including access roads and drives; and lane and other pavement markings to direct and control parking and circulation;
   (4) Proposed and existing fences, walls, signs, lighting;
   (5) Location and layout of all proposed and existing outdoor storage areas including storage of waste materials and location of trash receptacles;
   (6) Dimension of all buildings, building spacing, setbacks, parking areas, drives and walkways.
   (7) A topographic survey of the proposed development area, with contour lines at two-foot intervals.
   (8) Existing vegetation features, including large isolated trees, one foot or more in diameter, wooded areas, wetlands and other environmental features.

d. Proposed landscaping and screening plans indicating the preliminary description of the location and nature of existing and proposed vegetation, landscaping and screening elements and any existing trees to be removed.

e. Preliminary architectural plans for the proposed development or use, showing exterior elevations.

f. A summary table showing total acres of the proposed development; number of acres devoted to each type of use including streets and open space; number of dwelling units by type.

g. For a phased development, a proposed schedule for completion of improvements that are designed to relate to, benefit or be used by the entire development. Such schedule shall be submitted with the first phase and shall relate completion of such improvements to completion of one or more phases of the development.

h. A road culvert permit when required.

i. The following items for development, in addition to the items identified in subsections a-h above:

   (1) Location of building envelopes within which dwelling units are to be constructed, and lot lines for single-family detached dwellings.
   (2) The substance of covenants, grants of easements, or the restrictions proposed to be imposed upon the use or maintenance of land and buildings. If the proposed project is a phased development, such documentation shall be submitted with each phase.

j. Review Fees: The applicant shall pay such fees as set by the Trustees.
3. Review Standards

Review and action on site plan application shall be based on the following standards:

a. All utilities on site shall be located underground.

b. The design and construction standards of all private roads, driveways and parking areas shall conform to the standards of the Medina County Highway Engineer.

c. The site plan shall show that thoroughfares, service roads, driveways and parking areas.

d. All the development features including all buildings/structures, open spaces, service roads, driveways and parking areas should be shown.

e. Maximum possible visual and auditory privacy for surrounding properties and occupants shall be provided through good design and use of proper building materials, landscaping and living screening such as evergreen trees.

f. Screening of parking areas, service areas and refuse storage areas from surrounding properties shall be per Section 225 Landscaping Regulations and per Article V Off-Street Parking and Loading Areas.

g. On-site traffic circulation shall be designed to make possible adequate fire and police protection.

h. In the case of a light manufacturing or commercial use, adequate provisions shall be made for the disposal of wastes. Wastes containing poisonous, corrosive, flammable or explosive solids, liquids or gases, oils or grease shall be disposed of in accordance with applicable laws and regulations.

i. Grading and surface drainage provisions shall be designed to minimize adverse effects on abutting properties, streams and public streets and to minimize the possibility of erosion. Such provisions shall be in compliance with the Medina County Stormwater Management and Sediment Control Rules and Regulations.

j. The number and location of openings from the site to adjacent thoroughfares shall be designed to maintain the traffic movement function of arterial and collector streets.

k. All lighting shall be directed away from adjacent streets or roads so as not to impair safe movement of traffic. No lighting shall shine directly on adjacent properties or on adjacent residences.

l. All developments should be designed to preserve the natural amenities of the site.

m. The design and construction standards of all public improvements shall conform to the provisions of the Medina County Subdivision Regulations.

n. 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 and pattern, and character.

o. Building location and placement should be developed with consideration given to minimizing removal of trees and change of topography.

p. 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.

F. Conformance with Site Plan

1. All aspects of the development shall conform to the approved site plan. The Zoning Inspector shall inspect the development to make sure it conforms to the site plan.

2. A performance bond or other financial guarantee shall be placed on deposit with the Township Fiscal Officer to ensure that the landscaping be installed and that the hard-surfacing of the private drives and parking areas be installed in conformance with approved plans. Such bond or guarantee shall be in an amount equal to the cost of the construction of the improvements based on an estimate approved by the Township Trustees, shall be for a period not to exceed three years, and to provide for the complete construction of the improvements within that period. The bond or other financial guarantee shall be in place prior to final approval and utilization of the premises.

G. Issuance and Revocation of Zoning Certificate

Upon approval of site plan application and the deposit of a performance bond or other financial guarantee in an appropriate amount, the Zoning Inspector shall issue a zoning certificate specifying the conditions of the approval. Approval of the site plan and the zoning certificate, however, shall be terminated if construction has not begun within one (1) year after the date of approval. Thirty (30) days prior to the end of one (1) year period the Zoning Inspector shall give written notice to the holder of the certificate that the certificate shall be terminated if construction has not begun within the required one-year period. If the certificate is terminated any deposit of a performance bond or financial guarantee shall be returned to the depositor and the required data and fees thereafter shall accompany each new application.

SECTION 217  OIL AND GAS WELL REGULATIONS

According to State Laws adopted pursuant to Chapter 1509 of the Ohio Revised Code and/or federal laws, the most stringent regulations shall apply.

SECTION 218  EARTH STATIONS

Earth Stations may be permitted in Lafayette Township as an accessory use, according to the standards established below and the district regulations of Article III.

A. Definition

1. "Earth Station" shall mean one (1), or a combination of two (2) or more of the following:

   a. A signal-receiving device (antenna, dish-type antenna), the purpose of which is to receive communication or other signals from satellites.

   b. A low-noise amplifier (LNA) which is situated at the focal point of the receiving component and the purpose of which is to magnify, store, transfer and/or transmit electronic or light signals.

   c. A coaxial cable the purpose of which is to carry or transmit said signals to a
2. "Receiver" shall mean a television set or radio receiver.

3. "Dish" shall mean that part of a satellite signal receiving antenna characteristically shaped like a dish.

4. "Grounding rod" shall mean a metal pole permanently positioned in the earth to serve as an electrical conductor through which electrical current may safely pass and dissipate.

B. Permit Requirements

No person, firm, partnership, corporation, trust or other legal entity shall construct an earth station without a permit, nor shall construction commence before a permit is issued in accordance with Article VI.

C. Application

The owner, or occupant with written permission from the owner, of any lot, premises or parcel of land within the Lafayette Township who desires to construct an earth station on said lot, premises or land parcel, must first obtain a permit to do so from the Lafayette Township Zoning Inspector.

The Zoning Inspector shall issue such permit, provided the applicant submits a written application upon forms provided by the Zoning Inspector, along with a plot plan of the lot, premises or land parcel attached, showing the exact location and dimensions of the proposed earth station, a description of the kind of earth station proposed, the exact location and dimensions of all buildings or structures, and plans showing the elevations of the proposed earth station upon completion. Each application shall specify among other things the name and address of the owner of the real estate, the applicant, and the person to be permitted to construct the earth station.

The applicant shall present documentation of any license or permit required by any federal, state or local agency pertaining to the ownership, construction or operation of the earth station.

D. Standards

1. General - ground and roof-mounted.
   a. Earth stations shall be located so that all points of the dish shall meet applicable setback requirements.
   b. Signs shall not be attached to earth stations nor shall it be used as part of a sign structure.

SECTION 219 ADULT FAMILY HOME FACILITIES

Adult family home facilities as defined in Article XII (Definitions) are permitted in Lafayette Township according to the standards established below and the district regulation of Article III (District Regulations):

1. Evidence is presented that the proposed facility meets the certifications, licensing or approval requirements of the appropriate State and/or County Agency.
2. Provide the local fire officials with a floor plan and an evacuation plan which, following approval, shall be kept on file at the fire station.

3. The primary use of the Homes shall be as a residence, thus any such facility shall maintain an outward appearance consistent with the residential district in which it is located and give no evidence of any use other than ordinary residential activity taking place therein.

4. Water supply and sewer-septic systems must be approved by the Medina County Health Department for maximum number of residents.

5. Shall be otherwise consistent with the requirements of the Ohio Revised Code.

SECTION 220  FENCES AND WALLS (Effective 12/19/12)

1. The purpose of this section is to provide type, location and size of fences and walls constructed and to ensure that the fences and walls will enhance the township as a whole rather than detract from the value of the properties surrounding them.

2. Fences and walls shall be permitted in compliance with the following table. Agricultural fences shall be exempt as provided in the Ohio Revised Code.

<table>
<thead>
<tr>
<th></th>
<th>Maximum Height</th>
<th>Minimum Opacity</th>
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<tbody>
<tr>
<td>Platted Subdivisions</td>
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<tr>
<td>Front Yard</td>
<td>4 ft.</td>
<td>40%</td>
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<tr>
<td>Side Yard</td>
<td>6 ft.</td>
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</tr>
<tr>
<td>Rear Yard</td>
<td>6 ft.</td>
<td>None</td>
</tr>
<tr>
<td>Commercial/Industrial Districts</td>
<td>Maximum Height</td>
<td>Minimum Opacity</td>
</tr>
<tr>
<td>Front Yard</td>
<td>4 ft.</td>
<td>40%</td>
</tr>
<tr>
<td>Side Yard</td>
<td>8 ft.</td>
<td>None</td>
</tr>
<tr>
<td>Rear Yard</td>
<td>8 ft.</td>
<td>None</td>
</tr>
</tbody>
</table>

3. For the purposes of these zoning regulations, fences and walls shall require a zoning certificate prior to installation.

4. The height of a fence shall be measured from the top elevation of the top board, rail or wire to the natural grade of the ground or in the case of a wall, from the top surface to the ground.

5. Opacity shall be that proportion of the surface of a typical section or panel of a fence which is open to light and air when viewed along a line perpendicular to the fence section or panel.

6. Fences of woven wire, chain link, mesh, metal pipe materials or masonry-type walls shall be prohibited in the front yard or in a side yard, which abuts a public right-of-way.

7. Barbed wire fences and electric fences are prohibited in planned unit developments.

8. Fences at the perimeter of a property shall be located so that they can be installed and maintained without intrusion onto adjacent properties. The property owner is responsible for the maintenance of the fence in good structurally sound repair and in a neat and clean manner.

9. The smooth finished side of the fence or wall shall be the side that faces outward from the
10. No fence or wall shall be constructed so as to be hazardous to existing or future neighboring uses.

11. No fence or wall higher than three feet (3’) shall be erected within twenty-five feet (25’) of the road right-of-way.

12. Where a traffic vision hazard is created by a fence or wall, the Zoning Inspector shall require a modification to the height or location of the same in order to prevent or eliminate the hazard.

13. A snow fence or similar type fence may be erected in any yard during the period from November 1st to April 1st for the sole purpose of preventing the drifting of snow on highways, driveways and sidewalks. Such fence shall not otherwise be used at any time as a temporary or permanent fence or enclosure. No permit shall be required.

14. Decorative fencing or small portions of fencing used for landscaping that are no longer than twenty feet (20’) in length but which comply with the height, yard and maintenance requirements set forth in this subsection shall not require a permit.

15. All fencing for commercial and industrial purposes, other than specified in this subsection, shall be subject to Site Plan Review at the time of building consideration.

SECTION 221  
ALTERNATIVE ENERGY SOURCES – OUTDOOR FURNACES (Effective 12/19/12)

The purpose of this section is to provide for the land development, construction and operation of Alternative Energy Sources in Lafayette Township, subject to reasonable conditions that will protect the public health, safety and welfare.

1. Uncontrolled wood-burning devices, including Outdoor Wood-Fired Hydronic Heaters, emit particulate matter, carbon monoxide and other pollutants known to be detrimental to the health of the public.

2. The unit shall be considered as an Accessory Use Structure and shall require a permit.

3. The applicant shall produce the manufacturer’s owner manual or installation instructions/recommendations for review at the time of the permit application.

4. The unit shall be located in the side or rear yard only and shall comply with all side and rear yard setback regulations.

5. All Outdoor Furnaces and associated equipment shall be constructed, established and installed, operated and maintained in conformance with the manufacturer’s recommendations regarding operations of the unit.

6. All Outdoor Furnaces shall be laboratory tested and listed to appropriate safety standards, such as UL, CAN/SSA, ANSI or other applicable safety standards.

7. Outdoor Furnaces shall be limited to burning manufacturer’s recommended fuels for the particular system.

8. The unit shall be listed as a model meeting or exceeding current visible emission industry standards.
SECTION 222  ALTERNATIVE ENERGY SOURCES – SMALL WIND ENERGY SYSTEMS

(Effective 12/19/12)

A. Small Wind Energy Systems – The purpose of wind turbine regulations is to establish general guidelines for the location of wind turbine generators. It may be in the public interest to permit the placement of wind turbine generators in certain areas of the township. This section seeks to:

- Protect residential and agricultural areas from the potential adverse impact of wind turbine generators;
- Permit wind turbine generators in selected areas by on-site residential, commercial or industrial users, subject to the terms, conditions and provisions hereof;
- Ensure the public health, welfare and safety of the residents; and
- Avoid potential damage to real and personal property from the wind turbine generators or the failure of such structures and related operations.

B. Residential Wind Turbines - The Township recognizes the importance of clean, sustainable and renewable energy sources. To that end the use of residential wind turbines is permitted under the following regulations to ensure the safety and welfare of all residents.

1. Wind turbines shall be an accessory use in all districts under the following conditions:

   1) Height – The maximum height of any turbine shall be one hundred twenty feet (120’). Maximum height shall be calculated measuring the length of a prop at maximum vertical rotation to the base of the tower.

   2) Setbacks – Any turbine erected on a parcel of land will need to establish a “clear fall zone” from all neighboring property lines and structures. A turbine will need to be erected and placed in such a manner that if it were to fall, whatever direction the fall occurs, it would be contained solely on the property where the turbine is located and would not strike any structures including the primary dwelling and any accessory buildings.

   3) Location – The turbine shall be independent of any other structure and shall be located a minimum distance of 1.1 times the turbine height from any structure or property line.

   4) Aesthetics - The turbine, including the prop blades, turbine, cowling and tower, shall be painted or coated white, off-white or gray. Logos or other identification markers other than those of the manufacturer and model type shall not be permitted anywhere on the turbine.

   5) Noise – Small wind energy systems shall not exceed 60 DBA (A-weighted sound level) as measured at the property boundary of parcels owned by individuals or entities other than the system owner. The level, however, may be exceeded during short-term events such as utility outages and/or severe windstorms.

   6) Operational Conditions – Any damaged or inoperable small wind energy system shall be returned to a functioning status within six (6) months unless it poses an immediate danger or threat of catastrophic failure, in which case it shall be remedied or removed immediately.

   7) Decommission and Restoration – Any small wind energy system, which has reached the end of its useful life or has been abandoned, shall be removed. A small wind energy system shall be considered abandoned when it fails to operate for two (2) years. The applicant shall include the following information regarding
the decommissioning of the system and restoring the site when submitting the application:

1) The anticipated life of the system;
2) The anticipated manner in which the system will be decommissioned and the site restored

2. Permits -

1) A permit shall be required before construction can commence of a small wind energy system.

2) The design of the turbine shall conform to applicable industry standards, including those of the American National Standards Institute.

3) All electrical components of the turbine shall conform to the relevant and applicable local, state and national codes and relevant standards.

4) On site transmission and power lines shall, to the maximum extent practicable, be placed underground.

5) The applicant shall provide the Lafayette Township Zoning Inspector with the following items and/or information when applying for a permit:

1) An engineering documentation that shows:
   a) The total size and height of the unit;
   b) The total size and depth of the unit’s mounting pad;
   c) An average decibel rating for the particular model;
   d) A list and/or depiction of all safety measures that will be on the unit, including anti-climb devices, lighting protection and over-speed breaking systems;
   e) Data specifying the kilowatt size and generating power of the particular unit;
   f) Evidence of “clear fall zone” with manufacturer’s recommendations.

2) A site drawing showing the location of the unit in relation to existing structures on the property, roads and other public right-of-ways and neighboring properties.

3) Color of the unit as well as the location and size of the manufacturer’s identifying logos shall be included in the plan.

SECTION 223: ALTERNATIVE ENERGY SOURCES – SOLAR PANELS (Effective 7/17/13)

Solar Panels, for on-site energy use only, shall be allowed in all zoning districts either attached to permitted principal or accessory buildings or as accessory structures subject to the following regulations.

1. Attached to Building – Where attached to a building the solar panels shall be subject to the same
LAFAYETTE TOWNSHIP ZONING RESOLUTION

regulations as the building in terms of height and setbacks. Solar panels may be attached to the roof or the building wall, but not to both.

A. Roof mounted panels shall include solar panels integrated as the surface layer of the roof structure with no additional apparent change in relief or projection (the preferred installation), or separate flush-mounted solar panels attached to the roof surface.

1. Solar panels integrated, as the surface layer of the roof structure may be located on any part of the roof.
2. Separate flush-mounted solar panels installed on a building or structure with a sloped roof surface shall not project vertically above the peak of the roof to which it is attached.
3. Solar panels mounted on a flat roof shall not project vertically higher than the height of the parapet wall surrounding the roof or shall be screened by architectural features.

B. Flush-mounted solar panels on the building wall may only be attached to one (1) side or rear building façade and shall not face a street.

2. Free-Standing – Solar panels that are not attached to a building shall be permitted as accessory structures subject to the following regulations:

A. Free-standing solar panels shall be permitted in the rear yard only.
B. Free-standing solar panels shall be setback six (6) feet from the side and rear lot lines.
C. Free-standing solar panels shall not exceed a height of four (4) feet.
D. The surface area covered by a free-standing system shall not exceed two percent (2%) of the lot or three hundred sixty (360) square feet, whichever is less. Area covered shall be included in the lot coverage calculations for the lot.
E. All power lines shall be underground.

3. Glare – Solar panels shall be placed and arranged such that reflected solar radiation or glare shall not be directed onto adjacent buildings, properties or roadways.

4. Building/Zoning Permit – Solar energy systems shall conform to applicable industry standards, including all applicable local building, plumbing and electrical codes. A zoning permit shall be required for all solar panel installations. All applicants for solar panels shall submit a site drawing showing the location of the units in relation to existing structures on the property along with adjacent property sites and structures, which are within three hundred feet (300’) of the applicant’s site.

SECTION 224 OUTDOOR LIGHTING REGULATIONS (Effective 8/25/14)

Purpose: In the interest of promoting the public convenience, comfort, prosperity and general welfare of the residents of Lafayette Township, these regulations provide for the placement, orientation, distribution patterns and fixture types of outdoor lighting in the nonresidential districts.

A. All on site lighting of buildings, lawns, parking areas, walkways and signs shall be designed so they do not shine or cause glare onto adjacent properties, buildings, streets or vehicles traveling on them.

1. Full cut-off type fixtures with appropriate shielding shall be used.
2. Light poles shall not exceed twenty (20) feet in height.
3. Service stations and drive through facilities that have canopies shall use recessed ceiling fixtures.

B. All outdoor lighting fixtures not needed for security and safety should be turned off after business
hours.

C. Exemptions –

1. Temporary seasonable decorative lighting fixtures are exempt from this regulation.

2. Temporary construction or emergency lighting is exempt from this section. However, such lighting shall be discontinued when the construction is completed or the emergency has abated.

3. Outdoor lighting fixtures existing and legally installed prior to the effective date of this regulation are exempt from its requirements.

SECTION 225 LANDSCAPING REGULATIONS (Effective 8/25/14)

225.1 Purpose
225.2 Landscape Application Requirements
225.3 Landscape Strip
225.4 Parking Lot Landscape
225.5 Landscape of Drive and Street Intersections
225.6 Landscape for Utility Structures
225.7 Tree Coverage and Preservation
225.8 Landscape Materials
225.9 Earth Mounds
225.10 Maintenance and Installation

SECTION 225.1 PURPOSE

In the interest of promoting the public convenience, comfort, prosperity and general welfare of the residents of Lafayette Township, these regulations provide for the use, location and function of landscaping. More specifically, the purposes of these regulations are to:

A. Provide reasonable, yet appropriate, conditions and landscaping and for all uses authorized by zoning regulations.

B. Ensure that landscapes are located, designed and installed to maintain a safe and orderly pedestrian and vehicular environment and eliminate any confusion or hazardous conflict between traffic control signs and devices, signs and any other areas covered in this text.

C. Maintain and protect the beauty, unique character and aesthetic environment.

D. Provide review procedures that enable the township to comprehensively evaluate the appropriateness of a landscape to the site, building and surroundings.

SECTION 225.2 LANDSCAPE APPLICATION REQUIREMENTS

A. New Sites – No zoning certification shall be issued for any site development or the construction or improvement of any building, structure or parking and loading areas unless a landscape plan is submitted.

B. Existing Landscape Material – Existing landscape material shown on a Site Plan that is in satisfactory condition may be used to satisfy any landscaping requirement in whole or in part.
C. Planting Season – Weather permitting, all required grading and landscaping shall be completed within six (6) months of substantial completion of construction.


SECTION 225.3 LANDSCAPE STRIP

A landscape strip is required in all sublot developments and commercial and industrial site plans. A landscape strip is measured from the right-of-way, as shown in Illustration A below.

A. This landscape strip shall be grassed or vegetated and shall be provided along the full width of the lot. The landscape strip may be mounded in accordance with the approved landscape plan.

B. Within this landscape strip there shall be at least one (1) two-inch (2”) caliper deciduous tree or small flowering trees with creative placement for every fifty (50) feet of road frontage, along with random shrub plantings.

C. Earth mounds and decorative landscape treatments shall not block adequate sight distances at driveway locations and intersections.

D. The width of the landscape strip shall be no less than thirty (30) feet. Corner lots shall have a landscape strip of required width on both frontages.

E. The landscape strip abutting properties should have a fifteen (15) feet setback on the rear property line and a ten (10) feet setback on the side property lines.
SECTION 225.4 PARKING AREA LANDSCAPING

A. Any open parking area (including parking spaces and interior access lanes, but excluding loading, unloading and storage areas) that contains more than six thousand (6,000) sq. ft. of area or twenty (20) or more vehicular parking spaces shall provide interior landscaping in addition to any other required landscaping. Refer to Illustration B below.

B. The amount of this interior parking area landscaping shall be not less than five (5) sq. ft. of landscaped area for each one hundred (100) sq. ft. or fraction thereof, of off-street parking area.

C. Landscape islands or peninsulas shall be vegetated with grass or similar plant material not to exceed two (2) feet in height for each three thousand (3,000) sq. ft. of open parking area.

D. There shall be not less than one, two-inch (2") caliper deciduous tree placed in each landscaped island or peninsula. Trees shall have a clear trunk of at least five (5) feet above the ground.

SECTION 225.5 LANDSCAPING AT DRIVE AND STREET INTERSECTIONS

Trees and other plant materials or landscape elements are permitted near structures and driveway intersections provided such trees, plant materials or landscape elements do not present a traffic visibility hazard.

SECTION 225.6 LANDSCAPING FOR UTILITY STRUCTURES

A. Utility structures shall be screened but not impede visibility of vehicular or pedestrian traffic.

B. Screening established with plant materials shall provide seventy-five (75) percent opacity within two (2) years of planting. All other types of screening shall completely screen service structures.

C. Whenever a utility structure is located next to a building wall, perimeter landscaping material or off-street parking area landscaping material such as walls or screening material may fulfill the screening requirement for that side of the utility structure if that wall or screening material is of an average height sufficient to meet the height requirement set out in this section.

D. Dumpsters and storage tanks shall be located in the rear of all principal buildings. On corner lots, dumpsters and storage tanks shall be located as far from both streets as possible and incorporated into the site design so that they are not visible from either street.
E. Dumpsters and storage tanks shall be enclosed on three sides by brick or masonry walls that match or complement the principal building. It is recommended that evergreen landscaping be planted around the outside of the dumpster screen wall to soften its appearance. Dumpsters and storage tank enclosures shall be secured by lockable doors, the design and color of which complement the enclosure walls.

SECTION 225.7 TREE COVERAGE AND PRESERVATION

A. The minimum amount of tree coverage shall be provided by new tree plantings, preservation of existing trees or a combination thereof, at a ratio of not less than one (1) tree for each one thousand (1,000) sq. ft. of gross floor area of new principal building space or enlargement.

B. A tree is defined as having two (2) inches or more of trunk diameter measured four and one-half (4 ½) feet above ground level.

C. Proposed location of buildings, off-street parking areas and other disturbed surfaces shall minimize the removal of individual trees having a trunk diameter of six (6) inches or greater as measured four and one-half (4 ½) feet above ground level.

D. Proposed site plans shall also demonstrate consideration toward placing structures and off-street parking areas to avoid the destruction of heavily wooded areas or outstanding tree specimens.

SECTION 225.8 LANDSCAPE MATERIALS

A. The proposed landscape materials should complement the form of the existing trees and plantings as well as the general design and architecture.

B. The degree of shade or sun should be considered in selecting plant materials.

C. Artificial plants shall not be used to meet landscaping requirements.

D. Plant materials used shall conform to the standards of the American Association of Nurserymen and shall have passed any inspections required under State regulations.

SECTION 225.9 EARTH MOUNDS

A. Earth mounds may be used to block or screen the view of any adjacent off-street parking areas and shall be constructed with plant material to prevent erosion.

B. Slopes on earth mounds shall be no greater than three to one (3:1) with a generally flat crest.

SECTION 225.10 MAINTENANCE AND INSTALLATION

A. All landscaping material shall be installed in a sound, workmanship-like manner and according to accepted, good construction and planting procedures.

B. The owner of the property shall be responsible for the continued proper maintenance of all landscaping material and shall keep them in a relatively weed-free condition, clear of undesirable undergrowth, and free from refuse and debris at all times.

C. Unhealthy or dead plant material shall be replaced within three (3) months or by the next planting period, whichever comes first. Replacement plants shall conform to the standards that govern original
installation.

D. Pruning, trimming or other suitable methods shall control all plant growth in landscaped areas so that plant materials do not interfere with public utilities, restrict pedestrian or vehicular access or otherwise constitute a traffic hazard.

E. Care shall be taken into consideration of landscape islands for ease of maintenance.
ARTICLE III
DISTRICT REGULATIONS

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SECTION 301 RURAL RESIDENTIAL DISTRICT (RR)

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SECTION 301.1 PURPOSE

The purpose of this district is to provide for rural residential development at a low density, which will promote the continuation of the predominant rural character of Lafayette Township. It is also the intent of this district to allow residential development of sufficiently low density to preclude creation of public health and safety problems which could result in the need to extend central facilities. This district is further intended to encourage continued use of a significant portion of the township for agricultural production, as specified in the Lafayette Township Comprehensive Plan.

SECTION 301.2 USES

A. Permitted Uses
   2. Roadside agricultural stands (Section 301.5 D.)
   3. Accessory buildings and uses.
   4. Home occupations, subject to Section 215.
   5. Adult family homes, subject to Section 219.
   6. Signs, as regulated by Article IV.
   7. Parking, as regulated by Article V.
   8. School bus shelters are not considered as a structure if under thirty-two (32) square feet.
B. Conditionally Permitted Uses

Within the RR District, the following uses may be permitted as conditional uses upon issuance of a conditional zoning certificate by the Board of Zoning Appeals, subject to the general requirements of Article VI and the specific requirements of the Subsections of Section 604 (Specific Requirements for Conditional Use) referred to below:

1. Churches and other places of worship subject to subsections 604, A, 1, 6, 12, 13.

2. Educational, religious or philanthropic institutions subject to subsections 604, A, 1-4, 6-10, 12, 13.

3. Cemeteries subject to subsections 604, A, 1, 22.

4. Governmentally owned or privately owned and/or operated recreation areas which include overnight camping, either as a primary or secondary activity subject to subsection 604, A, 1, 6, 11, 12, 13, 14, 18, and 19.

5. Governmentally or privately operated recreation areas such as: picnic areas, playgrounds, parks, swimming facilities, golf courses, tennis clubs, country clubs, miniature golf course, golf driving ranges, and 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, rifle ranges, trapshooting, skeet-shooting ranges, pistol ranges or other ranges for the use of firearms, the operation of snowmobiles, motorcycles, and all-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 subsections 604, A, 1, 3, 5, 6, 11, 12, 13, 14, 18, 19.

6. Governmentally owned and/or operated buildings and facilities other than those listed above subject to subsections 604, A, 1, 3, 4, 6, 8, 9, 10, 12, 13.

7. Developments which include a private street or drive, serving more than one (1) property or principal building subject to subsections 604, A, 1, 23.


SECTION 301.3 FLOOD HAZARD AREAS

Areas within the Flood Plain District are also subject to the requirements of Section 305 of this Resolution (Flood Plain District).

SECTION 301.4 LOT REQUIREMENT

A. Minimum Lot Area


2. Two-family dwelling - 4 acres.
B. Minimum Lot Frontage  
1. Single-family dwelling - 175 continuous feet.  
2. Two-family dwelling - 175 continuous feet.

C. Minimum Lot Width  
1. Single-family dwelling - 175 continuous feet.  
2. Two-family dwelling - 175 continuous feet.

D. The above lot requirements shall not apply if the Medina County Health Department shall require more land to satisfactorily dispose of sewage effluent. The amount so required shall be the minimum lot area.

E. The minimum lot frontage requirements shall be sixty (60) continuous feet on cul-de-sac bulbs and eighty (80) continuous feet on the outside curve of a street.

F. A structure shall not be built on lots off the cul-de-sac bulb until the lot width reaches one hundred seventy-five (175) feet and the eighty (80) feet set back requirements have been met.

G. Cul-de-sac lots must have frontage on public streets and meet the following criteria:  
1. No cul-de-sacs shall have less than a seventy (70) feet radius.  
2. Cul-de-sac lots shall have no less than sixty (60) feet of width at the road right of way for construction of drive approaches and mailbox turnouts.  
3. All homes on cul-de-sacs shall have minimum side yards of fifteen (15) feet.

SECTION 301.5 YARD REQUIREMENTS

A. Minimum Setback from Street Centerline – Eighty (80) feet, except that uncovered porches or steps may be seventy (70) feet.

B. Minimum Side Yard Width – Fifteen (15) feet.

C. Minimum Rear Yard Depth – Fifteen (15) feet.

D. Minimum Setback/Side Yard for Roadside Stands -Roadside stands shall be setback at least fifteen (15) feet from the road right-of-way and at least thirty (30) feet from side lot lines. Such stand and off-street parking shall be located and set back in such a manner so as not to create a traffic hazard.

SECTION 301.6 REAR LOTS AND DWELLINGS (Effective 4-18-12)

Purpose: Rear lots complying with the provisions of this section shall be permitted in the Rural Residential District. The purpose of these provisions for rear lot development shall be maintaining the rural character while recognizing the encroachment of residential development into the area and the apparent need to allow development of back land parcels no longer suited for agricultural purposes.
A. The only principal use permitted on a rear lot shall be one (1) single-family dwelling. This section permits only one (1) lot and one (1) dwelling in the rear of another.

Minimum Lot Requirements: A rear lot shall include an “access area” and a “buildable area” complying with the following minimum requirements.

A. The “access area” of the lot shall have a minimum sixty (60) feet of frontage on a public street, road or highway and shall have a minimum width of sixty (60) feet through its entire depth.

B. The minimum “buildable area” shall be five (5) acres. The area of the “access area” shall not be included in the required “buildable area.” Minimum lot width and depth of the buildable area shall be three hundred fifty (350) feet.

C. A rear lot shall not be approved unless evidence is provided that the dimensions of the remainder of the lot or parcel from which the rear lot is subdivided may be subdivided in conformance with this resolution, particularly with regard to the frontage available for future lots, or the remaining land is recorded as a non-buildable lot.

D. The rear lot plan filed with the permit application shall clearly show the delineation between the rear lot buildable area and the allowance for access.

E. The “access area” and the “buildable area” shall be joined as a single lot and shall be executed with the requirements provided by law for deeds and shall be filed with the County Recorder.

Access Area Requirements:

A. Maximum one (1) single-family dwelling per driveway.

B. All lots shall have a driveway with a minimum of sixteen (16) feet unobstructed, and a minimum of ten (10) feet driving surface. The driveway shall be an all-weather road with a turnaround suitable for use by any and all emergency vehicles. A turn around shall be no more than three hundred (300) feet nor less than fifty (50) feet from the rear lot dwelling.

C. The allowance for access shall be free of buildings and other permanent structures.

D. The driveway shall not be located in a watercourse, drainage ditch or swale. Where the driveway must cross a watercourse, ditch or swale, then bridging, culverts or other means shall be used to prevent flooding and provide the adequate drainage or water flow along the water way. The building or the driveway shall in no manner inhibit or modify the water flow characteristics of the surrounding area.

E. All applications for a zoning permit for a rear lot shall have attached the following acknowledgment signed by the applicant(s):
   The undersigned grantee(s) hereby acknowledge(s) that the premises described in the attached application is located upon a non-dedicated allowance for access, and further the grantee(s) understand that no governmental body is responsible for care and maintenance of access.

Yard Requirements:

A. All buildings and structures shall be located to provide maximum privacy for adjacent frontage lots. No building or structure on a rear lot shall be located within eighty five (85) feet of the rear property line of the frontage lot. A minimum setback of fifty (50) feet from
all other rear lot property lines shall be required for all buildings and structures.

Fire Safety Requirements:

A. An address sign shall be placed at the access driveway entrance. The minimum size shall be 6” x 18” with light reflecting numerals for the house numbers.

SECTION 302 MEDINA CITY BUFFER DISTRICT (MCB)

302.1 Purpose
302.2 Uses
302.3 Flood Hazard Areas
302.4 Lot Requirements
302.5 Yard Requirements
302.6 Utilities
302.7 Erosion and Sedimentation Control
302.8 Rear Lots

SECTION 302.1 PURPOSE

The purpose of this district is to provide a buffer area between the Township and Medina City, encouraging land to remain and develop in the Township by allowing a somewhat higher density than is generally allowed in the Township with minimal additional roadway construction but at a lower density than would be available upon annexation to the city of Medina thus limiting and halting the systematic erosion of the Township boundaries due to annexation. This district shall contain only lands buffering Medina City Limits which had a Suburban Residential zoning district classification and which had central water and sewer facilities available on the date of the adoption of this Resolution.

SECTION 302.2 USES

A. Permitted Uses

1. Single-family and two-family dwellings, two (2) family dwellings not to exceed 30% of the total number of units within the entire MCB District.
2. Accessory buildings and uses.
3. Type I home occupations subject to Section 215 A
4. Signs as regulated by Article IV.
5. Parking as regulated by Article V.

B. Conditionally Permitted Uses

Within the MCB District, the following uses may be permitted as conditional uses upon issuance of a conditional zoning certificate by the Board of Zoning Appeals, subject to the general requirements of Article VI (Conditional Zoning Certificates) and the specific requirements of the subsections of Section 604 referred to below:

1. Churches and other places of worship subject to subsections 604, A, 1, 6, 12, and 13.
2. Educational, religious or philanthropic institutions, subject to subsections 604, A, 1-3, 5-11.
3. Cemeteries subject to subsections 604. A, 1, and 22.
4. Governmentally or privately operated recreation areas such as: picnic areas, playgrounds, parks, swimming facilities, golf courses, tennis clubs, country clubs, miniature golf courses, golf driving ranges and similar recreational facilities or uses of similar character. Uses similar in character to the following shall be excluded: campgrounds, commercial recreational uses such as drive-in theaters, rifle ranges, trapshooting, skeet-shooting ranges, pistol ranges or other ranges for the use of firearms, the operation of snowmobiles, motorcycles, and all-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 subsections 604, A, 1, 2, 3, 5, 6, 11, 13, 14, 18, and 19.

5. Governmentally owned and/or operated buildings and facilities other than those listed above subject to subsections 604, A, 1, 3, 4, 6, 8, 9, 10, and 13.

6. Developments which include a private street, or drive, serving more than one (1) property or principal building subject to subsections 604, A, 1, 23.

7. Bed and breakfast homes, subject to subsections 604, A, 1, 24

8. Planned developments, subject to subsections 604, A, 1, 26.

9. Dog Kennel
   a. Shall be located on no less than five (5) acres.
   b. Shall not be located in a major subdivision.

SECTION 302.3 FLOOD HAZARD AREAS

Areas within the Flood Plain District are also subject to the requirements of Section 305 of this Resolution (Flood Plain District).

SECTION 302.4 LOT REQUIREMENTS

Maximum density in the Medina City Buffer District shall not exceed two (2) units per acre exclusive of the land used for the installation of streets. Building lots shall be developed with a degree of flexibility in order to effectively utilize the natural topography and landscape. No rear lots are permitted. The placement of driveway curb cuts into arterial or collector streets is discouraged.

A. Minimum Lot Area
   1. Single-family dwelling - 20,000 square feet.
   2. Two-family dwelling - 30,000 square feet.

B. Minimum Lot Frontage
   1. Single-family dwelling – one hundred (100) continuous feet.
   2. Two-family dwelling – one hundred (100) continuous feet.

C. Minimum Lot Width
1. Single-family dwelling – one hundred (100) continuous feet.

2. Two-family dwelling – one hundred (100) continuous feet.

D. The minimum lot frontage requirements shall be sixty (60) continuous feet in cul-de-sac bulbs.

E. A structure shall not be built on lots off the cul-de-sac bulbs until the lot width reaches one hundred (100) feet and the eighty (80) feet set back requirement.

F. No rear lots are permitted.

G. In MCB District areas which cannot be served with both water and central sewer, lots shall meet the minimum lot requirements of a lot in the nearest city residential district.

SECTION 302.5 YARD REQUIREMENTS

A. Minimum Setback from Street Centerline
   1. Eighty (80) feet, except that uncovered porches or steps may be seventy (70) feet
   2. All State and U.S. routes must be one hundred (100) feet excluding porches and steps.

B. Minimum Side Yard Width - fifteen (15) feet.

C. Minimum Rear Yard Depth - fifteen (15) feet.

D. Minimum Setback/Side Yard for Roadside Stands - Roadside stands shall be set back at least fifteen (15) feet from the road right-of-way, and at least thirty (30) feet from side lot lines. Such stand and off-street parking shall be located and set back in such a manner so as not to create a traffic hazard.

E. In MCB District areas which are not served with both central water and central sewer, lots shall meet the yard requirements of Section 301.5.

SECTION 302.6 UTILITIES

A. Central Sanitary Sewer and Water facilities shall be installed at the time of development where capacity is available.

B. All Utilities shall be installed underground.

SECTION 302.7 EROSION AND SEDIMENTATION CONTROL

Effective erosion and sedimentation controls must be planned in accordance with the Medina County Storm Water Management and Sediment Control Rules and Regulations. Such controls must be approved by the County engineer.

SECTION 302.8 REAR LOTS

No rear lots are permitted in the MCB District.
SECTION 303   LOCAL COMMERCIAL DISTRICT (LC) (Effective 9/18/13)

303.1  Purpose
303.2  Uses
303.3  Area and Yard Requirements
303.4.1  Supplementary Regulations

SECTION 303.1  PURPOSE

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

SECTION 303.2  USES   (Effective 12-16-2015)

Refer to Table I, Schedule of Permitted, and Accessory Uses.

SECTION 303.3  AREA AND YARD REQUIREMENTS

A.  Minimum Lot Area – There shall be no minimum lot area for a commercial use except as may be required by the Health Department or Ohio EPA for installation of an on-site sewage system. In the case of a commercial use so situated written approval of the applicable County or State authority for the installation of an on-site system shall be required prior to the issuance of a zoning certificate.

B.  Minimum Lot Frontage – 175 continuous feet, except 100 continuous feet with central water and sewer.

C.  Minimum Lot Width – 175 continuous feet, except 100 continuous feet with central water and sewer.

D.  Minimum Setback From Highway and Road Centerlines – All building structures must be set back 100 feet, excluding porches and steps. The required front yard may be used for parking, except for a landscaped buffer as provided in Section 510.

E.  Minimum Side Yard Width – Twenty-five (25) feet, except as provided in Section 303.3. G. below.

F.  Minimum Rear Yard Depth – Fifty (50) feet, except as provided in Section 303.3. G. below.

G.  Where a LC District adjoins a residential district the adjoining rear or side yard shall be a minimum of fifty (50) feet, twenty-five (25) feet of which shall consist of landscaped and planted buffer strip and running the full length of the yard. The balance of the yard shall be used for open space or parking.

SECTION 303.4  SUPPLEMENTARY REGULATIONS

A.  Site Plan Review – No zoning permit shall be issued for any use in the LC District until site plans have been reviewed and approved by Lafayette Township according to the procedures and requirements of Section 216. The Township may seek assistance from appropriate experts, with costs of the review to be borne by the applicant, as it feels is necessary to insure compliance with these regulations.
The Township shall supply the applicant with an estimate of such review costs prior to their occurrence.

B. Outdoor Storage –

1. Run-off – Outdoor storage of equipment, raw materials, parts and finished products shall be arranged so that no noxious run-off from outdoor storage areas is allowed to leave the property. Run-off from these areas shall be detained on the site so as to insure that water courses will not be contaminated. Appropriate holding tanks, basins or other structures shall be provided for this purpose. All surface holding areas should not be visible from adjoining zoning districts or from adjoining right-of-ways. Surface holding areas shall be diked and shall be specifically designed to prevent any leaching.

2. Screening – Outdoor storage areas shall be totally screened from view from all public right-of-ways and from all adjacent residential districts by landscaping, walls, fences or topography. Outdoor storage shall not occur in any required front yard or in any yard adjacent to a residential district.

3. Governmental permits (EPA, County Storm, etc. if applicable) are required for zoning approval.

4. Accessory Buildings – All accessory buildings shall conform to all lot and yard regulations.

C. Dumpster Enclosure – All solid waste resulting from any permitted use shall be disposed of in a completely enclosed container or dumpster. Such container or dumpster shall be located in a side or rear yard in compliance with the minimum setbacks and be screened on all four sides.

D. Flood Hazard Area – Areas within the Flood Plain District are also subject to the requirements of Section 305 of this Resolution.

E. Retail Establishments in Office Buildings – Retail establishments, such as a pharmacy or cafeteria, may be located in an office building provided such accessory use complies with the following:

1. The sum of the areas of such retail uses shall occupy no more than 25% of the first floor area of the office building.

2. No goods, merchandise or other items shall be displayed so as to be visible from an exterior show window.

3. No external sign indicating such use shall be permitted.

4. No outdoor storage of goods or materials shall be permitted.

F. Fences and Walls - Fences and walls may be erected in the LC District provided they comply with the requirements set forth for fences and walls. Reference is made to Article II, Section 220 Fences and Walls.

G. Comparable Uses – The Zoning Commission, with the approval of the Lafayette Township Trustees, may permit any use which is comparable in character to any of the uses in this section and which is in accord with the purposes of the district.
### TABLE I

**Schedule of Permitted, and Accessory Uses:**

<table>
<thead>
<tr>
<th>A. Offices and Medical Services</th>
<th>LC Local Commercial District</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Administrative, business and professional offices, including public administrative office.</td>
<td>P</td>
</tr>
<tr>
<td>2. Automated teller machine</td>
<td>P</td>
</tr>
<tr>
<td>3. Financial establishment</td>
<td>P</td>
</tr>
<tr>
<td>4. Hospital, medical clinic, urgent care facility, ambulance/emergency medical services, and accessory uses.</td>
<td>P</td>
</tr>
<tr>
<td>5. Medical or dental office</td>
<td>P</td>
</tr>
<tr>
<td>6. Research/testing laboratory</td>
<td>NP</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>B. Retail, Services, Entertainment</th>
<th>LC Local Commercial District</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Retail in completely enclosed buildings</td>
<td>P</td>
</tr>
<tr>
<td>2. Personal service facilities offering services directly to the public, including, but not limited to, hair care, dry cleaner, shoe repair, and photography studios.</td>
<td>P</td>
</tr>
<tr>
<td>3. Drive-thru facility associated with a permitted use.</td>
<td>P</td>
</tr>
<tr>
<td>4. Restaurant</td>
<td>P</td>
</tr>
<tr>
<td>5. Establishments primarily engaged in rendering services to business establishments on a fee or contract basis, such as advertising and mailing; building maintenance; employment services; protective services; equipment rental and leasing.</td>
<td>P</td>
</tr>
<tr>
<td>6. Copying services open to the general public on a retail basis.</td>
<td>P</td>
</tr>
<tr>
<td>7. Funeral home</td>
<td>P</td>
</tr>
<tr>
<td>8. Instructional studios</td>
<td>P</td>
</tr>
<tr>
<td>9. Other services including carpet cleaning, small appliance and electronic repair</td>
<td>P</td>
</tr>
<tr>
<td>10. Indoor recreation</td>
<td>P</td>
</tr>
<tr>
<td>11. Sports/Fitness center</td>
<td>P</td>
</tr>
<tr>
<td></td>
<td>Local Commercial District</td>
</tr>
<tr>
<td>---</td>
<td>--------------------------</td>
</tr>
<tr>
<td>12.</td>
<td>Golf course, miniature</td>
</tr>
<tr>
<td>13.</td>
<td>Theater, indoor</td>
</tr>
<tr>
<td>14.</td>
<td>Veterinary clinic</td>
</tr>
<tr>
<td>15.</td>
<td>Self-storage facilities</td>
</tr>
<tr>
<td><strong>C. Automotive/Transportation</strong></td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td>Agricultural equipment, construction equipment, implements sales, service and rental, provided such uses comply with zoning code.</td>
</tr>
<tr>
<td>2.</td>
<td>Automotive service station</td>
</tr>
<tr>
<td>3.</td>
<td>Car wash</td>
</tr>
<tr>
<td>4.</td>
<td>Gasoline station</td>
</tr>
<tr>
<td>5.</td>
<td>Automobile dealership <em>(Effective 12-16-2015)</em></td>
</tr>
<tr>
<td><strong>D. Lodging</strong></td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td>Hotel, motel</td>
</tr>
<tr>
<td><strong>E. General Commercial</strong></td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td>Trade/contractor’s facility including carpenter, cabinetry, upholstering, sheet metal, plumbing, heating, roofing, air conditioning, sign painting and other similar facilities</td>
</tr>
<tr>
<td>2.</td>
<td>Vehicle equipment, and/or machinery repair garage</td>
</tr>
<tr>
<td><strong>F. Outdoor Activities</strong></td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td>Park/playground</td>
</tr>
<tr>
<td>2.</td>
<td>Outdoor recreation</td>
</tr>
<tr>
<td><strong>G. Community Facilities</strong></td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td>Assembly hall, meeting place for fraternal, charitable, social or other organization</td>
</tr>
<tr>
<td>2.</td>
<td>Business school, college or university</td>
</tr>
<tr>
<td>3.</td>
<td>Church or other place of worship</td>
</tr>
</tbody>
</table>
LAFAYETTE TOWNSHIP ZONING RESOLUTION

<table>
<thead>
<tr>
<th>Local Commercial District</th>
</tr>
</thead>
</table>

4. Congregate care facility\textsuperscript{SRI} \(\text{P}\)
\textsuperscript{SRI} – Evidence of compliance with applicable Federal, State and local laws and regulations, including facility licensure, shall be furnished to the Township.

5. Day care center, child and/or adult \(\text{P}\)

6. Library, museum \(\text{P}\)

7. Post office \(\text{P}\)

8. Public safety facility \(\text{P}\)

9. Public service facility \(\text{P}\)

10. School, public or private \(\text{P}\)

H. Other Uses

1. Wireless telecommunication tower and/or facility not classified as a public utility \(\text{P}\)

2. Sexually oriented business \(\text{NP}\)

I. Accessory Uses

1. Accessory buildings \(\text{A}\)

2. Accessory retail establishments in office buildings in compliance with the zoning code. \(\text{P}\)

3. Fences and walls \(\text{A}\)

4. Off-street parking and loading areas \(\text{A}\)

5. Signs \(\text{A}\)

6. Waste receptacles \(\text{A}\)

7. Wind energy conversion systems \(\text{A}\)

8. Outdoor wood-fired hydronic heaters \(\text{A}\)

9. Solar Panels \(\text{A}\)

Note: \(\text{P} = \text{Permitted Use}; \text{A} = \text{Accessory Use}; \text{NP} = \text{Not Permitted}\).
SECTION 304  LIGHT MANUFACTURING AND RESEARCH DISTRICT (LMRD)  *(Sections 304.1-304.5G Effective 09-18-2013)*

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

SECTION 304.1 PURPOSE

The purpose of this district is to provide for certain light manufacturing and related uses, which have no objectionable effects on the surrounding area of the community. The LM/R District regulations are designed to avoid excessive demands on community facilities as specified in the Lafayette Township Comprehensive Plan and to provide opportunities in designated areas for well-planned, light manufacturing development on surrounding areas, which are clean, quiet and free of hazardous or objectionable elements.

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

SECTION 304.2 USES  *(Effective 12-16-2015)*

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

SECTION 304.3 AREA AND YARD REQUIREMENTS

A. Minimum Lot Area – There shall be no minimum lot area for a light manufacturing use except as may be required by the Health Department or Ohio EPA for installation of an on-site sewage system. In the case of a light manufacturing use so situated written approval of the applicable County or State authority for the installation of an on-site system shall be required prior to the issuance of a zoning certificate.

B. Minimum Lot Frontage – 175 continuous feet, except 100 continuous feet with central water and sewer.

C. Minimum Lot Width – 175 continuous feet, except 100 continuous feet with central water and sewer.

D. Minimum Setback From Street Centerlines – All building structures must be set back one hundred (100) feet, excluding porches and steps. The required front yard may be used for parking except for a landscaped buffer as provided in Section 510.

E. Minimum Side Yard Width – Twenty-five (25) feet, except as provided in Section 304.4. G. below.

F. Minimum Rear Yard Depth – Fifty (50) feet, except as provided in Section 304.4. G. below.

G. Yards Adjoining a Residential District – Where a LM/R District adjoins a residential district the adjoining rear and side yard shall be one hundred fifty (150) feet. The full area abutting the residential district to a depth of fifty (50) feet shall be landscaped and maintained to minimize any effects of a permitted use on adjacent residential districts. The balance of the yard shall be used for open space or parking.
SECTION 304.4 PERFORMANCE STANDARDS

Main and accessory buildings and uses enumerated in this section shall comply with the following performance standards as a condition precedent to their occupancy and use, in addition to the Site Plan Review provisions of Section 216.

A. All permitted offices, laboratory, service, storage and manufacturing operations shall be conducted and all materials used in their operations shall be contained wholly within enclosed buildings or enclosed by a solid wall or fence of such nature and height as to conceal completely all operations thereof and all materials therein from an observer’s view with that observer standing at the grade level on an adjacent residential premises or district.

B. Storage of all materials in or on premises must comply with all Federal and State protection regulations in effect at the time.

C. Any waste produced from all operations shall be properly disposed of according to applicable laws and regulations.

SECTION 304.5 SUPPLEMENTARY REGULATIONS

A. Site Plan Review – No zoning certificate shall be issued for any use in the LM/R District until site plans have been reviewed and approved by Lafayette Township according to the procedures and requirements of Section 216. The Township may seek assistance from appropriate experts, with costs of the review to be borne by the applicant, as it feels is necessary to insure compliance with these regulations. The Township shall supply the applicant with an estimate of such review costs prior to their occurrence.

B. Outdoor Storage –

1. Run-off – Outdoor storage of equipment, raw materials, parts and finished products shall be arranged so that no noxious run-off from outdoor storage areas is allowed to leave the property. Run-off from these areas shall be detained on the site so as to insure that water courses will not be contaminated. Appropriate holding tanks, basins or other structures shall be provided for this purpose. All surface holding areas should not be visible from adjoining zoning districts or from adjoining right-of-ways. Surface holding areas shall be diked and shall be specifically designed to prevent any leaching.

2. Screening – Outdoor storage areas shall be totally screened from view from all public right-of-ways and from all adjacent residential districts by landscaping, walls, fences or topography. Outdoor storage shall not occur in any required front yard or in any yard adjacent to a residential district.

3. Governmental Permits – EPA, County Storm, etc. (if applicable) are required for zoning approval.

4. Accessory Buildings – All accessory buildings shall conform to all lot and yard regulations.

C. Dumpster Enclosure – All solid waste resulting from any permitted use shall be disposed of in a completely enclosed container or dumpster. Such container or dumpster shall be located in a side or rear yard in compliance with the minimum setbacks and be screened on all four sides.

D. Flood Hazard Area – Areas within the Flood Plain District are also subject to the requirements of Section 305 of this Resolution.

E. Fences and Walls – Fences and walls may be erected in any LM/R District provided they comply
F. Comparable Uses – The Zoning Commission with the approval of the Lafayette Township Trustees may permit any use which is comparable in character to any of the uses listed in this section and which is in accord with the purposes of the district.

G. Record of Substantially Similar Uses

1. The Zoning Inspector shall maintain as a public record a listing of all uses which have been determined to be substantially similar. For each such use the record shall include the use as listed in the Resolution, the use unlisted in the Resolution about which the determination of substantial similarity was made. This record shall also contain the same information for all uses, which have been determined not to be substantially similar. The Zoning Inspector shall consult this record in the process of issuing future permits.

H. Sexually-Oriented Business Regulations

1. Preamble

   Based on the findings of the Township Zoning Commission and the Board of Township Trustees regarding the adverse secondary effects of Sexually Oriented Businesses, it is the purpose of this Section to regulate sexually oriented businesses to promote the health, safety and welfare and/or for the public convenience, comfort, prosperity, and general welfare of the citizens of the Township as appropriate and authorized by law, and to establish reasonable and uniform regulations regarding sexually oriented businesses to prevent the deleterious location and concentration of sexually oriented businesses within the Township. The provisions of this Section have neither the purpose nor effect of imposing a limitation or restriction on the content of any communicative materials, including sexually oriented materials. Similarly, it is not the intent or effect of this chapter to restrict or deny access by adults to sexually oriented materials protected by the First Amendment, or to deny access by the distributors and exhibitors of sexually oriented entertainment to their intended market. Neither is it the intent nor effect of this ordinance to condone or legitimize the distribution of obscene materials.

2. Findings

LAFAYETTE TOWNSHIP ZONING RESOLUTION

710; J.L. Spoons, Inc. v. City of Brunswick (N.D. Ohio 1999), 49 F. Supp.2d 1032; Triplett Grille, Inc. v. City of Akron (6th Cir. 1994), 40 F.3d 129; Nightclubs, Inc. v. City of Paducah (6th Cir. 2000), 202 F.3d 884; O'Connor v. City and County of Denver (10th Cir. 1990), 894 F.2d 1210; Deja Vu of Nashville, Inc., et al. v. Metropolitan Government of Nashville and Davidson County (6th Cir. 2001), 2001 U.S. App. LEXIS 26007; State of Ohio ex rel. Rothal v. Smith (Ohio C.P. 2002), Summit C.P. No. CV 01094594; Z.J. Gifts D-2, L.L.C. v. City of Aurora (10th Cir. 1998), 136 F.3d 683; Connection Distrib. Co. v. Reno (6th Cir. 1998), 154 F.3d 281; Sundance Assocs. v. Reno (10th Cir. 1998), 139 F.3d 804; American Library Association v. Reno (D.C. Cir. 1994), 33 F.3d 78; American Target Advertising, Inc. v. Giani (10th Cir. 2000), 199 F.3d 1241: as well as studies conducted in other cities including, but not limited to, Cleveland, Ohio (1977); Phoenix, Arizona (1984); Minneapolis, Minnesota (1980); Houston, Texas (1983); Indianapolis, Indiana (1984); Amarillo, Texas (1977); Garden Grove, California (1991); Los Angeles, California (1977); Whititem, California (1978); Austin, Texas (1986); Seattle, Washington (1989); Oklahoma City, Oklahoma (1986 and 1992); Dallas, Texas (1997); St. Croix County, Wisconsin (1993); Bellevue, Washington (1998); Newport News, Virginia (1996); Tucson, Arizona (1990); St. Paul, Minnesota (1988); Beaumont, Texas (1982); New York, New York (1994); Ellicottville, New York (1998); Des Moines, Iowa (1984); Islip, New York (1980); Adams County, Colorado (1987); Manatee County, Florida (1987); New Hanover County, North Carolina (1989); Las Vegas, Nevada (1978); Cattaraugas County, New York (1998); Cleburne, Texas (1997); Dallas, Texas (1997); El Paso, Texas (1986); New York Times Square study (1994); Report to ACLJ on the Secondary Impacts of Sex Oriented Businesses (1996); findings from the Report of the Attorney General's Working Group On The Regulation Of Sexually Oriented Businesses (June 6, 1989, State of Minnesota); and on testimony to Congress in 136 Cong. Rec. S. 8987; 135 Cong. Rec. S. 14519; 135 Cong. Rec. S. 5636, 134 Cong. Rec. E. 3750; and also on findings from the paper entitled “Stripclubs According to Strippers: Exposing Workplace Sexual Violence,” by Kelly Holssopple, Program Director, Freedom and Justice Center for Prostitution Resources, Minneapolis, Minnesota; and from “Sexually Oriented Businesses: An Insider's View,” by David Sherman, presented to the Michigan House Committee on Ethics and Constitutional Law, Jan. 12, 2000; and from various other police reports, testimony, newspaper reports, and other documentary evidence, and the Lafayette Township Board of Trustees’ independent review of the same, the Lafayette Township Board of Trustees makes the following findings:

a. Sexually Oriented Businesses can cause or contribute significantly to increases in criminal activity in areas in which they are located or take place, thereby taxing law enforcement and public health services.

b. Crime statistics show that all types of crimes, especially sex-related crimes, occur with more frequency in neighborhoods where Sexually Oriented Businesses are located.

c. Sexually Oriented Businesses have a deleterious effect on both the existing businesses around them and the surrounding residential areas adjacent to them, causing increased crime and the downgrading of property values.

d. Nude dancing and other similar conduct provided by Sexually Oriented Businesses encourages prostitution, increases the frequency of sexual assaults, attracts or encourages other related criminal activity, increases the public health and safety risks associated with Sexually Oriented Businesses, and otherwise causes or contributes significantly to the adverse impacts and secondary effects of Sexually Oriented Businesses on the areas in which such businesses are located, or take place.
e. Sexually Oriented Businesses can cause or contribute significantly to the deterioration of residential neighborhoods, can impair the character and quality of such neighborhoods and the housing located therein, and can inhibit the proper maintenance and growth of such neighborhoods, limiting or reducing the availability or quality of affordable housing for area residents, and reducing the value of property in such areas.

f. Sexually Oriented Businesses can undermine the stability of other established business and commercial uses in the areas in which Sexually Oriented Businesses are located or take place and cause or contribute significantly to the deterioration of such other business and commercial uses, thereby causing or contributing to a decline in such uses and an inhibition on business and commercial growth resulting in adverse impact on local government revenues and property values.

g. Sexually Oriented Businesses can have a dehumanizing and distracting influence on young people and students attending schools, can diminish or destroy the enjoyment and family atmosphere of persons using parks, playgrounds, forest preserves, and other public recreational areas, can interfere with or even destroy the spiritual experience of persons attending church, synagogue, or other places of worship, and can interfere with or even destroy the opportunity for solemn and respectful contemplation at cemeteries and similar facilities.

h. The presence of Sexually Oriented Businesses is perceived by the public generally and by neighboring business owners and residents as an indication that the area in which such businesses occur or take place is in decline and deteriorating, a perception that can quickly lead to such decline and deterioration, prompting businesses and residents to flee the affected area to avoid the consequences of such decline and deterioration.

i. The exterior appearance, including signage, of Sexually Oriented Businesses can have an adverse impact on young people and students, can contribute to the decline in property values associated with Sexually Oriented Business activities, and can otherwise cause or contribute significantly to the adverse impacts and secondary effects of Sexually Oriented Businesses on the areas in which such businesses are located or take place.

j. Sexual acts, including masturbation and oral and anal sex, occur at Sexually Oriented Businesses, especially those which provide private or semi-private booths or cubicles for viewing films, videos, or live sex shows. The “couch dances” or “lap dances” that frequently occur in Sexually Oriented Businesses featuring live nude or seminude dancers constitute or may constitute the offense of “engaging in prostitution” under Section 2907.25 of the Revised Code.

k. Offering and providing such booths and/or cubicles encourages such activities, which creates unhealthy conditions.

l. Persons frequent certain Sexually Oriented Businesses for the purpose of engaging in sex within the premises of those Sexually Oriented Businesses.

m. Certain employees of certain Sexually Oriented Businesses, including adult theaters and adult cabarets, engage in a higher incidence of certain types of illicit sexual behavior than employees of other businesses and establishments.

n. Numerous communicable diseases may be spread by activities occurring in Sexually Oriented Businesses including, but not limited to, syphilis, gonorrhea,
human immunodeficiency virus infection (HIV-AIDS), genital herpes, hepatitis B, Non A, Non B amebiasis, salmonella infections, campylobacter infections, shigella infections, chlamydial infections, myoplasmal infections, ureoplasmal infections, trichomoniasis, and chancroid.

o. Since 1981 and to the present, there has been an increasing cumulative number of reported cases of AIDS caused by the human immunodeficiency virus (HIV) in the United States: 600 in 1982; 2,200 in 1983; 4,600 in 1984; 8,555 in 1985; and 253,448 through December 31, 1992.

p. A total of 10,255 AIDS cases had been reported in Ohio as of January, 1999. Ohio has required HIV case reporting since 1990, and the reported information shows 7,969 people living with HIV (4,213) and AIDS (3,756) in the state.

q. Since 1981 and to the present, there have been an increasing cumulative number of persons testing positive for the HIV antibody test in Ohio.

r. The Surgeon General of the United States in his report of October 22, 1986, has advised the American public that AIDS and HIV infection may be transmitted through sexual contact, intravenous drug abuse, and exposure to infected blood and blood components, and from an infected mother to her newborn.

s. The number of cases of early (less than one year) syphilis in the United States reported annually has risen: 33,613 cases were reported in 1982 and 45,200 cases were reported through November 1990.

t. The number of cases of gonorrhea in the United States reported annually remains at a high level, with over one-half million cases being reported in 1990.

u. According to the best scientific evidence, AIDS and HIV infection, as well as syphilis and gonorrhea, are principally transmitted by sexual acts.

v. Numerous studies and reports have determined that bodily fluids, including semen and urine, are found in the areas of Sexually Oriented Businesses.

w. Sanitary conditions in some Sexually Oriented Businesses are unhealthy, in part, because the activities conducted there are unhealthy, and, in part, because of the unregulated nature of the activities and the failure of the owners and the operators of the facilities to self-regulate those activities and maintain those facilities.

x. Sexually Oriented Businesses lend themselves to ancillary unlawful and unhealthy activities that are uncontrolled by the operators of the establishments. Further, there is presently no mechanism to make owners of these establishments responsible for the activities that occur on their premises.

y. Concentrations of multiple Sexually Oriented Businesses are associated with higher rates of prostitution, robbery assaults, and thefts in the surrounding neighborhood and dispersing Sexually Oriented Businesses causes a reduction in the adverse impact and secondary effects of such businesses.

z. The findings noted in Paragraphs a through y of this Article raise substantial governmental concerns.

1. The enactment of these zoning regulations will promote the general welfare, health, morals, and/or safety of the citizens of Lafayette Township.
3. Definitions

a. Adult Arcade: means any place to which the public is permitted or invited wherein coin-operated or slug operated, or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, videos, or other image producing devices are maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by an emphasis upon exhibiting, depicting, describing or displaying “specified sexual activities” or “specified anatomical areas”.

b. Adult Book/Video Store: means a commercial establishment which, as a significant or substantial portion of its business or as one of its principal purposes, offers for sale or rental, for any form of consideration, any of the following: books, magazines, newspapers, periodicals, other printed matter, photographs, films, motion pictures, video cassettes, DVDs, compact disks, slides, other video reproductions, or other visual representations which are distinguished or characterized by an emphasis upon exhibiting, depicting, describing or displaying “specified sexual activities” or “specified anatomical areas”.

c. Adult Hotel/Motel: means a hotel, motel, or similar commercial establishment that:

1.) Offers accommodation to the public for any form of consideration and provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides, DVDs, or other photographic/ digital reproductions which are distinguished or characterized by an emphasis upon exhibiting, depicting, describing or displaying “specified sexual activities” or “specified anatomical areas” and has a sign visible from the public right of way that advertises the availability of this adult type of photographic reproductions; or

2.) Offers a sleeping room for rent for a period of time that is less than eight (8) continuous hours; or

3.) Allows a tenant or occupant of a sleeping room to sub-rent the room for a period of time that is less than eight (8) continuous hours.

d. Adult Motion Picture Theater: means a commercial establishment where, for any form of consideration, films, motion pictures, video cassettes, slides, or similar photographic reproductions are regularly, commonly, habitually, or consistently shown that are distinguished or characterized by an emphasis upon exhibiting, depicting, describing or displaying “specified sexual activities” or “specified anatomical areas”. This does not include materials that have been rated “G”, “PG”, “PG-13” or “R” by the Motion Picture Association of America.

e. Adult Novelty Store/Sex Shop: means a commercial establishment which, as a significant or substantial portion of its business or as one of its principal purposes, offers for sale or rent instruments, devices, lingerie, leather goods or paraphernalia (other than medical and contraceptive devices) either designed as representations of human genital organs or female breasts, or designed or marketed primarily for use to stimulate human genital organs or for use in connection with “specified sexual activities” or for sadomasochistic use or abuse of self or others.

f. Adult Only Live Entertainment Business: means a nightclub, bar, restaurant or other commercial establishment which regularly features any of the following:
1.) Persons who appear in a state of nudity or semi-nude; or

2.) Exhibitions, dance routines, or gyrating choreography or any other live performance of persons totally nude, topless, bottomless, or strippers, male or female impersonators or similar entertainment or services that is distinguished or characterized by the exposure of “specified anatomical areas” or by an emphasis upon exhibiting, depicting, simulating or displaying “specified sexual activities”; or

3.) Films, motion pictures, videocassettes, slides, DVDs or other photographic/digital reproductions, which are distinguished or characterized by an emphasis upon exhibiting, depicting, describing or displaying “specified sexual activities” or “specified anatomical areas”.

g. Adult Theater: means a theater, concert hall, auditorium, or similar commercial establishment that regularly, commonly, habitually, or consistently features persons who appear, in person, in a state of nudity and/or semi-nudity, and/or live performances that are characterized by the exposure of “specified anatomical areas” or by “specified sexual activities”.

h. Escort: means a person who, for any form of consideration, agrees or offers to act as a companion or date for another person and who agrees or offers to appear in a state of nudity and/or semi-nudity or who agrees or offers to privately model lingerie or privately perform a striptease for another person.

i. Escort Agency: means a person, business association, or other commercial establishment who furnishes, offers to furnish, or advertises to furnish escorts as one of its primary business purposes for a fee, tip, or other consideration.

j. Massage Parlor: means a commercial establishment where, for any form of consideration, massage, alcohol rub, electric or magnetic treatment, or similar treatment or manipulation of the human body is administered, unless such treatment or manipulation is administered by a medical practitioner, chiropractor, acupuncturist, physical therapist, or similar professional person licensed by the state. This definition shall not include an athletic club, health club, school, gymnasium, reducing salon, spa, or similar establishments where massage or similar manipulation of the human body is offered as an incidental or accessory use.

k. Nude Model Studio: means any place where a person who appears in a state of nudity or displays “specified anatomical areas” is provided to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons for any form of consideration. Nude model studio shall not include any of the following:

1.) Proprietary school licensed by the state of Ohio;

2.) A college, junior college, or university supported entirely or in part by public taxation;

3.) A private college or university which maintains and operates educational programs in which credits are transferable to a college, junior college, or university supported entirely or partly by taxation;

4.) An establishment in a structure that:
a.) Has no sign visible for the exterior of the structure and no other advertising that indicates a nude or semi-nude person is available for viewing; and

b.) Where in order to participate in a class a student must enroll at least three days in advance of the class; and

c.) No more than one nude or semi-nude model is on the premises at any one time.

l. Nudity or State of Nudity: means the appearance or display of a “specified anatomical area”.

m. Semi-Nude or Semi-Nudity: means the appearance of the female breast below a horizontal line across the top of the areola at its highest point. This definition shall include the entire lower portion of the female breast, but shall not include any portion of the cleavage of the human female breast exhibited by a dress, blouse, skirt, leotard, bathing suit, or other wearing apparel provided the areola is not exposed in whole or in part.

n. Sexual Encounter Center: means a business or commercial establishment that, as one of its principal business purposes, offers for any form of consideration a place where either of the following occur:

1.) Two or more persons may congregate, associate, or consort for the purpose of engaging in “specified sexual activities”; or

2.) Two or more persons appear nude or semi-nude for the purpose of displaying their nude or semi-nude bodies for their receipt of consideration or compensation in any type or form

3.) An establishment where a medical practitioner, psychologist, psychiatrist, or similar professional person licensed by the state engages in medically approved and recognized therapy, including, but not limited to massage therapy, as regulated pursuant to Section 4731.15 of the Revised Code, is not a “sexual encounter establishment”.

o. Sexually Oriented Business: means any one of the following:

1.) Adult Arcade

2.) Adult Book/Video Store

3.) Adult Hotel/Motel

4.) Adult Motion Picture Theater

5.) Adult Novelty Store/Sex Shop

6.) Adult Only Live Entertainment

7.) Adult Theater

8.) Escort Agency
9.) Massage Parlor

10.) Nude Model Studio

11.) Sexual Encounter Center

12.) The definition of sexually oriented business shall not include an establishment where a medical practitioner, psychologist, psychiatrist, or similar professional person licensed by the state engages in medically approved and recognized sexual therapy or other treatment.

p. Specified Anatomical Areas: means a human bare buttock, anus, anal cleft or cleavage, pubic area, male genitals, female genitals, or vulva, with less than a complete and fully opaque covering; or a female breast with less than a complete and fully opaque covering of any part of the areola; or human male genitals in a discernibly turgid state even if completely and opaquely covered.

q. Specified Sexual Activities: means any one or more of the following:

1.) Actual or simulated fondling or other touching of an erogenous zone of another, including without limitation, the thigh, genitalia, pubic area, buttocks, anus or female breast, whether covered or uncovered; or

2.) Actual or simulated sex acts, normal or perverted, including, but not limited to, intercourse, fellatio, cunnilingus, oral copulation, sodomy, masturbation, bestiality, or the insertion, however slight, of any part of the body, or an instrument, apparatus, or other object into the vaginal or anal cavity of another; or

3.) Erotic or lewd touching, fondling, or other sexually oriented contact with an animal by a human being; or

4.) Human bodily functions of elimination, including, but not limited to, defecation, ejaculation, or urination as part of or in connection with any of the activities set forth in (a), (b) and (c) above; or

5.) Sadomasochistic practices including, but not limited to, flagellation or torture by or upon a person clothed or naked, or the condition of being fettered, bound, or otherwise physically restrained on the part of another.

4. Location

a. A Sexually Oriented Business may be located only in the Light Manufacturing and Research District (LM) and only in accordance with the restrictions contained in this Article.

b. Only one (1) Sexually Oriented Business shall be permitted in any one building, structure, or portion thereof and only one (1) Sexually Oriented Business shall be permitted per lot of record.

c. No Sexually Oriented Business shall be established or operated within 500 feet of any other Sexually Oriented Business. For purposes of this paragraph, the distance between any two sexually oriented businesses shall be measured in a straight line, without regard to intervening structures or objects, from the closest exterior wall of the structure in which each business is located.
d. No Sexually Oriented Business shall be established or operated within 1000 feet of a lot of record that contains any of the following:

1.) Any residential district or lot zoned for Rural Residential or existing residential use;

2.) A church, synagogue, mosque, temple or other building which is used primarily for religious worship or related religious activities;

3.) A public or private educational facility that serves persons younger than eighteen (18) years of age, including but not limited to nursery schools, preschools, kindergartens, elementary schools, private schools, intermediate schools, junior high schools, middle schools, high schools, vocational schools, secondary schools, continuation schools, special education schools, junior colleges and universities. School includes the school grounds, but does not include facilities used primarily for another purpose and only incidentally as a school;

4.) Any and all types of day-care facilities;

5.) A public library or museum that regularly serves persons younger than eighteen (18) years of age;

6.) A public park or public recreational area that is under the ownership, control, operation, or management of the federal government, the state of Ohio, or any political subdivision, agency, department, or authority thereof. “Public park” and “recreational area” include but are not limited to a park, playground, nature trails, swimming pool, athletic field, basketball court, tennis court, pedestrian/bicycle paths, wilderness areas, picnic areas, or other similar public land;

7.) Cemetery;

8.) For purposes of this section, measurement shall be made in a straight line, without regard to the intervening structures or objects, from the nearest portion of the building or structure used as the part of the premises where a sexually oriented business is conducted, to the nearest property line of the lot containing one or more of the foregoing.

5. Restrictions

a. No advertisement, displays, or other promotional materials displaying or describing sexual activities or anatomical areas shall be shown or exhibited in any manner visible to the public from pedestrian sidewalks or walkways, or from other public or semi-public areas.

b. All building openings, entries, and windows shall be located, serviced, or covered in such a manner as to prevent viewing into the interior from any public or semi-public area, sidewalk or roadway.

c. No screens, loudspeakers, or sound equipment shall be used for adult motion pictures that can be seen or discerned by the public from any public or semi-public area, sidewalk or roadway.

d. No merchandise or activities of a sexually oriented business shall be visible from a point outside the establishment.

a. Severability: It is the specific intent of Lafayette Township that if any section, subsection, sentence, clause, phrase, or portion of these regulations is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Resolution as adopted. Lafayette Township specifically declares that given the overall purpose and intent of this Resolution, it would have adopted the Resolution if such invalid provision had not been included or any illegal application had not been made.

b. Prevalence of Conforming Use: Any sexually oriented business which is lawfully and legally located and operating as a conforming use pursuant to the regulations set forth in this Resolution shall not be rendered a “non-conforming use” if a change in the zoning classification or use of any lot or structure would otherwise result in such sexually oriented business no longer being located legally and such business may continue as a conforming use.
### TABLE II

Schedule of Permitted, and Accessory Uses:

<table>
<thead>
<tr>
<th>LM/R Light Manufacturing and Research District</th>
<th>A. Offices and Medical Services</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Administrative, business and professional offices, including public administrative office</td>
<td>P</td>
</tr>
<tr>
<td>2. Automated teller machine</td>
<td>P</td>
</tr>
<tr>
<td>3. Financial establishment</td>
<td>P</td>
</tr>
<tr>
<td>4. Hospital, medical clinic, urgent care facility, ambulance/emergency medical services, and accessory uses.</td>
<td>P</td>
</tr>
<tr>
<td>5. Medical or dental office</td>
<td>P</td>
</tr>
<tr>
<td>6. Research/testing laboratory</td>
<td>P</td>
</tr>
<tr>
<td><strong>B. Retail, Services, Entertainment</strong></td>
<td></td>
</tr>
<tr>
<td>1. Retail in completely enclosed buildings</td>
<td>P</td>
</tr>
<tr>
<td>2. Personal service facilities offering services directly to the public, including, but not limited to, hair care, dry cleaner, shoe repair, and photography studios.</td>
<td>P</td>
</tr>
<tr>
<td>3. Drive-thru facility associated with a permitted use.</td>
<td>P</td>
</tr>
<tr>
<td>4. Restaurant</td>
<td>P</td>
</tr>
<tr>
<td>5. Establishments primarily engaged in rendering services to business establishments on a fee or contract basis, such as advertising and mailing; building maintenance; employment services; protective service; equipment rental and leasing.</td>
<td>P</td>
</tr>
<tr>
<td>6. Copying services open to the general public on a retail basis.</td>
<td>P</td>
</tr>
<tr>
<td>7. Funeral home</td>
<td>P</td>
</tr>
<tr>
<td>8. Instructional studios</td>
<td>P</td>
</tr>
<tr>
<td>9. Other services including carpet cleaning, small appliance and electronic repair</td>
<td>P</td>
</tr>
<tr>
<td>10. Indoor recreation</td>
<td>P</td>
</tr>
<tr>
<td>11. Sports/Fitness center</td>
<td>P</td>
</tr>
</tbody>
</table>
### Light Manufacturing and Research District

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<table>
<thead>
<tr>
<th></th>
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</thead>
<tbody>
<tr>
<td>12</td>
<td>Golf course, miniature</td>
<td>P</td>
</tr>
<tr>
<td>13</td>
<td>Theater, indoor</td>
<td>P</td>
</tr>
<tr>
<td>14</td>
<td>Veterinary clinic</td>
<td>P</td>
</tr>
<tr>
<td>15</td>
<td>Self-storage facilities</td>
<td>P</td>
</tr>
</tbody>
</table>

### C. Automotive/Transportation

<p>| | | |</p>
<table>
<thead>
<tr>
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</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Agricultural equipment, construction equipment, implements sales, service and rental, provided such uses comply with zoning code.</td>
<td>P</td>
</tr>
<tr>
<td>2</td>
<td>Automotive service station</td>
<td>P</td>
</tr>
<tr>
<td>3</td>
<td>Car wash</td>
<td>P</td>
</tr>
<tr>
<td>4</td>
<td>Gasoline station</td>
<td>P</td>
</tr>
<tr>
<td>5</td>
<td>Automobile dealership <em>(Effective 12-16-2015)</em></td>
<td>P</td>
</tr>
</tbody>
</table>

### D. Lodging

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Hotel, motel <em>(Effective 12-16-2015)</em></td>
<td>P</td>
</tr>
</tbody>
</table>

### E. General Commercial

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td>Trade/contractor’s facility including carpenter, cabinetry, upholstering, sheet metal, plumbing, heating, roofing, air conditioning, sign painting and other similar facilities</td>
<td>P</td>
</tr>
<tr>
<td>2</td>
<td>Vehicle equipment, and/or machinery repair garage</td>
<td>P</td>
</tr>
</tbody>
</table>

### F. Outdoor Activities

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td>Park/playground</td>
<td>P</td>
</tr>
<tr>
<td>2</td>
<td>Outdoor recreation</td>
<td>P</td>
</tr>
</tbody>
</table>

### G. Community Facilities

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Assembly hall, meeting place for fraternal, charitable, social or other organizations</td>
<td>P</td>
</tr>
<tr>
<td>2</td>
<td>Business school, college or university</td>
<td>P</td>
</tr>
<tr>
<td>3</td>
<td>Church or other place of worship</td>
<td>P</td>
</tr>
</tbody>
</table>
**Light Manufacturing and Research District**

4. Congregate care facility SRI
   SRI – Evidence of compliance with applicable Federal, State and local laws and regulations, including facility licensure, shall be furnished to the Township.
   
5. Day care center, child and/or adult
6. Library, museum
7. Post office
8. Public safety facility
9. Public service facility
10. School, public or private

**H. Manufacturing Uses**

1. Electric, metal, plastic and wood products and equipment
2. Tools and hardware, tool and die pattern making and other small machine shops

**I. Other Uses**

1. Wireless telecommunication tower and/or facility not classified as a public utility
2. Sexually oriented business

**J. Accessory Uses**

1. Accessory buildings
2. Accessory retail establishments in office buildings in compliance with the zoning code
3. Fences and walls
4. Off-street parking and loading areas
5. Signs
6. Waste receptacles
7. Wind energy conversion systems
8. Outdoor wood-fired hydronic heaters
| 9. Solar Panels | A |

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

*Word “Conditional” removed 11-16-2015 effective 12-16-2015*
### SECTION 305.1 **PURPOSE**

The purpose of the Flood Plain District (FP) is to protect those areas in Lafayette Township which are subject to flooding. Controlled use of these areas is required to protect human life, prevent or minimize material or economic losses, reduce the cost to the public for emergency public aid and relief efforts occasioned by unwise occupancy of flood areas, and direct development to sites which are capable of supporting the intended activity, as provided in the Lafayette Township Comprehensive Plan.

### SECTION 305.2 **DATA SOURCES AND MAP**

The approximate boundaries of the FP district are shown on the map titled Flood Plain Zoning District Map (FP) which is on file in the Lafayette Township Hall.

Where interpretation is needed as to the exact location of the boundaries, the Zoning Inspector shall consult with the Medina County Engineer’s Office.

### SECTION 305.3 **OVERLAY DISTRICT**

Due to the relationship of natural hazard areas to physical features of the terrain rather than any artificial boundaries, the FP district shall consist of an “overlay” district and may occur in one or more of the zoning districts described in this resolution. All land included in the FP district shall be subject to the requirements specified herein in addition to the normal requirements of the zoning district in which said land is located. If a building site is partially within the FP zone, the FP regulations apply only for the portion of the site within the FP zone.

### SECTION 305.4 **LIMITATIONS AND WARNING**

The degree of protection in the Flood Plain District required by this Resolution is considered reasonable for regulatory purposes. It is intended to provide protection in areas which have a potential for flooding as indicated by engineering and scientific methods of study. Larger floods may occur or flood heights may be increased by man-made or natural causes such as ice-jams and bridge openings restricted by debris. This Resolution does not imply that areas outside the district are free from flooding. Similarly, compliance with this Resolution for uses within the FP district and the issuance of a Zoning Certificate does not imply freedom from flooding damage.

### SECTION 305.5 **REGULATIONS PERTAINING TO FLOOD PLAIN AREAS (FP)**

#### A. **Uses**

All uses permitted and conditionally permitted in the underlying RR, MCB, LC, LM districts are permitted in the FP overlay zone.

1. All permitted uses are subject to review by the Zoning Commission as specified in C.
2. All conditionally permitted uses are subject to Article VI, Conditional Zoning Certificates.

B. Lot and Building Requirements

Same as conventional zoning district with the additional requirements that follows:

1. All buildings and structures shall be reasonably safe from flooding from a flood of a 100-year frequency, by having the first floor (or basement if there is to be a basement) elevation at least two (2) feet above the level of such flood.

2. No structures or uses shall unreasonably affect the efficiency or unduly restrict the capacity of the channels or floodways of any stream, drainage ditch, or any other drainage facility or systems.

3. No materials, either organic or inorganic, shall be stored in either open storage or enclosed storage in such a manner as to present a hazard of pollution or contamination of stream waters in the case of flooding.

C. Before issuance of a zoning certificate for any permitted or conditionally permitted use in flood plain area as shown on the FP district map, the Zoning Commission shall review and comment on the proposed use. Documentation, prepared by a registered surveyor or licensed engineer, shall be submitted with the application for a zoning certificate to demonstrate to the Commission that the above requirements are met. The findings of the Zoning Commission shall be submitted in writing to the Zoning Inspector. Failure of the Zoning Commission to submit comments shall not be fatal to the issuance of a certificate.

D. Applicants wishing to build in the FP overlay zone are advised to consult in advance with the Medina County Engineer's Office prior to application for any zoning certificate.

E. Zoning certificates issued by Lafayette Township for development in the FP overlay zone shall require compliance with the Medina County Stormwater Management and Sediment Control Rules and Regulations adopted by the Medina County Board of Commissioners for Flood Damage Prevention.
SECTION 306.1  PURPOSE

The purpose of this district is to provide a Transitional area between the Township land near the City of Medina and the rural residential land in the Township, encouraging land to remain and develop in the Township by allowing a somewhat higher density than is generally allowed in the Township with minimal additional roadway construction, but at a lower density than would be available upon the annexation to the city of Medina and lower density than the Medina City Buffer District, thus limiting and halting the systematic erosion of the Township boundaries due to annexation. This district shall contain land within an immediate area, but not necessarily contiguous to the City of Medina, or the Medina City Buffer District, which has central water and sewer facilities available to service the land, on the date of the adoption of this Resolution.

SECTION 306.2  USES

A.  Permitted uses

1. Single-family and two family dwellings, two (2) family dwellings not to exceed 20% of the total number of units within the entire LTTD.

2. Accessory buildings and uses.

3. Type 1 home occupation subject to Section 215, A

4. Signs as regulated by Article IV.

5. Parking as regulated by Article V.

B.  Conditionally Permitted Uses

Within the Lafayette Township Transitional District the following uses may be permitted as conditional uses upon issuance of a conditional zoning certificate by the Board of Appeals, subject to the general requirements of Article VI (Conditional Zoning Certificates) and the specific requirements of the subsections of Section 604 referred to below:

1. Churches and other places of worship subject to subsections 604, A, 1, 6, 12 and 13.

2. Educational, religious or philanthropic institutions, subject to subsections 604, A 1-3, and 5-11.

3. Cemeteries subject to subsections 604, A, 1 and 22.

4. Governmentally or privately operated recreation areas such as picnic areas, playgrounds, parks, swimming facilities, golf courses, tennis clubs, country clubs, miniature golf courses, golf driving ranges and similar recreational facilities or uses of similar character. Uses similar in character to the following shall be excluded:
campgrounds, commercial recreational uses such as drive-in theaters, rifle ranges, trapshooting, skeet-shooting ranges, pistol ranges or other ranges for the use of firearms, the operation of snowmobiles, motorcycles and all-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 subsections 604, A 1, 2, 3, 5, 6, 11, 13, 14, 18 and 19.

5. Governmentally owned and/or operated buildings and facilities other than those listed above subject to subsection 604, A, 1, 3, 4, 6, 8, 9, 10, and 13.

6. Developments which include a private street or drive, serving more than one (1) property or principal building subject to subsections 604, A, 1 and 23.


8. Planned Developments, subject to subsections 604, A, 1, 26, however, based upon one (1) unit per acre (versus 2 units per acre in MCBD).

9. Dog Kennel
   a. Shall be located on no less than five (5) acres.
   b. Shall not be located in a major subdivision.

SECTION 306.3 FLOOD HAZARD AREAS

Areas with the Flood Plain District are also subject to the requirements of Section 305 of this Resolution (Flood Plain District).

SECTION 306.4 LOT REQUIREMENTS

Maximum density in the Lafayette Township Transitional District shall not exceed one (1) unit per acre, exclusive of the land used for installation of streets. Building lots shall be developed with a degree of flexibility in order to effectively utilize the natural topography and landscape. No rear lots are permitted. The placement of driveway curb cuts into arterial or collector streets is discouraged.

A. Minimum Lot Area
   1. Single family dwelling – 20,000 square feet
   2. Two-family dwelling – 30,000 square feet

B. Minimum Lot Frontage
   1. Single family dwelling – one hundred (100) continuous feet
   2. Two-family dwelling - one hundred (100) continuous feet

C. Minimum Lot Width
   1. Single family dwelling – one hundred (100) continuous feet
2. Two-family dwelling - one hundred (100) continuous feet

D. The minimum lot frontage requirements shall be sixty (60) continuous feet in cul-de-sac bulbs.

E. A structure shall not be built on lots off the cul-de-sac bulbs until the lot width reaches one hundred (100) feet and eighty (80) feet set back requirement.

F. No rear lots are permitted

G. In the Lafayette Township Transitional District areas which cannot be served with both water and central sewer lots shall meet the minimum lot requirements of a lot in the nearest Lafayette Township residential district.

SECTION 306.5 YARD REQUIREMENTS

A. Minimum Setback from the centerline
   1. Eighty (80) feet, except that uncovered porches or steps may be seventy (70) feet.
   2. All State and U.S. routes must be one hundred (100) feet excluding porches and steps.

B. Minimum Side Yard Width - fifteen (15) feet.

C. Minimum Rear Yard Depth - fifteen (15) feet.

D. Minimum Setback/side yard for Roadside Stands- Roadside stands shall be set back at least fifteen (15) feet from the road right-of-way and at least thirty (30) feet from side lot lines. Such stand and off-street parking shall be located and set back in such a manner so as not to create a traffic hazard.

E. Revised setbacks as set out in PUD standards in Subsections 604, A. 1, 24 and forty percent (40%) “open space” in Lafayette Township Transitional District versus thirty percent (30%) in Medina City Buffer District.

F. In the Lafayette Township Transitional District areas which are not served with both central water and central sewer, lots shall meet the yard requirements of Section 301.5.

SECTION 306.6 UTILITIES

A. Central Sanitary Sewer and Water facilities shall be installed at the time of development where capacity is available.

B. All utilities shall be installed underground.

SECTION 306.7 EROSION AND SEDIMENTATION CONTROL

Effective erosion and sedimentation controls must be planned in accordance with the Medina County Storm Water Management and Sediment Control Rules and Regulations. Such controls must be approved by the County Engineer.
SECTION 306.8  REAR LOTS

No rear lots are permitted in the Lafayette Township Transitional District.
SECTION 307 INNOVATION PARK PLANNED UNIT DEVELOPMENT DISTRICT (IPD) (Effective 1/7/15)

307.1 Purpose
307.2 District Establishment
307.3 General Plan Requirements
307.4 Sublot Requirements

SECTION 307.1 PURPOSE

The Innovation Park Planned Unit Development District (IPD) is established per Section 519.021 of the Ohio Revised Code.

It is the purpose of this District to encourage and accommodate a growing number of businesses and industries seeking to develop separate facilities for management headquarters, manufacturing, light assembly, data centers, training areas, research and development operations, and offices in conjunction with a university center campus, in the interest of the public health, safety, convenience, comfort, prosperity or general welfare of the township. To accomplish this purpose the establishment of such a district requires the following:

- Facilities that are grouped together in order to provide common amenities such as adequate and convenient parking, service, utilities and a park-like, harmonious atmosphere;
- Development controls that will minimize offensive noise, vibration, smoke, odors, glare and other objectionable influences and hazards;
- A predetermined development plan providing appropriate screening, adequate separation from other land uses and more stringent controls; and
- Development in accordance with the goals, objectives and recommendations of the Chippewa Watershed Study (2002) to reduce the potential for flooding downstream.

SECTION 307.2 DISTRICT ESTABLISHMENT

The Innovation Park Planned Unit Development District (IPD) is hereby established and shall consist of the area designated as the Medina County University Technology Park and shown on the General Plan and the legal description (Appendix A) attached herewith and incorporated as part of this chapter. The IPD shall consist of two separate sections known as the Innovation Park and The University of Akron Campus. The IPD District is established as a Planned Unit Development District pursuant to section 519.021 (B) of the Ohio Revised Code.

SECTION 307.3 GENERAL PLAN REQUIREMENTS.

A. Permitted Uses

The following uses, if conducted within an enclosed building or buildings, shall be permitted in IPD District consistent with the purpose of this chapter:

1. Research and Development activities.
2. Corporate headquarters and offices.
3. Computer systems design and related services.
4. Educational institution.
5. Electronic assembly, research.
6. Laboratory.
7. Professional activities (engineering, design, sales, marketing).

9. Other light manufacturing and assembly activities.

10. Data centers.

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

B. Permitted Accessory Uses

1. Permitted accessory uses shall be contained wholly within a principal building. Such uses shall be permitted to operate during hours consistent with that of the permitted use.

2. No drive through services shall be permitted.

3. Permitted Accessory Uses Include:
   
a. Health and fitness/recreation or fitness facilities.

b. Day care.

c. Bank.

d. Automated Teller Machine (ATM). Limit one ATM per principal building. All ATMs shall be entirely enclosed within a principal building with all access being internal.

e. Courier/shipping. Limit one courier/shipping facility per principal building.

f. Coffee shop/retail. Limit one coffee shop/retail facilities per principal building.

g. Outdoor signs as regulated by Article IV.

h. Newspaper/bookstore. Limit one newspaper/bookstore facility per principal building.

i. Retail copy center. Limit one retail copy center per principal building.

j. Work Force development center.

k. Meeting facilities.

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

C. Maximum Height of Structures

The maximum height of structures: Fifty (50) feet. Additional height may be permitted by the Zoning Commission and the Township Trustees, with written certification of the Township Fire Marshall that adequate fire suppression measures (stand pipes, sprinklers) are installed or other adequate means implemented for adequate protection of the health and safety of the structure occupants consistent with the Ohio Basic Building Code.

D. Landscape Buffering – See Section 225 Landscaping Regulations

E. Streets and Drives

All streets and drives shall be in conformance with the Medina County Highway Engineer standards.
F. Utilities
All utilities shall be installed underground. Any access boxes or terminals that must be installed above ground shall be screened and landscaped per Section 225.

G. Signs - See Article IV Sign Regulations.

SECTION 307.4 SUBLOT REQUIREMENTS.

A. Minimum Yard Standards
Setback requirements shall apply to all principal buildings and accessory buildings.

1. Minimum Sublot Area – There shall be no minimum sublot area for a IPD use.

2. Minimum Sublot Width at the Building Line – 100 continuous feet.

3. Minimum Building Setback from Street Right-of-Way – Eighty (80) feet. The required front yard may be used for parking except for a landscaped strip as provided in Section 225.

4. Minimum Side Yard Width – Twenty-five (25) feet except when abutting a residential district where the side yard width shall be one hundred (100) feet of which a thirty (30) feet wide strip of the side yard along the boundary with the residential district shall be landscaped. The balance of the yard may be used for open space or parking.

5. Minimum Rear Yard – Fifty (50) feet except when abutting a residential district where the rear yard width shall be one hundred (100) feet of which a thirty (30) feet wide strip of the rear yard along the boundary with the residential district shall be landscaped. The balance of the yard may be used for open space or parking.

B. Frontage Requirements
All sublots shall have a minimum of one hundred fifty (150) feet of continuous frontage on a street. Frontage shall be measured at the street right-of-way.

C. Parking - See Article V Off-Street Parking and Loading Areas.

D. Sublot Signage - See Article IV Sign Regulations

E. Sublot Site Lighting - See Section 410 Outdoor Lighting Regulations

F. Sublot Landscaping Requirements - See Section 225 Landscaping Regulations

Sublot Site Plans - See Section 216 Site Plan Review and Conformance
SECTION 308 CHIPPEWA RESORT OVERLAY (CRO) DISTRICT
(Effective 5/16/08)

SECTION 308 CHIPPEWA RESORT OVERLAY (CRO) DISTRICT

308.1 Purpose
308.2 District Establishment
308.3 Uses
308.4 Minimum Project Area
308.5 Open Space and Density Requirements
308.6 General Development Requirements
308.7 Design Principles
308.8 Development and Site Planning Standards
308.9 Site Plan Requirements
308.10 General Landscape Plan
308.11 Performance Standards
308.12 Flood Hazard Areas

SECTION 308.1 PURPOSE

The purpose of this district is to recognize, and encourage the development of an area of the township that because of natural and existing man-made attributes is particularly suited to resort style development and a combination of residential and limited commercial uses which are associated with resort style uses.

Specifically, the intent of this district is to:

- Recognize the unique amenities associated with Chippewa Lake, including the scenic quality and natural features which are desirable for a wide range of recreational uses;
  - Increase the tourism potential of Medina County, and more specifically, Lafayette Township;
- Allow flexibility in design, density and uses;
  - Provide opportunities to preserve scenic quality and natural features through the use of conservation easements, site criteria, setbacks, buffers and other measures that will preserve the natural environment and also assure compatibility with neighboring uses;
- Incorporate an open space system or plan that coordinates with the Medina County Park District plans for the area, as well as providing recreational opportunities, habitat protection and critical area protection;
- Develop in accordance with the goals, objectives and recommendations of the Chippewa Watershed Study (2002) to reduce the potential for flooding downstream; and
  - Recognize the limited current and future availability of public facilities and services, such as water and sewer, roads, fire protection and law enforcement, in the establishment of an appropriate range of uses, densities and intensities.

SECTION 308.2 DISTRICT ESTABLISHMENT
The Chippewa Resort Overlay (CRO) District is hereby established pursuant to ORC 519.021 C, Planned Unit Developments, and shall consist of the area designated as the Chippewa Resort Overlay on the Lafayette Township Official Zoning Map (shown on Appendix A) attached herewith and incorporated as part of this Chapter.

SECTION 308.3 USES

A. Permitted Uses

The following are permitted uses in the Chippewa Resort Overlay (CRO) District, pursuant to any additional standards set forth herein:

1. Residential uses:
   a. Single-family detached dwellings;
   b. Single-family attached dwellings (up to four (4) attached dwelling units);
   c. Single-family dwellings clustered.

2. Limited Commercial Uses that are inherent and/or incidental to resort living:
   a. Hotels and spas;
   b. Conference centers;
   c. Meeting and banquet facilities;
   d. Music, entertainment and/or other performing arts facilities within an enclosed building;
   e. Permitted uses as stated in Section 303.2., however, banks may have drive-in windows.

B. Accessory Buildings and Uses

1. Fences and walls;

2. Outdoor dining and similar beach facilities;

3. Pools, picnic areas, playgrounds, tennis courts, and similar recreational facilities;

4. Living quarters for caretakers, maintenance facilities, and other accessory uses customarily incidental to a principally permitted use;

5. Accessory off-street parking facilities as regulated and set forth in Article V, Off-Street Parking and Loading Facilities;

6. Signage. (Article IV Sign Regulations)
SECTION 308.4 MINIMUM PROJECT AREA

The minimum land area required for a development utilizing the Chippewa Resort Overlay District regulations shall be fifty (50) contiguous acres. The area proposed to be developed shall be held in single ownership, or if in multiple ownership, the application shall be filed jointly by all owners of the properties included in the proposed development.

SECTION 308.5 OPEN SPACE AND DENSITY REQUIREMENTS

A. Usable Open Space – at least 25% of the total project area shall be devoted to usable open space. Usable open space shall comply with the following:

1. The types of usable open space, uses, function, location and design shall be approved as part of the site plan and shall:
   a. Be sufficiently aggregated to create large areas of open space;
   b. Conserve significant natural, historical and cultural features located on the site to the extent feasible;
   c. Be easily accessible to residents and guests of the Chippewa Resort Development;
   d. Be interconnected with open space areas on abutting parcels whenever possible.

2. Usable open space shall not include the following:
   a. Existing lakes and ponds;
   b. Private and public roads and associated rights-of-way;
   c. Public or private parking areas, access ways and driveways, except that guest parking areas that use grass pavers or provide screening may be counted as usable open space;
   d. Required setbacks between buildings, parking areas, and project boundaries;
   e. Required setbacks between buildings and streets;
   f. Required minimum spacing between buildings and parking areas;
   g. Private yards within subdivided sublots;
   h. Land that is subject to preexisting conservation easements or similar limitations on development.

3. Areas designated for usable open space for purposes of a Chippewa Resort development is land:
a. Preserved in its natural state such as wetlands, woodlands, lakes or ponds;

b. Used for active or passive recreation; and/or

c. Used for storm water management and/or water supply facilities.

4. Any areas to be designated as usable open space that are disturbed during construction or otherwise not preserved in its natural state shall be landscaped with vegetation that is compatible with the natural characteristics of the site.

5. Future Subdivision and Development of Open Space - All usable open space shall be restricted from further subdivision or development by deed restriction, conservation easement, or other agreement in a form acceptable to Lafayette Township and the Medina County Prosecutors Office and duly recorded in the office of the Medina County Recorder. Subject to permanent restrictions as set forth above, usable open space in a Chippewa Resort Development shall be owned by an Owner’s Association, Lafayette Township (with its consent), a land trust or other conservation organization recognized by Lafayette Township, or by a similar entity. Usable open space may be held by the individual members of a Homeowner’s Association as tenants-in-common or may be held in common ownership by a Homeowner’s Association, Community Association, or other similar legal entity. To obtain Township approval of the ownership of open space the association must submit documents with the development plan showing that the association’s bylaws and/or code of regulations require the following:

a. Membership in the Association shall be mandatory for all purchasers of lots in the development or units in the condominium.

b. The Association shall be responsible for maintenance, control, and insurance of all common areas, including required open space.

B. Density Requirements

1. Maximum overall density of three (3) dwelling units per acre on the portion of the proposed development site devoted to residential use.

2. Hotel rooms shall not be included in the residential density calculation.

SECTION 308.6 GENERAL DEVELOPMENT REQUIREMENTS

A. Maximum Height of Structures

pg. 67
1. Residential buildings – 35 feet

2. Commercial buildings, including hotels - 40 feet
   
a. Additional height to a maximum of 60 feet may be permitted by the Zoning Commission and the Township Trustees, with written certification of the Township Fire Chief that adequate fire suppression measures are installed.
   
b. For each foot of height in excess of 40 feet, an additional foot of setback from any adjoining residential use or zoning district shall be required.

B. Utilities

All utilities shall be installed underground. Any access boxes or terminals that must be installed above ground shall be screened and landscaped as required in Section 225, Landscaping.

SECTION 308.7 DESIGN PRINCIPLES

The following Design Principles shall guide the Township in reviewing site plans pursuant to this Section along with the specific standards that follow this Subsection:

A. Building and Site Design

1. Buildings shall be oriented toward, and/or provide views of, Chippewa Lake whenever possible.

2. Pedestrian access to the lake and throughout the development shall be an integrating design theme.

3. All development features, including the principal buildings, open spaces, service roads, driveways and parking areas, shall be so located as to minimize the possibility of adverse effects upon adjacent development.

4. Building location and placement shall be developed with consideration given to minimizing removal of trees, the protection of riparian corridors and wetlands, and change of topography.

5. Maximum visual and auditory privacy for surrounding properties and occupants shall be provided through the design and use of proper building materials, landscaping, and landscape screening such as evergreen trees.

B. Vehicular Circulation and Access

1. Circulation systems shall be designed to efficiently facilitate traffic flow, yet designed to discourage speeds and volumes that impede pedestrian activity and safety.
2. Street designs are encouraged to incorporate traffic calming devices and techniques.

3. On-site traffic circulation shall be designed to make possible adequate fire and police protection.

4. Safe and adequate site distance shall be provided at all intersections.

5. All public and private streets shall be in conformance with the Medina County Highway Engineer standards for public or private streets.

C. Pedestrian Access and Circulation

1. A coordinated pedestrian system shall be provided throughout the development, including connections between uses on the site, and between the site and adjacent properties and rights-of-way.

2. The site shall be connected to adjacent properties and pedestrian facilities to the maximum extent feasible.

3. Decorative sidewalks, such as brick pavers, should be considered for key intersections or streets.

D. Parking Lot Design and Layout

1. Adequate parking shall be provided, but excessive parking is discouraged. The standards contained in Article V, Off-street Parking and Loading Facilities, shall be used as a guide, but those standards may be modified based upon other considerations, such as shared parking options as provided in that chapter.

2. The visual impact of parking shall be minimized through the use of interior landscaped islands, and through dividing parking spaces into groupings.

3. The edges of parking lots shall be screened through landscaping or other methods such as decorative fences.

E. Landscaping and Screening

Landscaping shall be provided as part of the Final Site Plan submittal. The standards contained in Section 225 (Landscaping) are considered to be minimum standards for this district, with additional landscaping provided where needed to mitigate off-site visual impacts or to improve the internal landscaping on the site.

F. Streetscape Improvements

1. A Streetscape Plan shall be submitted for the entire site as a part of the Final Site Plan. The Streetscape Plan shall address
the relationship between vehicular and pedestrian traffic, pedestrian facilities, street and sidewalk lighting, landscaping, and street furniture, if provided.

2. The design of streets, pedestrian ways, landscaping, lighting, and street furniture shall be coordinated and integrated throughout the site.

3. Vehicular streets and driveways shall be designed to be compatible with pedestrian ways to encourage a pedestrian-friendly environment.

4. Site furnishings such as benches, seating, trash receptacles, bike racks, lighting fixtures, and tree grates shall be addressed in the Streetscape Plan, as part of the General Landscape Plan.

G. Service Area and Mechanical Screening

1. The location of service areas and mechanical equipment shall be considered as part of the overall site design.

2. Service areas and mechanical equipment shall be screened from public view.

H. Signage

1. A master sign plan shall be included with the General Landscape Plan illustrating the location, type, size, and materials of all signage.

2. In addition to signage permitted by Article IV Sign Regulations, up to two (2) entrance signs may be placed at each of the main entrances to a CRO development. The location, dimensions, and design of all signs shall be depicted on the General Landscape Plan for any development, which shall be approved by the Township Trustees.

I. Lighting

1. A lighting plan shall be included with the General Landscape Plan.

2. Lighting shall be designed to avoid spillover onto adjacent properties through the use of cutoff shields or other similar features.

J. Storm Water Management

When development involves disturbing more than one (1) acre of total land area, a Storm Water Pollution Prevention Plan (SWP3) shall be submitted. A SWP3 plan shall be prepared with the same essential requirements as required by the Ohio Environmental Protection Agency. Grading and surface drainage provisions shall
be designed to minimize adverse effects on abutting properties, streams, and public streets, and to minimize the possibility of erosion in a manner consistent with the requirements of the SWP3. The Board may request that the Medina County Soil and Water Conservation District, County Engineer, or other registered engineer review such grading plans, with any costs borne by the developer. The costs to alleviate surface drainage problems on adjacent property due to development shall be borne by the developer of the property causing the problem.

SECTION 308.8 DEVELOPMENT AND SITE PLANNING STANDARDS

Dwelling units may be located on traditional subdivision lots or in a cluster arrangement.

A. Traditional Lot Requirements

Dwelling units on traditional lots shall comply with the setback requirements below:

1. Minimum Setbacks:
   a. Setback from existing right-of-way – 50 feet. This figure may be reduced through the use of additional landscaping and mounding as demonstrated on the Site Plan.
   b. Front Yard Setback:
      1.) 25 feet from the street right-of-way, or 40 feet from centerline on a private street to the garage door.
      2.) Front yard setbacks may be reduced as much as five (5) feet with review of the Site Plan. However, there must be twenty (20) feet between the garage door and street edge or sidewalk.
      3.) If the garage is not at the front of the lot, the dwelling may be 15 feet from the street right-of-way or street 30 feet from the centerline of a private street.
   c. Rear Yard Setback – 15 feet
   d. Side Yard Setback – 10 feet

B. Cluster-Style Dwelling:

1. Minimum Lot Area:
   a. There is no minimum lot size.
b. All Cluster Units shall be developed in envelopes large enough to allow room for additional items, such as add-on rooms, fenced patios, etc.

c. The envelope must contain at least 10% more usable square feet than the footprint of the dwelling built in that envelope.

2. Setbacks from Interior Street:
   a. Public Street - 25 feet from the street right-of-way,
   b. Private Street – 40 feet from centerline to the garage door.
   c. Front yard setbacks may be reduced as much as five (5) feet with review of the Site Plan. However, there must be twenty (20) feet between the garage door and street edge or sidewalk.
   d. Rear Yard Setback – 15 feet.
   e. If the garage is not at the front of the lot, the dwelling may be 15 feet from the street right-of-way or 30 feet from the centerline of a private street.
   f. Separation between buildings – 20 feet unless sprinklers are provided and then the separation between buildings can be reduced to 15 feet.

C. Commercial and Non-residential Development

Setbacks:

Front Yard Setback – 80 feet  
Side Yard Setback – 25 feet  
Rear Yard Setback – 50 feet

The front, side and rear yard setbacks for commercial use can be reduced where the site plan justifies.

SECTION 308.9 SITE PLAN REQUIREMENTS:

A. Site Plans Required

1. A Site Plan is required when any new construction, alteration or modification is proposed prior to the issuance of a zoning certificate.

2. In order to promote the orderly and appropriate development of a Site Plan consistent with the goals and objectives of this Zoning District, the Board of Township Trustees or the Township Zoning Commission may encourage and engage in public discussions with the applicant prior to formal submission of the Site Plan.

3. Review of a Preliminary Site Plan and/or Final Site Plan shall be conducted in compliance with the following:
a. Preliminary Site Plan. A Preliminary Site Plan that indicates the general concept of development for an entire development site, including the general location of use areas, open space and circulation patterns shall be required for all proposed Chippewa Resort Developments.

b. Final Site Plan. A Final Site Plan that indicates, among other things, the exact location of buildings, parking areas, access drives, restricted open space, easements, signs and outdoor storage areas shall be required for all proposed Chippewa Resort Developments.

B. Site Plan Approval:

1. Preliminary Site Plan Submission Requirements.
   a. An application for Preliminary Site Plan review shall include a plan for the entire area of the proposed project and a written description of the project.
   b. The application may be filed by the developer on behalf of the landowner(s), or by a group of owners of the land within the development area acting jointly upon receipt of written approval by property owner(s).
   c. The written description of the proposed development shall include:
      1.) The applicant’s name, address, and phone number;
      2.) A signed statement that the applicant is the owner of the property or officially acting on the owner’s behalf;
      3.) The address and parcel number(s) of the property;
      4.) The name and address of the property owner(s) of record, if the applicant is not the owner;
      5.) Name and address of the engineer, architect and/or surveyor;
      6.) Project description, including the proposes use(s), total number of buildings, square feet, parking spaces, and similar related project-specific information;
      7.) Project completion schedule/development phases;
8.) Proposed cross-access easement documents if applicable.

d. Fifteen (15) sets of the application including the plans and the application fee shall be submitted to the Zoning Inspector. Application for Preliminary Site Plan review shall disclose all uses and their general locations proposed for the development and shall include the following maps, plans, designs and supplementary documents:

1.) All maps and plans shall be drawn to an appropriate scale of 1” = 100’;

2.) A property location map;

3.) The location of existing structures within the development area and access points;

4.) The general location of existing buildings, parking and access drives on parcels within 100 feet of the site;

5.) A topographic survey of the proposed development area, with contours lines at two-foot intervals;

6.) Existing major vegetation features, wooded areas and large isolated trees, one foot or more in diameter;

7.) Location of wetlands (and potential wetlands), the 100-year floodplain boundary and floodplain elevation as delineated by the Federal Emergency Management Agency, rivers and streams and their related river or stream bank, ponds, and water courses;

8.) Delineation of existing drainage patterns on the property, existing wells and well sites;

9.) The general location of development areas identified by use, including any fee simple lots and usable open space areas;

10.) The general layout of the proposed circulation proposed public ways, access points, and the parking and service system;

11.) A summary table showing total acres of the proposed development, the number of acres devoted to each type of use including streets and open space and the number of dwelling units by type;

12.) Proposed phases if the project is to be developed in stages indicating the phase(s) during which any common facilities are anticipated to be constructed;
13.) Areas or structures of known historic or archeological significance;

14.) Existing views and identification of unique vistas;

15.) The location, size, number of units, and density of cluster areas;

16.) Natural features to be conserved and any required buffer areas;

17.) Any proposed recreational, other non-residential and commercial facilities.

e. Approval of the Preliminary Site Plan shall be followed by adoption of a resolution re-designating the property with the Chippewa Resort Overlay District designation.

f. Following Preliminary Site Plan approval and Chippewa Resort Overlay District designation, the applicant may proceed with Preliminary Plan (Subdivision) approval from the Medina County Planning Commission.

2. Final Site Plan Submission Requirements.

a. The Final Site Plan for each phase of the project must be submitted within three (3) years of the Preliminary Site Plan approval or the Preliminary Site Plan expires and the process must begin anew.

b. An application for Final Site Plan review shall be required for each phase of the site. Fifteen (15) sets of the application and the application fee shall be submitted to the Zoning Inspector. The application shall include the following maps, plans, designs and supplementary documents.

c. All applications for Final Site Plan approval shall contain the following information:

1.) A written description of the proposed development that includes:

a.) The applicant’s name, address, and phone number;

b.) A signed statement that the applicant is the owner of the property or officially acting on the owner’s behalf;

c.) The address and parcel number(s) of the property;
d.) The name and address of the property owner(s) of record, if the applicant is not the owner;

e.) Name and address of the engineer, architect, and/or surveyor;

f.) Project description, including the proposed use(s), total number of buildings, square feet, parking spaces, and similar related project-specific information;

g.) Project completion schedule/development phases;

h.) Proposed cross-access easement documents if applicable.

2.) Site Plan Drawing(s) which illustrate the following information:

a.) A vicinity map drawn at a scale of 1”=2000’ with north arrow indicated;

b.) The acreage of all parcels in the project;

c.) Land uses, zoning classification, and existing structures on the subject parcel and approximate location of existing structures on contiguous and adjacent parcels;

d.) Location of proposed and/or existing property lines, dimensions, and setback lines;

e.) Existing topographic elevations at two-foot intervals, proposed grades, and direction of drainage flows;

f.) Identify any riparian corridors on the parcel(s) and label the required stream bank buffer setback accordingly;

g.) Location and elevations of existing watercourses and water bodies, including natural and/or man-made surface drainage ways, flood plains, and wetlands;

h.) Location of existing and proposed buildings and intended uses thereof, as well as all dimensions including height;
i.) Proposed location of accessory and service structures, buildings, and uses and the method of screening where applicable;

j.) Location of existing public and private roads, rights-of-way and private easements of record, and abutting streets;

k.) Location and dimensions of proposed streets, drives, curb cuts, and access easements, as well as acceleration, deceleration, and passing lanes (if any) serving the development;

l.) Location, design, and dimensions of existing and/or proposed curbing, barrier-free access, parking areas (including indication of all spaces and method of surfacing), fire lanes, and all lighting thereof;

m.) Location and design of all sidewalks, walkways, bicycle paths, and areas for public use;

n.) Location, size, and characteristics of all loading and unloading areas;

o.) Location of water supply lines including fire hydrants and shut off valves, and the location and design of storm sewers, retention or detention ponds, waste water lines, and connection points;

p.) Location of all other utilities on the site including but not limited to fiber optic cables, natural gas, electric, cable TV, and telephone;

q.) Location, size, and specifications of all signs including lighting for the signs;

r.) Exterior lighting;

s.) Exterior elevations;

3.) General Landscape Plan (see Section 308.10).

C. Application Approval Process

1. All applications for Site Plan approval shall be submitted to the Lafayette Township Zoning Inspector or Zoning Commission
Secretary. Once deemed to be complete, the Township Official shall submit the Site Plan and all accompanying information and drawings to the Lafayette Township Zoning Commission and the Medina County Planning Commission for concurrent review.

2. The Zoning Commission shall review the application and make a recommendation to the Lafayette Township Trustees within forty-five (45) days after the last public meeting at which the Site Plan is reviewed. The Site Plan application and the Zoning Commission’s recommendation shall then be forwarded to the Lafayette Township Board of Trustees for their consideration.

3. The Medina County Planning Commission may simultaneously review the application as a Site Plan and/or as a Subdivision.

4. The Medina County Planning Commission shall review the Site Plan application and make a recommendation at its next regularly scheduled meeting. The Planning Commission’s recommendation shall then be forwarded to the Lafayette Township Zoning Commission and to the Lafayette Township Trustees for their consideration and final determination.

5. The Lafayette Township Board of Township Trustees shall review all submitted materials, and the recommendations of the Lafayette Township Zoning Commission and the Medina County Planning Commission. The Trustees may Approve, Approve with Modifications, or Disapprove a Site Plan.

6. At any time during the Site Plan review process, the Board may seek expert advice or cause special studies to be made for input to its review of any plans or proposals submitted. Proposed building plans shall be reviewed by authorized representative of the Lafayette Township Fire Department to assure conformance with appropriate fire codes.

7. The applicant may be required to provide additional information or re-study all or part of the proposal, or to have additional studies done, the costs of securing expert advice or studies shall be borne by the applicant. The Board of Trustees may submit any or all Site Plans and proposals to the Soil and Water Conservation District or any other similar organization for review and recommendations prior to acting on any such plan.

8. When a particular Site Plan involves a variance request and/or conditional use approval, the Board of Zoning Appeals may consider such matters concurrently with Site
Plan approval, provided all other applicable hearing and notification requirements are met.

D. Conformance with Approved Site Plans

All aspects of the development shall substantially conform to the approved Site Plans.

E. Amendments to Approved Site Plans

Amendments to approved Site Plans may be made in the same manner as an original Site Plan approval, except that an applicant need not resubmit information that has already been submitted and approved as part of a previous Site Plan review process.

F. Phased Site Plans

The Site Plan(s) for a project may be submitted indicating development in phases, if such project can logically be divided into phases. The entire project will be reviewed for conformance with all applicable regulations and shall be given preliminary approval to the entire project if it so conforms. Approval of subsequent phases shall be given subject to the following:

1. Substantial compliance with the Site Plan(s) given preliminary approval;

2. Conformance with all applicable regulations of this Zoning Resolution; and

3. Upon a finding by the Board of Trustees that all preceding phases conform to all requirements of this District and conform to all approved Site Plans.

SECTION 308.10 GENERAL LANDSCAPE PLAN:

A General Landscape Plan shall be submitted as part of the Final Site Plan incorporating the following design standards:

A. Trees and other plant materials or landscape elements are permitted near structures and driveway intersections provided such trees, plant materials, or landscape elements do not present a traffic visibility hazard.

B. The proposed landscape materials should complement the form of the existing trees and plantings, as well as the general design and architecture. The degree of shade or sun should be considered in selecting plant materials.
C. Earth Mounds may be used and shall be constructed with plant material to prevent erosion. Slopes on earth mounds shall be no greater than three to one (3:1) with a generally flat crest.

D. Artificial plants shall not be used to meet landscaping requirements, and all plant materials used to comply with provisions of this Section shall conform to the standards of the American Association of Nurserymen and shall have passed any inspections required under State regulations.

E. All initial landscaping materials shall be installed in a sound, workmanship-like manner, and according to accepted, good construction and planting procedures.

F. Planting Season: Weather permitting, all required grading and landscaping shall be completed within ninety (90) days of substantial completion of construction.

G. Stabilization measures necessary shall conform to standards and specifications outlined in the manual “Rainwater and Land Development, Ohio’s Standards for Storm Water Management, Land Development, and Urban Stream Protection.”

SECTION 308.11 PERFORMANCE STANDARDS
The following provisions shall apply to all uses within this district:

A. There shall be no storage or handling of hazardous, explosive, or highly flammable materials which would cause fire, explosion or safety hazards.

B. There shall be no production of noise at any CRO District boundary of any use in excess of the average intensity of street and traffic noise found in the adjacent area.

C. There shall be no emission of dust, dirt, odors, smoke or toxic gases and fumes.

D. There shall be no production of heat, glare or vibration perceptible beyond any CRO District boundary.

E. There shall be no outdoor storage.

F. There shall be no off-site release to soil or surface drainage ways of water borne or liquid pollutants.

SECTION 308.12 FLOOD HAZARD AREAS
Areas within the Flood Plain District are also subject to the requirements of Section 305 of this Resolution.
SECTION 309 OVERLAY DISTRICT FOR GOLF COMMUNITY PUD (Effective 10/15/2008)

309.1 Purpose and Intent

The purpose of this district is to establish provisions for a Golf Community Planned Unit Development (GCPUD) Overlay District subject to the regulations and procedures herein in conformance with the provisions of Section 519.021 (C) of the Ohio Revised Code. The purpose of creating a GCPUD Overlay District is to promote the health and welfare of the community through the application of flexible land development techniques in the arrangement and construction of dwelling units and roads. Such flexibility is intended to retain for the property owner the development rights of his land and at the same time accept development that maximizes conservation on the golf course property and supports the best interest of Lafayette Township. The objective is to preserve open space on the golf course property through a unified development plan that incorporates creative and imaginative residential development utilizing innovations in the technology of land development that are in the best interest of Lafayette Township.

These GCPUD regulations are intended to achieve these corollary purposes:

A. To maximize protection of the community’s natural resources by:

1. Avoiding development on and destruction of natural areas within the golf course property;

2. Reducing the quantity and improving the quality of storm water runoff both within the golf course property and to surrounding properties as a result of the expected development;

3. Maintaining natural characteristics and unique features (such as woods, hedgerows, natural vegetation, meadows, slopes, ponds and streams) currently existing on the golf course property;

4. Reducing the amount of disturbed land, the conversion of natural golf course areas to landscaped areas for lawns, and the use of invasive vegetation.

B. Encourage creative, high quality site design practices in the development of residential areas within the golf course property while preserving the unique golf course property.

C. Provide opportunities to preserve scenic quality, natural features and historic resources through the use of conservation easements, site criteria, setbacks, buffers and other measures.

D. Promote harmony and integration with surrounding areas and protect adjoining properties from adverse impacts.

E. Promote safe and efficient pedestrian and vehicular movement.
F. Encourage more efficient use of land and public services through unified development.

G. Develop in accordance with the goals, objectives and recommendations of the Chippewa Watershed Study (2002) to reduce the potential for flooding downstream.

H. Establish development review criteria, which promote creative design solutions in a manner which best conserves the areas’ resources.

I. Establish a review process, which maintains local review and approval of the overall development plan and which results in the timely consideration of an application.

J. Implement comprehensive, strategic and/or area plans which may be adopted by the Lafayette Township Board of Trustees.

SECTION 309.2 GOLF COMMUNITY PUD OVERLAY DISTRICT

A. No GCPUD shall be established except subsequent to petition by the owner(s) of land located within the GCPUD Overlay District. The area proposed to be developed shall be held in single ownership, or if in multiple ownership, the application shall be filed jointly by all owners of the properties included in the proposed development.

B. This GCPUD regulation is intended solely for use on the land comprising what is currently known as Medina Country Club, 5588 Wedgewood Road and 6717 Lake Road, Lafayette Township, Ohio. No GCPUD shall be created unless a determination is made that such development is within the designated GCPUD Overlay District as shown on the Zoning District Map of Lafayette Township and the plan is in conformance with the provisions herein.

C. The residential dwelling units within the GCPUD shall be served by an approved public water supply system and an approved public sanitary sewer system.

D. The retention of as much storm water as possible is encouraged to promote the recycling of storm water for irrigation purposes.

E. No GCPUD shall be established which does not preserve open space and protect sensitive environmental areas.

F. The GCPUD shall be developed in conformance with a site plan, which has been reviewed and approved by the Lafayette Township Zoning Commission and the Lafayette Township Board of Trustees in accordance with the provisions set forth herein.

G. Until such time as a property owner applies for and receives final approval for development of a GCPUD as provided herein, the underlying provisions of the Rural Residential District shall apply.

H. The Lafayette Township Zoning Commission shall review the Preliminary Subdivision Site Plan and upon approval shall forward the plan and recommendation to the Lafayette Township Board of Trustees. The Lafayette
Township Board of Trustees will review and approve the Preliminary Subdivision Site Plan by means of a Resolution at which time the Rural Residential District will officially change to the GCPUD Overlay District. The township map will be updated accordingly. Such land may only be developed in accordance with the approved GCPUD or may revert back to its original zoning upon application by property owner or through referendum by the township.

SECTION 309.3 PERMITTED USES

Within a GCPUD Overlay District no building, structure or premises shall be used, arranged to be used, or designed to be used, in whole or in part, except for one or more of the following uses specifically enumerated as permitted, conditionally permitted, or accessory and further provided that each such use is identified on and approved as part of the site plan:

A. Permitted Uses:

1. Detached single-family dwellings;
2. Single-family cluster dwellings;
3. Public or private parks and recreation facilities, including golf courses, golf driving ranges, club houses, swimming pools, and tennis courts;
4. Restaurant as part of golf course clubhouse;
5. Retail store for professional golf shop items.

B. Accessory Uses:

1. Common and/or guest parking areas;
2. Detached storage buildings and buildings used in the maintenance of or incidental to golf course operations, provided that the maximum size of such buildings shall be as established by the Lafayette Township Zoning Commission as part of the site plan approval;
3. Fences;
4. Home occupations, subject to Section 215;
5. Signs as regulated by Article IV. of the Lafayette Township Zoning Resolution;

SECTION 309.4 MINIMUM AREA FOR GCPUD OVERLAY DISTRICT

The GCPUD shall have a minimum area of not less than fifty (50) contiguous acres. All land within the GCPUD Overlay District shall not be divided into segments by (1) a
limited access highway or (2) any tract of land other than streets, parks, or rights-of-way for pipelines or transmission lines not owned by the developer of the GCPUD.

SECTION 309.5  OPEN SPACE AND DENSITY REQUIREMENTS

A. The maximum density of dwelling units for the GCPUD Overlay District shall in no case be greater than one unit per two acres (1 unit/2 acres). Building lots shall be developed with a degree of flexibility in order to effectively utilize the natural topography and landscape. No rear lots are permitted.

B. Open Space Requirements: A minimum of forty percent (40%) of the total project area shall be devoted to open space. Open space shall comply with the following:

1. The types of open space, uses, function, location and design shall be approved as part of the site plan and shall:
   a. Be sufficiently aggregated to create large areas of open space and any linear open space shall be a minimum of fifty (50) feet in width;
   b. Conserve and protect significant natural features inherent to the golf course including wetlands, mature trees, woodlands, streams, lakes, historic features and environmentally sensitive areas;
   c. Be easily accessible to all residents of the GCPUD;
   d. Be interconnected with open space areas on abutting parcels whenever possible;
   e. Parking areas and drive aisles may be counted as part of the open space requirement when they serve the recreation use and areas.

2. Open space shall not include the following:
   a. Private and public roads and associated rights-of-way;
   b. Required setbacks between residential dwelling units, parking areas and project boundaries;
   c. Required setbacks between residential dwelling units and streets;
   d. Required minimum spacing between residential dwelling units and parking areas;
   e. Private yards within subdivided sublots;
   f. Land that is subject to preexisting conservation easements or similar limitations on development.

3. Any areas to be designated as open space that are disturbed during construction or otherwise not preserved in its natural state shall be landscaped with vegetation that is compatible with the natural characteristics of the site and contoured to approximate the original land.

4. No land once dedicated to open space or recreational facilities as part of a
GCPUD shall thereafter be counted as open space for any expansion of said
development, or any other planned development, or reduced in area for the
original planned development by conversion to another use.

5. Future Subdivision and Development of Open Space: All open space shall be
restricted from further subdivision or development by deed restriction,
conservation easement, or other agreement in a form acceptable to Lafayette
Township and the Medina County Prosecutor’s Office and duly recorded in the
office of the Medina County Recorder.

6. Ownership of Open Space: Subject to permanent restrictions as set forth above,
open space in a GCPUD Overlay shall be owned by an Owner’s Association,
Lafayette Township (with its consent), a land trust or other conservation
organization recognized by Lafayette Township and/or by a similar entity. Open
space may be owned by the individual members of a Homeowner’s Association
as tenants-in-common or may be held in common ownership by a Homeowner’s
Association, Community Association, golf club, country club or other similar
legal entity. To obtain township approval of the ownership of open space the
association must submit documents with the development plan showing that the
associations’ bylaws and/or code of regulations require the following:

a. Membership in the Association shall be mandatory for all purchasers
of lots/units in the development.

b. The Association or golf club shall be responsible for maintenance,
control and insurance of all common areas, including open space.

c. Provision for non-interrupted maintenance should the legal entity go
out of business or become insolvent.

d. A proportionate amount of the open space shall be created with each
phase of the subdivision plat.

SECTION 309.6 GENERAL DEVELOPMENT REQUIREMENTS

A. Maximum Height of Structures: No building or structure shall exceed thirty-five
(35) feet in height. Fire or parapet walls, skylights, towers, flagpoles, chimneys,
smokestacks, water tanks or similar structures may be erected above the height limit
herein. The above exceptions may not be erected to exceed more than fifteen (15)
feet over the height limit nor shall such structure be used for any purpose other than
a use incidental to the main use of the building.

B. Utilities: All proposed utilities shall be installed underground. Any access boxes or
terminals that must be installed above ground shall be screened and landscaped as
required in Section 225.

C. Building and Site Considerations:

1. The comprehensive nature and design of the site plan, including appropriate
design of the physical, aesthetic and economic relationships among its parts;

2. The anticipated effects of the proposed development upon Lafayette Township
and upon adjoining and proximate neighbors and properties, including the
impacts of traffic, storm water, noise, lighting, utilities, aesthetic values,
property values and other impacts;

3. The adequacy of existing and planned roads, drives and parking areas to meet the projected demand for such facilities and to integrate with existing and planned facilities in Lafayette Township;

4. The suitability of the location, dimensions, access to streets and utilities of each proposed dwelling unit;

5. The adequacy of utilities to serve the proposed development and the suitability of the proposed utility design;

6. The proper orientation and relationship of the proposed elements of the development with natural and historic features and resources both on and off site, the degree to which the development has been designed to protect and enhance such features and resources, and the measures taken to mitigate negative impacts on such features and resources both on and off site;

7. The relationships of the architectural and site design characteristics among the areas of the development and with surrounding properties;

8. The availability of recreation and open space sites and facilities proposed for use by the residents of the development;

9. The nature and extent of proposed landscaping, existing vegetation and landform to be retained, and of proposed screening and buffering, particularly perimeter buffer;

10. The suitability of the proposed separations between buildings, including any proposed setbacks or yards;

11. The suitability of the total acreage and total floor area proposed for each type of dwelling unit, and the number and bulk of buildings proposed;

12. The suitability of proposed condominium or homeowners’ association agreements, deed restrictions, protective covenants, and other legal statements or devices intended to provide for the future use, ownership, operation and maintenance of areas of the GCPUD and its improvements; and

13. The ability of each proposed phase of the development, or of any group of developed phases, to meet the standards established in this Lafayette Township Zoning Resolution.

D. General Street Design:

1. All public and private streets shall be designed and constructed in conformance with the Medina County Highway Engineer standards for public or private streets.

2. Any open parking area (including parking spaces and interior access lanes, but excluding loading, unloading and storage areas) that contains more than six thousand square feet (6,000 sq. ft.) of area or twenty (20) or more vehicular parking spaces shall provide interior landscaping in addition to any other required perimeter landscaping. The amount of this interior parking area landscaping shall not be less than five square
(5 sq. ft.) of landscaped area for each one hundred square feet (100 sq. ft.), or fraction thereof, of off-street parking area.

3. Boulevard entrances are encouraged within the GCPUD.

4. Landscaped islands within cul-de-sacs are encouraged within the GCPUD.

5. The placement of driveway curb cuts into arterial or collector streets is discouraged.

E. Parking Lot:

1. Parking as regulated by Article V. of the Lafayette Township Zoning Resolution.

F. Pedestrian Access and Circulation:

1. A pedestrian circulation system shall be included in the GCPUD Site Plan and shall be designed to ensure that pedestrians can walk safely and easily throughout the development.

2. The pedestrian system shall provide connections between properties and activities or special features within the restricted open space system and need not always be located along streets.

3. Trails are encouraged as part of the pedestrian circulation system.

G. Landscaping, Service Area and Mechanical Screening:

1. Landscaping shall be provided as part of the preliminary and final site plan submittal. The standards contained in Section 309.9 are considered to be minimum standards for this district.

2. The location of service areas and mechanical equipment shall be considered as part of the overall site design.

3. Service areas and mechanical equipment shall be screened from public view.

SECTION 309.7 DEVELOPMENT AND SITE PLANNING STANDARDS

A. Dwelling units may be located on traditional subdivision lots or in a cluster arrangement.

1. Units are not required to be on individual sublots. However, when sublots for standard detached single-family dwellings or single-family dwelling units are included, as part of the GCPUD Overlay District development, such sublots shall be of sufficient size and shape to accommodate dwelling units in compliance with the spacing requirements of this section.

2. The applicant shall depict on the site plan the maximum, parameters or building envelopes, to indicate where buildings shall be located, and shall demonstrate that such building locations will be in compliance with the spacing requirements of this section.
3. Minimum Lot Area:
   a. Single-family dwelling – Eight Thousand Four Hundred (8,400) square feet.

4. Minimum Lot Frontage:
   a. Single-family dwelling – Seventy (70) continuous feet.

5. Minimum Lot Width at the Building Line:
   a. Single-family dwelling – Seventy (70) continuous feet.

6. The minimum lot frontage requirements shall be fifty (50) continuous feet in cul-de-sac bulbs, measured along the arc of the setback line.

7. A structure shall not be built on lots off the cul-de-sac bulb until the lot width reaches seventy (70) feet.

8. No rear lots are permitted.

B. Perimeter Building Regulations

1. The minimum setback from an existing road right-of-way shall be seventy-five (75) feet, mounded and landscaped.

2. The minimum setback from the project boundary shall be fifteen (15) feet.

C. Interior Building Setback/Spacing Regulations

1. Minimum setback from interior street, dedicated or private, shall be fifty-five (55) feet, except that uncovered porches or steps may be forty-five (45) feet from the street centerline.

2. All State and U.S. Routes must be seventy-five (75) feet, excluding uncovered porches or steps.

3. Minimum Side Yard Width – seven and one-half (7 1/2) feet but in no case shall two units be less than twenty (20) feet apart.


5. The minimum distance between buildings shall be twenty (20) feet, unless sprinklers are provided and then the separation between buildings can be reduced to fifteen (15) feet.

SECTION 309.8 SITE PLAN REQUIREMENTS

Application for a Golf Community Planned Unit Development Site Plan shall be made pursuant to the provisions set forth herein.

A. Pre-application Meeting:
In order to promote the orderly and appropriate development of a site plan consistent with the goals and objectives of the GCPUD Overlay District, the Lafayette Township Board of Trustees and/or the Lafayette Township Zoning Commission may encourage and engage in public discussions with the applicant prior to formal submission of the site plan. The purpose of this pre-application meeting is to discuss the criteria and standards, to familiarize the applicant with the GCPUD Overlay District process, and to review the applicant’s proposed general approach to development of the site.

B. Site Plans Required:

1. Review of a Preliminary Subdivision Site Plan and/or Final Subdivision Site Plan shall be conducted in compliance with the following:

   a. Preliminary Site Plan: A Preliminary Site Plan that indicates the general concept of development for an entire development site, including the general location of use areas, open space and circulation patterns shall be required.

   b. Final Site Plan: A Final Site Plan that indicates among other things – the approximate location of buildings, parking areas, access drives, restricted open space, easements, signs and outdoor storage areas shall be required.

2. A site plan is required when any new construction, alteration or modification is proposed prior to the issuance of a zoning certificate.

C. Site Plan Approval:

1. Preliminary Site Plan Submission Requirements:

   a. An application for Preliminary Site Plan review shall include a plan for the entire area of the proposed project and a written description of the project.

   b. The application may be filed by the developer on behalf of the landowner(s) or by a group of owners of the land within the development area acting jointly upon receipt of written approval by property owner(s).

   c. The written description of the proposed development shall include:

      1) The applicant’s name, address and phone number;

      2) A signed statement that the applicant is the owner of the property or officially acting on the owner’s behalf;

      3) The address and parcel number(s) of the property;

      4) The name and address of the property owner(s) of record, if the applicant is not the owner;
5) The name and address of the engineer, architect and/or surveyor;

6) The project description, including the proposed use(s), total number of buildings/units, square feet, parking spaces, and similar related project-specific information;

7) The project completion schedule/development phases;

8) The proposed cross-access easement documents, if applicable.

d. Fifteen (15) sets of the application including the plans and the application fee shall be submitted to the Lafayette Township Zoning Inspector. Application for Preliminary Site Plan review shall disclose all uses and their general locations proposed for the development and shall include the following maps, plans, designs and supplementary documents:

1. All maps and plans shall be drawn to an appropriate scale of 1” = 100’;

2. A property location map;

3. The location of existing structures within the development area and access points;

4. The general location of existing buildings, parking and access drives on parcels within one hundred (100) feet of the site;

5. A topographic survey of the proposed development area with contours lines at two-foot intervals;

6. Existing major vegetation features and wooded areas;

7. Location of wetlands, the 100-year floodplain boundary and floodplain elevation as delineated by the Federal Emergency Management Agency, rivers and streams and their related river or stream bank, ponds and water courses;

8. Delineation of existing drainage patterns on the property, existing wells and well sites;

9. The general location of development areas identified by use, including any fee simple lots and usable open space areas;

10. The general layout of the proposed circulation system for vehicles and pedestrians, other proposed public ways, access points, and the parking and service system;
11. A summary table showing total acres of the proposed development, the number of acres devoted to each type of use, including streets and open space and the number of dwelling units by type;

12. Proposed phases, if the project is to be developed in stages, indicating the phase(s) during which any common facilities are anticipated to be constructed;

13. Areas or structure of known historic or archeological significance;

14. Existing view and identification of unique vistas;

15. The location, size, number of units and density of cluster areas;

16. Natural features to be conserved and any required buffer areas;

17. Any proposed recreational, other non-residential, and commercial facilities.

e. Following Preliminary Subdivision Site Plan approval and Golf Community Planned United Development (GCPUD) Overlay District designation, the applicant may proceed with Preliminary Plan (Subdivision) approval, concurrently from the Medina County Planning Commission and from Lafayette Township.

2. Final Site Plan Submission Requirements:

a. The Final Site Plan for each phase of the project must be submitted within five (5) years of the Preliminary Site Plan approval or the Preliminary Site Plan expires and the process must begin anew.

b. An application for Final Site Plan review shall be required for each phase of the site. Fifteen (15) sets of the application and the application fee shall be submitted to the Lafayette Township Zoning Inspector. The application shall include the following maps, plans, designs and supplementary documents.

c. All applications for Final Site Plan approval shall contain the following information:

1) A written description of the proposed development that includes:

   a) The applicant’s name, address and phone number;

   b) A signed statement that the applicant is the owner of the property or officially acting on the owner’s behalf;
c) The address and parcel number(s) of the property;

d) The name and address of the property owner(s) of record, if the applicant is not the owner;

e) The name and address of the engineer, architect and/or surveyor;

f) The project description, including the proposed use(s), total number of buildings, square feet, parking spaces, and similar related project-specific information;

g) The project completion schedule/development phases;

h) The proposed cross-access easement documents, if applicable.

2) Site Plan Drawing(s), which illustrate the following information:

a) A vicinity map drawn at a scale of 1”=2000’ with north arrow indicated;

b) The acreage of all parcels in the project;

c) Land uses, zoning classification, and existing structures on the subject parcel and approximate location of existing structures on contiguous and adjacent parcels;

d) Location of proposed and/or existing property lines, dimensions and setback lines;

e) Existing topographic elevations at two-foot intervals, proposed grades, and direction of drainage flows;

f) Location and elevations of existing watercourses and water bodies, including natural and/or man-made surface drainage ways, floodplains and wetlands;

g) Location of existing and proposed buildings and intended uses thereof as well as all dimensions including height;

h) Proposed location of accessory and service structures, buildings, and uses and the method of screening where applicable;

i) Location of existing public and private
roads, rights-of-way and private easements of record and abutting streets;

j) Location and dimensions of proposed streets, drives, curb cuts and access easements as well as acceleration, deceleration and passing lanes (if any) serving the development;

k) Location, design and dimensions of existing and/or proposed curbing, barrier-free access, parking areas (including indication of all spaces and method of surfacing), fire lanes and all lighting thereof;

l) Location and design of all sidewalks, walkways, bicycle paths and areas for public use;

m) Location, size and characteristics of all loading and unloading areas;

n) Location of water supply lines including fire hydrants and shut-off valves, and the location and design of storm sewers, retention or detention ponds, waste water lines and connection points;

o) Location of all other utilities on the site including but not limited to fiber optic cables, natural gas, electric, cable TV and telephone;

p) Location, size and specifications of all signs including lighting for the signs;

q) Exterior lighting;

r) Exterior elevations.

3) General Landscape Plan (See Section 309.09)

D. Application Approval Process:

1. All applications for site plan approval shall be submitted to the Lafayette Township Zoning Inspector or Zoning Commission Secretary. Once deemed to be complete, the said township official shall submit the site plan and all accompanying information and drawings to the Lafayette Township Zoning Commission and the Medina County Planning Commission for concurrent review.

2. The Lafayette Township Zoning Commission shall review the application and make a recommendation to the Lafayette Township Board of Trustees within forty-five (45) days after the last public meeting at which the site plan is reviewed. The site plan application
and the Lafayette Township Zoning Commission’s recommendation shall then be forwarded to the Lafayette Township Board of Trustees for their consideration.

3. The Medina County Planning Commission may simultaneously review the application as a site plan and/or as a subdivision.

4. The Medina County Planning Commission shall review the site plan application and make a recommendation at its next regularly scheduled meeting. The Medina County Planning Commission’s recommendation shall then be forwarded to the Lafayette Township Zoning Commission and to the Lafayette Township Board of Trustees for their consideration and final determination.

5. The Lafayette Township Board of Trustees shall review all submitted materials and the recommendations of the Lafayette Township Zoning Commission and the Medina County Planning Commission. The Lafayette Township Board of Trustees may Approve, Approve with Modifications, or Disapprove a Site Plan.

6. At any time during the site plan review process, the Lafayette Township Zoning Commission may seek expert advice or cause special studies to be made for input to its review of any plans or proposals submitted. Proposed building plans shall be reviewed by an authorized representative of the Lafayette Township Fire Department to assure conformance with appropriate fire codes.

7. The applicant may be required to provide additional information or re-study all or part of the proposal, or to have additional studies done, the costs of securing expert advice or studies shall be borne by the applicant. The Lafayette Township Board of Trustees may submit any or all site plans and proposals to the Medina County Soil and Water Conservation District or any other similar organization for review and recommendations prior to acting on any such plan.

8. When a particular site plan involves a variance request and/or conditional use approval, the Lafayette Township Board of Zoning Appeals may consider such matters concurrently with site plan approval, provided all other applicable hearing and notification requirements are met.

E. Conformance with Approved Site Plans: All aspects of the development shall substantially conform to the approved site plans.

F. Amendments to Approved Site Plans: Amendments to approved site plans may be made in the same manner as an original site plan approval, except that an applicant need not resubmit information that has already been submitted and approved as part of a previous site plan review process.

G. Phased Site Plans: The site plan(s) for a project may be submitted indicating development in phases, if such project can logically be divided into phases. The entire project will be reviewed for conformance with all applicable regulations and shall be given preliminary approval to the entire project if it so conforms. Approval of subsequent phases shall be given subject to the following:

1. Substantial compliance with the site plan(s) given preliminary
approval;

2. Conformance with all applicable regulations of this Zoning Resolution; and

3. Upon a finding by the Lafayette Township Board of Trustees that all preceding phases conform to all requirements of this district and conform to all approved site plans criteria.

SECTION 309.9  GENERAL LANDSCAPE PLAN

A General Landscape Plan shall be submitted as part of the Final Site Plan incorporating the following design standards:

A. Trees and other plant materials or landscape elements are permitted near structures and driveway intersections provided such trees, plant materials or landscape elements do not present a traffic visibility hazard.

B. The proposed landscape materials should complement the form of the existing trees and plantings as well as the general design and architecture. The degree of shade or sun should be considered in selecting plant materials.

C. Earth mounds may be used and shall be constructed with plant materials to prevent erosion. Slopes on earth mounds shall be constructed to be easily mowed and maintained.

D. Artificial plants shall not be used to meet landscaping requirements and all plant materials used to comply with provisions of this section shall conform to the standards of the American Association of Nurserymen and shall have passed any inspections required under state regulations.

E. All initial landscaping materials shall be installed in a sound, workmanship-like manner and according to accepted, good construction and planting procedures.

F. Planting Season: Weather permitting, all required grading and landscaping shall be completed within ninety (90) days of substantial completion of construction.


SECTION 309.10  PERFORMANCE STANDARDS

The following provisions shall apply to all uses within this district:

A. There shall be no storage or handling of hazardous, explosive, or highly flammable materials, which would cause fire, explosion or safety hazards, except for materials used in the maintenance of or incidental to golf course operations. All storage shall comply with pertinent EPA regulations.

B. There shall be no production of noise at any GCPUD Overlay District boundary of any use in excess of the average intensity of street and traffic noise found in the adjacent area, except noise produced in the general maintenance of the golf course property.
C. There shall be no production of heat, glare or vibration perceptible beyond any GCPUD Overlay District boundary.

D. There shall be no outdoor storage, except for that used in the maintenance of or incidental to golf course operations.

E. There shall be no off-site release to soil or surface drainage ways of water borne or liquid pollutants except as noted in Section 309.2 D for irrigation purposes.

SECTION 309.11 FLOOD HAZARD AREAS

Areas within the Floodplain District are also subject to the requirements of Section 305 of the Lafayette Township Zoning Resolution.
SECTION 310  LAKE ROAD NORTH OVERLAY DISTRICT (LRNOD)

This section added 11-16-2015 Effective 12-16-2015

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

SECTION 310.1 PURPOSE

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

SECTION 310.2 AREA OF THE LAKE ROAD NORTH OVERLAY DISTRICT

The area included in this overlay district are the properties east and west of the centerline of Lake Road from the boundary of Medina City’s Industrial sector in the north down to the first curve in south on Lake Road.

SECTION 310.3 USES

PERMITTED USES:

1. Business and Professional Offices
2. Personal Service Facilities such as hair care, dry cleaning, photography
3. Restaurants
4. Business Support Services such as advertising copying protective services
5. Sport/Physical Fitness Center
6. Transportation Services such as gas station, car wash
7. Parks, Playground
8. Day Care Centers, child/adult

SECTION 310.4 AREA AND YARD REQUIREMENTS

Setback requirements apply to Principal and Accessory Buildings

A. Lot Area – The minimum lot area in the LRNOD shall be the size of the current existing lot. Existing lots may be combined.

B. Lot Width – Minimum lot width at the building line shall be 100 continuous feet.
C. Building Setback – The minimum building setback from street right-of-way shall be 75 feet. The required front yard may be used for parking, except for a landscape strip as provided for in Section 510.

D. Side and Rear Yard –

1. The minimum side yard shall be 25 feet, 10 feet of which shall be a landscape strip, except when abutting an existing residential use lot when the minimum side yard shall be 50 feet of which 25 feet shall be landscaped.

2. The minimum rear yard shall be 50 feet, 10 feet of which shall be a landscape strip, except when abutting an existing residential use lot when the minimum rear yard shall be 75 feet of which 50 feet shall be landscaped.

SECTION 310.5 SUPPLEMENTARY REGULATIONS

A. Site Plan Review – No zoning permit shall be issued for any use in the LRNOD until site plans have been reviewed and approved by Lafayette Township according to the procedures and requirement set forth in Section 216, New Construction Site Plan Review and Conformance. Lafayette Township may seek assistance from experts, whose cost will be borne by the applicant, as it feels is needed to insure compliance with these regulations. Lafayette Township will supply the applicant with an estimate of those costs prior to their occurrence.

B. Outdoor Storage –

1. No open outdoor storage will be allowed in the LRNOD. All storage will be in totally enclosed accessory structures, not in front yards, and will be clearly shown on the site plan.

2. Screening shall be used around accessory buildings so that they are not viewed from adjacent residential use lots. This screening can be topographic, landscape, walls and/or fences.

3. Accessory buildings shall comply with lot and yard regulations.

C. Dumpsters – All solid waste will be disposed of in an enclosed container or dumpster that will be screened on all four sides. Said container shall be kept in the side or rear yards in accordance with minimum setbacks.

D. Fences and Walls – See Article II, Section 220, Fences and Walls.

E. Comparable Uses – The Zoning Commission, with the approval of the Lafayette Township Trustees may permit any use which is comparable in character to any of the uses in this section and which is in accord with the purposes of the district.
ARTICLE IV
SIGN REGULATIONS
(Effective: 4/18/12)

SECTION 401 PURPOSE

In the interest of promoting the public convenience, comfort, prosperity and general welfare of the residents of Lafayette Township, these regulations provide for the use, location and size of signs. More specifically, the purposes of these regulations are to:

A. Provide reasonable, yet appropriate, conditions for signage for residents, residential developments, institutions, businesses, and nonresidential establishments.

B. Ensure that signs are located, designed, and installed to maintain a safe and orderly pedestrian and vehicular environment and eliminate any confusion or hazardous conflict between traffic control signs and devices, and other signs authorized by these regulations.

C. Maintain and protect the beauty, unique character and aesthetic environment of Lafayette Township.

D. Minimize the negative consequences of excessive numbers or size of signs.

E. Provide review procedures that enable the Township to comprehensively evaluate the appropriateness of a sign to the site, building and surroundings.

F. Prohibit all signs not expressly permitted by this Chapter.

SECTION 402 COMPUTATIONS

The following principles shall control the computation of sign area and sign height:

A. Determining Sign Area or Dimension.

1. The area of a sign shall be determined by the smallest circle, triangle or rectangle that can be used to enclose the sign exclusive of supporting members that bear no message or symbol.
2. In the event there is a dispute in determining the sign area or any sign dimension, the Zoning Inspector shall have the responsibility for making such determination subject to a hearing before the Board of Zoning Appeals.

   B. Determining Sign Height
      1. The height of a ground sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the newly established grade after construction at the location of the sign.

   C. Determining Building Frontage and Building Unit
      1. The building frontage shall be measured along the length of the front wall between the exterior faces of the exterior sidewalls.
      2. In the case of an irregular wall surface, a straight line extended between the exterior faces of the exterior side walls shall be used to measure the length.
      3. The building frontage for a building unit shall be measured from the centerline of the party walls defining the building unit.

SECTION 403 REGULATIONS AND MAXIMUM AREA FOR SIGNS

A. Address Signs (No Permit Required):
   In the interest of public health, safety and welfare, it has been determined that the use of “address sign” is appropriate.
   1. Nonresidential Districts – One (1) address sign not exceeding two (2) square feet and a maximum of four (4) feet in height shall be permitted for each business in a nonresidential district.

   2. Residential Districts – One (1) address sign not exceeding two (2) square feet and a maximum of four (4) feet in height shall be permitted for each dwelling or use authorized in a residential district

B. Awning/Canopy Signs (Permit Required):
   See “Wall Sign”

C. Billboards (Permit Required):
   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 permit. 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 no such sign shall be located closer than five hundred (500) feet to a dwelling. Nor shall any such sign be permitted closer than five hundred (500) feet to a public park, public or private school, library, church, hospital or similar institution. The maximum area of such sign shall be three hundred (300) square feet. The maximum height of such sign shall be thirty five (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 five hundred (500) feet.

D. Ground Signs (Permit Required):

All ground signs shall be erected in a landscaped setting and not on sidewalks, drives or in parking lots. Neither the landscaping nor the ground sign shall obstruct the view of vehicles entering or exiting the property.

1. Nonresidential Districts - All ground signs in nonresidential districts shall conform to the following:

   a) One single-sided sign or one double-sided sign shall be permitted per nonresidential development and shall be located a minimum of ten (10) feet from the road right-of-way. One additional ground sign shall be permitted for a corner lot when the total lot frontage of all roads equals or exceeds three hundred (300) feet. When a ground sign is located on a lot with more than one tenant, it is the property owner’s responsibility to determine if the sign area shall be devoted to identification of the building(s), the anchor tenant, all tenants, or some combination thereof.

   b) Ground signs shall not exceed thirty-two (32) square feet in area and shall not exceed a height of ten (10) feet. Ground signs may have up to seventy-five percent (75%) of the permitted sign area devoted to changeable copy.

   c) Ground signs shall be located no closer than ten (10) feet from the road right-of-way. Ground signs shall be located no closer than ten (10) feet from any side lot line bordering another nonresidential district. When a side lot line of a nonresidential district coincides with a residential zoning district or use, the minimum side setback shall be twenty (20) feet.

2. Residential Districts - Ground signs in residential districts shall be permitted:

   a) One single-sided sign or one double-sided sign shall be permitted at each entrance to a residential subdivision or planned unit development.

All ground signs in residential districts shall conform to the following:

   a) Ground signs shall not exceed twenty-four (24) square feet in area and shall not exceed a height of ten (10) feet.
b) Ground signs shall be located no closer than ten (10) feet from the road right-of-way. Such sign shall be located no closer than twenty (20) feet from any side lot line.

E. Projecting Signs (Permit Required):

See “Wall Sign”.

F. Digital Signs: (Effective 1/7/15)

Digital signs are allowed subject to general regulations in Section 403 A. through E. above with the following restrictions:

1. Digital billboard signs are not permitted.
2. Digital signs are only allowed on the premises they advertise.
   a. Ground signs – up to 75% of the allowed sign area may be digital
   b. Wall signs – up to 33% of the allowed sign area may be digital.
3. The digital portion of the sign shall only display characters (letters, numbers, symbols, etc.) that are available on a standard computer keyboard.
4. Digital signs shall remain static for a minimum of thirty (30) seconds and will change the display instantaneously (i.e. no fading in and out).
5. The brightness of a digital sign is limited to 5000 nits during the day (after sunrise and before sunset) and 200 nits at night. In addition digital signs shall be programmed to dim and brighten automatically in response to ambient light changes. The display should go dark if there is a malfunction.

G. Temporary Signs:

a. Nonresidential Districts (Permit Required):

The following regulations shall apply for temporary signs in nonresidential districts:

i. Temporary Ground Signs – One temporary ground sign shall be permitted at the entrance to a development on a lot proposed for nonresidential development. When a lot fronts on more than one road, one additional temporary ground sign shall be permitted along each road frontage that equals or exceeds 300 feet. The temporary ground sign shall not exceed thirty-two (32) square feet in area, and shall not exceed ten (10) feet in height. Such sign shall be located no closer than ten (10) feet from any road right-of-way and twenty (20) feet from a side lot line. Such sign shall be erected and maintained on a lot only during the period of time that the vacant lot is for sale, rent or lease or the building project is under construction.
ii. Temporary Banner or Ground Signs – One (1) temporary banner sign attached to the front of the building shall be permitted or one (1) temporary ground sign shall be permitted. Such signs shall not exceed twenty-four (24) square feet in area. A temporary banner or ground sign shall not exceed a height of six (6) feet. A temporary banner or ground sign shall be displayed for a period of time not to exceed thirty (30) days from the date a permit is issued.

b. Residential Districts

The following regulations shall apply for temporary signs in residential districts:

i. Temporary Ground Signs: (Permit Required) - One (1) temporary ground sign shall be permitted at the entrance to a residential subdivision, planned unit development or planned residential development. When a lot fronts on more than one (1) road, one (1) additional temporary ground sign shall be permitted along each road frontage that equals or exceeds three hundred (300) feet. Temporary ground signs shall not exceed twenty-four (24) square feet in area and shall not exceed ten (10) feet in height. Such sign shall be located no closer than ten (10) feet from any road right-of-way and twenty (20) feet from a side lot line. Such sign shall be erected and maintained only during the period of time that the subdivision/development is under construction.

ii. Temporary Signs: (No Permit Required) – Each residential unit shall be permitted to erect either a temporary window sign or a temporary ground sign in the front yard. Such temporary sign shall not exceed six (6) square feet in area and shall not exceed a height of four (4) feet. A temporary ground sign shall be located no closer than ten (10) feet from a road right-of-way and twenty (20) feet from a side lot line.

iii. Temporary Ground or Banner Signs: (No Permit Required) - One (1) temporary sign, either a ground sign or a banner attached to the front of the building shall be permitted. Such sign shall not exceed twenty-four (24) square feet in area. A temporary ground sign shall not exceed six (6) feet in height.

H. Wall Sign (Permit Required):

1. Nonresidential Districts - The following regulations shall apply for wall signs, projecting signs and awning or canopy signs in nonresidential districts:

One and one-half (1.5) square feet of sign area per linear foot of building frontage shall be permitted, not to exceed eighty (80) square
feet of wall signage along the building frontage for a single tenant.
One and one-half (1.5) square feet of sign area per linear foot of
building frontage shall be permitted, not to exceed thirty (30) square
feet of wall signage along the building frontage for each building unit
in a multiple-tenant building. Maximum sign area shall be the sum of
the areas of all signs attached to the building or a building unit,
including wall signs, projecting signs and awning or canopy signs.
Each business shall be permitted only one (1) wall sign or projecting
sign and one (1) awning or canopy sign.

a) Corner Lots and Side and Rear Entrances – In addition to the
other signs permitted by this section, each business shall be
permitted one (1) accessory wall sign provided the following
conditions are met:

1) Wall signs shall not be larger than thirty-two (32)
square feet in area, or ten (10) percent of the area of
the surface of the building on which the sign is
located, whichever sign area is smaller.

2) Wall signs shall not project from the face of the wall
more than eighteen (18) inches and shall not extend
above or beyond the building wall.
Buildings facing more than one adjacent right-of-way may
have one (1) wall sign facing each adjacent right-of-way.

2. Residential Districts: Permitted for conditional use – The following
regulations shall apply for wall signs, projecting signs and awning or
canopy signs in residential districts:

One and one-half (1.5) square feet of sign area per linear foot of
building frontage shall be permitted, not to exceed eighty (80) square
feet of wall signage along the building frontage for a single tenant.
One and one-half (1.5) square feet of sign area per linear foot of
building frontage shall be permitted, not to exceed thirty (30) square
feet of wall signage along the building frontage for each building unit
in a multiple-tenant building. Maximum sign area shall be the sum of
the areas of all signs attached to the building or a building unit,
including wall signs, projecting signs and awning or canopy signs.
Each business shall be permitted only one (1) wall sign or projecting
sign and one (1) awning or canopy sign.

a) Corner Lots and Side and Rear Entrances – In addition to the
other signs permitted by this section, each business shall be
permitted one (1) accessory wall sign provided the following
conditions are met:

1) Wall signs shall not be larger than thirty-two (32)
square feet in area, or ten (10) percent of the area of
the surface of the building on which the sign is
located, whichever sign area is smaller.
2) Wall signs shall not project from the face of the wall more than eighteen (18) inches and shall not extend above or beyond the building wall.

Buildings facing more than one adjacent right-of-way may have one (1) wall sign facing each adjacent right-of-way.

I. Window Signs (No Permit Required):

   a. Nonresidential Districts – The signage affixed to the inside of the window shall not exceed twenty percent (20%) of the total glass area of windows on the first floor of the wall of the building frontage. For the purpose of these regulations, the height of the windows on the first floor shall be that portion of window(s) within fifteen (15) feet of grade.

   b. Residential Districts – The signage affixed to the inside of the window shall not exceed twenty percent (20%) of the total glass area of windows on the first floor of the wall of the building frontage. For the purpose of these regulations, the height of the windows on the first floor shall be that portion of window(s) within fifteen (15) feet of grade.

SECTION 404 SIGNS EXEMPT FROM REGULATION

The following signs shall be exempt from regulation under the Zoning Resolution.

A. All signs erected and maintained by a government body or otherwise erected pursuant to federal, state, or local law, shall be exempt from these regulations.

B. Any sign inside a building, not attached to a window or door that is not legible from a distance of more than three (3) feet beyond the building in which such sign is located.

SECTION 405 PROHIBITED SIGNS

All signs not expressly permitted in this Chapter are prohibited in the Township. Such signs include but are not limited to the following:

A. Moving or revolving signs, whirligig devices, inflatable signs and tethered balloons, pennants, ribbons, streamers, spinners, exposed light bulbs, and strings of lights not permanently mounted to a rigid background, except those exempt under the previous Section, and other similar types of attention-getting devices. (Effective 1/7/15)

B. Banners and flags except as otherwise permitted in this Chapter.

C. Signs on temporarily placed vehicles.

D. Signs containing any words or symbols that would cause confusion because of their resemblance to highway traffic control or direction signals.

E. Signs mounted on the roof of any building or structure.

F. Signs located in the road right-of-way or which obstruct traffic.
G. Signs, other than those exempt under the previous Section, attached to a utility pole, tree, trash receptacle, bench, wind energy conversion system, or other structure not intended or approved as a sign support.

SECTION 406 CRITERIA FOR THE DESIGN AND CONSTRUCTION OF SIGNS

In addition to ensuring compliance with the numerical standards of these regulations, the Zoning Commission or Zoning Inspector shall consider the proposed general design arrangement and placement of the sign according to the following criteria:

A. Illumination. Signs shall be permitted to be illuminated in compliance with the following:

1. Signs may be illuminated by internally or reflected light provided that:
   
   a) Light sources shall be shielded from all adjacent buildings and roads. (Section 224 Outdoor Lighting)
   
   b) Lights shall not be so bright as to cause glare and annoyance that is hazardous to pedestrians or motorists, or cause reasonable objection from adjacent residential districts. (Section 224 Outdoor Lighting)

2. Signs shall not be lighted to obstruct traffic control or any other public signs.

B. Construction Standards

1. All signs shall be constructed in conformance with the appropriate building code and shall be structurally sound and located so as to pose no threat to pedestrian or vehicular traffic.

2. Except for banners, flags, temporary signs and window signs that conform in all respects with the requirements of this Resolution, all signs shall be constructed of permanent materials and shall be permanently attached to the ground, a building, or another structure by direct attachment to a rigid wall, frame or structure.

3. All signs shall be rigidly secured and no sign shall swing from a bar, crane, awning or other sign. No part of any sign shall be revolving, oscillating or otherwise designed to move.

4. No sign shall be erected so as to project over or obstruct any door, fire escape, balcony, platform, stairway, ladder, vent or other means of ingress or egress of any building.

5. No sign shall be located on the roof of any building.

6. Temporary signs shall be durable and weather-resistant, non-illuminated and fastened or anchored sufficiently, whether attached to the building or positioned in the ground.
SECTION 407 MAINTENANCE

All signs shall be maintained in accordance with the following:

A. The property owner shall maintain the sign in a safe operating condition and has a continuing obligation to comply with all building code requirements.

B. Whenever any sign, either conforming or nonconforming to these regulations, is required to be removed for the purpose of repair, refurbishing, or repainting, the same may be done without a permit or any payment of fees provided that all of the following conditions are met:
   1. Repair or refurbishing to the structure or the mounting of the sign shall be permitted.
   2. There shall be no enlargement or increase in any of the dimensions of the sign or its structure.
   3. The sign shall be a legally permitted, conditional or nonconforming use.

C. 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 neat and safe condition. All supports, guys, braces and anchors for such signs shall be maintained in a safe condition, and it shall be unlawful for the owners or person having charge of such sign not to remove the same after receiving notice from the Zoning Inspector.

D. The owner of the business of any sign that is deemed by the Zoning Inspector to be in an unsafe condition or constructed, erected or maintained in violation of this Zoning Resolution shall be immediately notified in writing and shall within forty-eight (48) hours of such notification correct such unsafe condition, initiate corrective action or remove the sign.

SECTION 408 ADMINISTRATION PROCEDURES

A. ODOT Permit Requirements. Any sign subject to regulation by the Ohio Department of Transportation (ODOT) under Ohio Revised Code Chapter 5516 and which is required to obtain a state permit shall not be issued a zoning certificate without evidence that the state permit has first been issued, or notification from ODOT that a state permit is not required.

B. An application for a sign permit shall be made to the Zoning Inspector and shall include the following:
   1. Detailed drawings of the sign showing the color, design, size, background and materials of the sign and the frame or structure; and
2. A complete building sketch or photograph showing the location of the
sign and its relationship to the building, the site, the adjacent parcels
and parking lots, drives and sidewalks;

3. A permit fee for each sign application, pursuant to the current fee
schedule.

SECTION 409 ALTERATION AND REMOVAL OF NONCONFORMING SIGNS

A. Nonconforming signs shall be removed and any subsequent modification or
replacement, excluding maintenance, shall conform to all requirements of this
Chapter:

1. When more than fifty (50) percent of the value of the sign has been
destroyed, deteriorated or has been taken down;

2. When the use for which a nonconforming sign exists has voluntarily
not been in operation and/or been vacant for two (2) consecutive years,
that nonconforming sign can then be ordered to be removed.

B. A nonconforming sign shall not be altered, modified or reconstructed other than
to comply with this Chapter except:

When alterations do not require changes to the structure, framing, or erection or relocation of the sign unless such
changes conform to this Chapter, i.e. when the existing use has new ownership or the space is re-occupied by a
similar use.
ARTICLE V

OFF-STREET PARKING AND LOADING AREAS

(Effective 8/25/14)

SECTION 501  PURPOSE

The purpose of these regulations is to protect the public health, safety, convenience, comfort, prosperity and general welfare by requiring that all uses be provided with off-street parking areas or a combination of off-street parking and loading areas and that such areas be improved in a manner that ensures the long term desirability of the use to which they are accessory.

SECTION 502  GENERAL PARKING REQUIREMENTS

In all districts any time a building or structure is erected, enlarged or increased in capacity there shall be provided for every use off-street parking spaces for vehicles in accordance with the provisions of this Article. A parking plan shall be submitted to the Zoning Commission as part of the Site Plan Review for a zoning permit.

Whenever a building or use is changed or enlarged in floor area, number of employees, seating capacity or otherwise to create a need for an increase of ten (10) percent or less in the number of new spaces, no new Site Plan Review is required.

Land banking of currently unneeded parking areas is strongly encouraged. As part of the site plan review process, the area to be banked for future parking shall be clearly marked on the Site Plan (See Section 225 Landscaping Regulations).

SECTION 503  OFF-STREET PARKING DESIGN STANDARDS

All off-street parking facilities including entrances, exits, maneuvering areas and parking spaces shall be in accordance with the following standards and specifications:

A. Parking Space/Aisle Dimensions – Each off-street parking space shall have an area not less than 162 square feet. Aisles serving individual parking spaces shall have widths not less than the following:

1. 90 degree parking – 25 feet
2. 60 degree parking – 18 feet
3. 45 degree parking – 13 feet
4. Parallel parking – 12 feet

B. Access – There shall be adequate provision for ingress and egress (i.e. driveways) to all parking spaces. These driveways shall be provided as follows:

1. For all uses, driveways shall comply with the requirements of Section 210.
2. Such driveways shall not exceed thirty (30) feet in width, except that driveways primarily for truck use (i.e. shipping/deliveries) shall not be more than eighty (80) feet in width, both measured at the street right-of-way.

3. All parking spaces shall have access to a street in such a manner that any vehicle entering or exiting the parking area shall be traveling in a forward motion.

4. There shall not be more than two (2) driveways on any one public street for each lot, not including special purpose driveways (truck deliveries).

C. Setbacks – The location of off-street parking areas shall be situated in areas as specified in Article III (District Regulations). In no case shall the parking area be located closer than three (3) feet from any street right-of-way.

D. Paving and Drainage – All required parking spaces, together with driveways and other circulation areas, shall be hard surfaced with a pavement having an asphalt or concrete binder. Parking areas related to school auditoriums, assembly areas, sports fields or other community meeting places or recreational areas may use gravel. Where paving is not required, proper dust control measures shall be undertaken and maintained.

Adequate arrangements shall be made to insure acceptable drainage from the parking areas as provided in the Medina County Storm Water Management and Sediment Control Rules and Regulations. Environmentally friendly alternative paving surfaces and drainage systems are highly encouraged to aid in surface area runoff and lessen the overall impact to county-wide storm systems (Section 225 Landscaping Regulations).

E. Visibility – Access of driveways for parking areas shall be located in such a way that any vehicle entering or exiting a parking area shall be clearly visible by any pedestrian or motorist approaching the driveway from a public street.

F. Marking – All paved parking areas of twenty (20) or more spaces shall be marked with paint lines, curb stones or in some other manner approved during the Site Plan Review in order to clearly delineate said parking spaces.

G. Signs – Where necessary due to multiple driveway/access points, the entrance, exits and the intended circulation patterns of the parking area shall be clearly marked as per Article IV (Sign Regulations).

H. Lighting – All lighting used to illuminate the parking area shall be arranged as to direct lighting away from adjoining property and shall be designed not to direct light toward any public street as per Section 224 (Outdoor Lighting Regulations).

SECTION 504  DETERMINATION OF REQUIRED SPACES

In computing the number of parking spaces required by this Resolution, the following rules apply:

A. Where floor area is designated as the standard for determining parking space requirements, the floor area shall be determined as specified in Table V at the end of this Article.

B. Where seating capacity is the standard for determining parking space requirements, the capacity shall mean the number of individual seating units installed or indicated, or each eighteen (18) lineal inches of bench or pew space, except where occupancy standards are set by the Fire Chief of Lafayette Township and as specified in Table V at the end of this Article.

C. The parking space requirements for a use not specifically specified in this Article shall be determined during the Site Plan Review in accordance with Table V at the end of this Article.
SECTION 505  SHARED PARKING FACILITIES

The provisions of required off-street parking areas shall comply with the following standards and requirements:

A. All required parking spaces shall be located on the same lot with the building or use served except as provided in B. below.

B. Not more than fifty (50) percent of the parking spaces required for theaters, bowling alleys, dance halls, night clubs, taverns and similar uses and up to one hundred (100) percent of the parking spaces required for churches, schools, auditoriums or similar uses may be provided and jointly used by banks, offices, retail stores, repair shops, service establishments and similar uses that are not normally open, used or operated during the same hours as the uses with which the parking spaces are jointly or collectively used.

SECTION 506  HANDICAP PARKING

Parking areas serving buildings and other facilities required to be accessible to the physically handicapped shall have conveniently located and clearly designated spaces both in size and number as per the Federal Americans with Disabilities Act requirements.

SECTION 507  OFF-STREET LOADING SPACE REQUIREMENTS

In all districts every building or accessory building associated with the primary building having a gross floor area of 3,000 sq. ft. or more and which in the normal course of business requires the receipt or distribution by vehicles of materials or merchandise, there shall be provided and maintained on the same lot at least one off-street loading area, none of which shall be part of the regular parking spaces as required by Table V (at the end of this Article) for the specific business on the same lot. One additional loading space will be required of each additional 10,000 sq. ft of gross floor area in excess of the 3,000 sq. ft.

SECTION 508  OFF-STREET LOADING AREAS DESIGN STANDARDS

All off-street loading areas shall be in accordance with the following standards and specifications:

A. Setbacks – Loading spaces in all districts may be located in the side or rear yard provided that not more than ninety (90) percent of the required rear or side yard is occupied and is not closer than fifty (50) feet to any residential district.

B. Screening – In addition to the specified setback requirements screening shall be provided on each side of the loading area that abuts any residential district.

C. Access – All loading areas shall have access to a street in such a manner that any vehicle entering or exiting the parking area shall be traveling in a forward motion.

D. Paving and Drainage – All required loading areas, together with associated driveways, shall be hard surfaced with a pavement having an asphalt or concrete binder.

Adequate arrangements shall be made to insure acceptable drainage from the loading areas as provided in the Medina County Storm Water Management and Sediment Control Rules and Regulations. Environmentally friendly alternative paving surfaces and drainage systems are highly encouraged to aid in surface area runoff and lessen the overall impact to county-wide storm systems (Section 225 Landscaping Regulations).

E. Lighting – All lighting used to illuminate the loading area shall be arranged as to direct lighting away from adjoining property and shall be designed not to direct light toward any public street as per Section 224 Outdoor Lighting Regulations.
SECTION 509  PARKING LOT AND LANDSCAPING

Interior landscaping of parking areas shall be provided as follows:

<table>
<thead>
<tr>
<th>Area of Parking Lot</th>
<th>Percentage of Parking Lot (Interior) to be Landscaped</th>
</tr>
</thead>
<tbody>
<tr>
<td>&lt;15,000 sq. ft.</td>
<td>5.0%</td>
</tr>
<tr>
<td>15,000 to 30,000 sq. ft.</td>
<td>7.5%</td>
</tr>
<tr>
<td>&gt;30,000 sq. ft.</td>
<td>10.0%</td>
</tr>
</tbody>
</table>

When parking areas front public streets a landscape strip shall be provided between the parking area and the public street as indicated in Section 225 Landscaping Requirements.

TABLE V

SCHEDULE OF REQUIRED OFF-STREET PARKING SPACES

<table>
<thead>
<tr>
<th>A. Residential Uses</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Single family cluster homes, multi-occupant apartments and condominiums</td>
<td>Two (2) spaces per dwelling unit plus guest parking at a ratio of one (1) space for every five (5) units</td>
<td></td>
</tr>
<tr>
<td>2. Congregate care facilities, including assisted living</td>
<td>One (1) space for every two (2) beds and one (1) space for every three (3) employees</td>
<td></td>
</tr>
<tr>
<td>3. Group homes</td>
<td>One (1) space for every two (2) beds</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>B. Office and Medical Uses</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Business, professional, administrative offices and financial institutions</td>
<td>One (1) space per 250 sq. ft of floor area plus one (1) space for each employee</td>
<td></td>
</tr>
<tr>
<td>2. Medical and dental offices or clinics, including urgent care facilities and including veterinarians</td>
<td>One (1) space per 200 sq. ft of floor area plus one (1) space for every two employees</td>
<td></td>
</tr>
<tr>
<td>3. Hospitals</td>
<td>One (1) space for every two (2) beds plus one (1) space for every three (3) employees</td>
<td></td>
</tr>
<tr>
<td>4. Research and testing facilities</td>
<td>One (1) space for every 400 sq. ft. of floor area</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>C. Retail and Service Uses</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1. General retail and service uses</td>
<td>One (1) space for 250 sq. ft. of floor space</td>
<td></td>
</tr>
<tr>
<td>2. Funeral home/mortuary</td>
<td>One (1) space per 50 sq. ft. of floor area in assembly rooms, parlors and service rooms plus one (1) space for each service vehicle not housed in an accessory building</td>
<td></td>
</tr>
<tr>
<td>3. Hotels and motels</td>
<td>One (1) space for each guest room and one (1) space for every two (2) employees</td>
<td></td>
</tr>
<tr>
<td>4. Restaurants, taverns and night clubs</td>
<td>One (1) space for each three (3) occupant capacity plus one (1) space for every two (2) employees</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>D. Automotive, Transportation Uses</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Motor vehicle repair facility</td>
<td>One (1) space for every 400 sq. ft. of floor/service area plus one (1) space for each employee</td>
<td></td>
</tr>
<tr>
<td>2. Motor vehicle gas station</td>
<td>One (1) space for every two (2) fuel pumps plus applicable spaces as per retail services (see part C)</td>
<td></td>
</tr>
<tr>
<td>3. Vehicle washing facilities</td>
<td>Six (6) spaces per entrance plus one (1) space for each employee</td>
<td></td>
</tr>
<tr>
<td>a. Full service</td>
<td></td>
<td></td>
</tr>
<tr>
<td>b. Self service</td>
<td>Two (2) spaces per stall</td>
<td></td>
</tr>
</tbody>
</table>
4. Agricultural equipment sales and service  
One (1) space per 400 sq. ft. of sales area floor space plus one (1) space for each service stall plus one (1) space per employee

5. Automotive and truck sales and service  
One (1) space per 400 sq. ft. of sales area floor space plus one (1) space for each service stall plus one (1) space per employee

E. Recreation and Open Space Uses

1. Bowling alley  
Four (4) spaces for each lane plus as applicable for any retail uses (see part C)

2. Golf course  
Four (4) spaces per tee plus as applicable for any retail uses (see part C)

3. Golf driving range  
Two (2) spaces per tee plus as applicable for any retail uses (see part C)

4. Miniature golf course  
Two (2) spaces per hole plus as applicable for any retail uses (see part C)

5. Sports fitness center  
One (1) space per 200 sq. ft. of exercise area including locker and equipment rooms

6. Tennis and/or racquetball facility or similar uses  
Two (2) spaces for each court plus one (1) space for each employee plus one (1) space for each additional 100 sq. ft. of other activity use

7. Auditoriums, sports arena, theaters or similar uses  
One (1) space for each four (4) seats of capacity

8. Swimming pools  
One (1) space for each ten (10) persons of capacity

F. Community/Educational Uses

1. Assembly hall, meeting place (including place of worship) or party center  
One (1) space for every four (4) persons of capacity

2. Clubs, lodges, fraternal, charitable or social organizations  
One (1) space per 150 sq. ft. of general floor area plus one (1) space for every four (4) seats of occupancy in an auditorium

3. Child and adult day care  
One (1) space per every eight (8) persons of occupancy as permitted

4. Elementary, middle and high schools  
Spaces shall be of sufficient quantity as to meet the needs of the school, including any auditoriums. No parking, loading or servicing shall be done on street or landscaped areas.

5. Institutes of higher education  
One (1) space for every two (2) instructors, students and employees plus one (1) space for every four (4) seats of occupancy in any auditorium or group assembly room

6. Library, museum and art galleries  
One (1) space for each 300 sq. ft. of display area plus one (1) space for every three (3) employees

G. Manufacturing Uses

1. Manufacturing facility  
One (1) space for each employee (on the largest shift for which the building is designed) plus one (1) space for each motor vehicle not housed in an accessory building

2. Delivery/cartage services  
One (1) space for every two (2) employees (on the largest shift for which the building is designed) plus one (1) space for each motor vehicle not housed in an accessory building
ARTICLE VI
CONDITIONAL ZONING CERTIFICATES

SECTION 601 PURPOSE
The characteristics and impacts of an ever-increasing number of new and unique uses, together with the broadening of numerous conventional uses, have created the need for more flexible regulations designed to accommodate these in a reasonable and equitable manner, while safeguarding both the property rights of individuals and the health, safety, and general welfare of the community. Toward these ends, it is recognized that this Resolution should provide for more detailed evaluation of each use conditionally permissible in a specific district with respect to such considerations as locations, design, size, method(s) of operation, intensity of use, public facilities requirements and traffic generation. Accordingly, conditional use permits shall conform to the procedures and requirements of this Article.

SECTION 602 CONTENTS OF CONDITIONAL ZONING CERTIFICATE APPLICATION
A. Where a conditional use is proposed, an application for a conditional zoning certificate shall be filed with the Zoning Inspector, who shall within seven (7) days transmit it to the Board of Zoning Appeals. Such application at a minimum shall contain the following information:

1. Name, address and phone number of the applicant;

2. Legal description of the property;

3. Owner of property and address;

4. If applicant is not the property owner, legal basis for use of property;

5. Zoning district;

6. Description of existing use;

7. Description of proposed conditional use;

8. A site plan of the proposed site for the conditional use as described in Section 216, showing the location of all buildings, parking and loading areas, streets and traffic accesses, open spaces, refuse and service areas, utilities, signs, yards, landscaping features, and such other information as the Board may require;

9. A narrative statement discussing the compatibility of the proposed use with the existing uses of adjacent properties and with the comprehensive plan, to include an evaluation of the effects on adjoining properties of such elements as traffic circulation, noise, glare, odor, fumes and vibration;
10. A fee as established by Article VIII;

11. A narrative addressing each of the applicable criteria contained in Section 603 and 604.

SECTION 603 GENERAL STANDARDS FOR ALL CONDITIONAL USES

A. In addition to the specific requirements for conditionally permitted uses as specified in Section 604, the Board shall review the particular facts and circumstances of each proposed use in terms of the following standards and shall find adequate evidence showing that such use at the proposed location;

1. Is in fact a conditional use as established under the provisions of Article VI and appears as a conditionally permitted use for the zoning district involved;

2. Will be in accordance with the general objectives, or with any specific objective, of the Lafayette Township Comprehensive Plan and Zoning Resolution;

3. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area;

4. Will not be hazardous or disturbing to existing or future neighboring uses;

5. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such service;

6. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.

7. Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odors beyond normal sensitivity to such effects;

8. Will have vehicular approaches to the property which shall be so designed as not to create any interference with traffic on surrounding public thoroughfares;

9. Will not result in the substantial destruction, loss, or damage of a natural, scenic, or historic feature of major importance.

10. The Board of Zoning Appeals shall have the power to impose additional conditions where it deems it necessary to safeguard the health, safety, and welfare of the community. The Zoning Inspector shall collect a fee set by the Trustees for the review of all Conditional Zoning uses in Lafayette Township to determine if the uses have operated according to the conditions established in the conditional Zoning certificates permitting their conduct. The Zoning Inspector shall maintain a record of all such reviews and submit the findings of such reviews to the Township Trustees, Board of Zoning Appeals, and Zoning Commission after their completion.
SECTION 604 SPECIFIC CRITERIA FOR CONDITIONAL USES

A. Specific Conditional Use Criteria

The following are specific conditional use criteria and requirements for those uses conditionally permitted in this Resolution. Nothing in this Section shall prohibit the Board of Zoning Appeals from prescribing supplementary conditions and safeguards in addition to these requirements:

1. Site plans shall be prepared by the applicant and reviewed by the Board of Zoning Appeals according to the procedures and requirements of Section 216.

2. All structures and activity areas, except open parking areas, shall be located at least ten (10) feet from all property lines.

3. Loudspeakers and/or amplifiers which cause a hazard or annoyance to nearby residences shall not be permitted.

4. All points of entrance or exit should be located no closer than 150 feet from the intersection of a major thoroughfare and a local or collector thoroughfare.

5. There shall be no more than one (1) unlighted advertisement not exceeding twenty (20) square feet in area oriented to each abutting road identifying the activity.

6. No lighting shall constitute a nuisance and shall in no way impair safe movement of traffic on any road or highway; no lighting shall shine directly on adjacent properties.

7. Elementary school structures may be located on a collector thoroughfare.

8. Such developments should be located on a major and/or collector thoroughfare, or on marginal access streets for major thoroughfares.

9. Such developments should be located adjacent to non-residential uses such as churches, parks, or commercial districts.

10. Such uses shall not require uneconomical extensions of utility services, such as central sewer or water service at the expense of the community.

11. Site locations should be preferred that offer natural or man-made barriers that would lessen the effect of intrusion into an area.

12. Such uses should be properly landscaped to be harmonious with surrounding residential uses.

13. To prevent injury to surrounding properties or to the community in general, a financial guarantee may be required to ensure that the provision will be met.

14. Any temporary structures must be indicated as such on site plan submitted to the Board of Zoning Appeals for approval. Such structures shall not be continued as permanent structures. The period of continuance shall be set by the Board of Zoning Appeals.

15. All ingress and egress drives shall be sufficiently separated from intersections.
to avoid traffic conflicts. Drives shall be designed to provide adequate internal circulation, and where necessary, to provide sufficient storage space so that waiting vehicles will not extend into a public right-of-way or block circulation on the site.

16. Truck parking areas, maneuvering lanes and access ways to public roads shall be designed to cause no interference with the safe and convenient movement of automobile and pedestrian traffic on and adjacent to the site.

17. The site shall not be used for the storage and/or overnight parking of vehicles other than storage of rental trailers and/or trucks. Vehicles being repaired shall be parked on the site not longer than one (1) week.

18. Only retail uses which are customarily accessory or incidental to the main recreational area, or campground. Permitted accessory retail uses include: souvenir stands, concession stands, park office, and the limited sale of groceries when the customers are primarily the campers using the park. Buildings and signs for such retail uses shall not be arranged to attract customers from adjacent highways.

19. All activities, programs, and other events shall be adequately and properly supervised so as to prevent any hazard and to assure against any disturbance or nuisance to surrounding properties or to the community in general.

20. All activities, except those required to be performed at fuel pumps, shall be carried on inside a building; if work is performed on a vehicle, said vehicle shall be entirely within a building.

21. Automobile service stations shall conform to all setback requirements of the district in which they are permitted except that gasoline pump islands need not conform to the building setback lines but shall be set back from all road right-of-way lines at least fifty (50) feet. Lubrication, washing and other incidental servicing of motor vehicles and all supply and merchandise storage shall be completely within an enclosed building except as provided elsewhere herein. Lighting, including permitted illuminated signs shall be arranged so as not to reflect or cause glare that would constitute a nuisance to any residential district or hazard to traffic on any public thoroughfare. Ingress and egress driveways shall be separated from the intersection of any two (2) road right-of-way lines by at least forty (40) feet and from property lines by at least twenty (20) feet. A curb shall be installed where any service areas adjoin any road right-of-way lines, except at driveway approaches.

Employee vehicles and vehicles waiting servicing or return to customers following servicing shall be parked in areas indicated for such parking on the approved site plan. Such parking areas shall not be closer than fifty (50) feet to any road right-of-way.

22. The area proposed for a cemetery, except township cemeteries, shall be used for cemetery purposes only, and shall meet the following requirements:

a. Only new memorial park cemeteries having grave markers flush with surface of the ground shall be permitted. No more than two (2) decedents shall be placed in any one grave.

b. Except for office uses incidental to the cemetery's operations, no business or commercial uses of any kind shall be permitted on the
c. Minimum area required for a cemetery site to be twenty (20) acres, except when directly associated with a church on the same property.

d. Pavement width of driveways shall be at least twelve (12) feet with a wider boulevard entrance at least thirty-four (34) feet in width extending at least 150 feet from the intersection of the public highway.

e. 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 drainage area.

f. Pavement is to be installed as development progresses and as indicated on the final plans approved by the Board of Zoning Appeals.

g. Sufficient parking space shall be provided as to not deter traffic flow within the cemetery.

h. Cemeteries shall be located in proximity to dwellings as provided by Ohio Revised Code Section 1721.03. In no case shall a gravesite be located closer than thirty (30) feet from an adjoining property line.

i. The plans and specifications for overall site development shall include the proposed arrangement of plant materials, walls or fences or any combination of these on any property line of land under consideration.

j. All signs under three (3) square feet in size which designate entrances, exits, traffic direction and/or cemetery section locations shall be permitted. All other signs, plus signs over three (3) square feet in size must be approved by the Board of Zoning Appeals prior to installation.

k. Provisions shall be made for landscaping throughout the cemetery. Location of cemetery buildings and all other structures shall conform to front, side and rear yard building lines for residential structures. Buildings shall be designed to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity. No grave sites shall be located within 150 feet of the right-of-way lines of any publicly dedicated thoroughfare.

l. The Board of Appeals may require that a performance bond or other financial guarantee be placed on deposit with the Lafayette Township Board of Trustees to insure that the cemetery will be developed as proposed according to the plans approved by the Board of Appeals. The guarantee or bond shall be in the amount of $15,000 for cemeteries of twenty (20) acres. An additional $5,000 shall be required for each ten (10) acres over twenty (20) acres or added subsequently. The amount of the guarantee or bond shall be reduced annually by an amount that will leave the balance of the guarantee or bond proportional to the portion of the cemetery not developed to the specifications of the plan approved by the Board of Zoning Appeals.
Appeals.

m. An Endowment Care Fund pursuant to Ohio Code Section 1721.21 shall be established. Proof of compliance shall be submitted to the Zoning Board of Appeals within thirty (30) days of the granting of the conditional certificate.

n. All driveway entrances/exits shall be no less than 150 feet from a street intersection.

23. All private roads, streets or driveways, serving more than one property or principle building, shall meet the following requirements:

a. Sixteen (16) feet of driveway surface is required with paving surface of chip and seal, asphalted concrete, or concrete. An additional unobstructed three (3) feet on each side of driveway surface is required.

b. Drive surface or beginning of slope must be ten (10) feet from both side lot lines. Slope of berm shall not exceed 3:1.

c. Statement on all deeds for properties serviced by such private drive or private street which specifies:

"The undersigned grantee(s) hereby acknowledge(s) that the property described herein is located on a non-dedicated easement of access or private drive, and further the grantee(s) understand(s) that no governmental body is responsible for care and maintenance of said easement of access or private drive."

d. Such private drives or private streets are required to be reviewed by the Medina County Engineer and by the Medina County Planning Commission for conformance with the Medina County Subdivision Regulations and suggested standards for private streets.

e. All parties involved shall share equally in the cost of maintaining this multiple access driveway.

f. At the entrance of the driveway, all dwellings served by this access must be clearly identified by house numbers displayed on a sign not to exceed four (4) square feet.

g. In order to secure proper improvement and maintenance of private roads, the homeowners shall provide for and establish an organization for the ownership, construction, care and maintenance of the private road.

This organization shall have as a minimum, the following:

1.) Any owner of property accessing the property from the private road would be required to be a member of the association.

2.) This organization shall have the ability to access members for funds to construct, reconstruct, care for, and maintain the private road.
h. There shall be no more than twenty (20) lots accessing from a private road.

24. Bed and Breakfast Homes shall meet the following requirements:
   a. No more than two (2) adults shall occupy each sleeping room. Children under twelve years of age are permitted in the same occupancy provided that no more than five (5) persons occupy one room.
   b. Fire escapes shall be provided as approved by the Board of Zoning Appeals.
   c. Fire exit instructions shall be posted in each sleeping room.
   d. All applicable provisions of the fire code shall be met and certification of such compliance by the appropriate official shall accompany the application.
   e. The facility shall be operated so that guests reside at the home for not longer than one continuous week.
   f. The facility shall contain not more than four (4) sleeping rooms for guests.

25. Gun clubs that require a participation fee must have 100 acres of land enclosed by no less than four (4) feet of chain link fence or woven wire with at least one strand of barbed wire on top with adequate no trespassing signs posted to operate a gun club/shooting range for other than personal use.

26. Planned Unit Development

   It is the purpose of these conditions to recognize and accommodate in a unified development creative and imaginative planned residential development and to permit those innovations in the technology of land development that are in the best interests of Lafayette Township. In order to accomplish this purpose, it is the intention in establishing these conditions (1) to permit, in a planned unit development, a variety of dwelling types including single-family, two-family and multi-family dwellings of the garden apartment and townhouse types at a maximum density compatible with the purpose of the Medina City Buffer District (MCB) (2) to permit the flexible spacing of lots and buildings in order to encourage (a) the separation of pedestrian and vehicular circulation, (b) the conservation of the natural amenities of the landscape, (c) the provision of readily accessible recreation areas and green spaces, (d) the creation of functional and interesting residential areas, and (e) the provision of a necessary complement of community facilities such as central sanitary sewer and central water supply systems; and (3) to permit suitable associated commercial development consistent with the demand created by the planned unit development and compatible with the existing and proposed use of lands adjacent to the planned unit development.

   Such developments shall be consistent with the requirements of Section
519.021 of the Ohio Revised Code.

a. Use Regulations - A building or premises within a planned unit development shall be used only for the following purposes:

1.) Single family or two-family residential dwellings.

2.) Multi-family dwellings.

3.) Open space which may include, along with the natural environmental features, swimming pools, tennis courts, and other recreational facilities deemed permissible by the Board. These facilities are to be used mainly by the residents and their guests of the development in which the facilities are located. Streets, parking lots, structures for habitation or storage, and the like shall not be included as part of the required open space and recreational facilities.

4.) In planned residential developments having at least 600 dwelling units, commercial activities shall be permitted that are consistent with the basic architectural theme of the development. The total area on which said commercial activities occur shall not exceed five (5%) percent of the total acreage of the proposed planned development and limited to the following kinds of uses:

   a) Drug Store

   b) Florist and Gift Shop

   c) Preparation and processing of food and drink to be retailed on premises including bakery, delicatessen, meat market, confectionery, restaurant, ice cream parlor, and soda fountain, but not exceeding 5,000 square feet of floor area for any single space or building.

   d) Accessory uses clearly incidental to the uses permitted on the same premises.

   e) And other uses found consistent with the demand created by the planned unit development.

b. Area, Yard and Height Regulations

1.) Minimum Area for Development – A planned unit development shall contain a minimum of forty (40) acres. All land within the development shall be contiguous in that it shall not be divided into segments by (a) any limited access highway, or (b) any tract of land (other than streets, or right-of-ways for pipelines or electric transmission lines) not owned by the developer of the planned development.

2.) Maximum Density of Residential Development A planned
unit development shall not exceed a density of two (2) dwelling units per net acre. Net acreage is determined by multiplying total project area by 80%. The density of the cumulative total of all land having been given Final Development Plan Approval shall never exceed the maximum permissible density for the planned unit development as a whole.

3.) Minimum Lot Area for Single-Family One and Two-Family Dwellings - 11,000 square feet with the average of single-family lot sizes not less than 12,750 square feet.

4.) Minimum Yard Requirements for Single-Family Dwellings:
   a) Front Yard Depth - Seventy (70) feet from the street centerline. No front yard for single family dwellings shall be used for the purpose of service to the dwellings. Such services as garbage or refuse disposal, or storage space, laundering, and clothes drying facilities are specifically prohibited in the front yard.
   b) Rear Yard Depth – Ten (10) feet. (Effective 4/18/2012)
   c) Side Yard Width - Ten (10) feet for either side yard.
   d) Minimum Lot Frontage - All lots shall have minimum frontage on a public or private thoroughfare of fifty (50) feet.
   e) Minimum Lot Width at Building Setback Line - Seventy-five (75) feet. (Note: Since flexibility of building location is intended within the above limits for yard requirements, each building site should be selected on the basis of topographic and land use considerations, and will necessitate the designation of each building site on the Final Development Plan.)

5.) Minimum Yard Requirement for Multi-Family Dwellings:
   a) Front Yard Depth - Eighty (80) feet from the street centerline. No front yard for multi-family dwellings shall be used for purpose of service to the dwellings. Such services as garbage or refuse disposal, or storage space, laundering, and clothes drying facilities, and recreational facilities are specifically prohibited in the front yard.
   b) Separation from Other Structures and Project Boundaries - Multi-family structures shall be separate from any single-family dwelling by a distance not less than twice the height of the
multifamily dwelling structures. Multi-family structures shall be separated from any other multi-family or non-residential structure not structurally joined by a distance not less than one half the height of the multi-family structure. Multi-family structures shall be separated from any project boundary a distance not less than twice the height of the multifamily structure.

6) Yard Requirement for Accessory Buildings:

a) Location - in rear yard of dwelling.

b) Maximum Area - Thirty (30) percent of total rear yard area.

c. Collector Streets and Major Thoroughfares - Shall be designated as such by the developer upon submission of general plans as provided in Subsection B.1 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 residential lots to a major thoroughfare, and direct access from single-family residential lots to collector thoroughfares shall be minimized. When there are more than thirty (30) dwelling units in a grouping they shall have primary access to said dwelling units from a public or dedicated street.

d. Off-Street Parking - There shall be provided outside the public or private right-of-way a minimum of two (2) parking spaces for each dwelling unit. These spaces may be located in the vicinity of the dwelling unit or in an area designated for guest parking as deemed appropriate by the Township Trustees. All parking spaces and service drives shall be improved with bituminous, concrete or equivalent surfacing and so graded and drained as to dispose of all surface water accumulation within the drainage area. All parking areas for five (5) or more vehicles and off-street loading areas shall be effectively screened by a fence or hedge. Any lighting used to illuminate any off-street parking or loading area shall be so arranged as to direct the light away from adjoining premises.

e. Open Space - At least thirty (30) percent of the total acres in a proposed development permitted by this section shall be devoted to public and/or private open space or recreational facilities exclusive of dwellings, streets, parking areas and single-family residential lot. Such open space, including any recreational facilities proposed to be constructed in such space shall be clearly shown on the General Plan, shall be physically situated so as to be readily accessible, available to, and useable by all the residents of the planned unit development. Open space and recreational facilities to be included in this thirty (30) percent requirement shall not individually owned, or owned under condominium provisions unless said condominium provisions include the entire project as shown on the General Plan. For purposes of complying with the open space requirements, permanent water bodies and organic soils (wetlands) shall be given full open space credit.
Disposition of Open Space and Common Recreation Facilities - Applicants for Planned Developments shall receive Final Plan approval subject to submission of legal instruments setting forth a plan or manner of permanent care and maintenance of common open spaces, and recreation facilities. Approval by Lafayette Township of such instruments shall be based on, but not limited to, the following standards:

1.) The instruments shall guarantee that open space as shown on the General Plan and Final Plan will remain as such. The Township may require that all development rights to the open space be deeded to the Township or such other appropriate public body, or that permanent restrictive covenants be attached to the open space.

2.) Common open space and recreation facilities shall be deeded to a homeowners association, funded community trust or similar entity. Until a new entity is established to hold title, no common open space or recreational facility approved hereunder shall be disposed of without Lafayette Township approval.

3.) Such instruments shall convey to Lafayette Township and other appropriate governmental bodies the right of entrance to the common open space and recreation facilities for emergency purposes, or in the event of non-performance of maintenance of improvements affecting the public interest. Advance notice is not necessary for emergency entrance onto such common areas and facilities.

4.) Financial guarantees acceptable to the Township Trustees may be utilized in place of the actual construction of said facilities.

5.) Such instruments shall provide for a means whereby the Trustees or other appropriate governmental body may recoup any public funds expended for maintenance or emergency purposes.

f. Walls and Privacy Enclosures

1.) In areas designated for single-family development, solid walls, screens, and privacy enclosures which are designed as an integral or component part of the dwelling structure shall conform to front, side and rear yard requirements and shall not exceed height of eight (8) feet. In any area designated for multi-family development on the approved development plan, solid walls, screens, and privacy enclosures shall be permitted not to exceed a height of eight (8) feet and shall meet the front, side and rear yard requirements for multi-family dwellings.

2.) Privacy fences over six (6) feet or more in height will be considered a structure and must be fifteen (15) feet from the property line. Also, all support posts of said fence must be set inside of owner’s side of fence. Any privacy fence
of solid material, wood, metal, plaster, etc., desired to be installed on property lines must apply for a variance regardless of height. The Appeals Board will decide if said fence was or could cause danger or hazard to adjoining neighbors.

g. Central Sanitary Sewer and Water Facilities - Shall be provided at the time of development.

h. All Utilities - Shall be installed underground.

i. Erosion and Sedimentation Control - Effective erosion and sedimentation controls must be planned in accordance with the Medina County Stormwater Management and Sediment Control Rules and Regulations. Such controls must be approved by the County Engineer.

j. No more than 25% of proposed units may be multi-family units.

B. Establishment of a Planned Unit Development

1. General Plan Approval - At the time of the application for a conditional zoning certificate, a general plan for the development of the land shall have been filed by the owner or owner of the land involved with the Township Board of Zoning Appeals. Said plan shall be submitted to and reviewed by the Township Zoning Commission and Board of Trustees and their comments be submitted to the Board of Zoning Appeals prior to the decision of the Board of Zoning Appeals and the issuance of a conditional permit. The General Plan (which may be set forth on one or more maps or in one or more instruments), a copy of which shall be retained by the Board of Zoning Appeals and deposited with the Township Fiscal Officer, shall have been signed by all owners of property within the project, shall have been drawn to scale, shall have been prepared by an architect, landscape architect, engineer or planner-in-charge authorized to practice in the State of Ohio, and shall show the following:

a. The date;

b. The boundaries of the project;

c. A north arrow;

d. The topography of the project using two (2) foot contour intervals;

e. The proposed street system for the project;

f. A detailed description of each common facility and, if applicable, the private street and the time schedule for transfer of common open space and for completion of the facilities;

g. A schedule demonstrating proportionate development of the open space and recreational facilities in conjunction with the total project;

h. Descriptive data as to the methods to be employed to preserve and maintain open space;
i. The areas into which such project is to be divided for different uses, the use proposed for each such area, the number of housing units by type and size, and number of bedrooms per unit of each class of housing proposed in any given area, the location and size of school, church, and/or fire station sites proposed;

j. The acreage of the project;

k. The location and landscaping of the proposed parking lots within the project;

l. 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;

m. The location and acreage of the commercial uses proposed within the project;

n. A plan showing provisions for control of erosion and sedimentation during and after construction; such plan shall be accompanied by documentation indicating the review and recommendation on said plan by the Medina County Soil and Water Conservation District.

Upon approval of the General Plan by the Board of Zoning Appeals, a conditional zoning certificate shall 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 Board of Zoning Appeals.

2. Final Approval of Uses in a Planned Unit Development – Before such uses as were authorized by the Board of Zoning Appeals' approval of the General Plan and the issuance of the conditional zoning certificate for the overall project may be begun, a zoning certificate must be obtained for each structure, and only after Final Approval of Uses has been obtained from the Board of Zoning Appeals. For Final Approval of Uses, the owner shall file a Final Development Plan for any phase or phases within the Project or the overall Project with the Board of Zoning Appeals together with a letter of application for such approval. Such approval must show the following:

a. The area to be developed and the area to be devoted to open spaces for the use of all residents of the area with accurate acreage, courses, and distances, as determined by a licensed engineer or surveyor who shall sign such Plan and certify to accuracy thereof. The boundaries of any area for which Final Development Plan approval is requested shall not be gerrymandered to comply with the density and open space acreage criteria but shall be proportioned and allotted so that required open space is convenient to the residential properties included in the area submitted for final approval.

b. The location and floor plan of all buildings, descriptive data as to the type of buildings, the number of dwelling units in each separate type and bedrooms per unit of apartment (multi-family dwelling) buildings, the number and type of all retail establishments.

c. A title guarantee or rider to an existing policy, prepared by a
reputable title company, showing the legal description of the land which has been set aside for open space, and showing appropriate restrictions, limiting the use of such land to recreation and open space in perpetuity; granting owners and residents of the area to be developed a right and easement of use in such open space.

d. A detailed plan setting forth the manner, means and proposed time of transfer of the land reserved for open space and if applicable, the private street to a nonprofit entity and the obligations and rights of use of such land by all residents of the area.

e. A detailed landscaping plan for all areas proposed for parking, commercial, and multi-family development.

3. Conditions for Final Approval of Uses - The Board of Zoning Appeals shall give the Final Approval of Uses only upon finding that the following conditions are met:

a. No applicable, general, or specific requirement of the Lafayette Township Zoning Resolution, as existing at the time of General Plan Approval, is violated by the Final Development Plan.

b. The Final Development Plan accurately sets forth the area to be developed and the area to be 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 substantially in accordance with the General Plan which has been previously filed with and approved by the Board of Zoning Appeals and for which the Conditional Zoning Certificate has 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.

e. The area reserved for open space and recreation in the sum of all areas for which Final Development Plan approval has been given which shall never be less than thirty (30) percent of the cumulative acreage of all areas for which Final Development Plan approval has been given or is requested.

f. Satisfactory progress has been made in previously approved segments in respect to the provision and improvement of indicated recreational facilities.

g. The Final Development Plan accurately sets forth a schedule demonstrating proportionate development of the open space and recreational facilities in conjunction with the total project. Financial guarantees may be allowed to substitute for actual construction in accordance with Section 604.A.26.e.4. This financial guarantee shall be called if construction is not begun within one (1) year of final approval by the Board of Zoning Appeals. The amenities included in each phase shall be completed prior to the issuance of
the county occupancy permits or a financial guarantee obtained as set forth above.

4. Addition to Planned Unit Development - Any area of land contiguous to a planned unit development may be added thereto and shall be subject to all procedural and substantive regulations applicable to planned unit development. The overall density in a planned unit development, including additions, shall not exceed the maximum density established for the original planned unit development.

SECTION 605 REVIEW PROCEDURE

A. Public Hearing

The Board of Zoning Appeals shall hold a public hearing within thirty (30) days after it receives an application for a conditional use permit submitted by an applicant through the Zoning Inspector.

B. Notice of Public Hearing

Before conducting the public hearing, notice of such hearing shall be given in one or more newspapers of general circulation in the Township at least ten (10) days before the date of said hearing. The notice shall set forth the time and place of the hearing, and shall provide a summary explanation of the conditional use proposed.

C. Notice to Parties of Interest

Prior to conducting the public hearing, written notice of such hearing shall be mailed at least ten (10) days before the date of the hearing to all parties of interest, including all adjacent property owners. The notice shall contain the same information as required above for notices published in newspapers.

D. Action by the Board of Zoning Appeals

Within forty-five (45) days after the completion of the public hearing, the Board shall take one of the following actions:

1. Approve issuance of the conditional use permit by making an affirmative finding in writing that the proposed conditional use is to be located in a district wherein such use may be conditionally permitted, that all conditions for approval of such use in such district have been met, and that such use will neither result in significant negative impacts upon nor conflict with surrounding uses. Such written finding may also prescribe supplementary conditions and safeguards as specified in Section 604.C. Upon making an affirmative finding, the Board shall direct the Zoning Inspector to issue a conditional use permit for such use which shall list all conditions and safeguards specified by the Board for approval.

2. Make a written finding that the application is deficient in information or is in need of modification and is being returned to the applicant. Such finding shall specify the information and/or modifications which are deemed necessary.

3. Make a written finding that the application is denied, such finding specifying
the reason(s) for disapproval. If an application is disapproved by the Board, the applicant may seek relief through the Court of Common Pleas.

E. Violations

Any violation of such conditions and safeguards, when made a part of the terms under which the conditional use is granted, shall be deemed a punishable violation of this Resolution.

F. Expiration of Conditional Use Permit

A conditional use permit shall be deemed to authorize only one particular conditional use, and said permit shall automatically expire if such conditionally permitted use has not been instituted or utilized (absent just cause as found by the Board of Zoning Appeals) within one (1) year of the date of which the permit was issued or if for any reason such use shall cease for more than two (2) years.
ARTICLE VII

NON-COMFORMITIES

SECTION 701 PURPOSE

Within the districts established by this Resolution or by amendments thereto which may later be adopted, lots, uses of land, structures, and uses of structures and land in combination exist which were lawful before this Resolution was passed or amended, but which would be prohibited, regulated or restricted under the terms of this Resolution. The legitimate interest of those who lawfully established these nonconformities are herein recognized by providing for their continuance, subject to regulations limiting their completion, restoration, reconstruction, extension, and substitution. Nevertheless, while it is the intent of this Resolution that such nonconformities be allowed to continue until removed, they should not be encouraged to continue. Therefore, no nonconformity may be moved, extended, altered, expanded, or used as grounds for any other use(s) or structure(s) prohibited elsewhere in the district without the approval of the Board of Zoning Appeals, except as otherwise specifically provided for in this Resolution.

SECTION 702 INCOMPATIBILITY OF NONCONFORMITIES

Nonconformities are declared by this Resolution to be incompatible with permitted uses in the districts in which such uses are located. A nonconforming use of a structure or land, or a nonconforming use of a structure and land in combination shall not be extended or enlarged after passage of this Resolution, unless such extension or enlargement complies with this article.

SECTION 703 AVOIDANCE OF UNDUE HARDSHIP

To avoid undue hardship, nothing in this Resolution shall be deemed to require a change in the plans, construction, or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this Resolution and upon which actual building construction has been carried on diligently. Actual construction is hereby defined to include the placing of construction materials in permanent position and fastened in a permanent manner. Where demolition or removal of an existing building has been substantially begun preparatory to rebuilding, such demolition or removal shall be deemed to be actual construction, provided that the work shall be carried out diligently.

SECTION 704 CERTIFICATES FOR NONCONFORMING USES

The Zoning Inspector may upon his own initiative, or shall upon the request of any owner, issue a certificate for any lot, structure, use of land, use of structure, or use of land and structure in combination, that certifies that the lot, structure or use is a legal nonconforming use. The certificate shall specify the reason why the use is a nonconforming use, including a description
of the extent and kind of use made of the property in question, the portion of the structure or land used for the non-conforming use, and the extent that dimensional requirements are nonconforming. The purpose of this section is to protect the owners of lands or structures that are or become non-conforming. No fee shall be charged for such a certificate. One copy of the certificate shall be returned to the owner and one copy shall be retained by the Zoning Inspector, who shall maintain as a public record a file of all such certificates.

SECTION 705  SUBSTITUTION OF NONCONFORMING USES

So long as no structural alterations are made, except as required by enforcement of other codes or Resolutions, any nonconforming use may, upon appeal to and approval by the Board of Zoning Appeals, be changed to another nonconforming use of the same classification or of a less intensive classification, or the Board shall find that the use proposed for substitution is equally appropriate or more appropriate to the district than the existing non-conforming use. In permitting such change, the Board may require that additional conditions and safeguards be met, which requirements shall pertain as stipulated conditions to the approval of such change, and failure to meet such conditions shall be considered a punishable violation of this Resolution. Whenever a nonconforming use has been changed to a less intensive use or becomes a conforming use, such use shall not thereafter be changed to a more intensive use.

SECTION 706  NONCONFORMING LOTS OF RECORD (Effective 4/18/2012)

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 adoption or amendment of this Resolution, notwithstanding limitation imposed by other provisions of this 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 Article III of this Resolution other than lot area or lot width shall be obtained only through action of the Board of Zoning Appeals as provided in Article X.

B. A nonconforming lot or lots of record which do not comply with the area or width or both of the current Lafayette Township Zoning Resolution may be considered for replat or combination so long as any change in the area, width or both of new nonconforming lot or lots resulting from said replat or combination does not create any lot less compliant with the current legal lot regulations. Any new nonconforming lot or lots created as a result of this section must also comply with conditions as set forth in Section 706. A.

SECTION 707  NONCONFORMING USES OF LAND

Where, at the time of adoption of this Resolution, lawful uses of land exist which would not be permitted by the regulations imposed by this Resolution, the uses may be continued and reasonable expansion allowed, so long as they remain otherwise lawful, provided:

A. If any such nonconforming uses of land are voluntarily discontinued or abandoned for more than two (2) years any subsequent use of such land shall conform to the regulations specified by this Resolution for the district in which such land is located;

B. No additional structure not conforming to the requirements of this Resolution shall be erected in connection with such nonconforming use of land.
SECTION 708  NONCONFORMING STRUCTURES
Where a lawful structure exists at the effective date of adoption or amendment of this Resolution that could not be built under the terms of this Resolution by reason of restrictions on area, lot coverage, height, yards, its location on the lot, bulk, or other requirements concerning the structure, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

A. The Board of Zoning Appeals may allow a reasonable expansion of a non-conforming structure. Any structure or portion thereof may be altered to decrease its non-conformity;

B. Should such nonconforming structure or nonconforming portion of a structure be destroyed by any means, in excess of 50% of its value, it shall not be reconstructed except in conformity with the provisions of this Resolution;

C. Should such structure be moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the district in which it is located after it moved.

SECTION 709  NONCONFORMING USES OF STRUCTURES OR OF STRUCTURES AND LAND IN COMBINATION
If a lawful use involving individual structures, or of a structure and land in combination, exists at the effective date of adoption or amendment of this Resolution that would not be allowed in the district under the terms of this Resolution, the lawful use may be continued so long as it remains otherwise lawful, subject to the following provisions:

A. The Board of Zoning Appeals may allow a reasonable expansion of a conforming structure, or structure and land in combination;

B. Any nonconforming use may be extended through-out any parts of a or land outside of a building which were manifestly arranged or designed for such use at the time of adoption or amendment of this Resolution;

C. If no structural alterations are made, any nonconforming use of a structure or structure and land in combination, may, upon appeal to the of Zoning Appeals, be changed to another nonconforming use provided that the Board of Zoning Appeals shall find that the proposed use is equally appropriate or more appropriate to the district than the existing nonconforming use. In permitting such change, the Board of Zoning Appeals may require appropriate conditions and safeguards in accord with other provisions of this Resolution;

D. Any structure, or structure and land in combination, or in on which a nonconforming use is superseded by a permitted use, shall thereafter to the regulations for the district, and the nonconforming use may not thereafter be resumed;

E. When a nonconforming use of a structure, or structure and land in combination, is voluntarily discontinued or abandoned for more than two (2) years the structure, or structure and land in combination, shall not thereafter be used except in conformity with the regulations of the district in which it is located.
SECTION 710 TERMINATION OF NONCONFORMING USES

A. Termination of Use through Discontinuance - When any non-conforming use is voluntarily discontinued or abandoned for more than two (2) years, any new use shall not thereafter be used except in conformity with the regulations of the district in which it is located, and the nonconforming use may not thereafter be resumed. Repairs or rebuilding shall be permitted under the following conditions:

1. A Zoning Certificate pertaining to such restoration shall be applied for and issued within two (2) years of such destruction, and rebuilding shall be diligently pursued to completion.

2. Such restoration shall comply as closely as possible to current regulations, and in no event shall cause a new nonconformity, nor shall it increase the degree of nonconformance or noncompliance existing prior to such damage or destruction.

SECTION 711 REPAIRS AND MAINTENANCE

On any nonconforming structure or portion of a structure containing a nonconforming use, work may be done on ordinary repairs, or on repair or replacement of non-bearing walls, fixtures, wiring, or plumbing, provided that the cubic content existing when it became nonconforming shall not be increased. Nothing in this section shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official. Where appropriate, a building permit for such activities shall be required.
ARTICLE VIII
ADMINISTRATION

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SECTION 801 PURPOSE
This article sets forth the powers and duties of the Zoning Commission, the Board of Zoning Appeals, the Board of Township Trustees, and the Zoning Inspector with respect to the administration of the provisions of this Resolution.

SECTION 802 GENERAL PROVISIONS
The formulation, administration and enforcement of this Zoning Resolution is hereby vested in the following offices and bodies within the Township of Lafayette government:

1. Zoning Inspector
2. Zoning Commission
3. Board of Zoning Appeals
4. Township Trustees

SECTION 803 ZONING INSPECTOR

A. General
For the purposes of enforcing the zoning regulations, 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.

B. Bond
The Township Zoning Inspector, before entering upon duties of this office, shall give bond, signed by a bonding or surety company authorized to do business in Ohio, or, at his/her option, signed by two or more freeholders having real estate in the value of double the amount of the bond, over and above all encumbrances, the sum of not less than $1,000 or more as fixed by the Township Trustees. Such surety company real estate bond shall be approved by the Township Trustees and the bond shall be conditioned upon the faithful performance of such Zoning official duties. Such bond shall be deposited with the Township Fiscal Officer.

C. Responsibilities of Zoning Inspector
For the purpose of this Resolution, the Zoning Inspector shall have the following duties:
1. Enforce the provisions of this Resolution and interpret the meaning and application of its provisions.

2. Respond to questions concerning applications for amendments to the Zoning Resolution text and the Official Zoning District Map.

3. Issue zoning permits as provided by this resolution, and keep a record of same with a notation of any special conditions involved.

4. Review all conditionally permitted uses for conformity at least once a year.

5. Act on all applications upon which he is authorized to act by the provisions of the Resolution within the specified time or notify the applicant in writing of his refusal or disapproval of such and the reasons therefore. Failure to notify the applicant in case of such refusal or disapproval within the specified time shall entitle the applicant to submit his request to the Board of Zoning Appeals.

6. Conduct inspections of buildings and uses of land to determine compliance with this Resolution, and, in the case of any violation, to notify in writing the person(s) responsible, specifying the nature of the violation and ordering corrective action.

7. Keep a current copy of Official Zoning District Map which shall be kept on permanent display in the Township offices.

8. Maintain permanent and current records required by this Resolution, including but not limited to zoning permits, zoning certificates, inspection documents, and records of all variances, amendments, conditional uses, and nonconforming uses.

9. Make such records available for the use of the Township Trustees, Zoning Commission, and the Board of Zoning Appeals, and the public.

10. Review site plans pursuant to this Resolution.

11. Determine the existence of any violation of this Resolution, and cause such notifications, revocation notices, stop orders, or tickets to be issued, or initiate such other administrative or legal action as needed, to address such violations.

12. Prepare and submit an annual report to the Township Trustees, and Zoning Commission on the administration of this Resolution, setting forth such information as may be of interest and value in advancing and furthering the purpose of this Resolution. Such report shall include recommendations concerning the schedule of fees.

13. To inspect staked setbacks for conformity with the zoning code.

SECTION 804 BOARD OF ZONING APPEALS

The Board of Zoning Appeals shall have such power and membership as specified by Chapter 519 of the Ohio Revised Code and Article VI and X of this Resolution.
SECTION 805  ZONING COMMISSION

A. Powers

The Zoning Commission shall have the following duties:

1. Initiate proposed 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 site plans as specified by Section 216.
4. Review of proposal in flood plain areas, as per Section 305.5 C.
5. Make recommendations to the Township Trustees on all matters concerning planning, zoning and development in Lafayette Township.

B. Members

The composition of the board shall be consistent with the requirements of Chapter 519.04 of the Ohio Revised Code.

C. Procedures

The Zoning Commission shall annually elect officers from its members. The Township Trustees may appoint a secretary for the Zoning Commission. The Zoning Commission may prescribe rules for the conduct of its affairs as are not in conflict with this Resolution or the Ohio statutes. Three members of the Board shall constitute a quorum at all meetings. The Zoning Commission shall keep records of its proceedings.

SECTION 806  ZONING CERTIFICATE APPLICATION AND ISSUANCE

A. Application for a Zoning Certificate

Before construction, enlarging or altering any sign, parking lot, structure or building, including accessory buildings, or changing the use of any, land or buildings, application shall be made to the Zoning Inspector for a Zoning Certificate on a special form supplied by the Zoning Inspector, filled out in full by the property owner, and signed by property owner. The Zoning Inspector may waive the permit requirement for non-substantial construction. The applicant shall include the following information:

1. A plot plan showing the exact dimensions and area of the lot to be built upon.
2. The location, dimensions, height, and bulk of structures to be erected.
3. The intended use.
4. The proposed number of sleeping rooms, dwelling units, employees, and other uses.
5. The yard, open area and parking space dimensions.
6. Information indicating compliance with the requirements of Article II and the appropriate district regulations.

7. Evidence that sanitary sewage disposal facilities for the use has been approved by the Medina County Health Department or the Medina County Sanitary Engineer or other applicable authority.

8. Evidence that a permit has been obtained in compliance with the Medina County Stormwater Management and Sediment Control Rules and Regulations.

9. Any other pertinent data as may be necessary to determine and provide for the enforcement of this Resolution.

B. Application for Conditional Zoning Certificate

If the application is for a conditional zoning certificate, the application procedure defined in Article VI shall be followed in lieu of the above regulation.

C. Zoning Certificate Issued After Culvert Permits

No construction shall be initiated on any structure within the confines of the unincorporated area of the Township which has ingress or egress to a highway until the owner of such property has secured a culvert permit from the Ohio Department of Transportation or the Medina County Engineer, whichever authority has jurisdiction, and completed proper installation of such culvert, as determined by the proper authority.

D. Time for Issuance

The Zoning Inspector shall issue a zoning certificate within thirty (30) days after the receipt of application if the application complies with the requirements of this Resolution and the application is accompanied by the proper fee, unless such application is for a conditional zoning certificate in which case issuance will be determined by the requirements of Article VI.

E. Referral to Ohio Department of Transportation

The Director of the Ohio Department of Transportation shall be notified concerning applications for Zoning Certificates for any land within 300 feet of a centerline of a certified (journalized) new highway or highway improvement or within 500 feet from the intersection of an existing public road with a centerline of a certified (journalized) new highway improvement. Upon receipt of an application for a zoning certificate in this area, the Zoning Inspector shall notify the Director by registered or certified mail. The Zoning Inspector shall not approve the application for a period of 120 days from receipt of the 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 improvements, 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 Zoning Inspector shall refuse to issue the certificate for the land the Director intends to acquire. If the Director provides notice that acquisition at the time is not in the public interest or at the expiration of the 120-day period or any extension and no action to acquire the land has been initiated, then the Zoning Inspector shall proceed to approve or
disapprove the application in the manner specified above.

F. Term of Certificate

Within thirty (30) days after the receipt of an application, the Zoning Inspector shall either approve or disapprove the application in conformance with the provisions of this Resolution. One copy of plans shall be returned to the applicant by the Zoning Inspector, after the Zoning Inspector shall have marked such copy either as approved or disapproved and attested to same by his signature on such copy. One (1) copy of plans, similarly marked, shall be retained by the Zoning Inspector. The Zoning Inspector shall issue a placard, to be posted in a conspicuous place on the property in question, attesting to the fact that the activity is in conformance with the provisions of this Resolution. All Zoning permits shall, however, be conditional upon the commencement of work within one (1) year and substantial completion within 2 1/2 years. Failure to meet these conditions shall cause the Zoning Inspector to revoke the permit by written notice to the applicant that further work shall require a new permit or an extension.

G. No construction shall commence pursuant to zoning permit until the setback has been staked by the applicant and approved by the Zoning Inspector.

SECTION 807 SCHEDULE OF FEES, CHARGES AND EXPENSE

The Township Trustees shall, by resolution, establish a schedule of fees, charges and expenses and a collection procedure for zoning certificates, amendments, appeals, variances, conditional use permits, 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 Lafayette Township Hall and may be altered or amended only by 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.
ARTICLE IX

ENFORCEMENT

SECTION 901  GENERAL
This article stipulates measures to be taken on violation of this Resolution, and penalties for lack of compliance with provisions included therein.

SECTION 902  RECORD OF ZONING PERMITS
The Zoning Inspector shall maintain a record of all zoning permits and copies shall be furnished upon request and, upon payment of the established fee, to any person.

SECTION 903  FAILURE TO OBTAIN A ZONING PERMIT
Failure to obtain a zoning permit shall be a punishable violation of this Resolution.

SECTION 904  CONSTRUCTION AND USE TO BE AS PROVIDED IN APPLICATIONS, PLANS, PERMITS, AND CERTIFICATES
Zoning permits issued on the basis of plans and applications approved by the Zoning Inspector authorize only the use, and arrangement, set forth in such approved plans and applications or amendments thereto, and no other use, arrangement, or construction. Use, arrangement, or construction contrary to that authorized shall be deemed a punishable violation of this Resolution.

SECTION 905  COMPLAINTS REGARDING VIOLATION
Whenever a violation of this Resolution occurs, or is alleged to have occurred, any person may file a written complaint. Such complaint stating fully the causes and basis thereof shall be filed with the Zoning Inspector. The Zoning Inspector shall record properly such complaint, immediately investigate it, and take action thereon as provided by this Resolution.

SECTION 906  ENTRY AND INSPECTION OF PROPERTY
The Zoning Inspector is authorized to make inspections of properties and structures in order to examine and survey the same, at any reasonable hour, for the purpose of enforcing the provisions of this Resolution. Prior to seeking entry to any property or structure for such examination or survey, the Zoning Inspector shall attempt to obtain the permission of the owner.
or occupant to inspect. If such permission is denied or cannot be obtained, the Zoning Inspector shall request the assistance of the County Prosecutor in securing a valid search warrant prior to entry.

SECTION 907 STOP WORK ORDER

Subsequent to his determination that work is being done contrary to this Resolution, the Zoning Inspector shall write a stop work order and post it on the premises involved. Removal of a stop work order, except by the order of the Zoning Inspector, shall constitute a punishable violation of this Resolution.

SECTION 908 ZONING PERMIT REVOCATION

The Zoning Inspector may issue a revocation notice to revoke a permit or administrative approval which was issued contrary to this Resolution or based upon false information or misrepresentation in the application.

SECTION 909 NOTICE OF VIOLATION

Whenever the Zoning Inspector determines that there is a violation of any provision of this Resolution, a warning shall be issued and shall serve as a notice of violation. Such order shall:

1. Be in writing,
2. Identify the violation,
3. Include a statement of the reason or reasons why it is being issued and refer to the sections of this Resolution being violated, and
4. State the time by which the violation shall be corrected.

SECTION 910 PENALTIES AND FINES

It shall be unlawful to erect, establish, locate, construct, reconstruct, enlarge, change, convert, move, repair, maintain, use, or structurally alter any building, structure or land in violation of any provision of this Resolution or any amendment thereto. Any person, firm or corporation who violates this Resolution or fails to comply with any of its requirements shall upon conviction thereof be fined not more than one hundred dollars ($100) and in addition shall pay all costs and expenses involved in the case. Each day such violation continues after receipt of a violation notice shall be considered a separate offense. The owner or tenant of any building, structure, premises, or part thereof, and any architect, builder, contractor, agent, or other person who commits, participates in, assists in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties therein provided.

SECTION 911 ADDITIONAL REMEDIES

Nothing in this Resolution shall be deemed to abolish, impair or prevent other additional remedies as provided by law. In the event of a violation of any provision or requirement of this Resolution, or in the case of an imminent threat of such a violation, the Zoning Inspector, County Prosecutor, or the owner of any neighboring property who would be especially damaged by such violation, may, in addition to other recourse provided by law, institute mandamus, injunction, abatement, or other appropriate actions to prevent, remove, abate, enjoin, or terminate such violation.
ARTICLE X
BOARD OF ZONING APPEALS

SECTION 1001  GENERAL
A Board of Zoning Appeals is hereby created and shall have all the powers and duties prescribed by Chapter 519 of the Ohio Revised Code, case law, and by this Resolution.

SECTION 1002  COMPOSITION AND APPOINTMENT
The composition of the board shall be consistent with the requirements of Chapter 519.13 of the Ohio Revised Code.

SECTION 1003  ORGANIZATION
A. Officers, Rules - The Board shall elect a Chairman from its membership and shall prescribe rules for the conduct of its affairs.

B. Board Action - Three members of the Board shall constitute a quorum at all meetings. A majority vote of members present shall be necessary to effect an order, take action, make decisions, or act on any authorization.

C. Meetings - The Board shall meet at the call of the Chairman and at such other times as it may determine. All meetings of the Board shall be open to the public, and shall be conducted in accordance with the Ohio Revised Code.

D. 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 preview of the Board.

E. 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 all of which shall be immediately filed in the office of the Township Trustees and shall be a public record. The Trustees shall appoint a Recording Secretary.

SECTION 1004  POWERS
The Board of Zoning Appeals shall have the following powers:

A. Appeals

1. Administrative appeals as further described in Section 1005 below.

2. Variance appeals as further described in Section 1006 below.
B. Conditional zoning certificates as described in Article VI.

C. Such other powers as described in this Resolution.

D. Revoke an authorized variance or conditional zoning certificate, if any condition of the variance or certificate is violated, subject to procedures of Section 519.14 (D) of the Ohio Revised Code.

E. Review of comparable uses.

SECTION 1005 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 or other local officials in the enforcement of this Resolution. Administrative appeals shall be reviewed in the manner specified in Section 1007.

SECTION 1006 VARIANCE APPEALS

A. General

The Board of Zoning Appeals shall have authority to authorize upon appeal in specific cases, such variances from the terms of the Zoning Resolution as will comply with the provisions of Article X.

Variances shall be reviewed and granted as set forth herein, and in Section 1007.

B. Use Variances

The Township Board of Zoning Appeals may authorize, upon appeal in specific cases, a use 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 the Resolution will result in unnecessary hardship, and so that the spirit of the Resolution shall be observed and substantial justice done.

C. Area Variance

The Board of Zoning Appeals may authorize, upon appeal in specific cases area variances from the terms of the Zoning Resolution where it determines that practical difficulties exist.

1. In determining that practical difficulties exist, the Board shall consider, but is not limited to, the following factors:

   a. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance;

   b. Whether the variance is substantial;

   c. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance;
d. Whether the variance would adversely affect the delivery of governmental services (e.g., water, sewer, garbage);

e. Whether the property owner purchased the property with the knowledge of the Zoning Restriction;

f. Whether the property owner's predicament feasibly can be obviated through some method other than a variance;

g. Whether the spirit and intent behind the Zoning Regulation will be observed and substantial justice done by granting the variance.

D. General Findings

In order to approve any variance, the Board shall make a specific finding that:

1. The literal interpretation of the provisions of the Resolution deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of the Resolution;

2. That the granting of the variance will not be detrimental to the public interest or to the property or improvements in the district in which the variance is sought and will not materially impair the purpose of this Resolution.

E. Limitations

The Board of Zoning Appeals may grant a use variance upon a finding that the conditions of Section 519.4(B) of the Ohio Revised Code and Section 1006(B) have been met. No nonconforming use of neighboring lands, structures, or buildings in the same district and not currently permitted or nonconforming use of the land, structures, or buildings in other districts shall be considered grounds for issuance of a variance.

F. Supplementary Conditions

In granting a variance, the Board may impose such conditions as it may deem necessary to protect the public health, safety and morals and, in furtherance of the purpose and intent of this Resolution, including a requirement of a bond to guarantee special conditions imposed by the Board will be complied with.

SECTION 1007 PROCEDURE FOR ADMINISTRATIVE AND VARIANCE APPEALS

A. General

Appeals to the Board of Zoning Appeals concerning the powers specified in Sections 1005 and 1006 for administrative appeals and variance appeals may be taken by any person or corporation or by officer of Lafayette Township adversely affected by any decision of a zoning official or board. The appeal shall be taken within twenty (20) days after the decision by filing, with the Zoning Inspector, a notice of appeal specifying the grounds upon which the appeal is taken. The Zoning Inspector shall transmit to the Board of Zoning Appeals the notice of appeal and all papers constituting the record of the action which is appealed.

B. 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.

C. Public Hearing and Notices

The Board of Zoning Appeals shall hold a public hearing within thirty (30) days after
the receipt of an appeal from the Zoning Inspector. 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 involved in the appeal and
to all property owners 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.

D. Assistance

Applications for appeals may be submitted by the Board to the Zoning Commission
for review and comment. The findings of the Zoning Commission shall be submitted
in writing to the Board prior to its public hearing and shall be included in the minutes
of that hearing. The Board may also seek assistance from any other appropriate source.

E. Decisions

Within thirty (30) days after the conclusion of the public hearing, the Board of Zoning
Appeals shall either approve, or disapprove the request for appeal. A certified copy of
the Board’s decision shall be transmitted to the applicant or appellant 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. The Board’s decision may be appealed to the Court of
Common Pleas. Notice of appeals from the Board shall be filed with the Board within
thirty (30) days of the Board’s decision, as per Section 2505.7 of the Ohio Revised
Code.

SECTION 1008 SIMILAR USES

A. Procedure and Requirements to Determine that a Use is Similar

When a use that is proposed is not listed or provided for in this Resolution, the Board
of Zoning Appeals may make a determination, upon appeal, that the proposed use,
within a district specified, is similar to a specific use that is listed or provided for in
that district. If the Board finds that a use is similar to a specific use listed in that district,
the similar use is deemed to be a similar permitted use only in that district where the
specific use is a permitted use.

In formulating a determination that a proposed use is similar, the Board shall follow
the procedures relating to appeals and variances as specified in Article X of this
Resolution. Upon making a determination that a proposed use is similar, the Board
shall notify the Township Trustees of its decision and shall include in its written
findings the reasoning upon which the decision is based. Unless the decision is rejected
within thirty (30) days of its receipt by the Township Trustees, such similar use
determination by the Board shall become effective.
If the Board determines that a proposed use is not similar, such determination shall not be appealed to the Township Trustees, but remedy may be sought by the appellant through the submission of an application for amendment as prescribed in Article XI, or through the Court of Common Pleas.

B. Standards for Consideration of Similar Uses

The following standards shall be considered by the Board when making a determination that a use is similar to a permitted use within a specific district:

1. The compatibility of the proposed use with the general classification system as specified in this Resolution.

2. The nature, predominant characteristics, and intensity of the proposed use in relation to those uses specified by this Resolution as being permitted in that district.

3. The size, dimensional requirements, parking requirements, traffic generation potential, and other regulatory considerations normally associated with uses as specified in this Resolution.

C. Effect of Determination that a Use is Similar

Should a use be determined to be similar to a specifically permitted use provided for in this Resolution, it shall then be permitted in the same manner and under the same conditions and procedures as the use is permitted to which it has been found to be similar.

D. Record of Similar Uses

The Zoning Inspector shall maintain as a public record a listing of all uses which have been determined to be similar. For each such use the record shall include the use as listed in the Resolution, the use unlisted in the Resolution about which the determination of similarity was made, and the dates of any actions thereupon by the Board of Zoning Appeals and the Township Trustees. This record shall also contain the same information for all uses which have been determined to be similar. The Zoning Inspector shall consult this record in the process of issuing future permits.
ARTICLE XI

AMENDMENTS

1101 General

SECTION 1101 GENERAL

From time to time it may be necessary to amend the number, shape, area, or regulations of districts established on the Zoning District 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 (see Appendix B.)
ARTICLE XII

DEFINITIONS

Interpretation of Terms or Words: For the purpose of this Resolution, certain terms or words used herein shall be interpreted as follows:

1. The word "person" includes a firm, association, organization, partnership, trust, company, or corporation, as well as an individual.

2. The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular.

3. The word "shall" is a mandatory requirement, the word "may" is a permissive requirement, and the word "should" is a preferred requirement.

4. The words "used" or "occupied" include the words "intended, designed, or arranged to be used or occupied."

5. The word "lot" includes the words "plot" or "parcel".

Accessory Use (or Structure): Accessory Use means a use, object, or structure constructed or installed on, above, or below the surface of a parcel, which is located on the same lot, a principle use, object, or structure, and which is subordinate to or serves the principle use, object, or structure, and is customarily incidental to the principal use, object, or structure. Among other things, "Accessory Use" includes anything of a subordinate nature attached to or detached from a principle structure or use, such as fences, walls, sheds, garages, parking places, decks, poles, poster panels, and billboards. Except as otherwise required in this Resolution, an accessory use shall be a permitted use.

Address Sign. The number or other designation assigned to a housing unit, business establishment, or other structure for purposes of mail delivery, emergency services and so forth. (Effective 4/18/2012)

Adult Family Home: A residence or facility that provides accommodations and personal care services to three to five unrelated adults who are capable of responding to an emergency without assistance. Individuals who are receiving these services shall be integrated into the family environment. Adult Family Homes shall not include residents who require "skilled nursing care" and shall not include nursing homes and rest homes as defined in Ohio Revised Code 3721.

Adult Group Home: A residence or facility that provides accommodations and personal care services to six to sixteen unrelated adults who are capable of responding to an emergency situation without assistance. Adult Group Homes shall not include residents who require "skilled nursing care" and shall not include nursing homes and rest homes as defined in the Ohio Revised Code 3721.

Agriculture: Defined by Section 519.01 of the Ohio Revised Code.

Airport: A runway, land area or other facility designed or used either publicly or privately by any person for the landing and taking-off of aircraft, including all necessary taxiways, aircraft storage and tie-down areas, hangars and other necessary buildings, and open spaces.

Alley: (See Thoroughfare)

Alterations, Structural: Any change in the supporting members of a building such as bearing walls, columns, beams, or girders.

Athletic Court - a paved or otherwise prepared surface used for engaging in athletic activities.

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Automotive Repair: The repair, rebuilding or reconditioning of motor vehicles or parts thereof, including collision service, painting, and steam cleaning of vehicles.

Awning or Canopy Sign. A sign that is either attached to, affixed to, or painted on an awning or canopy. (Effective 4/18/2012)

Banner, flag or pennant. Any sign of lightweight fabric, plastic, paper or similar non-rigid material that is mounted with no enclosing framework. (Effective 4/18/2012)

Basement: A story, all or partly underground, but having at least one-half its height below the average level of the adjoining ground. (See Story)

Billboard. A sign that directs attention to a business, commodity, service or entertainment conducted, sold, or offered at a location that is usually off premises. (Effective 4/18/2012)

Boardwalk – a pedestrian walkway made of thick boards.

Building: Any structure designed or intended for the support, enclosure, shelter, or protection of persons, animals, chattels, or property.

Building Accessory: A subordinate building detached from, but located on the same lot as the principal building, the use of which is incidental and accessory to that of the main building or use.

Building Height: The vertical distance measured from the average elevation of the finished grade at the front of the building to the highest point of the structure.

Building Line: (See Setback Line)

Building Principal: A building in which is conducted the main or principal use of the lot on which said building is situated.

Business, Convenience: Commercial establishments which cater to and can be located in close proximity to residential districts without creating undue vehicular congestion, excessive noise, or other objectionable influences. Uses in this classification tend to serve a day-to-day need in the neighborhood.

Business, General: Commercial uses which generally require locations on or near major thoroughfares and/or their intersections, and which tend, in addition to serving day-to-day needs of the community, also supply the more durable and permanent needs of the whole community.

Business Highway: Commercial uses which generally require locations on or near major thoroughfares and/or their intersections, and which tend to serve the motoring public.

Business, Office Type: Quasi-commercial uses which may often be transitional between retail business and/or manufacturing, and residential uses. Office business generally accommodates such occupations as administrative, executive, professional, accounting, writing, clerical, stenographic, and drafting. Institutional offices of a charitable, philanthropic, or religious or educational nature are also included in this classification.

Business Services: Any profit making activity which renders services primarily to other commercial or industrial enterprises, or which services and repairs appliances and machines used in homes and businesses.

Business, Wholesale: Business establishments that generally sell commodities in large quantities or by the piece to retailers, jobbers, other wholesale establishments, or manufacturing establishments. These commodities are basically for further resale, for use, in the fabrication of a product, or for use by a business service.

Cabana – a small cabin or cottage used as a bath house.
Cemetery: Land used or intended to be used for the burial of the human or animal dead and dedicated for cemetery purposes, including crematories, mausoleums, and mortuaries if operated in connection with and within the boundaries of such cemetery.

Changeable Copy Sign. A sign or portion thereof designed to accommodate frequent message changes composed of characters, letters, or illustrations and that can be changed or rearranged either manually or electronically without altering the face or surface of such sign. (Effective 4/18/2012)

Channel: A natural or artificial watercourse of perceptible extent, with bed and banks to confine and conduct continuously or periodically flowing water.

Child Day-Care: Administering to the needs of infants, toddlers, pre-school children, and school children outside of school hours, by persons other than their parents or guardians, custodians, or relatives by blood, marriages, or adoption for any part of the twenty-four hour day in a place or residence other than the child's own home. The following are child day-care facilities:

Child Day-Care Center: Any place in which child day-care is provided, with or without compensation, for 13 or more children at any one time, or any place that is not the permanent residence of the licensee or administrator in which child day-care is provided, with or without compensation, for 7 to 12 children at any one time. In counting children for the purposes of this definition, any children under 6 years of age who are related to a licensee, administrator, or employee and who are on the premises shall be counted.

Type A Family Day-Care Home: A permanent residence of the administrator in which child day-care is provided for 4 to 12 children at any one time, if 4 or more children are under the age of 2 years of age. In counting children for the purpose of this definition, any children under 6 years of age who are related to the licensee, administrator, or employee and who are on the premises of the Type A home shall be counted. The term "Type A family day-care home" does not include a residence in which the needs of children are administered to, if all such children are siblings of the same immediate family and the residence is their home.

Type B Family Day-Care Home: A permanent residence of the provider in which child day-care or child day-care services are provided for 1 to 6 children at one time and in which no more than 3 children at one time may be under 2 years of age at any one time. In counting children for the purposes of this definition, any children under 6 years of age who are related to the provider and are on the premises of the Type B home shall be counted. The term "Type B family day-care home" does not include a residence in which the needs of children are administered to, if all such children are siblings of the same immediate family and the residence is their home.

Clear Fall Zone: An area surrounding the wind turbine unit into which the turbine and/or turbine components might fall due to inclement weather, poor maintenance, faulty construction methods, or any other condition causing turbine failure that shall remain unobstructed and confined within the property lines of the primary parcel where the turbine is located. The purpose being that if the turbine should fall or otherwise become damaged, the falling structure will be confined to the primary parcel and will not fall onto dwellings or accessory buildings or otherwise intrude onto a neighboring property. (Effective 7/17/13)

Clinic: A place used for the care, diagnosis and treatment of sick, ailing, infirmed, or injured persons, and those who are in need of medical and surgical attentions, but who are not provided with board or room or kept overnight on the premises.

Club: A building or portion thereof or premises owned or operated by a person for a social, literary, political, educational, or recreational purpose primarily for the exclusive use of members and their guests.

Coffee Shop: An informal restaurant primarily offering coffee, tea, and other beverages, and where light refreshments and limited menu items may also be sold.

Commercial Entertainment Facilities: Any profit making activities which are generally related to the entertainment field, such as motion picture theaters, carnivals, nightclubs, cocktail lounges, and similar entertainment activities.

Common Drives: A type of private street which provides vehicular and pedestrian access to two (2) or three (3) single
family residential lots and which will not be dedicated for public use.

**Computer Systems Design and Related Services**: As per NAICS 5415.

**Comprehensive Development Plan**: A plan, or any portion thereof, adopted by the Zoning Commission and the Trustees of Lafayette Township showing the general location and extent of present and proposed physical facilities and including housing, industrial and commercial uses, major thoroughfares, parks, schools, and other community facilities. This plan establishes the goals, objectives, and policies of the communities.

**Conditional Use**: A use permitted within a district other than a principally permitted use, requiring a conditional use permit and approval of the Board of Zoning Appeals.

**Conditional Use Permit**: A permit issued by the Zoning Inspector upon approval by the Board of Zoning Appeals to allow a use other than a principally permitted use to be established within the district.

**Condominium**: A building or group of buildings in which units are individually owned but the structure, common areas and facilities are owned on a proportional, undivided basis by all of the owners.

**Conference Center**: A building and related ground designed and used for meetings and events which may or may not include food service.

**Corner Lot**: (See Lot Types)

**Cul-de-sac**: (See Thoroughfare)

**Day Care Facility**: A facility wherein seven or more children or adults are cared for, other than family members of the owner or administrator of the facility, with or without compensation, and which does not provide overnight lodging of cared for children or adults.

**Dead-end Street**: (See Thoroughfare)

**Decorative Fencing**: Fencing intended primarily as an ornamental aspect on a parcel. (Effective 7/17/13)

**Density**: A unit of measurement expressing the number of dwelling units per acre of land.

1. **Gross Density** - the number of dwelling units per acre of the total land to be developed.

2. **Net Density** - the number of dwelling units per acre of land when the acreage involved includes only the land devoted to residential uses.

**Directional Sign**. A sign limited to providing directions necessary or convenient for visitors or clients coming onto a premises, including signs marking entrances and exits, parking areas, loading zones or circulation direction. (Effective 4/18/2012)

**Disabled Motor Vehicle**: A vehicle which is:

1. Extensively damaged, such damage including but not limited to any of the following: missing wheels, tires, motors, or transmission, etc., or

2. Apparently inoperative.

**District**: A part, zone, or geographic area within the Township within which certain zoning or development regulations apply.

**Dumping**: The process of disposal of junk.
Dwelling: Any building or structure (except a house trailer or mobile home as defined by Ohio Revised Code 4501.01) which is wholly or partly used or intended to be used for living or sleeping by one or more human occupants.

Dwelling Unit: 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 and its household employees.

Dwelling, Industrialized Unit: As defined in the Ohio Revised Code Section 3781.06 (C) (3). This does not include manufactured homes as defined in the Ohio Revised Code.

Dwelling, Multi-Family: A dwelling consisting of three or more dwelling units including condominiums with varying arrangements of entrances and party walls.

Dwelling, Single Family: A dwelling consisting of a single dwelling unit only, separated from other dwelling units by open space.

Dwelling, Two-Family: A dwelling consisting of two dwelling units which may be either attached side by side or one above the other, and each unit having a separate or combined entrance or entrances.

Dwelling, Rooming House (Boarding House, Lodging House Dormitory): A dwelling or part thereof, other than a hotel, motel or restaurant where meals and/or lodging are provided for compensation, for three or more unrelated persons where no cooking or dining facilities are provided in the individual rooms.

Easements: Authorization by a property owner for the use by another, and for a specified purpose, of any designated part of his property.

Educational Institution: A post-secondary institution for higher learning that grants associate or bachelor degrees and may also have research facilities and/or professional schools that grant master and doctoral degrees. This may also include community colleges that grant associate or bachelor degrees or certificates of completion in business or technical fields. This definition includes all associated uses appurtenant to an Educational Institution including, but not limited to, book stores, cafeterias and meeting rooms.

Essential Services: The erection, construction, alteration, or maintenance, by public utilities or municipal or other governmental agencies, of underground gas, electrical, steam or water transmission, or distribution systems, collection, communication, supply or disposal systems or sites, including poles, wires, mains, drains, sewers, pipes, traffic signals, hydrants, or other similar equipment accessories in connection therewith which are reasonably necessary for the furnishing of adequate service by such public utilities or other governmental agencies or for the public health or safety or general welfare, but not including buildings. This definition shall not apply to Telecommunications Towers as defined in Chapter 519 of the Ohio Revised Code.

Factory-Built Housing: Factory-built housing means a factory-built structure designed for long-term residential use, the components of which are essentially constructed or assembled prior to its delivery to and installation upon a site. For the purpose of this Resolution, "factory-built housing" shall include the following:

1. Manufactured home: A building unit or assembly of closed construction fabricated in an off-site facility, that conforms with the federal construction and safety standards established by the Secretary of Housing and Urban Development pursuant to the “Manufactured Housing Construction and Safety Standards Act of 1974” and that has a label or tag permanently affixed to it certifying compliance with all applicable federal construction and safety standards.

2. Permanently sited manufactured homes: a manufactured home that meets the following criteria:
   a. The structure is affixed to a permanent foundation and is connected to appropriate facilities;
   b. The structure, excluding any additions, has a width of at least 22 feet at one point, a length of at least 22 feet at one point, and a total living area of at least 1000 square feet, excluding
garages, porches, basements or attachments;

c. The structure has a minimum 3:12 residential roof pitch, conventional residential siding, and a six-inch minimum eave overhang, including appropriate guttering;

d. The structure was manufactured after January 1, 1995;

e. The structure is not located in a manufactured home park as described by Section 3733.01 of the Ohio Revised Code.

f. The structure shall be governed in accordance with the Ohio Revised Code.

The above housing types are required to be built on a permanent foundation.

Family: A person living alone, or two or more persons living together as a single housekeeping unit in a dwelling unit, as distinguished from a group occupying a rooming house, motel or hotel, dormitory, fraternity or sorority house.

Feedlot: A relatively small, confined land area for fattening or temporarily holding cattle for shipment.

Flashign Sign. An illuminated sign, which exhibits changing light or color effects by blinking or any other such means so as to provide a non-constant illumination. (Effective 4/18/2012)

Flood Plain: That land, including the flood fringe and the floodway, subject to inundation by the regional flood.

Flood, Regional: Large floods which have previously occurred or which may be expected to occur on a particular stream because of like physical characteristics. The regional flood generally has an average frequency of the one hundred (100) year flood.

Floodway: That portion of the flood plain, excluding the channel, which is reasonably required to convey the regional flood waters. Floods of less frequent recurrence are usually contained completely within the floodway.

Floodway Fringe: That portion of the flood plain, excluding the floodway, where development may be allowed under certain conditions.

Floor Area of a Residential Building: The sum of the gross horizontal area of the several floors of residential building, excluding basement floor areas not devoted to residential use, but including the area of roofed porches and roofed terraces. All dimensions shall be measured between interior faces of walls.

Floor Area of a Non-Residential Building (To be used in calculating parking requirements): The floor area of the specified use excluding stairs, washrooms, elevator shafts, maintenance shafts and rooms, storage spaces, display windows, and fitting rooms, and similar areas.

Floor Area, Usable: Measurement of usable floor area shall be the sum of the horizontal areas of the several floors of the building, measured from the interior faces of the exterior walls.

Food Processing: The preparation, storage, or processing of food products. Examples of these activities include bakeries, dairies, canneries, and other similar businesses.

Garages, Private: A detached accessory building or portion of principal building for the parking or temporary storage of automobiles, travel trailers, and/or boats of the occupants of the premises and wherein:

1. Not more than one space is rented for parking to a person not a resident on the premises;

2. No more than one commercial vehicle per dwelling unit is parked or stored.

Garages, Public: A principal or accessory building other than a private garage, used for parking or temporary storage of
passenger automobiles, and in which no service shall be provided for remuneration.

**Garages, Service Station:** Buildings and premises where gasoline, oil, grease, batteries, tires, and motor vehicle accessories may be supplied and dispensed at retail and where, in addition, the following services may be rendered and sales made:

1. Sales and service of spark plugs, batteries, and distributor parts;
2. Tire service and repair, but not recapping or re-grooving;
3. Replacement of mufflers and tail pipes, water hoses, fan belts, brake fluid, light bulbs, fuses, floor mats, seat covers, windshield wipers and blades, grease containers, wheel bearings, mirrors, and the like;
4. Radiator cleaning and flushing;
5. Radiator welding and repair;
6. Greasing and lubrication;
7. Providing and repairing fuel pumps, oil pumps, and lines;
8. Minor servicing and repair of carburetors;
9. Adjusting and repairing brakes;
10. Minor motor adjustments not involving removal of the head or crankcase or racing motor;
11. Sales of cold drinks, packaged food, tobacco, and similar convenience goods for service station customers, as accessory and incidental to principal operations;
12. Provisions of road maps and other informational material to customers, provision of restroom facilities;
13. Warranty maintenance and safety inspections.

Uses permissible at a filling station do not include major mechanical and body work, straightening of body parts, painting, welding, storage of automobiles not in operational condition, or other work involving noise, glare, fumes, smoke, or other characteristics to an extent greater than normally found in filling stations. A filling station is not a repair garage or a body shop.

**General Plan:** For the Medina County University Technology Park Planned Unit Development District, the General Plan consists of the Final Plat and subsequent Replats thereto, and the General Landscape Plan.

**Glare.** The effect produced by brightness sufficient to cause annoyance, discomfort or loss in visual performance and visibility. (Effective 4/18/2012)

**Grade.** The average finished ground level of land around buildings. (Effective 4/18/2012)

**Grade, finished.** The final elevation of the ground surface after man-made alterations such as grading, filling or excavating have been made on the ground surface. (Effective 4/18/2012)

**Ground Sign.** A freestanding sign placed upon or mounted in the ground independent of any other structure. (Effective 4/18/2012)

**Group Residential Facility:** A group residential facility is a community residential facility, licensed and/or approved and regulated by the State of Ohio, which provides rehabilitative or habilitative services. There are two classes of group residential facilities:
Class I: Any state, federal, or locally approved dwelling or place used as a foster home for children or adults (not including nursing homes) or as a home for the care or rehabilitation of dependent or pre-delinquent children, for the physically handicapped or disabled, or for those with mental illness or developmental disabilities. A Class I Type A group residential facility contains six (6) or more residents, exclusive of staff. A Class I Type B group residential facility contains five (5) or less residents, exclusive of staff.

Class II: Any state, federal, or locally approved dwelling or place used as a home for juvenile offenders; a halfway house providing residential care or rehabilitation for adult offenders in lieu of institutional sentencing; a halfway house providing residence for persons leaving correctional institutions; and residential rehabilitation centers for alcohol and drug abusers, provided that detoxification is expressly prohibited on such premises. A Class II Type A group residential facility contains six (6) or more residents, exclusive of staff. A Class II Type B group residential facility contains five (5) or less residents, exclusive of staff.

Hazardous materials: Any substance that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health, safety or to the environment if released into the workplace or the environment. The term includes but is not limited to hazardous substances and hazardous waste.

Health, wellness, recreation or fitness facility: A place or building where active exercise and related activities are performed utilizing weight control or muscle building equipment or apparatus for the purpose of physical fitness. Also, a place or building that provides massage, exercise and related activities with or without such equipment or apparatus.

Historic Area: A district or zone designated by local authority, state or federal government within which the buildings, structures, appurtenances and places are of basic and vital importance because of their association with history, or because of their unique architectural style and scale, including materials, proportion, form and architectural detail, or because of there being a part of or related to a square, park, or area, the design or general arrangement of which should be preserved and/or developed according to fixed plan based on cultural, historical or architectural motives or purpose.

Home Occupation: Home Occupation means an accessory use which is an activity, profession, occupation, service, craft, or revenue-enhancing hobby which is clearly incidental and subordinate to the use of the premises as a dwelling, without any significant adverse effect upon the surrounding neighborhood.

Hotel or Motel and Apartment Hotel: A building in which lodging or boarding are provided and offered to the public for compensation. As such it is open to the public in contradistinction to a boarding house, rooming house, lodging house, or dormitory which is herein separately defined.

Illuminated Sign. A sign with an artificial light source incorporated internally or externally for the purpose of illuminating the sign. (Effective 4/18/2012)

Institution: Building and/or land designed to aid individuals in need of mental, therapeutic, rehabilitative counseling, or other correctional services.

Invasive Vegetation – Any plant material either native or imported that spreads beyond its intended area.

Junk: 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 to being dismantled.

Junk Buildings, Junk Shops, Junk Yards: Any land, property, structure, building, or combination of the same, on which junk is stored, processed, displayed, dismantled, sold, demolished, abandoned or discarded other than the normal accumulation of material in association with the permitted use on the property,
Kennel: Any lot or premises on which four (4) or more domesticated animals more than four (4) months in age (or as otherwise provided in County or State regulations) are housed, roomed, boarded, or sold and which offers provisions for minor medical treatment.

Laboratory: A building or group of buildings in which are located facilities for scientific research, investigation, testing, or experimentation, but not facilities for the manufacture or sale of products, except as incidental to the main purpose of the laboratory.

Land Banking: Designating land on a site plan to be held and preserved for an identified future purpose.

Loading Space, Off-Street: Space logically and conveniently located for bulk pickups and deliveries, scaled to delivery vehicles expected to be used, and accessible to such vehicles when required off-street parking spaces are filled. Required off-street loading space is not to be included as off-street parking spaces in computation of required off-street parking space. All off-street loading spaces shall be located totally outside of any street or alley right-of-way.

Location Map: (See Vicinity Map)

Lot: For the purposes of this Resolution, a lot is a recorded parcel of land of sufficient size to meet minimum zoning requirements for use, coverage, and area, and to provide such yards and other open spaces as are herein required. Such lots shall have frontage on an improved public or private street.

Lot Frontage: The front of a lot shall be constructed to be the portion nearest the street. For the purpose of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to streets shall be considered frontage, and yards shall be provided as indicated under “Yards” in this section.

Lot, Minimum Area Of: The area of a lot is computed exclusive of any portion of the right-of-way of any public or private street.

Lot Measurements: A lot shall be measured as follows:

1. Depth: The distance between the mid points of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear.
2. Width: The distance between straight lines connecting front and rear lot lines at each side of the lot, measured at the building-setback line.

Lot Types: Terminology used in this Resolution with reference to corner lots, interior lots and through lots is as follows:

1. Corner Lot: A lot located at the intersection of two or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the lot meet at an interior angle of less than 135°.
2. Interior Lot: A lot with only one frontage on a street.
3. Through Lot: A lot other than a corner lot with frontage on more than one street. Through lots abutting two streets may be referred to as double frontage lots.
4. Reversed Frontage Lot: A lot which frontage is at right angles to the general pattern in the area. A reversed frontage lot may also be a corner lot.

Major Thoroughfare Plan: The portion of the comprehensive plan adopted by the Medina County Planning Commission indicating the general location recommended for arterial, collector, and local thoroughfares within Medina County.

Maintenance and Storage Facilities: Land, buildings, and structures devoted primarily to the maintenance and storage of construction equipment and material.
Manufactured Home Park: As defined in the Ohio Revised Code, Section 3733.01, A.

Manufacturing, Heavy: Manufacturing, processing, assembling, storing, testing, and similar industrial uses which are generally major operations and extensive in character; require large sites, open storage and service areas, extensive services and facilities, ready access to regional transportation; and normally generate some nuisances such as smoke, noise, vibration, dust, glare, air pollution, and water pollution, but not beyond the district boundary.

Manufacturing, Light: Manufacturing or other industrial uses which are usually controlled operations; relatively clean, quiet, and free of objectionable or hazardous elements such as smoke, noise, odor, or dust; operating and storing within enclosed structures; and generating little industrial traffic and no nuisances.

Manufacturing, Extraction: Any mining, quarrying, excavating processing, storing, separating, cleaning, or marketing of any mineral or natural resource, including peat.

Marina – a boat basin offering dockage and other services for small watercraft.

Meeting/Banquet Facilities – a building and related grounds designed and used for meetings and events, which includes food services.

Motor Vehicles, Manufactured Home, Travel Trailer, and Farm Implement Sales: The sale or rental of new and used motor vehicles, manufactured homes, travel trailers, or farm implements, but not including repair work except incidental warranty repair of same, to be displayed and sold on the premises.

Multi-tenant Sign. An identification sign for a commercial site with multiple tenants, displaying the names of each tenant on the site. (Effective 4/18/2012)

NAICS: North American Industry Classification System

Nonconforming Sign. A sign lawfully erected and maintained prior to the adoption of this Resolution that does not conform with the requirements of this Resolution. (Effective 4/18/2012)

Nonconformities: Lots, uses of land and/or structures, and uses of structures and land in combination lawfully existing at the time of enactment of this Resolution or its amendments which do not conform to the regulations of the district or zone in which they are situated, and are therefore incompatible.

Nursery, Nursing Home: A home or facility for the care and treatment of babies, children, pensioners, or elderly people.

Nursery, Plant Materials: Land, building, structure, or combination thereof for the storage, cultivation, transplanting of live trees, shrubs, or plants offered for the retail sale on the premises, including products used for gardening or landscaping.

Opacity: That portion of the surface of a typical section or panel of a fence, which is open to light and air when viewed along a line perpendicular to the fence section or panel. (Effective 7/17/13)

Open Spaces: An area substantially open to the sky which may be on the same lot with a building. The area may include, along with the natural environmental features, water areas, swimming pools, tennis courts, and any other recreational facilities that the Township zoning deems permissible. Streets, parking areas, structures for habitation, and the like shall not be included.

Outdoor Wood-Fired Boilers/Hydronic Furnace: Any equipment, device, appliance or apparatus, or any part thereof, which is installed, affixed or situated outdoors for the primary purpose of combustion of fuel to produce heat or energy used as a component of a heating system for any interior space or water source. An Outdoor Wood-Fired Boiler may also be referred to as an Outdoor Furnace or Outdoor Hydronic Heater. A typical Outdoor Furnace burns wood to heat water that is piped underground to a nearby building and/or structure resulting in heat and/or hot water. An Outdoor Furnace resembles a small shed with a smokestack and is located near the outside of the building or structure to be heated. (Effective 7/17/13)
**Over Lay District:** A district described by the zoning map within which, through superimposition of a special designation, further regulations and requirements apply in addition to those of the underlying districts to which such designation is added.

**Parking Space, Off-Street:** For the purpose of this Resolution, an off-street parking space shall consist of an area adequate for parking an automobile with room for opening doors on both sides, together with properly related access to a public street or alley and maneuvering room, but shall be located totally outside of any street or alley right-of-way.

**Performance Bond or Surety Bond:** An agreement by a subdivider or developer with the County or Township for the amount of the estimated construction cost guaranteeing the completion of physical improvements according to plans and specifications within the time prescribed by the subdivider's agreement.

**Performing Arts Facilities** – a facility for the showing or performing of plays, motion pictures, musical performances or other entertainment within an enclosed building.

**Personal Care Services:** Services including but not limited to the following:

1. Assisting residents with activities of daily living, as by reminding them to engage in personal hygiene and other self-care activities and, when necessary, observing them while they attend to such activities to ensure their health, safety, and welfare.

2. Supervising residents who need assistance in administering their own medication, as by reminding a resident to take medication, taking the medicine to him, opening containers, reading labels to him, checking the self-administered dosage against the label, and storing the medication.

**Personal Services:** Any enterprise conducted for gain which primarily offers services to the general public such as shoe repair, watch repair, barber shops, beauty parlors, and similar activities.

**Planned (Unit) Development:** An area of land in which a variety of housing types are accommodated in a pre-planned environment under more flexible standards, such as lot sizes and setbacks, than those restrictions that would normally apply under these regulations. The procedure for approval of such development contains requirements in addition to those of the standard subdivision, such as building design principles, and landscaping plans.

**Professional Activities:** The uses of offices and related spaces for such professional services as are provided by medical practitioners, lawyers, architects, engineers, and similar professions.

**Projecting Sign.** A sign which is supported by an exterior wall of a building or other structure and which is constructed and displayed perpendicular to the face of the building or other structure so that both sides of the sign are visible. (Effective 4/18/2012)

**Public Purpose/Safety Sign.** Any sign erected and maintained by public officials or public agencies, or approved and authorized for use by state or local governmental authorities. (Effective 4/18/2012)

**Public Service Facility:** The erection, construction, alteration, operation, or maintenance of buildings, power plants, or substations, water treatment plants or pumping stations, sewage disposal or pumping plants and other similar public service structures by a public utility, by a railroad, whether publicly or privately owned, or by a municipal or other governmental agency, including the furnishing of electrical, gas, rail transport, communication, public water and sewage services.

**Public Uses:** Public parks, schools, administrative and cultural buildings and structures, not including public lands or buildings devoted solely to storage and maintenance of equipment and material and public service facilities.

**Public Way:** An alley, avenue, boulevard, bridge, channel, ditch, easement, expressway, freeway, highway, land, parkway right-of-way, road, sidewalk, street, subway, tunnel, viaduct, walk, bicycle path, or other ways in which the general public or a public entity have a right, or which are dedicated, whether improved or not.

**Quasi-public Use:** Churches, Sunday schools, parochial schools, colleges, hospitals, and other facilities of an educational,
religious, charitable, philanthropic, or non-profit nature.

**Rear Lots:** A lot to the rear of an existing lot along an existing street.

**Recreational Camp:** An area of land on which two or more travel trailers, campers, tents or other similar temporary recreational structures are regularly accommodated with or without charge, including any building intended to be used in connection with providing such accommodations.

**Recreational Facilities:** Public or private facilities that may be classified as either "extensive" or "intensive" depending upon the scope of services offered and the extent of use. Extensive facilities generally require and utilize considerable areas of land and include, but need not be limited to, hunting, fishing, and riding clubs and parks. Intensive facilities require less land (use more intensively) and include, but need not be limited to, miniature golf courses, amusement parks, stadiums, and bowling alleys.

**Research and Development Activities:** Research, development, and testing related to such fields as chemical, pharmaceutical, medical, electrical, transportation, and engineering. All research, testing, and development shall be carried on within entirely enclosed buildings, and no noise, smoke, glare, vibration, or odor shall be detected outside of said building.

**Resort** – a location to which people go for rest or relaxation or vacation.

**Right-Of-Way:** A strip of land taken or dedicated for use as a public way. In addition to the roadway, it normally incorporates the curbs, lawn strips, sidewalks, lighting, and drainage facilities, and may include special features (required by the topography or treatment) such as grade separation, landscaped areas, viaducts, and bridges.

**Riparian Corridor:** An area along the course of a perennial stream wide enough that, if left in a natural state, to protect and maintain the biological and hydrologic integrity of the stream usually considered to be the top of bank top of slope or mean water level.

**Roadside Stand:** A temporary structure designed or used for the display or sale of agricultural and related products.

**Roof Sign.** A sign erected upon and above a roof structure and wholly supported by the roof structure. (Effective 4/18/2012)

**School Bus Shelter:** A temporary shelter used for children’s protection during bad weather.

**Screening:** The use of man-made or natural material or live vegetation to wholly or partially conceal from view activities or structures at one location from adjacent or nearby location.

**Seat:** For the purposes of determining the number of off-street parking spaces for certain uses, the number of seats or the number of seating units installed or indicated, or each twenty-four (24) lineal inches of benches, pews, or space for loose chairs.

**Service Structures:** Service structures shall include, but not be limited to, loading docks, propane tanks, dumpsters, electrical transformers, and other equipment or elements providing service to a building or a site.

**Setback Line:** A line established by the Resolution, generally parallel with and measured from the lot line, defining the limits of a yard in which no building, other than accessory building, or structure may be located above ground, except as may be provided in said resolution. (See **Yard**)

**Sewers, Central or Group:** An approved sewage disposal system which provides a collection network and disposal system and central sewage treatment facility for a single development, community, or region.

**Sewers, On-Site:** A septic tank or similar installation on an individual lot which utilizes an aerobic bacteriological process or equally satisfactory process for the elimination of sewage and provides for the proper and safe disposal of the effluent,
subject to the approval of the Medina County Health Department.

**Sidewalk:** That portion of the road right-of-way outside the roadway, which is improved for the use of pedestrian traffic.

**Sign.** Any identification, description, illustration, object or devise which is affixed to or integrated into a building or structure or land, or otherwise situated on a lot and which is intended to announce, direct or advertise by any means including letters, words, figures, designs, colors, symbols, fixtures, or images. (Effective 4/18/2012)

**Sign Face.** The area or display surface used for the message. (Effective 4/18/2012)

**Solar Panel:** A solar photovoltaic panel, or solar hot air or water panel collector device, which relies upon solar radiation as an energy source for the generation of electricity or transfer of stored heat. (Effective 7/17/13)

**Spa** – a health resort or place of business with equipment and facilities for exercising, massage, and improving health, appearance and physical fitness; such facilities including but not limited to indoor and outdoor pools of any type, Jacuzzis, steam rooms, saunas, exercise rooms, and the like.

**Story:** That part of a building between the surface of a floor and the ceiling immediately above. (See *Basement*)

**Structure:** Anything constructed or erected, the use of which requires location on or in the ground, or attachment to something having a fixed location on or in the ground.

**Subdivision:** The division of a lot, tract, or parcel into two or more lots, tracts, or parcels or other divisions of land for sale, development, or lease.

**Supply Yards:** A commercial establishment storing and offering for sale building supplies, steel supplies, coal, heavy equipment, feed and grain, and similar goods.

**Temporary Sign.** A sign not intended or designed for permanent display. (Effective 4/18/2012)

**Thoroughfares, Streets, or Road:** The full width between property line bounding every public way of whatever nature, with a part thereof to be used for vehicular traffic and designated as follows:

1. **Alley:** A minor street used primarily for vehicular service access to the back or side of property abutting on another street.

2. **Arterial Street:** A general term denoting a highway primarily for through traffic, carrying heavy loads and large volumes of traffic, usually on a continuous route.

3. **Collector Street:** A thoroughfare, whether within a residential, industrial, commercial, or other type of development, which primarily carries traffic from local streets to arterial streets, including the principal entrance and circulation routes within residential subdivisions.

4. **Cul-de-sac:** A local street of relatively short length with one end open to traffic and the other end terminating in a bulb.

5. **Dead-end Street:** A street temporarily having only one (1) outlet for vehicular traffic and intended to be extended or continued in the future.

6. **Local Street:** A street primarily for providing access to residential or other abutting property.

7. **Loop Street:** A type of local street, each end of which terminates at an intersection with the same arterial or collector street, and whose principal radius points of the one hundred-eighty (180) degree system of turns are not more than one thousand (1000) feet from said arterial or collector street, nor normally more than six hundred (600) feet from each other.
8. **Marginal Access Street:** A street, parallel and adjacent to an arterial or collector street, providing access to abutting properties and designed to protect the main arterial or collector streets. (See also **Frontage Street**)

9. **Private Street:** A right-of-way which provides vehicular access to residential, commercial or industrial structures or groups of structures which will not be dedicated.

10. **Public Street:** A right-of-way dedicated to public use, which provides vehicular access to adjacent properties.

**Through Lot:** (See **Lot Types**)

**Transportation, Director of:** The Director of the Ohio Department of Transportation.

**Travel Trailer:** A non-self-propelled recreational vehicle that does not exceed an overall length of thirty-five (35) feet, exclusive of bumper and tongue or coupling, and contains less than 320 square feet when erected on site. This includes tent-type, fold-out camping trailers.

**Usable Open Space** - Open space within the Chippewa Resort Overlay District that is of sufficient size and shape to meet the minimum zoning requirements, and on which further development is restricted.

**Use:** The specified purposes for which land or a building is designated, arranged, intended, or for which it is or may be occupied or maintained.

**Variance:** A variance is a modification of the strict terms of the relevant regulations where such modification will not be contrary to the public interest and where owing to conditions peculiar to the property, a literal enforcement of the regulations would result in unnecessary hardship or where practical difficulties exist necessitating the variance.

**Veterinary Animal Hospital or Clinic:** A place used for the care, grooming, diagnosis, and treatment of sick, ailing, infirm, or injured animals, and those who are in need of medical or surgical attention, and may include overnight accommodations on the premises for the treatment, observation and/or recuperation. It may also include boarding that is incidental to the primary activity.

**Vicinity Map:** A drawing located on the plat which sets forth by dimensions or other means, the relationship of the proposed subdivision or use to other nearby developments or landmarks and community facilities and services within the general area in order to better locate and orient the area in question.

**Walkway:** A public way, four (4) feet or more in width, for pedestrian use only, whether along the side of a road or not.

**Wall Sign.** 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. (Effective 4/18/2012)

**Wild or Exotic Animals:** Any non-human primate, wolf, fox, bear, leopard, panther, tiger, lion, lynx, or other warm-blooded animal, constrictive or poisonous snake or stone fish which can normally be found in the wild state or any member of the crocodilian family including but not limited to alligators, crocodiles, caimans, and gavials. Non-poisonous snakes, raccoons, skunks, squirrels, rabbits, guinea pigs, laboratory rats, mice, gerbils, and hamsters which have never lived in the wild state shall be excluded from this definition.

**Window Sign.** A sign affixed to the surface of a window with its message intended to be visible to and readable from the public way or from adjacent property. (Effective 4/18/2012)

**Yard:** A required open space other than a court unoccupied and unobstructed by any structure from three (3) feet above the general ground level of the graded lot upwards; provided, accessories, ornaments, and furniture may be permitted in any yard, subject to height limitations and requirements limiting obstruction of visibility.

1. **Front Yard:** A yard extending between side lot lines across the front of a lot line to the front of the principal building.
2. Rear Yard: A yard extending between side lot lines across the rear of a lot and from the rear lot line to the rear of the principal building.

3. Side Yard: A yard extending from the principal building to the side lot line on both sides of the principal building between the lines establishing the front and rear yards.

**Zoning Permit:** A document issued by the zoning inspector authorizing the use of lots, structures, uses of land and structures, and the characteristics of the uses.
APPENDIX – A  Township Zoning Map
APPENDIX B – ORC Section 519-04 and 519.12