

BAINBRIDGE TOWNSHIP

Comprehensive Zoning Resolution



KENDIG KEAST
COLLABORATIVE

Board of Trustees / Zoning Commission

Joint Meeting
on CZR Module 1

11.28.12

Purpose of Tonight's Meeting



- Present an overview of Module 1
 - Ch. 1, Purpose, Authority, Jurisdiction, Property Rights, and Transition
 - Ch. 2, Zoning Districts and Land Use (to-date)
- Discuss directions for Module 2
 - Zoning Districts

Status of Module 1



- Ch. 1, Purpose, Authority, Jurisdiction, Property Rights, and Transition
 - Available for commenting on ZoningPlus™ since last week
- Ch. 2, Zoning Districts and Land Use
 - Portions available for commenting since last week
 - Remaining portions can be made available by mid-next week
- **Decision:** Who do you want the published versions to be made available to?
 - BOT, ZC, Staff?
 - Everyone?

Module 1 - Chapter 1



Purpose, Authority, Jurisdiction,
Property Rights, and Transition

Findings



- Acknowledges statutory limitations
 - Ohio Revised Code.
- Establishes legal nexus to:
 - Ohio Revised Code
 - 2000 Guide Plan
 - 2006 Land Use Plan
- Starts to establish the connection of how rural character helps to achieve the public health and safety objectives, including natural resource protections, required in the Township because of the constraints of environment.

Purposes



- **Establishes the Township's intent to exercise all zoning and planning powers.**
- Expands the list of purposes with ties to the regulations throughout the CZR, *e.g.*,
 - Protect public health and safety
 - ✦ Physical design
 - ✦ Open space and tree protection
 - ✦ Population density and traffic congestion
 - ✦ Protection of water quality and sensitive ecological conditions
 - Economic considerations
 - Quality of life
 - Fiscal and functional health

Authority and Jurisdiction



- Authority - makes specific connections to the Ohio Revised Code
 - R.C. 519.02 (location, size, use of buildings and lands)
 - ✦ Public health and safety
 - ✦ Public convenience, comfort, prosperity, or general welfare
 - R.C. 519.021 (planned unit developments)
 - R.C. 519.171 (architectural review board)
 - R.C. 519.51, (adult entertainment establishments)
- Jurisdiction – unincorporated area of Bainbridge Township

Property Rights and Applicability



- Applicability
 - Expands descriptions of what the CZR applies to:
 - ✦ Use, construction, development, clearing, subdivision, etc.
 - Applies to both public and private development
 - ✦ Except public rights-of-way
- Timeliness and Certainty
 - Establishes timeframes and requires decisions to be in writing and based on standards
- Respect for Existing Development
 - Protecting property rights
 - Allowing for ways to restore to conforming use status
 - Establishing that existing lots are conforming and makes connection to the proposed neighborhood conservation (NC) district
- Private Restrictions
 - No duty to search, interpret or enforce private restrictions

Interpretation and Severability



- Interpretation
 - Provides objective criteria for Zoning Inspector to interpret:
 - ✦ Words, illustrations, hyper-linked cross references, quantifiable (*i.e.*, numeric standards, and qualitative standards, land usage, and signs.
- Severability
 - Includes general severability clause
 - Further expanded by adding specific provisions for signs
- Conflicting provisions
 - Greater restriction or newer provision controls
- Repealer
 - Will repeal existing Zoning Resolution

Chapter 1



Questions, comments, concerns?

Chapter 2



Zoning Districts and Land Use

Official Zoning Map



- Expands details on how to interpret the zoning map
- Establishes connection between zoning map and rezonings
 - Provides direction where there is an identifiable discrepancy
 - Provides direction on how to handle unzoned **lands ... if that** ever happens

Land Uses



- Divides Uses into:
 - Permitted
 - ✦ Subject to normal provisions of CZR
 - Permitted-Administrative
 - ✦ Subject to normal provisions of CZR + additional standards
 - Conditional
 - ✦ Subject to normal provisions of CZR + additional standards + process (i.e., a conditional use permit hearing)
 - Temporary
 - Prohibited

Land Uses



- Provides objective criteria for the Zoning Inspector **to determine “unlisted uses”**
 - Existing code lists specific items, *e.g.*, tapes and videos, but does not specify where you can get an iPod
- Standards include:
 - Threshold determination - *i.e.*, is it a principal use?
 - Functional Comparability - If yes, then there are objective criteria to determine which principal use it is most **“functionally comparable”** to?
 - Effect of Determination – **requires the “unlisted use” to be treated the same as the use that is functionally comparable to.**

Temporary Uses



- Establishes provisions to handle temporary uses:
 - **Temporary Special Events**
 - ✦ 2 classifications:
 - Major (1,500 + people), and
 - Minor (500 to 1,500 people with exceptions)
 - ✦ Provides provisions on:
 - Parking
 - Frequency and duration
 - Buildings and structures
 - Access and circulation
 - Lighting and Signage
 - Operations (*e.g.*, noise, security, sanitation, etc.)
 - Insurance and restoration
 - **Temporary Commercial Sales Uses**
 - **Temporary Facilities and Temporary Buildings**

Use Tables



Table 3.204 Residential and Commercial Use of the Home										
P = Permitted Use; PA = Permitted - Administrative Use; C = Conditional Use; - = Prohibited Use										
Land Use	Specific Use Standards	Zoning Districts								
		Agricultural / Conservation	Residential			Nonresidential			Mixed Use	
		CN	RP-5	RP-3	NC	PO	CB	BP	LIR	GL
Residential Uses										
Single-Family Detached	-	P	P	P	P	-	-	-	-	P
Single-Family Detached - Industrialized Housing	Sec. 3.403	PA	PA	PA	PA	-	-	-	-	PA
Single-Family Attached										
- Duplex	Sec. 3.403	-	PA	PA	PA	-	-	-	-	P
- Townhome	Sec. 3.403	-	PA	PA	PA	-	-	-	-	P
- Live-Work Townhome	Sec. 3.403	-	-	-	-	-	-	-	-	PA
Manufactured Home	Sec. 3.403	-	PA	PA	-	-	-	-	-	-
Multi-family										
- Multiplex	Sec. 3.403	-	C	-	-	-	-	-	-	PA
- Apartment	Sec. 3.403	-	-	-	-	-	-	-	-	PA
Residential and Predominantly Residential Mixed-Use Neighborhoods										
Mixed-Housing Neighborhood	-	-	-	-	-	-	-	-	-	P
Single-Family Cluster	-	-	P	P	P	-	-	-	-	P
Commercial Use of the Home										
Bed and Breakfast Inns - Residential	Sec. 3.403	P	PA	PA	PA	-	-	-	-	
Home Occupation	Sec. 3.403	PA	PA	PA	PA	-	-	-	-	PA
Family Day-Care Home - Type B	-	P	P	P	P	-	-	-	-	P

Use Tables



- Use Tables for:
 - Agricultural and Conservation Uses
 - Residential and Commercial Uses of the Home
 - Institutional, Recreation and Amusement Uses
 - Commercial Uses
 - Industrial, Logistics and Storage Uses

Permitted-Administrative / Conditional



Townhomes are permitted if it is demonstrated that:

1. They are constructed in groups of not less than three and not more than six units;
2. They are not located closer than 250 feet to NC district boundaries, unless separated from such district by a collector or arterial roadway;
3. Within the allowable neighborhood types they are separated from single-family detached dwellings by a Type B bufferyard or a local street;
4. Access to individual units is by an alley or local street; and
5. In the GL district, vehicular access to the units is provided via an alley, parking structure, or parking court.

EXAMPLE Specific Use

Zoning District Objectives



- The objectives of the districts are to:
 - Protect public health and safety
 - ✦ **Acknowledging constraints of the Township's sensitive natural resources**
 - ✦ Using the preservation of rural land as a means to protect the public health and safety including natural resource protection
 - Public convenience, comfort, prosperity, or general welfare
 - ✦ Expand protections (to the maximum extent allowable)
 - Stay within the parameters of the existing development intensities
 - Increased certainty
 - ✦ **Objective vs. subjective ... means provisions can be more detailed**
 - Increased flexibility
 - ✦ New housing needs
 - ✦ Sewers where reflected by the 208 Plan

Proposed Districts



- 9 proposed districts
 - Generally aligned with many of the current districts to reinforce land suitability analysis derived by the 2006 Land Use Plan

District Abr.	District Name
CN	Conservation
RP-5	Rural Open Residential
RP-3	Rural Residential
NC	Neighborhood Conservation
CB	Convenience Business
PO	Professional Office
BP	Business Park
LIR	Light Industry Restricted
GL	Geauga Lake

- Includes district purposes
- Ties to 2006 Land Use Plan for consistency and will most likely warrant amendment

Neighborhood Conservation (NC) District



- Still working out the details, but in general will:
 - Be used for existing residential developments
 - Establish performance standards (whether by plat, grouped by similarities, or other means) to:
 - ✦ Provide an avenue for administrative approvals
 - ✦ Preserve existing character (to the max. extent possible)
 - ✦ Minimum the need for variances
 - ✦ Permit the types of improvements wanted.
- Needs further analysis during next Module

Proposed Districts



- Where did we start?
 - Authorities granted by Ohio General Assembly
 - Directions from the Board of Trustees, Zoning Commission, staff, and the community
 - Working within the framework derived from the the 2006 Land Use Plan
 - Our in-depth analysis of existing development within the Township

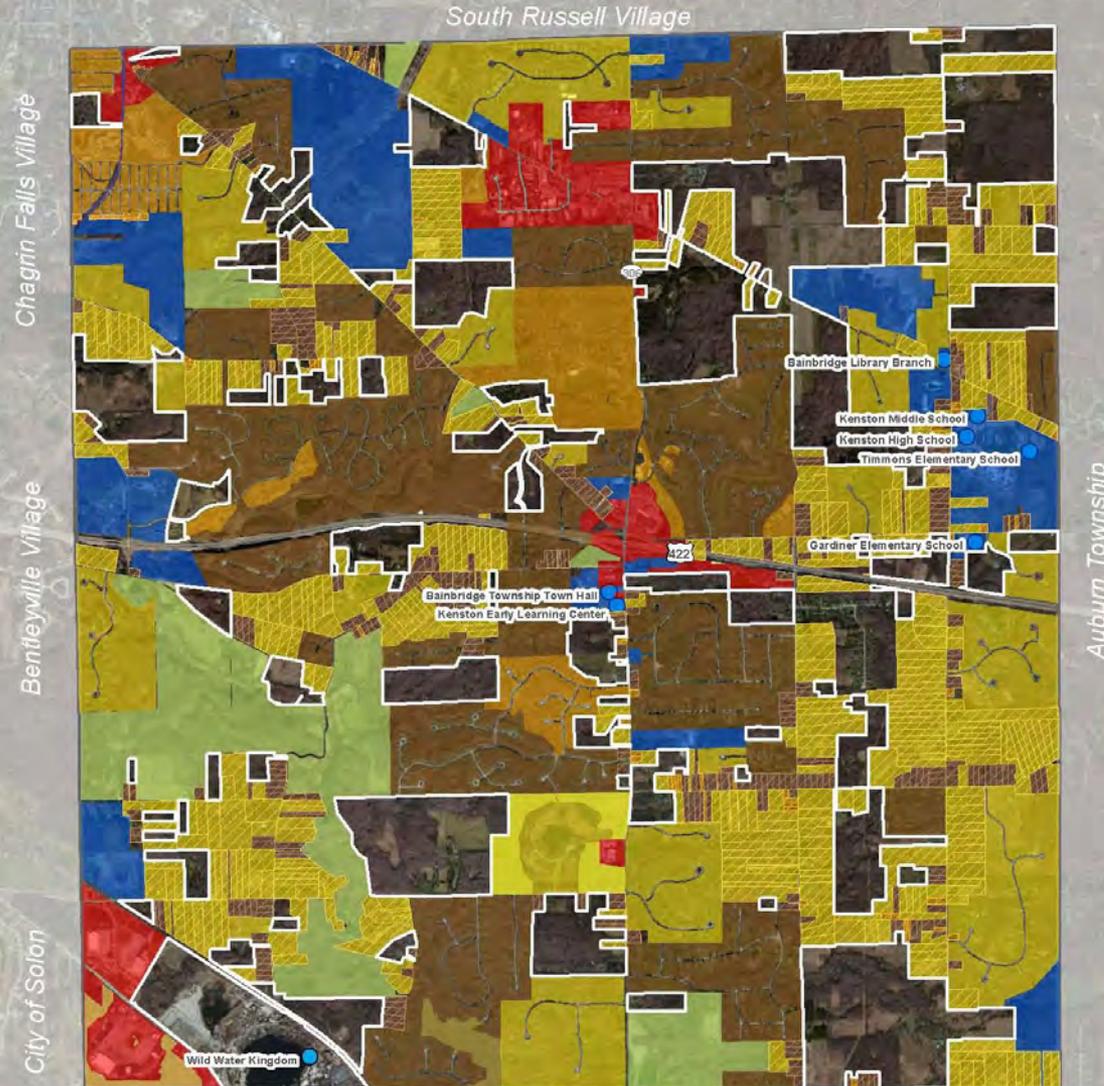
Analysis of Existing Density/ Lot Size / Open Space



Table 3.1, Analysis of Existing Character

Character Class	Subdivision Name	Total # of Parcels	# of Developed Lots / Units	Min. Lot Size (ac.) ¹	Max. Lot Size (ac.) ¹	Average Lot Size (ac.) ¹	Total Acreage	Total Developed Acreage	Total Open Space Acreage	% Open Space	Gross Density	Net Density	
Rural	0.20 units per acre (u/a) and less												
	The Trees Condos	38	37	12.27	12.30	12.28	466.81	454.53	12.28	2.6%	0.08	0.08	
	Dennis Family Condos	6	5	5.53	7.55	6.21	47.51	31.05	16.46	34.6%	0.11	0.16	
	Stoneridge of Geauga	36	32	0.57	1.80	0.98	198.16	31.47	160.83	81.2%	0.16	1.02	
	Weathervane	30	25	5.06	5.86	5.32	150.17	132.89	17.28	11.5%	0.17	0.19	
	Stockton	9	9	3.71	8.90	5.87	52.82	52.82	0.00	0.0%	0.17	0.17	
	Edgewater Reserve	34	31	5.00	10.64	5.26	178.17	163.07	15.10	8.5%	0.17	0.19	
	Hawksmoor	35	29	1.55	3.42	2.15	165.18	62.37	102.81	62.2%	0.18	0.46	
	Forest Trails	8	8	5.00	5.53	5.10	40.86	40.86	0.00	0.0%	0.20	0.20	
	Beech Tree Estates	8	8	5.00	5.19	5.06	40.48	40.48	0.00	0.0%	0.20	0.20	
	≤ 0.20 Totals / Averages		204	184	4.85	6.80	5.36	1,340.16	1,009.54	324.76	22.3%	0.16	0.30
	0.20 to ≤ 0.25 units per acre												
	Settlement One	14	11	1.10	6.55	3.64	53.23	40.06	13.17	24.7%	0.21	0.27	
	Amber Trails	24	21	2.50	3.32	2.65	98.92	55.82	43.10	43.6%	0.21	0.38	
	Jamestown	3	3	1.60	9.61	4.29	12.89	12.89	0.00	0.0%	0.23	0.23	
	0.21 to ≤ 0.25 Totals / Averages		41	35	1.73	6.49	3.53	165.04	108.77	56.27	22.8%	0.22	0.29
	0.25 to ≤ 0.33 units per acre												
	Country Estates of Geauga	6	4	2.90	8.19	4.42	15.52	17.67	7.33	47.2%	0.26	0.23	
	DiBlasi	5	5	3.00	4.88	3.85	19.26	19.26	0.00	0.0%	0.26	0.26	
	Timber Trails	56	54	3.00	4.89	3.20	207.40	172.73	34.67	16.7%	0.26	0.31	
Chagrin Oaks	4	4	3.03	3.68	3.45	13.78	13.78	0.00	0.0%	0.29	0.29		
Sanctuary	13	11	0.73	12.21	2.87	37.26	24.32	12.94	34.7%	0.30	0.45		
Washington Post	42	38	1.50	4.43	3.08	128.27	117.07	11.20	8.7%	0.30	0.32		
Chagrin Acres	17	16	3.00	4.03	3.27	53.89	52.38	0.00	0.0%	0.30	0.31		
Bridgeway Estates	21	18	0.74	1.82	1.26	59.44	22.75	26.54	44.7%	0.30	0.79		
King Ranch Estates	5	5	3.00	3.32	3.15	15.75	15.75	0.00	0.0%	0.32	0.32		
Woods of Wembley	89	70	0.92	6.37	1.21	216.40	84.68	131.72	60.9%	0.32	0.83		
Peppermill Chase	46	43	2.00	4.23	2.66	132.58	114.58	18.00	13.6%	0.32	0.38		
Northwood Lakes	11	9	1.42	2.92	1.99	27.67	17.87	9.80	35.4%	0.33	0.50		
0.25 to ≤ 0.33 Totals / Averages		315	277	2.10	5.08	2.87	927.22	672.84	252.20	21.8%	0.30	0.42	
RURAL CHARACTER TOTALS / AVERAGES		560	496	2.90	6.12	3.92	2,432.42	1,791.15	633.23	22.3%	0.22	0.34	

Existing Character



Map 3.1

Existing Development Character

Legend

- Undeveloped Parcels (>3 Acres)
- Rural Character (>3 Acres)
- Suburban Character (Between 1 and 3 Acres)
- Semi-Urban Character (<1 Acre)
- Individual Lots
- Non-Residential
- Public/Institutional
- Conservation
- Landmarks
- Township Boundary

Source of Data: Gauga County

Existing Developed/Open Space Res. Areas



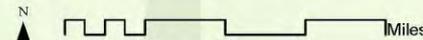
Map Subdivisions

Legend

-  Township Boundary
-  Subdivisions
-  Open Space



DRAFT 08.24.12



Natural Resource Constraints



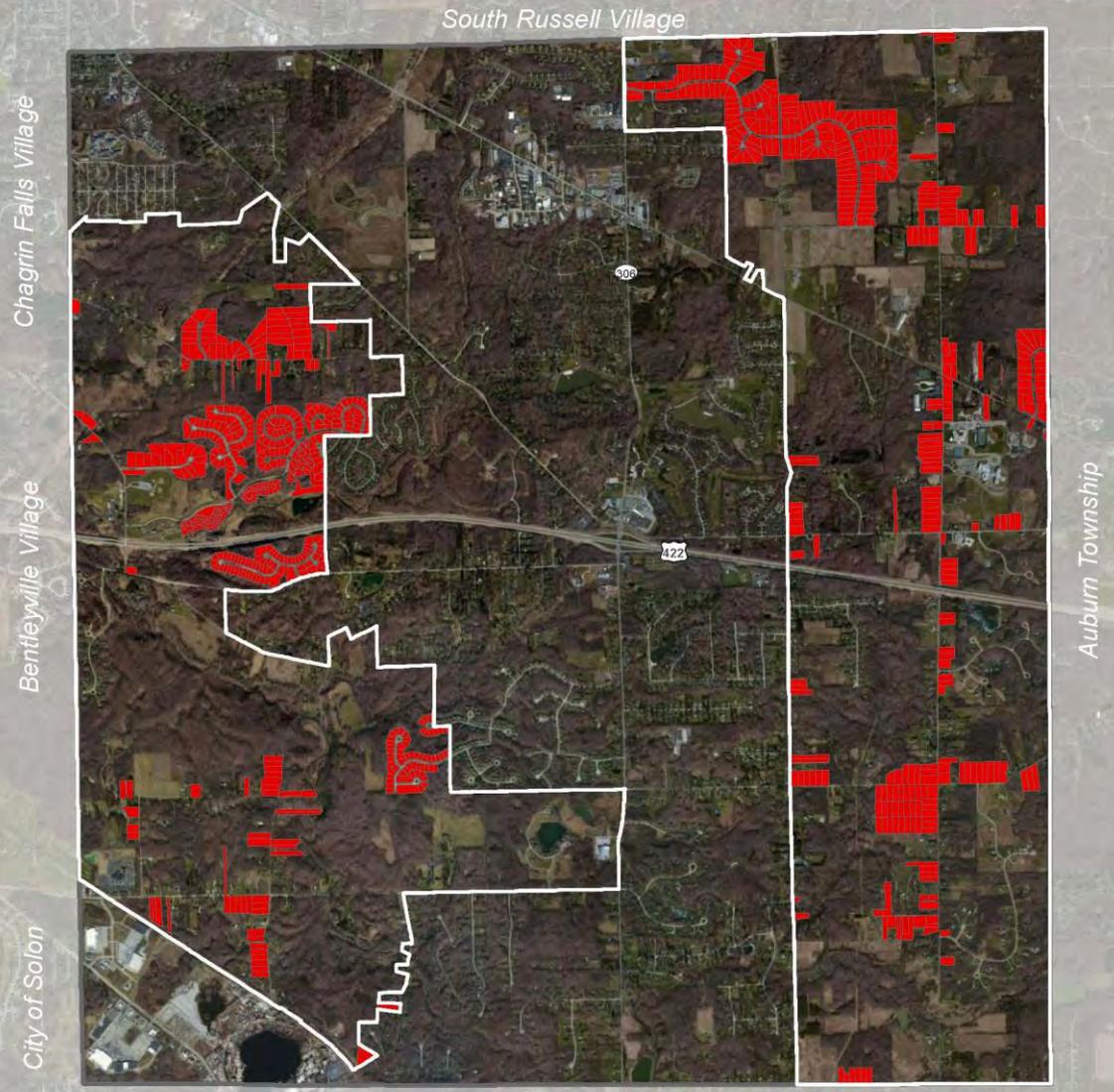
Map 3.4

Environmental Resources

Legend

- Undeveloped Parcels (>3 Acres)
- Township Boundary
- Capability for Septic Tank Absorption**
 - Severe Soils
 - Very Severe Soils
- Slope**
 - 18-25%
 - Greater than 25%
- Surface Water**
 - Wetlands
 - Riparian Setback
 - Waterbodies
 - Streams
- Floodplain**
 - Zone A
 - Zone AE

R-5A Nonconforming



Map 3.3

Nonconforming Lots in the R-5A Zoning District

Legend

-  R-5A Zoning Boundary
-  Nonconforming Lots*
-  Township Boundary

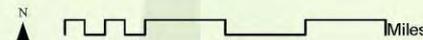
* Less than 5 acres;
Overall density of 1 unit per 5 acres.

Source of Data: Geauga County

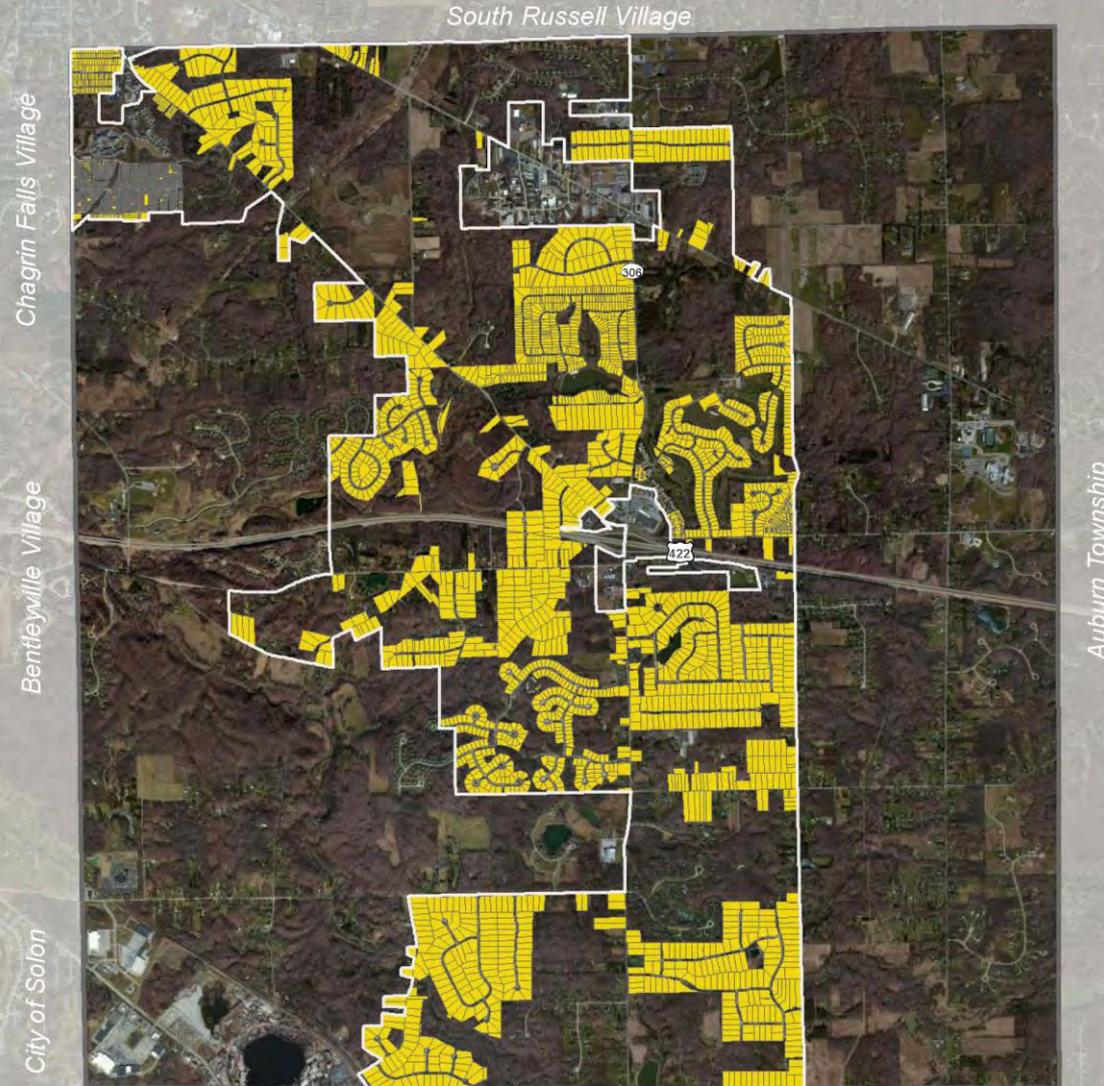
Note: The lots that are highlighted are those that are less than five acres in size and located in a developed subdivision that does not conform to a minimum density of one unit per five acres (0.20 density) in the R-5A District. Some of these lots may be conforming by way of the cluster provisions of the current zoning resolution, which provides that the density in a single area may not exceed three units per acre. However, this is subject to an overall density of one unit per five acres, which is why they are show on this map.



DRAFT 08.24.12



R-3A Nonconforming



Map 3.2

Nonconforming Lots in the R-3A Zoning District

Legend

- R-3A Zoning Boundary
- Nonconforming Lots*
- Township Boundary

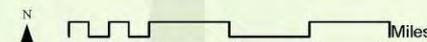
* Less than 3 acres;
Overall density of 1 unit per 3 acres.

Source of Data: Geauga County

Note: The lots that are highlighted are those that are less than three acres in size and located in a developed subdivision that does not conform to the minimum density of one unit per three acres (0.33 density) in the R-3A District. Some of these lots may be conforming by way of the cluster provisions of the current zoning resolution, which provides that the density on a single acre may not exceed three units. However, this is subject to an overall density of one unit per three acres, which is why they are shown on this map.



DRAFT 08.24.12



Strategy



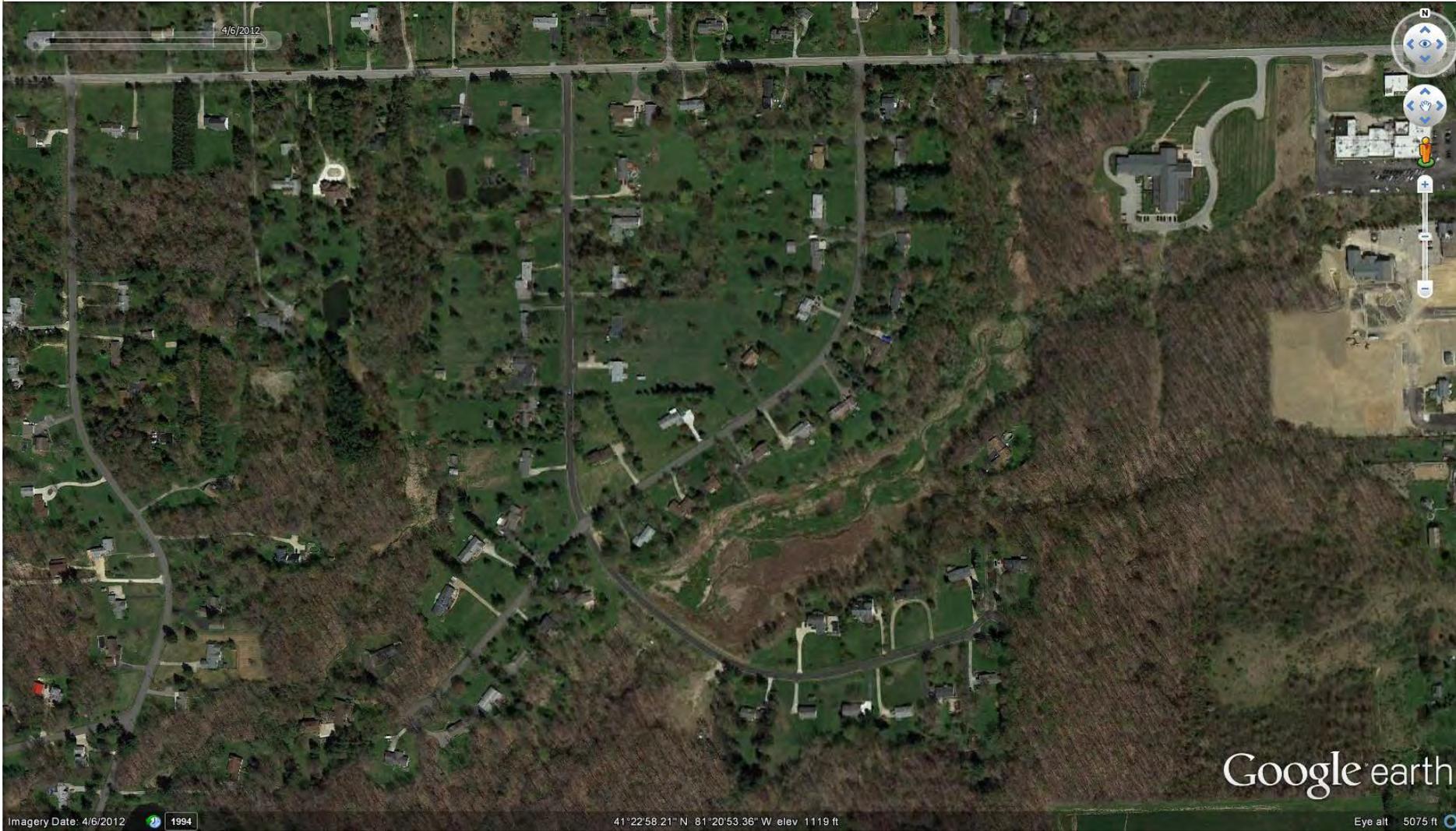
- Provide incentives for clustering to provide the open space needed to protect rural character and preserve site resources
- Use PUD districts to provide the Township with greater control of development while enabling increased flexibility and certainty
- Protect environmentally sensitive resources, including:
 - Stream corridor and riparian areas
 - Wetlands
 - Floodplains
 - Woodlands
 - Steep slopes

Rural Character to Protect Public Health & Safety



- Rural character is dependent on open land in farms, forest, and devoted to other resources
- As undeveloped land becomes developed this tends to change the land character
- The undeveloped open space is borrowed by home owners, which contributes to their perception of rural character
- To preserve rural character, Bainbridge must preserve as much open space of the remaining land to be developed

Rural Character



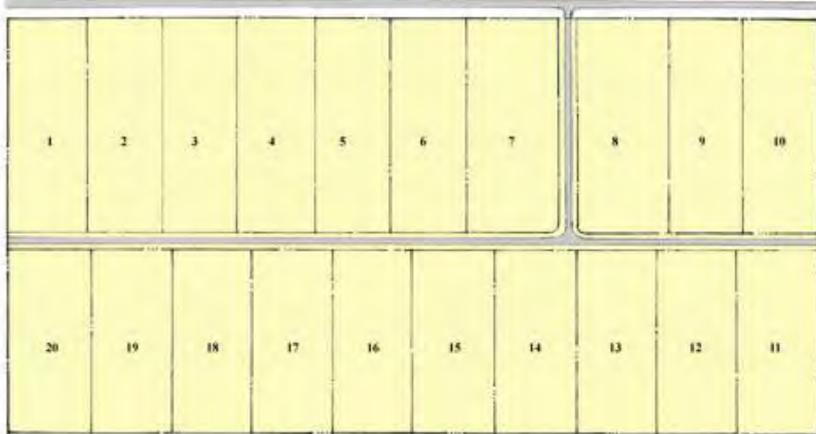
Lots of one to five acres are estate in character

Clustering



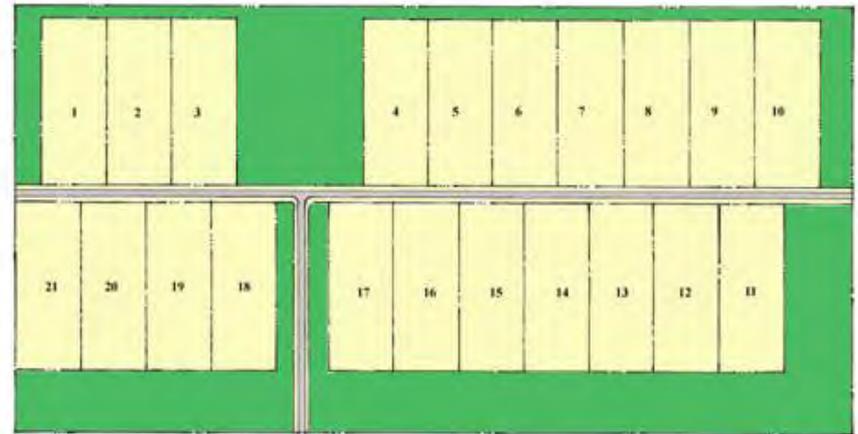
- An increasing amount of open space changes the character towards rural
- The greater the degree of clustering the more rural in character a development becomes
- Density is not as critical to rural character as open space
- Net density increases as the amount of open space increases even if the gross density is held constant

Rural Character



Single Family

OSR 0.00



Cluster

OSR 0.30



Conservation

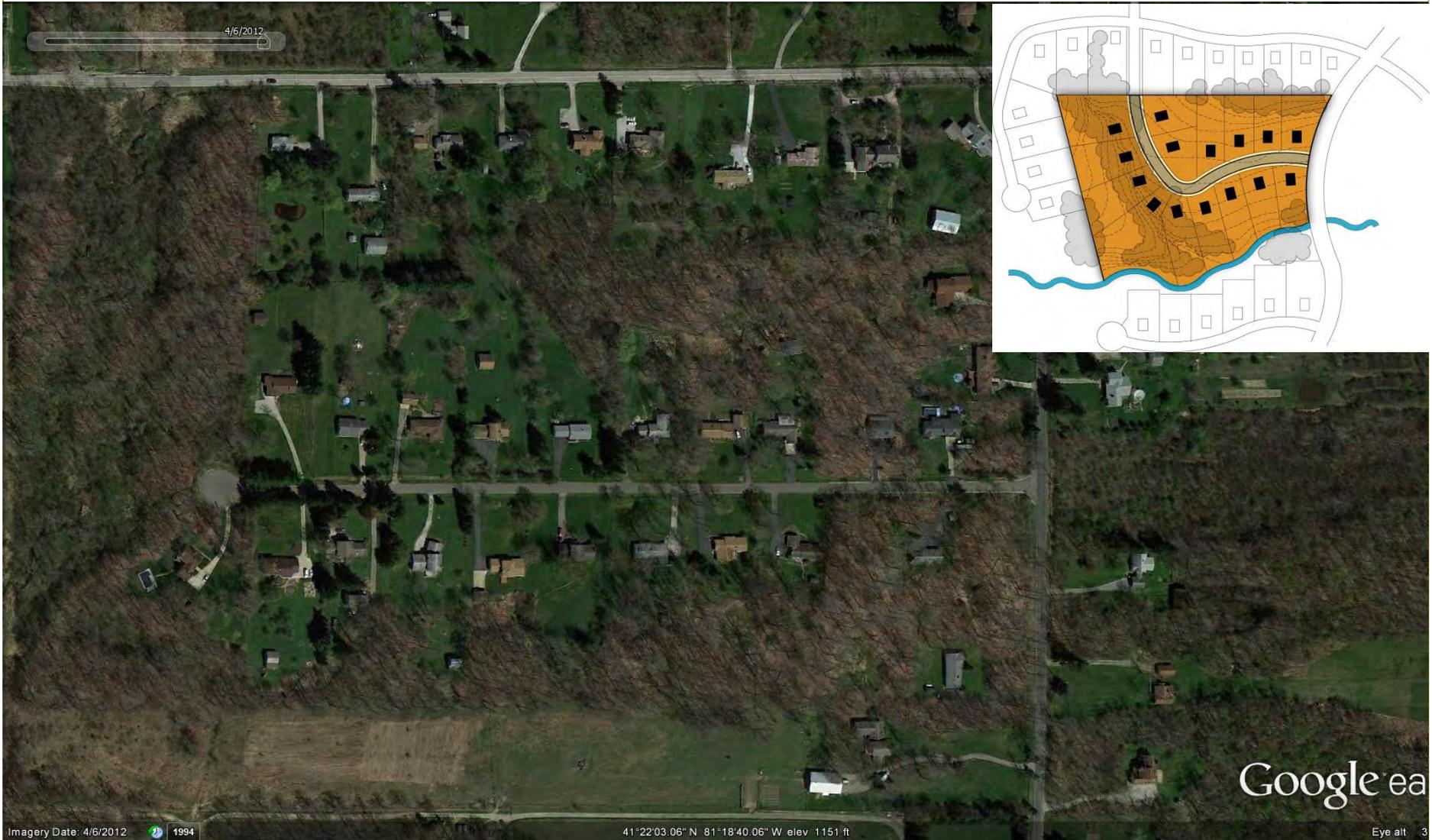
OSR 0.50



Preservation

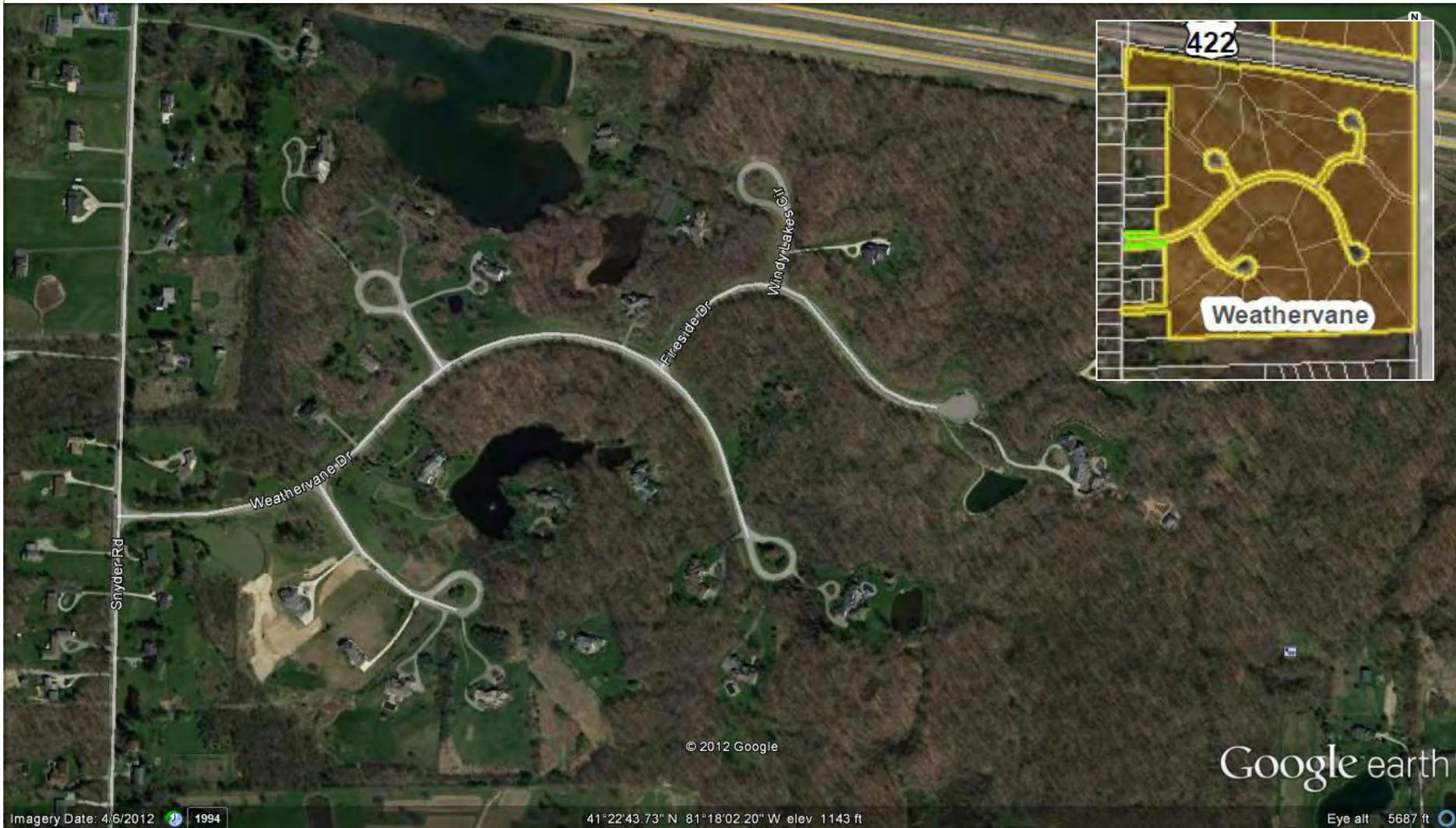
OSR 0.80

0% Open Space (Kingsley)



4/6/2012

Also Minimal Open Space (Weathervane)



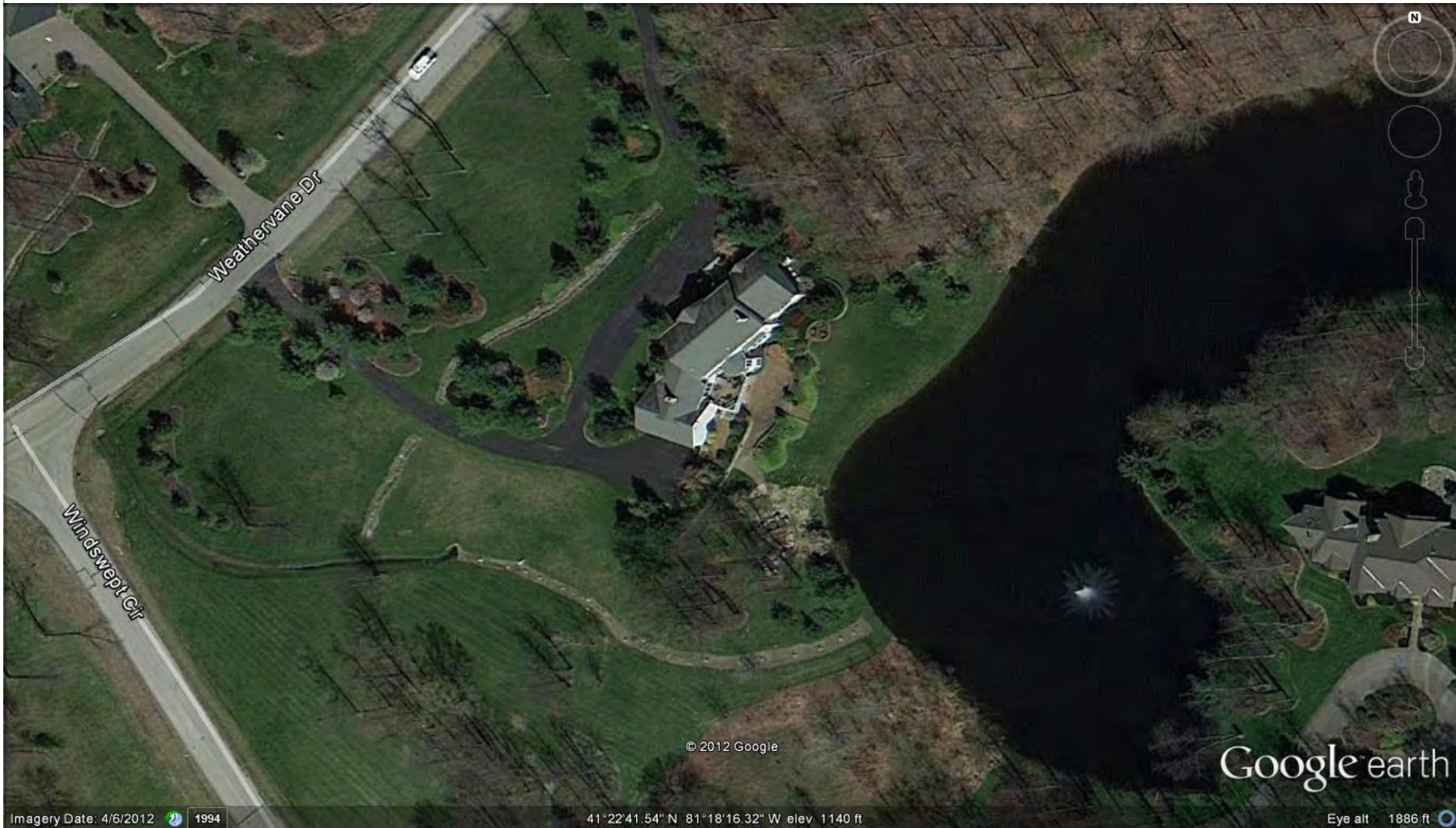
Density of 0.17

Also Minimal Open Space (Weathervane)



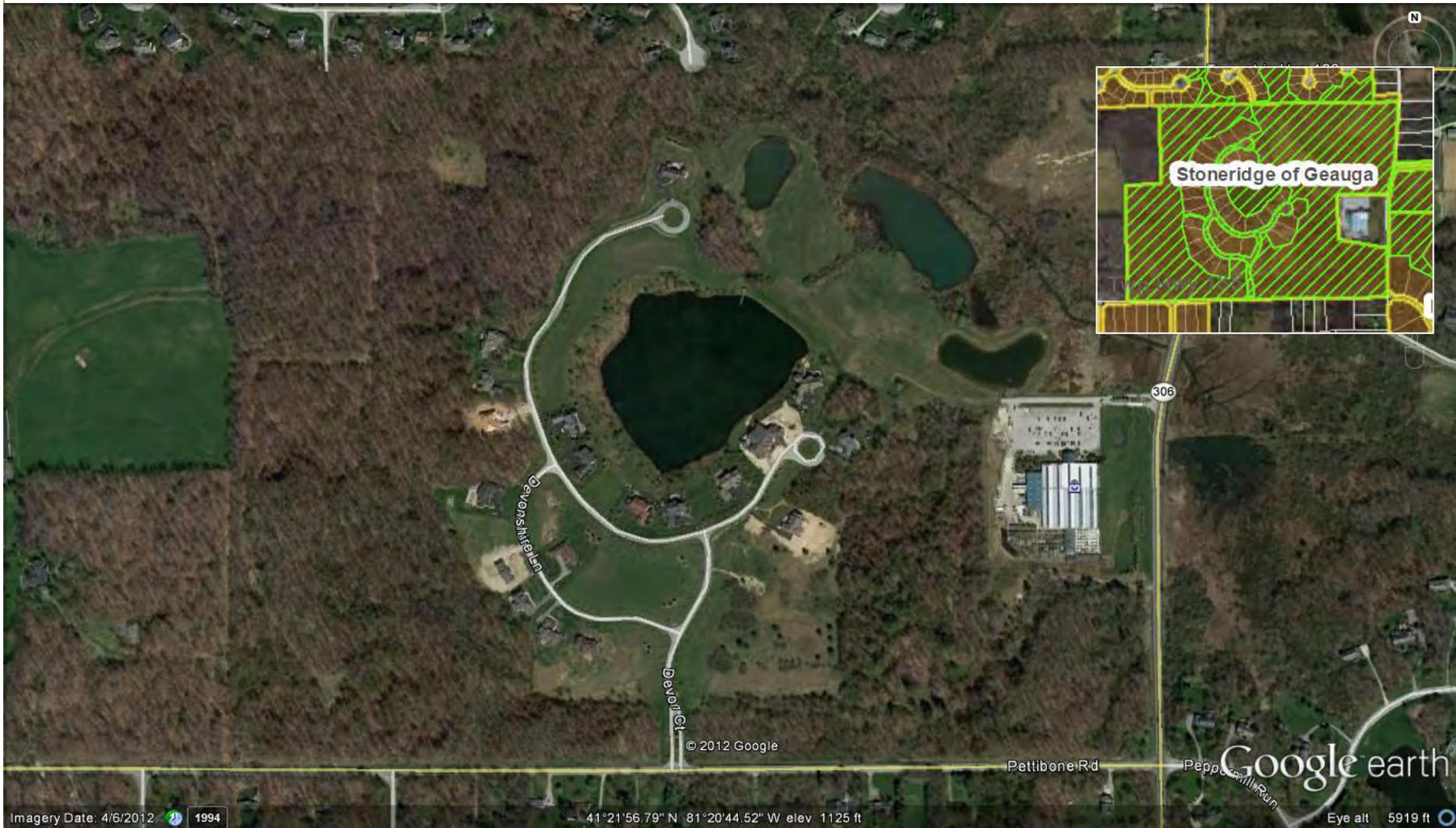
Common open space is the only way to ensure protection of natural resources

Also Minimal Open Space (Weathervane)



Common open space is the only way to ensure protection of natural resources

Same Density (Stoneridge of Geauga)



Density of 0.16

Same Density (Stoneridge of Geauga)



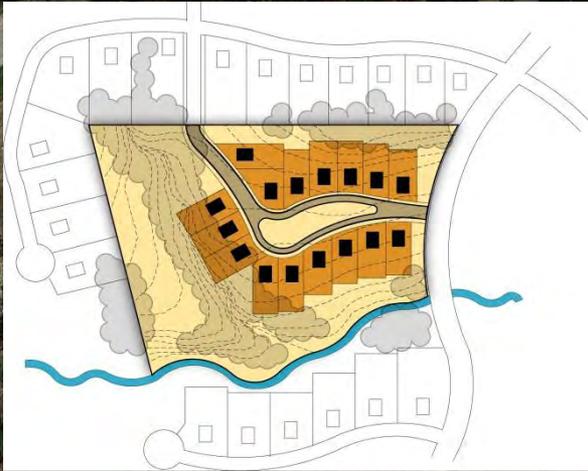
Imagery Date: 4/6/2012 1994

41°21'56.79" N 81°20'44.52" W elev. 1125 ft

Eye alt 5919 ft

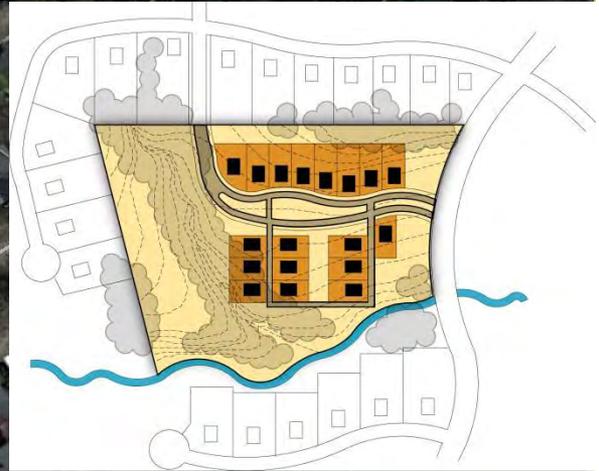
Density of 0.16

57% Open Space (Edward's Landing)



7,440 sq. ft. avg. lot size; 2.5 units per acre

78% Open Space (Tanglewood Villas)



Imagery Date: 4/6/2012 1994

41°23'23.06" N 81°20'04.21" W elev 1181 ft

Eye alt 2439 ft

1,198 sq. ft. avg. lot size; 7.8 units per acre

Proposed Residential Districts



- Starting point based on analysis of existing development in the Township
- Achieve township objectives
- Started with Zoning Commission and further incorporated feedback

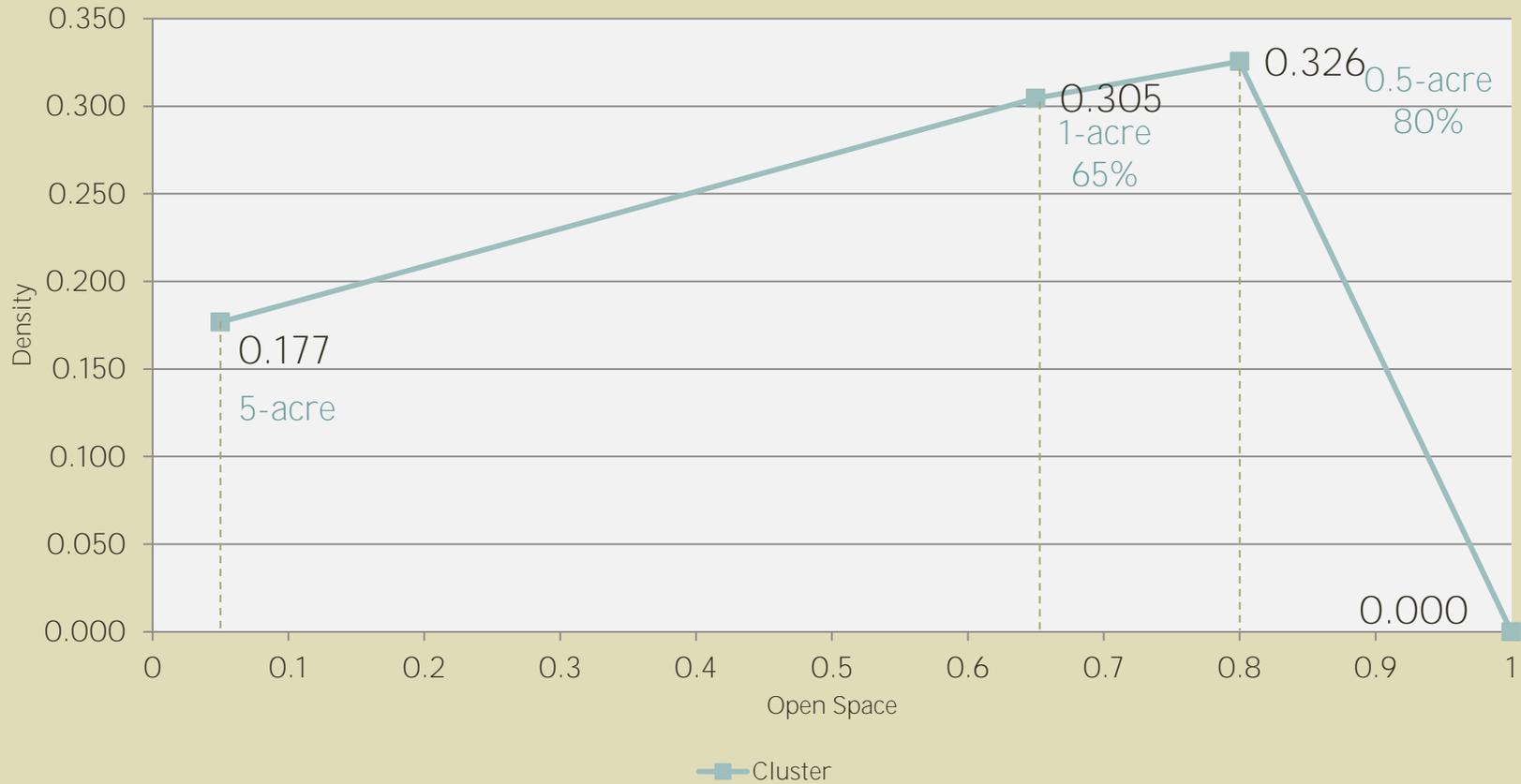
- Tonight - Looking for consensus that we are on the right path for starting Module 2
 - Develop these further in Module 2

RP-5 District (5- to 0.5-acre)

Original to Zoning Commission



Planned Development



RP-5 District



- Base Condition: 5-acre lot with 5% open space.
 - ✦ $100 \times .177 = 17$ lots
- Bonus for smaller lots (more than 1 ac.)
 - ✦ For each 1% increase in open space, density increases by .005076.
- For 100 acre site.
 - ✦ Base condition yields 17 lots and 5-acres of open space
 - ✦ Developer seeks 20% open space. (15% more open space) $.177 + .085 (15 \times 0.005076) = .262$
 - ✦ $100 \times .262 = 26$ lots
 - ✦ For 1-acre lots at 65% open space, it yields 30 lots ($100 \times .305 = 30$) 30 lots and 65 acres of open space

RP-5 District



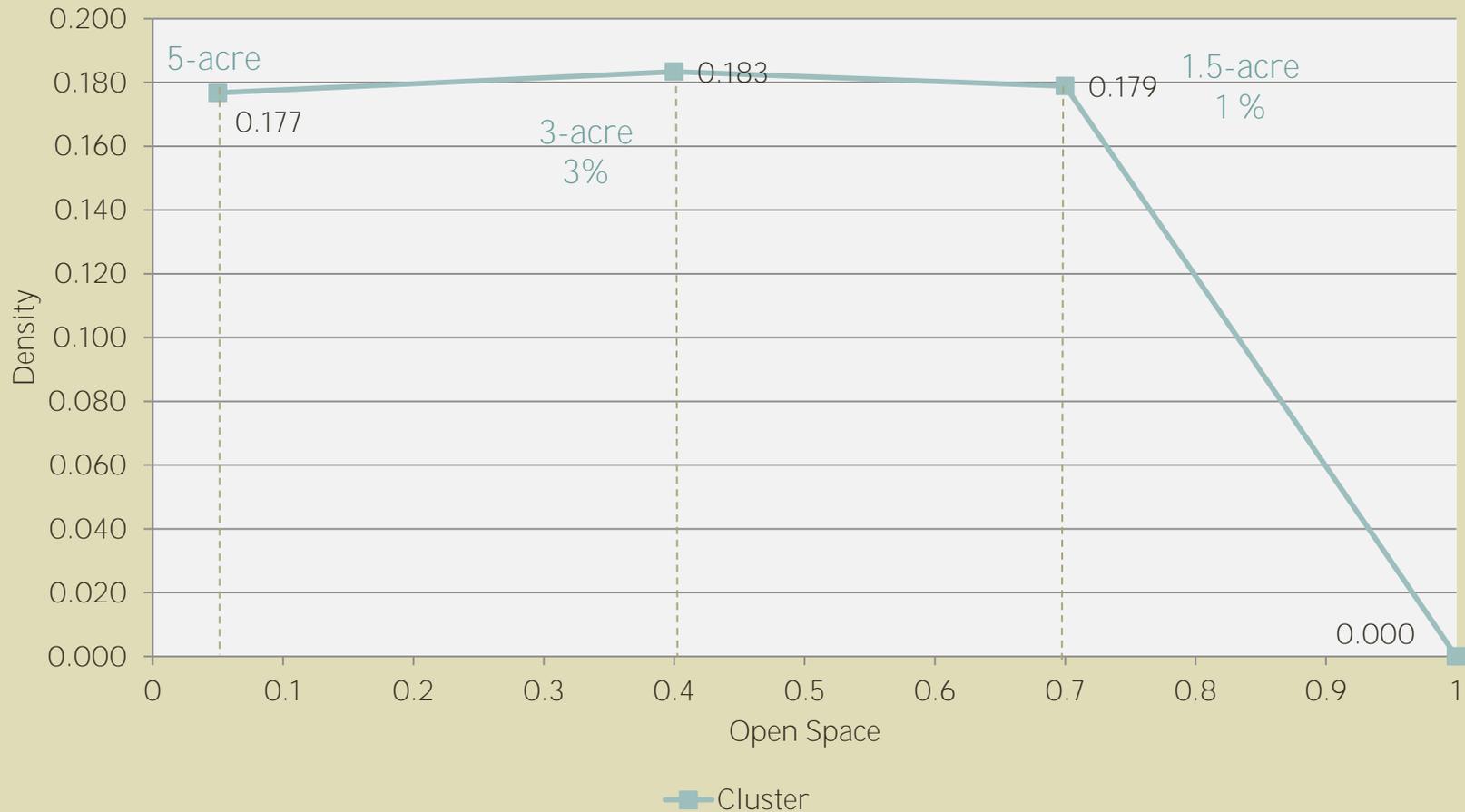
- Base Condition: 1-acre lot with 65% open space
 - ✦ $100 \times 0.305 = 30$ lots
- Bonus for smaller lots (less than 1 ac.)
 - ✦ For each 1% increase in open space, density increases by .001985.
- For 100 acre site.
 - ✦ Base condition yields 30 lots.
 - ✦ Developer seeks 75% open space. (10% more open space) $.305 + .019 (10 \times 0.001985) = .324$
 - ✦ $100 \times .324 = 32$ lots
 - ✦ For 0.5-acre lots at 80% open space, it yields 32 lots ($100 \times .326$)
32 lots and 80 acres of open space.

RP-5 District (5- to 1.5-acre)

Incorporating Zoning Commission Feedback



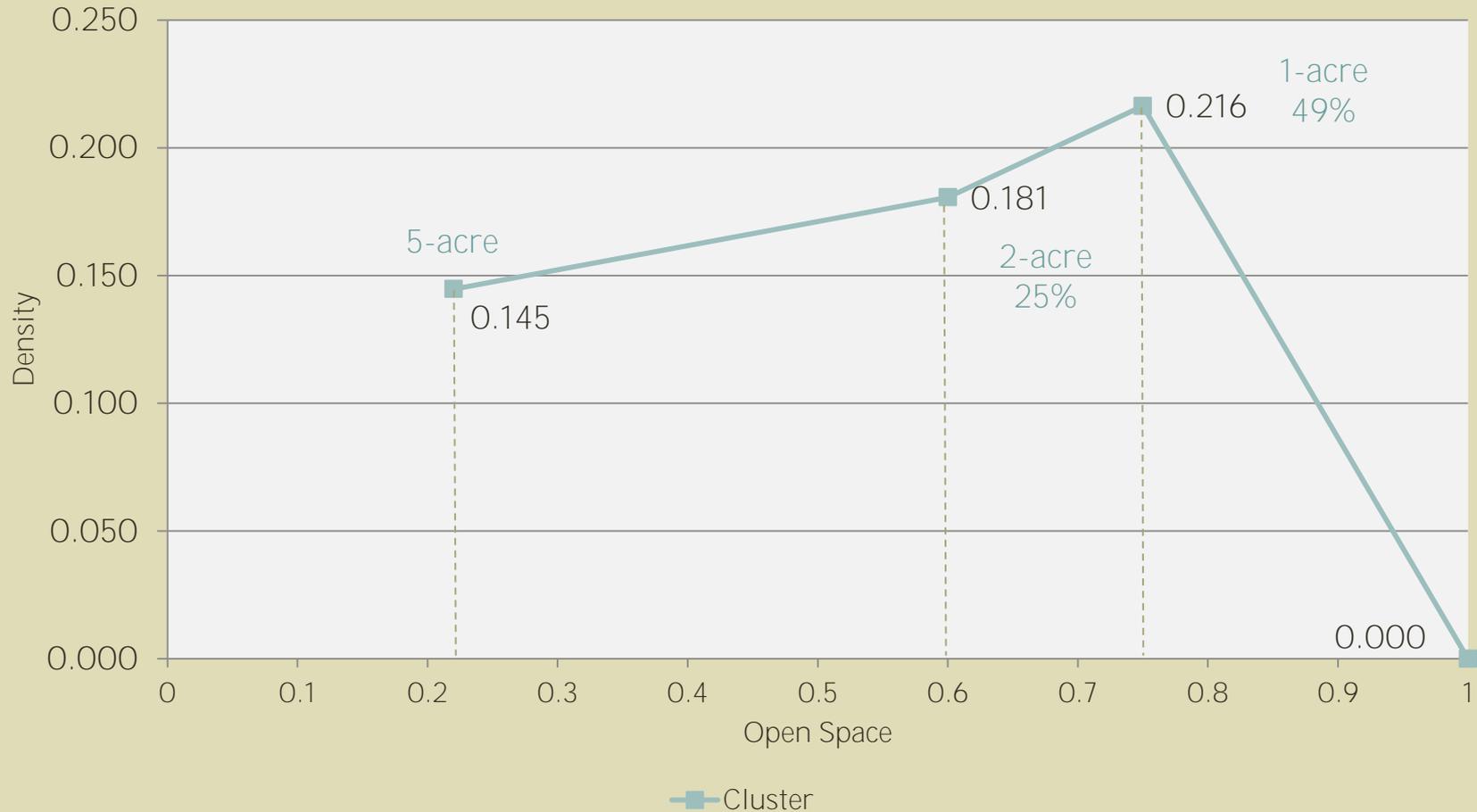
Planned Development



RP-5 District (5- to 1-acre)



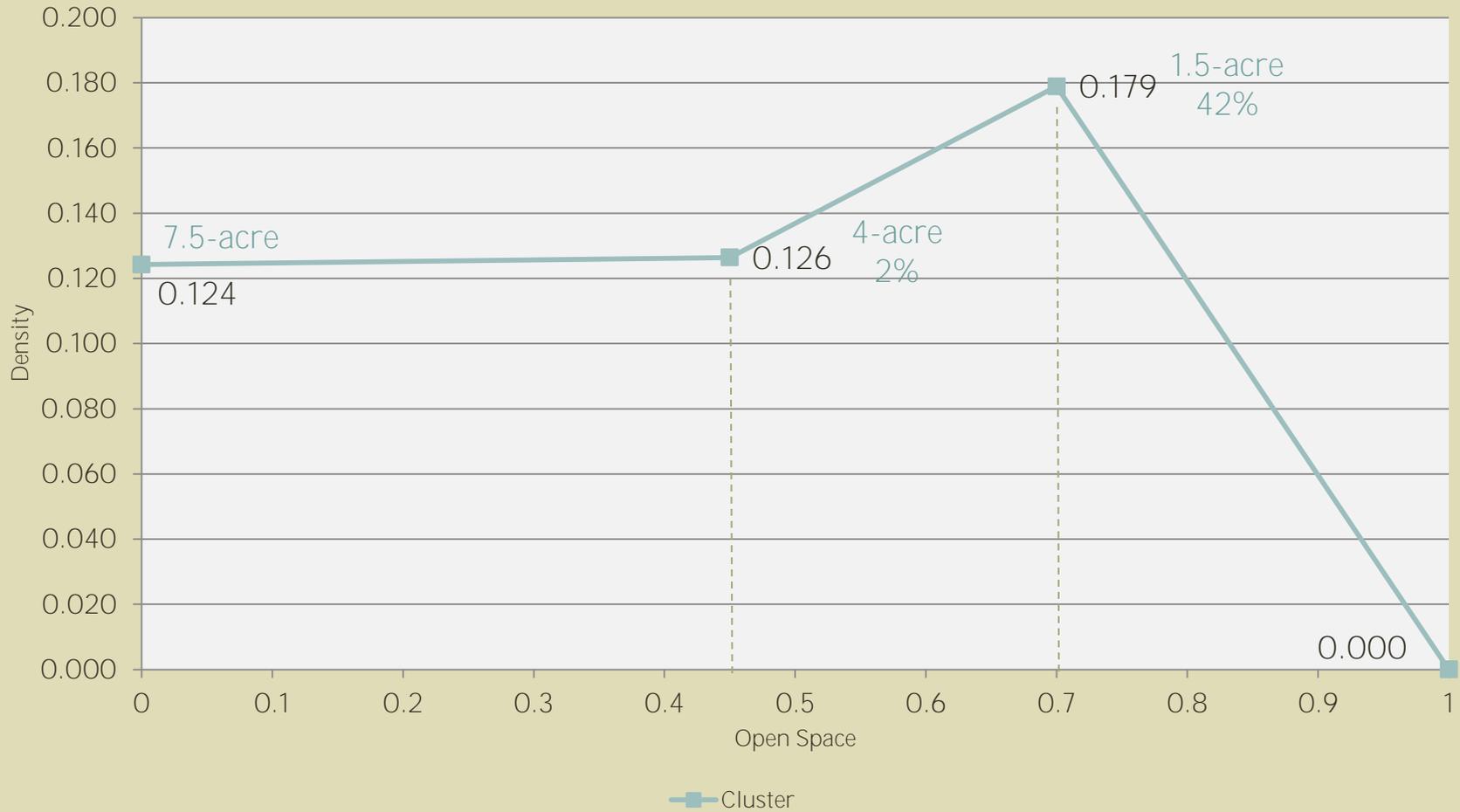
Planned Development



RP-5 District (7.5- to 1.5-acre)



Planned Development





2 Ac. Lot Site Plan



Preservation Development – 80% Open Space



Two Acre – South Section

- Must avoid wetlands and loose lots.
- Homes forced to back on to street.
- 2 Ac. Lots forced homes into woods.
- Suburban Character.



- Every unit backs to open space.
- Wetlands used as borrowed space.
- 400 feet open space between road and units.
- Forest preserved, tree row used as screen.
- Rural Character – 15% more density.



Natural planting on lots creates more rural in appearance.



Landscaped island provides open space front and rear.



Homes looking out over detention.



3.5 miles of trails.



Restored prairie landscape creates rural character.



View from bordering street to development.

RP-3 District



Existing District

District	Development Type	Lot Size	% Open Space	Density
R-3A	Acreage	3 acres	0%	0.308

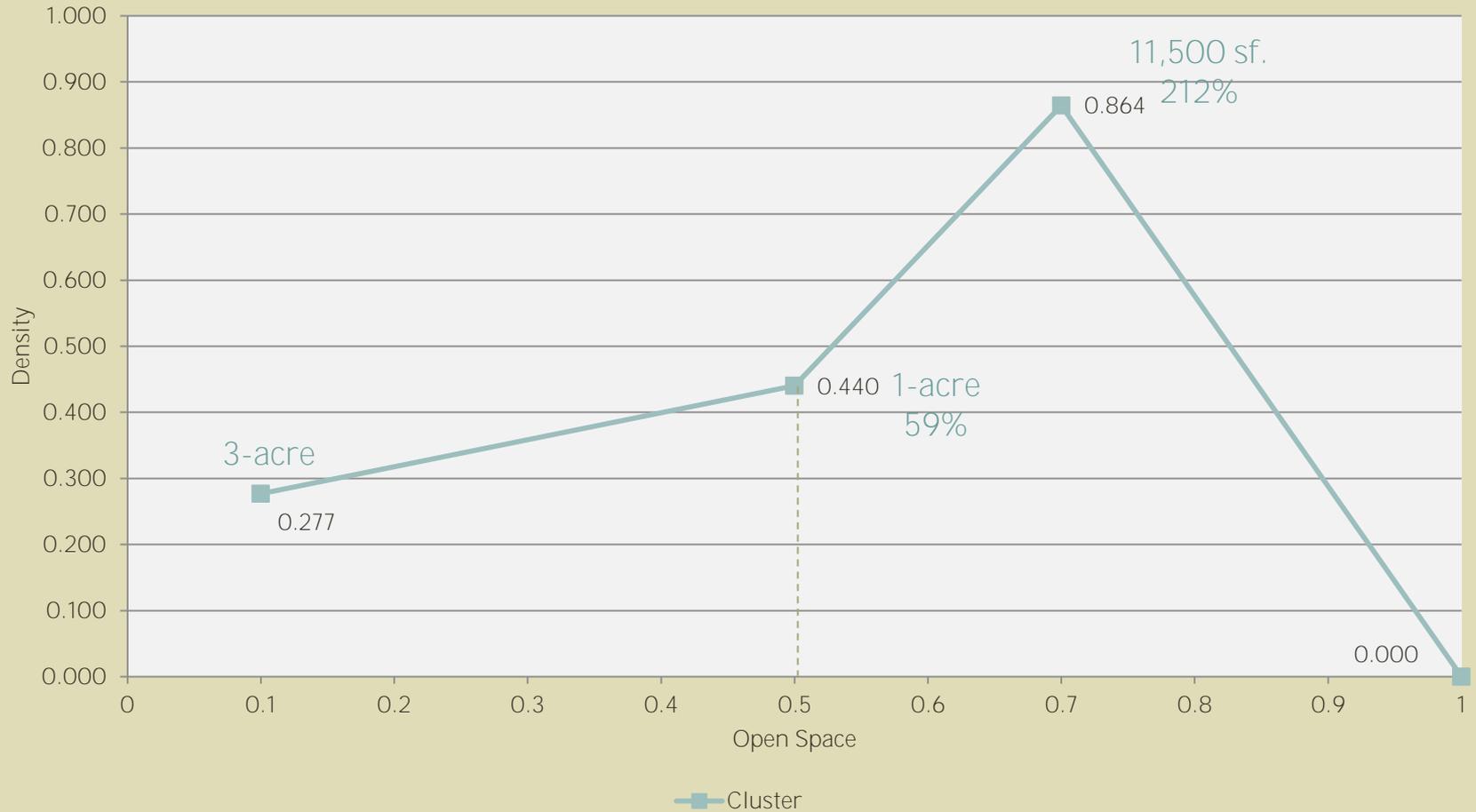
Proposed District

District	Option	Avg. Lot Size	Open Space	Density	% Bonus
RP-3	Estate	3 acres	10%	0.277	-10%
	Base Cluster	1 acre	50%	0.440	59%
	Optimal Cluster	11,500 sf.	70%	0.965	212%

RP-3 District



Planned Development



RP-3 District



- Base Condition: 3 acre lot with 10% open space
 - ✦ $100 \times 0.277 = 27$ lots
- Bonus for smaller acreage lots (minimum 1 ac.)
 - ✦ For each 1% increase in open space density increases by .004085.
- For 100 acre site.
 - ✦ Base condition yields 27 lots (100×0.277).
 - ✦ Developer seeks 20% open space. (10% more open space) $.277 + .040$ (10×0.004085) = .317
 - ✦ $100 \times .317 = 31$ lots.
 - ✦ 50% open space yields 44 lots of one acre each.

RP-3 District



- Base Condition: 1-acre lot with 50% open space
 - ✦ $100 \times .440 = 44$ lots
- Bonus for smaller lots (less than 1 ac.)
 - ✦ For each 1% increase in open space density increases by .01146.
- For 100 acre site.
 - ✦ Base 1 acre yields 44 lots.
 - ✦ Developer seeks 60% open space. (10% more open space) $.440 + .114 (10 \times 0.01146) = .554$
 - ✦ $100 \times .554 = 55$ lots.
 - ✦ 70% open space yields 96 lots ($.966 \times 100$) averaging 10,000 sf.

PO District



Current District	Development Type	% Max. Lot Cover	Stories (35')	Parking Stories	Floor Area Ratio	% Floor Area Bonus
PO	Office	40%	1	Surface	0.169	--
		40%	2	Surface	0.214	27%
		40%	3	Surface	0.235	39%
		38%	3	1.5-story	0.301	78%
		35%	4	2-story	0.366	117%

CB District



Current District	Development Type	% Max. Lot Cover	Stories (35')	Parking Stories	Floor Area Ratio	% Floor Area Bonus
CB	Retail	40%	1	Surface	0.152	--
	Retail/Office	40%	3	Surface	0.223	47%
		40%	3	1.5-story	0.303	99%
	Retail/Resid.	38%	4	1.5-story	0.408	168%
		35%	4	2-story	0.454	199%

Next Steps



- Most of Module 1 available for commenting
- Remaining portions by end of mid-next week
- Jan. 8th Mid-Point Check with Zoning Commission on Module 2

Questions?



**BAINBRIDGE TOWNSHIP
COMPREHENSIVE ZONING RESOLUTION
(CZR)**

November 28, 2012