

BAINBRIDGE TOWNSHIP

Comprehensive Zoning Resolution



KENDIG KEAST
COLLABORATIVE

Zoning Commission
Webex Meeting 02.26.13

Purpose of Tonight's Meeting



- **Overview the following Land Use Tables**
 - Agriculture Uses
 - Residential and Commercial Uses of the Home
 - Institutional, Recreation and Amusement Uses
 - Commercial Uses
 - Industrial and Storage, Transportation, and Utility Uses
 - Prohibited Uses
- **Discussion of Permitted-Administrative Uses and Why**
- **Discussion of Conditional Uses and Why**
- **Respond to concerns related to Compatibility Standards**
- **Discussion of neighborhood conservation districts**
- **Discussion of plan of action for establishing performance standards**
- **Open discussion of identified existing code problems**
- **Verbal overview of latest beta version of ZoningPlus™ (soon to be called ENCODE360™)**

Overview of Land Use Tables



- **Organized by functional topic**
 - Agriculture Uses
 - Residential and Commercial Uses of the Home
 - Institutional, Recreation and Amusement Uses
 - Commercial Uses
 - Industrial and Storage, Transportation, and Utility Uses
 - Prohibited Uses
- **Consolidated and streamlined similar uses from existing Zoning Resolution**
 - Definitions
- **Added new uses**
- **Improved readability and usability**

Use Tables



- **Principal Use Determinations**

- Permitted

- ✦ Permitted by-right with Zoning Certificate complying with normal development standards

- Permitted-Administrative

- ✦ Permitted with Zoning Certificate by complying with normal development standards and additional standards

- Conditional

- ✦ Permitted with Conditional Zoning Certificate by complying with normal development standards, additional standards, and approval by the Board of Zoning Appeals

- Prohibited

- **Other Use Types**

- Temporary Uses

- Unlisted Uses

- Accessory Uses

Permitted-Administrative/Conditional Uses



- **Why permitted-administrative and conditional uses?**
 - Want the CZR to generally specify what “is” allowed
 - Increase predictability, objectivity, and fairness
 - Protection (i.e., compatibility) standards are built into the CZR
- **Conditional Uses**
 - Existing conflict within the Zoning Resolution
 - ✦ Ch. 109, Sec. 109.06(b), 2nd paragraph – conditional approval for 2 years, and then 5-year renewal
 - ✦ Ch. 117, Sec. 117.12(b) – conditional approval becomes permitted or conforming once approved
 - Recommend conditional approval grants permitted “permanent” status
 - ✦ Problems then handled through enforcement

("PA") or ("C") Determination



- **Started with existing Zoning Resolution**
- **Criteria for determination**
 - Noise
 - Lighting
 - Visual Appearance
 - Traffic
 - ✦ Access
 - ✦ Heavy truck traffic
 - ✦ Parking
 - ✦ Loading
 - Location & Spacing
 - Higher Risks
 - ✦ Explosions
 - ✦ Leaks
 - ✦ Attractive Nuisance

Types of Standards



- Locational
- Spacing
- Size
- Lot, design, and building standards
- Access and circulation
- Buffering/Screening
- Parking
- Operations
- Utilities
- Special:
 - Employees, state or other certificates, etc.

Part 1: Use Tables

Table 3.205

Institutional, Recreation and Amusement Uses

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	Public
		CN	R-5A	R-3A	NC	PO	CB	BP	LIR	GL	PU
Adult Long-Term Care Facility	Sec. 3.404	-	C	C	-	-	-	C	-	P	-
Cemetery	Sec. 3.404	PA	PA	PA	-	-	-	-	-	-	P
College / University / Vocational School	Sec. 3.404	-	-	-	-	C	C	C	-	-	C
Child Day-Care Center	Sec. 3.404	-	-	-	-	PA	PA	-	-	P	-
Funeral Home	Sec. 3.404	-	-	-	-	-	PA	PA	PA	-	-
Hospitals / Medical Clinics / Medical Labs / Urgent Care	N/A	-	-	-	-	P	P	P	P	P	-
Library	N/A	-	-	-	-	-	-	-	-	-	P
Post Office or Parcel Service	N/A	-	-	-	-	-	-	-	-	-	P
Place of Public Assembly (places of worship; meeting halls; and fraternal organizations)	Sec. 3.404	-	C	C	-	PA	PA	PA	PA	PA	PA
Public Safety	Sec. 3.404	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA
Public Services	N/A	-	-	-	-	P	P	P	P	P	P
Schools, Private	Sec. 3.404	-	-	-	-	PA	PA	-	-	-	-
Schools, Public (elementary, intermediate, middle, high schools)	Sec. 3.404	-	C	C	PA	-	-	C	-	-	C

Part 2: Definitions



Adult Long-Term Care Facility means a residential facility that provides personal care services for more than 24 hours for one or more unrelated adults, including all of the following:

1. A "nursing home," "residential care facility," or "home for the aging" as defined in [R.C. 3721.01](#);
2. A facility authorized to provide extended care services under Title XVIII of the "Social Security Act," 49 Stat. 620 (1935), 42 U.S.C. 301, as amended, including a long-term acute care hospital that provides medical and rehabilitative care to patients who require an average length of stay greater than 25 days and is classified by the centers for medicare and medicaid services as a long-term care hospital pursuant to 42 C.F.R. 412.23(e);
3. A county home or district home operated pursuant to [R.C. 5155](#);
4. A residential facility licensed under [R.C. 5119.22](#) that provides accommodations, supervision, and personal care services for three to sixteen unrelated adults or accommodations and personal care services for only one or two adults who are recipients under the residential state supplement program;
5. A facility approved by the veterans administration under section 104(a) of the "Veterans Health Care Amendments of 1983," 97 Stat. 993, 38 U.S.C. 630, as amended, and used exclusively for the placement and care of veterans.

An "Adult long-term care facility" does not include a residential facility licensed under [R.C. 5123.19](#).

Part 3: Compatibility Standards



B. Adult Long-Term Care Facilities. Adult Long-Term Care Facilities are allowed as a conditional use in the Rural Open Residential ("R-5A"), Rural Residential ("R-3A"), and Business Park ("BP") Districts as follows:

1. *Generally.* The use will be operated in accordance with all applicable laws and, if a state permit is required, such permit shall be obtained prior to beginning operation.
2. *Location.* Adult long-term care facilities shall:
 - a. Abut property zoned CB or PO and serve as a transition between residential and commercial or office uses; and
 - b. Not abut property zoned LIR to protect these facilities from possible industrial hazards or other nuisances.
3. *Access.* Primary access to the site is from a collector or arterial roadway.
4. *Lot and Design Standards.*
 - a. The minimum lot size for these facilities will be in conformance with the minimum lot size of the applicable zoning district.
 - b. The facility shall meet all of the height, area, yard and bulk requirements set forth in [Article 4, Residential and Nonresidential Development Yield](#), as applicable, except that maximum lot coverage shall be 10 percent, however, it may increase two percent per acre if the lot is over five acres, to a maximum of 20 percent.
 - c. The facility shall be connected to public sanitary sewer and located on a lot included for sewer service in accordance with the Geauga County 208 Sewer Plan.
 - d. The facility shall be connected to a public water supply operated by a governmental agency or an entity subject to the jurisdiction of the Public Utilities Commission of Ohio.
 - e. The number of resident beds in the facility shall not exceed 1.5 times the number of resident bedrooms.
 - f. The bedroom space provided for each resident shall meet the minimum criteria outlined in any applicable provisions of the Ohio Administrative Code, or any licensing requirements of the State of Ohio.
 - g. Concrete or asphalt access shall be installed along at least three sides of the principal building in order for emergency services to gain access during emergencies. The access shall be sufficiently wide enough and connected to the main drive into the parcel for the emergency services to gain direct and immediate access to the principal building.
5. *State Certificate Required.* If an application for a conditional zoning certificate for a nursing home is granted, and thereafter a certificate of need that may

Part 4: Rest of CZR



- **Density, Intensity, Bulk and Scale**
- **Site capacity**
- **Development standards**
 - Parking, architecture, landscaping, lighting, signage, etc.
- **Process**
 - Administrative bodies
 - Certificates and procedures

Agriculture Land Uses



Table 3.203
Agriculture Uses

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	Public
		CN	R-5A	R-3A	NC	PO	CB	BP	LIR	GL	PU
Agricultural Uses											
Agriculture Uses	Sec. 3.402	P	PA	PA	PA	-	-	-	-	-	-
Commercial Stables	N/A	P	-	-	-	-	-	-	-	-	-
Nursery or Greenhouse, Warehouse/Retail	N/A	P	-	-	-	-	-	-	-	-	-

TABLE NOTES:

N/A - Not Applicable

Agriculture Land Uses



SEC. 3.402 AGRICULTURAL USE STANDARDS

- A. **Generally.** The standards of this Section apply to agricultural uses that are specified in Table 3.203, *Agricultural Uses*, as permitted-administrative ("PA") or conditional ("C").
- B. **Agriculture Permitted and Prohibited Uses.**
1. This Section shall not be applicable to agriculture uses, buildings or structures, relating to dairying and animal and poultry husbandry or the vinting and selling of wine on land used for viniculture except as provided in subsection B.2., below.
 2. Agriculture in any platted subdivision approved under R.C. 711.05, 711.09, or 711.10 or in any area consisting of 15 or more lots approved under R.C. 711.131 that are continuous to one another and adjacent to one side of a dedicated public road, and the balance of which are contiguous to one another and adjacent to the opposite side of the same dedicated public road shall conform to the provisions set out in Table 3.402, *Permitted and Prohibited Buildings, Structures, and Uses on Agricultural Lots*.

Table 3.402 Permitted and Prohibited Buildings, Structures, and Uses on Agricultural Lots		
Lot Size	Permitted Buildings, Structures, and Uses	Prohibited Buildings, Structures, and Uses
Greater than 5 acres	Exempted	
Greater than 1 acre and less than 5 acres	Dairying and animal and poultry husbandry are permitted until 35 percent of the lots in a subdivision are developed with at least one building, structure, or improvement that is subject to real property taxation or that is subject to the tax on manufactured homes under R.C. 4503.06.	Dairying and animal and poultry husbandry which was permitted, will be prohibited and shall be considered nonconforming after 35 percent of the lots are so developed .
Greater than 1 acre	Non-commercial agriculture consisting of raising of plants for the use and enjoyment of the property owner, including necessary storage sheds for related tools and supplies.	Any agricultural building, structures, or uses not specifically permitted including such things relating to animal husbandry of poultry, sheep, goats, pigs, horses, ponies, cows, and similar animals.

Residential Uses



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	Public
		CN	R-5A	R-3A	NC	PO	CB	BP	LIR	GL	PU
Residential Uses											
Single-Family Detached	N/A	P	P	P	P	-	-	-	-	P	-
Single-Family Attached											
- Duplex	Sec. 3.403	-	PA ¹	PA ¹	PA ¹	-	-	-	-	P	-
- Townhome	Sec. 3.403	-	PA ¹	PA ¹	PA ¹	-	-	-	-	P	-
- Live-Work Townhome	Sec. 3.403	-	-	-	-	-	-	-	-	PA	-
Manufactured Home	Sec. 3.403	-	PA	PA	-	-	-	-	-	-	-
Multi-family											
- Multiplex	Sec. 3.403	-	C ¹	-	-	-	-	-	-	PA	-
- Apartment	Sec. 3.403	-	-	-	-	-	-	-	-	PA	-
Residential Neighborhood Types											
Planned Cluster Neighborhood	Sec. 3.403	-	PA ¹	PA ¹	PA	-	-	-	-	P	-
Standard Neighborhood	N/A	-	P	P	P	-	-	-	-	-	-
Commercial Uses of the Home											

Institutional Uses



Table 3.205

Institutional, Recreation and Amusement Uses

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	Public
		CN	R-5A	R-3A	NC	PO	CB	BP	LIR	GL	PU
Institutional Uses											
Adult Long-Term Care Facility	Sec. 3.404	-	C	C	-	-	-	C	-	P	-
Cemetery	Sec. 3.404	PA	PA	PA	-	-	-	-	-	-	P
College / University / Vocational School	Sec. 3.404	-	-	-	-	C	C	C	-	-	C
Child Day-Care Center	Sec. 3.404	-	-	-	-	PA	PA	-	-	P	-
Funeral Home	Sec. 3.404	-	-	-	-	-	PA	PA	PA	-	-
Hospitals / Medical Clinics / Medical Labs / Urgent Care	N/A	-	-	-	-	P	P	P	P	P	-
Library	N/A	-	-	-	-	-	-	-	-	-	P
Post Office or Parcel Service	N/A	-	-	-	-	-	-	-	-	-	P
Place of Public Assembly (places of worship; meeting halls; and fraternal organizations)	Sec. 3.404	-	C	C	-	PA	PA	PA	PA	PA	PA
Public Safety	Sec. 3.404	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA
Public Services	N/A	-	-	-	-	P	P	P	P	P	P
Schools, Private	Sec. 3.404	-	-	-	-	PA	PA	-	-	-	-
Schools, Public (elementary, intermediate, middle, high schools)	Sec. 3.404	-	C	C	PA	-	-	C	-	-	C

Commercial Uses



Table 3.206
Commercial Uses

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	Public
		CN	R-5A	R-3A	NC	PO	CB	BP	LIR	GL	PU
Commercial Uses											
Animal Boarding Facilities, Small Animal	Sec. 3.405	P	-	-	-	-	PA	PA	P	P	-
Animal Grooming Facilities	N/A	P	-	-	-	-	P	P	P	P	-
Animal Veterinary Services, Small Animal	Sec. 3.405	P	-	-	-	-	PA	PA	P	P	-
Animal Veterinary Services, Large Animal	N/A	P	-	-	-	-	-	-	P	-	-
Bed and Breakfast Inn - Commercial	N/A	P	-	-	-	-	P	-	-	P	-
Convention Hotel; Destination Hotel	N/A	-	-	-	-	-	-	-	-	P	-
Drive-In / Drive-Through Facilities	Sec. 3.405	-	-	-	-	-	PA	-	-	PA	PA ²
Farm Supplies and Services	N/A	P	-	-	-	-	P	-	-	-	-
Farm Market	Sec. 3.405	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA
Fueling Station / Vehicle Wash / Light Vehicle Service	Sec. 3.405	-	-	-	-	-	PA	PA	PA	PA	PA ²

Commercial Uses



Table 3.206
Commercial Uses

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	Public
		CN	R-5A	R-3A	NC	PO	CB	BP	LIR	GL	PU
Commercial Uses											
General Office	Sec. 3.405	-	-	-	-	P	P	P	PA	P	P ¹
Heavy Retail	Sec. 3.405	-	-	-	-	-	C	-	C	-	-
Medical Office	N/A	-	-	-	-	P	P	P	-	P	-
Mixed Use	Sec. 3.405	-	-	-	-	-	-	-	-	PA	-
Nursery or Greenhouse, Retail	Sec. 3.405	P	-	-	-	-	PA	-	-	-	-
Overnight Accommodations (hotels; motels; commercial inns)	Sec. 3.405	-	-	-	-	-	PA	-	-	-	-
Restaurant	N/A	-	-	-	-	-	P	-	-	P	-
Retail Sales and Services	Sec. 3.405	-	-	-	-	-	P	PA	PA	P	-
Vehicle Sales, Rental, Service	Sec. 3.405	-	-	-	-	-	C	-	-	-	-
Vending Kiosk / ATM	Sec. 3.405	-	-	-	-	PA	PA	PA	PA	PA	PA ¹

TABLE NOTES:

N/A - Not Applicable

¹ These allowances are to accommodate functions or actions related to the public provisions of services (e.g., bill payment window at a government office, fuel pumps or vehicle repair for government vehicles, etc.)

Industrial and Storage, and Utility Uses



Table 3.207

Industrial and Storage, Transportation, and Communication Uses

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	Public
		CN	R-5A	R-3A	NC	PO	CB	BP	LIR	GL	PU
Industrial and Storage Uses											
Light Industry and Wholesale	Sec. 3.406	-	-	-	-	-	-	PA	PA	-	-
Personal Storage	Sec. 3.406	-	-	-	-	PA	PA	PA	PA	PA	-
Research and Testing Laboratory	Sec. 3.406	-	-	-	-	-	-	PA	PA	PA	-
Storage Yard	Sec. 3.406	-	-	-	-	-	-	PA	PA	-	-
Warehousing and Logistics	Sec. 3.406	-	-	-	-	-	-	PA	PA	-	-
Waste Transfer Station / Recycling Center	Sec. 3.406	-	-	-	-	-	-	C	C	-	-
Transportation Uses											
Helistop	Sec. 3.406	C	C	-	-	C	C	C	C	C	C
Wireless Telecommunication Facility (WTF) Uses											
Attached WTF	Sec. 3.406	PA	-	-	-	PA	PA	PA	PA	PA	PA
Non-Stealth Freestanding WTF	Sec. 3.406	C	-	-	-	-	C	PA	PA	PA	C
Stealth Attached WTF	Sec. 3.406	PA	C	C	C	PA	PA	PA	PA	PA	PA
Stealth Freestanding WTF	Sec. 3.406	PA	-	-	-	PA	PA	PA	PA	PA	PA

Compatibility Standards



Questions on Specific Compatibility
Sections

Neighborhood Conservation



Address	Lot 1	Lot 2	Lot 3
Lot Type	Interior Lot	Interior Lot	Interior Lot
Lot Area (sf.)	28808.06	28808.06	32423.84
Lot Coverage (sf.)	5128	4568	4614
Lot Width (ft.)	130	100	100
Front Setback (ft.)	80	96	90
Street Side Setback (ft.)	N/A	N/A	N/A
Left Interior Side Setback (ft.)	30	35	35
Right Interior Side Sideback (ft.)	15	32	30
Rear Setback (ft.)	100	70	90
Building Height (stories)	2	2	2
Lot Coverage Ratio	18%	16%	14%



- Applies to existing residential
- All lots are conforming
- All lawfully constructed single-family homes are conforming
- Establishes “subdistricts” of areas with similar lot standards
- Provides “new standards” that apply to each subdistrict
- Provides “alternate standards”

Neighborhood Conservation



Table 2.202
Neighborhood Conservation Subdistricts

Subdistrict	Standards to Applicable to New Lots		Typical Neighborhood Characteristics	
	Minimum Lot Width	Minimum Lot Size	Character	Predominant Building Type
NC-5W	250	5 ac.	Rural	Single-Family Detached
NC-5N	125	5 ac.	Rural	Single-Family Detached
NC-3	150	3 ac.	Suburban	Single-Family Detached
NC-1.5	150	1.5 ac.	Suburban	Single-Family Detached
NC-1	100	1 ac.	Suburban	Single-Family Detached
NC-20	100	20,000 sf.	Semi-Urban	Single-Family Detached
NC-14.5	70	14,500 sf.	Semi-Urban	Single-Family Detached
NC-6	60	6,000 sf.	Semi-Urban	Single-Family Detached

- Next steps:
 - Draft the subdistrict standards and alternative standards

Standard vs. Planned Unit Development



- Intent to create 2 types of new residential development
 - Standard Development
 - Planned Unit Developments
 - ✦ Regulations in CZR, applicant requested
 - ✦ Intent is to maximize open space to protect sensitive resources
 - ✦ Incentivizes increasing amount of open space by providing a bonus density
 - ✦ Allows multiple building types with compatibility protections
 - via the (“PA”) and (“C”) compatibility standards
 - ✦ Maximize Township control

Standard vs. Planned Unit Development



Table 12-3-501A Single-Family and Single-Family Cluster Lot and Building Standards								
Zoning District and Development Type	Minimum						Maximum	
	Lot Area (sf.)	Regulatory Lot Width ¹ (ft.)	Front Setback (ft.)	Interior Lot Side Setback Single / Total (ft.)	Street Side Setback (ft.)	Rear Setback (ft.)	Height (ft.)	Building Coverage Ratio (%)
Illustrative Zone								
Standard Development	75,000	190	75	20 / 50	20	75	30	15%
Planned Unit Development	35,000	130	50	15 / 40	20	60	30	15%

Standard vs. Planned Unit Development



**Table 12-3-505
Townhouse and Weak Link Townhouse Lot and Building Standards**

Development Type	Townhouse			Weak Link Townhouse		
	Small	Average	Large	Small	Average	Large
Lot Size Group	Small	Average	Large	Small	Average	Large
Percent of Townhouse Lots (by Type of Townhouse) in Lot Size Group	25	50	Remainder	25	50	Remainder
Minimum Lot Area per Dwelling Unit, Street Access to Garage (ft.)	NA	NA	NA	3,600	3,870	4,230
Minimum Lot Area per Dwelling Unit, Alley Access to Garage (ft.)	2,000	2,400	2,600	2,970	3,240	3,510
Min. Regulatory Lot Width per Dwelling Unit, Street Access to Garage (ft.)	NA	NA	NA	40	43	47
Min. Regulatory Lot Width per Dwelling Unit, Alley Access to Garage (ft.)	20	24	26	33	36	39
Minimum Front Setback (building / garage) (ft.)	10 / NA			10 / 20		
Minimum Building Separation ¹ (ft.)	10			10		
Minimum Rear Setback ² (ft.)	20			20		
Maximum Building Height (ft.)	35			30		
Maximum Building Coverage Ratio, Street Access to Garage (%)	NA			62%		
Maximum Building Coverage Ratio, Alley Access to Garage (%)	67%			52%		

Existing Zoning Resolution



**Additional problems with existing
Zoning Resolution?**

ENCODE360™



Beta Overview

Questions?



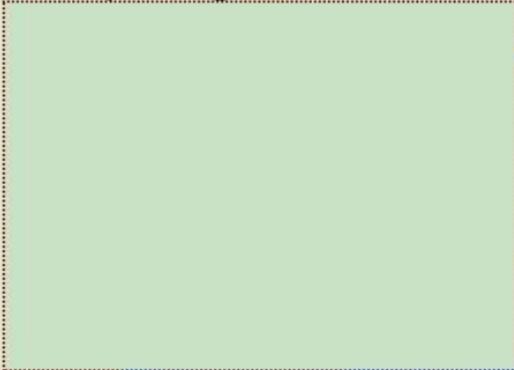
**BAINBRIDGE TOWNSHIP
COMPREHENSIVE ZONING RESOLUTION
(CZR)**

February 26, 2013

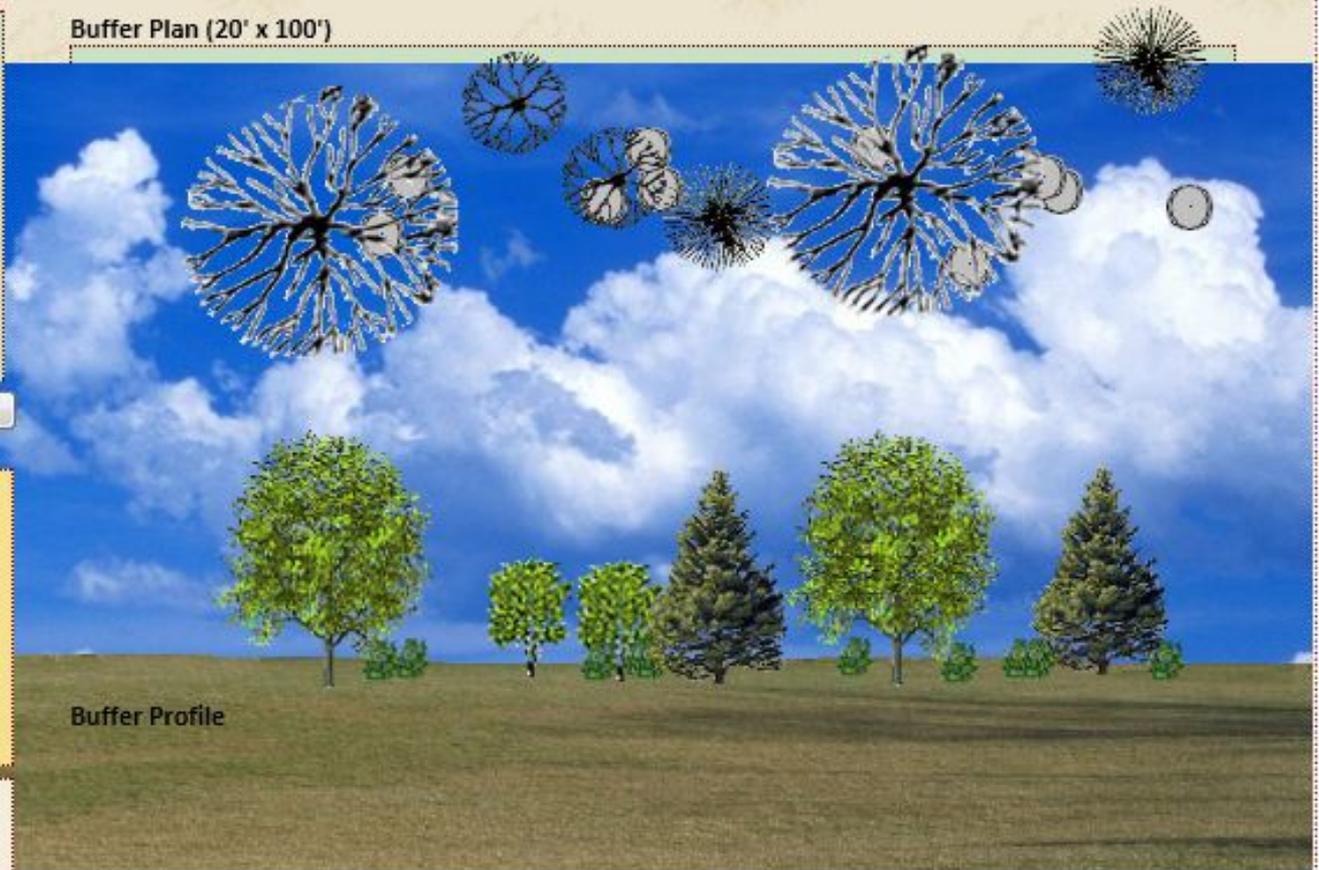
Buffer Builder / Opacity



Landscape Storage Area



Buffer Plan (20' x 100')



Buffer Profile

Scatter All Scatter Shrubs Clear

Calculation Results

	Used	Remaining
Canopy Trees	2	0
Conifer Trees	2	0
Understory Trees	2	0
Shrubs	10	0

Calculated Opacity

24.1%

Profile Background Image

Blank background
Single-family Estate Home

Buffer Builder / Opacity



Landscape Storage Area



Scatter All

Scatter Shrubs

Clear

Calculation Results

	Used	Remaining
Canopy Trees	4	0
Conifer Trees	5	0
Understory Trees	5	0
Shrubs	20	0

Calculated Opacity

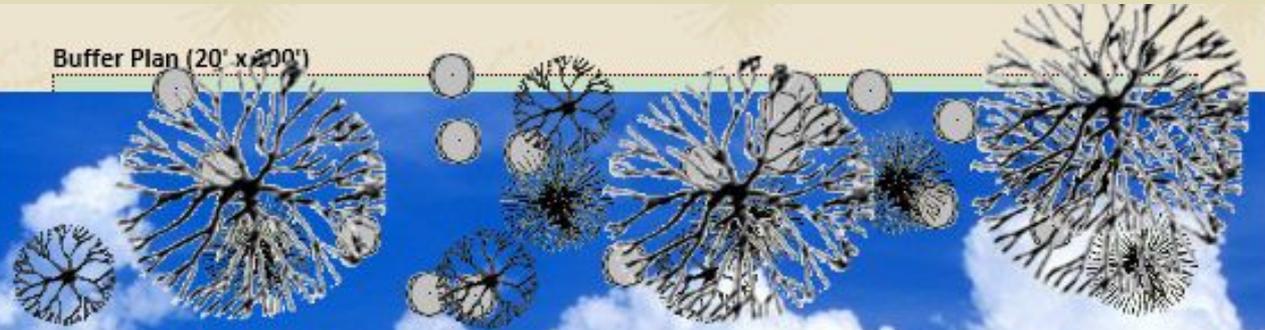
53.4%

Profile Background Image

Blank background

Single-family Estate Home

Buffer Plan (20' x 200')



Buffer Profile



Buffer Builder / Opacity



Landscape Storage Area



Buffer Plan (100' x 100')



Scatter All

Scatter Shrubs

Clear

Calculation Results

	Used	Remaining
Canopy Trees	6	0
Conifer Trees	8	0
Understory Trees	10	0
Shrubs	20	0

Calculated Opacity

80.4%

Profile Background Image

Blank background

Single-family Estate Home