



CITY OF MEDINA
Community Development Department
132 N. Elmwood Ave. Medina, OH 44256
330-722-9023

MEMORANDUM

DATE: August 3, 2023
TO: Planning Commission
FROM: Andrew Dutton, Community Development Director
SUBJECT: Zoning Code Amendments

The following are proposed amendments to the Zoning Code, found in Part 11 of the City of Medina Codified Ordinances. The majority of the proposed amendments are related to uses, their definitions, use notation in parking requirements, and Conditionally Permitted Use requirements.

Uses - Tables, Definitions, and Parking

Each zoning district has a section for Permitted Uses, Accessory Uses, and Conditional Uses. These uses should be consistent throughout all use tables and each use should have a definition and parking requirements. However, in many instances, the current Zoning Code is inconsistent regarding uses.

The amendments focus on consistency in use tables, definitions, and parking requirements. Definitions that did not appear anywhere in the Zoning Code were deleted and noted with an (*). In addition, requirements for parking were slightly adjusted, but largely were not addressed at this time.

As an example, currently a "Funeral Home" is not defined, is only permitted in the M-U zoning district, and has a parking requirement for "Funeral Home or Mortuary". "Funeral Home" was defined, permitted in the C-3 zoning district where a funeral home currently exists, and "or Mortuary" was removed from the parking requirement.

Conditionally Permitted Uses

Conditionally Permitted Use tables in each zoning district include numerical references for specific regulations found in Section 1153.04. These references are found in the use tables as superscript (##) numbers. Many of these numerical references are incorrectly cited, specific regulations are often too broad and unnecessary, and there are numbering errors.

Conditionally Permitted Use references were corrected in tables and specific regulations in Section 1153.04 were revised. Conditionally Permitted Use requirements that were not referenced in the Zoning Code were deleted and noted with an (*).

Additional Proposed Amendments

The following additional proposed amendments address other aspects of the Zoning Code:

- Section 1129.06 – The existing section can potentially be interpreted to prohibit any new buildings in the M-U district. This amendment clarifies that new buildings may be constructed in the M-U zoning district.
- Section 1145.04(d) – Corrections and updated references were made to areas exempted from parking requirements. Text was also added requiring that new uses that result in increased parking must provide information indicating where parking will occur for the use.
- Section 1145.10 – The maximum width of driveways at the right-of-way (R.O.W.) was increased from 60 ft. to 75 ft. This change was due to a discussion with the Planning Commission regarding challenges for trucks accessing industrial sites.
- Section 1155.05 – The minimum setback for trash dumpsters was reduced in non-residential districts. This change is due to problematic large setbacks for trash dumpsters that resulted in numerous variance requests.

Procedure

The Planning Commission must make a recommendation to City Council regarding approval of the amendments. Due to the size of the amendments, the Commission may choose to table them until the next meeting for further consideration. After a recommendation has been provided by the Planning Commission, City Council will hold a public hearing and consider an ordinance regarding the proposed amendments.

Please let me know if you have any questions regarding the proposed amendments or review procedure.

Proposed Amendments to the Zoning Code: Part Eleven of the City of Medina Codified Ordinances

8/3/2023

Key:

~~Deleted Text~~

Added Text

* Term Not Used In the Planning and Zoning Code

** *Note*

CHAPTER 1105 – Definitions

1105.01	General provisions.	1105.042	Distribution center.
1105.02	Accessory building or use.	1105.043	District.
1105.03 02	Agriculture.	1105.044	Drive-in or drive through facility.
1105.04 03	Alley.	1105.045	Driveway.
1105.05 04	Apartment.	1105.046	Dwelling.
1105.06 05	Applicant.	1105.047	Dwelling unit.
1105.07 06	Assisted living facility.	1105.048	Easement.
1105.08 07	Bar or tavern.	1105.049	Educational institution.
1105.09 08	Basement.	1105.050	Essential services.
1105.010 09	Bed and breakfast inn.	1105.051	Family.
1105.011 10	Board.	1105.052	Fence.
1105.012 11	Buffer or bufferyard.	1105.053	Financial institution.
1105.013 12	Building.	1105.054	Floor area.
1105.13	<i>Building, accessory.</i>	1105.055	<i>Frontage.</i>
1105.14	<i>Building, principal.</i>	1105.56	<i>Funeral home.</i>
1105.014 15	Building height.	1105.056	Garage, motor vehicle repair.
1105.015 16	Building line.	1105.057	Garage, private.
1105.016 17	Building materials sales yard and lumber yard.	1105.058	Garage, <i>public parking.</i>
1105.017 18	Bulk storage and display.	1105.059	Gas or oil well.
1105.018 19	Carport.	1105.060 59	Grade, finished.
1105.019 20	Car wash.	1105.061 60	Grade, natural.
1105.020 21	Cemetery.	1105.062 61	Greenhouse, plant.
1105.021 22	Centralized sewer system.	1105.063 62	Gross acre.
1105.022 23	Centralized water system.	1105.064 63	Gross floor area.
1105.023 24	Child day care center or nursery.	1105.065 64	Group home.
1105.024 25	Clinic.	1105.65	<i>Heavy duty repair services.</i>
1105.025 26	Club.	1105.066	Home occupation.
1105.026 27	Commission.	1105.067	Hospital.
1105.027 28	Commercial entertainment.	1105.068	Hotel.
1105.028 29	Commercial recreation.	1105.069	Impervious surface.
1105.029 30	Comprehensive Plan.	1105.070	Impervious surface ratio.
1105.030 31	Conditional building or use.	1105.071 70	Independent living facility.
1105.031 32	Conference center, <i>banquet facility, or meeting hall.</i>	1105.072 71	Industrial.
1105.032 33	Conservation use.	1105.073	Industrial, heavy.
1105.033 34	Contractor equipment storage yard.	1105.074	Industrial, light.
1105.034 35	Convenience retail.	1105.075 72	Infill.
1105.035 36	Council.	1105.076 73	In-law suite.
1105.036 37	Court.	1105.077 74	Institution.
1105.037 38	Crematorium.	1105.078 75	Junk.
1105.038 39	Density.	1105.079	Junk yard.
1105.039	Dental clinic.	1105.080 76	Loading space.
1105.040	Developed land.	1105.081 77	Lot.
1105.041	Discarded motor vehicle.	1105.082 78	Lot, corner.
		1105.083 79	Lot, double frontage.
		1105.084 80	Lot, interior

1105.085 81	Lot area.	1105.0124 118	Parking lot, private.
1105.086 82	Lot coverage.	1105.0125 119	Parking lot, public.
1105.087 83	Lot depth.	1105.0126 120	Parking space.
1105.088 84	Lot lines.	1105.0127 121	Passenger transportation agency and terminal.
1105.089 85	Lot line, front.	1105.0128 122	Personal or professional service.
1105.090 86	Lot line, rear.	1105.0129 Deleted.	
1105.091 87	Lot line, side.	1105.0130 123	Planning Director.
1105.092 88	Lot of record.	1105.0131 124	Principal building or use.
1105.093 89	Lot width.	1105.0132 125	Public utility.
1105.094 90	Major thoroughfare and collector thoroughfare.	1105.0133 Public storage garage and yard.	
1105.095 91	Manufactured housing.	1105.0134 126	Publicly owned or operated government facility.
1105.096 92	Manufactured housing park.	1105.0135 127	Recreation facility.
1105.097 93	Manufacturing, heavy.	1105.0136 128	Religious place of worship.
1105.098 94	Manufacturing, light.	1105.0137 129	Research and development laboratory.
1105.099 95	Maximum lot coverage.	1105.0138 130	Restaurant.
1105.0100 Medical clinic.		1105.0139 Restaurant, fast food.	
1105.0101 Minimum building setback line.		1105.0140 131	Retail business.
1105.0102 96	Mixed use.	1105.0141 132	Seating capacity.
1105.0103 97	Mobile home.	1105.0142 133	Self-storage warehouse.
1105.0104 98	Mobile home park.	1105.0143 134	Setback.
1105.0105 99	Motel.	1105.0144 135	Sexually oriented business.
1105.0106 100	Motor vehicle filling station.	1105.0145 136	Sign.
1105.0107 101	Motor vehicle, truck, trailer or farm implement sales and service.	1105.0146 137	Sign face.
1105.0108 102	Motor vehicle repair, major.	1105.0147 138	Sign plate.
1105.0109 103	Motor vehicle repair, minor.	1105.0148 139	Site plan.
1105.104	<i>Motor vehicle storage.</i>	1105.0149 140	Story.
1105.105	<i>Museum</i>	1105.0150 141	Street, public.
1105.0110 106	Nonconforming building.	1105.0151 142	Street, private.
1105.0111 107	Nonconforming lot.	1105.0152 143	Street right-of-way line.
1105.0112 108	Nonconforming use.	1105.0153 144	Structural alterations.
1105.0113 Nursery school.		1105.0154 145	Structure.
1105.0114 109	Nursing home.	1105.0155 146	Swimming pool, commercial.
1105.0115 110	Off-street loading space.	1105.0156 147	Swimming pool, private.
1105.0116 111	Office.	1105.0157 148	Tavern.
1105.0117 112	Open space.	1105.0158 149	Thoroughfare.
1105.0118 Common land.		1105.0159 150	Thoroughfare Plan.
1105.0119 Public land.		1105.0159.1 151	Transitional housing.
1105.0120 Usable open space.		1105.0160 152	Truck transfer terminal.
1105.113	<i>Other similar uses as determined by the Planning Commission.</i>	1105.153	<i>Urban garden.</i>
1105.114	<i>Outdoor dining.</i>	1105.0161 154	Use.
1105.0121 115	Outdoor storage.	1105.155	<i>Use, accessory.</i>
1105.0122 116	Overlay District.	1105.156	<i>Use, principal.</i>
1105.0123 117	Park.	1105.0162 157	Usable open space.
		1105.0163 Deleted.	

1105.0164 158 Variance.
1105.0165 159 Veterinary office.
1105.0166 160 Veterinary hospital.
1105.0167 161 Warehouse.
1105.0168 162 Wholesale establishment.
1105.0169 163 Wireless telecommunication facility.

1105.0170 164 Yard.
1105.0171 165 Zone.
1105.0172 166 Zoning certificate.
1105.0173 167 Zoning Code.
1105.0174 168 Zoning Map.

****THE FOLLOWING AMMENDMENTS TO SECTION 1105 ARE IN ADDITION TO THE ABOVE RENUMBERING**

1105.02 13 ACCESSORY BUILDING OR USE BUILDING, ACCESSORY.

"Accessory building" ~~or "use"~~ means a subordinate building ~~or use~~ customarily incidental to, and located upon the same lot occupied by the principal building ~~or use~~.

1105.14 BUILDING, PRINCIPAL.

"Principal building" means a building in which the principal use or principal uses of the lot is or are conducted. A lot may have more than one principal building unless otherwise prohibited in this Zoning Code.

1105.015 16 BUILDING LINE.

"Building line" means ~~the line defining the minimum front, side and rear yard requirements outside of which no building or structure may be located, except as otherwise provided herein:~~ **a line parallel to the street right-of-way at a distance equal to the required depth of the front yard, and extending across the full width of the lot.**

1105.019 20 CAR WASH.

"Car wash" ~~is~~ **means** a building or structure where chain conveyors, blowers, steam cleaners, spray wands or hoses or other mechanical devices are employed for the purpose of washing motor vehicles for a fee.

1105.025 26 CLUB.

"Club" means a building or portion thereof or premises owned or operated by a corporation, association, or other person or persons for a social, educational, or recreational purpose, but not primarily for profit or to render a service which is customarily carried on as a business. **Clubs include, but are not limited to fraternal organizations, lodges, and other similar groups.** Clubs shall exclude religious places of worship or groups organized solely or primarily to render a service customarily carried on as a commercial enterprise.

1105.030 31 CONDITIONAL BUILDING OR USE.

"Conditional ~~building or~~ use" means a use which is permitted in a district only if a Conditional Use Permit is expressly authorized by the Planning Commission in accordance with Chapter 1153, Conditional Zoning Certificates. See also "Accessory ~~Building or~~ Use", "Principal ~~Building or~~ Use" and "Use".

1105.031 32 CONFERENCE CENTER, BANQUET FACILITY, OR MEETING HALL.

"Conference center, *banquet facility, or meeting hall*" means a facility used for conferences, ~~and~~ seminars, meetings, ~~rooms and resource facilities~~ *weddings, receptions, or other similar events* which may include accommodations for food preparation for on-site dining. *For the purposes of this Zoning Code, this definition does not include a "Club".*

1105.032 33 CONSERVATION USE.

"Conservation use" means an environmentally sensitive area with characteristics such as steep slopes, wetlands, flood plains, high water tables, forest areas, endangered species habitat, dunes, or areas of significant biological productivity or uniqueness that have been designated for protection from any activity that would significantly alter their ecological integrity, balance or character.

~~1105.039 DENTAL CLINIC.~~

~~See "Clinic".~~

1105.040 DEVELOPED LAND.

"Developed Land" means all lots and/or parcels that have urban services required for redevelopment (i.e. adequately sized water, sanitary sewer, and/or storm drain lines at the property line).

1105.042 DISTRIBUTION CENTER.

"Distribution center" means a building or facility engaged in the receipt, storage and distribution of goods, products, cargo ~~and~~, *fuel, or* materials. *A distribution center may include underground storage.*

1105.049 EDUCATIONAL INSTITUTION.

"Educational institution" means a public or private facility that provides a curriculum of elementary, ~~or~~ secondary, *or collegiate* academic instruction. *An educational institution shall include a pre-school, kindergartens, elementary schools, junior high schools, middle school, intermediate school, high schools, and technical school, vocational school, and collegiate level courses college, or university.* For the purposes of this Zoning Code, a home school is not considered an educational institution.

1105.56 FUNERAL HOME

"Funeral home" means an establishment used by a professional licensed by the State of Ohio Board of Embalmers and Funeral Directors for human burial preparation and funeral services.

~~*1105.056 GARAGE, MOTOR VEHICLE REPAIR.~~

~~"Motor vehicle repair garage" means a building or portion of a building, in which repairs are made to motor vehicles, and in which no painting of cars or body and fender work is done.~~

1105.059 GARAGE, PUBLIC PARKING

"Public Parking garage" means a building or portion of a building in which more than four (4) motor vehicles are, or are intended to be, housed under arrangements made with patrons for renting or leaving such space and accommodation, and in which no repair work is carried on.

~~*1105.059 GAS OR OIL WELL.~~

~~"Gas or oil well" means any borehole, whether drilled or bored, within the state for production, extraction, or injection of any gas or liquid mineral, excluding potable water to be used as such, but including natural or artificial brines and oil field waters.~~

1105.65 HEAVY DUTY REPAIR SERVICES.

"Heavy duty repair services" means a building or portion of a building in which repairs are made to machinery, equipment, or other similar items. For the purposes of this Zoning Code, this use does not include "Major Motor Vehicle Repair" or "Minor Motor Vehicle Repair".

~~*1105.070 IMPERVIOUS SURFACE RATIO.~~

~~"Impervious surface ratio" means a measure of intensity of land use that is determined by dividing the total area of all impervious surfaces on the site by the total area of the site or lot.~~

~~*1105.073 INDUSTRIAL, HEAVY.~~

~~"Heavy industrial" - See "Manufacturing, Heavy".~~

~~*1105.074 INDUSTRIAL, LIGHT.~~

~~"Light industrial" - See "Manufacturing, Light".~~

~~*1105.079 JUNK YARD.~~

~~"Junk yard" means the use of more than twenty five (25) square feet of any land, whether for private and/or commercial purposes, where waste, discarded or salvaged materials such as scrap metals, used building materials, used lumber, used glass, discarded motor vehicles, paper, rags, rubber, cordage, barrels, etc., are sold, stored, bought, exchanged, baled, packed, sorted, disassembled, dismantled or handled.~~

1105.093 89 LOT WIDTH.

"Lot width" means the width *of a lot* measured along the *minimum* building *setback* line.

1105.097 93 MANUFACTURING, HEAVY.

"Heavy manufacturing" means a building or outdoor land used for the assembly, fabrication or processing of goods and materials using processes that ordinarily create ~~one or more of the following: Smoke, dust, or other airborne particulates, noise which is plainly audible outside of the boundary lines of the parcel where the noise is being created, fumes, odor, glare or potential safety hazards (e.g., explosive materials processing, hazardous materials being used or created by a process, etc.)~~ which is plainly observed outside of the boundary lines of the parcel where it is being created. *potential safety hazards (e.g., explosive materials processing, hazardous materials being used or created by a process, etc.) or one or more of the following that is plainly observed on a lot which is not zoned I-1 (Industrial) or a lot which has a residential use: Smoke, dust or other airborne particulates, noise, fumes, odor, or glare.*

1105.098 94 MANUFACTURING, LIGHT.

"Light manufacturing" means a building or outdoor land used for the assembly, fabrication or processing of goods and materials using processes that ordinarily do not create ~~one or more of the following: Smoke, dust, or other airborne particulates, noise which is plainly audible outside of the boundary lines of the parcel where the noise is being created, fumes, odor, glare or potential safety hazards (e.g., explosive materials processing, hazardous materials being used or created by a process, etc.)~~ which is plainly observed outside of the boundary lines of the parcel where it is being created. ***potential safety hazards (e.g., explosive materials processing, hazardous materials being used or created by a process, etc.) or one or more of the following that is plainly observed on a lot which is not zoned I-1 (Industrial) or a lot which has a residential use: Smoke, dust or other airborne particulates, noise, fumes, odor, or glare.***

~~*105.0100 MEDICAL CLINIC.~~

See "Clinic".

~~*1105.0101 MINIMUM BUILDING SETBACK LINE.~~

~~"Minimum building setback line" means a line parallel to the street right-of-way line and at a distance there from equal to the required depth of the front yard, and extending across the full width of the lot. Where the right-of-way line is not established, the right of way shall be assumed to be sixty (60) feet.~~

~~1105.0107 101 MOTOR VEHICLE, TRUCK, TRAILER OR FARM IMPLEMENT SALES AND SERVICE.~~

~~"Motor vehicle, truck, trailer or farm implement sales and service" means an open area, other than a street, used for the display and sale or rental of new or used automobiles, passenger trucks, recreational vehicles, motorcycles, or trailers, semi-trucks, and farm equipment in operable condition and where minor repair work may be done.~~

1105.104 MOTOR VEHICLE STORAGE.

"Motor vehicle storage" means an open area, other than a street, used for the storage of new or used automobiles, passenger trucks, recreational vehicles, motorcycles, trailers, semi-trucks, or farm equipment in operable condition and where minor repair work may be done.

1105.105 MUSEUM.

"Museum" means a structure or building that displays, preserves, or exhibits objects of community or cultural value intended to be used by members of the public for viewing, with or without an admission charge.

~~1105.0114 NURSERY SCHOOL.~~

See "Child day care center and nursery".

1105.0117 112 OPEN SPACE.

"Open space" means the required portion of a lot excluding the required yard area which is unoccupied by principal buildings and available for natural resource protection, recreational and other leisure activities normally carried on outdoors. Open space is further classified as follows: common land, public land, and useable open space.

- (a) ~~1105.0118~~ **COMMON LAND.** "Common Land" means land which is designated in covenants or other conditions running with the land, for open space use.
- (b) ~~1105.0119~~ **PUBLIC LAND.** "Public Land" means land which is formally offered for dedication and accepted by the City or other public body, for open space use.
- (c) ~~1105.0120~~ **USABLE OPEN SPACE.** "Usable Open Space" means any private or common open space land ~~which may be required by this Zoning Code~~ **available for recreational use and other leisure activities normally carried on outdoors excluding the required front yard.**

1105.113 OTHER SIMILAR USES AS DETERMINED BY THE PLANNING COMMISSION.

"Other similar uses as determined by the Planning Commission" means uses not listed as principally permitted uses, accessory uses, or conditionally permitted uses in any chapter of this Zoning Code that have been determined by the Planning Commission to be similar to principally permitted uses in the subject zoning district.

1105.114 OUTDOOR DINING.

"Outdoor dining" means areas such as patios, decks, or other similar areas that are designated for outdoor seating where patrons may be served food and beverage for on-site dining.

1105.0128 122 PERSONAL OR PROFESSIONAL SERVICE.

"Personal or professional service" ~~includes~~ **means** any for profit service enterprise or occupation involving the dispensation of a licensed service (excluding medical services) primarily to the general public such as: health club, day spa, fitness facility, shoe repair, barber shop, beauty salon, bank or other federally insured financial institution, laundromat, real estate **agency**, bookkeeper, tax accountant, plumber, or electrician. Personal or professional services do not include sexually oriented businesses.

~~*1105.0133 PUBLIC STORAGE GARAGE AND YARD.~~

~~"Public storage garage and yard" means any publicly owned building, structure, facility, or land for the purpose of storing and/or repairing government owned vehicles and equipment~~

~~105.0129 DELETED.~~

~~EDITOR'S NOTE: Former Section 1105.0129 was deleted by Ordinance 58-17.~~

~~*1105.0139 RESTAURANT, FAST FOOD.~~

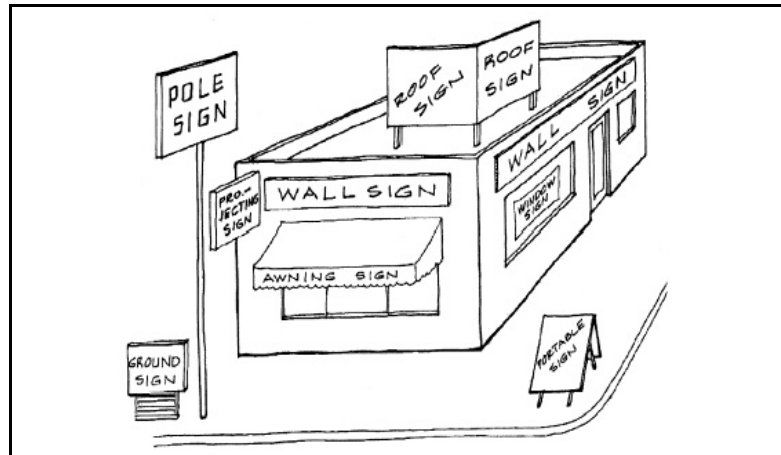
~~"Fast food restaurant" means an eating establishment whose principal business is the sale of pre-prepared or rapidly prepared food, in disposable containers, directly to the customer in a ready-to-consume state for consumption either on or off-premises.~~

~~1105.0162 USABLE OPEN SPACE.~~

~~"Usable open space" means the required portion of a lot excluding the required front yard area which is unoccupied by principal or accessory buildings and available to all occupants of the building for use for recreational and other leisure activities normally carried on outdoors.~~

1105.0145 136 SIGN.

"Sign" means any visual communication, display, object, device, graphic, structure or part, situated indoors or outdoors, or attached to, painted on or displayed from a building or structure, in order to direct or attract attention, or to announce or promote, an object, product, place, activity, person, institution, organization, or business or the like, by means of letters, words, model, banner, flag, pennant, insignia, device, designs, colors, symbols, fixtures, images, illuminations or representation used as, or which is in the nature of an announcement, direction, or advertisement. For the purpose of this Code, the word "sign" does not include the flag, pennant, badge or insignia of any government or governmental agency (see graphic following page). For the purpose of this Code, the following sign-related definitions shall also apply in this Code, *as illustrated in the following graphic*:



** (graphic relocated)

~~*(k) FLAG SIGN. "Flag Sign" means a piece of flexible material having a distinctive size, color, and design, used as a symbol, standard, signal or emblem.~~

~~(k) GROUND OR MONUMENT SIGN. (No Change to Text)~~

~~(m) ILLUMINATED SIGN. (No Change to Text)~~

~~(m) INSTRUCTIONAL SIGN. "Instructional Sign" means a sign that has a purpose secondary to the use on the lot and that is intended to instruct employees, customers, or users as to matters of public safety or necessity such as specific parking requirements, the location or regulations pertaining to specific activities on the site or in the building, and including a sign erected by a public authority, utility, public service organization, or private industry that is intended to control traffic; direct, identify or inform the public; or provide needed public service as determined by the rules and regulations of governmental agencies or through public policy. Such sign shall contain text not exceeding two (2) inches in height, shall contain the minimum information and be of the minimum area and height necessary to convey its intended message, and shall be located so as not to attract attention from the perimeter of the site.~~

~~(n) INTERNALLY ILLUMINATED SIGN. (No Change to Text)~~

~~*(p) MARQUEE SIGN. "Marquee Sign" means a sign attached to a structure, other than an awning or canopy sign, projecting from a wall of a building above an entrance and extending over a street, sidewalk, or part thereof.~~

~~(o) MOBILE SIGN. (No Change to Text)~~

~~(p) NONCONFORMING SIGN. (No Change to Text)~~

~~(q) PERMANENT SIGN. (No Change to Text)~~

~~(r) POLE SIGN. (No Change to Text)~~

- ~~*(u) POLITICAL SIGN. "Political sign" means a sign advocating action on a public issue, identifying a candidate for public office or expressing an opinion or belief regarding a public issue or candidate.~~
- ~~*(v) PORTABLE SIGN. "Portable sign" means a sign which is designed to be transported and is not physically attached to any part of a building or the ground.~~
- ~~(w s) PROJECTING SIGN. (No Change to Text)~~
- ~~(x t) REAL ESTATE SIGN. (No Change to Text)~~
- ~~(y u) ROOFTOP SIGN. "Roof~~top~~ Sign" means any sign erected, constructed or maintained wholly or partially upon or over the roof or parapet wall of any building and having its principal support on the roof or walls of the building.~~
- ~~(z v) SAFETY AND PUBLIC PURPOSE SIGN. (No Change to Text)~~
- ~~(aa w) TEMPORARY SIGN. (No Change to Text)~~
- ~~(bb x) WALL SIGN. (No Change to Text)~~
- ~~(cc y) WINDOW SIGN. (No Change to Text)~~

1105.153 URBAN GARDEN.

"Urban garden" means a lot that is gardened collectively by a group of people that may include garden plots designated for individual gardens.

~~1105.0162 USABLE OPEN SPACE.~~

~~"Usable open space" means the required portion of a lot excluding the required front yard area which is unoccupied by principal or accessory buildings and available to all occupants of the building for use for recreational and other leisure activities normally carried on outdoors.~~

1105.0161 154 USE.

"Use" means the purpose for which a building or premises is or may be occupied. In the classification of uses, a use may be a use as commonly understood or the name of an occupation, business, activity or operation carried on, or intended to be carried on, in a building or on premises, or the name of a building, place or thing, which indicates the use or intended use. See also "Accessory ~~building or~~ use", "Conditional ~~building or~~ use" and "Principal ~~building or~~ use".

1105.155 USE, ACCESSORY.

"Accessory use" means a subordinate use customarily incidental to and located upon the same lot occupied by the principal use.

1105.0131 156 PRINCIPAL BUILDING OR USE, PRINCIPAL.

"Principal use" means a use which is permitted as of right in a zoning district for which a Zoning Certificate may be issued in accordance with the rules and regulations of this Zoning Code. See also "Accessory ~~building or~~ use", "Conditional ~~building or~~ use" and "Use".

1105.0170 164 YARD.

"Yard" means an open space on the same lot with a building, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided herein. *On corner lots, there shall be two (2) front yards, a side yard, and a rear yard. The Planning Director shall determine the side yard and rear yard of a corner lot taking into consideration the configuration of the lot and orientation of the building.*

- (a) **FRONT YARD.** "Front yard" means a yard extending across the full width of a lot and being the perpendicular distance between the street right-of-way line and the nearest portion of any building or structure existing or proposed for construction on the lot. *Where a building or structure does not exist or is not proposed on a lot, the perpendicular distance shall be between the street right-of-way line and the required minimum front yard of the zoning district.* Where the right-of-way line is not established, the right-of-way shall be assumed to be sixty (60) feet.
- (b) **REAR YARD.** "Rear yard" means a yard extending across the full width of a lot between the side lot lines and being the perpendicular distance between the rear lot line and nearest portions of any building or structure existing or proposed to be constructed on the lot. ~~On corner lots, there shall be two (2) front yards, a side yard and a rear yard.~~ On interior lots the rear yard shall in all cases be at the opposite end of the lot from the front yard.
- (c) **SIDE YARD.** "Side yard" means a yard between the nearest portion of any building or structure existing or proposed to be constructed on the lot and the side lines of the lot, and extending from the front yard to the rear yard.

CHAPTER 1113 – Zoning Districts; General Regulations

1113.05 GENERAL USE REGULATIONS.

- (s) Swimming Pools. Commercial and private in-ground or above-ground swimming, wading or other pools ~~as defined by Sections 1105.0155 and 1105.0156~~ shall be considered as accessory structures and shall only be located in the rear yard.

1113.06 OPEN SPACE PROVISIONS.

- (b) Public Open Space Land. Whenever the Comprehensive Plan shows the location of public open space land on a lot, the City shall require the dedication of this land as public open space. If the area of such land exceeds 1,000 square feet per dwelling unit proposed on the lot, or five percent (5%) of the lot area if it is proposed for commercial use, the additional land shall be reserved for one year after the date of approval by the Planning Commission to permit its acquisition by the appropriate public body. If no public open space land is shown on the Comprehensive Plan, or if less than the amount required above is shown on the Plan, the developer of residential or commercial lands shall pay the Municipality one thousand (\$1,000.00) per dwelling unit proposed on the lot, or one thousand dollars (\$1,000) per acre if the lot is proposed for commercial use, in proportion to the amount of public open space land not dedicated in lieu of providing public open space.
- (1) Conversions of existing residential buildings to commercial use and public, institutional, fraternal or community service uses ~~defined in Section 1105.76~~ shall be exempt from the public open space requirements of this subsection.

CHAPTER 1115 - O-C Open Space Conservation District

1115.02 PRINCIPALLY PERMITTED USES.

The following uses shall be permitted in the O-C Open Space Conservation District:

Residential	Public/Semi-Public	Commercial
Single-Family Detached Dwelling	Conservation <i>Use</i>	Agricultural <i>Agriculture</i>

1115.03 ACCESSORY USES.

The following uses shall be permitted as accessory uses in the O-C Open Space Conservation District:

- (a) Accessory ~~buildings and~~ uses.
- (b) Home occupation.

1115.04 CONDITIONALLY PERMITTED USES.

The following uses shall be permitted as conditionally permitted uses in the O-C Open Space Conservation District subject to the requirements of Chapter 1153, Conditional ~~Uses~~ *Zoning Certificates*. Numerical identification after each item corresponds to specific standards in Section 1153.04, Conditionally Permitted Use Regulations.

Residential	Public/Semi-Public	Commercial
Bed and Breakfast Inn	Cemetery ^{3, 7, 20 16}	None
In-Law Suite	Public or Quasi-Public Owned Park or Recreation Facility ^{1, 2, 3, 4, 5, 9, 11, 14, 22 18, 24 19, 25}	
	Publicly Owned or Operated Governmental Facility ^{3, 7, 8, 11}	

CHAPTER 1121 - R-1 Low Density Urban Residential District

1121.02 PRINCIPALLY PERMITTED USES.

The following uses shall be permitted in the R-1 Low Density Urban Residential District:

Residential	Public/Semi-Public	Commercial
Single-Family Detached Dwelling	None	None

1121.03 ACCESSORY USES.

The following uses shall be permitted as accessory uses in the R-1 Low Density Urban Residential District:

- (a) Accessory ~~buildings and~~ uses.
- (b) Home ~~o~~ccupation.

1121.04 CONDITIONALLY PERMITTED USES.

The following uses shall be permitted as conditionally permitted uses in the R-1 Low Density Urban Residential District subject to the requirements of Chapter 1153, Conditional ~~Uses~~ **Zoning Certificates**. Numerical identification after each item corresponds to specific standards in Section 1153.04, Conditionally Permitted Use Regulations.

Residential	Public/Semi-Public	Commercial
In-Law Suite	Conservation Use	None
Group Home up to 8 Individuals	Public and Parochial Educational Institution for Primary Education - Pre-School, Kindergarten, and Elementary School ^{1, 2, 3, 5, 6, 11}	
	Publicly Owned or Operated Governmental Facility ^{3, 7, 8, 11}	
	Public or Quasi-Public Owned Park or Recreation Facility ^{1, 2, 3, 4, 5, 9, 11, 14, 22 18, 24 19, 25}	

CHAPTER 1123 - R-2 Medium Density Urban Residential District

1122.03 PRINCIPALLY PERMITTED USES.

The following uses shall be permitted in the R-2 ~~Low~~ **Medium** Density Urban Residential District:

Residential	Public/Semi-Public	Commercial
Single-Family Detached Dwelling	None	None

1123.03 ACCESSORY USES.

The following uses shall be permitted as accessory uses in the R-2 Medium Density Urban Residential District:

- (a) Accessory ~~buildings and~~ uses.
- (b) Home ~~occupation~~.

1123.04 CONDITIONALLY PERMITTED USES.

The following uses shall be permitted as conditionally permitted uses in the R- 2 Medium Density Urban Residential District subject to the requirements of Chapter 1153, Conditional **Uses Zoning Certificates**. Numerical identification after each item corresponds to specific standards in Section 1153.04, Conditionally Permitted Use Regulations.

Residential	Public/Semi-Public	Commercial
Nursing Home , Assisted Living Facility, Independent Living Facility, or Nursing Home ^{1, 2, 3, 5, 7, 9, 11, 14 13}	Cemetery ^{3, 7, 20 16}	None
Group Home up to 8 Individuals	Conservation Use	
In-Law Suite	Public and Parochial Educational Institution for Primary Education - Pre-School, Kindergarten, and Elementary School ^{1, 2, 3, 5, 6, 11}	
Two-Family Dwelling	Public and Parochial Educational Institution for Secondary Education - Junior High School, Middle School, Intermediate School, and High School ^{1, 2, 3, 4, 5, 7, 11}	
	Public or Quasi-Public Owned Park or Recreation Facility ^{1, 2, 3, 4, 5, 9, 11, 14, 22 18, 24 19, 25}	
	Publicly Owned or Operated Governmental Facility ^{3, 7, 8, 11}	
	Religious Place of Worship ^{1, 3, 7, 11, 12, 14}	

CHAPTER 1125 - R-3 High Density Urban Residential District

1125.02 PRINCIPALLY PERMITTED USES.

The following uses shall be permitted in the R-3 High Density Urban Residential District:

Residential	Public/Semi-Public	Commercial
Single-Family Detached Dwelling	None	None

1125.03 ACCESSORY USES

The following uses shall be permitted as accessory uses in the R-3 High Density Urban Residential District:

- (a) Accessory ~~buildings and~~ uses.
- (b) Home ~~o~~ccupation.

1125.04 CONDITIONALLY PERMITTED USES.

The following uses shall be permitted as conditionally permitted uses in the R-3 High Density Urban Residential District subject to the requirements of Chapter 1153, Conditional ~~Uses~~ **Zoning Certificates**. Numerical identification after each item corresponds to specific standards in Section 1153.04, Conditionally Permitted Use Regulations.

Residential	Public/Semi-Public	Commercial
Nursing Home , Assisted Living Facility, Independent Living Facility, or Nursing Home ^{1, 2, 3, 5, 7, 9, 11, 14 13}	Cemetery ^{3, 7, 20 16}	None
Group Home up to 8 Individuals	Conservation Use	
In-Law Suite	Public and Parochial Educational Institution for Primary Education - Pre-School, Kindergarten, and Elementary School ^{1, 2, 3, 5, 6, 11}	
Manufactured Housing Park or Mobile Home Park ^{3, 5, 7, 8, 9, 10, 11, 14 13, 24, 26, 27 20, 28, 30 22}	Public and Parochial Educational Institution for Secondary Education - Junior High School, Middle School, Intermediate School, and High School ^{1, 2, 3, 4, 5, 7, 11}	
Two-Family Dwelling	Public or Quasi-Public Owned Park or Recreation Facility ^{1, 2, 3, 4, 5, 9, 11, 14, 22 18, 24 19, 25}	
	Publicly Owned or Operated Governmental Facility ^{3, 7, 8, 11}	
	Religious Place of Worship ^{1, 3, 7, 11, 12, 14}	

CHAPTER 1125 - R-4 Multi-Family Urban Residential District

1127.02 PRINCIPALLY PERMITTED USES.

The following uses shall be permitted in the R-4 Multi-Family Urban Residential District:

Residential	Public/Semi-Public	Commercial
Single-Family Attached Dwelling	None	None
Single-Family Detached Dwelling		
Two-Family Dwelling		

1127.03 ACCESSORY USES.

The following uses shall be permitted as accessory uses in the R-4 Multi-Family Urban Residential District:

- (a) Accessory ~~buildings and~~ uses.
- (b) Home ~~occupation~~.

1127.04 CONDITIONALLY PERMITTED USES.

The following uses shall be permitted as conditionally permitted uses in the R-4 Multi-Family Urban Residential District subject to the requirements of Chapter 1153, Conditional ~~Uses~~ **Zoning Certificates**. Numerical identification after each item corresponds to specific standards in Section 1153.04, Conditionally Permitted Use Regulations.

Residential	Public/Semi-Public	Commercial
Nursing Home , Assisted Living Facility, Independent Living Facility, or Nursing Home ^{1, 2, 3, 5, 7, 9, 11, 14 13}	Cemetery ^{3, 7, 20 16}	None
Group Home up to 8 Individuals	Conservation Use	
Group Home 9 – 16 Individuals	Public and Parochial Educational Institution for Primary Education - Pre-School, Kindergarten, and Elementary School ^{1, 2, 3, 5, 6, 11}	
In-Law Suite	Public and Parochial Educational Institution for Secondary Education - Junior High School, Middle School, Intermediate School, and High School ^{1, 2, 3, 4, 5, 7, 11}	
Manufactured Housing Park or Mobile Home Park ^{3, 5, 7, 8, 9, 10, 11, 14 13, 24, 26, 27 19, 28, 30 22}	Publicly Owned or Operated Governmental Facility ^{3, 7, 8, 11}	
Multi-Family Dwelling ^{5, 11, 16 14, 26, 27 19, 28, 29}	Public or Quasi-Public Owned Park or Recreation Facility ^{1, 2, 3, 4, 5, 9, 11, 14, 22 18, 24 19, 25}	
Transitional Housing ^{7, 24 18}	Religious Place of Worship ^{1, 3, 7, 11, 12, 14}	

CHAPTER 1129 - M-U Multi-Family Urban Residential District

1129.02 PRINCIPALLY PERMITTED USES.

The following uses shall be permitted in the M-U Multi-Use District:

Residential	Public/Semi-Public	Commercial
Single-Family Attached Dwelling	None	Bed and Breakfast Inn
Single-Family Detached Dwelling		Convenience Retail
Two-Family Dwelling		Funeral Home
		Office Professional, Medical, and Administrative
		Personal and or Professional Services <i>without a Drive Through</i>

1129.03 ACCESSORY USES.

The following uses shall be permitted as accessory uses in the M-U Multi-Use District:

- (a) Accessory ~~buildings and~~ uses.
- (b) Home ~~o~~ccupation.

1129.04 CONDITIONALLY PERMITTED USES.

The following uses shall be permitted as conditionally permitted uses in the M-U Multi-Use District subject to the requirements of Chapter 1153, Conditional ~~Uses~~ *Zoning Certificates*. Numerical identification after each item corresponds to specific standards in Section 1153.04, Conditionally Permitted Use Regulations.

Residential	Public/Semi-Public	Commercial
Nursing Home , Assisted Living Facility, Independent Living Facility, <i>or Nursing Home</i> ^{1, 2, 3, 5, 7, 9, 11, 14 13}	Cemetery ^{3, 7, 20 16}	Child Day Care Center and or Nursery ^{2, 5, 9, 11, 14 13}
Group Home up to 8 Individuals	Conservation Use	<i>Clinic</i>
Group Home 9 – 16 Individuals	Publicly Owned or Operated Governmental Facility ^{3, 7, 8, 11}	Multiple Uses in a Single Building
In-Law Suite	Public or Quasi-Public Owned Park or Recreation Facility ^{1, 2, 3, 4, 5, 9, 11, 14, 22 18, 24 19, 25}	Personal and or Professional Services with <i>a Drive-Thru Through</i>
Multi-Family Dwelling ^{5, 11, 16 14, 26, 27 20, 28, 29}	Religious Place of Worship ^{1,3, 7, 11, 12, 14}	
	Urban Garden	

1129.06 SUPPLEMENTAL REGULATIONS.

- (e) ~~All uses shall use the existing residential buildings in the district.~~ Additions made to existing residential buildings after the effective date of this section shall be limited to twenty- five percent (25%) of the area of the principal building as it existed on the effective date of this section or 1,250 square feet, whichever is less.
- (f) When residential buildings are adapted for other uses permitted in the district, the new use shall maintain the same basic residential environment in terms of the building exterior, landscaping and operation of the nonresidential use.
- (g) ***New uses should be located in existing residential buildings when possible.*** All new ***principal*** buildings proposed ~~for in~~ the M-U District, ~~after the effective date of this section~~ shall not exceed twenty-five percent (25%) of the average of the floor areas of all principal residential buildings on lots adjacent to and across the street from the lot on which the new building is to be located. ~~, with~~ ***The source for all such information shall be the Medina County tax parcel records Auditor.*** In addition, all new buildings shall be compatible with the existing residential environment in terms of scale, proportion, facade materials, and color.
- (h) All uses shall be conducted in a manner which is compatible with a residential neighborhood.

CHAPTER 1130 – P-F Public Facilities District

130.03 ACCESSORY USES.

The following uses shall be permitted as accessory uses in the P-F Public Facilities District:

- (a) Accessory ~~buildings and~~ uses.
- (b) Commercial ~~e~~ntertainment.
- (c) Retail uses incidental to the main recreational use.

1130.02 PRINCIPALLY PERMITTED USES.

The following uses shall be permitted in the P-F Public Facilities District:

Residential	Public/Semi-Public	Commercial
None	Cemetery	Hospital
	Educational Institution for Higher Education	Office Professional, Medical, and Administrative
	Public and Parochial Educational Institution for Primary Education	
	Public and Parochial Educational Institution for Secondary Education	
	<i>Museum</i>	
	<i>Off-Street Parking Lot, Deck, or Garage</i>	
	Passenger Transportation Agency and Terminal	
	Publicly Owned or Operated Governmental Facility	
	Public or Quasi-Public Owned Park or Recreation Facility	
	Public Utility	
	Other Similar Uses as Determined by the Planning Commission	

1130.04 CONDITIONALLY PERMITTED USES.

The following uses shall be permitted as conditionally permitted uses in the P-F Public Facilities District subject to the requirements of Chapter 1153, Conditional ~~Uses~~ ***Zoning Certificates***:

Residential	Public/Semi-Public	Commercial
Nursing Home , Assisted Living Facility, Independent Living Facility, <i>or Nursing Home</i>	Conservation Use	Child Day Care Center and <i>or</i> Nursery
	Urban Garden	Multiple Uses in a Single Building
	Wireless Telecommunication Facility	

CHAPTER 1131 – C-S Commercial Service District

1131.02 PRINCIPALLY PERMITTED USES.

The following uses shall be permitted in the C-S Commercial Service District:

Residential	Public/Semi-Public	Commercial
None	None	<i>Clinic</i>
		Office Professional, Medical, and Administrative
		Personal and or Professional Services <i>without a Drive Through</i>
		Other Similar Uses as Determined by the Planning Commission

1131.03 ACCESSORY USES.

The following uses shall be permitted as accessory uses in the C-S Commercial Service District:

- (a) Accessory ~~buildings and~~ uses.

1131.04 CONDITIONALLY PERMITTED USES.

The following uses shall be permitted as conditionally permitted uses in the C-S Commercial Service District subject to the requirements of Chapter 1153, Conditional ~~Uses~~ *Zoning Certificates*. Numerical identification after each item corresponds to specific standards in Section 1153.04, Conditionally Permitted Use Regulations.

Residential	Public/Semi-Public	Commercial
Bed and Breakfast Inn ^{11, 14}	Cemetery ^{3, 7, 17, 20, 16}	<i>Bed and Breakfast Inn</i> ^{11, 13}
<i>None</i>	Conservation Use	Child Day Care Center and or Nursery ^{2, 5, 9, 11, 14 13}
	Educational Institution for Higher Education - Technical School, Vocational School, College, or University ^{1, 2, 3, 5, 7, 11}	Conference Center, Banquet Facility, or Meeting Hall
	Public and Parochial Educational Institution for Primary Education - Pre-School, Kindergarten, and Elementary School ^{1, 2, 3, 5, 6, 11}	Hospital ^{1, 2, 3, 5, 7, 9, 11, 14 13}
	Public and Parochial Educational Institution for Secondary Education - Junior High School, Middle School, Intermediate School, and High School ^{1, 2, 3, 4, 5, 7, 11}	Personal and or Professional Services with <i>a Drive Thru Through</i> ^{2, 7, 15}
	Publicly Owned or Operated Governmental Facility ^{3, 7, 8, 11}	Research and Development Laboratory and Processing with No External Hazardous, Noxious, or Offensive Conditions
	Public or Quasi Publicly Owned Park or Recreation Facility ^{1, 2, 3, 4, 5, 9, 11, 14, 22 18, 24 19, 25}	
	Public Utility ^{1, 10, 11}	

Residential	Public/Semi-Public	Commercial
	Religious Place of Worship ^{1, 3, 7, 11, 12, 14}	
	Urban Garden	

CHAPTER 1133 – C-1 Local Commercial District

1133.02 PRINCIPALLY PERMITTED USES.

The following uses shall be permitted in the C-1 Local Commercial District:

Residential	Public/Semi-Public	Commercial
None	None	<i>Clinic</i>
		Convenience Retail
		Office Professional, Medical, and Administrative
		Personal and or Professional Services
		Other Similar Uses as Determined by the Planning Commission

1133.03 ACCESSORY USES.

The following uses shall be permitted as accessory uses in the C-1 Local Commercial District:

- (a) Accessory ~~buildings and~~ uses.

1133.04 CONDITIONALLY PERMITTED USES.

The following uses shall be permitted as conditionally permitted uses in the C-1 Local Commercial District subject to the requirements of Chapter 1153, Conditional ~~Uses~~ *Zoning Certificates*. Numerical identification after each item corresponds to specific standards in Section 1153.04, Conditionally Permitted Use Regulations.

Residential	Public/Semi-Public	Commercial
Nursing Home , Assisted Living Facility, Independent Living Facility, <i>or Nursing Home</i> ^{1, 2, 3, 5, 7, 9, 11, 14 13}	Club, Lodge or Fraternal Organization ^{9, 11, 14 13-25}	Bar or Tavern
Bed and Breakfast Inn ^{11, 14}	Conservation Use	<i>Bed and Breakfast Inn</i> ^{11, 13}
	Educational Institution for Higher Education - Technical School, Vocational School, College, or University	Child Day Care Center and or Nursery ^{2, 5, 9, 11, 14 13}
	Publicly Owned or operated Governmental Facility ^{3, 7}	Hospital ^{1, 2, 3, 5, 7, 9, 11, 14 13}
	Public Utility ^{1, 10, 11}	Motor Vehicle Filling Station with or without Convenience Retail ^{5, 7, 17 15, 29 21, 31 23}
	Religious Place of Worship ^{1, 3, 7, 11, 12, 14}	Personal and or Professional Services with Drive Thru <i>Through</i> ^{2, 7, 17 15}

Residential	Public/Semi-Public	Commercial
	Urban Garden	Research and Development Laboratory and Processing with No External Hazardous, Noxious or Offensive Conditions
		Restaurant

CHAPTER 1135 – C-2 Central Business District

1135.03 PRINCIPALLY PERMITTED USES.

The following uses shall be permitted in the C-2 Central Business District:

Residential	Public/Semi-Public	Commercial
Attached Single-Family D wellings within a Mixed Use Building - excluding the first floor in the defined public square area Not including Ground Level Residential Units in the Public Square Area	Club, Lodge or Fraternal Organization	Bar or Tavern
Multi-Family D wellings within a Mixed Use Building - excluding the first floor in the defined public square area Not including Ground Level Residential Units in the Public Square Area	Passenger Transportation Agency and Terminal	Clinic
		Commercial Entertainment
		Commercial Recreation
		Convenience Retail
		Mixed Use Building - Residential Excluded from Ground Level Floor Not including Ground Level Residential Units in the Public Square Area
		Off-Street Parking Lot, Garage, or Deck
		Office Professional, Medical and Administrative
		Personal and or Professional Services
		Restaurant
		Retail Business
		Other Similar Uses as Determined by the Planning Commission

1135.04 ACCESSORY USES.

The following uses shall be permitted as accessory uses in the C-2 Central Business District:

- (a) Accessory ~~buildings and~~ uses.
- (b) Car ~~wash~~ **for passenger vehicles** if accessory to a motor vehicle filling station.

1135.05 CONDITIONALLY PERMITTED USES.

The following uses shall be permitted as conditionally permitted uses in the C-2 Central Business District subject to the requirements of Chapter 1153, Conditional ~~Uses~~ **Zoning Certificates**. Numerical identification after each item corresponds to specific standards in Section 1153.04, Conditionally Permitted Use Regulations.

Residential	Public/Semi-Public	Commercial
First Floor Dwelling Units in Public Square Area ³⁵	Conservation Use	Bed and Breakfast Inn ^{11, 13}
Bed and Breakfast Inn ^{11, 14}	Educational Institution for Higher Education - Technical School, Vocational School, College, or University	Child Day Care Center and or Nursery ^{2, 5, 9, 11, 14 13}
Attached Single-Family Dwellings within a Mixed Use Building - Including Ground Level Residential Units in the Public Square Area ²⁴	Publicly Owned or Operated Governmental Facility ^{3, 7, 8, 11}	Conference Center, Banquet Facility, or Meeting Hall
Multi-Family Dwellings within a Mixed Use Building - Including Ground Level Residential Units in the Public Square Area ²⁴	Public Utility ^{1, 10, 11}	Hospital ^{1, 2, 3, 5, 7, 9, 11, 14 13}
	Religious Place of Worship ^{1, 3, 7, 11, 12, 14}	Hotel or Motel
	Urban Garden	Motor Vehicle Truck, Trailer, and Farm Implements Repair, Service and Storage Major Motor Vehicle Repair, Major (Excluding Body Work, Painting, and Engine Work) Major or Minor Motor Vehicle Repair ^{7, 15, 21, 23}
		Mixed Use Building - Including First Floor Residential Units in the Public Square Area
		Motor Vehicle Filling Station with or without Convenience Retail ^{5, 7, 17 15, 29 21, 22 23}
		Motor Vehicle Truck, Trailer and Farm Implement Sales, Rental or Leasing - New or Used Motor Vehicle Sales ¹⁵

Residential	Public/Semi-Public	Commercial
		<i>Museum</i>
		Outdoor Dining ²⁸
		Personal and <i>or</i> Professional Services with Drive- Thru <i>Through</i> ²
		Research and Development Laboratory and Processing with No External Hazardous, Noxious or Offensive Conditions
		Restaurant with Drive- Thru <i>Through</i> or Drive-In ^{2, 7, 15}

CHAPTER 1137 – C-3 General Commercial District

1137.02 PRINCIPALLY PERMITTED USES.

The following uses shall be permitted in the C-3 General Commercial District:

Residential	Public/Semi-Public	Commercial
None	Club, Lodge or Fraternal Organization	Bar or Tavern
	Passenger Transportation Agency and Terminal	<i>Clinic</i>
		Commercial Entertainment
		Commercial Recreation
		Convenience Retail
		Drive-In Establishments including Restaurants and Theaters
		<i>Funeral Home</i>
		Heavy Duty Repair Services for Machinery and Equipment Including Repair Garages and Specialty Establishments including Motor, Body, Fender, Radiator Work
		Hotel or Motel
		Mixed Use Building - Residential Excluded from Ground Level Floor
		Motor Vehicle Truck, Trailer, and Farm Implements Repair, Service and Storage Major Motor Vehicle Repair, Major (Excluding Body Work, Painting, and Engine Work) <i>Minor Motor Vehicle Repair</i>
		Motor Vehicle Truck, Trailer and Farm Implement Sales, Rental or Leasing—New or Used <i>Motor Vehicle Sales</i>
		Off-Street Parking Lot, Garage, or Deck
		Office Professional, Medical, and Administrative
		Personal and or Professional Services
		Plant Greenhouse
		Restaurant
		Retail <i>Business</i> less than <i>or equal to</i> 80,000 square feet in <i>Size</i>
		Veterinary Office or Hospital in Enclosed Building
		Other Similar Uses as Determined by the Planning Commission

1137.03 ACCESSORY USES.

The following uses shall be permitted as accessory uses in the C-3 General Commercial District:

- (a) Accessory ~~buildings and~~ uses.
- (b) Car wash *for passenger vehicles if accessory to a motor vehicle filling station.*

1137.04 CONDITIONALLY PERMITTED USES.

The following uses shall be permitted as conditionally permitted uses in the C-3 General Commercial District subject to the requirements of Chapter 1153, Conditional ~~Uses~~ *Zoning Certificates*. Numerical identification after each item corresponds to specific standards in Section 1153.04, Conditionally Permitted Use Regulations.

Residential	Public/Semi-Public	Commercial
Multi-Family Dwelling ¹⁴	Conservation Use	Open Air Building <i>Materials Sales Yard</i> and Lumber Yard
Transitional Housing ^{7, 24} ¹⁹	Educational Institution for Higher Education - <i>Technical School, Vocational School, College, or University</i>	Car Wash <i>for Passenger Vehicles</i> ²
	Publicly Owned or Operated Governmental Facility ^{3, 7, 8, 11}	Child Day Care Center and or Nursery ^{2, 5, 9, 11, 14 13}
	Public Utility ^{1, 10, 11}	Conference Center, Banquet Facility, or Meeting Hall ^{1, 3, 7, 11, 12, 14 13}
	Religious Place of Worship ^{1, 3, 7, 11, 12, 14}	Cremation Facility <i>Crematorium</i>
	Wireless Telecommunications Facility	Hospital ^{1, 2, 3, 5, 7, 9, 11, 14 13}
		<i>Major Motor Vehicle Repair</i> ^{7, 15, 21, 23}
		Motor Vehicle Filling Station with or without Convenience Retail ^{5, 7, 12, 15, 29 21, 31 23}
		Outdoor Dining ²⁸
		Personal and or Professional Services with Drive- Thru <i>Through</i> ²
		Research and Development Laboratory and Processing with No External Hazardous, Noxious or Offensive Conditions
		Restaurant with Drive- Thru <i>Through</i> or Drive-In ^{2, 7, 15}
		Retail <i>Business</i> Larger than 80,000 square feet in Size
		Sexually Oriented Business ^{36 25}
		Wholesale Establishments <i>Smaller</i> than 10,000 square feet in size

CHAPTER 1141 – I-1 Industrial District

1141.02 PRINCIPALLY PERMITTED USES.

The following uses shall be permitted in the I-1 Industrial District:

Residential	Public/Semi-Public	Commercial
None	Public Utility	Distribution Center for Fuel, Food and Goods, Underground Storage - Must be Completely Enclosed if Facing a Non-Industrial District
		Heavy Duty Repair Services for Machinery and Equipment Including Repair Garages and Specialty Establishments including Motor, Body, Fender, Radiator Work
		Light Manufacturing
		Major or Minor Motor Vehicle Repair
		Mixed Use Building
		Motor Vehicle Storage
		Off-Street Parking Lot, Deck and Garage, or Deck
		Office Professional, Medical, and Administrative
		Outdoor Storage
		Plant Greenhouse
		Research and Development Laboratory and Processing with No Hazardous, Noxious, or Offensive Conditions
		Self-Storage Warehouse
		Truck or Transfer Terminal - No Closer than 50 feet from a Residential District
		Veterinary Office or Hospital in an Enclosed Building
		Warehousing Warehouse
		Wholesale Establishment
		Other Similar Uses as Determined by the Planning Commission

1141.03 ACCESSORY USES.

The following uses shall be permitted as accessory uses in the I-1 Industrial District:

- (a) Accessory ~~buildings and~~ uses.
- (b) Child day care center or nursery with no less than fifty (50) percent of children being direct dependents of adults employed by the principal use.**
- (c) Contractor equipment storage yard.**
- ~~(b d)~~ Retail.

1141.04 CONDITIONALLY PERMITTED USES.

The following uses shall be permitted as conditionally permitted uses in the I-1 Industrial District subject to the requirements of Chapter 1153, Conditional ~~Uses~~ **Zoning Certificates**. Numerical identification after each item corresponds to specific standards in Section 1153.04, Conditionally Permitted Use Regulations.

Residential	Public/Semi-Public	Commercial
None	Conservation Use	<i>Building Materials Sales Yard and Lumber Yard</i>
	Educational Institution for Higher Education - <i>Technical School, Vocational School, College, or University</i>	<i>Car Wash</i> ²
	Passenger Transportation Agency and Terminal	Commercial Entertainment
	Publicly Owned or Operated Governmental Facility ^{3, 7, 8, 11}	Commercial Recreation
	Wireless Telecommunication Facility	Contractor's Equipment Storage Yard or Plant, or Storage and Rental of Equipment Commonly Used by Contractors - Must be Completely Enclosed if Facing a Residential District
		<i>Cremation Facility Crematorium</i>
		Heavy Manufacturing ^{17, 37 26, 38 27}
		Motor Vehicle, Truck, Trailer and Farm Implement Repair, Service and Storage (Excluding Body Work, Painting, Engine Overhaul)
		<i>Motor Vehicle Sales - Only including Rental and Minor Repair Work</i>
		<i>Recreation Facility</i>
		Retail <i>Business</i>
		Truck Wash

CHAPTER 1145 – Off-Street Parking and Circulation

1145.04 SCHEDULE OF PARKING REQUIREMENTS AND STANDARDS.

- (a) Schedule of Parking Requirements. Accessory off-street parking spaces shall be provided not less than as set forth in the following schedule:

SCHEDULE OF OFF-STREET PARKING REQUIREMENTS

Residential Uses	Formula
Assisted Living, Nursing, Convalescent Home, Assisted Living Facility, Nursing Home, or Transitional Housing	One (1) space for each two (2) resident rooms + one (1) space for every five (5) resident rooms.
Bed and Breakfast	Two (2) spaces for owner + one (1) space for each guest room.
Day Care, Child (In-Home)	See Single Family Detached Dwelling.
Group Home	One (1) space for two (2) beds + one (1) space for every 400 square feet of gross floor area, excluding resident rooms.
Independent Living Facility	One and one-half (1½) spaces for each dwelling unit + one (1) space for every five (5) dwelling units.
In-Law Suite	One (1) space in addition to the requirement of the single family dwelling.
Manufactured Housing or Mobile Home Dwelling	Two (2) spaces for each unit.
Multi-Family Dwelling	Two (2) spaces for each dwelling unit + one (1) space for each five (5) dwelling units for visitor parking.
Single-Family Attached and Single-Family Detached Dwelling	Two (2) spaces for each dwelling.
Two Family Dwelling	Two (2) spaces for each dwelling.

Commercial Uses	Formula
Bar or Tavern	One (1) space for every three (3) seats or one (1) space for each seventy-five (75) square feet of floor area, whichever is greater.
Bed and Breakfast Inn	Two (2) spaces for owner + one (1) space for each guest room.
Building Materials, Contractors Equipment Sales Yard Building Materials Sales Yard and Lumber Yard	One (1) space for 400 square feet of net floor area; and one (1) space For uses solely utilizing outdoor sales yards, one (1) space per 2,000 5,000 square feet of sales outdoor sales yard area.
Car Wash, Automated	Three (3) stacking spaces for each automated car wash lane.
Car Wash, Self Service	Two (2) stacking spaces for each stall + two (2) drying spaces for each stall.

Commercial Uses (Cont.)	Formula
Child Day Care Center or Nursery, Child	One (1) space for each 200 square feet of licensed capacity plus sufficient space for child drop-off/loading area.
Office, Medical/ Dental Clinic	One (1) space per 200 300 square feet.
Commercial Entertainment	One (1) space for each three (3) seats or one space for each 100 square feet of floor area, whichever is greater.
Commercial Recreation	One (1) space for each fifty (50) square feet of pool area including deck. One (1) space for each 500 square feet of outdoor playground area. Four (4) spaces per lane for a bowling alley. Five (5) spaces for each trail head. Six (6) spaces for each tennis, racquet ball or handball court. Ten (10) spaces for each basketball court. Twenty (20) spaces for each baseball, softball or soccer field.
Banquet, Conference Center, Banquet Facility, or Meeting Halls	One (1) space for each three (3) seats or one (1) space per 150 square feet of banquet or meeting gross floor area where fixed seating is not available.
Convenience Store Retail	One (1) space for each 300 square feet of net floor area + one (1) space per every two (2) pumps.
Distribution Center for Fuel, Food and Goods, Wholesale Establishment, Heavy Duty Repair Services, Manufacturing (Heavy or Light) Uses, Public Utility, Self-Storage Warehouse, Truck Transfer Terminal, and Warehousing, Wholesale Establishment	The required parking for these uses shall be enough to satisfy all the parking needs of the proposed use. No parking, loading or servicing shall be done on the street right-of-way or landscaped area.
Drive-In Establishments Facility	One (1) space for each 100 square feet of gross floor area if entirely drive-through. If drive-in facility, one (1) space for each ordering space + one (1) space per 100 square feet of gross floor area.
Financial Institution	One (1) space for each 2 300 square feet of floor area + four (4) stacking spaces for each drive-in service window.
Funeral Home or Mortuary	One (1) space for each fifty (50) square feet of parlor or chapel space or one (1) per four (4) seats, whichever is greater, but not less than twenty (20) spaces.
Hotel or Motel	One (1) space for each room + one space for each 200 square feet of lobby space + one (1) space for each 100 square feet of meeting area and/or restaurant space or bar./cocktail lounge

Commercial Uses (Cont.)	Formula
Mixed Uses	The sum of spaces of each use reduced by fifteen percent (15%).
Motor Vehicle Filling Station (Without Convenience Retail)	Two (2) spaces for each two (2) fuel pumps + one (1) space for each fifty (50) square feet of attendant facility.
Motor Vehicle Repair or Service Station (Major or Minor)	Two (2) spaces for each service bay (excluding the bay) + two (2) spaces for every two (2) fuel pumps.
Motor Vehicle, Truck, Trailer and Farm Implement Sales	One (1) space for each 300 square feet of net floor area of the showroom.
Office, Professional and Administrative (excluding medical)	One (1) space for each 400 square feet.
Outside Storage	Two (2) spaces for the first 2,000 square feet + one (1) space for each additional 2,000 square feet of outdoor storage area.
Personal and or Professional Services	One (1) space for each 300 square feet of gross floor area + one (1) space for each service vehicle parked on site
Plant Greenhouse (Commercial)	One (1) space for each 800 square feet of indoor/outdoor sales space.
Research and Development Laboratory	One (1) space for each 400 square feet of gross floor area.
Restaurant	One (1) space for each two (2) seats of seating capacity + four (4) stacking spaces for each drive through window.
Retail Business	One (1) space for each 400 square feet of gross floor area.
Sexually Oriented Business	One (1) space for each 200 square feet of gross floor area.
Veterinary Office or Hospital	Two (2) spaces for each examination room + one (1) space per each 200 square feet of laboratory and office floor area.

Public and Semi-Public Uses	Formula
Cemetery	One (1) space for each fifty (50) square feet of parlor or chapel space or one (1) per four (4) seats, whichever is greater, but not less than twenty (20) spaces.
Club, Fraternity, Lodge or Similar Organization	One (1) space for each 100 square feet of floor area.
Community Center or Recreation Center	One (1) space for each 250 square feet of floor area.
Educational Institution for Primary Education (Pre-K-8) - Pre-school, Kindergarten, Elementary School, Junior High School, Middle School, and Intermediate School	Two (2) spaces for each classroom + one (1) space for every eight (8) seats in any auditorium and gymnasium.

Public and Semi-Public Uses (Cont.)	Formula
Educational Institution for Secondary Education (9-12) - High School	Ten (10) spaces for every classroom + one (1) space for every eight (8) seats in any auditorium and gymnasium.
Educational Institution for Higher Education (- Technical School, Vocational School, College, or University)	Ten (10) spaces for every classroom + one (1) space for every eight (8) seats in any auditorium.
Hospital	One (1) space for each bed + one (1) space for each 500 square feet of administrative, office and laboratory space.
Library or Museum	One (1) space for each 400 square feet of floor area.
Public Park or Recreation or Park Facility	One (1) space for each fifty (50) square feet of pool area including deck. One (1) space for each 500 square feet of outdoor playground area. Four (4) spaces for each acre for unimproved recreation area. Five (5) spaces for each trail head. Six (6) spaces for each tennis, racquet ball or handball court. Ten (10) spaces for each basketball court. Twenty (20) spaces for each baseball, softball or soccer field. Forty (40) spaces for each football field.
Passenger Transportation Agency and Terminal	One (1) space for each 400 square feet of floor area + one (1) space for each transit vehicle + sufficient space for pick up and drop-off of passengers.
Publicly Owned or Operated Government Facility <i>(Not Including Community Center, Recreation Center, or Library)</i>	One (1) space for each 400 square feet of floor area for administrative use + one (1) space for each government vehicle parked on site. One (1) space for each 800 square feet of indoor maintenance use.
Religious Place of Worship	One (1) space for each five (5) seats or bench seating in the main assembly area. If an educational institution is part of the church, follow guidelines for respective educational institution requirements.

- (d) Parking District. Uses within ~~the Downtown Medina~~ Parking District Number 1, as established in Ordinance 26-78 **and amended in Ordinance 136-84, Ordinance 123-19**, or such other subsequent legislation, shall be exempt from the requirements of this section ~~(see appendix)~~. **In the Parking District, new uses with a formulaic increase in minimum off-street parking from the previous use shall submit information indicating the intended location of parking.**

1145.10 DRIVEWAYS TO PARKING AREAS.

- (e) Driveway Width. The width of driveways at the curb line and at the right-of-way line shall comply with the requirements in Table 2. The Commission may permit wider driveways for three or more entrance/exit lanes for those drives with a high volume of traffic. In the case of a four-lane drive, the lanes shall be designed as two adjacent entrance and exit lanes divided by a minimum six-foot wide barrier.

**TABLE 2
WIDTH OF DRIVEWAYS**

	Maximum Width at Curb Line (feet)	Width at R.O.W. Line (feet)	
		Minimum	Maximum
Residential	22	10	20
Commercial or Public Facility	38	12	24
Industrial	120	24	60 75

CHAPTER 1153 – Conditional Zoning Certificates

1153.04 CONDITIONALLY PERMITTED USE REGULATIONS.

- (a) Regulations applicable to conditionally permitted uses are as follows:
- (1) All structures and activity areas should be located at least 100 feet from all property lines.
 - ~~*(13) Truck routes shall be established for movement in and out of the development in such a way that it will minimize the wear on public streets and prevent hazards and damage to other properties in the community.~~
 - ~~(14 13) (No Change to Text)~~
 - ~~*(15) Such developments should be located on or immediately adjacent to State highways.~~
 - ~~(16 14) (No Change to Text)~~
 - ~~(17 15) (No Change to Text)~~
 - ~~*(18) Any temporary structures must be indicated as such on site plans submitted to the Planning Commission for approval. Such structures shall not be continued as permanent structures. The period of continuance shall be set by the Planning Commission.~~
 - ~~*(19) Such uses should be located on a major thoroughfare, adjacent to nonresidential uses such as commerce, industry or recreation, or adjacent to sparsely settled residential uses.~~
 - ~~(20 16)~~ The area proposed for a cemetery shall be used for cemetery purposes only, and shall meet the following requirements:
 - L. Location of cemetery buildings and all other structures shall conform to front, side and rear yard ~~building lines~~ **setbacks** of the particular district in which it is located.
 - ~~(21 17) (No Change to Text)~~
 - ~~(22 18) (No Change to Text)~~
 - ~~*(23) All facilities and structures shall meet all City and/or State health, building, electrical and other applicable codes.~~
 - ~~(24 19) (No Change to Text)~~
 - ~~(25) The proposed site plan for the project shall comply with all of the standards, criteria and regulations of Chapter 1109.~~
 - ~~(26) No zoning certificate shall be issued until final site plans have been submitted and approved by the Planning Commission. Site plans shall show the following: drainage, including storm water, location of all buildings, fuel tanks, if any, off-street parking and service facilities, water supply, sanitation, walks, fences, walls, landscaping, outside lighting, traffic flow and its relation to abutting streets, and topography. No zoning certificate shall be issued until the approval by the appropriate State, County and City health departments has been obtained concerning the proposed sanitary sewerage facilities.~~
 - ~~(27 20) (No Change to Text)~~
 - ~~(28) A performance bond or other financial guarantee acceptable to the Planning Commission shall be placed with the City to insure that the landscaping is installed, that the hard-surfacing of the access drives and parking and service areas is installed, and that adequate storm water drainage is installed, all in accordance with the plans approved by the Planning Commission.~~
 - ~~(29 21) (No Change to Text)~~

- (30 22) ~~It is the intent of this subsection to permit trailer parks that house only independent trailers, and such trailer parks should be located on or have direct access to major thoroughfares. The area shall be in one ownership, or if in several ownerships the application shall be filed jointly by all the owners of the properties included in the plan. The following conditions shall apply~~ **to all Manufactured Housing Parks and Mobile Home Parks. For the purposes of this section, Manufactured Housing Parks and Mobile Home Parks shall be referred to as "Parks" and Manufactured Housing Homes or Mobile Homes shall be referred to as "Homes".**
- A. Parks shall house only detached homes.**
 - B. The park shall be in one ownership, or if in several ownerships, the application shall be filed jointly by all the owners of the properties included in the plan.**
 - A C.** In addition to the other requirements of this subsection, the application shall include any other data the Planning Commission may require.
 - B D.** Each boundary of the park must be at least 200 feet from any permanent residential building outside the park, unless separated ~~therefrom~~ by a natural or artificial barrier.
 - ~~C. The park shall be graded to be well drained.~~
 - D E.** ~~Trailer spaces shall be~~ **Each home shall have a clearly identified space** a minimum of 4,000 square feet **in area and** ~~for each space and at least~~ forty (40) feet **wide in width and clearly defined.**
 - F.** The density of the development shall not exceed eight **(8) trailers homes** per acre of total project ~~site;~~ **area and** the minimum size of the project to be developed shall be ~~at least~~ ten (10) acres.
 - E G.** There shall be at least ~~a~~ twenty (20) feet **of** clearance between ~~trailers homes~~. No ~~trailers home~~ shall be closer than twenty (20) feet from any building within the park or fifty (50) feet from any property ~~line building the park~~ **which is not located in the park.**
 - D H.** All ~~trailer home~~ spaces shall abut upon a driveway of not less than twenty (20) feet in pavement width, which shall have unobstructed access to a public thoroughfare. All paving and street lighting shall meet the requirements of City street standards.
 - G I.** Each park shall provide service buildings to house laundry, storage facilities and offices. ~~Construction shall meet the standards of the City and/or County Building Code.~~ Walkways not less than four (4) feet wide and paved shall be provided from the ~~trailer home~~ spaces to the service buildings.
 - H J.** Each ~~trailer home~~ shall be provided with ~~a three (3) wire 240-volt~~ electric service, ~~and~~ City and/or County approved water and sewer connections; **, and** all utility lines within the park shall be installed underground.
 - † K.** Adequate garbage and rubbish cans shall be provided no further than 300 feet from any ~~trailers home's~~ space.
 - ~~J. Each park shall be equipped at all times with adequate fire extinguishing equipment as determined by the Fire Department which serves that area.~~
 - ~~K. No pet animal shall run at large or commit any nuisance within the limits of any trailer park, on adjacent properties or the surrounding area.~~
 - L.** In addition to the 4,000 square feet of each ~~trailer lot~~ **home's space**, recreation and open space shall be provided within the overall ~~trailer~~ park tract at the rate of at least 1,500 square feet per ~~trailer site~~ **home;**. The shape, location, design and landscaping of recreation and open spaces shall be approved by the Planning Commission. All recreation and open spaces shall be maintained in a neat, orderly

and safe condition so as not to create a menace to the health and safety of any park occupant, visitor, neighboring land occupant or the general public.

~~(31 23)~~ (No Change to Text)

- ~~*(32) — It is the intent of this subsection to permit appropriately located senior citizen's housing developments a variation in density and parking regulations. The area proposed shall be in single ownership, or if in several ownerships, the application shall be filed jointly by all of the owners of the properties included in the plan. The following conditions shall apply:~~
- ~~A. — The development shall be located within convenient walking distance of shopping community facilities.~~
 - ~~B. — Each dwelling unit shall be occupied by a household in which the head is sixty-two (62) years of age or older; except that one dwelling unit may be occupied by a custodian for the development without regard to age.~~
 - ~~C. — The density of the development shall not exceed eighteen (18) dwelling units per acre.~~
 - ~~D. — No dwelling unit in the development shall include more than two (2) bedrooms.~~

~~*(33) — Veterinary Offices:~~

- ~~A. — There shall be no burial or incineration of animals on the premises.~~
- ~~B. — All activities shall be conducted within a totally enclosed and air-conditioned building.~~
- ~~C. — Animals treated shall be those ordinary household pets capable of being cared for entirely within the confines of a dwelling unit.~~
- ~~D. — Trash storage areas shall be screened from view from adjacent dwellings. All parking areas and driveways shall be separated from adjacent dwellings by a landscaped strip at least five (5) feet wide. The landscaped strip shall be improved with shrubs, hedges, trees or a decorative fence to screen paved areas from adjacent dwellings.~~
- ~~E. — No animals shall be kept overnight on the premises.~~

~~(34 24)~~ (No Change to Text)

~~(35 25)~~ (No Change to Text)

~~(37 26)~~ (No Change to Text)

~~(38 27)~~ (No Change to Text)

~~(39 28)~~ (No Change to Text)

CHAPTER 1155 – Supplemental Regulations

1155.05 DUMPSTERS, RECYCLING AND DONATION BOXES.

The following requirements shall apply to all uses that utilize dumpsters, recycling and trash handling areas, donation boxes and related service entrances. Dumpsters, recycling and donation boxes shall be accessory to a principal building on a lot.

(a) Dumpsters, Recycling, Trash Handling Areas and Related Service Equipment.

- (1) Setbacks. Dumpsters, recycling, trash handling areas and related service equipment, shall be ~~in compliance with the setback requirements for accessory structures as determined by the zone district in which such structure is constructed~~ ***located a minimum of five (5) feet from an adjacent lot with nonresidential zoning and a minimum of twenty (20) feet from an adjacent lot with residential zoning. The Planning Commission or Planning Director may waive dumpster setback requirements in the C-2 zoning district or the Public Square Area as defined in Section 1135.07(a) if compliance is determined to be infeasible.*** The dumpster and/or related equipment shall be located on a concrete pad constructed of sufficient strength for the dumpsters, recycling, equipment and vehicles that will empty the units.