

ORDINANCE NO. 009-17

AN ORDINANCE AMENDING PART ELEVEN, SECTIONS 1105.0159.1 (NEW), 1105.065, 1127.04, 1137.04, AND 1145.04 OF THE CODIFIED ORDINANCES OF THE CITY OF MEDINA, OHIO RELATIVE TO THE NEW TRANSITIONAL HOUSING USE DEFINITION AND REGULATORY FRAMEWORK OF THE PLANNING & ZONING CODE.

WHEREAS: The Planning Commission at their October 13, 2016 meeting reviewed and recommended the new and amended use definitions as well as the Transitional Housing regulatory framework (zoning district, permitted or conditional use, etc.); and

WHEREAS: The notice of public hearing by Medina City Council was duly published and the hearing was duly held January 9, 2017; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEDINA, OHIO:

SEC. 1: That Part Eleven, Sections 1105.0159.1 (new section), 1105.065, 1127.04, 1137.04, and 1145.04 of the codified ordinances of the City of Medina, Ohio shall be amended to read as presented in the October 13, 2016 Planning Commission Recommendation, marked Exhibit A, attached hereto and incorporated herein.

SEC. 2: That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

SEC. 3: That this Ordinance shall be in full force and effect at the earliest period allowed by law.

PASSED: January 23, 2017

SIGNED: John M. Coyne, III
President of Council

ATTEST: Kathy Patton
Clerk of Council

APPROVED: January 24, 2017

SIGNED: Dennis Hanwell
Mayor

Effective date: February 23, 2017

Ord. 9-17
Exh. A

October 13, 2016
Planning
Commission
Recommendation

**RESOLUTION
PLANNING COMMISSION**

October 26, 2016

City of Medina
132 N. Elmwood Avenue
Medina, Ohio 44256

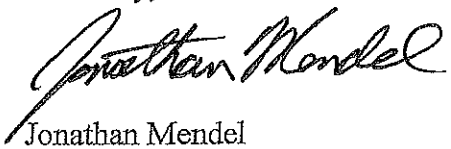
PROPERTY: Citywide

CASE NO: P16-19

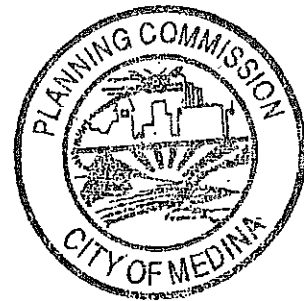
WHEREAS, YOUR APPLICATION WAS DULY PROCESSED AND AFTER APPROPRIATE REVIEW AND STUDY THE BOARD HAS PASSED THE FOLLOWING RESOLUTION:

The Planning Commission at the October 13, 2016 meeting has forwarded to City Council the proposed text amendments outlined in the staff report and attached.

Sincerely,



Jonathan Mendel
Community Development Director



cc: Engineering Department, City of Medina
Building Department, City of Medina
Fire Department, City of Medina

All proposed text amendments

Planning Commission accepted proposed *Transitional Housing* use definition:

1105.0159.1 Transitional Housing

"Transitional housing" means a temporary housing arrangement designed to assist persons to obtain skills, financial wherewithal and/or the physical, psychological and emotional stability necessary for independent living in permanent housing in a community. Transitional housing is housing in which:

- a) An organization provides a program of therapy, counseling, supervision and/or training for the occupants;
- b) The organization operating the program may or may not be licensed or authorized by a governmental authority; and
- c) The program is for the purpose of assisting the occupants in one or more of the following types of care:
 - a. Protection from abuse and neglect;
 - b. Developing skills and the personal stability that is necessary to adjust to life in the community; and
 - c. Treatment of the effects of substance abuse, even if under criminal justice supervision.

The definition of "transitional housing" includes the terms "halfway house", "safe house", "temporary care home", and other similar uses. The definition of "transitional housing" does not include the terms "group home", as defined in the Code, or other similar permanent group living facilities.

Amendment to the existing *Group Home* use definition:

1105.065 GROUP HOME.

"Group home" means any residential facility meant as a permanent residence for persons; licensed by the State of Ohio, designed to allow not more than sixteen (16) persons, needing specialized care, counseling, ongoing medical treatment or supervision to live in the same building or complex of buildings and engage in some congregate activity in a non-institutional environment as regulated by Chapters 5119, 5120 and 5123 of the Ohio Revised Code.

Draft changes to the applicable Planning and Zoning Code remaining sections

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. Numerical identification after each item corresponds to specific standards in Section 1153.04, Conditionally Permitted Use Regulations.

Residential	Public/Semi-Public	Commercial
<ul style="list-style-type: none"> • Group Home up to 8 Individuals 	<ul style="list-style-type: none"> • Cemetery ^{3,7,20} 	<ul style="list-style-type: none"> • None
<ul style="list-style-type: none"> • Group Home 9 - 16 Individuals 	<ul style="list-style-type: none"> • Conservation Use 	
<ul style="list-style-type: none"> • In-Law Suite 	<ul style="list-style-type: none"> • Publicly Owned or Operated Governmental Facility ^{3,7,8,11} 	
<ul style="list-style-type: none"> • Mobile Home Park ^{3,5,8,9,10,11,14,24,26,27,28,29,31} 	<ul style="list-style-type: none"> Public or Quasi-Public Owned Park or Recreation Facility ^{1, 2, 3, 4, 5, 9, 11, 14, 22, 24, 25} 	
<ul style="list-style-type: none"> • Multi-Family Dwelling ^{5,11,16,26,27,28,29} 	<ul style="list-style-type: none"> • Public and Parochial Educational Institution for Primary Education ^{1,2,3,5,6,11} 	
<ul style="list-style-type: none"> • Nursing Home, Assisted Living Facility, Independent Living Facility ^{1,2,3,5,7,9,11,14} 	<ul style="list-style-type: none"> • Public and Parochial Educational Institution for Secondary Education ^{1,2,3,4,5,7,11} 	
<ul style="list-style-type: none"> • <u>Transitional Housing</u> ^{7, 24} 	<ul style="list-style-type: none"> • Religious Place of Worship ^{1,3, 7,11,12,14} 	

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. 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	• Conservation Use	• Car Wash
• <u>Transitional Housing</u> 7.24	• Educational Institution for Higher Education	• Child Day Care Center and Nursery 2,5,9,11,14
	• Publicly Owned or Operated Governmental Facility 3,7,8,11	• Conference Center, Banquet Facility or Meeting Hall 1,3,7,11,12,14
	• Public Utility 1,10,11	• Cremation Facility
	• Religious Place of Worship 1,3,7,11,12,14	• Hospital 1,2,3,5,7,9,11,14
	• Wireless Telecommunications Facility	
		• Motor Vehicle Filling Station with or without Convenience Retail 5,7,17,29,31
		• Open Air Building materials Sales and Lumber Yard
		• Outdoor Dining
		• Personal and Professional Services with Drive-Thru
		• Research and Development Laboratory and Processing with No External Hazardous, Noxious or Offensive

		Conditions
		• Restaurant with Drive-Thru or Drive In
		• Retail larger than 80,000 square feet in size
		• Sexually Oriented Business ³⁶

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, Transitional Housing	One (1) space for each two (2) resident rooms + one 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.
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.
Banquet, Conference Center 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.

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.
Building Materials, Contractors Equipment Sales Yard	One (1) space for 400 square feet of net floor area. For uses solely utilizing outdoor sales yards, one (1) space per 2,000 square feet of 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 Entertainment	One (1) space for each three (3) seats or one space for each 100 square feet of floor area, whichever is greater.

Commercial Uses	Formula
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.
Convenience Store	One (1) space for each 300 square feet of net floor area + one (1) space per every two (2) pumps.
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.
Distribution Center for Fuel, Food and Goods	One (1) space for each 1,500 square feet of gross floor area + one (1) space per facility vehicle.
Drive-In Establishments	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
Wholesale Establishment	One (1) space for each 500 square feet of gross floor area.
Financial Institution	One (1) space for each 200 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
Manufacturing Uses	One (1) space for each 500 square feet of manufacturing floor space + one (1) space for each 200 square feet of related office space.
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	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.
Office, Medical/Dental Clinic	One (1) space per 200 square feet.

Commercial Uses (Cont.)	Formula
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 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	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.
Truck or Transfer Terminal	One (1) space for each 1,500 square feet of gross floor area + one (1) space per facility vehicle.
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.
Warehousing	One (1) space for each 2,000 square feet of warehouse floor area + one (1) space for each 200 square feet of related office space.
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.
Public and Semi-Public Uses	Formula
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)	Two (2) spaces for each classroom + one (1) space for every eight (8) seats in any auditorium and gymnasium.
Educational Institution for Secondary Education (9-12)	Ten (10) spaces for every classroom + one (1) space for every eight (8) seats in any auditorium and gymnasium.
Educational Institution for Higher Education (University, College, Technical, Vocational)	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	One (1) space for each 400 square feet of floor area.
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.

Public Government Facility	<p>One (1) space for each 400 square feet of floor area for administrative use + one (1) space for each government vehicle parked on site.</p> <p>One (1) space for each 800 square feet of indoor maintenance use.</p>
Public Recreation or Park Facility	<p>One (1) space for each fifty (50) square feet of pool area including deck.</p> <p>One (1) space for each 500 square feet of outdoor playground area.</p> <p>Four (4) spaces for each acre for unimproved recreation area.</p> <p>Five (5) spaces for each trail head.</p> <p>Six (6) spaces for each tennis, racquet ball or handball court.</p> <p>Ten (10) spaces for each basketball court.</p> <p>Twenty (20) spaces for each baseball, softball or soccer field.</p> <p>Forty (40) spaces for each football field.</p>
Religious Place of Worship	<p>One (1) space for each five (5) seats or bench seating in the main assembly area.</p> <p>If an educational institution is part of the church, follow guidelines for respective educational institution requirements.</p>