



## Zoning Code Update – Council 10-15-24

ORD 187-24

### GENERAL

- Planning Commission recommended approval – 7/11/24
- Recently reviewed by Mr. Huber – No changes

### REVIEW PROCESSES

- Modifications to the Zoning Amendment, Variance, Site Plan, & Conditional Zoning Certificate Review process to provide consistency on when applications must be forwarded to the Board/Commission and the time allotted for review
- Clarification on when Site Plan review is needed by the Planning Commission

### FENCING

- Initiated by the Planning Commission
- Changes to fence height on corner lots and when a lot has double frontage (2 streets)

### ROOFED PORCHES

- Change allowing roofed porches to project 10 ft. into the rear setback
- Necessary due to a number of approved variances

### PARKING LOT LIGHTING

- Specific illumination levels were removed, which are very difficult to achieve
- Increase the permitted lighting height in commercial, mixed use, and MF zoning districts
- Necessary as the existing maximum height is 10 ft., which is not effective

### FITNESS FACILITIES

- Currently located in the definition for "Personal or Personal Services" which includes uses such as barber shops, banks, and laundromats.
- Fitness facilities were provided their own definition and allowed in the C-3 district as a permitted use and in the C-1, C-2, and I-1 districts as a conditionally permitted use
- This was necessary due to the nature of fitness facilities, which increasingly are located in Industrial areas

### SHORT TERM RENTALS

- Short term rentals currently exist within and around Medina's Historic District
- City currently has no regulations for STR's
- Other cities have a variety of methods for addressing STR's, including complex formal registration programs
- General regulations have been proposed which:
  - Allow STR's as a permitted use in the C-2 and M-U districts and a conditionally permitted use in the R-2 and R-3 districts
  - When located within 4,000 ft. of the uptown park  
(All existing STR's are currently in this area)
  - Regulations also provides a parking minimum, set a maximum occupancy based on bedrooms, and prohibit events at STR's



## MEMORANDUM

**DATE:** July 15, 2024  
**TO:** City Council  
**FROM:** Andrew Dutton, Community Development Director  
**SUBJECT:** Zoning Code Amendments

### Overview

The following are proposed amendments to the Zoning Code, found in Part 11 of the City of Medina Codified Ordinances. The amendments address a variety of topics including review procedures, fence regulations, open porch setbacks, lighting, and short term rentals.

### Zoning Amendment, Variance, Site Plan, and Conditional Zoning Certificate Review (p. 1 - 4)

The review processes for Zoning Amendments, Variances, Site Plans, and Conditional Zoning Certificates have been revised to:

- Provide a consistent review process.
- Require that the Planning Director forward complete applications to the Board of Zoning Appeals or Planning Commission within 30 days.
- Require that the Board of Zoning Appeals and Planning Commission make a decision within 45 days of their initial meeting.

The Site Plan section (1109.01) has also been revised to clarify when a Site Plan must go to the Planning Commission and when a Site Plan can be reviewed administratively by the Planning Director.

### Fencing (p. 5)

Standards for fencing have been amended per the following:

- "Areas" has been replaced with "Districts". Areas is not a defined term and is unclear in locations with a mix of uses.
- Exception <sup>4</sup> has been revised to allow fences in the front yard with a side street lot line (corner lots) to be up to 6 ft. in height within 15 ft. of the right-of-way with Planning Commission approval.
- Fences in the O-C or P-F districts may have a height of 8 ft. in the front yard with a side street lot line and barbed wire.
- Lots with double frontage, which have public rights-of-way to the front and rear of the lot, have two front yards, by definition. There are numerous such lots in the city, particularly backing up to Reagan Plwy. Exception <sup>5</sup> allows a 6 ft. fence adjacent to the yard located opposite the building's front facade.

### Roofed Porch Setbacks (p. 6)

Due to several recently granted variances and to allow existing homeowners to expand their homes in a reasonable manner, an amendment has been proposed allowing open roofed porches to extend 10 ft. into the rear setback.

### Parking Lot Lighting (p. 6 - 7)

Existing parking lot lighting regulations have been revised per the following:

- Illumination Levels – Numerical illumination levels throughout a site are difficult to design, comply with, and measure. Specific lighting levels have been replaced with more general requirements. A maximum light level of 1 footcandle at a residential lot line remains unchanged.
- Luminaire Height – Lighting height is currently limited to 10 ft. in all districts except for the C-3 and I-1. A lighting height of 10 ft. is not practical and increases the number of lights needed. Height has been increased in residential districts to 15 ft. and other districts to 20 ft.
- Lighting Plan Submission – Clarification has been provided indicating that a photometric plan is needed when a site is adjacent to a residential zoning district or use.

### Fitness Facility (p. 8 - 12)

A "Fitness Facility" has been removed from the "Personal or Professional Service" definition, defined separately, allowed as a permitted use in the C-3 district, and allowed as a conditional use in the C-1, C-2, and I-1 districts.

### Short Term Rentals (p. 13 - 16)

The city does not have any current regulations regarding short term rentals. The use does not fit well into existing use definitions and may be classified as a residential dwelling unit, hotel, motel, or bed and breakfast.

Short term rentals currently exist in the city within and around the Historic District. Though there have not been any documented complaints regarding short term rentals, staff receives regular inquiries regarding applicable regulations.

Other cities regulate short term rentals in a variety of ways ranging from general regulations to formal registration programs in communities which have many tourists and visitors. The proposed amendments aim to provide general regulations:

- Short term rentals are a permitted use in the C-2 and M-U districts and a conditional use in the R-2 and R-3 districts.
- A parking minimum was provided, however, approximately half of the area where short term rentals are permitted is within the parking exempt district.
- Events are not permitted at short term rentals and there is a maximum occupancy based on bedrooms.
- Short term rentals are only allowed within 4,000 ft. of the Uptown Park as shown below. This encompasses the entire C-2 and M-U districts and R-2 and R-3 areas near the Historic District.



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

**7/15/2024**

**Key**

~~Deleted Text~~

*Added Text*

## Zoning Amendment, Variance, Site Plan, and Conditional Zoning Certificate Review

### -Chapter 1107 – Administration and Enforcement-

#### 1107.06 ZONING ORDINANCE AMENDMENT APPLICATION.

A proposed amendment to the text or map of this Ordinance may be recommended or requested by the Planning Commission, Council, the Administration or any other citizen or property owner of Medina. The application for such amendment shall be submitted in accordance with the following procedures:

- (c) Review and Action by the Planning Commission. *Within thirty (30) days of receiving a complete application, the Planning Director shall forward the application, along with any supporting materials and plans, to the Planning Commission.* The Planning Commission shall review the proposed amendment at one or more of its regular meetings, and within forty-five (45) days after the date of the ~~submission of the proposed amendment~~ *Commission's initial meeting*, recommend to Council the approval, approval with modification, or disapproval of the proposed amendment. *If a request made by the applicant to continue the review of the application at a subsequent meeting is granted, the Commission shall approve, approve with modification, or disapprove the application within forty-five (45) days after the date of such subsequent meeting.*

#### 1107.08 APPEALS AND VARIANCES.

- (e) Review by the Board. *Within thirty (30) days of receiving a complete application,* ~~the~~ Planning Director shall forward the application, along with any supporting materials and plans, to the Board. Notice of the hearing shall be published in a newspaper of general circulation in the City at least ten (10) days prior to the date of the hearing, and sent by mail or personal delivery to the owners of property for which a variance request is being considered, and to all owners of property adjacent to and directly across the street from the property in question. At the hearing, a party may appear in person or by agent or by attorney.
- (f) Decision by the Board. The concurring vote of three (3) members of the Board shall be necessary to reverse an order, requirement, decision, or determination of the Planning Director, or to decide in favor of the applicant any matter upon which they are required to pass judgment. The Board may reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination, in accordance with the guidelines set forth herein. *The Board shall render a decision within forty-five (45) days of the Board's initial meeting. If a request made by the applicant to continue the review of the application at a subsequent meeting is granted, the Board shall approve, approve with modification, or disapprove the application within forty-five (45) days after the date of such subsequent meeting.*

To that end, the Board shall have all the powers of the officer or body from whom the appeal was taken and may issue or direct the issuance of a permit. With an affirmative decision, the Board may impose conditions. The decision of the Board shall be final, but the City, with approval by the Council, or any person having an interest affected by a decision of the Board, may appeal to the Court of Common Pleas, and to any Court of final jurisdiction.

**-Chapter 1109 – Site Plan-**

**1109.01 PURPOSE.**

Before the issuance of a zoning certificate or conditional zoning certificate for any proposed multi-family, mobile home park, public facility, business or industrial use as provided for in Chapters 1115 to 1141, the Planning Commission or Planning Director shall review and approve site plans for such uses as identified below.

- (a) ~~A review by the Commission shall also be required when:~~
- ~~(1) There is an increase in the number of dwelling units for multi-family;~~
  - ~~(2) The floor area of a nonresidential building is increased;~~
  - ~~(3) The use of an existing building is changed to a use which requires the addition of more off-street parking facilities than currently exist on the site;~~
- (b) ~~The following Minor Developments may be finally approved by the Planning Director in lieu of action by the Planning Commission. Any improvement which is not in compliance with this Chapter or is determined by the Planning Director to be beyond the scope of a minor building development will be forwarded to the Planning Commission for review.~~
- ~~(1) New construction of one single-family dwelling that will not require off-site construction of any new street or road; or~~
  - ~~(2) Renovations, alterations, or expansions to an existing building or site up to 5,000 square feet for land uses other than single-family dwellings and 10,000 square feet for I-1 zoned properties; or~~
  - ~~(3) Expansion of an existing parking lot up to thirty percent (30%) of existing spaces; or~~
  - ~~(4) Facade alterations which do not alter the existing architectural character.~~
- (a) *Site plan review by the Planning Commission shall be required for the following:*
- (1) New Construction or Initial Development. New construction of a principal building or initial development of a site, with the exception of a single-family residential use or two-family residential use;*
  - (2) Floor Area Increase - Major. An increase in floor area of a principal nonresidential building by more than five thousand (5,000) square feet for properties not located in the I-1 zoning district or more than ten thousand (10,000) square feet for properties located in the I-1 zoning district;*
  - (3) Nonresidential Accessory Building - Major. New construction or increase in floor area of a nonresidential accessory building with a floor area greater than two thousand five hundred (2,500) square feet or fifty percent (50%) of the principal structure's floor area, whichever is less;*
  - (4) Outdoor Use - Major. Establishment or expansion of a nonresidential outdoor use of more than five thousand (5,000) square feet for properties not located in the I-1 zoning district or more than ten thousand (10,000) square feet for properties located in the I-1 zoning district;*
  - (5) Parking Lot - New or Major Expansion. Establishment of a parking lot or the expansion of an existing parking lot of more than thirty percent (30%) of the existing spaces;*
  - (6) Facade Alterations - Major. Facade alterations to a multi-family residential or nonresidential building which alter the building's existing architectural character;*
  - (7) Multi-Family Dwelling Unit Increase. An increase in the number of dwelling units for a multi-family residential use; or*
  - (8) New Street Construction. Any development that requires off-site construction of a new street or road.*

- (b) *Site plans for the following may be reviewed and approved by the Planning Director. If the Planning Director determines that the project is beyond the scope of a minor development, he/she shall forward the site plan to the Planning Commission for review and approval.*
- (1) *Single or Two-Family Residential Uses. New construction or an increase in floor area of a principal building with a single-family residential use or two-family residential use;*
  - (2) *Floor Area Increase - Minor. An increase in floor area of a nonresidential building by less than or equal to five thousand (5,000) square feet for properties not located in the I-1 zoning district or less than or equal to ten thousand (10,000) square feet for properties located in the I-1 zoning district;*
  - (3) *Accessory Building - Minor. New construction or increase in floor area of any residential accessory building or a nonresidential accessory building with a floor area less than or equal to two thousand five hundred (2,500) square feet or fifty percent (50%) of the principal structure's floor area, whichever is less;*
  - (4) *Outdoor Use - Minor. Establishment or expansion of a nonresidential outdoor use of less than or equal to five thousand (5,000) square feet for properties not located in the I-1 zoning district or more than ten thousand (10,000) square feet for properties located in the I-1 zoning district;*
  - (5) *Parking Lot - Minor Expansion. Expansion of an existing parking lot of less than or equal to thirty percent (30%) of the existing spaces; or*
  - (6) *Facade Alterations - Minor. Facade alterations to any single-family residential building or two-family residential building or facade alterations to a multi-family residential or nonresidential building which do not alter the existing architectural character.*

#### **1109.02 APPLICATION PROCEDURE.**

Any application for site plan review as provided for by this Zoning Ordinance shall be submitted in accordance with the following procedures:

- (c) *Review and Action by the Planning Commission. Within thirty (30) days of receiving a complete application, the Planning Director shall forward the application, along with any supporting materials and plans, to the Planning Commission. Notice of the application shall be sent by mail or personal delivery to the owners of property for which the application is being considered, and to all owners of property adjacent to and directly across the street from the property in question. The Planning Commission shall review the proposed site plan at one or more of its regular meetings, and within forty-five (45) days after the date of the ~~submission of the proposed site plan~~ Commission's initial meeting, approve, approve with modification, or disapprove the application. If a request made by the applicant to continue the review of the application at a subsequent meeting is granted, the Board shall approve, approve with modification, or disapprove the application within forty-five (45) days after the date of such subsequent meeting.* The Planning Commission's review and action shall be based on the following standards:

**-CHAPTER 1153 – Conditional Zoning Certificates-**

**1153.02 PROCEDURES FOR MAKING APPLICATION.**

Any application for a conditional zoning certificate for any land or structure permitted under this Zoning Ordinance shall be submitted in accordance with the following procedures:

- (c) Review by Planning Commission. ~~The Planning Commission shall review the proposed development, as presented on the submitted plans and specifications in terms of the standards established in this Zoning Ordinance. Such review by the Planning Commission shall be completed and made public within forty-five (45) days of the date of submission. Within thirty (30) days of receiving a complete application, the Planning Director shall forward the application, along with any supporting materials and plans, to the Planning Commission. The Planning Commission shall review the proposed conditional zoning certificate at one or more of its regular meetings, and within forty-five (45) days after the date of the Commission's initial meeting, approve, approve with modification, or disapprove the application. If a request made by the applicant to continue the review of the application at a subsequent meeting is granted, the Commission shall approve, approve with modification, or disapprove the application within forty-five (45) days after the date of such subsequent meeting.~~
  
- (g) Termination. ~~The conditional zoning certificate shall become void at the expiration of one (1) year after the date of issuance unless the conditionally permitted use has commenced for applications that do not include the construction of a new building. The conditional zoning certificate shall become void at the expiration of two (2) years after the date of issuance unless the conditionally permitted use has commenced for applications that include the construction of a new building.~~

## Fencing

### -Chapter 1155 – Supplemental Regulations-

#### 1155.01 FENCES.

(c) Permitted Fencing; Height Limits. Fencing may be permitted in any yard and along the edge of any yard not to exceed height limits set forth in the following table and exceptions thereto:

(1) Fence Height Limits and Exceptions.

Area <i>District</i>	Front Yard (height in feet)	Front Yard with Side Street Lot Line (height in feet)	Side Yard (height in feet)	Rear Yard (height in feet)
<i>Residential R-1, R-2, R-3, and R-4 or M-U with a Residential Use</i>	3 <sup>5</sup>	6.3 <sup>4</sup>	6 <sup>1</sup>	6 <sup>1</sup>
<i>Commercial C-5, C-1, C-2, and C-3 or M-U with a Nonresidential Use</i>	3 <sup>2</sup>	6.3 <sup>4</sup>	10 <sup>3</sup>	10 <sup>3</sup>
<i>Industrial I-1</i>	6 <sup>2,3</sup>	6 <sup>2,3,4</sup>	10 <sup>3</sup>	10 <sup>3</sup>
<i>Public Facilities (parks, playgrounds, etc.) O-C and P-F</i>	8 <sup>2</sup>	6.8 <sup>2,4</sup>	8 <sup>3</sup>	8 <sup>3</sup>
Exceptions:				
<sup>1</sup> Fence heights may be increased to eight (8) feet in height if the top two (2) feet are less than fifty percent (50%) opaque and is approved by the Planning Director.				
<sup>2</sup> Any fence set back fifty (50) feet or more from the street right of way may be eight (8) feet in height.				
<sup>3</sup> Barbed wire not to exceed twelve (12) inches in height may be added to the top of <i>the</i> fence.				
<sup>4</sup> <del>Fences shall be setback at least fifteen (15) feet from the side street lot line. Fences three (3) feet tall or less may be located on the side street lot line. Fences set back fifteen (15) feet or more from the side street lot line may be six (6) feet in height. Fences set back less than fifteen (15) feet from the side street lot line may be up to six (6) feet in height with approval from the Planning Commission if the Commission finds the fence does not obstruct pedestrian or vehicular visibility and is compatible with the surrounding area.</del>				
<sup>5</sup> <del>For lots with double frontage, fence heights may be increased to six (6) feet in the yard located opposite the building's front facade.</del>				

(d) Materials.

- (1) No fence, with the exception of fences used for agricultural purposes, shall contain an electric charge.
- (2) Barbed wire, razor wire, or any other type of anti-climbing wire shall only be permitted in *the industrial district I-1, O-C, and P-F districts.*
- (3) Materials used for fences shall be of traditional fencing materials (wrought iron, chain link, pressure treated lumber, cedar, redwood, PVC, etc.) and shall be constructed of weather resistant materials or annually treated so that they are weather resistant and maintained in good condition.
- (4) The finished or most decorative side of the fence shall face away from the property erecting the fence.
- (5) All latches, hinges and other hardware shall be galvanized or painted so as to prevent or retard rust and degradation.

## Roofed Porch Setbacks

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### -CHAPTER 1113 – Zoning Districts; General Regulations-

#### 1113.05 GENERAL USE REGULATIONS.

- (k) Projections into Yard Areas. Every part of a required yard shall be open to the sky unobstructed, except for accessory buildings in a rear yard, and except for the ordinary projections of skylights, sills, belt-courses, cornices and ornamental features projecting not to exceed twelve (12) inches.
- (1) Terraces, uncovered porches, platforms and ornamental features which do not extend more than three (3) feet above the level of the ground (first) story may project into a required side yard, provided these projections are distant at least two (2) feet from the adjacent lot line.
  - (2) The ordinary projections of chimneys or flues are permitted into the required side, rear and front yards.
  - (3) An open unenclosed porch or paved terrace may project into the required front and rear yard for a distance not to exceed ten (10) feet.
  - (4) *A roofed porch with walls that are fifty percent (50%) enclosed or less may project into the required rear yard a distance not to exceed ten (10) feet.*

## Parking Lot Lighting

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### -CHAPTER 1145 – Off-Street Parking and Circulation-

#### 1145.09 PARKING AREA DESIGN.

- (c) Illumination of Parking Areas. Parking and circulation areas, pedestrian areas, and related outdoor areas shall be illuminated to provide safety and security to users of these areas, to provide security for property, and to maintain privacy for adjacent properties. Exterior lighting shall be designed, installed, and maintained according to the following standards:

- (1) Illumination levels. ~~Except as provided in subsection (c)(5)B, hereof, exterior lighting shall provide minimum maintained horizontal footcandle (fc) illumination as follows:~~

Activity Type	Maintained Footcandles
Parking and pedestrian area <sup>2</sup>	0.6 fc minimum
Property security only	0.2 fc minimum

<sup>2</sup> ~~Exterior lighting in these areas may be reduced to the property security level during hours when these areas are not in use.~~

*Illumination shall be consistent across the site and shall be designed so as not to generate dark spots that create safety issues in vehicular use and pedestrian areas.*

- (2) ~~Residential parking.~~ The minimum illumination levels in subsection (c)(1) hereof shall not apply to residential or multi-family parking areas with ten (10) or fewer parking spaces. These areas shall be provided with appropriate residential-type luminaries as shown on site plans approved by the Planning Commission.
- (3) ~~Uniformity ratio.~~ Average illumination levels shall not exceed four (4) times the minimum level.

- (42) Light trespass. In order to maintain privacy, exterior lighting shall be designed and maintained to provide a maximum of one (1) horizontal footcandle illumination at side or rear property lines which are adjacent to a residential use or zoning district.
- (3) Measurement. Light levels shall be measured in footcandles with a direct reading, portable light meter. Measurements shall be taken along a horizontal plane at a height of three and one-half (3½) feet above the ground.
- (54) Luminaire height.
- A. The total height of exterior lights shall not exceed the following height regulations. Height shall be measured from the average grade surrounding each light pole or structure to the top of the light fixture:

District	Maximum Height
R-1, R-2, and R-3	15 feet
R-4, O-C, M-U, P-F, C-S, C-1, and C-2	20 feet
C-3 and I-1	25 feet

- ~~A. The maximum luminaire height in the C-3 and I-1 Districts shall be twenty-five (25) feet.~~
- ~~B. The maximum luminaire height in all other districts shall be ten (10) feet unless authorized by Planning Commission.~~
- GB. The Planning Commission may approve greater heights upon a showing by the applicant that the additional height complies with both of the following standards:
1. The additional height is necessary to efficiently illuminate outdoor areas; and
  2. The additional height will have no adverse effect on adjacent properties.
- (65) Glare. Exterior lighting shall be designed and maintained so that glare is not cast on adjacent properties, regardless of use, or on adjacent streets. All luminaries shall be cut-off types which includes shields or other devices which eliminate all light above an angle of eighty-five (85) degrees, as measured from the vertical axis of the light source. For the purpose of this subsection, "glare" means the brightness of a light source which causes eye discomfort.
- (76) Lighting plan submission. Site plans submitted to the Planning Commission shall include ~~data analyses~~ *an exterior lighting plan*, prepared by persons competent to do so, *illustrating* that the proposed exterior lighting system complies with the standards in this section. *A photometric plan shall be required when a multi-family residential use or a nonresidential use is proposed to be located adjacent to a lot located in a residential district or that is occupied by an existing residential use.*

## Fitness Facility

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### -CHAPTER 1105 – Definitions-

#### CHAPTER 1105

#### Definitions

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1105.52 Fence.

1105.53 Financial institution.

*1105.53-1 Fitness facility.*

1105.54 Floor area.

1105.55 Frontage.

1105.56 Funeral home.

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#### *1105.53-1 FITNESS FACILITY.*

*"Fitness Facility" means a facility where patrons participate in exercise or similar activities designed to improve and preserve physical fitness, including a health club, gym, CrossFit center, or other similar facility. This definition shall not include a "Recreational Facility".*

#### **1105.122 PERSONAL OR PROFESSIONAL SERVICE.**

"Personal or professional service" 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, *music studio*, real estate agency, bookkeeper, tax accountant, plumber or electrician. Personal or professional services do not include sexually oriented businesses.

**-CHAPTER 1133 – C-1 Local Commercial District-**

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

Residential	Public/Semi-Public	Commercial
Assisted Living Facility, Independent Living Facility, or Nursing Home <sup>1, 3, 5, 7, 9, 11, 13</sup>	Club <sup>9, 11, 13</sup>	Bar or Tavern
	Conservation Use	Bed and Breakfast Inn <sup>11, 13</sup>
	Educational Institution - Technical School, Vocational School, College, or University	Child Day Care Center or Nursery <sup>5, 9, 11, 13</sup>
	Publicly Owned or Operated Governmental Facility <sup>3, 7</sup>	<i>Fitness Facility</i>
	Public Utility <sup>1, 10, 11</sup>	Hospital <sup>1, 3, 7, 9, 11, 13</sup>
	Religious Place of Worship <sup>1, 3, 7, 11</sup>	Motor Vehicle Filling Station <sup>5, 7, 15, 21, 23</sup>
	Urban Garden	Personal or Professional Services with Drive Through <sup>2, 7, 15</sup>
		Research and Development Laboratory with No External Hazardous, Noxious, or Offensive Conditions
		Restaurant

**-CHAPTER 1135 – C-2 Central Business District-**

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

Residential	Public/Semi-Public	Commercial
Attached Single-Family Dwellings within a Mixed Use Building - Including Ground Level Residential Units in the Public Square Area <sup>24</sup>	Conservation Use	Bed and Breakfast Inn <sup>11, 13</sup>
Multi-Family Dwellings within a Mixed Use Building - Including Ground Level Residential Units in the Public Square Area <sup>24</sup>	Educational Institution - Technical School, Vocational School, College, or University	Child Day Care Center or Nursery <sup>5, 9, 11, 13</sup>
	Publicly Owned or Operated Government Facility <sup>3, 7, 8, 11</sup>	Conference Center, Banquet Facility, or Meeting Hall
	Public Utility <sup>1, 10, 11</sup>	<i>Fitness Facility</i>
	Religious Place of Worship <sup>1, 3, 7, 11</sup>	Hospital <sup>1, 4, 7, 9, 11, 13</sup>
	Urban Garden	Hotel or Motel
		Major or Minor Motor Vehicle Repair <sup>7, 15, 21, 23</sup>
		Mixed Use Building - Including First Floor Residential Units in the Public Square Area
		Motor Vehicle Filling Station <sup>5, 7, 15, 21, 23</sup>
		Motor Vehicle Sales <sup>15</sup>
		Museum
		Outdoor Dining <sup>28</sup>
		Personal or Professional Services with Drive Through <sup>2</sup>
		Research and Development Laboratory with No External Hazardous, Noxious or Offensive Conditions
		Restaurant with Drive Through or Drive-In <sup>2, 7, 15</sup>

**-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	Bar or Tavern
	Passenger Transportation Agency and Terminal	Clinic
		Commercial Entertainment
		Commercial Recreation
		Convenience Retail
		<i>Fitness Facility</i>
		Funeral Home
		Hotel or Motel
		Mixed Use Building - Residential Excluded from Ground Level Floor
		Minor Motor Vehicle Repair
		Motor Vehicle Sales
		Off-Street Parking Lot, Garage or Deck
		Office
		Personal or Professional Services
		Plant Greenhouse
		Restaurant
		Retail Business less than or equal to 80,000 square feet in Size
		Veterinary Office or Hospital in an Enclosed Building
		Other Similar Uses as Determined by the Planning Commission

**-CHAPTER 1141 – I-1 Industrial District-**

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

<b>Residential</b>	<b>Public/Semi-Public</b>	<b>Commercial</b>
None	Conservation Use	Building Materials Sales Yard and Lumber Yard
	Educational Institution- Technical School, Vocational School, College, or University	Car Wash <sup>2</sup>
	Passenger Transportation Agency and Terminal	Commercial Entertainment
	Publicly Owned or Operated Government Facility <sup>3, 7, 8, 31</sup>	Commercial Recreation
	Wireless Telecommunication Facility	Contractor's Equipment Storage Yard - Must be Completely Enclosed if Facing a Residential District
		Crematorium
		<i>Fitness Facility</i>
		Heavy Manufacturing <sup>17, 26, 27</sup>
		Motor Vehicle Sales - Only including Rental and Minor Repair Work
		Recreation Facility
		Retail Business

## Short Term Rentals

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### -CHAPTER 1105 – Definitions-

#### CHAPTER 1105

#### Definitions

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#### 1105.134 Setback.

#### 1105.135 Sexually oriented business.

#### *1105.135-1 Short term rental.*

#### 1105.136 Sign.

#### 1105.137 Sign face.

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#### 1105.09 BED AND BREAKFAST INN.

"Bed and breakfast inn" means a structure in which paying guests are lodged on an overnight basis, and may be served breakfast in connection with their lodging. Meals shall be served only to guests. The owner or operator of a bed and breakfast inn shall live on the premises.

#### 1105.047 DWELLING UNIT.

"Dwelling unit" means one or more rooms providing complete living facilities for one family, including equipment for cooking or provisions for the same, and including a room or rooms for living, sleeping and eating.

#### 1105.068 HOTEL.

"Hotel" means a building in which lodging is provided and offered to the public for compensation and which is open to transient guests, as distinguished from a boarding house and/or a lodging house where all rooms are accessed through an inside lobby or interior corridor where additional ancillary services such as a restaurant, meeting rooms and fitness facilities may be provided. See "Motel".

#### 1105.99 MOTEL.

"Motel" means any building or group of buildings containing sleeping rooms, with or without cooking facilities, designed as overnight sleeping quarters for tourists or transients, with garage attached or parking space conveniently located to each unit, including auto courts, motor lodges and tourists courts where each sleeping room is accessed from the exterior of the building. Additional accessory services such as restaurants, meeting rooms and fitness facilities may be an integral part of the motel facility.

#### *1105.135-1 SHORT TERM RENTAL.*

*"Short term rental" means the rental of a single dwelling unit in which lodging is provided and offered to the public for compensation and which is open to transient guests. This definition shall not include a "Hotel", "Motel", or "Bed and Breakfast Inn".*

**-CHAPTER 1125 – R-2 Medium Density Urban Residential District -**

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

Residential	Public/Semi-Public	Commercial
Assisted Living Facility, Independent Living Facility, or Nursing Home <sup>1, 3, 5, 7, 9, 11, 13</sup>	Cemetery <sup>3, 7, 10</sup>	<i>None Short Term Rental</i>
Group Home up to 8 Individuals	Conservation Use	
In-Law Suite	Educational Institution - Pre-School, Kindergarten, and Elementary School <sup>1, 3, 5, 6, 11</sup>	
Two-Family Dwelling	Public or Quasi-Public Owned Park or Recreation Facility <sup>3, 7, 9, 11, 18, 19</sup>	
	Publicly Owned or Operated Government Facility <sup>3, 7, 9, 11</sup>	
	Religious Place of Worship <sup>1, 3, 7, 11, 12</sup>	

**-CHAPTER 1125 – R-3 High Density Urban Residential District-**

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

Residential	Public/Semi-Public	Commercial
Assisted Living Facility, Independent Living Facility, or Nursing Home <sup>1, 3, 5, 7, 9, 11, 13</sup>	Cemetery <sup>3, 7, 10</sup>	<i>None Short Term Rental</i>
Group Home up to 8 Individuals	Conservation Use	
In-Law Suite	Educational Institution - Pre-School, Kindergarten, and Elementary School <sup>1, 3, 5, 6, 11</sup>	
<b>Manufactured Housing Park or Mobile Home Park</b> <sup>3, 5, 7, 8, 9, 10, 11, 13, 20, 22</sup>	Educational Institution - Junior High School, Middle School, Intermediate School, and High School <sup>1, 3, 5, 7, 11</sup>	
Two-Family Dwelling	Public or Quasi-Public Owned Park or Recreation Facility <sup>1, 3, 4, 5, 9, 11, 18, 19</sup>	
	Publicly Owned or Operated Government Facility <sup>3, 7, 9, 11</sup>	
	Religious Place of Worship <sup>1, 3, 7, 11, 12</sup>	

**-CHAPTER 1129 – M-U Multi-Use 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
		Personal or Professional Services without a Drive Through
		<i>Short Term Rental</i>

**-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 Dwellings within a Mixed Use Building - Not including Ground Level Residential Units in the Public Square Area	Club	Bar or Tavern
Multi-Family Dwellings within a Mixed Use Building - 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 - Not including Ground Level Residential Units in the Public Square Area
		Off-Street Parking Lot, Garage or Deck
		Office
		Personal or Professional Services
		Restaurant
		Retail Business
		<i>Short Term Rental</i>
		Other Similar Uses as Determined by the Planning Commission

-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:

Commercial Uses	Formula
Sexually Oriented Business	One (1) space for each 200 square feet of gross floor area.
<i>Short Term Rental</i>	<i>One (1) space for each bedroom.</i>
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.

-Chapter 1155 – Supplemental Regulations-

CHAPTER 1155

Supplemental Regulations

1155.01 Fences.

1155.02 Performance standards.

1155.03 Portable storage units.

1155.04 Outdoor vending machines and carrier service boxes.

1155.05 Dumpsters, recycling and donation boxes.

1155.06 Solar panels.

1155.07 Home occupation.

1155.08 Parking and occupancy of boats, camping vehicles, motor home/recreational vehicle, and trailers in residential districts.

1155.09 Parking of commercial vehicles, buses, trailers or trucks in residential districts.

1155.10 Regulations for drive-in, drive-through, or carry-out eating and drinking establishments.

1155.11 Outdoor storage and outdoor display of bulk goods in commercial and industrial districts.

1155.12 Outdoor storage in residential districts.

1155.13 In-law suites.

1155.14 Wind turbine and wind energy systems.

1155.15 Pedestrian connection.

*1155.16 Short term rentals.*

*1155.16 SHORT TERM RENTALS.*

- (a) *The maximum overnight occupancy of a short term rental shall not exceed two (2) persons per bedroom, plus two (2) additional people.*
- (b) *The hosting of events including, but not limited to, weddings, receptions, parties, or similar gatherings shall not be permitted at short term rentals.*
- (c) *A short term rental shall only be permitted within four thousand (4,000) feet of the Medina Uptown Park which is bound by East Liberty Street, South Broadway Street, East Washington Street, and South Court Street.*

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

**10/15/2024**

## Zoning Amendment, Variance, Site Plan, and Conditional Zoning Certificate Review

### **-Chapter 1107 – Administration and Enforcement-**

#### **1107.06 ZONING ORDINANCE AMENDMENT APPLICATION.**

A proposed amendment to the text or map of this Ordinance may be recommended or requested by the Planning Commission, Council, the Administration or any other citizen or property owner of Medina.

The application for such amendment shall be submitted in accordance with the following procedures:

- (c) Review and Action by the Planning Commission. Within thirty (30) days of receiving a complete application, the Planning Director shall forward the application, along with any supporting materials and plans, to the Planning Commission. The Planning Commission shall review the proposed amendment at one or more of its regular meetings, and within forty-five (45) days after the date of the Commission's initial meeting, recommend to Council the approval, approval with modification, or disapproval of the proposed amendment. If a request made by the applicant to continue the review of the application at a subsequent meeting is granted, the Commission shall approve, approve with modification, or disapprove the application within forty-five (45) days after the date of such subsequent meeting.

#### **1107.08 APPEALS AND VARIANCES.**

- (e) Review by the Board. Within thirty (30) days of receiving a complete application, the Planning Director shall forward the application, along with any supporting materials and plans, to the Board. Notice of the hearing shall be published in a newspaper of general circulation in the City at least ten (10) days prior to the date of the hearing, and sent by mail or personal delivery to the owners of property for which a variance request is being considered, and to all owners of property adjacent to and directly across the street from the property in question. At the hearing, a party may appear in person or by agent or by attorney.
- (f) Decision by the Board. The concurring vote of three (3) members of the Board shall be necessary to reverse an order, requirement, decision, or determination of the Planning Director, or to decide in favor of the applicant any matter upon which they are required to pass judgment. The Board may reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination, in accordance with the guidelines set forth herein. The Board shall render a decision within forty-five (45) days of the Board's initial meeting. If a request made by the applicant to continue the review of the application at a subsequent meeting is granted, the Board shall approve, approve with modification, or disapprove the application within forty-five (45) days after the date of such subsequent meeting.

To that end, the Board shall have all the powers of the officer or body from whom the appeal was taken and may issue or direct the issuance of a permit. With an affirmative decision, the Board may impose conditions. The decision of the Board shall be final, but the City, with approval by the Council, or any person having an interest affected by a decision of the Board, may appeal to the Court of Common Pleas, and to any Court of final jurisdiction.

**-Chapter 1109 – Site Plan-**

**1109.01 PURPOSE.**

Before the issuance of a zoning certificate or conditional zoning certificate, the Planning Commission or Planning Director shall review and approve site plans as identified below.

- (a) Site plan review by the Planning Commission shall be required for the following:
- (1) New Construction or Initial Development. New construction of a principal building or initial development of a site, with the exception of a single-family residential use or two-family residential use;
  - (2) Floor Area Increase - Major. An increase in floor area of a principal nonresidential building by more than five thousand (5,000) square feet for properties not located in the I-1 zoning district or more than ten thousand (10,000) square feet for properties located in the I-1 zoning district;
  - (3) Nonresidential Accessory Building - Major. New construction or increase in floor area of a nonresidential accessory building with a floor area greater than two thousand five hundred (2,500) square feet or fifty percent (50%) of the principal structure's floor area, whichever is less;
  - (4) Outdoor Use - Major. Establishment or expansion of a nonresidential outdoor use of more than five thousand (5,000) square feet for properties not located in the I-1 zoning district or more than ten thousand (10,000) square feet for properties located in the I-1 zoning district;
  - (5) Parking Lot - New or Major Expansion. Establishment of a parking lot or the expansion of an existing parking lot of more than thirty percent (30%) of the existing spaces;
  - (6) Facade Alterations - Major. Facade alterations to a multi-family residential or nonresidential building which alter the building's existing architectural character;
  - (7) Multi-Family Dwelling Unit Increase. An increase in the number of dwelling units for a multi-family residential use; or
  - (8) New Street Construction. Any development that requires off-site construction of a new street or road.
- (b) Site plans for the following may be reviewed and approved by the Planning Director. If the Planning Director determines that the project is beyond the scope of a minor development, he/she shall forward the site plan to the Planning Commission for review and approval.
- (1) Single or Two-Family Residential Uses. New construction or an increase in floor area of a principal building with a single-family residential use or two-family residential use;
  - (2) Floor Area Increase - Minor. An increase in floor area of a nonresidential building by less than or equal to five thousand (5,000) square feet for properties not located in the I-1 zoning district or less than or equal to ten thousand (10,000) square feet for properties located in the I-1 zoning district;
  - (3) Accessory Building - Minor. New construction or increase in floor area of any residential accessory building or a nonresidential accessory building with a floor area less than or equal to two thousand five hundred (2,500) square feet or fifty percent (50%) of the principal structure's floor area, whichever is less;
  - (4) Outdoor Use - Minor. Establishment or expansion of a nonresidential outdoor use of less than or equal to five thousand (5,000) square feet for properties not located in the I-1 zoning district or more than ten thousand (10,000) square feet for properties located in the I-1 zoning district;
  - (5) Parking Lot - Minor Expansion. Expansion of an existing parking lot of less than or equal to thirty percent (30%) of the existing spaces; or

- (6) Facade Alterations - Minor. Facade alterations to any single-family residential building or two-family residential building or facade alterations to a multi-family residential or nonresidential building which do not alter the existing architectural character.

**1109.02 APPLICATION PROCEDURE.**

Any application for site plan review as provided for by this Zoning Ordinance shall be submitted in accordance with the following procedures:

- (c) Review and Action by the Planning Commission. Within thirty (30) days of receiving a complete application, the Planning Director shall forward the application, along with any supporting materials and plans, to the Planning Commission. Notice of the application shall be sent by mail or personal delivery to the owners of property for which the application is being considered, and to all owners of property adjacent to and directly across the street from the property in question. The Planning Commission shall review the proposed site plan at one or more of its regular meetings, and within forty-five (45) days after the date of the Commission's initial meeting, approve, approve with modification, or disapprove the application. If a request made by the applicant to continue the review of the application at a subsequent meeting is granted, the Board shall approve, approve with modification, or disapprove the application within forty-five (45) days after the date of such subsequent meeting. The Planning Commission's review and action shall be based on the following standards:

**-CHAPTER 1153 – Conditional Zoning Certificates-**

**1153.02 PROCEDURES FOR MAKING APPLICATION.**

Any application for a conditional zoning certificate for any land or structure permitted under this Zoning Ordinance shall be submitted in accordance with the following procedures:

- (c) Review by Planning Commission. Within thirty (30) days of receiving a complete application, the Planning Director shall forward the application, along with any supporting materials and plans, to the Planning Commission. The Planning Commission shall review the proposed conditional zoning certificate at one or more of its regular meetings, and within forty-five (45) days after the date of the Commission's initial meeting, approve, approve with modification, or disapprove the application. If a request made by the applicant to continue the review of the application at a subsequent meeting is granted, the Commission shall approve, approve with modification, or disapprove the application within forty-five (45) days after the date of such subsequent meeting.
  
- (g) Termination. The conditional zoning certificate shall become void at the expiration of one (1) year after the date of issuance unless the conditionally permitted use has commenced for applications that do not include the construction of a new building. The conditional zoning certificate shall become void at the expiration of two (2) years after the date of issuance unless the conditionally permitted use has commenced for applications that include the construction of a new building.

**Fencing**

**-Chapter 1155 – Supplemental Regulations-  
1155.01 FENCES.**

(c) Permitted Fencing; Height Limits. Fencing may be permitted in any yard and along the edge of any yard not to exceed height limits set forth in the following table and exceptions thereto:

(1) Fence Height Limits and Exceptions.

District	Front Yard (height in feet)	Front Yard with Side Street Lot Line (height in feet)	Side Yard (height in feet)	Rear Yard (height in feet)
R-1, R-2, R-3, and R-4 or M-U with a Residential Use	3 <sup>5</sup>	3 <sup>4</sup>	6 <sup>1</sup>	6 <sup>1</sup>
C-S, C-1, C-2, and C-3 or M-U with a Nonresidential Use	3 <sup>2</sup>	3 <sup>4</sup>	10 <sup>3</sup>	10 <sup>3</sup>
I-1	6 <sup>2,3</sup>	6 <sup>2,3</sup>	10 <sup>3</sup>	10 <sup>3</sup>
O-C and P-F	8 <sup>3</sup>	8 <sup>3</sup>	8 <sup>3</sup>	8 <sup>3</sup>

**Exceptions:**

<sup>1</sup>Fence heights may be increased to eight (8) feet in height if the top two (2) feet are less than fifty percent (50%) opaque and is approved by the Planning Director.

<sup>2</sup>Any fence set back fifty (50) feet or more from the street right of way may be eight (8) feet in height.

<sup>3</sup>Barbed wire not to exceed twelve (12) inches in height may be added to the top of the fence.

<sup>4</sup>Fences set back fifteen (15) feet or more from the side street lot line may be six (6) feet in height. Fences set back less than fifteen (15) feet from the side street lot line may be up to six (6) feet in height with approval from the Planning Commission if the Commission finds the fence does not obstruct pedestrian or vehicular visibility and is compatible with the surrounding area.

<sup>5</sup>For lots with double frontage, fence heights may be increased to six (6) feet in the yard located opposite the building's front facade.

(d) Materials.

- (1) No fence, with the exception of fences used for agricultural purposes, shall contain an electric charge.
- (2) Barbed wire, razor wire, or any other type of anti-climbing wire shall only be permitted in I-1, O-C, and P-F districts.
- (3) Materials used for fences shall be of traditional fencing materials (wrought iron, chain link, pressure treated lumber, cedar, redwood, PVC, etc.) and shall be constructed of weather resistant materials or annually treated so that they are weather resistant and maintained in good condition.
- (4) The finished or most decorative side of the fence shall face away from the property erecting the fence.
- (5) All latches, hinges and other hardware shall be galvanized or painted so as to prevent or retard rust and degradation.

**Roofed Porch Setbacks**

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**-CHAPTER 1113 – Zoning Districts; General Regulations-**

**1113.05 GENERAL USE REGULATIONS.**

- (k) Projections into Yard Areas. Every part of a required yard shall be open to the sky unobstructed, except for accessory buildings in a rear yard, and except for the ordinary projections of skylights, sills, belt-courses, cornices and ornamental features projecting not to exceed twelve (12) inches.
  - (1) Terraces, uncovered porches, platforms and ornamental features which do not extend more than three (3) feet above the level of the ground (first) story may project into a required side yard, provided these projections are distant at least two (2) feet from the adjacent lot line.
  - (2) The ordinary projections of chimneys or flues are permitted into the required side, rear and front yards.
  - (3) An open unenclosed porch or paved terrace may project into the required front and rear yard for a distance not to exceed ten (10) feet.
  - (4) A roofed porch with walls that are fifty percent (50%) enclosed or less may project into the required rear yard a distance not to exceed ten (10) feet.

**Parking Lot Lighting**

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**-CHAPTER 1145 – Off-Street Parking and Circulation-**

**1145.09 PARKING AREA DESIGN.**

- (c) Illumination of Parking Areas. Parking and circulation areas, pedestrian areas, and related outdoor areas shall be illuminated to provide safety and security to users of these areas, to provide security for property, and to maintain privacy for adjacent properties. Exterior lighting shall be designed, installed, and maintained according to the following standards:
  - (1) Illumination levels. Illumination shall be consistent across the site and shall be designed so as not to generate dark spots that create safety issues in vehicular use and pedestrian areas.
  - (2) Light trespass. In order to maintain privacy, exterior lighting shall be designed and maintained to provide a maximum of one (1) horizontal footcandle illumination at side or rear property lines which are adjacent to a residential use or zoning district.
  - (3) Measurement. Light levels shall be measured in footcandles with a direct reading, portable light meter. Measurements shall be taken along a horizontal plane at a height of three and one-half (3½) feet above the ground.
  - (4) Luminaire height.
    - A. The total height of exterior lights shall not exceed the following height regulations. Height shall be measured from the average grade surrounding each light pole or structure to the top of the light fixture:

District	Maximum Height
R-1, R-2, and R-3	15 feet
R-4, O-C, M-U, P-F, C-S, C-1, and C-2	20 feet
C-3 and I-1	25 feet

- B. The Planning Commission may approve greater heights upon a showing by the applicant that the additional height complies with both of the following standards:
  - 1. The additional height is necessary to efficiently illuminate outdoor areas; and

2. The additional height will have no adverse effect on adjacent properties.
- (5) Glare. Exterior lighting shall be designed and maintained so that glare is not cast on adjacent properties, regardless of use, or on adjacent streets. All luminaries shall be cut-off types which includes shields or other devices which eliminate all light above an angle of eighty-five (85) degrees, as measured from the vertical axis of the light source. For the purpose of this subsection, "glare" means the brightness of a light source which causes eye discomfort.
- (6) Lighting plan submission. Site plans submitted to the Planning Commission shall include an exterior lighting plan, prepared by persons competent to do so, illustrating that the proposed exterior lighting system complies with the standards in this section. A photometric plan shall be required when a multi-family residential use or a nonresidential use is proposed to be located adjacent to a lot located in a residential district or that is occupied by an existing residential use.

## **Fitness Facility**

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### **-CHAPTER 1105 – Definitions-**

#### **CHAPTER 1105**

#### **Definitions**

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**1105.52 Fence.**

**1105.53 Financial institution.**

**1105.53-1 Fitness facility.**

**1105.54 Floor area.**

**1105.55 Frontage.**

**1105.56 Funeral home.**

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#### **1105.53-1 FITNESS FACILITY.**

"Fitness Facility" means a facility where patrons participate in exercise or similar activities designed to improve and preserve physical fitness, including a health club, gym, CrossFit center, or other similar facility. This definition shall not include a "Recreational Facility".

#### **1105.122 PERSONAL OR PROFESSIONAL SERVICE.**

"Personal or professional service" 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, shoe repair, barber shop, beauty salon, bank or other federally insured financial institution, laundromat, music studio, real estate agency, bookkeeper, tax accountant, plumber or electrician. Personal or professional services do not include sexually oriented businesses.

**-CHAPTER 1133 – C-1 Local Commercial District-**

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

<b>Residential</b>	<b>Public/Semi-Public</b>	<b>Commercial</b>
Assisted Living Facility, Independent Living Facility, or Nursing Home <sup>1, 3, 5, 7, 9, 11, 13</sup>	Club <sup>9, 11, 13</sup>	Bar or Tavern
	Conservation Use	Bed and Breakfast Inn <sup>11, 13</sup>
	Educational Institution - Technical School, Vocational School, College, or University	Child Day Care Center or Nursery <sup>5, 9, 11, 13</sup>
	Publicly Owned or Operated Governmental Facility <sup>3, 7</sup>	Fitness Facility
	Public Utility <sup>1, 10, 11</sup>	Hospital <sup>1, 3, 7, 9, 11, 13</sup>
	Religious Place of Worship <sup>1, 3, 7, 11</sup>	Motor Vehicle Filling Station <sup>5, 7, 15, 21, 23</sup>
	Urban Garden	Personal or Professional Services with Drive Through <sup>2, 7, 15</sup>
		Research and Development Laboratory with No External Hazardous, Noxious, or Offensive Conditions
		Restaurant

**-CHAPTER 1135 – C-2 Central Business District-**

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

<b>Residential</b>	<b>Public/Semi-Public</b>	<b>Commercial</b>
Attached Single-Family Dwellings within a Mixed Use Building - Including Ground Level Residential Units in the Public Square Area <sup>24</sup>	Conservation Use	Bed and Breakfast Inn <sup>11, 13</sup>
Multi-Family Dwellings within a Mixed Use Building - Including Ground Level Residential Units in the Public Square Area <sup>24</sup>	Educational Institution - Technical School, Vocational School, College, or University	Child Day Care Center or Nursery <sup>5, 9, 11, 13</sup>
	Publicly Owned or Operated Government Facility <sup>3, 7, 8, 11</sup>	Conference Center, Banquet Facility, or Meeting Hall
	Public Utility <sup>1, 10, 11</sup>	Fitness Facility
	Religious Place of Worship <sup>1, 3, 7, 11</sup>	Hospital <sup>1, 3, 7, 9, 11, 13</sup>
	Urban Garden	Hotel or Motel
		Major or Minor Motor Vehicle Repair <sup>7, 15, 21, 23</sup>
		Mixed Use Building - Including First Floor Residential Units in the Public Square Area
		Motor Vehicle Filling Station <sup>5, 7, 15, 21, 23</sup>
		Motor Vehicle Sales <sup>15</sup>
		Museum
		Outdoor Dining <sup>28</sup>
		Personal or Professional Services with Drive Through <sup>2</sup>
		Research and Development Laboratory with No External Hazardous, Noxious or Offensive Conditions
		Restaurant with Drive Through or Drive-In <sup>2, 7, 15</sup>

**-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:

<b>Residential</b>	<b>Public/Semi-Public</b>	<b>Commercial</b>
None	Club	Bar or Tavern
	Passenger Transportation Agency and Terminal	Clinic
		Commercial Entertainment
		Commercial Recreation
		Convenience Retail
		Fitness Facility
		Funeral Home
		Hotel or Motel
		Mixed Use Building - Residential Excluded from Ground Level Floor
		Minor Motor Vehicle Repair
		Motor Vehicle Sales
		Off-Street Parking Lot, Garage or Deck
		Office
		Personal or Professional Services
		Plant Greenhouse
		Restaurant
		Retail Business less than or equal to 80,000 square feet in Size
		Veterinary Office or Hospital in an Enclosed Building
		Other Similar Uses as Determined by the Planning Commission

**-CHAPTER 1141 – I-1 Industrial District-**

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

<b>Residential</b>	<b>Public/Semi-Public</b>	<b>Commercial</b>
None	Conservation Use	Building Materials Sales Yard and Lumber Yard
	Educational Institution- Technical School, Vocational School, College, or University	Car Wash <sup>2</sup>
	Passenger Transportation Agency and Terminal	Commercial Entertainment
	Publicly Owned or Operated Government Facility <sup>3, 7, 8, 11</sup>	Commercial Recreation
	Wireless Telecommunication Facility	Contractor's Equipment Storage Yard - Must be Completely Enclosed if Facing a Residential District
		Crematorium
		Fitness Facility
		Heavy Manufacturing <sup>17, 26, 27</sup>
		Motor Vehicle Sales - Only including Rental and Minor Repair Work
		Recreation Facility
		Retail Business

## Short Term Rentals

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### -CHAPTER 1105 – Definitions-

#### CHAPTER 1105 Definitions

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**1105.134 Setback.**

**1105.135 Sexually oriented business.**

**1105.135-1 Short term rental.**

**1105.136 Sign.**

**1105.137 Sign face.**

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#### **1105.09 BED AND BREAKFAST INN.**

"Bed and breakfast inn" means a structure in which paying guests are lodged on an overnight basis, and may be served breakfast in connection with their lodging. Meals shall be served only to guests. The owner or operator of a bed and breakfast inn shall live on the premises.

#### **1105.047 DWELLING UNIT.**

"Dwelling unit" means one or more rooms providing complete living facilities for one family, including equipment for cooking or provisions for the same, and including a room or rooms for living, sleeping and eating.

#### **1105.068 HOTEL.**

"Hotel" means a building in which lodging is provided and offered to the public for compensation and which is open to transient guests, as distinguished from a boarding house and/or a lodging house where all rooms are accessed through an inside lobby or interior corridor where additional ancillary services such as a restaurant, meeting rooms and fitness facilities may be provided. See "Motel".

#### **1105.99 MOTEL.**

"Motel" means any building or group of buildings containing sleeping rooms, with or without cooking facilities, designed as overnight sleeping quarters for tourists or transients, with garage attached or parking space conveniently located to each unit, including auto courts, motor lodges and tourists courts where each sleeping room is accessed from the exterior of the building. Additional accessory services such as restaurants, meeting rooms and fitness facilities may be an integral part of the motel facility.

#### **1105.135-1 SHORT TERM RENTAL.**

"Short term rental" means the rental of a single dwelling unit in which lodging is provided and offered to the public for compensation and which is open to transient guests. This definition shall not include a "Hotel", "Motel", or "Bed and Breakfast Inn".

**-CHAPTER 1125 – R-2 Medium Density Urban Residential District -**

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

Residential	Public/Semi-Public	Commercial
Assisted Living Facility, Independent Living Facility, or Nursing Home <sup>1, 3, 5, 7, 9, 11, 13</sup>	Cemetery <sup>5, 7, 16</sup>	Short Term Rental
Group Home up to 8 Individuals	Conservation Use	
In-Law Suite	Educational Institution - Pre-School, Kindergarten, and Elementary School <sup>1, 3, 5, 6, 11</sup>	
Two-Family Dwelling	Public or Quasi-Public Owned Park or Recreation Facility <sup>1, 3, 4, 5, 9, 11, 18, 19</sup>	
	Publicly Owned or Operated Government Facility <sup>3, 7, 8, 11</sup>	
	Religious Place of Worship <sup>1, 3, 7, 11, 12</sup>	

**-CHAPTER 1125 – R-3 High Density Urban Residential District-**

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

Residential	Public/Semi-Public	Commercial
Assisted Living Facility, Independent Living Facility, or Nursing Home <sup>1, 3, 5, 7, 9, 11, 13</sup>	Cemetery <sup>5, 7, 16</sup>	Short Term Rental
Group Home up to 8 Individuals	Conservation Use	
In-Law Suite	Educational Institution - Pre-School, Kindergarten, and Elementary School <sup>1, 3, 5, 6, 11</sup>	
<b>Manufactured Housing Park or Mobile Home Park</b> <sup>3, 5, 7, 8, 9, 10, 11, 13, 20, 22</sup>	Educational Institution - Junior High School, Middle School, Intermediate School, and High School <sup>1, 3, 5, 7, 11</sup>	
Two-Family Dwelling	Public or Quasi-Public Owned Park or Recreation Facility <sup>1, 3, 4, 5, 9, 11, 18, 19</sup>	
	Publicly Owned or Operated Government Facility <sup>3, 7, 8, 11</sup>	
	Religious Place of Worship <sup>1, 3, 7, 11, 12</sup>	

**-CHAPTER 1129 – M-U Multi-Use District-**

**1129.02 PRINCIPALLY PERMITTED USES.**

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

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

**-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:

<b>Residential</b>	<b>Public/Semi-Public</b>	<b>Commercial</b>
Attached Single-Family Dwellings within a Mixed Use Building - Not including Ground Level Residential Units in the Public Square Area	Club	Bar or Tavern
Multi-Family Dwellings within a Mixed Use Building - 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 - Not including Ground Level Residential Units in the Public Square Area
		Off-Street Parking Lot, Garage or Deck
		Office
		Personal or Professional Services
		Restaurant
		Retail Business
		Short Term Rental
		Other Similar Uses as Determined by the Planning Commission

**-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:

Commercial Uses	Formula
Sexually Oriented Business	One (1) space for each 200 square feet of gross floor area.
Short Term Rental	One (1) space for each bedroom.
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.

**-Chapter 1155 – Supplemental Regulations-**

**CHAPTER 1155**

**Supplemental Regulations**

**1155.01 Fences.**

**1155.02 Performance standards.**

**1155.03 Portable storage units.**

**1155.04 Outdoor vending machines and carrier service boxes.**

**1155.05 Dumpsters, recycling and donation boxes.**

**1155.06 Solar panels.**

**1155.07 Home occupation.**

**1155.08 Parking and occupancy of boats, camping vehicles, motor home/recreational vehicle, and trailers in residential districts.**

**1155.09 Parking of commercial vehicles, buses, trailers or trucks in residential districts.**

**1155.10 Regulations for drive-in, drive-through, or carry-out eating and drinking establishments.**

**1155.11 Outdoor storage and outdoor display of bulk goods in commercial and industrial districts.**

**1155.12 Outdoor storage in residential districts.**

**1155.13 In-law suites.**

**1155.14 Wind turbine and wind energy systems.**

**1155.15 Pedestrian connection.**

**1155.16 Short term rentals.**

**1155.16 SHORT TERM RENTALS.**

- (a) The maximum overnight occupancy of a short term rental shall not exceed two (2) persons per bedroom, plus two (2) additional people.
- (b) The hosting of events including, but not limited to, weddings, receptions, parties, or similar gatherings shall not be permitted at short term rentals.
- (c) A short term rental shall only be permitted within four thousand (4,000) feet of the Medina Uptown Park which is bound by East Liberty Street, South Broadway Street, East Washington Street, and South Court Street.