



Zoning Text Amendment

Westfield Township

Meeting: June 3, 2015
Applicant: Westfield Township Zoning Commission
Hearing: TBA (Zoning Commission)
Amendment: Article III, District Regulations, Section 306 HC Highway Service Commercial District
Reviewer: Susan Hirsch

Proposed Amendments: The proposed amendment provides for revisions to Section 306 Highway Service Commercial District of Article III District Regulations. This amendment proposed by the Westfield Township Zoning Commission provides for additional uses and area variations within Highway Service District. This proposed amendment also provides for the use of existing non-conforming residences for limited retail/office use.

ARTICLE III DISTRICT REGULATIONS

Section 306 HC HIGHWAY SERVICE COMMERCIAL DISTRICT

A. Purpose. The purpose of the Highway Service Commercial District is to provide locations for establishments offering accommodations and services primarily to through automobile and truck traffic on U.S. 224/I-76 and I-71 **as well as benefitting the local market.** The uses permitted in this district by nature tend to result in high volumes of non-local traffic, including commercial vehicles, traffic congestion, parking problems and storage problems and are therefore distinguishable from uses in the LC district ~~on this basis as well~~ **on the basis of size and intensity of use.** The location of these uses shall be limited to sites offering convenient access to and from these major highways such that adjacent zoning districts will not be disturbed with the external effects of these uses. Central water and sewer service is required. **(See exception in Section 306 E.4)**

B. Uses.

1. Permitted Uses	
a.	Restaurants and eating places.
b.	Motels.
c.	Sexually Oriented Businesses, subject to 306 E. 7.
d.	Accessory uses and structures as provided in Section 205 and including signs as regulated by Article IV and parking and loading as regulated by Article V.
e.	Convenient Care Clinic

2. Conditional Uses		Subject to these subsections of Section 606:
a.	Drive-in establishments including any permitted use listed in Section 306 B.1. above,	3, 4, 6, 8, 10,14, and 15, 16, 21(a) and 21 (c)

	and including auto washes, restaurants and refreshment stands but excluding drive-in theaters and commercial amusement parks.	
b.	Gasoline filling stations.	3, 4, 6, 8, 10, 14, 15, 16, 17 and 21
c.	Automotive and truck repair.	3, 4, 6, 8, 10, 14, 15, 16, 17 and 21
d.	Auto wash.	3, 4, 6, 8, 10, 14, 15, 16, 17 and 21
e.	Club pool, commercial pool.	3, 4, 6, 8, 10, 14, 15, 16, 19, and 21(c)
	Truck sales and repair.	
f.	Government Projects <i>(Added 12/15/06)</i>	33
g.	Grocery and food stores not exceeding 75,000 square feet.	3, 4, 6, 8, 10, 14, 15, 16, 21(a) and 21(c)
h.	Establishments engaged in retail trade such as drug stores, books and stationery, apparel, florist, garden supply, antiques, sporting goods, jewelry, optical goods, furniture, home furnishings, office equipment and office supplies, not exceeding 30,000 square feet.	3, 4, 6, 8, 10, 14, 15, 16, and 21(c)
i.	Establishments engaged primarily in the fields of finance, insurance and real estate, such as banks, credit agencies, investment firms, real estate and insurance firms; establishments engaged in providing a variety of services to individuals and business establishments, such as personal services; miscellaneous business services, medical and health services, engineering and architectural services, legal services, accounting, auditing and bookkeeping services, data management/storage, nonprofit, professional, charitable and labor organizations.	3, 4, 6, 8, 10, 14, 15, 16, and 21(c)
j.	Similar use.	32

606 A.3. references loud speakers/amplifiers. Staff questions it applicability to conditional uses e. Club pools, commercial pools...; g. Grocery and food stores; h. Establishments engaged in retail trade and i. Establishments engaged primarily in the fields of finance, insurance and real estate...

C. Minimum Dimensions for Lots and Yards.

1. Lots and yards in the HC district shall comply with the minimum requirements stated in the following table:

HC HIGHWAY SERVICE COMMERCIAL DISTRICT Minimum Dimensions for Lots and Yards	
Lot Area	2 acres
Lot Frontage #	300 feet
Lot Width at Minimum Building Setback Line #	300 feet
Minimum Lot Depth #	300 feet
Front Yard Depth	100 feet
Side Yard Width	25 feet
Side Yard Width adjacent to residential district	100 feet
Rear Yard Depth	50 feet
Rear Yard Depth adjacent to residential district	100 feet
*All measurements of frontage and setback lines to follow the same arc as the road.	
*Amended 1/6/06 _____ #Amended 10/6/89	

HC HIGHWAY SERVICE COMMERCIAL DISTRICT Minimum Dimensions for Lots and Yards	
Lot Area: Lots fronting Lake Rd. and Greenwich Rd	2 acres
Lots fronting all other streets in district	1 acre
Lot Frontage ^ # Lot fronting Lake Rd. and Greenwich Rd.	300 feet
Lot fronting all other streets	150 feet
Lot fronting (lots on a cul-de-sac bulb)	150 feet*
Lot Width at Minimum Building Setback Line Lots fronting Lake Rd. and Greenwich Rd.	300 feet
Lots fronting all other streets	150 feet
Lot fronting (lots on a cul-de-sac bulb)	150 feet at a distance not greater than 100 feet from the right-of-way*
Minimum Lot Depth # Lots fronting on Lake Rd and Greenwich Rd.	300 feet
Lots fronting all other streets	290 feet
Front Yard Depth Lots fronting on Lake Rd and Greenwich Rd.	100 feet
Lot fronting all other streets	40 feet
Side Yard Width	25 feet
Side Yard Width adjacent to residential	100 feet

district	
Rear Yard Depth	25 feet
Rear Yard Depth adjacent to residential district	100 feet
Maximum Impervious Surface ^	75%
*All measurements of frontage and setback lines to follow the same arc as the road.	
^ Amended _____ * Amended 1/6/06 # Amended 10/6/89	

- **The revised lot, yard and area regulations, indicated above include reduced regulations for lots not fronting on Lake Road or Greenwich Road.**
- **The reduction in minimum lot depth is indicated as 300 feet for lots fronting on Lake Road or Greenwich Road and 290' for lots fronting on all other streets. Staff questions the reasoning for a reduction of only ten feet. Should it be 200'?**

2. In all cases, the right-of-way line shall be as shown on the records of Medina County, but for purposes of determining the front line of a lot shall not be less than 30 feet from the centerline.

D. Landscaping and Buffers Required. On any lot, the following buffers shall be constructed and permanently maintained.

2. Front Yard Buffer. A landscaped strip twenty (20) feet in width adjacent to the right-of-way and running the entire frontage of the parcel shall be constructed.
3. Side Yard Buffer. When adjacent to a residential district, the side yard adjacent to such district or use shall consist of a landscaped and planted buffer strip twenty-five (25) feet in width and running the length of the side yard.
4. Rear Yard Buffer. When adjacent to a residential district, the rear yard adjacent to such district or use shall consist of a landscaped and planted buffer strip twenty-five (25) feet in width and running the length of the rear yard.

E. Supplementary Regulations.

1. Site Plan Review. *See Section 807 B.*
2. Natural Hazard Areas. Areas within the Natural Hazards District are subject to all requirements of Section 302 of this Resolution.
3. Refuse Storage. All outdoor refuse storage areas shall be screened from view from adjacent properties. All refuse shall be stored in rodent proof containers or enclosures. Refuse storage areas shall be maintained in a neat and orderly fashion so as not to attract insects, rodents or other pests.
4. **Water and Sewer. Central water and sanitary sewer services are required for all uses in the HC district. No use of land shall be established until connections to central water and sanitary sewer**

services are installed and approved by the County Engineer; however, an existing home/structure/building may be converted to a permitted/conditional commercial use with the Ohio EPA approval of the existing septic system and/or well water system.

5. Outdoor Storage-Screening. Outdoor storage areas shall be totally screened from view from all public rights-of-way and from all adjacent residential districts by landscaping, walls, fences or topography. Outdoor storage shall not occur in any required front yard or in any yard adjacent to a residential district.
6. ~~Highway Commercial/Light Industrial Performance Standards.~~ Every establishment desiring to be located in the HC/Light Industrial District shall submit evidence to the satisfaction of the Zoning Inspector that its' activities will not violate the following performance standards:
 1. ~~Air Pollution.~~ Establishments emitting air pollutants affecting ambient air quality shall show evidence of conformance with all Ohio Environmental Protection Agency (OEPA) requirements.
 2. ~~Vibration.~~ No vibration shall be permitted which is discernible without instruments at the property line of the establishments creating such vibration and beyond any boundary of the district.
 3. ~~Smoke, Fly Ash, Dust, Dirt.~~ No establishment shall exhaust or discharge into the air any quantity of fly ash, smoke, dust, dirt or similar form of particulate matter except as permitted by the standards of OEPA.
 4. ~~Odors.~~ No emission shall be permitted of odorous gases or other odorous matter in such quantities as to be readily detectable beyond the property line.
 5. ~~Solid and Liquid Waste.~~ No discharge of liquid or solid waste into any public or private sewage system, lake, stream, ditch or other body of water, floodway, swale, retention pond or other intermittent facility for water storage management or onto or into the ground except as approved by the OEPA.
 6. ~~Radioactivity.~~ No establishment shall produce, store, transfer or use radioactive materials in any manner hazardous to human health.
 7. ~~Electric or Electronic Disturbance.~~ No establishment shall produce electronic or electrical disturbances perceptible beyond the property line.
 8. ~~Fire and Explosion Hazards.~~ Material and processes having potential for fire or explosion hazards shall not be permitted in close proximity to residential areas where they constitute undue safety hazards. When permitted, such uses

~~shall be controlled by the requirements of the Westfield Fire and Rescue District.~~

~~9. Noise. Noise which is determined objectionable to an ordinary person at eh property line due to volume, frequency or beat shall be prohibited.~~

~~7.~~ **6. Sexually Oriented Business.**

a. It is the purpose and intent of the provisions of this Zoning Resolution which specifically apply to sexually oriented businesses to regulate such business with the intent of promoting the health, safety, and morals of the citizens of the Township, establishing reasonable and uniform regulations to prevent any deleterious location and concentration of such businesses within the Township, thereby reducing or eliminating the adverse secondary effects from such businesses. The provisions of this Zoning Resolution have neither the purpose nor effect of imposing a limitation or restriction on the content of any communicative material, including sexually oriented materials. Similarly, it is not the intent nor effect of this Zoning Resolution to restrict or deny access by adults to sexually oriented materials protected by the First Amendment, or to deny access by the distributors and exhibitors of sexually oriented entertainment to their intended market. Neither is it the intent nor the effect of this Zoning Resolution to condone or legitimize the distribution of obscene material. The provisions of this Zoning Resolution have neither the purpose nor effect of imposing a limitation or restriction on the content of any communicative material including sexually oriented materials.

b. A sexually oriented business shall comply with the following supplementary regulations, in addition to compliance with all other requirements of this Zoning Resolution:

1. No sexually oriented business shall be located on a lot which is located within five hundred feet (500') of a lot on which another sexually oriented business is located.
2. No sexually oriented business shall be located on a lot which is located within six hundred feet (600') of a residential district or LC district.
3. No sexually oriented business shall be located on a lot which is located within one thousand feet (1000') of a lot containing a church, library, public park, playground, daycare center, school, campground, sports field, or any institution where children are kept day or night.
4. Measurement of required distances in paragraphs 1, 2 and 3 shall be made in a straight line, without

regard to intervening structures or objects, between the points of each of the subject properties which are nearest one another.

5. No more than one sexually oriented business shall be operated, established, or maintained within a building or structure.
6. Structures will be designed to prevent internal activities or displays from being visible from the outside.

c. A sexually oriented business that is legally located per these regulations does not become non-conforming if one of the protected uses as in 306 E. 7. 6. b. 3. located within a designated buffer area.

Staff Comments: Westfield Township had submitted this text amendment to the Department of Planning Services for Informal Review. This process has allowed us to work out most of the concerns prior to this formal review.

Staff Recommendation: Staff recommends the Medina County Planning Commission **APPROVE WITH MODIFICATIONS** the proposed amendments to Article III, District Regulations, Section 306 HC Highway Service Commercial District of the Westfield Township Zoning Resolution, subject to Staff Comments.