



3038 Boston Mills Road, Brecksville, Ohio 44141

RESOLUTION #09-2018

A Resolution for Zoning Text Amendment for LI-O Light Industrial-Office District

WHEREAS, Ohio Revised Code (ORC) 519.12 provides for the process for zoning text amendments;

WHEREAS, a text amendment was initiated by the Richfield Township Board of Trustees on October 5, 2017 through Resolution 10-2017;

WHEREAS, the Summit County Planning Commission review of the proposed amendment was scheduled for November 16, 2017 and rescheduled and conducted on December 21, 2017 and February 22, 2018;

WHEREAS, the Richfield Township Zoning Commission opened a Public Hearing on November 9, 2017 and continued the hearing and discussion to meetings on the dates of December 14, 2017, January 11, 2018, February 8, 2018, March 1, 2018, March 8, 2018, April 12, 2018, April 23, 2018, April 26, 2018 and May 10, 2018 and made recommendations for the proposed text amendment;

WHEREAS, the Richfield Township Board of Trustees opened a Public Hearing for the proposed amendment on June 7, 2018, which was continued to June 28, 2018;

NOW, THEREFORE, BE IT RESOLVED, by the Richfield Township Board of Trustees of Summit County, Ohio that the following zoning text shall be adopted, replacing RTZR Article IV, Section 420:

Section 420 LI-O LIGHT INDUSTRIAL - OFFICE DISTRICT

Section 420-1 Purpose

The purpose of the Light Industrial-Office District regulations is to create a light industrial employment center intended to attract a diversity of employment opportunities and high quality buildings, facilities and uses that will enhance the tax base of the Township while minimizing the impact on adjacent residential districts. The Light Industrial-Office District regulations reflect the intent to require light industrially related uses to have access to major arterial roadways to minimize impact on local roads. Permitted uses encourage the development of large-scale office, light industrial and business parks built of quality architectural grade finish materials with long term, low maintenance characteristics.

Section 420-2 Use Regulations

All uses not specifically identified as permitted or conditionally permitted are prohibited and the uses cited in Appendix B are wholly excluded.

A. Principal Permitted Uses

The following uses are considered principal permitted uses subject to compliance with all the requirements set forth in the Zoning Resolution and the application review and approval procedures.

1. Financial Institutions
2. Nursery/Garden Center
3. Health Care Facility
4. Business or Professional Offices

5. Recording, Radio or Television Studios
6. Retail or Wholesale Uses
7. Recreation or Sports Facilities (non-motorized)
8. Manufacturing, Processing, Assembly or Packaging
9. Research Facilities
10. Warehousing or Distribution Centers
11. Public Utility/Public Service Installations
12. Public Recreation
13. Hotel or Conference Center
14. Governmental, Institutional or Public Facilities
15. Vehicle or Equipment Repair, Service, Sales or Rental
16. Truck and Transfer Terminal

B. Conditional Uses

Any uses conditionally permitted in the Light Industrial-Office District shall be subject to meeting all applicable requirements set forth in Sections 420-5 as well as all general requirements set forth in the Zoning Resolution and the application and site plan review procedures as provided in Section 420-6.

1. Uses with Partially Enclosed Storage:
Buffering with mounding, fencing and/or landscaping shall be required for areas that are not completely enclosed as necessary to shield adjacent and nearby uses from noise, dust, light caused by operations at the site and to lessen visibility of activity at the site.
2. Bufferwall to take the place of 420-4-C-3-a Buffermound requirement at a minimum ten (10) feet in height.

C. Accessory Uses

Accessory uses and structures that are necessarily and customarily incidental and subordinate to the permitted or conditional uses are allowed in the district. Accessory Structures should be designed to be visually compatible with the main building. Accessory uses shall be subject to the following regulations in addition to the same regulations that apply to principal uses:

1. Lighting: Lighting may be placed on the building(s) or on poles. Lights on buildings shall not exceed the height of the building and pole lighting shall not exceed forty (40) feet in height. Light sources in excess of twenty (20) feet in height shall be located not closer than one hundred (100) feet to any residential property line. No lighting shall constitute a nuisance and shall in no way impair safe movement of traffic on any street or highway; no lighting shall shine directly on adjacent properties. Exterior lighting shall be positioned or designed in such a way as not to extend any glare onto adjacent property or right-of-way.
2. Solar Energy Systems, in accordance with Section 509 Alternative Energy Systems
3. Wind Energy Systems, in accordance with Section 509 Alternative Energy Systems
4. Sign, in accordance with Section 506 Sign Regulations
5. Buildings for storage, security or gate houses, parking garages, recreation facilities or other use subordinate to the principal use

6. Fences may abut front, side and rear property lines and have a maximum height of eight (8) feet, unless a higher maximum height is permitted or required within another section of these regulations.

Section 420-3 Area, Height and Setback Requirements

All uses must comply with the following:

- A. Minimum Front Yard Depth: Forty (40) feet from road right of way for buildings and parking.
- B. Minimum Side Yard Depth: Thirty-five (35) feet to buildings unless buildings are connected by adjoining walls or a courtyard wall, in which case no side yard setback is required. Five (5) feet to parking areas and driveways,
- C. Minimum Rear Yard Depth: Fifty (50) feet to buildings and five (5) feet to parking areas and driveways.
- D. Special Setback requirements from Residential Districts:
 1. Building or Structure Setback:

Any building or structure shall be placed a minimum of one hundred (100) feet from any residential district property line, including bufferyard.
 2. Parking Setback:

Parking lots shall be a minimum of fifty (50) feet from any residential district property line.
 3. Loading Space Setback:

Loading space areas contained within a courtyard shall be placed a minimum of one hundred (100) feet from any residential district property line. Loading space areas not within a courtyard shall be placed a minimum of two hundred (200) feet from any residential district property line.
- E. Structure Height: The maximum building height shall be fifty (50) feet.
- F. Minimum Gross Area: One (1) acre.
- G. Minimum Frontage: All lots are required to have a minimum one hundred (100) feet of frontage on a dedicated road.
- H. Minimum lot Width and Depth: No lot may be less than one hundred (100) feet in either width or depth.
- I. Only one (1) principal use structure per lot will be permitted.
- J. Wholesale uses or warehousing and/or storage uses shall not occupy more than forty percent (40%) of the gross floor area of all buildings on a property.
- K. Each permitted building shall have at least fifteen percent (15%) of its total gross floor area devoted to permitted office uses and at least twenty-five percent (25%) of its total gross floor area devoted to a combination of permitted office and light industrial uses.

Section 420-4 Site Planning and Performance: All uses must comply with the following standards.

Evidence of compliance must be provided within the application submitted to the Township.

- A. Nuisance Standards: Noise, Vibration, Odors, Air Quality/Emissions, Glare, Heat or Light – See requirements as referenced in other sections of these regulations
- B. Road Surface Standards

All roads, driveways and parking areas shall be surfaced with a pavement having an asphalt or concrete binder of sufficient strength to support vehicular loads imposed on it while providing a durable, dustless surface. All roads, driveways and parking areas shall be designed to utilize any existing drainage and sewer system and will be installed in compliance with all applicable governmental standards including Summit County standards.

C. Buffering

Buffering shall be utilized to minimize the impact of different land uses and to protect adjacent residential districts from nuisances and may take the form of walls, mounds or landscaping.

1. Bufferyards/Bufferwalls/Buffermounds

Buffers are required to separate light industrial-office uses and adjacent residential land uses and to minimize or eliminate the detrimental impacts of different uses upon one another and upon the adjacent districts or uses. Where a use abuts a residential district, the applicant will be required to construct a buffer.

2. General Standards

Responsibility for and Timing of Installation

All buffering shall be installed on site by completion of construction of the principal use. If backyard landscaping is not feasible to install at the time of construction, it shall be completed within one planting season after completion of construction. Buffers shall be located between any Light Industrial-Office district property use and adjacent residential district property.

3. Determination of Buffer Type

Buffering must utilize:

- a. A Buffermound, at a minimum ten (10) feet height with plantings on the residential side slope and top of the mound, or a Bufferwall in accordance with approval under 420-2-B-2, and
- b. A Bufferyard consisting of landscaping following the minimum standards below:

4. Plant Requirements for Bufferyards

- a. Minimum 20' width, required plants per 100' length: 4 Canopy trees, 7 Understory trees, 13 Shrubs, 4 evergreen/conifers.
- b. Canopy trees shall have a minimum diameter at breast height (DBH) of at least two (2) inches when installed.
- c. Understory trees shall have a DBH of at least one and one quarter (1¼) inches when installed.
- d. Evergreen trees shall be a minimum of six (6) feet in height at time of planting.
- e. Shrubs shall be at least eighteen (18) inches in height or twenty-four (24) inches in spread at time of planting.

D. Traffic Management: Traffic must access the district through a non-residential district and no public or private roadway system will be permitted to provide access through a residential district.

E. Adequate Public Facilities: All uses must demonstrate that adequate public facilities, in terms of sewerage treatment and water supply, are available to meet the intended use.

F. Utilities: All service utilities shall be installed underground.

G. Outdoor Storage: No outdoor storage of equipment or non-living materials is permitted, except as approved under 420-2-B-1.

H. Exterior Building Materials: All exterior finish materials, including windows and doors, shall be of architectural grade with long term, low maintenance characteristics. Additions and accessory structures should be designed to be compatible with the main building.

Section 420-5 Conditional Use Standards

A. General Criteria and Standards

In addition to the Site Planning and Performance Standards in Section 420-4, all applications for Conditional Uses shall demonstrate that:

1. The use is consistent with intent and policies of the Light Industrial-Office District.
2. The use can be accommodated on the site consistent with all district standards set forth in Section 420-4.
3. On site and off site traffic circulation patterns related to the use shall not adversely impact adjacent uses or result in hazardous conditions for pedestrians or vehicles in or adjacent to the site.
4. The use will be served by adequate public facilities and services including but not limited to water, sewer, electric, streets, fire and police protection, and storm drainage.
5. The use provides adequate off-street parking.

B. Conditional Use Special Conditions and Standards

1. All storage of non-living material shall be within a building or partially enclosed area.
2. All vehicle, equipment and materials storage, maintenance and repair shall be within a building or partially enclosed area.
3. All property lines that adjoin a residential use or district shall be screened with a buffer that meets the requirements of 420-4-C-4
4. No parking of vehicles shall be allowed in parking aisles, driveways, or road right-of-ways.
5. Buffering with mounding and/or fencing shall be required for non-enclosed areas as necessary to shield adjacent and nearby uses from noise, dust, light caused by operations at the site and to lessen visibility of activity at the site.
6. Adequate vehicle turning areas shall be provided on the site so that vehicles and equipment can be maneuvered on site without interrupting traffic flow or blocking public streets.
7. All parking and loading areas shall be located a minimum of three hundred (300) feet from any residential property line.

Section 420-6 Site Plan Review Procedures

Zoning Certificates for the Light Industrial-Office District will be issued only after completion of a Site Plan Review and approval by the Zoning Inspector or, in the case of Conditional Use permit, the Board of Zoning Appeals.

A. Establishment of Allowable Use

Prior to the Site Plan Review process, the applicant must establish that use proposed is contained within the use regulations of Section 420-2. The applicant is required to confer with the Zoning Inspector to determine if the proposed use is a permitted, conditional or prohibited use. Principal and accessory uses will be processed under Section 420-6.

B. Site Plan Review and Application

1. Application

The Applicant shall confer with the Zoning Inspector prior to submitting an application. No application will be considered complete and acceptable for processing until all required application documentation is received by the Zoning Inspector.

2. Site Plan Review

The Applicant must submit all documentation included in Appendix A, Site Plan Submittal Requirements (Core Requirements) unless expressly waived by the Zoning Inspector. The waiving of submission requirements shall be done only where the information required has previously been submitted and the information is still current or the item is clearly inapplicable to the application.

3. Conditional Use Permit/Site Plan Review

The Board of Zoning Appeals shall hold a public hearing on the Conditional Use Permit/Site Plan application, in accordance with Section 701 of these regulations.

Section 420-7 Use Changes

All changes in use must be submitted to the Zoning Inspector. All requirements for a change in use must comply with the requirement of the Zoning Resolution existing at the time of the change of use

Section 420-8

Compatibility with Other Zoning Resolution Provisions

The provisions in this District, including but not limited to the conditional use standards, and all appendices amend and supplement the other provisions in the Zoning Resolution.

Section 420, APPENDIX A Site Plan Submittal Requirements (Core Requirements)

A. A complete application on a form provided by Richfield Township.

B. A Site Development Plan shall be filed with the Zoning Inspector together with a narrative summary indicating compliance with all provisions of this resolution and including North American Industry Classification System (NAICS) number(s) for the proposed use.

C. The Site Development Plan shall be drawn at an appropriate scale to allow for a thorough review. All plans and plan revisions shall be dated: month, day, and year. and shall include the following information:

1. All property lines, shape and dimensions of the lot to be built upon showing directional bearings and distances, adjacent streets, and location with reference to identifiable street intersections.
2. Name of development, legal description of property, north arrow, scale, acreage, name and address of record owner, lessee and engineer.
3. The total area of the property and individual parcels.
4. All public and private rights-of-way and easement lines located on or adjacent to property that are proposed to be continued, created, enlarged, relocated or abandoned.
5. Any locations, modifications, changes and additions to existing building(s), including floor area, heights and setbacks.
6. Delineation of all existing and proposed uses in the project, including but not limited to, the following:
 - a. A statement indicating size of buildings, their uses, and setback,
 - b. Number of lots, including lot sizes and dimensions, setbacks and indication of height of buildings.
7. Location of proposed streets and rights-of-way widths and proposed pedestrian walkways.
8. Parking Plan - Number and location of parking spaces, arrangement of parking aisles and driveway entrances, sidewalks, interior landscaping, drainage and stormwater management.
9. Buffer Plan to meet requirements of Section 420-4-C.
10. Lighting Plan

Section 420, APPENDIX B

Industrial Uses wholly excluded from Section 420

In the event that any of the below named wholly excluded uses becomes a use to be permitted or conditionally permitted within these regulations or by granting of a use variance or other legal order, the following regulations shall apply:

1. The use may not be established within one thousand (1,000) feet of:
 - a). A church, synagogue, mosque, temple or building that is used primarily for religious worship and related religious activities.
 - b). A public or private educational facility including but not limited to child day care facilities, nursery schools, preschools, kindergarten, elementary schools, private schools, intermediate schools, junior high schools, middle schools, high schools, vocational schools, secondary schools, continuation schools, special education schools, junior colleges and universities; school grounds, but does not include facilities used primarily for another purpose and only incidentally as a school.
 - c). A public park or recreational area which has been designated for park or recreational activities including but not limited to a park, playground, nature trails, swimming pool, reservoir, athletic field, basketball or tennis courts, pedestrian/bicycle paths, wilderness areas or other similar public land within the Township that is under the control, operation or management of any local, county, state or federal park entity.
2. Bufferwall Requirements: A wall consisting of reinforced pre-cast solid concrete construction completely enclosing all use area of the property. The bufferwall must be installed before any activity may commence, shall be placed a minimum of fifty (50) feet from the property line and must be a minimum of ten (10) feet in height.
3. Bufferyard Requirements: A bufferyard comprised of 6 Canopy trees, 9 Understory trees, 24 Shrubs and 12 evergreen/conifers per 100' length shall completely surround the required bufferwall.

Wholly Excluded Uses:

All establishments that use, store, transport, distribute or produce any material as listed in Superfund Amendments and Reauthorization Act of 1986 (SARA), Section 302 Extremely Hazardous Substances List (40 C.F.R. 355, Appendices A and B), and SARA Section 313, Toxic Chemicals List (40 C.F.R. 372.65).

All establishments falling within North American Industry Classification System (NAICS) No. 322, Paper Manufacturing, as identified in the *NAICS United States Manual 1998*.

All establishments falling within North American Industry Classification System (NAICS) No. 321114, Wood Preservation, as identified in the *NAICS United States Manual 1998*.

All establishments falling within North American Industry Classification System (NAICS) No. 3251, Basic Chemical Manufacturing, as identified in the *NAICS United States Manual 1998*.

All establishments falling within North American Industry Classification System (NAICS) No. 3253, Manufacture of Pesticide, Fertilizer, and Other, as identified in the *NAICS United States Manual 1998*.

All establishments falling within North American Industry Classification System (NAICS) No. 562, Waste Management and Remediation, as identified in the *NAICS United States Manual 1998*.

All establishments falling within North American Industry Classification System (NAICS) No. 3241, Petroleum Refineries and Related Industries, as identified in the *NAICS United States Manual 1998*.

All establishments falling within North American Industry Classification System (NAICS) No. 324199, 331221, and 331111, Steel Works, Blast Furnaces, and Rolling and Finishing Mills, as identified in the *NAICS United States Manual 1998*.

All establishments falling within North American Industry Classification System (NAICS) No. 3315, Iron and Steel Foundries, as identified in the *NAICS United States Manual 1998*.

All establishments falling within North American Industry Classification System (NAICS) No. 331, Primary Metal Industries, as identified in the *NAICS United States Manual 1998*.

All establishments falling within North American Industry Classification System (NAICS) No. 2211, Electric Services (establishments engaged in the generation, transmission, and/or distribution of electric energy for sale), as identified in *NAICS United States Manual 1998*.

All establishments falling within North American Industry Classification System (NAICS) No. 22121, Natural Gas Distribution, as identified in the *NAICS United States Manual 1998*.

All establishments falling within North American Industry Classification System (NAICS) No. 311611, Animal (except poultry) Slaughtering, as identified in the *NAICS United States Manual 1998*.

All establishments falling within North American Industry Classification System (NAICS) No. 311615, Poultry Slaughtering and Processing, as identified in *NAICS United States Manual 1998*.

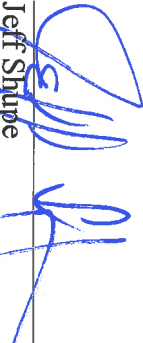
All establishments falling within North American Industry Classification System (NAICS) No. 311613-311712, Animal and Marine Fats and Oils, as identified in the *NAICS United States Manual 1998*.

All establishments falling within North American Industry Classification System (NAICS) No. 792227 (Adult Entertainment) as identified in the *NAICS United States Manual 1998*, or for any Sexually Oriented Businesses.

All establishments falling within North American Industry Classification System (NAICS) No. 593215 (Junk Dealers) or 501502 (Automobile Wrecking) as identified in the *NAICS United States Manual 1998* or for any or Junk Yards or wholesale or retail distribution or storage of scrap, waste material, auto bodies/parts or hazardous materials.

June 28, 2018
Date


Janet Jankura


Jeff Shupe


Robert Luther