

**MEETING DATE: 8-11-16**

# **PLANNING COMMISSION**

**Case No. P16-19**

**City of Medina  
Text Amendments to  
Planning & Zoning Code**



# CITY of MEDINA

## Planning Commission

### October 13, 2016 Meeting

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**Case No:** P16-19

**Applicant:** City of Medina

**Subject:** Text amendment – Transitional Housing regulation  
Applicable zoning district and approval process determination

**Submitted by:** Jonathan Mendel, Community Development Director 

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#### **Background:**

On August 11, 2016, the Planning Commission reviewed a definition for Transitional Housing developed by staff. This review included a new use definition, amending an existing use definition and a discussion addressing the federal Fair Housing Act.

The Planning Commission indicated satisfaction with the proposed new and amended use definitions. The next step is determining the appropriate zoning district(s) for the proposed new use and the approval processes (i.e. permitted or conditionally permitted uses) to apply.

Attached are:

- The Planning Commission accepted Transitional Housing use definition and amendment to the existing Group Home definition.
- The draft changes to the applicable Planning and Zoning Code to remaining sections
- City Medina Zoning Map with possible areas for Transitional Housing uses

#### **Proposed regulatory framework:**

- Conditionally permitted use in R-4 and C-3 districts.
  - Most appropriate zoning districts for a residential use that straddles the line between a residential and commercial use. Such facilities would be most similar in nature to Assisted Living facilities in that clients do live at the site for a period of time (~60-90 days) and there are likely workers that come to the site.
  - Not overly restrict areas within which the use could be located. R-4 and C-3 allow ample locations for potential locations while restricting it from more sensitive areas of the City.

- Applicable conditionally permitted use regulations – #7 & 24
  - (7) Such developments should be located on major thoroughfares or at intersections of major and/or collector thoroughfares.*
  - (24) All activities, programs and other events shall be adequately and properly supervised so as to prevent any hazard and to assure against any disturbance or nuisance to surrounding properties, residents or to the community in general.*
    - These two regulations will provide specific and appropriate locations for the use and generally manage the impact of a specific operation on the surrounding properties in particular and the community in general.
- Parking requirement same as Assisted Living/Nursing Home – One space for each two resident rooms and one space for every 5 rooms for general parking
  - Most appropriate existing parking requirement for the proposed use

The above regulatory framework provides for appropriate and predictable siting of transitional housing uses/operations and provide a sufficient level of review and transparency to the approval process for such uses.

### **Recommendation**

Staff requests the Planning Commission recommend approval and forward to City Council the proposed text amendments outlined in this staff report.

## All proposed text amendments

Planning Commission accepted proposed *Transitional Housing* use definition:

### **1105.0159.1 Transitional Housing**

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

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

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

**Amendment to the existing *Group Home* use definition:**

1105.065 GROUP HOME.

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

**Draft changes to the applicable Planning and Zoning Code remaining sections**

## 1127.04 CONDITIONALLY PERMITTED USES.

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

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

## 1137.04 CONDITIONALLY PERMITTED USES.

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

| <b>Residential</b>                              | <b>Public/Semi-Public</b>                                   | <b>Commercial</b>   |
|---|---|---|
| • Multi-Family Dwelling                         | • Conservation Use  | • Car Wash  |
| • <a href="#">Transitional Housing</a><br>7, 24 | • Educational Institution for Higher Education              | • Child Day Care Center and Nursery 2,5,9,11,14   |
|   | • Publicly Owned or Operated Governmental Facility 3,7,8,11 | • Conference Center, Banquet Facility or Meeting Hall 1,3,7,11,12,14                                  |
|   | • Public Utility 1,10,11                                    | • Cremation Facility  |
|   | • Religious Place of Worship 1,3,7,11,12,14                 | • Hospital 1,2,3,5,7,9,11,14  |
|   | • Wireless Telecommunications Facility                      |   |
|   |   | • Motor Vehicle Filling Station with or without Convenience Retail 5,7,17,29,31                       |
|   |   | • Open Air Building materials Sales and Lumber Yard   |
|   |   | • Outdoor Dining  |
|   |   | • Personal and Professional Services with Drive-Thru  |
|   |   | • Research and Development Laboratory and Processing with No External Hazardous, Noxious or Offensive |

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

#### 1145.04 SCHEDULE OF PARKING REQUIREMENTS AND STANDARDS.

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

#### **SCHEDULE OF OFF-STREET PARKING REQUIREMENTS**

| <b>Residential Uses</b>  | <b>Formula</b>   |
|--|--|
| <b>Assisted Living, Nursing, Convalescent Home, Transitional Housing</b> | One (1) space for each two (2) resident rooms + one space for every five (5) resident rooms.   |
| <b>Bed and Breakfast</b>   | Two (2) spaces for owner + one (1) space for each guest room.  |
| <b>Day Care, Child (In-Home)</b>   | See Single Family Detached Dwelling.   |
| <b>Group Home</b>  | One (1) space for two (2) beds + one (1) space for every 400 square feet of gross floor area, excluding resident rooms.                                  |
| <b>Independent Living Facility</b>                                       | One and one-half (1½) spaces for each dwelling unit + one (1) space for every five (5) dwelling units.   |
| <b>In-Law Suite</b>  | One (1) space in addition to the requirement of the single family dwelling.  |
| <b>Mobile Home Dwelling</b>  | Two (2) spaces for each unit.  |
| <b>Multi-Family Dwelling</b>   | Two (2) spaces for each dwelling unit + one (1) space for each five (5) dwelling units for visitor parking.  |
| <b>Single Family Attached and Single-Family Detached Dwelling</b>        | Two (2) spaces for each dwelling.  |
| <b>Two Family Dwelling</b>   | Two (2) spaces for each dwelling.  |
| <b>Banquet, Conference Center or Meeting Halls</b>                       | One (1) space for each three (3) seats or one (1) space per 150 square feet of banquet or meeting gross floor area where fixed seating is not available. |

|   |   |
|---|---|
| <b>Bar or Tavern</b>  | One (1) space for every three (3) seats or one (1) space for each seventy-five (75) square feet of floor area, whichever is greater.                          |
| <b>Building Materials, Contractors Equipment Sales Yard</b> | One (1)space for 400 square feet of net floor area.<br>For uses solely utilizing outdoor sales yards, one (1) space per 2,000 square feet of sales yard area. |
| <b>Car Wash, Automated</b>                                  | Three (3) stacking spaces for each automated car wash lane.   |
| <b>Car Wash, Self Service</b>                               | Two (2) stacking spaces for each stall + two (2) drying spaces for each stall.  |
| <b>Commercial Entertainment</b>                             | One (1) space for each three (3)seats or one space for each 100 square feet of floor area, whichever is greater.  |

| <b>Commercial Uses</b>                              | <b>Formula</b>  |
|---|---|
| <b>Commercial Recreation</b>                        | One (1) space for each fifty (50) square feet of pool area including deck.<br>One (1) space for each 500 square feet of outdoor playground area.<br>Four (4) spaces per lane for a bowling alley.<br>Five (5) spaces for each trail head.<br>Six (6) spaces for each tennis, racquet ball or handball court.<br>Ten (10) spaces for each basketball court.<br>Twenty (20) spaces for each baseball, softball or soccer field. |
| <b>Convenience Store</b>                            | One (1) space for each 300 square feet of net floor area + one (1) space per every two (2) pumps.   |
| <b>Day Care Center or Nursery, Child</b>            | One (1) space for each 200 square feet of licensed capacity plus sufficient space for child drop-off/loading area.  |
| <b>Distribution Center for Fuel, Food and Goods</b> | One (1) space for each 1,500 square feet of gross floor area + one (1) space per facility vehicle.  |
| <b>Drive-In Establishments</b>                      | One (1) space for each 100 square feet of gross floor area if entirely drive-through. If drive-in facility, one (1) space for each ordering space + one (1) space per 100 square feet of gross floor area   |
| <b>Wholesale Establishment</b>                      | One (1) space for each 500 square feet of gross floor area.   |
| <b>Financial Institution</b>                        | One (1) space for each 200 square feet of floor area + four (4) stacking spaces for each drive-in service window.   |
| <b>Funeral Home or Mortuary</b>                     | One (1) space for each fifty (50) square feet of parlor or chapel space or one (1) per four (4) seats, whichever is greater, but not less than twenty (20) spaces.  |

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|--|---|
| <b>Hotel or Motel</b>  | One (1) space for each room + one space for each 200 square feet of lobby space + one (1) space for each 100 square feet of meeting area and/or restaurant space or bar/cocktail lounge |
| <b>Manufacturing Uses</b>  | One (1) space for each 500 square feet of manufacturing floor space + one (1)space for each 200 square feet of related office space.  |
| <b>Mixed Uses</b>  | The sum of spaces of each use reduced by fifteen percent(15%).  |
| <b>Motor Vehicle Filling Station (without Convenience Retail)</b>  | Two (2) spaces for each two (2) fuel pumps + one (1) space for each fifty (50) square feet of attendant facility.   |
| <b>Motor Vehicle Repair or Service Station</b>                     | Two (2) spaces for each service bay (excluding the bay) + two (2) spaces for every two (2) fuel pumps.  |
| <b>Motor Vehicle, Truck, Trailer and Farm Implement Sales</b>      | One (1) space for each 300 square feet of net floor area of the showroom.   |
| <b>Office, Professional and Administrative (excluding medical)</b> | One (1) space for each 400 square feet.   |
| <b>Office, Medical/Dental Clinic</b>                               | One (1) space per 200 square feet.  |

| <b>Commercial Uses (Cont.)</b>             | <b>Formula</b>  |
|--|---|
| <b>Outside Storage</b>                     | Two (2) spaces for the first 2,000 square feet + one (1) space for each additional 2,000 square feet of outdoor storage area. |
| <b>Personal and Professional Services</b>  | One (1) space for each 300 square feet of gross floor area + one (1) space for each service vehicle parked on site            |
| <b>Plant Greenhouse (Commercial)</b>       | One (1) space for each 800 square feet of indoor/outdoor sales space.   |
| <b>Research and Development Laboratory</b> | One (1) space for each 400 square feet of gross floor area  |

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|--|--|
| <b>Restaurant</b>  | One (1) space for each two (2) seats of seating capacity + four (4) stacking spaces for each drive through window.   |
| <b>Retail</b>  | One (1) space for each 400 square feet of gross floor area.  |
| <b>Sexually Oriented Business</b>  | One (1) space for each 200 square feet of gross floor area.  |
| <b>Truck or Transfer Terminal</b>  | One (1) space for each 1,500 square feet of gross floor area + one (1) space per facility vehicle.   |
| <b>Veterinary Office or Hospital</b>   | Two (2) spaces for each examination room + one (1) space per each 200 square feet of laboratory and office floor area.   |
| <b>Warehousing</b>   | One (1) space for each 2,000 square feet of warehouse floor area + one (1) space for each 200 square feet of related office space.                                 |
| <b>Cemetery</b>  | One (1) space for each fifty (50) square feet of parlor or chapel space or one (1) per four (4) seats, whichever is greater, but not less than twenty (20) spaces. |
| <b>Public and Semi-Public Uses</b>   | <b>Formula</b>   |
| <b>Club, Fraternity, Lodge or Similar Organization</b>   | One (1) space for each 100 square feet of floor area.  |
| <b>Community Center or Recreation Center</b>   | One (1) space for each 250 square feet of floor area.  |
| <b>Educational Institution for Primary Education (Pre K-8)</b>                                   | Two (2) spaces for each classroom + one (1) space for every eight (8) seats in any auditorium and gymnasium.   |
| <b>Educational Institution for Secondary Education (9-12)</b>                                    | Ten (10) spaces for every classroom + one (1) space for every eight (8) seats in any auditorium and gymnasium.   |
| <b>Educational Institution for Higher Education (University, College, Technical, Vocational)</b> | Ten (10) spaces for every classroom + one (1) space for every eight (8) seats in any auditorium.   |
| <b>Hospital</b>  | One (1) space for each bed + one (1) space for each 500 square feet of administrative, office and laboratory space.  |
| <b>Library</b>   | One (1) space for each 400 square feet of floor area.  |
| <b>Passenger Transportation Agency and Terminal</b>  | One (1) space for each 400 square feet of floor area + one (1) space for each transit vehicle + sufficient space for pick up and drop-off of passengers.           |

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



# Zoning District Map

Effective December 10, 2014 (Ord. 177-14)

## Legend

- City Boundary
- O-C Open Space Conservation
- R-1 Low Density Urban Residential
- R-2 Medium Density Urban Residential
- R-3 High Density Urban Residential
- R-4 Multi-Family Residential
- M-U Multi-Use
- P-F Public Facilities
- C-S Commercial Service
- C-1 Local Commercial
- C-2 Central Business
- C-3 General Commercial
- I-1 Industrial

**Note:**  
 This map is updated frequently and may not represent the most current information. To ensure accurate information contact the City of Medina at 330-764-4652.

The lot lines of this map are representative of the actual lot lines and are not intended to be substituted for an official survey or used to resolve boundary or area issues. Secure a survey, consult County records or the City Clerk of Council records for dimensions and areas of lots and boundaries.

Prepared by City of Medina  
 Community Development Department

