

AN ORDINANCE ENACTING CHAPTER 1150 OF THE PLANNING  
AND ZONING CODE CREATING A PLANNED COMMERCE DIS-  
TRICT

WHEREAS, the Planning Commission and the Village  
Planner have recommended the enactment of Chapter 1150 creating a  
Planned Commerce District; and

WHEREAS, this Council, after public hearing, wishes  
to adopt the recommendations of the Planning Commission and Village  
Planning Consultant.

NOW, THEREFORE, BE IT ORDAINED by the Council of the  
Village of Richfield, State of Ohio:

SECTION 1. That Chapter 1150 of the Planning and Zoning Code  
entitled "Planned Commerce District", being Sec-  
tions 1150.01 through 1150.09, be enacted to read  
as follows:

"CHAPTER 1150  
PLANNED COMMERCE DISTRICT

1150.01 PURPOSE.

The purpose of the Planned Commerce District is to encourage  
the coordination and integration of individual designed commercial  
buildings and uses into one planned district. The procedures  
contained in this chapter are designed to allow imaginative  
architectural design, building types and placement, while promoting  
an orderly, coordinated and planned overall development of the  
whole district.

1150.02 GENERAL PROVISIONS.

The owner or owners of a tract of land may request that the  
Zoning Map of the Village be amended to include such tracts in the  
Planned Commerce District in accordance with this chapter. Prior  
to the approval of the amending to the Zoning Map to establish any  
Planned Commerce District, the owner or owners of the tract must  
submit to the Village a Conceptual Plan of Development for the  
tract. The Conceptual Plan of Development is to be reviewed by and  
must be approved by the Planning and Zoning Commission and Council  
as part of the zoning amending establishing the District.  
Subsequent to the establishment of this district, a Comprehensive  
Development Plan must be submitted to, reviewed by and approved by  
the Village Planning and Zoning Commission before any Zoning  
Certificate, Building Permit or construction may occur in the  
district or portion thereof.

1150.03 PERMITTED USES.

(a) Permitted Uses. The following uses shall be permitted uses in the Planned Commerce District:

- (1) Administrative and executive offices
- (2) Professional and medical offices
- (3) Research Centers and testing labs
- (4) Professional training schools
- (5) Hotels and Motels
- (6) Conference and meeting centers
- (7) Financial institutions including banks, saving and loans
- (8) Business services including duplication, blueprinting, copy centers, office supplies, mailing services
- (9) Restaurants serving food and drink indoors

(b) Conditional Uses. The following uses shall be conditional and only permitted with the express permission of the Planning and Zoning Commission and Council:

- (1) Automotive service stations and repair
- (2) Drive-in Restaurants
- (3) Electronic equipment testing and service
- (4) Health, medical and fitness centers
- (5) Personal services including child day care centers, barber and beauty shops as accessory to permitted uses
- (6) Retail centers serving the district and with the combined area not exceeding ten percent (10%) of the total district area.
- (7) Manufacturing and light assembly

(c) Accessory Uses. Accessory Uses are limited to those uses customary and incidental to the permitted main uses. Accessory uses are defined as and include parking garages, surface parking lots, paved areas for pedestrian and vehicles, landscaped yards, recreation facilities, buffer areas, signs, lighting, water retention and required utility facilities.

1150.04 DEFINITIONS.

(a) "Conceptual Plan of Development" means a general plan submitted at the time of the rezoning request, outlining the general types of uses and buildings to be located on the entire tract; the amount of proposed development in square feet and acres; the general circulation pattern including new roadways; open space areas and buffers; general utility service showing access to storm, sanitary and water service; and an accurate survey map of all properties and landowners within the tract.

(b) "Comprehensive Development Plan" means a detailed site and building plan showing the location of all site improvements, including easements, utilities, drainage, buildings, parking,

landscaping, driveways, streets, signage, lighting, setbacks, building design and height and as further defined within this chapter.

1150.05 GENERAL DEVELOPMENT STANDARDS.

(a) Property and lot areas.

- (1) The tract or contiguous tracts of land required for the establishment of a Planned Commerce District shall be not less than a total of 50 acres.
- (2) The owner or owners of the entire tract of land must approve and sign the application for the rezoning of the tract or tracts within the district.
- (3) Subsequent owners of the tract or parcels created therein shall be bound to the Conceptual Plan of Development or subsequent Comprehensive Development Plan unless revisions of same are approved by the Planning and Zoning Commission and Council.
- (4) No parcel of land within the district shall be less than 4 acres and any such parcels shall be assembled prior to rezoning to the Planned Commerce District. No parcel for development shall be further created which is less than 4 acres in size.

(b) Yards and setbacks.

- (1) Any parcel within the district shall have at least 150 feet of street frontage except along Brecksville, Broadview or Wheatley Roads where the minimum frontage shall be not less than 300 feet.
- (2) The minimum building setback for all buildings to an internal street of the district shall be not less than 100 feet and adjacent to any road on the perimeter of the district or along Wheatley, Broadview or Brecksville Roads the building setback shall be not less than 150 feet. Parking shall be setback not less than 50 feet from the above major streets and not less than 25 feet from any internal public or private street.
- (3) All buildings shall be setback 50 feet from any other district zoning line and 100 feet from a freeway Right-of-Way or Residential District. Parking areas and drives shall be setback not less than 20 feet from any other district line; 30 feet from a freeway Right-of-Way; or 50 feet from any Residential District unless approved by the Planning and Zoning Commission.
- (4) Driveway curb cuts onto public streets shall be limited to not closer than 200 feet centerline to

centerline unless otherwise approved by the Planning and Zoning Commission. Driveway openings shall be not closer than 200 feet from the centerline of any street intersection. Shared driveways, private marginal streets or other designs shall be used to accomplish the limited access to public streets.

(c) Signs and Lighting.

- (1) Building and site signage shall be limited to ground monument signs and wall signs and shall be as approved by the Planning and Zoning Commission.
- (2) Lighting of internal streets, driveways and parking lots shall be accomplished with uniform fixtures and design.

(d) Landscaping and Buffering.

- (1) Front yards of all properties shall be landscaped to be consisting with an overall landscaping plan. Landscaping of front yards shall be designed to provide a uniform and harmonious design within the district and shall be designed to screen any parking areas located in front of buildings.
- (2) Along any parcel line abutting a freeway Right-of-Way or Residential District shall provide not less than 30 feet of landscaped buffer area. If the buffer area contains existing trees over 4 inches in caliper the buffer area shall not be graded or trees removed without Planning and Zoning Commission approval.
- (3) Not less than thirty percent (30%) of the entire district shall be landscaped or remain in permanent open space. Existing natural features including woodlands, ravines, wetlands and hillsides should be preserved wherever possible and incorporated into the overall Plan of Development.

(e) Miscellaneous Standards.

- (1) Parking spaces shall be provided to serve each building as approved by the Planning and Zoning Commission in each Comprehensive Development Plan. The Commission may apply the standards in Chapter 1153.
- (2) Utility improvements shall be provided as required in the Village subdivision Regulations.
- (3) Any subdivision of land shall be in accordance with the procedures and requirements of the Village Subdivision requirements.

(4) The maximum height of buildings shall be five stories.

(5) No outdoor storage shall be permitted within the district. Trash and recycling containers shall be either enclosed in the main building or enclosed in an approved enclosure.

1150.06 CONCEPTUAL PLAN OF DEVELOPMENT.

(a) A Conceptual Plan of Development must be submitted with an application for rezoning and be subsequently approved by the Planning and Zoning Commission and Council. The Conceptual Plan of Development must include the following:

- (1) Survey Map prepared by a licensed engineer or surveyor indicating the entire tracts and lands to be considered for rezoning. Included on the survey shall be the parcel identification and landowners names of each parcel, dimensions and bearings of the perimeter of the proposed district, the land area of the district, the existing topography, and the location and area to be allocated to various permitted and/or conditional uses.
- (2) A schematic plan of the general development character of the tract including conceptual lot layout, proposed uses and other development features such as perimeter landscaping or open space.
- (3) The general provision of utilities including water, sanitary sewers, storm drainage and retention methods including engineering feasibility.
- (4) The general circulation pattern including conceptual location of proposed new streets, intersections to existing streets.
- (5) The proposed schedule of development including: phases, improvements, streets, and subdivision of lands.
- (6) Evidence that the applicant has sufficient control over the land to prepare and install required improvements including streets, sewers, drainage facilities and other facilities required by the zoning and subdivision regulations of the Village and any applicable State or Federal requirements.
- (7) Any deed restrictions, covenants, recorded easements or other restrictions affecting the property.

1150.07 COMPREHENSIVE DEVELOPMENT PLAN.

(a) Following the approval of the Conceptual Plan of Development and the establishment of the Planned Commerce District, any prior to the application for building permits, a Comprehensive Development Plan shall be submitted for all or part of the area in the district. The plan shall include the following:

- (1) Structures: All proposed structures shall be located showing the use, size, square footage, elevations, floor plans, heights, entrances, loading areas, materials and design.
- (2) Setbacks: Setbacks shall be shown for all buildings and uses including paved surfaces from individual parcel lines, streets or district boundary lines. Uses of all setback areas shall be indicated on the site plan.
- (3) Circulation: All points of ingress and egress onto public or private streets shall be shown. The circulation plan shall indicate further:
  - (A) The traffic flow within the site and traffic control devices.
  - (B) Curb cuts and methods for limiting street openings such as shared driveways or marginal roads.
  - (C) Pedestrian circulation and sidewalks.
  - (D) Distances between driveways and street intersections.
  - (E) Loading areas and truck service drives.
  - (F) Radius of all street aprons and on site drives for trucks or fire access.
  - (G) Type and dimension of all paved areas or driveways.
  - (H) The Planning and Zoning Commission may require the additional requirement of a traffic study be conducted to determine the impact of traffic on existing streets.
- (4) Parking: A layout of parking areas showing the size, number and dimension of parking spaces. The parking layout shall indicate the type of pavement, location of curbing and landscaping in the parking areas.
- (5) Landscaping: All proposed landscaping shall be shown indicating the size, type and location of landscaping and buffering to be installed as part of the development. Areas to be left natural or existing specimen trees to be retained shall be located on the plan.

- (6) Trash storage: The method and location of trash storage shall be shown and the design of the trash enclosure shall be indicated.
- (7) Lighting: All exterior lighting for security and decoration shall be indicated by type, height and location. Methods to contain glare and light shall be provided.
- (8) Signage and graphics: All signs and exterior graphics shall be indicated by location, size, design, color and method of illumination, if any.
- (9) Utilities: site specific plans for all required utilities including: water, sanitary sewers, storm drainage and sewers, storm water retention, electric and gas, if provided.
- (10) Topography and grading: Plans shall indicate existing and proposed grading of the site and paved areas and the first floor elevations of all buildings. Contours of surface grades shall be shown on the individual parcel for development and for a distance of not less than 20 feet beyond the limits of development.
- (11) Parcel dimensions: Any development plan shall indicate the dimension of the parcel or trace of land and the previous location of all buildings, structures and uses.
- (12) Architectural Design: The architectural design of each structure within the district shall be complementary and harmonious to other buildings in the district. Plans shall provide drawings and information sufficient to consider the architectural design and style of buildings, the relationship of buildings to other buildings in the district, the compatibility of materials and colors, the relationship to building size and spacing, and the relationship of any signs to the building facades.
- (13) General Plan Conformance: If the Comprehensive Development Plan is for only a phase or portion of the district then the applicant or owner must submit to the Village a general plan and text describing the entire Planned Commerce District and the conformance of the phase to the overall plan and the compliance to the Conceptual Plan of Development.

#### 1150.08 BASIS OF PLAN APPROVAL.

(a) The basis for approval of the Comprehensive Development Plan shall be:

- (1) That the proposed development is consistent in all respects with the purpose, intent and applicable standards of the Zoning Ordinance;
- (2) That the proposed development is in general conformity with the approved Conceptual Plan of Development;
- (3) That the proposed development advances the general health and welfare of the Village;
- (4) That the benefits, improved arrangements and design justify the deviation from the standards of the existing districts of the Village; and
- (5) That the plan provides for the coordination and integration of individual buildings into one harmonious district.

1150.09 PROCEDURE FOR APPROVAL.

(a) Submission of Conceptual Plan of Development and Request for Rezoning.

- (1) Prior to filing an application for rezoning, the owner or applicant with owners consent shall meet with the Village Administration and Zoning Inspector to review the Conceptual Plan and the relevant zoning standards and procedures.
- (2) The applicant or owner shall submit an application along with twelve (12) copies of the proposed Conceptual Plan and application to amend the zoning map to the Clerk of Council. The application shall be signed by all land owners located within the boundaries of the proposed District.
- (3) The application and Conceptual Plan shall be submitted to the Planning and Zoning Commission for review and recommendation as provided for in Section 1107.04.
- (4) Within 60 days after submission, the Planning and Zoning Commission shall recommend to the Village Council approval as submitted, approval with amendments or disapproval of the Conceptual Plan and rezoning to Planned Commerce District.
- (5) Within 60 days after referral by the Planning and Zoning Commission, the Village Council shall hold a public meeting following the procedures for a Zoning Map amendment as provided in Chapter 1107, Amendments.
- (6) Within 90 days of the Public Hearing provided for in Section 1107.05, the Village Council shall act



on the proposed rezoning. If the proposed zoning district is approved, the Village Council shall act on the Conceptual Plan of Development and approve as presented, approve with amendments or disapprove the Conceptual Plan of Development.

(7) The approved Conceptual Plan of Development shall become part of the zoning of the property and may be amended from time to time when such amendments are agreed to by both the landowner and the Planning and Zoning Commission pursuant to the procedures herein and subsequently approved by the Village Council.

(8) If the rezoning to establish a Planned Commerce District is not approved by the Village Council, the Conceptual Plan of Development for the same area shall be null and void.

(b) Submission of Comprehensive Development Plan.

(1) Upon the amendment of the Zoning Map and establishment of a Planned Commerce District, the applicant or owner may submit a Comprehensive Development Plan to the Planning and Zoning Commission. The Planning and Zoning Commission shall review the Development Plan according to Section 1150.03 and may also solicit comments and recommendations from the Village Administration and professional consultants retained by the Village including Planner, Traffic Consultant and Engineer.

(2) Ten (10) copies of the Comprehensive Development Plan shall be submitted to the Planning and Zoning Commission containing the data, maps and information specified in Section 1150.07.

(3) Within ninety (90) days of the submission of a complete application and Development Plan, the Planning and Zoning Commission shall review the Plan and make recommendations to approve, disapprove or approve with modifications and conditions. As a prerequisite for approval, the Commission must find the Comprehensive Development Plan complies with the following:

(A) That the Development Plan is generally consistent with and in general compliance to the approved Conceptual Plan of Development for the District;

(B) That the Development Plan is in compliance with the standards and regulations of this zoning chapter;

- (C) That all buildings and uses are assured or guaranteed adequate utility service including: water, sanitary sewers, storm drainage, fire protection and electric; and
  - (D) That the Development Plan is in compliance with any other zoning or subdivision regulation that may apply to the District.
- (4) If the Comprehensive Development Plan is approved by the Commission, the applicant may proceed with individual site plans and application for Zoning Certificate and building permits following the requirements of the Platting and Subdivision regulations of the Village and the Zoning Code of the Village.
  - (5) If a Comprehensive Development plan is not in general compliance to the mutually approved Conceptual Development Plan, the Planning and Zoning Commission may, with the agreement of the landowner, recommend an amended Conceptual Development Plan to the Village Council for approval.
  - (6) Construction shall be in conformance with the Comprehensive Development Plan and construction of site improvements must be commenced within two years of Planning and Zoning Commission approval; otherwise no development of the land shall take place until a new Comprehensive Development Plan is approved or amended pursuant to this Chapter.
  - (7) If the Planning and Zoning Commission disapproves the Plan, the application may, within ten (10) days of notification, give written notice to the Clerk of Council of an appeal. Within thirty (30) days of such written notice, Council may review the decision of the Planning and Zoning Commission and either approve the plan, disapprove the plan or approve with modifications and conditions. If Council fails to act on the appeal within the thirty days, the action of the Planning and Zoning Commission shall become final.

(c) Fees. At the time of the submission of a Conceptual Plan of Development or Comprehensive Development Plan, the applicant shall pay to the Village a fee as established by ordinance by the Village Council

SECTION 2. This Ordinance shall take effect and be in force from and after the earliest period allowed by law.


Passed: 5-5-92

  
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President of Council

  
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Mayor

Dated: 5/5/92

ATTEST:

  
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Clerk of Council