

AN ORDINANCE AMENDING SECTION 1109.02, "TYPES OF DISTRICTS", CHAPTERS 1145, "C-3 COMMERCIAL DISTRICT", AND 1147, "C-S SPECIAL COMMERCIAL DISTRICT", AND SECTION 1153.03(e) OF THE PLANNING AND ZONING CODE TO CREATE TWO HISTORIC COMMERCIAL DISTRICT DESIGNATIONS IN THE VILLAGE OF RICHFIELD.

WHEREAS, the Planning and Zoning Commission has recommended the amendment of the Planning and Zoning Code to create two historic commercial districts in the Village to replace existing Code provisions with respect to certain special commercial districts; and

WHEREAS, upon proper public hearing and consideration, this Council determines to amend Planning and Zoning Code Chapters 1145 and 1147 and Section 1153.03(e) to accommodate new Historic Commercial Districts;

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

SECTION 1. Section 1109.02, "Types of Districts", of the Planning and Zoning Code is hereby amended to read as follows:

**"1109.02 TYPES OF DISTRICTS.**

Types of districts in the Village are as follows:

- (a) CD Conservation District
- (b) R-1 Rural Residential District
- (c) R-2 Residential District
- (d) R-3 High Density Residential District
- (e) C-1 Local Commercial District
- (f) C-2 Highway Commercial District
- (g) C-H Historic Commercial Districts I and II
- (h) I Industrial District
- (i) OLI Office Light Industrial
- (j) IS Interchange Service
- (k) PCD Planned Commerce District

SECTION 2. Existing Section 1109.02, "Types of Districts", of the Planning and Zoning Code is hereby repealed.

SECTION 3. Chapter 1145, "C-3 Commercial District", of the Planning and Zoning Code is hereby amended to read as follows:

**“CHAPTER 1145  
C-H Historic Commercial Districts I and II**

**1145.01        PURPOSE.**

The C-H Historic Commercial District I is established to preserve and protect the Village downtown core which is the historic and retail center of the Village at and near the intersection of Broadview Road and Streetsboro Road. This purpose shall be accomplished in this District by preserving the historic character and architectural integrity of the existing buildings in the District and setting forth guidelines for new development. The regulations contained in this District are intended to encourage a predominance of compact, neighborhood and pedestrian-scale retail, service and office uses in the Village core. New commercial and retail development will be required to reflect the overall appearance, form, pattern, design and scale of this historic district. Pedestrian ways and bikeways are encouraged. This District is established to provide for commercial uses principally to accommodate the sale of convenience retail goods and personal services purchased frequently for daily or weekly needs, and smaller business office buildings which do not generate traffic congestion or an excessive need for parking.

The C-H Historic Commercial District II is established to preserve and protect the existing historic area at and near the intersection of Brecksville Road and Streetsboro Road and to provide for uses which will be compatible with certain existing uses, the historic structures in the area, and the rural-residential character of the Village of Richfield. This purpose shall be accomplished in this District by preserving the historic character and architectural integrity of the existing buildings in the District and setting forth guidelines for new development. The regulations contained in this District are intended to encourage a predominance of neighborhood-scale retail, service and office uses. New commercial and retail development will be required to reflect the overall appearance, form, pattern, design and scale of this historic area. Pedestrian ways and bikeways are encouraged. This District is established to provide for commercial uses principally to accommodate the sale of convenience retail goods and personal services purchased frequently for daily or weekly needs, and smaller business office buildings which do not generate traffic congestion or an excessive need for parking.

**1145.02        USES.**

(a) Permitted Uses. The following uses are permitted in the C-H Historic Commercial Districts:

- (1)     Antique shop
- (2)     Gift/florist/card shops
- (3)     Book stores
- (4)     Bakery shop, candy shop, ice cream parlor, donut shop
- (5)     Personal services, including barber shop, beauty shop
- (6)     Business services, including insurance, legal or real estate
- (7)     Pharmacy
- (8)     Bank or savings and loan
- (9)     Office buildings
- (10)    Medical and dental offices, including medical and dental professionals.
- (11)    Bed and breakfast inns.

(b) Conditionally Permitted Uses. The following uses shall be conditionally permitted uses in the C-H Historic Commercial Districts, subject to meeting all applicable requirements set forth in this Chapter and the requirements of Chapter 1151:

- (1) Non-fast food restaurant.
- (2) Dry cleaning establishment.
- (3) Tailor or dress maker
- (4) Produce or health food store
- (5) Convenience or minimarket (not selling gasoline)
- (6) Hardware and home furnishing shops
- (7) Veterinary clinics (without outdoor kenneling or boarding of animals)
- (8) Governmentally-owned and/or operated buildings and facilities.
- (9) Churches and other buildings for the purpose of religious worship.
- (10) Dwelling units in combination with offices or other commercial or retail space.

(c) Accessory Uses. Accessory uses customarily associated with the main use, clearly insubordinate to the main use on a lot and used for purposes clearly incidental to those of the main use are permitted.

(d) Similar Uses. The Planning and Zoning Commission may approve other retail, office and service uses not listed as permitted or conditionally permitted in the C-H Historic Commercial Districts I and II if it determines a use is similar to those specified in this Section with respect to the hours of operation, amount of traffic generated, and the general characteristics of the use and that it is compatible with the purposes of the District.

### **1145.03 LOT REQUIREMENTS.**

(a) Lot requirements for the C-H Historic Commercial District I are as follows:

- (1) Minimum Lot Area. Not applicable.
- (2) Minimum Lot Width. Not applicable.
- (3) Maximum Building Coverage. Not applicable.
- (4) Minimum Landscaped Area. Twenty percent (20%).

(b) Lot requirements for the C-H Historic Commercial District II are as follows:

- (1) Minimum Lot Area. 40,000 square feet.
- (2) Minimum Lot Width. 100 feet.
- (3) Maximum Building Coverage. Twenty percent (20%).
- (4) Minimum Landscaped Area. Forty percent (40%).

(c) In either the C-H Historic Commercial District I or II, one dwelling unit may be conditionally permitted that is attached to or above a permitted or conditionally permitted use. Additional dwelling units may be permitted attached to or above a permitted or conditionally permitted use for each 10,000 square feet of lot area.

**1145.04 YARD REQUIREMENTS.**

- (a) Yard requirements for the C-H Historic Commercial District I are as follows:
- (1) Minimum Front Yard Depth. Fifty feet, except where existing buildings within 200 feet of the lot in question have an average setback of less or greater than fifty feet. In such cases, the depth of the front yard shall be not less than the average depth of the existing buildings.
  - (2) Minimum Side Yard Width. Ten feet when adjacent to any property in a nonresidential district. Fifty feet when adjacent to a Residential District and on the side adjacent to a Residential District only.
  - (3) Minimum Rear Yard Depth. Fifty feet when adjacent to any Residential District; ten feet when adjacent to any nonresidential district.
  - (4) Minimum Distance Between Principal Buildings in a Development Site. Fifty feet; however, the Planning and Zoning Commission may lessen this requirement by up to fifty percent when the reasonable arrangement of buildings on the site supports a lesser distance.
  - (5) Minimum Parking Side or Rear Yard Set Back. Adjacent to a Residential District: twenty-five feet; adjacent to a nonresidential district: three feet.
- (b) Yard requirements for the C-H Historic Commercial District II are as follows:
- (1) Minimum Front Yard Depth. One hundred feet, except where existing buildings within 200 feet of the lot in question have an average setback of less or greater than one hundred feet. In such cases, the depth of the front yard shall be not less than the average depth of the existing buildings.
  - (2) Minimum Side Yard Width. Twenty-five feet to any nonresidential district. Fifty feet when adjacent to a Residential District and on the side adjacent to a Residential District only.
  - (3) Minimum Rear Yard Depth. Twenty-five feet when adjacent to any nonresidential district. Fifty feet when adjacent to any Residential District.
  - (4) Minimum Distance Between Principal Buildings in a Development Site. Fifty feet; however, the Planning and Zoning Commission may lessen this requirement by up to fifty percent when the reasonable arrangement of buildings on the site supports a lesser distance.
  - (5) Minimum Parking Side or Rear Yard Set Back. Adjacent to a Residential District: twenty-five feet; adjacent to a nonresidential district: three feet.

**1145.05 MAXIMUM BUILDING HEIGHT.**

No structure shall exceed thirty-five feet in height, but shall not exceed two stories.

**1145.06 SIGN REGULATIONS.**

Signs for the C-H Historic Commercial Districts shall be as regulated by Chapter 1171, except for the additional standard that all signs must be architecturally compatible with the building or buildings on the lot and with the general architectural character of the District and possess a high degree of compatibility with their surroundings as to composition, materials and design integrity.

**1145.07 PARKING AND LOADING REQUIREMENTS.**

Except as may be stated to the contrary in this Chapter, parking and loading requirements shall be as regulated by Chapter 1153.

**1145.08 BUILDING AND SITE DESIGN STANDARDS.**

(a) Site Development.

- (1) To the maximum extent feasible, the proposed development shall avoid or minimize land disturbance and grading and preserve the original contours and other natural topographical features of the site and existing trees on the site and shall incorporate measures to minimize soil erosion during all construction phases.
- (2) Parking areas shall be treated to minimize the visual impact of parked cars as viewed from the public right-of-way and adjacent properties through the use of plantings and earth berms.
- (3) Off-street parking shall not occupy any part of any front yard, but may be included in a required side and rear yard within the setbacks required by Section 1145.04. Joint use of parking areas is encouraged. The Planning and Zoning Commission may permit parking to extend to the side or rear property line in the case of a joint parking area.
- (4) Utility services on private property shall be placed underground for all new services.
- (5) Where a sidewalk/bikeway does not exist in the public right-of-way abutting the applicant's property, a five-foot wide sidewalk shall be provided by the applicant. A pedestrian/bikeway connection shall occur from the building to the sidewalk/bikeway in the public right-of-way.
- (6) To the maximum extent feasible, provision shall be made in the design of the development for connections with existing or future pedestrian systems on adjoining properties, including but not limited to connections to existing or planned future sidewalks, bikeways, or trail systems.
- (7) Site features such as service entrances and loading zones shall be screened from adjacent properties and the public right-of-way and located in the side or rear of the lot.
- (8) Mechanical equipment shall be located so as not to be visible from any public ways or adjacent residential areas. Where such limitation is not possible, the facilities shall be screened from public view with materials compatible with those used in the building.
- (9) All trash containers and trash storage areas shall be screened with a six foot high masonry enclosure on three sides and a solid gate on the front.
- (10) All storage of materials and equipment shall be within enclosed buildings. All business activity shall be within enclosed buildings, except as permitted by the Planning and Zoning Commission.
- (11) Decorative fencing such as split rail, wrought iron or wood picket shall be permitted in the front yard and shall not be higher than four feet.
- (12) Security fences shall not be permitted in the front building setback, in front of any building or in the side yard setback on a corner lot. Security fences

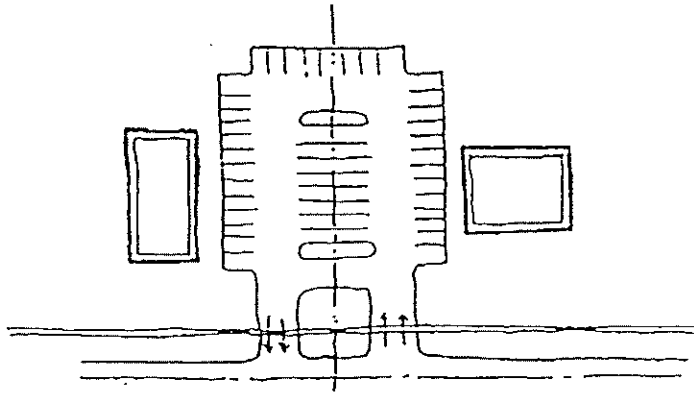
must be screened from view with trees and shrubs. Chain link fencing shall not be permitted.

(b) Vehicular Circulation and Access.

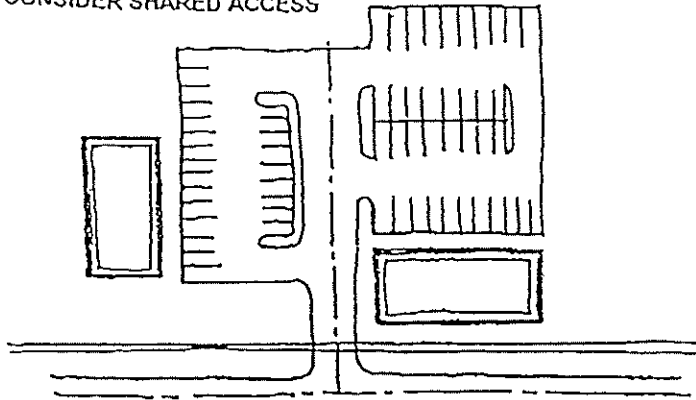
Any development in this District shall:

- (1) Minimize the number of vehicular turning movements by limiting access points to one. Points of ingress and egress shall be clearly defined and promote the safe movement of traffic.
- (2) Provide for the safe and functional movement of vehicles and pedestrians both on and off-site.
- (3) Give consideration to the location of existing access points, adjacent to and directly across the street from the site.
- (4) Not use driveways as points of ingress and egress for individual parking spaces. Driveway placement should be such that loading and unloading activities will not hinder vehicular ingress or egress.
- (5) Be designed so the plants and structures on the site do not interfere with the safe movement of motor vehicle traffic, bicycles or pedestrians.
- (6) Encourage vehicular circulation between parcels. Where legally possible, provisions for circulation between adjacent parcels should be provided through coordinated or joint parking systems to minimize curb cuts along the street. (See Figures below.)

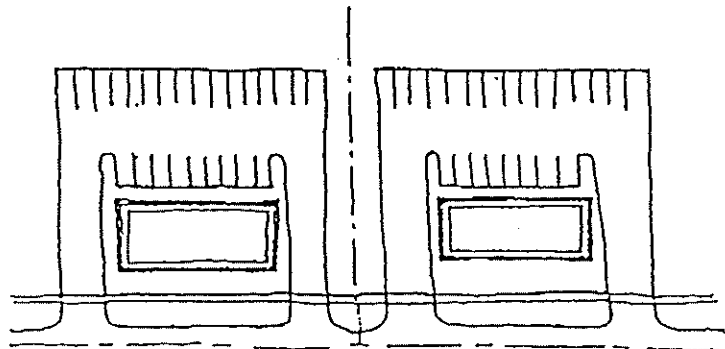
CONSIDER SHARED PARKING



CONSIDER SHARED ACCESS



AVOID SEPARATE PARKING AND ACCESS



- (7) Give priority to pedestrian safety and residential character issues when evaluating access design elements.
- (8) Maintain curb definitions and prohibit continuous access along the frontage of the site.
- (9) Pave all drives and parking areas with concrete, bituminous concrete, brick or paving blocks.

(c) Landscaping.

- (1) Landscaping shall be used as a transition between uses, and to screen areas from public view and to improve the appearance of developed areas. All yard areas not used for accessory structures and uses shall be landscaped and maintained with grass, trees and shrubs.
- (2) Plant materials should be chosen which are indigenous, moderately fast-growing, and require minimal maintenance. The landscape design should incorporate the entire site and consist of a palette of plants with year round appeal which may include: annuals, perennials, shrubs or trees.
- (3) Landscaping shall be compatible with the Village's Historic Streetscape Plan.
- (4) Each landscape plan shall address the functional aspects of landscaping such as drainage, erosion prevention, wind barriers, provisions for shade, energy conservation, sound absorption, dust abatement, reduction of glare and screening.
- (5) Where landscaping is used as screening it shall be opaque year round.
- (6) Landscape screening shall be of a height and density so that it provides the full desired effect within three years growing time.
- (7) Landscaping, walls, planters or similar means shall be used to screen parked cars. Whenever structures such as walls or fences are used to create a screen, plants shall be located on the sides of the structure which can be seen from the surrounding streets, walks and other properties which are used by the public. Landscape plans shall be approved by the Planning and Zoning Commission.
- (8) All parking areas shall be landscaped with trees, shrubs and fences to provide an effective buffer for any adjacent residential property and public street right-of-ways. Within the interior of the parking areas there should be landscaping to break up large areas of parking.
- (9) New and remodeled buildings shall include landscaping in the form of street trees and/or shrubbery along the public right-of-way, low shrubbery around the buildings themselves to soften the appearance and landscaping between and along site boundary lines. All street trees shall be at least 3½ inch caliper and shall be spaced a minimum of 25-30 feet apart.
- (10) Tree species should be hardy city types and approved by the Planning and Zoning Commission.



- d) Lighting.
- (1) All exterior lighting shall be an integrated part of the architectural and landscape design concept and compatible with the Village's Historic Streetscape Plan.
  - (2) All lighting shall be so directed so as not to produce glare and unnecessary diffusion onto adjoining properties.
- (e) Location, Orientation, Size and Shape of Buildings.
- (1) Except for governmentally-owned and/or operated buildings, churches and other buildings for the purpose of religious worship, no building shall exceed 5,000 square feet of gross floor area on the ground floor. The 5,000 maximum square foot limitation set forth above shall not be varied by the Board of Zoning Appeals (BZA) except upon a demonstration by the applicant by clear and convincing evidence that a practical difficulty exists as a result of the application of such standard and that the property cannot be put to any viable economic use without the variance. The decision to grant any variance to such 5,000 square foot limitation shall be forwarded by the BZA to Council for its review. Council shall have thirty (30) days from its receipt of the decision of the BZA to either confirm, deny or modify said decision. In the event Council does not act upon the decision of the BZA within said thirty (30) days, the decision of the BZA shall be deemed to be confirmed.
  - (2) The linear continuity of buildings shall be preserved by placing primary facades parallel to the street.
  - (3) New and remodeled buildings shall be compatible with their surroundings. Architectural style, bulk, shape, massing, height, scale and form of new and remodeled buildings and the shape between and around buildings shall be consistent with the character of the area and be in harmony with neighboring buildings. Building design and materials shall also be compatible with the historic residential structures in the Village and include gable roofs and residential-type windows and doors.
  - (4) Buildings with a facade in excess of fifty feet shall be divided into modules not exceeding fifty feet in width. Each module may have a separate entry, display windows and/or other architectural features to distinguish it from adjacent modules.
- (f) Exterior Renovation or Alteration of Existing Historic Structures.
- (1) The distinguishing original qualities of an historic building or structure shall not be destroyed. The removal or alteration of any historic materials or distinctive architectural features shall not occur whenever possible.
  - (2) Existing houses which are converted to commercial uses shall retain the residential character and general construction design of the period of the structure.
  - (3) Architectural elements shall be sensitively designed to reflect detailing associated with the particular style of the building.

- (4) The design elements of a building addition shall match the design elements of the principal structure, in particular, building materials and color, roof lines and shapes, and window proportions and alignment.
- (5) The scale of an addition shall be compatible with the principal structure and surrounding structures and context.
- (6) The original pattern of window and door openings and their shape and configuration shall not be altered unless approved by the Planning and Zoning Commission. Window and door openings should not be reduced, enlarged or filled-in on street facade. Replacement windows and doors should match the original size, shape and design as closely as possible.
- (7) Original materials shall be repaired, restored and reused whenever possible. Original materials shall not be removed or covered whenever possible. Where necessary missing or deteriorated materials shall be replaced with appropriate recycled or new materials which match the original as closely as possible.

(g) Building Materials and Appurtenances.

- (1) The architectural character and exterior building materials of new and remodeled buildings shall be harmonious with nearby historic buildings in color and texture, materials, proportion, scale, patterns and opening sizes and shapes. Vinyl and aluminum siding are not permitted.
- (2) Construction materials and colors for walls and fences that are visible from the street shall be uniform and compatible with the architectural style, color and building material of the building and its surroundings.
- (3) Accessory buildings shall be compatible in design and material with the main structure.

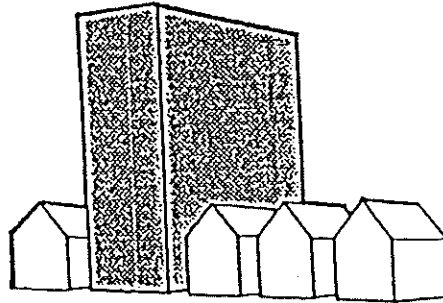
(h) Building and Lot Aesthetics.

The specific guidelines for building and lot aesthetics in this subsection have been formatted to provide an illustration of the acceptable and not acceptable methods of building design as it relates to height, scale, massing, setback and other issues. For each specific guideline that follows a description of the recommended approach that the applicant/property owner should “consider” is provided, with an illustration of the result of the design. Similarly, a description is provided of the design approach that the applicant/ property owner should “avoid” when designing or remodeling structures in these Districts.

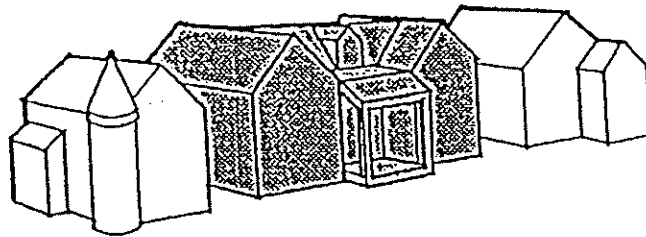
- (1) **Height:** *Acceptable* - Relating the overall height of new construction or renovation of existing structures to that of adjacent structures.



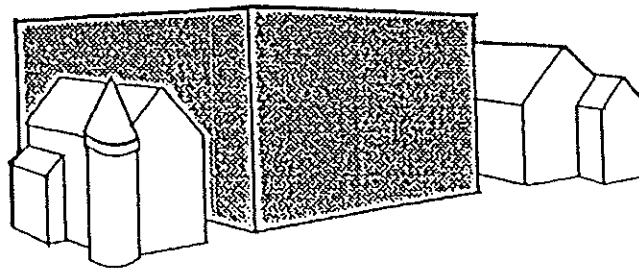
*Not Acceptable* - New construction that greatly varies in height (too high or too low) from older buildings in the vicinity.



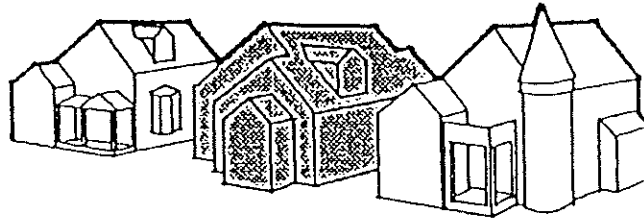
- (2) **Scale: Acceptable** - Relating the size and proportions of new structures to the scale of adjacent buildings. Although much larger than its neighbors in terms of square footage, the building shown maintains the same scale and rhythm as the existing buildings.



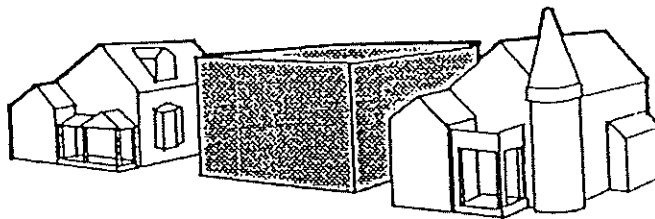
*Not acceptable* - Buildings that in height, width or massing violate the existing scale of the area. The new building shown here disrupts the scale and rhythm of the streetscape.



- (3) **Massing: Acceptable** - Breaking up uninteresting boxlike forms into small, varied masses such as are common on most older buildings. Variety of form and massing are elements essential to the character of the streetscape.



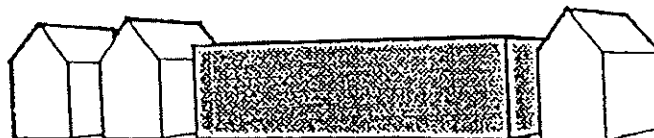
*Not Acceptable* - Single, monolithic forms that are not relieved by variations in massing. Boxlike facades and forms are intrusive when placed in a streetscape of older buildings that have varied massing and facade articulation.



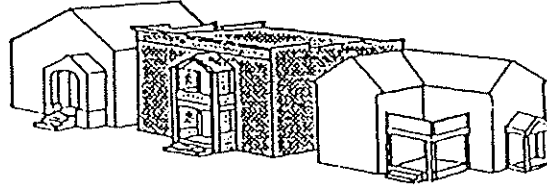
- (4) **Directional Expression: Acceptable** - Relating the vertical, or nondirectional facade character of new buildings to the predominant directional expression of nearby buildings. Horizontal buildings can be made to relate to the more vertical adjacent structures by breaking the facade into smaller masses that conform to the primary expression of the streetscape.



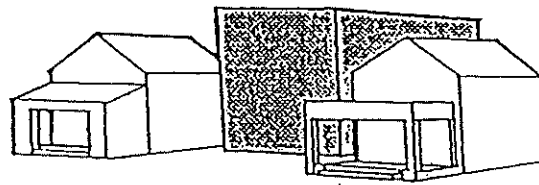
*Not Acceptable* - Strongly horizontal or vertical facade expressions unless compatible with the character of structures in the immediate area. The new building shown does not relate well to either its neighbors or to the rhythm of the streetscape because of its unbroken horizontal facade.



- (5) **Setback:** *Acceptable* - Maintaining the architectural facade lines of streetscape by locating front walls of new building in the same plane as the facades of adjacent buildings. If existing setbacks vary, new building should conform to historic sitting patterns.



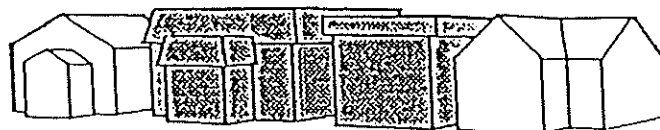
*Not Acceptable* - Violating the existing setback pattern by placing new buildings in front of or behind the historic facade line. Avoid placing buildings at odd angles to the street, unless in an area where diverse sitting already exists.



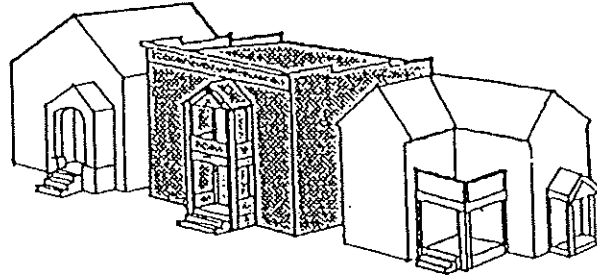
- (6) **Sense of Entry:** *Acceptable* - Articulating the main entrances to the building with covered porches, porticos and other pronounced architectural forms.



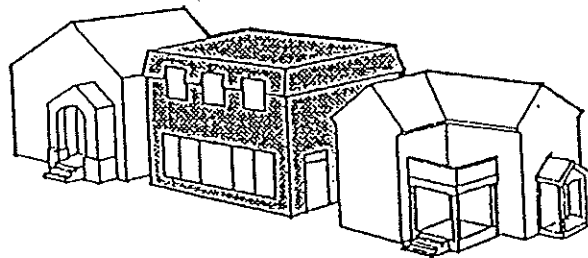
*Not Acceptable* - Facades with no strong sense of entry. Side entries or entries not defined by a porch or similar transitional element result in an incompatible "flat" first floor facade.



- (7) **Roof Shapes: *Acceptable*** - Relating the roof forms of the new building to those found in the area. Although not entirely necessary, duplication of the existing or traditional roof shapes, pitches and materials on new construction is one way of making new structures more visually compatible.



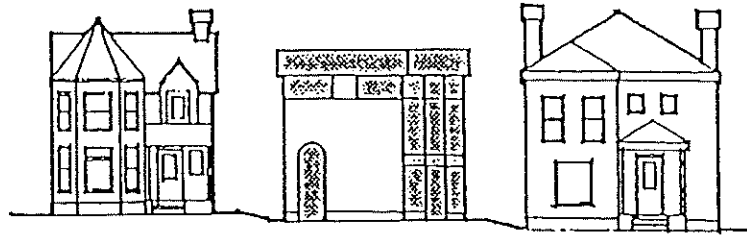
*Not Acceptable* - Introducing roof shapes, pitches or materials not traditionally used in the area.



- (8) **Rhythm of Openings: *Acceptable*** - Respecting the recurrent alternation of wall area with door and window elements in the facade. Also consider the width-to-height ratio of bays in the facade. The placement of openings with respect to the facade's overall composition symmetry, or balanced asymmetry, should be carefully studied.



*Not Acceptable* - Introducing incompatible facade patterns that upset the rhythm of openings established in surrounding structures. Glass walls and window and door shapes and their locations shown in the example are disrespectful to the adjoining buildings.



#### **1145.09 SITE DEVELOPMENT PLANS.**

Site development plans and the review of same are required for all development in the C-H Historic Commercial Districts in compliance with Chapter 1151. The Planning and Zoning Commission shall have the authority to engage such architectural and other professional consultants as it deems necessary for the review of the Site Development Plan. The reasonable cost of the services of such consultants shall be added to the applicant's fee for the application for Site Development Plan review as an escrow fund to be held by the Village from which to pay such costs.

#### **1145.10 DEMOLITION.**

- (a) In considering a request to demolish or move a building or other structure located within the C-H Historic Commercial Districts, the Planning and Zoning Commission shall consider the following factors in making its decision to approve or disapprove the request:
- (1) The architectural and historic significance of the subject building or structure;
  - (2) The significance of the building or structure in contributing to the architectural or historic character of its environs;
  - (3) The relationship between the location of the subject building or structure and its overall significance (in the case of a request to move a building or other structure);
  - (4) The present and potential economic viability of the subject building or structure, given its physical condition and marketability;
  - (5) If the demolition will remedy conditions imminently dangerous to life, health or property, as determined in writing by the Director of Public Safety, the Division of Fire or a department of the County; and
  - (6) The results of the review made pursuant to Section 1145.09 of the plans for the proposed re-use of the site, if any.
- (b) The Planning and Zoning Commission may delay action, for a period of not more than six (6) months, on the demolition or moving of a building which it deems to be

significant, in order to allow economic viability studies to be conducted, as well as to allow interested parties the opportunity to explore alternatives to the proposed action. At the end of such period, the Commission shall either approve or disapprove the request to demolish or move, or may choose to delay action for a second and final period of not more than six (6) months if the Commission determines that this additional time period may be useful in securing an alternative to the proposed demolition or moving. At the end of such second and final period, the Commission shall either approve or disapprove the request to demolish or move. A disapproval of the request to demolish or move must be based upon written findings of fact approved by the Planning and Zoning Commission and related to each of the factors in subsection (a) above.”

SECTION 4. Existing Chapter 1145, “C-3 Commercial District” and Chapter 1147, “C-S Special Commercial District”, of the Planning and Zoning Code are hereby repealed.

SECTION 5. Section 1153.03(e) of the Planning and Zoning Code is hereby amended to read as follows:

“(e) Yard Restrictions. Off street parking facilities may not occupy the front fifty feet of the required front yard, but may occupy the remaining front yard if adequately screened. Parking areas not including any above-ground structures may be included in the open space for a rear or side yard.”

SECTION 6. Existing Section 1153.03(e) only of the Planning and Zoning Code is hereby repealed.

SECTION 7. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.



SECTION 8. This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: August 7, 2001

Leiby Peter Egan  
Vice President of Council

Ronald S. Larsen  
Mayor

Dated: 8/14/2001

ATTEST:  
Carole Gibson  
Clerk of Council