

4 Land use

4.1 Introduction

The Land Use element is not intended to be a lot-by-lot plan for future development and preservation of land in Madison Township, but rather a guide for development and best management practices. To preserve what remains of its semi-rural character, and promote quality development over lowest-common-denominator uses and buildings, the township must address the increasing suburban growth pressures and redevelopment of existing areas.

The Land Use element will evaluate existing conditions, identify emerging patterns, analyze the current zoning scheme, and provide achievable goals and policies to meet the desires of residents and public officials, as identified in the resident survey and various public meetings.

Many land use issues in the North Ridge Road/US 20 corridor area are addressed in the US 20 Corridor Plan.

Table 4.1

Land use distribution Madison Township

| <i>Use</i> | <i>Acres</i> | <i>% of total</i> |
|---|---------------|-------------------|
| Residential | 6,427 | 26.7% |
| Commercial | 1,671 | 6.9% |
| Manufacturing/wholesale trade | 41 | 0.2% |
| Utilities / transportation / communication / information | 63 | 0.3% |
| Public administration / education / parks / other institutional | 2,701 | 11.2% |
| Agriculture | 9,233 | 38.3% |
| Vacant | 3,978 | 16.5% |
| Total | 24,115 | 100.0% |

4.2 Development history and trends

RESIDENTIAL DEVELOPMENT

Up until the 1920s, Madison Township was a primarily rural community, with little residential development outside of residences housing farmers, farm workers, and those who owned and worked for agricultural support businesses. The most densely populated portions of the township included Madison Village and Unionville.

Starting in the 1920s, North Madison was developed as a community of vacation cottages, intended only for seasonal occupation. Streets were laid out in a modified grid, with curvilinear streets interspersed among the blocks. After the start of the Depression, development in North Madison slowed to a halt. Much of the area remained empty or underdeveloped; the miles of roads built in anticipation of continued development were desolate until the 1950s, when post-war prosperity fueled new home construction. Most of the cottages were modified for year-round occupancy, while some others were demolished. Limited infill and teardown activity continues in North Madison to this day.

Most formal residential development – larger residential subdivisions that were approved through a formal subdivision review process – is located north of North Ridge Road/US 20. The bulk of residential development in the township, though, is situated on frontage parcels; lots created through an administrative lot split process with no formal review, which front on established arterial and collector roads.

Because of the way land use is inventoried and categorized, it is difficult to determine the precise amount of land devoted to residential uses. Some nurseries have houses on sites that have not been subdivided from the rest of the parcel, and many large tracts of land that are either empty or used for agricultural purposes have a residential zoning designation. An estimated 6,400 acres, or 26% of the township, is occupied by residential uses (Lake County Auditor land use codes).

COMMERCIAL DEVELOPMENT

Outside of Madison Village, most commercial development in Madison Township is in the North Ridge Road/US 20 corridor area.

During the Great Depression, the federal and state government put men to work improving and extending roads and highways, including North Ridge Road/US 20. The US highway system carried the bulk of intercity vehicular traffic, and US 20 served as the major auto route between Cleveland and Buffalo. After World War II, motels and gas stations were built in scattered locations along US 20, to serve the rapidly growing number of automobile owners and intercity traveler. In 1959, I-90 through Madison Township would open, and intercity traffic on North Ridge Road dropped. Businesses along US 20 remained, but were patronized by fewer customers. Many motels became run down, and some were converted to efficiency apartments. Service stations that once served intercity travelers were converted to used car lots. Small shopping plazas were built near the Hubbard Road intersection starting in the late 1960s. A new Wal-Mart Supercenter at the northeast corner of North Ride Road and Green Road could act as a magnet that will attract more retail and service-oriented businesses to the corridor

The North Ridge Road/US 20 corridor exhibits all the characteristics of strip development. Commercial zoning designations underlay the bulk of land fronting on North Ridge Road/US 20. Commercial uses are scattered across the corridor, with the greatest concentration of retail uses situated between Green Road and Hubbard Road. The remainder of the corridor is occupied by of semi-industrial uses, used car lots, vehicle repair-related businesses, mobile home parks and trade-related uses, interspersed among nurseries, residences, and vacant land.

The US 20 Corridor Plan outlines the development and current condition of the corridor in more detail.

Freestanding convenience stores and small, strip plazas are located at the intersection of Hubbard Road and Chapel Road. A few small clusters of commercial and service-oriented businesses are located in North Madison. There is very little commercial development located south of Middle Ridge Road.

About 1,700 acres or 7% of the township is occupied by commercial uses (Lake County Auditor land use codes).

INDUSTRIAL DEVELOPMENT

M-1 zoned parcels can be found along the Norfolk Southern/CSX rail corridor. An M-1 zoned area on South Madison Road/OH 528 south of Interstate 90 was recently annexed by Madison Village.

There are several properties zoned M-1 fronting on North Ridge Road/US 20, stretching from a point between Hubbard Road and Bennett Road to Dock Road. These properties were zoned for industrial use in anticipation of the future extension of the Lakeland Freeway; a project that

has long since been cancelled. The US 20 corridor plan recommends rezoning these parcels for less intensive commercial uses.

Many semi-industrial uses, such as trucking firms, machine shops, excavating firms, collision shops, and building contractors and mechanical trades people, are located in the North Ridge Road/US 20 corridor.

About 41 acres, or .2% of the township, is occupied by industrial uses (Lake County Auditor land use codes).

AGRICULTURAL USES

Nurseries have long been the cornerstone of Madison Township's economy. However, before the 1970s, the township also was home to more traditional farms. Through the 1970s, nurseries gradually replaced farms that grew agricultural crops such as fruits and vegetables.

About 9,200 acres or 38% of the township is occupied by agricultural uses, mostly nurseries. The bulk of nurseries are located north of Interstate 90, with a concentration in the area between the Norfolk Southern/CSX rail corridor and North Ridge Road/US 20. Vineyards are a growing presence in the more sparsely populated areas south of Interstate I-90.

Frontage development and conflicts with encroaching residential uses threaten the continued existence of horticultural and viticulture industries in the township.



URBAN SPRAWL IN MADISON TOWNSHIP

Madison Township and Madison Village both exhibit the patterns of urban sprawl described by many planners and educators throughout the United States. Anthony Downs (1998) argues that sprawl has been the dominant form of metropolitan areas growth in the United States for the past 50 years. Attempting to give a precise meaning to the word "sprawl" is a challenge. Yet, the majority of the researchers agree on a number of defining characteristics.

Through their work with the Brookings Institute, Anthony Downs and Henry Richmond have defined the following traits of sprawl encountered in nearly all metropolitan areas in the

country, including Cleveland. According to Robert Burchell of Rutgers University, ten traits of urban sprawl include:

1. Unlimited extension of new development
2. Low-density residential and commercial settlements, especially in new-growth areas
3. Leapfrog development
4. Fragmentation of powers over land use among many small localities
5. Dominance by private vehicles
6. No centralized ownership of land or planning development
7. Great variances in the fiscal capacities of local governments because the revenue- raising capabilities are strongly tied to the property values and economic activities within their own borders
8. Widespread commercial development along major roadways
9. Major reliance upon the filtering or trickle-down process to provide housing for low-income families
10. Spatial segregation of different types of land uses through zoning regulations

All the traits defined by Downs and Richmond apply to Madison Township, and many other communities in Lake, Geauga and Ashtabula counties.

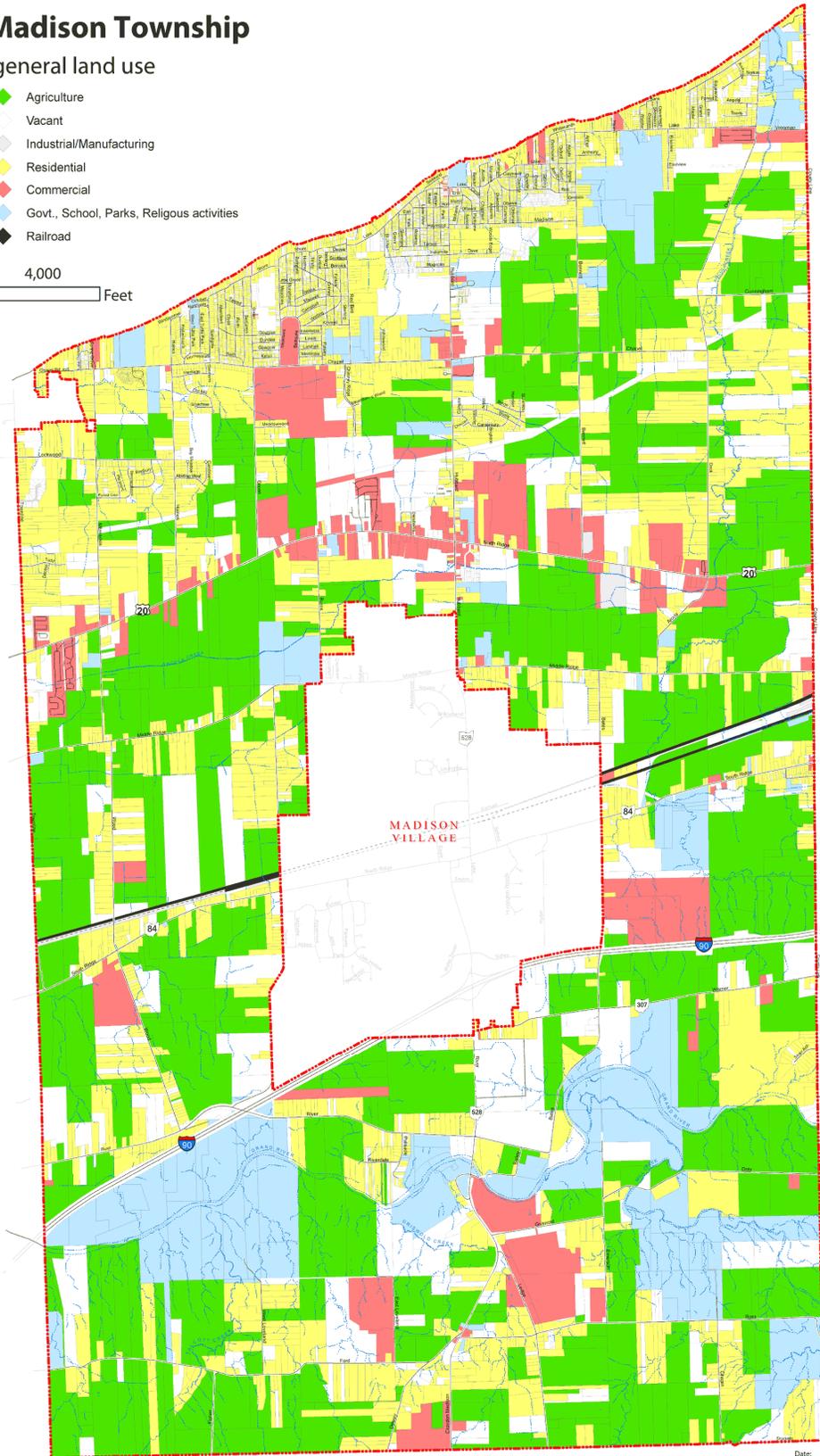
The current pattern of haphazard development and consumption of agricultural land and open space as described by Downs and Richmond, along with other traits of sprawl, may continue into the future. Agricultural preservation programs and innovative zoning strategies will help to reverse this trend. Agricultural buffering, storm water management and increased lot sizes are a few of the tools available.

Madison Township

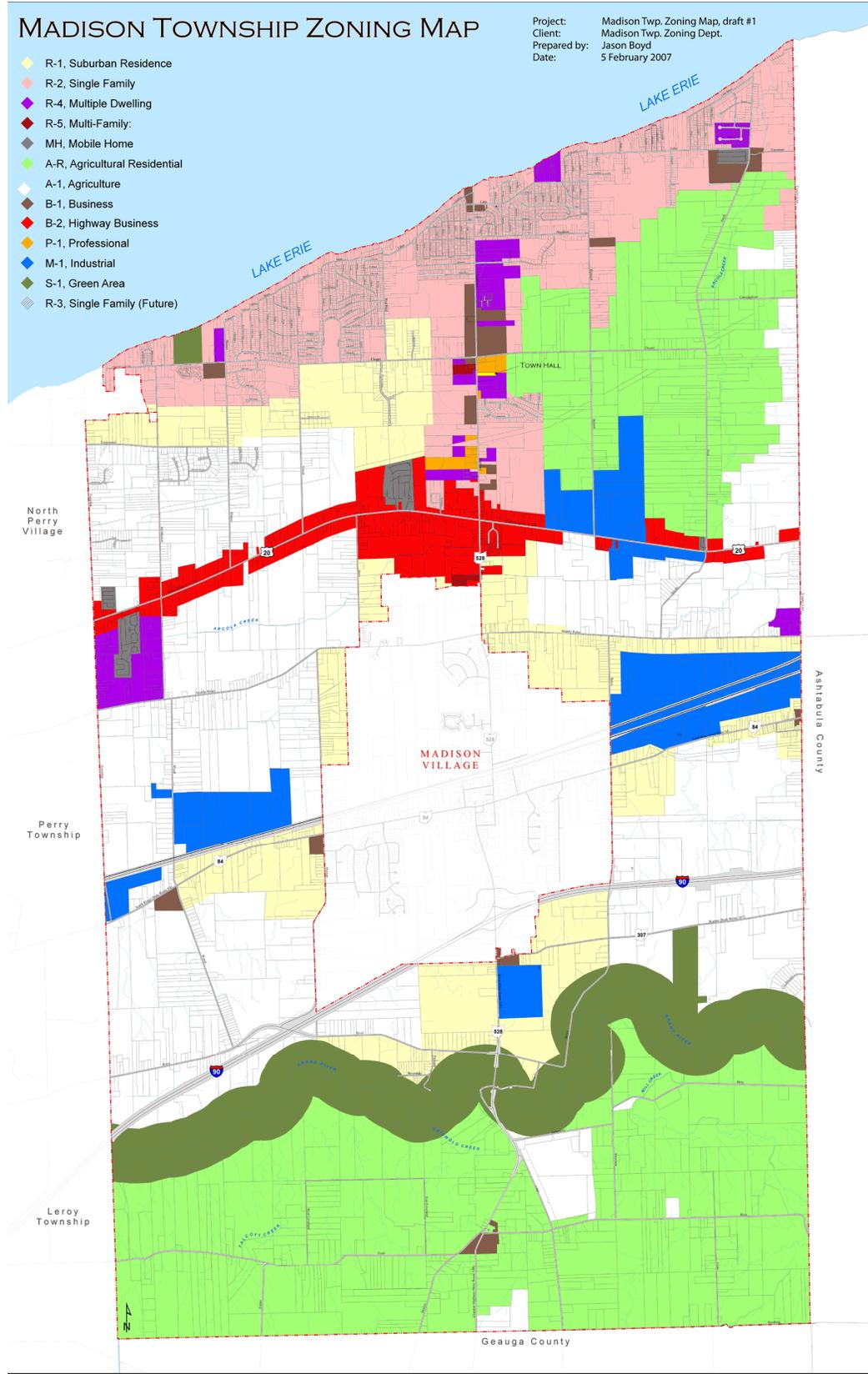
general land use

- ◆ Agriculture
- ◇ Vacant
- ◇ Industrial/Manufacturing
- ◇ Residential
- ◇ Commercial
- ◇ Govt., School, Parks, Religious activities
- ◆ Railroad

4,000 Feet



Date: 2 February 2007
Source: Lake County Auditor



0 0.5 1 2 MILES
 1 INCH EQUALS 1,000 FEET

MADISON TOWN HALL
 2065 HUBBARD RD.
 MADISON, OHIO 44057
 440.428.5128
 WWW.MADISONTWP.ORG

Madison Township Zoning Map Revision Log

| # | Date | Zoning Change Description | Edited by |
|----|---------------|---|------------|
| 1 | 4 April 2004 | Convert to Digital Format | Jason Boyd |
| 2 | 28 June 2004 | Parcel Line Update | Jason Boyd |
| 3 | 2 July 2004 | Parcel Line Update - Progress | Jason Boyd |
| 4 | 11 Feb. 2005 | Rezone PPR 1A-45A-A, A-R to B-1 | Jason Boyd |
| 5 | 12 April 2005 | Rezone PPR 1A-71.2, A-1 to S-1 | Jason Boyd |
| 6 | April 2005 | Complete Map Revision | Jason Boyd |
| 7 | 22 Nov. 2005 | Rezone portion of PPR 1B-121.7, B-1 to A-1 (4.83 ac.) | Jason Boyd |
| 8 | 2 Dec. 05 | Type II Annexation: Parcels 1A-20.5, 1A-20B.5 & 6 | Jason Boyd |
| 9 | March 2006 | Parcel Line Update - Progress | Jason Boyd |
| 10 | July 2006 | Rezone PPR 1A-71.21, M-1 to R-1 | Jason Boyd |
| 11 | February 2007 | Annual Update | Jason Boyd |

4.3 Township zoning

Zoning is the primary form of land planning control for local communities in North America. Zoning codes are comprehensive cookbooks for day-to-day development decisions in a community. They expand on the information in the comprehensive plan by providing parcel-specific regulations for the location of different land uses, regulation of those uses, and detailed specifications for the site planning and design of proposed development.

Ohio state statutes authorized the use of zoning in townships in 1947. Madison Township adopted its first zoning resolution ten years later. At the time this comprehensive plan was written, the original 1957 zoning resolution, with amendments, was still in use. The township zoning resolution was written when the community was primarily rural. Today, the zoning resolution does not address current best practice for planning and development in exurban communities. For example, the resolution regulates land use based on Standard Industrial Classification (SIC) codes; a *business* classification system that is poorly suited and not intended for *land use* classification.

Madison Township should consider a comprehensive re-write of its zoning resolution. Ideally, a zoning ordinance should be rewritten every 10 years, in concert with a new comprehensive plan. It is critical that the Township place a high priority on writing and adopting a new user-friendly zoning resolution.

RESIDENTIAL ZONES

In the Madison Township zoning resolution, there are seven residential zoning districts; five single family residential districts (A-1 Agricultural, A-R Agricultural Residential, R-1 Suburban Residence, R-2 Single Family and R-3 Single Family), and two multiple family residential districts (R-4 Multiple Dwelling and R-5 Multiple Dwelling – Medium High). (The M-H Manufactured Housing district is permitted only by a rezoning of B-1 Business and B-2 Highway Business zoned property.)

Bulk requirements (lot size, primary building placement and height) for the zoning districts are as follows (Table 4.2).

Table 4.2
Residential zoning district bulk requirements
 Madison Township

| Attribute | A-1 | A-R | R-1 | R-2 | R-3 | R-4 (SF dev) | R-4 (MF dev) | R-5 |
|--|------------------------|-------------------------|------------------------|------------------------|------------------------|------------------------|-----------------------|-----------------------|
| Building height (maximum, floors/feet) | 2.5/35' | 2.5/35' | 2.5/35' | 2.5/35' | 2.5/35' | 2.5/35' | 3/40' | 1/15' |
| Front yard (minimum) | 50' | 50' | 50' | 40' | 50' | 40' | 40' | 40' |
| Side yard (minimum) | 15' | 40' | 15' | 10' | 20' | 10' | 30' | 10' |
| Side yard (cumulative, both yards) | 35' | 80' | 35' | 25' | 40' | 25' | 60' | 25' |
| Rear yard (minimum) | 40' | 50' | 40' | 30' | 40' | 40' | 50' | 30' |
| Lot area per household (minimum) | 20,000 ft ² | 217,800 ft ² | 20,000 ft ² | 17,500 ft ² | 87,120 ft ² | 12,000 ft ² | 6,000 ft ² | 2,900 ft ² |
| Density (maximum) | 2.17 du/acre | 0.2 du/acre | 2.17 du/acre | 2.48 du/ac | 0.5 du/ac | 3.63 du/ac | 7.26 du/ac | 15 du/ac |
| Lot frontage (minimum) | 100' | 250' | varies | 100' | varies | 85' | 85' | 85' |
| Floor area (minimum, 1 story) | n/a | 1,500 ft ² | 1,500 ft ² | 1,500 ft ² | 1,500 ft ² | 1,500 ft ² | n/a | n/a |
| Floor area (minimum, 1.5 story) | n/a | 1,275 ft ² | 1,275 ft ² | 1,275 ft ² | 1,275 ft ² | 1,275 ft ² | n/a | n/a |
| Floor area (minimum, bi-level) | n/a | 1,800 ft ² | 1,800 ft ² | 1,800 ft ² | 1,800 ft ² | 1,800 ft ² | n/a | n/a |
| Floor area (minimum, 2 story) | n/a | 1,800 ft ² | 1,800 ft ² | 1,800 ft ² | 1,800 ft ² | 1,800 ft ² | n/a | n/a |
| Floor area (minimum, efficiency) | n/a | n/a | n/a | n/a | n/a | n/a | 500 ft ² | 600 ft ² |
| Floor area (minimum, 1 br apt) | n/a | n/a | n/a | n/a | n/a | n/a | 750 ft ² | 600 ft ² |
| Floor area (minimum, 2 br apt) | n/a | n/a | n/a | n/a | n/a | n/a | 900 ft ² | 600 ft ² |
| Distance between buildings | n/a | n/a | n/a | n/a | n/a | n/a | 25' | 15' |

Permitted uses in the districts are as follows.

Table 4.3
Residential zoning district permitted uses
Madison Township

| Use | A-1 | A-R | R-1 | R-2 | R-3 | R-4 (SF dev) | R-4 (MF dev) | R-5 |
|---|-----|-----|-----|-----|-----|-----------------|-----------------|-----|
| Agriculture production: crops (01XX) | P | P | P | P | P | P | P | N |
| Agriculture production: livestock (02XX) | P | P | C | C | C | C | C | N |
| Agriculture services (07XX) | P | P | P | P | P | P | P | N |
| Agriculture: fish hatcheries and preserves (092X) | C | C | N | N | N | N | N | N |
| Agriculture: forestry (08XX) | P | P | P | P | P | P | P | N |
| Airport (45XX) | C | C | N | N | N | N | N | N |
| Dog kennel | P | P | N | N | N | N | N | N |
| Facilities support services (8744) | C | C | N | N | N | N | N | N |
| Fishing, trapping and hunting (09XX) | P | P | P | P | P | P | P | N |
| Home occupation | P | P | P | P | P | P | P | N |
| Hunting (SIC 097X) | C | C | N | N | N | N | N | N |
| Residence: condominium | N | N | N | N | N | N | P | N |
| Residence: multi-family | N | N | N | N | N | N | P | N |
| Residence: multi-family 4-8 1BR units | N | N | N | N | N | N | N | P |
| Residence: multi-family farm worker | P | P | P | P | N | N | N | N |
| Residence: single family (881X) | P | P | P | P | P | P | N | N |
| Residential building construction (152X) | C | C | N | N | N | N | N | N |
| Roadside farm stand | P | P | N | N | N | N | N | N |
| Sand and gravel mining (144X) | C | C | N | N | N | N | N | N |

P: permitted use by right. C: conditional use. N: not permitted.

There is no true agricultural zoning in Madison Township. The relatively small minimum lot size of the two agricultural zoning districts effectively renders them as residential districts. The A-1 Agricultural zoning district allows 2.17 dwelling units per acre, while the A-R district has a minimum lot size of 217,800 square feet (5 acre)– the largest minimum lot size of any zoning district in the township – despite the use of the word “residential” in the district name.

The shortcoming of using the SIC as a basis for zoning is readily apparent in the A-1 district. Several residential subdivisions in Madison Township have A-1 zoning. Many uses that would be considered inappropriate in a residential area are permitted in the A-1 district, among them gravel and sand mining, facilities support services (defined in the SIC as “... janitorial; maintenance; trash disposal; guard and security; mail routing reception; laundry; and related services to support operations within facilities), and the vague “agriculture services”. According to the definition in the SIC, “agriculture services” include many uses that are not related to the raising of crops and animals, such as:

- Cotton ginning
- Animal hospitals and veterinary services
- Artificial insemination services
- Custom slaughtering
- Animal shelters, kennels, and dog pounds.
- Horse boarding and breeding
- Farm labor contractors and crew leaders, and farm management services
- Landscape architects
- Horticultural advisory services
- Lawn and garden services (e.g., garden planting, lawn care and mowing services, sod laying, turf installation)
- Ornamental shrub and tree services (e.g., arborist services, ornamental tree planting and pruning, tree planting and pruning, utility line tree trimming services)

The hierarchy of residential zones is equally convoluted. For example, the minimum lot size in the R-2 district (17,500 square feet) is smaller than the R-1 district (20,000 square feet), but the minimum lot size in the R-3 district (87,120 square feet; two acres) is *larger* than the R-1 and R-2 districts.

The R-3 zoning district is a floating zone. At the time this plan was written, there was no property in the township with the R-3 zoning designation.

This plan recommends the separation of the R-4 district into two districts; one for single family development, one for multi-family development. Eliminating the R-5 district is also recommended; it was intended to accommodate a single specific development. Land currently zoned R-5 should be given the proposed PUD zoning designation.

This plan recommends a reduced, simplified and more logical categorization of permitted uses in residential districts, making uses consistent across all zoning districts, and ensuring permitted uses are appropriate to the district and the long-term goals of this comprehensive plan.

Although the chart below considers the continuation of both the R-1 and R-2 districts, this plan recommends the consolidation of the R-1 and R-2 districts.

The plan also recommends the creation of a two newer larger lot zones. The current zoning scheme over a significant portion of the township will yield a development style inconsistent with the comprehensive plan. A new zone with projected lot size between .75-2 acres is proposed in the central portion of the township. Further south and on the eastern side, second new zone is recommended with a 2-4 acre minimum lot size requirement. This pattern, along with minor revisions to other areas, will yield a more sustainable development pattern over the long term for the township. Lot sizes would range from 17,000 sq.ft. in the northern portion (where utilities currently exist) to approximately 1-4 acres in the central portion and five acres below the Grand River corridor.

An Open Space Development (OSD) overlay zone is recommended along the flood prone areas of Arcola Creek, south of Route 20. This area is currently zoned B-1, but heavily restricted due the FEMA designation. If developed, land uses should be clustered in the most appropriate locations and key natural resource and open space areas left untouched.

COMMERCIAL ZONES

There are three commercial residential zoning districts designated in the Madison Township zoning resolution; P-1 professional, B-1 business, and B-2 highway business. (The M-H Manufactured Housing district is permitted only by a rezoning of B-1 Business and B-2 Highway Business zoned property.) Permitted uses in the districts are as follows.

| <i>SIC</i> | <i>Business type</i> | <i>P-1 professional</i> | <i>B-1 business</i> | <i>B-2 highway business</i> |
|------------|--|-------------------------|---------------------|-----------------------------|
| 074X | Veterinary services | C | C | C |
| 076X | Farm labor and management services | C | C | C |
| 0781 | Landscape counseling and planning | P | P | P |
| 092X | Fish hatcheries and preserves | C | C | C |
| 144X | Sand and gravel mining | C | C | C |
| 152X | Residential building construction | C | C | C |
| 17XX | Special trades contractors | N | C | C |
| 20XX | Food and kindred products (excluding 2011, 2015, 2047 and 2077) | N | C | C |
| 2426 | Hardwood dimension and flooring | N | N | C |
| 2431 | Millwork | N | N | C |
| 2434 | Wood kitchen cabinets | N | N | C |
| 2700 | Printing and publishing | N | N | C |
| 3851 | Ophthalmic goods | N | C | C |
| 386X | Photographic supplies | N | N | C |
| 3873 | Watches, clocks, watch cases and parts | N | C | C |
| 41XX | Local and interurban passenger transit | N | C | ? |
| 42XX | Trucking and warehousing (excluding 4226) | N | N | C |
| 43XX | US Postal Service | N | C | C |
| 4489 | Water passenger transportation | N | C | C |
| 4493 | Marina | N | C | C |
| 45XX | Transportation by air | C | C | C |
| 472X | Passenger transportation arrangements | P | P | P |
| 48XX | Communications | N | N | C |
| 521X | Lumber and other building materials | N | N | P |
| 527X | Mobile home sales | N | N | P |
| 52XX | Building materials and garden supplies (excluding 5211 and 5271) | N | P | P |
| 53XX | General merchandise stores | N | P | P |
| 54XX | Food stores | N | P | P |
| 55XX | Automotive dealers and service stations | N | C | P |
| 56XX | Apparel and accessory stores | N | P | P |
| 57XX | Furniture and home furnishing stores | N | P | P |
| 59XX | Eating and drinking places | N | P | P |
| 59XX | Miscellaneous retail (excluding 598*) | N | P | P |
| 598X | Fuel dealers | N | C | C |
| 60XX | Depository institutions | P | P | P |
| 61XX | Non-depository institutions | P | P | P |
| 62XX | Security and commodity brokers | P | P | P |
| 63XX | Insurance carriers | P | P | P |
| 64XX | Insurance agents, brokers and services | P | P | P |
| 65XX | Real estate | P | P | P |
| 67XX | Holding and other investments offices | P | P | P |
| 70XX | Hotels and other lodging places | N | N | P |
| 72XX | Personal services (excluding 7216, 7217, 7218, 7219, crematories in 7261 and 7299) | N | N | P |
| 7212 | Garment pressing cleaners agent | N | P | P |

Table 4.3

**Commercial zoning district permitted uses
Madison Township**

| <i>SIC</i> | <i>Business type</i> | <i>P-1 professional</i> | <i>B-1 business</i> | <i>B-2 highway business</i> |
|------------|---|-------------------------|---------------------|-----------------------------|
| 7215 | Coin operated laundries and cleaning | N | P | P |
| 7216 | Dry cleaning plants | N | N | C |
| 7217 | Carpet and upholstery cleaning | N | N | C |
| 7218 | Industrial launderers | N | N | C |
| 7219 | Laundry and garment services | N | N | C |
| 722X | Photographic studios, portraits | P | P | P |
| 723X | Beauty shop | P | P | P |
| 724X | Barber shop | P | P | P |
| 725X | Shoe repair and shoe shine | N | P | P |
| 726X | Funeral service, excluding crematories | P | P | P |
| 7261 | Crematories | N | N | C |
| 7291 | Tax return preparation services | P | P | P |
| 7299 | Miscellaneous personal services | N | C | C |
| 73XX | Business services (excluding 7389) | n/a | n/a | P |
| 7311 | Advertising agencies | P | P | P |
| 7313 | Radio, TV publisher representative | P | P | P |
| 7319 | Advertising | N | P | P |
| 732X | Credit reporting and collection | P | P | P |
| 7331 | Direct mail advertising services | N | P | P |
| 7334 | Photocopying and duplicating services | N | P | P |
| 7335 | Commercial photography | P | P | P |
| 7336 | Commercial art and graphic design | P | P | P |
| 7338 | Secretarial and court reporting | P | P | P |
| 736X | Personnel supply services | P | P | P |
| 738X | Miscellaneous business services (excluding 7383, 7389, dogs in 7381) | N | P | P |
| 7383 | News syndicates | P | P | P |
| 7389 | Business services not elsewhere classified | C | C | C |
| 75XX | Auto repair, services and parking (excluding 751*, 752* tow in, 7532, 7533, 7534) | N | P | n/a |
| 75XX | Auto repair, services and parking (excluding 752* tow in, 7532, 7533, 7534) | n/a | n/a | P |
| 7513 | Truck rental and leasing, no drivers | N | N | C |
| 7532 | Top and body repair and paint shops | N | C | C |
| 7533 | Auto exhaust system repair shops | N | C | C |
| 76** | Miscellaneous repair service | N | N | P |
| 78XX | Motion pictures (excluding 7833) | N | P | P |
| 7833 | Drive-in motion picture theaters | N | C | C |
| 79XX | Amusement and recreation services (excluding 794* and 799*) | N | P | P |
| 794X | Amusement services, commercial sports | N | C | C |
| 799X | Miscellaneous amusements | N | C | C |
| 80XX | Health services | P | P | P |
| 81XX | Legal services | P | P | P |
| 83XX | Social services | P | P | P |
| 86XX | Membership organizations with offices only (excluding 864* and 866*) | P | P | P |
| 8631 | Labor unions and similar labor services | C | P | P |
| 864X | Client, social and fraternal organizations | C | ? | ? |
| 866X | Religious organizations | C | ? | ? |
| 871X | Engineers and architectural services | P | P | P |
| 872X | Accounting, auditing and bookkeeping | P | P | P |
| 873X | Research and testing services | C | C | C |
| 874X | Management and public relations (excluding 8765) | P | P | P |
| 8744 | Facilities support services | C | C | C |

Table 4.3

Commercial zoning district permitted uses
 Madison Township

| <i>SIC</i> | <i>Business type</i> | <i>P-1 professional</i> | <i>B-1 business</i> | <i>B-2 highway business</i> |
|------------|-----------------------|-------------------------|---------------------|-----------------------------|
| 89XX | Services, secretarial | P | P | P |

P: permitted by right. C: conditional use. N: not permitted. ?: unclear
 In Ohio townships, traditional agricultural uses, including nurseries, are permitted by right regardless of zoning.

The US 20 Corridor Plan raised many issues with commercial land use classification in the Madison Township zoning resolution.

Permitted uses in the Madison Township zoning resolution are based on are based on Standard Industrial Classification (SIC) categories and definitions. The Standard Industrial Classification (SIC) system is a series of number codes, created in the 1930s, that attempts to classify all business establishments by the types of products or services they make available. The SIC system categorizes business and employer types – *not* land uses – and is not intended to be used as the foundation for a zoning code. There are no SIC codes for houses, parks, vacant land, open space or home improvement centers, for instance. (The SIC system was superseded by the North America Industry Classification System (NAICS) in 1997. As with the SIC system, the NAICS is also not intended to serve as a land use classification system.)

A SIC-based code can also be awkward to administer; it allows all uses under a certain two-digit group of businesses, regardless of their intensity, and restricting those that are not intense yet included under a two-digit group that includes generally disruptive businesses. SIC codes group businesses of a certain type together, but not necessarily of a similar intensity; for example, mobile home dealers are technically in the same SIC group as hardware stores, as are heavy equipment rental and medical equipment leasing. The SIC does not distinguish between microbreweries and massive commercial breweries, a mom-and-pop chocolatier and a large confectionery factory, or a small craft bookbinder and a large commercial bookbinding and printing operation.

Some land uses may be appropriate in a certain zoning district or essential for providing a public service, but they require special attention to determine if they will have an adverse affect on the surrounding area. The conditional use process allows a city or county to consider such uses through a public hearing process. According to Meck and Pearlman (2001, Ohio Planning and Zoning Law), “Conditional uses are also allowed in the zoning code, but they are uses that may have significant impact and thus require an administrative hearing for approval. While the issuance is of a conditional use is thus not a matter of right in the same sense that a permitted use is, the authorization of such use in the ordinance means that a community cannot arbitrarily deny a property owner’s conditional use application simply because the use is no longer considered desirable.” Communities should not perceive conditional uses as a way to manage or control growth. If a land use is listed in the resolution as a conditional use, the community must accept the reality that these businesses may locate to the area.

In most zoning codes, the intent of conditional review is to give special attention to uses that may be appropriate in a district, but which needs special attention to ensure it would not hurt the surrounding area. For example, a pet supply store may be permitted by right in a commercial zoning district, but a dog day care center would require special review to ensure that noise and odor are kept to a minimum, and that the location will not cause it to bother nearby residents. Conditions can be attached to a conditional use, and the approval may be valid only for a limited time. A conditional use request can be denied if the conditions are not satisfied.

In the Madison Township zoning resolution, uses subject to conditional review include not just those that need special attention and conditions to ensure it is compatible, but also industrial uses that may not be inappropriate for what is supposed to be a commercial zoning district.

The SIC-based system has many other inconsistencies. For instance, heavy equipment rental (SIC 7353, under “business services”, 73**) is permitted by right, but truck rental (7513) require conditional use approval. Mobile home sales (527*) is permitted by right; veterinary clinics (074*) require a conditional use permit. Regular auto repair (75**) is permitted by right, but a mechanic cannot change a muffler (7533) without a conditional use permit.

Although the B-2 zoning district is intended for general commercial development, for all practical purposes it functions as a rural industrial zoning district that also allows commercial uses. Permitting industrial uses in the B-2 district, which includes much of the North Ridge Road/US 20 corridor, may undermine the orderly development of both commercial and industrial districts. While industrial uses provide income to the Township, the presence of large scale industrial uses may also be a deterrent to retail and professional businesses. Scattering industrial uses throughout general commercial districts also stifles the creation of a concentrated industrial area, where such uses can benefit from agglomeration.

This plan also recommends the creation of a new zoning district to accommodate heavy commercial in predefined areas. This would provide a more appropriate area (where utilities are planned) for light industrial uses and commercial uses that are recommended to be removed from the existing B-1 and B-2 areas. Where appropriate, this zone may be used for limited retail and office use.

This plan recommends a reduced, simplified and more logical categorization of permitted uses in commercial districts, making their use consistent across all zoning districts, and ensuring permitted uses are appropriate to the district and the long-term goals of this comprehensive plan.

INDUSTRIAL DISTRICTS

The township zoning resolution includes two industrial zoning districts: M-1 Light Manufacturing and M-3 Surface Extraction (table 4.4).

| Table 4.4 Industrial zoning district permitted uses Madison Township | | | |
|--|---|-------------------------|------------------------|
| SIC | Business type | M-1 light manufacturing | M-3 surface extraction |
| n/a | All uses permitted in the B-1 and B-2 districts | P, C | N |
| 076X | Farm labor and management services | C | N |
| 07XX | Agricultural services * | P | N |
| 092X | Fish hatcheries and preserves | C | N |
| 144X | Sand and gravel mining | C | P |
| 15XX | General building contractors | P | N |
| 16XX | Heavy construction except highway | P | N |
| 17XX | Special trade contractors | P | N |
| 20XX * | Food and kindred products | C | N |
| 23XX | Apparel and other textile products | P | N |
| 24XX | Lumber and wood products | C | N |
| 25XX | Furniture and fixtures | P | N |
| 265X | Paper containers and boxes | P | N |
| 2671 | Paper coated and laminated, packing | C | N |
| 2672 | Paper coated and laminating, nec | C | N |
| 267X | Miscellaneous converted paper products * | P | N |

Table 4.4

Industrial zoning district permitted uses
 Madison Township

| <i>SIC</i> | <i>Business type</i> | <i>M-1 light manufacturing</i> | <i>M-3 surface extraction</i> |
|------------|--|--------------------------------|-------------------------------|
| 2763 | Bags, plastic | C | N |
| 27XX | Printing and publishing allied industry | P | N |
| 2813 | Industrial gases | C | N |
| 283X | Drugs | C | N |
| 284X | Soap, cleaners, and toilet goods | C | N |
| 2875 | Fertilizers, mixing only | C | N |
| 2891 | Adhesives and sealants | C | N |
| 2893 | Printing ink | C | N |
| 295X | Asphalt pavings and roofing material | C | N |
| 299X | Miscellaneous petroleum and coal products | C | N |
| 30XX | Rubber and miscellaneous plastics products | C | N |
| 31XX | Leather and leather products * | P | N |
| 3211 | Flat glass | C | N |
| 322X | Glass and glassware: pressed or blown | P | N |
| 323X | Products of purchased glass | P | N |
| 324X | Cement hydraulic | C | N |
| 325X | Structural clay products | C | N |
| 326X | Pottery and related products | C | N |
| 327X | Concrete, gypsum and plaster products | C | N |
| 328X | Cut stone and stone products | C | N |
| 329X | Miscellaneous non-metallic mineral products * | C | N |
| 3315 | Steel wire and related products | P | N |
| 3316 | Cold finishing of steel shapes | C | N |
| 3317 | Steel pipe and tubes | C | N |
| 34XX | Fabricated metal products | P | N |
| 35XX | Industrial and commercial machinery and computer equipment * | P | N |
| 36XX | Electronic and other electrical equipment | P | N |
| 37XX | Transportation equipment | P | N |
| 38XX | Measuring, analyzing and controlling instruments | P | N |
| 39XX | Miscellaneous manufacturing industries | P | N |
| 41XX | Local and suburban transport | P | N |
| 4226 | Dead auto storage | C | N |
| 42XX | Motor freight transportation and warehousing * | P | N |
| 43XX | US Postal services | P | N |
| 4499 | Water transportation services | P | N |
| 45XX | Transportation by air | C | N |
| 48XX | Communications | P | N |
| 5015 | Motor vehicle parts: used | C | N |
| 5093 | Scrap and waste materials | C | N |
| 50XX | Wholesale trade: durable goods * | P | N |
| 5154 | Livestock | C | N |
| 5169 | Chemicals and allied products | C | N |
| 517X | Chemicals and allied products | C | N |
| 5199 | Miscellaneous nondurable goods | C | N |
| 51XX | Wholesale trade: durable goods * | P | N |
| 7216 | Dry cleaning plants, except rug cleaning | P | N |
| 7217 | Carpet and upholstery cleaning | P | N |
| 7218 | Industrial launderers | P | N |
| 7219 | Laundry and garment services7300Business services | P | N |
| 75XX | Auto repair services and parking | P | N |
| 794X | Commercial sports | C | N |
| 873X | Research and testing services | C | N |
| 8744 | Facilities and support services | C | N |

| Table 4.4 Industrial zoning district permitted uses Madison Township | | | |
|--|---------------|-------------------------|------------------------|
| SIC | Business type | M-1 light manufacturing | M-3 surface extraction |
| P: permitted by right. C: conditional use. N: not permitted. ?: unclear. *: some SIC coded uses in the category or subcategory are not permitted. In Ohio townships, traditional agricultural uses, including nurseries, are permitted by right regardless of zoning. | | | |

The M-1 zoning district allows all uses permitted in the B-1 and B-2 districts, but not residences or residential uses. Commercial uses in industrial areas may serve as a nuisance, since the more frequent customer traffic generated could interfere with heavy truck traffic and related operations. Allowing commercial uses also prevents the creation of vibrant retail districts, as encouraged by the US 20 Corridor Plan and good planning practice, because such uses would be permitted throughout a larger, more widely dispersed area. This plan recommends prohibiting commercial uses from the M-1 district, just as it recommends the prohibition of industrial and semi-industrial uses in commercial zoning districts.

Despite the description of the M-1 district as “light manufacturing”, many heavy industrial uses are allowed in the district subject to conditional approval, such as steel mills, refineries, chemical plants and junkyards. Some other heavy industrial uses are permitted by right, including heavy construction, glass blowing (SIC does not distinguish between craft operations and large-scale factories), steel wire manufacturing, fabricated metal products, and transportation equipment (this includes everything ranging from auto and truck factories to building guided missiles and space vehicles). The shortcoming of the SIC when used for land use classification is evident; for example, an agricultural research laboratory (SIC 8731) requires conditional use approval, while a factory that manufactures railroad locomotives (SIC 3743) is permitted by right.

This plan recommends the removal of heavy industrial uses from the M-1 zoning district. Heavy industrial uses may be highly disruptive to the township’s semi-rural character, and will strain the limited infrastructure capacity of the township and village.

The M-3 district is intended for permanent surface mineral extraction operations. The M-3 district is a floating zone, with no land currently bearing the designation.

As with the plan recommendation for permitted uses in commercial districts, a reduced, simplified and more logical categorization of permitted uses in industrial districts is recommended. Conditional approval of most industrial uses is also recommended, because of the externalities such uses generate, and the potential impact of such uses on neighboring properties and the town infrastructure.

This plan recommends removing a portion of the industrial designation for land along the CSX/Norfolk Southern rail corridor west of Madison Village. Industrial development has never taken place on industrial-zoned parcels in the area. Any traffic that would be generated by industrial uses in the area would be funneled through the Madison Village center, where heavy truck traffic is a primary concern. Industrial traffic would also need to cross the CSX/Norfolk Southern rail corridor at grade to access Interstate 90. This plan also recommends removing the industrial designation for land along South Ridge Road east of Madison Village. There is poor access to the industrial zoned portions of the lots that front South Ridge Road and the lots are sized and configured in a way that makes industrial development difficult.

The industrial area along Bennett Rd. is also recommended to be removed. Poor soil conditions, lack of infrastructure and potential impact along residential corridors are contributing factors to this recommendation.

This plan recommends establishing an industrial area in the vicinity of 528 and River Rd., where there is easy access to Interstate 90, high visibility from the highway, and minimal impact from truck traffic in the Madison Village center. Industrial development should not be piecemeal, but instead take the form of an industrial park or other scheme where there is coordinated planning over a group of contiguous lots.

PLANNED UNIT DEVELOPMENT ZONING (PUD)

Planned unit development (PUD) zoning provisions permit large parcels to be developed in a more flexible manner than allowed by the underlying zoning. PUD zoning allows developers to mix land uses, such as residential and commercial, on a large parcel and to develop the parcel at greater densities, and with more design flexibility, than otherwise allowed by the underlying zoning district. PUD provisions often require developers to compensate for the impacts of their projects by setting aside significant and usable open space, providing infrastructure needed to service the development, or offering other community facilities and services.

PUD's in Madison are accomplished through the Board of Zoning Appeals. While permitted under O.R.C., this plan recommends the creation of a PUD section, subject to district change approval by the Township Zoning Commission and Township Trustees.

A mixed use PUD zone is recommended the northern portion of the North Ridge Rd./Hubbard Rd. node. Currently, multiple zoning districts exist along the Hubbard Road corridor. Creating a PUD with a variety of uses (retail, commercial/business, and potential residential) under a unified development plan will yield a more desirable area over the long term.

4.4 Frontage development

The majority of subdivision activity in Madison Township involves the administrative splitting of lots. Lots are created by splitting parcels fronting the road from a larger parcel, often a farm or nursery. O.R.C. 711.131 requires the County Planning Commission to administratively review minor subdivisions in the unincorporated areas of the county, including Madison.

This type of development, called frontage development, ribbon development or residential strip development dramatically changed the character of Madison Township over the past few decades, harming much of the rural ambience that initially drew residents to the township.

There are many disadvantages to frontage development.

- The township and county subsidizes frontage development. Unlike subdivisions with new roads, developers do not have to pay to build new roads or infrastructure for frontage lots. The cost of development shifts from the builder, who would normally be required to build roads in a subdivision, to the township and county, which built the existing road where the lot has frontage.
- Frontage development harms the character of rural areas. With continued splitting and development of frontage lots, the viewscape of collector roads changes from that of farmhouses, nurseries, and wooded lots to a continuous procession of houses, occasionally interrupted by a farm entrance or the rare frontage that was not yet subdivided or sold.
- In certain instances, the lots that were created from frontage development are often underused; too large to mow but too small to farm. The rear end of the lot, which may have been in active agricultural production, often reverts to scrub forest.
- The many individual driveways create points of conflict that make the road less safe for pedestrians, cyclists and drivers.

- Property owners at the south end of north-south roads face an increasingly heavier share of traffic on the road, generated by residential frontage development at the north end of the roads. A single family house generates an average of 9.6 vehicle trips per day.

Increased lot sizes and lot width-to-depth ratios, front yard setbacks on collector roads should be increased.

The transportation element recommends working with the Lake County Planning Commission to implement more flexible street design standards to allow narrower pavement width for streets that will serve few houses, and decrease the cost of developing away from existing through streets. New residents on collector roads should be made aware that they live on what is intended to be a through street – not a residential road – and there is no guarantee traffic volume will remain low in the future.

4.5 Strip commercial development

Many issues stemming from strip commercial development are raised in the US 20 Corridor Plan.

Over the last 50 years, auto-dependent commercial development has developed along highways to the point where it dominates the form and character of area communities. Commercial and semi-industrial strip development, such as the area along the North Ridge Road/US 20 corridor, is one result of such development.

Extending over long stretches of frontage, linear strip may decrease the price of land, cause traffic congestion by allowing development that will interfere with the function of North Ridge Road/US 20 as a through route, prevent the creation of a vibrant commercial district, and reduce a community's sense of place or 'front door.' Madison Township is not alone. Excepting the nurseries, the North Ridge Road/US 20 strip resembles that of most other exurban communities in Ohio. Controlling strip development can seem difficult, because its growth is incremental; it happens so slowly that it is not viewed as a crisis until problems with traffic, noise and aesthetics become noticeable.

Current zoning allows for commercial and semi-industrial development to be located out along almost the entire route of North Ridge Road/US 20 in the township. North Perry Village also faces similar issues following the North Ridge Road/US 20 corridor. In Madison Township, North Perry Village and Perry Township, development along the corridor occurs in a piecemeal fashion.

An alternative to a strip development pattern, yet still meets the demand for retail space, is to designate retail clusters or nodes around major intersections and limit retail uses on the rest of the corridor. These nodes can be planned to integrate other commercial, office, and housing development, along with retail uses. While recognizing the desire for commercial zoning along US 20, this plan recommends a similar policy is where applicable. Commercial development should be encouraged initially along major intersections, with commercial district expanding linearly only when needed; for instance, lining Hubbard Road or South Madison Road for thousands of feet. Consideration should be given amount of undeveloped commercial zoned land in the township when analyzing request for commercial rezones.

The plan recognizes US 20 is key to the commercial and light industrial base to the Township. The expansion of utilities along US 20 creates a more attractive option for commercial uses. In a best case scenario, development should be encouraged to these areas first before expanding further down the corridor. Design guidelines are encouraged in the future to help project a unified development scheme over the long-term.

4.6 Vehicle related uses

Another issue raised in the US 20 Corridor Plan is the growing predominance of vehicle-related uses along the North Ride Road/US 20 corridor.

The North Ridge Road/US 20 corridor, not just in Madison Village but also North Perry Village and Perry Township, is home to a growing number of vehicle-related uses. Most vehicle-related uses in the township, both along the corridor and outside of it, were not subject to design standards when initially established. Future businesses along North Ridge Road/US 20 corridor should be subject to consistent, fair and feasible design standards.

One reason used car dealers and other vehicle-related uses locate in Madison Township is because there is a large surplus of commercial-zoned land in the area. With a small demand for commercial-zoned land but a large supply, the price may decrease. Vehicle-related uses tend to agglomerate together. Mechanical commercial businesses, such as heavy equipment rental, propane sales and contractor supply yards, also tend to locate near concentrations of vehicle-related businesses. Once a commercial pattern is established, it perpetuates itself, making it harder to attract other types of businesses.

While there is a need for vehicle sales and service, there is no reason for their proliferation in the township. Limiting the speculative expansion of commercial zoned areas may reverse the market forces that now make Madison Township an ideal location for vehicle-related businesses. This plan also recommends that vehicle-related uses be permitted only as a conditional use, and subject to the same architecture, site planning, landscaping, signage and lighting regulations as all other commercial uses.

4.7 Site planning and design

SITE PLANNING

Commercial site planning is guided only by the building setback, parking, and very limited landscaping requirements in the zoning resolution. The resulting development usually has one of two forms. On larger lots, a commercial building will be placed in the far rear end of the lot, separated from the street by a large, parking lot, much of which usually stands empty. On smaller, narrower lots, the primary building is usually close to the right-of-way, usually separated from the street by a small, often unpaved parking area. The rear of the lot remains empty and unused, an inefficient use of land. The resulting development pattern reinforces the strip-like character of commercial areas in the township.

Responses from the US 20 Corridor Plan stakeholder survey show that respondents are supportive of alternatives to traditional auto-oriented retail development, where a row of buildings are set behind a large parking lot. This plan recommends adopting site planning requirements that encourage a hybrid site plan, with parking split between the side and rear of a building, and “retail villages,” where many buildings are oriented towards an internal drive or road network that recreates the feel of a village street. This plan also recommends standards that will promote a pedestrian-friendly environment inside shopping centers, such as requiring internal plazas and a walkway system connecting buildings and parking areas on the site. Requiring improved pedestrian connections between buildings and the sidewalk are also recommended.

ARCHITECTURAL DESIGN

There are no regulations governing the appearance of commercial or industrial development in Madison Township.

Ohio Senate Bill 18, passed in 2004, gives townships the right to adopt architectural regulations. Specific building materials cannot be regulated, but any other aspect of building and site design and aesthetics can be controlled. Architectural standards, if adopted, will require high quality building designs that offer a positive impression of the township and its businesses, and help reinforce a “sense of place.”

The ability to regulate these features should be done in a “user-friendly” manner. Over restrictive specifications and cumbersome review timelines will discourage potential developers and may ultimately result in a project that detracts from the overall objective.

National chains establishing a location in an area with no architectural regulations will usually build a default “prototype” building. Such buildings usually have little architectural detailing, and are designed to reinforce corporate identity and function as a sign, regardless of its compatibility with community character. National corporations will forego their “prototype” buildings and build a structure that better respects local character – but only if they are required to.

Responses from the US 20 Corridor Plan stakeholder survey and the resident survey for this comprehensive plan express support for higher quality commercial design. As in the US 20 Corridor Plan, this plan recommends the adoption of architectural design regulations, applicable to non-residential development.

Architectural regulations for commercial structures should address the following:

Building mass

- Prohibit large simple building footprints; require variations in the footprint that are not superficial.

Exterior walls

- Materials: brick, stone, or a combination of masonry materials and wood. Metal pre-fabricated structures should not be permitted.
- Pattern: require repeating, offset, reveal, pilaster, projecting ribs, fenestration patterns, piers, color change, texture change, material module change.
- Base: require recognizable wainscot.
- Top: require cornice treatments, overhangs, brackets, stepped parapets.
- Four sided design: walls must include materials and design characteristics consistent with those on the front.
- Projections and recesses: require wall plane projections and recesses for long walls.
- Street facing walls: require breaking up walls with change in plane, texture, windows, or other equivalent elements that divide the wall into human scale proportions.
- Facades: require divided and proportioned using features such as windows, display areas, entrances, arcades, arbors, and awnings along a percentage of the façade.
- Building entrances: require clear definition with an awning, arcade or portico.
- Transparency: require window coverage along a percentage of a wall.

- Garage doors: require segmentation, windows, recession behind a building façade, positioning where they don't face the street.

Roof

- Require overhangs, minimum slope, regulate maximum continuous plane of roofline.
- Rooftop mechanical equipment: require screening, limit visibility from public right-of-way and adjacent properties.

Building colors

- Require muted colors, limit use of primary or corporate colors.
- Limit color changes to change of plane or reveal line.

Gas station canopies

- Require support pole covers.
 - Require recessed lighting, limit number of fixtures and lumens.
 - Prohibit corporate branding and colors along the entire fascia.
- Industrial and other non-residential uses should be subject to similar, but slightly less rigorous requirements.

Architectural review boards are common in Ohio, but outside of the state architectural regulations are more often administered by a planner or zoning administrator, with design approval subject to the decision of a planning or zoning board. To keep the development review process streamlined, this plan recommends architectural review by the Zoning Commission, with assistance of the Zoning Inspector, Lake County Planning Commission staff or a consulting architect.

SIGNS

In the B-2 zoning district, freestanding signs on sites occupied by a single business may be up to 60 square feet, and sites with multiple businesses up to 160 square feet, depending on road frontage. Maximum freestanding sign height is 24 feet.

The maximum size of building-mounted signs is determined by a complex table, permitting from one to square feet of signage for each linear foot of wall, depending on the wall length, with a maximum of 100 square feet.

While not strict, township sign regulations are not overly restrictive. However, current regulations are not well suited to commercial areas along US 20 in Madison Township. Commercial lots are often very narrow, so freestanding signs on different sites are spaced closely, creating visual clutter. Small businesses give more attention to the size of their sign than the overall quality. Small businesses often make the mistake of trying to convey too much information in a limited space, so their signs become unreadable. The problem is compounded for signs identifying multiple tenants.

When everybody shouts, nobody is heard. For signs to be effective, they must not barrage viewers with information that will soon be forgotten, but stand out on their own. While many businesses instinctively view small signs as less effective than larger signs, the message they convey is distinct and better understood with less competition from other signs competing for the viewer's attention. The presence of smaller signs reduces visual clutter, and thus improves the appearance of a commercial area.

This plan recommends reducing the maximum area and height of commercial signs. This plan also recommends imposing strict design requirements to make signs appear more legible and professional.

The zoning resolution allows businesses to display portable signs for 30 days in a row, with a 60 day break between displays. Portable signs are usually cheaply made and poorly maintained, often placed in unsafe locations such as clear vision triangles, and often have flashing lights even though the zoning resolution prohibits animated signs. The Township should continue to permit such signs, but increase the design standards and potential reduce time requirements.

Billboards are uncommon in most of Lake County. Though billboards are not common in Madison Township, their presence in some areas detracts from the semi-rural environment, increases visual clutter and possibly compromises highway safety.

The zoning resolution may allow billboards in residential areas. "Outdoor advertising signs," undefined by the zoning resolution but usually interpreted to mean "billboard" in most zoning codes, are permitted in the A-1 and A-R zoning districts. Billboards are not permitted in the B-1, B-2 and M-1 districts. SIC code 7319, "advertising," is a permitted use in the B-1 and B-2 districts. Although the intent is that the code refers to an advertising agency, some could interpret it loosely as any advertising activity, including a billboard.

The plan recommends prohibition of all billboards and other off-premises advertising signs in the township.

North Ridge Road/US 20 and Interstate 90 are federal aid highways, with billboards subject to the National highway Beautification Act. Removing billboards through amortization is not permitted along federal aid highways. However, billboards can be removed by requiring it as a condition of development. Illegal billboards can also be removed regardless of location on a federal aid highway.

LANDSCAPING

The site development plan section of the Madison Township zoning resolution describes the process for reviewing site plans for commercial development. The section also contains five paragraphs, only one having specific numerical requirements that make up the total extent of landscaping requirements for the township.

- Maximum possible visual and auditory privacy for surrounding properties shall be provided through good design and landscaping buffers.
- Where located adjacent to residentially zoned property, the required setback area shall be maintained with natural vegetation and shall have supplemental plantings to provide visual and sound attenuation.
- Where adjacent to non-residentially zoned property, the maximum lot coverage of building, parking, drives and other improvements shall be 90%. The remaining 10% of the site shall be landscaped with grass and plant material or retained in a natural state with vegetative cover.
- Parking and service areas shall be screened from view from adjacent residential properties. Screening of parking and service areas shall be provided by means of landscaping, ornamental walls, fences, or similar means. Use of slow or low-growing deciduous trees of various varieties shall be used on the site.
- In parking areas designed to accommodate 30 vehicles or more, visual relief shall be provided by means of landscaped dividers and/or islands.

The large percentage of impervious surface permitted on a site contributes to increased volume and velocity of stormwater runoff, and exacerbated drainage and flooding problems,

all of which can harm the Arcola Creek watershed and other environmentally sensitive waterways in the township and village.

In the image preference survey that was conducted as part of the planning process for the US 20 Corridor Plan, images showing commercial development with lush landscaping usually scored higher than those with minimal landscaping. Commercial sites in Madison Township with little or no landscaping all scored at the bottom. The lack of landscaping at most shopping centers and commercial sites is ironic for a community associated with the nursery industry.

The plan recommends adopting comprehensive non-residential landscaping regulations requiring landscaping bufferyards at the front, side and rear of the site, along buildings, driveway throats, islands that cap and break up parking rows, and islands that divide large parking areas into smaller, more manageable units. Required buffers at the front of a site must be deep enough to accommodate future road widening projects. The plan also recommends minimum requirements for the number of trees and shrubs, and tree protection requirements. Protection of watershed is recommended by prohibiting vegetation that requires fertilizer in areas that drain directly to waterways.

Landscaping regulations should be in a section of the code containing other bulk and site design standards.

4.8 The basics of transfer of development rights (TDRs)

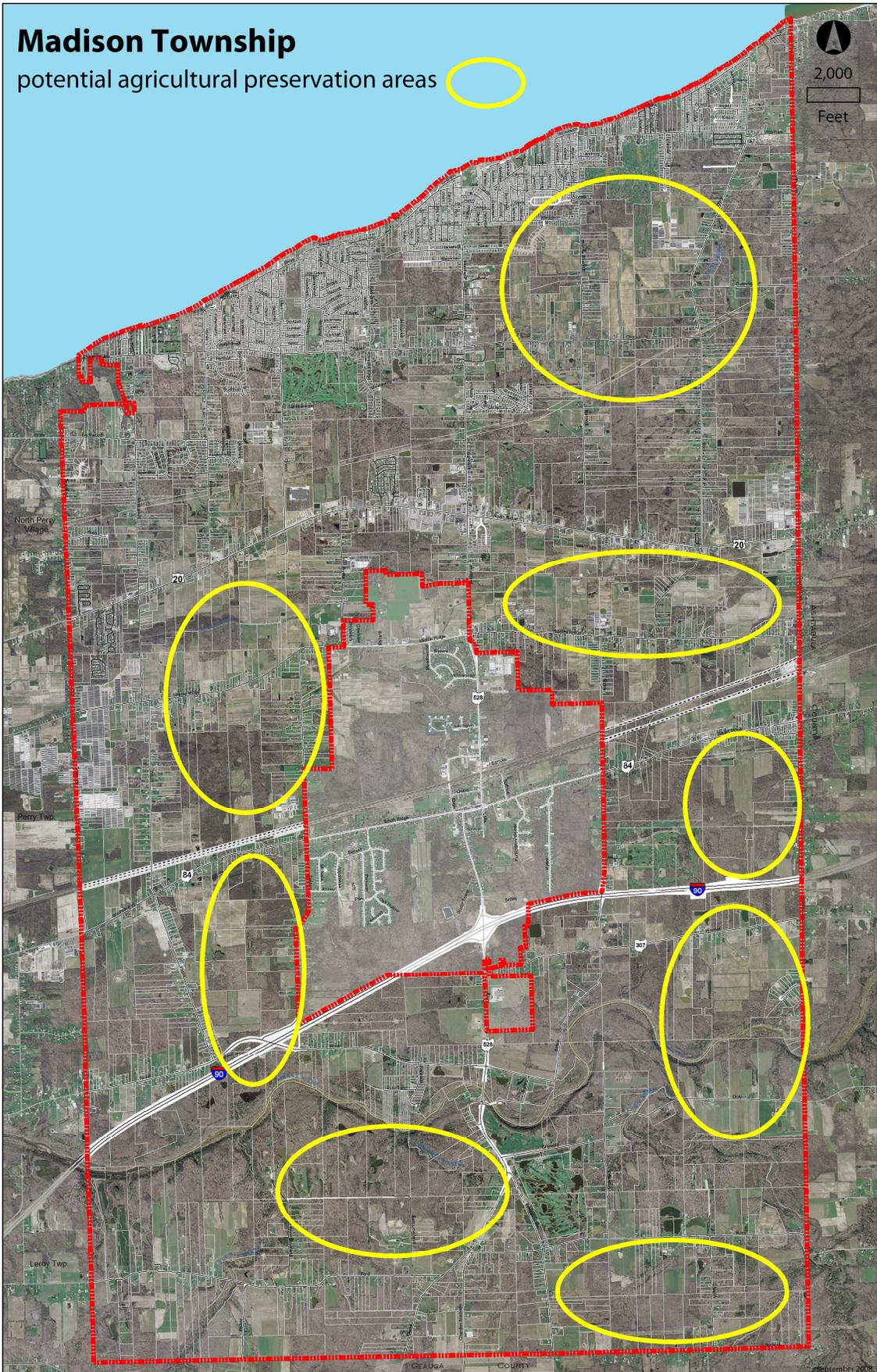
Transfer of development rights (TDR) is an effective tool that has been used to protect farmland and open space in one part of a community, while encouraging development in another. Transfer of development rights programs allow landowners to voluntarily transfer the right to develop one parcel of land, usually an agricultural or environmentally sensitive area, to a different parcel of land in an area where higher-than-normal density would be tolerated and desirable. The parcel of land where the rights originate is called the “sending” parcel. When the rights are transferred from a sending parcel, the land is restricted with a permanent conservation easement, and the development potential is frozen. The parcel of land where rights are transferred is called the “receiving” parcel. Buying these rights generally allows the owner of a receiving parcel to build at a higher density than normally permitted by the base zoning.

Transfer of development rights programs have been used in other areas of the country for the preservation or protection of open space, natural resources, farmland, and urban areas of historical importance, but it has not been used in Ohio.

See appendix for detailed case study in Madison Township and Madison Village.

4.9 Agricultural preservation

The nursery industry remains the anchor of Lake County agriculture. The 1998 Census of Horticultural Specialties counted 68 horticultural operations in the county, generating \$59,153,000 in total sales, and \$54,656,000 in wholesale sales. The Nursery Growers of Lake County have tallied over 100 nurseries in Lake County, generating an estimated \$90,000,000 in annual wholesale sales. In 1983, 2,816 acres in Lake County were used for horticultural operations. In 1999, 5,000 acres of CAUV land was used for horticultural operations. The majority of nurseries in Lake County are in North Perry Village, Perry Village and Perry and Madison Townships, north of Interstate 90



Increasing urbanization, and its impact on runoff patterns and groundwater supply, is a threat to the nursery industry in the village and eastern Lake County. Grading for adjacent residential development changes the established natural drainage pattern in areas near nurseries, directing stormwater runoff away from nursery sites. Increasing impermeable surface in an area near the nursery, such as building a parking lot where water drains to a storm sewer or ditch, can decrease the amount of groundwater available at a nursery site. Impact to nurseries from altered hydrology is not considered when reviewing a subdivision or other proposed non-agricultural development.

As well as transfer of development rights and purchase of development rights, there are other tools available to preserve agricultural uses in Madison Township.

CAUV PROGRAM

Locally, farmers can enroll in the Current Agricultural Use Value (CAUV) program. CAUV is a voluntary real estate tax assessment program that is the result of a referendum passed by Ohio voters in November 1973. Under CAUV, owners of farm tracts 10 acres or larger are given the opportunity to have their parcels taxed according to their value in agriculture. If the land was not part of the CAUV program, the tax value could be considered the speculative value of non-farm development, or what would be full market value.

According to state statutes, a landowner must devote the parcel "exclusively to agricultural use" to qualify for use value assessment. Agricultural land that lies fallow for one year is also eligible for CAUV.

A farmer that converts land to a non-agricultural use while enrolled in the CAUV program must pay a penalty equal to the tax savings over the past three years. According to the Lake County Auditor, approximately 6,700 acres is currently enrolled in this program in the township.

Protecting farmland helps communities maintain their semi-rural atmosphere and aids in reducing future demands for costly new community services, including road maintenance. Local, state and national studies have shown the economic balance and benefit provided with active agriculture in a community. Local organizations can assist local land owners interested in pursuing preservation measures.

AGRICULTURAL SECURITY AREAS (ASA's)

In May 2005, the Ohio Agricultural Security Area (ASA) program went into effect. This incentive based land protection measure allows one or more landowners to request from the County Commissioners and Township Trustees to enroll at least 500 acres of contiguous farmland into an ASA for 10 years. They are not designed to stop development, but to protect farmland by creating special areas where agriculture is encouraged and protected. Program details include (Ohio Department of Agriculture):

1. Ohio's Agricultural Security Area (ASA) legislation, House Bill 414, was sponsored by Representative Tony Core and passed the Ohio House on May 11, 2004, by a vote of 93 to 4 and passed the Ohio Senate on December 7, 2004, by a vote of 29 to 0. Governor Bob Taft signed the bill on February 15, 2005, and it went into effect on May 18, 2005.
2. To be eligible, a farmland owner must be enrolled in the Current Agricultural Use Valuation (CAUV) tax program and enrolled in an Agricultural District; must be utilizing "best management practices;" and must not have any civil or criminal actions in violation of Ohio or U.S. environmental law in the 10 years immediately preceding the date of application.
3. Eligible farmers, who either individually or collectively own 500 or more contiguous acres of farmland, would submit an application requesting a resolution of support from both the township trustees and county commissioners to form an ASA for 10 years. The trustees or

commissioners may hold separate or joint public hearings prior to approving or rejecting an ASA application.

4. During the 10-year enrollment period only agricultural activity as defined by Section 5713.30 of the Ohio Revised Code is permitted. However, a farmer may request a non-farm development activity be undertaken and local governments may approve such activity, but only if the local governments determine that such activity would not impair the ability to farm and the land must remain enrolled in CAUV, with one exception. The exception is that one residence per 40 acres is permitted for the landowner's relatives.
5. ASAs are a partnership between the farmland owner and the local elected officials. The local governments commit not to initiate, approve, or finance any non-farm development activity, such as extending water and sewer lines, building new roads, housing subdivisions, commercial or industrial facilities, etc., within the ASA during the 10-year term. Likewise, landowners commit not to undertake any non-agricultural development on their farmland.
6. In addition to being protected from incompatible development and receiving the benefits of CAUV and Agricultural District enrollments, farmers may receive, at the discretion of the township trustees and the county commissioners, a real property tax exemption on new or expanded farm buildings. A minimum investment of \$25,000 is required and local officials may establish a maximum investment cap. The tax exemption would be up to 75% and up to 10 years.
7. If a landowner violates or withdraws from the ASA during the 10-year period of enrollment, a recoupment of the tax exemption benefits will be made and the landowner must pay a \$500 fine to the township trustees and the county commissioners.
8. If during the first five years of the ten year enrollment a landowner(s) violates or withdraws from the ASA and the ASA then has less than 500 acres, the ASA expires. All landowners who received an ASA tax exemption must repay the tax benefits, plus an interest penalty on that amount equal to the average bank prime rate.
9. If during the last five years of the ten year enrollment a landowner(s) violates or withdraws from the ASA and the ASA then has less than 500 acres, the ASA does not expire. However, the landowner(s) who drops out must pay a \$500 fine and repay any tax benefits granted, plus an interest penalty on the tax benefits equal to the average bank prime rate. Other land owners who remain enrolled in the ASA are not penalized. After the 10 year enrollment ends, however, the ASA must contain at least 500 acres in order to be renewed for another 10 year term.

In Lake County and Madison Township, 500 acres may be too large for our agricultural type. This plan recommends working with the Planning Commission and Lake County Soil and Water Conservation District in creating an acceptable model code to meet local needs. This will also require cooperation from our State Representatives.

CONSERVATION EASEMENTS

Landowners have the option to extinguish the right to develop the land that they own. They may do so by establishing a conservation easement, which will protect the land from being developed. Agricultural conservation easements are designed specifically to protect farmland from development and to keep it available for agricultural land uses. The landowner retains ownership and all the other rights of ownership of the parcel. Easements may apply to the entire parcel or a portion of the parcel; most are permanent. All conservation easements legally bind future landowners forever or for the term of the easement.

There are currently two easement purchase programs available to compensate landowners for protecting their land with an agricultural conservation easement. Landowners may also donate all or a portion of their easement and receive income and estate tax benefits from giving up the easement value of their property.

OHIO AGRICULTURAL EASEMENT PURCHASE PROGRAM (AEPP)

The Ohio Agricultural Easement Purchase Program (AEPP) is a part of the Clean Ohio fund which provides grants to preserve farmland, clean up brownfields and to create recreational green spaces in Ohio. The AEPP requires a minimum 25% monetary match or landowner donation of 25% of the appraised value of the easement and a 40 acre minimum parcel of land. At the publication date of this plan, the AEPP will pay a maximum of \$2,000 per acre and \$500,000 per farm to successful applicants. Applications are made on behalf of landowners by local land trusts or by the Lake County Soil & Water Conservation District. An annual application period usually opens in the spring. The factors which determine which applications are selected include soil quality, proximity to other protected areas, use of best management practices, local support and planning.

FEDERAL FARM AND RANCH LANDS PROTECTION PROGRAM (FRPP)

The Farm and Ranch Lands Protection Program (FRPP) provides matching funds to State, Tribal or local governments and non-governmental organizations with existing farm and ranch land protection programs to purchase conservation easements. The FRPP will pay 50% of the appraised fair market value of the easement and requires a 25% minimum match from a governmental entity and a 25% maximum match from the landowner. To qualify, the land must contain prime, unique or other productive soil, be covered by a conservation plan for any highly erodible land, be large enough to sustain agricultural production, be accessible to markets for what the land produces, be surrounded by parcels of land that can support long-term agricultural production and be owned by an individual or entity that does not have an adjusted gross income that exceeds \$2.5 million.

Applications are made on behalf of landowners by local land trusts or by the Lake County Soil & Water Conservation District. The annual application period is in the spring.

RIGHT TO FARM

A farmer in Medina County got a ticket for disturbing the peace after a neighbor complained that he was out in the fields too late. A homeowner in Preble County threatened to file a lawsuit because a neighbor's tractor kept him from hearing his television. Neighbors sued a farmer in Summit County for using a device that keeps birds out of fields by mimicking the sound of shotgun blasts. The lawsuit was dropped.

Ohio has a Right to Farm Act that in most cases protects farmers from nuisance suits over externalities caused by normal farming operations; sound, smell, traffic, dust, vibration, and chemical use. Right to Farm legislation does not protect those who operate negligently or illegally.

A county commissioner in Larimer County, Colorado wrote The Code of the West in 1995. The Code is an etiquette manual intended to remind suburban refugees that rural areas are not necessarily romantic or bucolic; municipal services may be lacking, farms can create unpleasant externalities, and danger from forest fires and flash floods may be a constant threat.

Many rural and urbanizing countries followed the lead of Larimer County, and now issue advisory guides similar to the Code of the West, for those contemplating moving into exurban and rural area. Reference to these guides is added as a plat note on new subdivisions.

Madison Township does not have an equivalent to the Code of the West, although it can be easily drafted. Prospective exurban and rural residents need to be aware of conflicts between agricultural and residential uses, and of externalities that are foreign to their former urban and suburban settings.

AGRITOURISM

Agritourism is a commercial enterprise at a working farm, conducted for the enjoyment of visitors while generating supplemental income for the owner. Agritourism opportunities include outdoors recreation (horseback riding, cross country skiing), direct sales (self-pick farms, farm stands), educational experiences (tours, historical exhibits), accommodations (bed and breakfast inns), and entertainment (corn mazes, hayrides, concerts).

Agritourism is a growing sector of the tourism trade. About 62.4 million Americans – nearly 30% of the U.S. population – visited a farm during a 12-month period in 2000-2001, according to the 2000 National Survey on Recreation and the Environment.

Several counties in California sponsor “farm trails,” which are similar to wine routes. Farms along the trail offer tours, direct sales to the public, and occasionally lodging and dining. The California Agricultural Homestay Bill exempts farms and ranching operations that offer overnight stays from the more stringent requirements of operating a commercial restaurant. To qualify for overnight stays, the farms and ranches must produce agricultural products as their primary source of income. Farmers are limited to six guest rooms and 15 visitors a night.

In Ohio, Freshwater Farms in Urbana offers tours of their hatchery, and operates a farm market offering products from the hatchery and other area agricultural operations.

The most visible agritourism-related activities in Lake County can be found at wineries in Madison Township. Chalet Debonne offers a variety of attractions appealing to tourists, including tours, tasting, a gift shop, an amphitheatre for concerts, live entertainment, and outdoor dining. Claire’s Grand River Winery offers tours by appointment. Maple Ridge Vineyards offers on-premises wine sales, tasting and tours. There is the opportunity to develop more amenities that could attract those touring Winery District visitors, such as bed and breakfast inns, hotels, restaurants and regular tours.

Some nurseries in Lake County offer sales direct to the public, but there is no coordinated effort to promote local nurseries as a destination to tourists or day trippers.

Zoning restrictions can limit agricultural tourism opportunities in many Lake County communities, including Madison Township. In the township, some agricultural operations take place on property with residential and commercial zoning designations. Zoning regulations may allow agriculture in residential zoning districts, but not always agritourism related uses and businesses. This plan recommends revisiting permitted uses in the district, removing barriers that may prevent agritourism uses at nurseries and farms, and ensuring that amendments to the zoning code do not harm the potential for agritourism uses.

4.11 Community identity

Approaching Madison Township on North Ridge Road/US 20, Middle Ridge Road, or South Ridge Road, it is difficult to know exactly one has crossed the township line. The development pattern in eastern Lake County varies little from community to community; houses, former motels, nurseries, garden centers, vehicle dealers, and convenience retail scattered along arterial roads, with residential frontage development along collector roads. The town line sign provides the only evidence that a driver crossed into Madison Township.

Concerns about community identity tended to rank low in surveys both in Madison Township and other Lake County communities. The relative silence regarding community identity bucks a growing national trend of increasing concern about the homogenization of the built

environment, the decreasing influence of local culture and traditions, and a lack of rootedness and emotional attachment to a place.

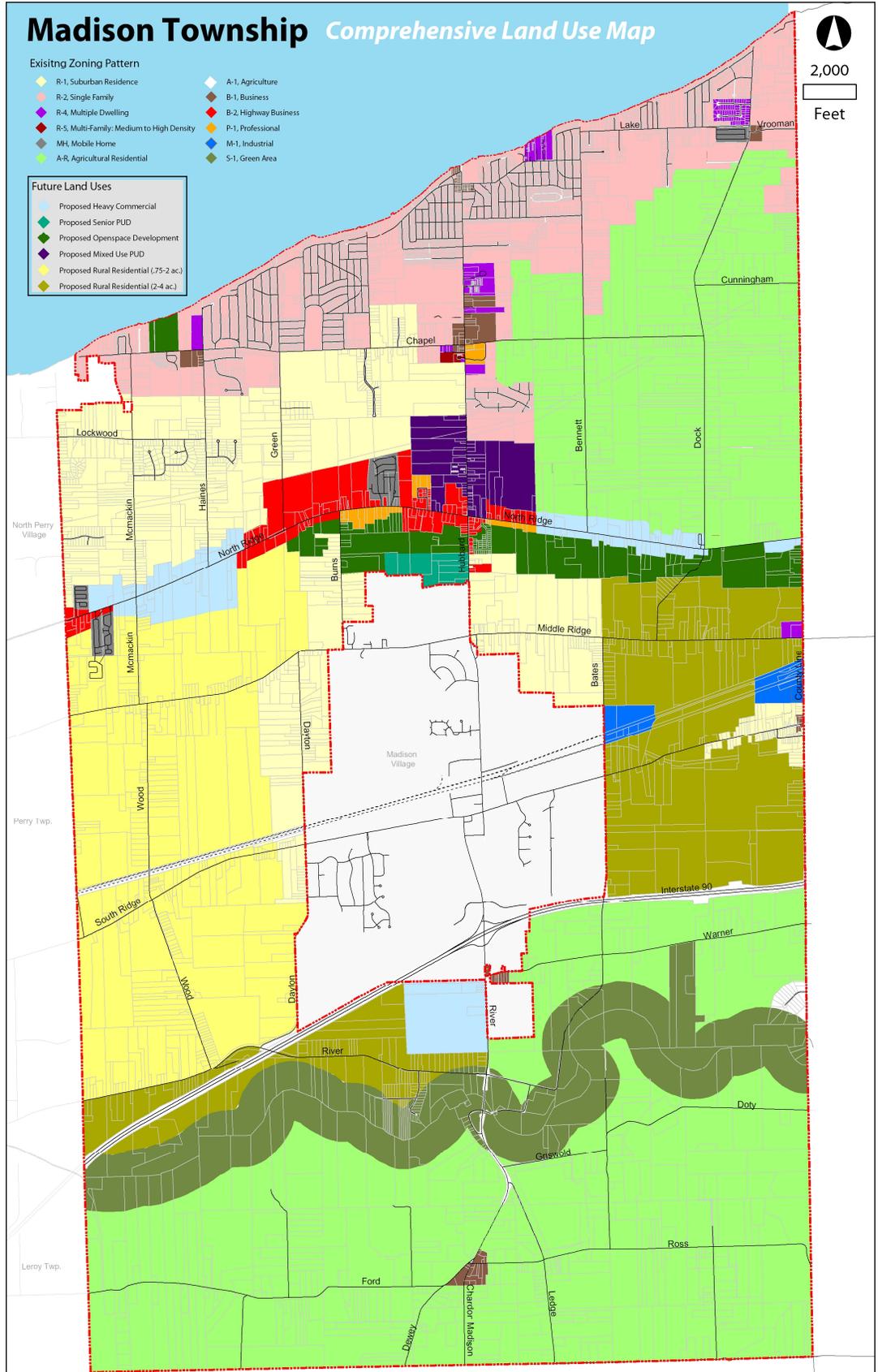
Many of the recommendations made in this plan, if implemented, will over time result in a physical environment, and development pattern that will clearly distinguish Madison Township from its neighbors.

This plan also recommends basic community branding to help reinforce a distinct identity, identify and market both Madison Township and Madison Village together, much like a product. Distinctive and tasteful welcome signs – not a metal highway sign – should greet drivers crossing township and village boundaries. Street name signs should also break from the mold of a standard green rectangular metal sign. Display of public art that reflects local culture and customs should be considered at gateways and strategic intersections.

4.12 Future land use map

The future land use map is to establish the framework for future development as a general, conceptual guide. The map identifies in general terms the various types of land uses and their respective locations throughout Madison Township, as based on the aspirations of the comprehensive plan. It bridges the gap between existing and future development to guide new projects so they may better blend into and preserve the fabric of the township.

The future land use map is considered a guide for zoning and future development in the township, and should be closely adhered to. However, each proposed development should be judged upon its merit and compatibility with surrounding land uses as well as other goals and policies set by this plan.



4.13 Goals and policies

Each primary paragraph (**in bold type**) is a statement of a goal. The subparagraphs are policies for implementing the goal. Some goals and policies related to land use are found in other elements. The future land use map, which display recommended land use/zoning patterns, is an integral part of these goals and policies.

- LU-1 Contemporary, effective land use planning tools will be used to preserve the semi-rural character of Madison Township.**
- LU-1-p1 Rewrite and adopt a new zoning resolution, written in plain, clear English and making extensive use of illustration and tables, to help implement the goals and policies of the 2008 Madison Township Comprehensive Plan.
- LU-1-p2 Review the comprehensive plan and zoning resolution annually, to keep ahead of emerging land use trends in the region and nation.
- LU-1-p3 Consider converting the existing planned unit development (PUD) zoning process as a zoning district change through the Township Zoning Commission and Trustees.
- LU-1-p4 Convert use of business and industrial classification systems for land use classification in the zoning resolution.
- LU-1-p5 Create two new residential zones with larger lot size and frontage requirements in the central and southern portions of the Townships.
- LU-1-p6 Create an Open Space Development zone along sensitive natural areas in the Township (Arcola Creek).
- LU-1-p7 Create a mixed use PUD near the Hubbard Road corridor north of North Ridge Rd.
- LU-2 Residential development will be in a form that reinforces a unique sense of place, and make Madison Township distinct from surrounding communities.**
- LU-2-p1 Consolidate the R-1 and R-2 suburban residential zoning districts into one district.
- LU-2-p2 Remove single family development as a permitted use in the R-4 district.
- LU-2-p3 Concentrate the bulk of residential development in North Madison, areas near the commercial center of the North Ridge Road/US 20 corridor, Unionville, and Madison Village. Encourage medium-density residential development, following a traditional neighborhood model, in the North Madison and Unionville areas.
- LU-2-p4 Place parks and public space in the town center area where they will front streets and create vibrant, safe gathering areas; not behind houses where they serve as virtual extensions of private rear yards.
- LU-2-p5 Increase the minimum front yard setbacks for residential lots fronting collector and arterial roads, to reduce the visual impact of future frontage development.
- LU-2-p6 Enforce zoning requirements that prohibit disruptive home occupations, such as retail uses, construction vehicle and heavy equipment storage, vehicle repair and body work, and contractor yards.

- LU-2-p7 Work closely with Madison Village when reviewing residential development that is close to the village boundary, or which may have an impact on village roads and infrastructure.
- LU-3 Commercial and industrial areas will be well-planned, appropriately located and sized, and encourage uses that are not disruptive or present an unflattering impression of the Township to visitors.**
- LU-3-p1 Implement a simplified and more logical categorization of permitted commercial and industrial uses. Ensure terminology for land uses is consistent across all zoning districts and throughout the zoning code.
- LU-3-p2 Evaluate and amend the current semi-industrial and industrial uses in commercial zoning districts.
- LU-3-p3 Create a heavy commercial zone along North Ridge Roads for appropriate uses that do not fit into the existing zoning districts.
- LU-3-p4 Discourage additional strip commercial zoning. Limit agglomerations of commercial uses to established clusters at Madison Township Park, Hubbard Road and Chapel Road, and SR 528 and Ledge Road. (Location of commercial uses along the North Ridge Road/US 20 corridor is addressed in the US 20 corridor plan.)
- LU-3-p5 In concert with the Lake County Coastal Plan, establish a more active area in the area immediately surrounding Madison Township Park.
- LU-3-p6 Work closely with Madison Village when reviewing commercial development that is close to the village boundary, or which may have an impact on village roads and infrastructure.
- LU-4 Industrial areas will be well-planned, appropriately sited and sized, located in areas where they will have minimal impact on township and village infrastructure, residential areas, and encourage uses that are not disruptive or otherwise inappropriate for a semi-rural community.**
- LU-4-p1 Locate, design and develop industrial sites and areas in a manner that reinforces a distinct sense of place, and offers a positive impression of Madison Township.
- LU-4-p2 Limit the acreage of industrial zoned land in the township to only the amount needed to realistically meet future demand. Acknowledge that the importance of manufacturing in Northeast Ohio is diminishing and unlikely to regain its former prominence; and that an abundance of industrial zoned property will not, by itself, draw industry to the area.
- LU-4-P3 Restrict industrial uses to 529/I-90 area, and an area east of Bates Road, south of Middle Ridge Road, and north of the Norfolk Southern/CSX railroad corridor.
- LU-4-P4 Prohibit intrusive industrial and semi-industrial uses as a permitted land use in commercial zoning districts.
- LU-4-p5 Remove commercial and heavy industrial uses as permitted uses in light industrial zoning districts.
- LU-4-P6 Work closely with Madison Village to recruit industrial businesses, and ensure that externalities have a minimal impact on the village center.

LU-5 Commercial and industrial development will be attractive, inviting, convenient, and of a high quality.

- LU-5-p1 Revise sign design requirements to contribute to a built environment that will differentiate Madison Township from adjacent municipalities, and reinforce the township's identity and semi-rural character.
- LU-5-p2 Implement architectural design requirements for commercial and industrial uses to promote quality architecture, and enhance sense of place as suburban development and growth pressure encroach further into eastern Lake County.
- LU-5-p3 Implement site planning requirements for commercial and industrial uses, to encourage and reward high quality development.
- LU-5-p4 Establish standards for landscaping and screening, to minimize the impact of new development on the surrounding neighborhood, reduce heat islands, promote a sylvan visual environment, and reinforce the identity of Madison Township as a center of the nursery industry.
- LU-5-p5 Establish controls on the direction and maximum height of lighting, and the glare from reflective materials used on the exterior of structures, to prevent glare and light pollution, enhance semi-rural character, and encourage energy conservation.

LU-6 The nursery industry and agriculture will continue to be the signature land use in Madison Township.

- LU-6-p1 Permit agritourism related businesses, such as bed and breakfast inns, tours, commercial hay rides, u-pick operations, corn mazes and the like as accessory uses to working agricultural uses, to allow such uses to remain economically viable in the face of exurban development. Ensure that zoning regulations do not restrict agritourism-related businesses.
- LU-6-p2 Encourage the participation of agricultural trade association members in town planning activities and boards.
- LU-6-p3 Encourage property owners to participate in programs such as CAUV, Conservation Easements and the Agricultural Security Area.
- LU-6-p4 Consider the agricultural potential and value of unique soils when evaluating plans for large-scale development.
- LU-6-p5 Consider impacts on existing agricultural operations as criteria for development approval, and require mitigation for any detrimental impacts. This includes considering the impact to the drainage pattern and water supply on existing agricultural operations and fallow agricultural land.
- LU-6-p6 Provide adequate buffers with development adjacent to agricultural land, to minimize conflicts and complaints concerning standard agricultural practices. Update zoning regulations to include guidelines for design elements to help achieve compatibility between agricultural and non-agricultural uses.
- LU-6-p7 Adopt a resolution establishing a "Code of the Exurbs" for Madison Township, which informs prospective new residents about the responsibilities and consequences of living in rural and exurban areas.

LU-6-p8 Work with the Lake County Soil and Water Conservation Office on a Lake County version of the State's Agricultural Security Area (ASA) program.