

## 4 Land Use

### 4.1 Introduction

The current landscape of Leroy Township and regional growth patterns exhibited in Northeastern Ohio validate the importance of proper land use and zoning decisions in the short term. Unlike other communities in the region, Leroy Township is a nearly blank slate; citizens and elected officials have the opportunity to provide a blueprint of the natural and built environment for future generations.

*The residents of Leroy Township desire a sense of community with small-town values while preserving the community's rural atmosphere and providing an alternative to other jurisdictions in Lake County. By updating this comprehensive plan, the township will implement strategies to manage development of the community while supporting Township services and activities and amenities that contribute to a rural way of life*  
-- Leroy Township Comprehensive Plan Vision

The Land Use element is not intended to be a lot-by-lot plan for future development and preservation of land in Leroy Township, but rather a guide for development and best management practices. To preserve its rural ambience, the township must address the increasing suburban growth pressures and redevelopment of existing areas, subject to good planning practice and the limitations of state law.

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 2023 Township Survey and various public meetings.

### 4.2 Recent development history

Policies of the 1960 Lake County Comprehensive Plan were intended to apply to Leroy Township, along with the rest of the county. The first specific township plan was the *Leroy Township Draft Comprehensive Plan*, adopted in June 1979. The plan was followed by the *Leroy Township Amendment to the Lake County Comprehensive Plan* in 1984, the *Leroy Township Comprehensive Plan* in 1996, the *Leroy Township Comprehensive Plan* in 2005 and the *Leroy Township Comprehensive Plan in 2018*.

A review of existing planning documents confirms the traditional land use pattern of the township has been relatively consistent over the past 55 years. Single family houses on large lots carved from even larger lots, open space and vacant land, recreation, agriculture and very limited commercial uses have been and will likely continue to be the primary land uses throughout Leroy.

**DRAFT**

The unprecedented growth that characterized the post-WWII era was confined to the extreme western portion of Lake County. Leroy Township maintained its rural atmosphere, even though many new residents commuted to employment centers closer to Cleveland. The lack of public utilities, specifically central water supply and sanitary sewer, and distance from employment centers insulated Leroy from development pressures in the 1950s and 1960s.

During the 1960s and 1970s, when manufacturing and industrial businesses expanded east of Cleveland in Lake County, more jobs became available in western and central Lake County. An “edge city” of white-collar employment began to emerge along the I-271 corridor in eastern Cuyahoga County, less than a 30-minute drive from the Vrooman Road exit of I-90. Nearby employment opportunities, along with an improved transportation network, made Leroy a more attractive destination for prospective move-up homebuyers. The majority of new township residents were relocating from inner-ring suburbs such as Willowick, Wickliffe and Willoughby, rather than Cleveland or Cuyahoga County.

Middle class people working in the urban and suburban areas could now have – and afford – a rural lifestyle previously enjoyed only by the wealthy and those that work the underlying soil. However, as demand for exurban building sites increased, the price of the land also rose, making subdivision and development more lucrative than agriculture.

Growth in Leroy Township did not come in the form of large residential subdivisions, but rather the creation of large building lots carved from larger farm parcels. According to the *1979 Leroy Township Comprehensive Plan*:

*Around 1957, several parcels were completely divided into lots, one to two acres in size. The larger of these subdivisions include Jennings Drive, Lester Drive, the northwest corner of Carter and Vrooman Roads, and the west side of Callow just south of Girdled Road. Twenty-two years later some of these lots, including almost all of Callow, are still not used for homesites.*

Today, these areas have begun to be occupied by single family homes. Minor subdivisions or lot splits, as defined by the Ohio Revised Code, continue to be the primary form of land division in Leroy Township. Between 2018 and 2024, an average of four new building lots were created annually, all through minor subdivision process. This is down from the seven lots added on average between 2005 and 2017.

The landscape of the township is classified as rural in the traditional urban-suburban-rural context but exhibits all the characteristics of an exurb as



**DRAFT**

described in the *Introduction* section of this plan. Tom Daniels' *When City and Country Collide* defines an exurb as a place having the following characteristics:

- Located 10 to 50 miles (16 to 80 kilometers) from urban centers of approximately 500,000 people or five to 30 miles (8 to 50 kilometers) from a city of at least 50,000 people.
- Commute time is at least 25 minutes each way to work.
- Communities have a mix of long-term and newer residents.
- Agriculture and forestry are active, but declining industries in the community.

While the natural environment and community atmosphere continue to yield a somewhat rural lifestyle, if unchecked, exurban growth can create deep inequities by chipping away at the urban region's tax base while the booming areas struggle to pay for costly infrastructure like sewers and roads. "It takes a lot of people realizing that maybe they should work together on things," said Myron Orfield, a Minnesota state legislator and expert on urban and regional planning issues. "Without formal planning, they'll get a lot of traffic and a lot of failing septic tanks. After a while it will be a lot different place than people thought, they were moving to."

Exurban characteristics are applicable to Leroy Township and have been shaping the community for 40 years with a changing land use pattern. The rural nature of Leroy is proven with the data from 1972 and 1976. In 1972, approximately 80% of the township was considered agriculture or vacant land; 5% of the land was in residential use. An additional 10% of lands were public or semi-public (parks, cemeteries, church camps, and other types of lightly used active open space.)

In 1972, three acres (1.2 hectares) were occupied by commercial uses. Today, the commercial make-up of Leroy Township has increased to 30 acres (12 hectares), or 0.2% of all land in the township. While the figure has increased dramatically, the general vicinity of these areas has not changed. Two primary commercial nodes were noted in the 1979 plan and continue to serve as the commercial base today: the Vrooman Road/I-90 interchange and the Five Points Roundabout area. Similar to residential growth patterns, increased commercial uses in the Township are dependent on public infrastructure.

The number of parks, semi-public and public land has increased from the 1970s, to 2,411 acres (976 hectares) today. Aside from township parks or efforts by Lake Metroparks, conservation have been encouraged at the individual level as with riparian setbacks. The township can also encourage slope regulations as part of the zoning resolution and the potential for conservation easements.

Through the 1980s, development and rural transformation was extremely light, in the light of a statewide economic downturn where residential building and investment was stagnant. However, field studies from 1992 indicated the agriculture and vacant land was reduced to 70% of the land in the township, and land occupied by residential uses increased to 11.5%. This point could signify the beginning of the transformation of Leroy Township from a rural to an exurban community.

**DRAFT**

The transformation continues to the present. In 2004, 19% of the land in the township was in residential uses, and 66% was vacant or in agricultural uses. In 2017, almost 20% of the land was being used as residential and 64% of the land is vacant or agriculture. The trend continued in 2024. Residential has increased to 21.5% and vacant and agriculture lands have dropped 60.8% of the township.

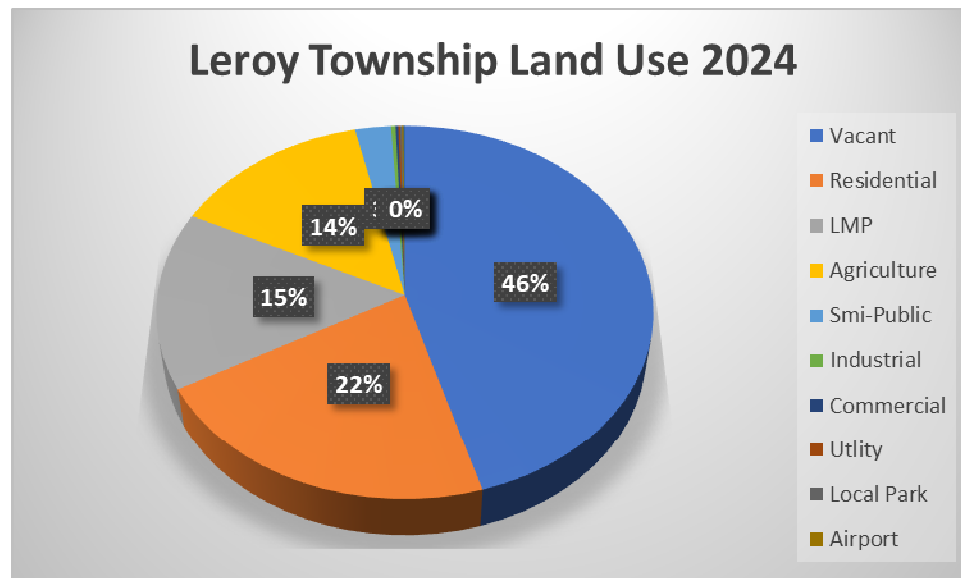
The 1979 Leroy Comprehensive Plan states “it is this low density and rural atmosphere, which makes Leroy attractive and appealing to existing and future homeowners.” This statement and new land use data mirrors the 2003 survey results and many comments heard during the preparation of this plan.

Leroy’s landscape continues to be dominated by vacant, agricultural and park land. 75 percent of the 16,037 acres in the township fall into these three categories. Residential is the largest of the developed categories at 20.9%. The other developed land categories, semi-public, commercial and industrial, only make 3.0% of the land area. Of the remaining land, 0.2%, or 32 acres is public (cemetery, fire station, town hall, park), 0.1% or 20 acres is utility and 0.1% or 18 acres is an airport owned by a college.

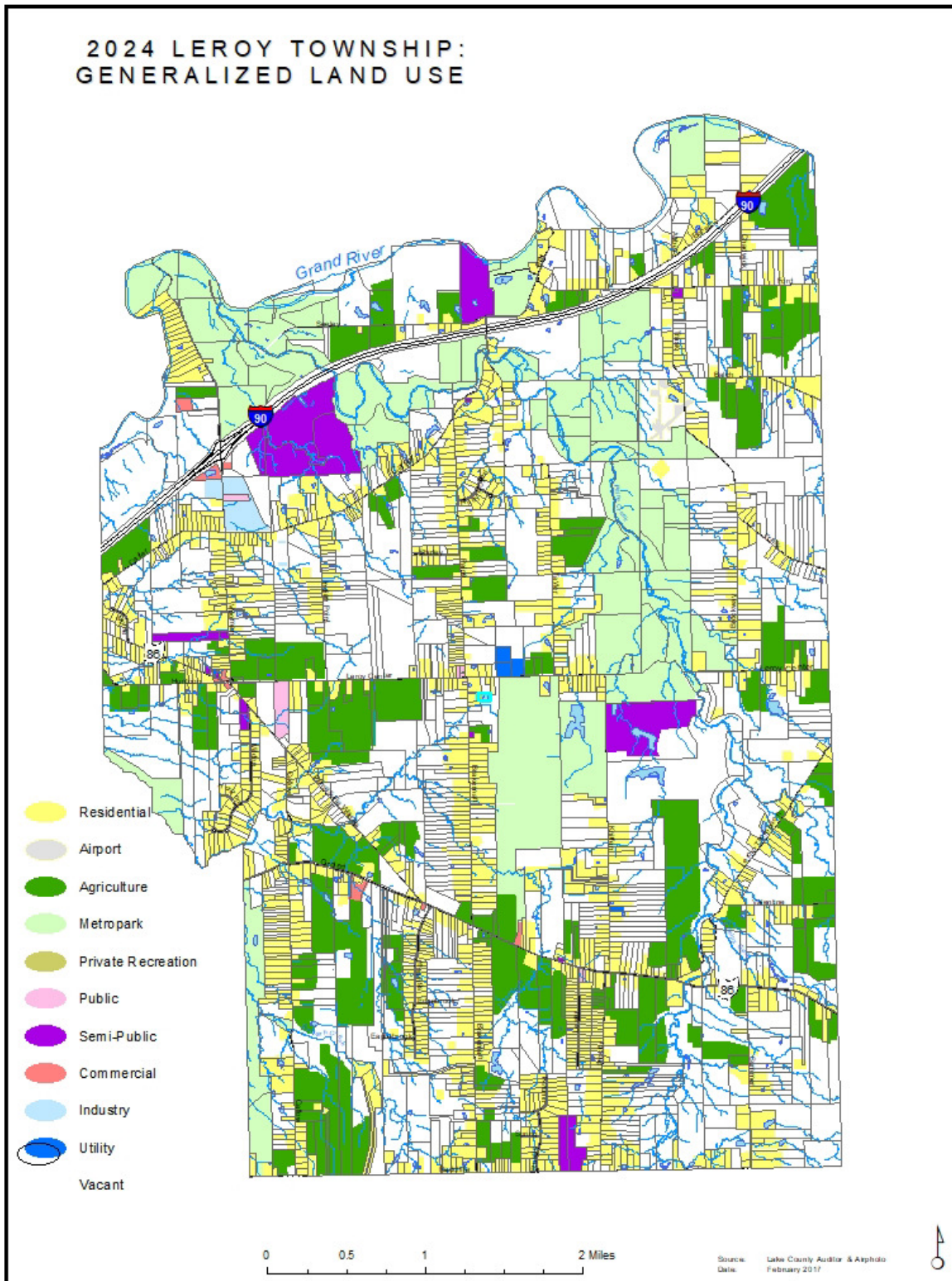
**Table 4.1**  
Land use distribution 2024  
Leroy Township

Use	Acres (2017)	Acres (2024)	% Of land in township
Vacant	7,733	7,055	43.9%
Residential	3,165	3,348	20.9%
Lake Metroparks	2,072	2,798	17.4%
Agricultural	2,401	2,200	13.7%
Semi-Public	451	397	2.5%
Industrial	42	51	0.3%
Public	32	32	0.2%
Commercial	30	30	0.2%
Utilities	15	20	0.1%
Airport	N/A	18	0.1%
Right-of-way	96	88	0.5%
Total	16,037	16,037	100%

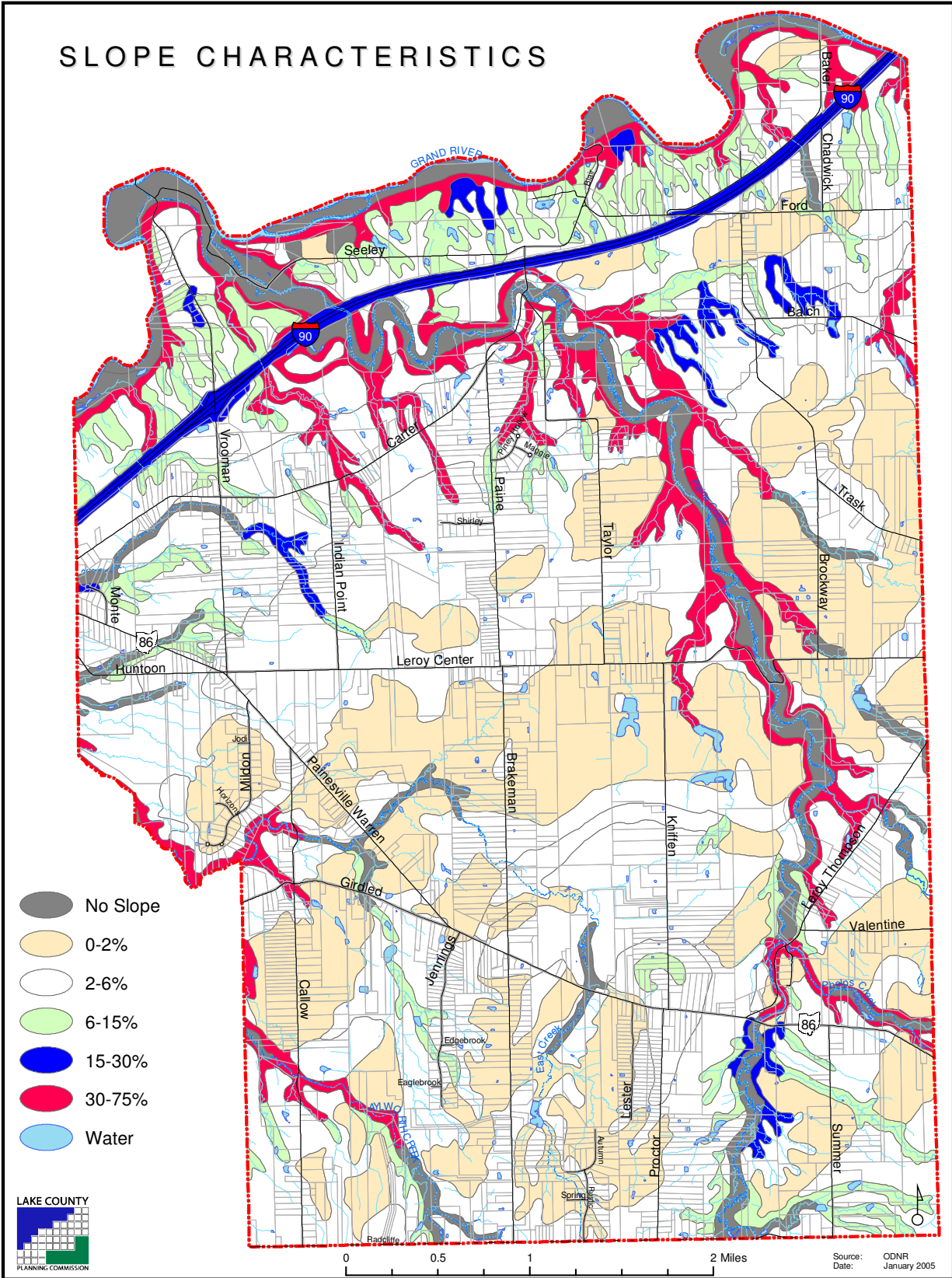
(Lake County Planning)



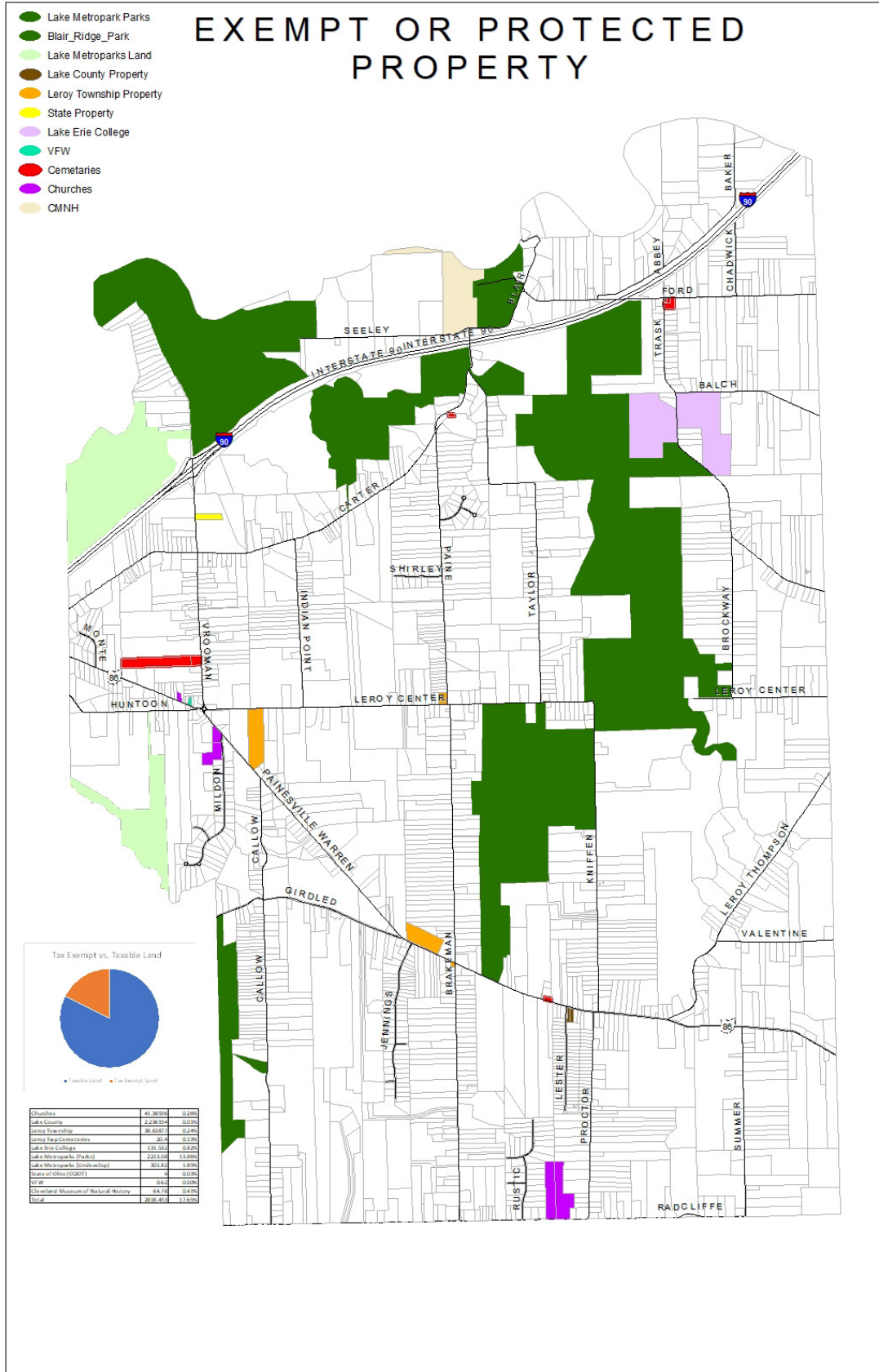
**DRAFT**



**DRAFT**



**DRAFT**



**DRAFT**

About 7,055 or 43.9% of the land in the township, is considered vacant. Aside from private residents, CEI (First Energy) is a large owner of land classified as vacant. Electric transmission lines occupy portions of these parcels. These parcels should not be considered “undevelopable” simply because of the electrical lines. The most significant concentration of their holdings is a large tract in between Kniffen Road and Brakeman Road. This area has been researched for the feasibility for residential development in the past. To date, lack of public infrastructure has made the development of this site unfeasible.

The remaining vacant land is scattered throughout the Township. Some areas were farmed in the past, but now sit fallow. A large percentage of the vacant property is wooded, and may be eligible for the Ohio Division of Forestry’s forest land designation, which yields a 50% property tax reduction. Other properties will probably remain vacant for the foreseeable future due to topography and environmental constraints. Those areas of high natural resource value should be protected through the use of conservation easements, riparian setbacks and other methods.

The current pattern of haphazard development and consumption of open space as described by Downs and Richmond (1998), along with the other traits of sprawl, will likely continue into the future. Considering current and historical land use figures, residential growth will continue at an ever-increasing rate under the current zoning and land planning strategies available to Leroy Township, regardless of the availability of sewer or water service.

### **Urban sprawl in Leroy Township**

Leroy Township is beginning to 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 except (8) and (9) apply to Leroy Township, and surrounding exurban communities in Lake and Geauga counties.

### 4.3 Zoning regulations

#### Zoning

Zoning is the primary form of land planning control authorized to Ohio townships. 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.

Table 4.2 Zoning district distribution 2024 Leroy Township			
<i>District</i>	<i>Acres</i>	<i>Hectare s</i>	<i>% Of land in township</i>
R-2 (Residential)	15,761	6,378.2	98.3%
B-1 (Business/commercial)	38.1	15.4	0.24%
B-2 (Special Interchange)	139.25	56.35	0.87%
B-3 (Community Business)	47.2	19.1	0.29%
B-4 (Neighborhood)	3.2	1.3	0.02%
I (Industrial/Manufacturing)	48.4	19.5	0.29%
<b>Total</b>	<b>16,037</b>	<b>6489.85</b>	<b>100.0%</b>

(Lake County Planning Commission)

Leroy Township adopted its first zoning regulations in 1949; two years after the Ohio General Assembly authorized zoning in unincorporated areas. The original zoning resolution is still in use today, although it has since been amended many times.

#### Residential zones

There is one residential zoning classification existing in the zoning text, R-2. 98.3% of all land in the township is zoned R-2, (3.0-acre lot size, 200-foot width with the option of 60-foot flag lot access). (Table 4-2).

Residential zoning designations in the township zoning allow for development at relatively low density. Despite having large lot widths, large lot size and large front



setback, the remaining setbacks are considerably shorter. Rear and side setbacks are only 20 feet. These shorter setbacks are smaller than the adjacent townships.

### Commercial zones

Commercial/business and industrial zones are permitted at three major nodes: Five Points roundabout and the Vrooman Road corridor north of Carter Road near the I-90 exit. A third smaller node is located at the intersection of Girdled Road and Painesville-Warren Road in the southern end of the township.

The Vrooman Road corridor north of Carter Road consists of three zones: B-1 (General Business), B-2 (Special Interchange) and I (Industrial and Manufacturing). The B-1 zone is the least restrictive zone permitting uses ranging from gas stations to daycare centers. B-1 zoned land comprises 82 acres (33 hectares), a large portion of which is vacant.

The B-2 zone was created in 2000 and modified in 2012 to confine certain uses to areas located at limited access highways, specifically Interstate 90. This zone was created and modified to spur businesses that cater to the travelers of I-90.

Existing businesses in these areas are limited in size due to lack of public infrastructure. The expansion of water and sewer would make these areas extremely attractive to potential businesses, especially considering increased traffic volume on Interstate 90 and Vrooman Road, through the high-level bridge connecting Leroy, Perry and Painesville townships, and an increasing population or customer base in the far eastern exurbs of Cleveland. The 2023 survey results indicated that a majority of the respondents would like to see nearly no industrial development and limited commercial development. There was support for sit down restaurants, coffee shops, ice cream

**DRAFT**

parlors, bakery, donuts and fast casual restaurants for burritos and Chinese food. The only retail use that survey showed some support for was grocery stores.

The area around the Five Points Roundabout was rezoned to B-3 after the district was created in 2012. This was done as a recommendation of the 2005 Comprehensive Plan and the creation of the roundabout. This district was created to preserve and enhance the historic commercial center of the Township at the Five-Points crossroads area through a mixture of community facilities, business, and recreational uses that serve as a gathering place for the community. Unlike B-1 or B-2, B-3 does not allow trade businesses like contactors or automotive repair.

The final commercial district, B-4 (neighborhood business), was also created in 2012. It was created to provide a neighborhood business district that will allow continued commercial activity at the S.R. 86 and Girdled Road intersection that is complimentary to the surrounding residential uses.

In the long term, if the population growth continues, the Five Points area will be an ideal spot for a town center zoning classification. This zone should permit professional business, retail, and restaurants. A town center of this type would provide an increased commercial base for potential business. More details are provided in Section 4.9.

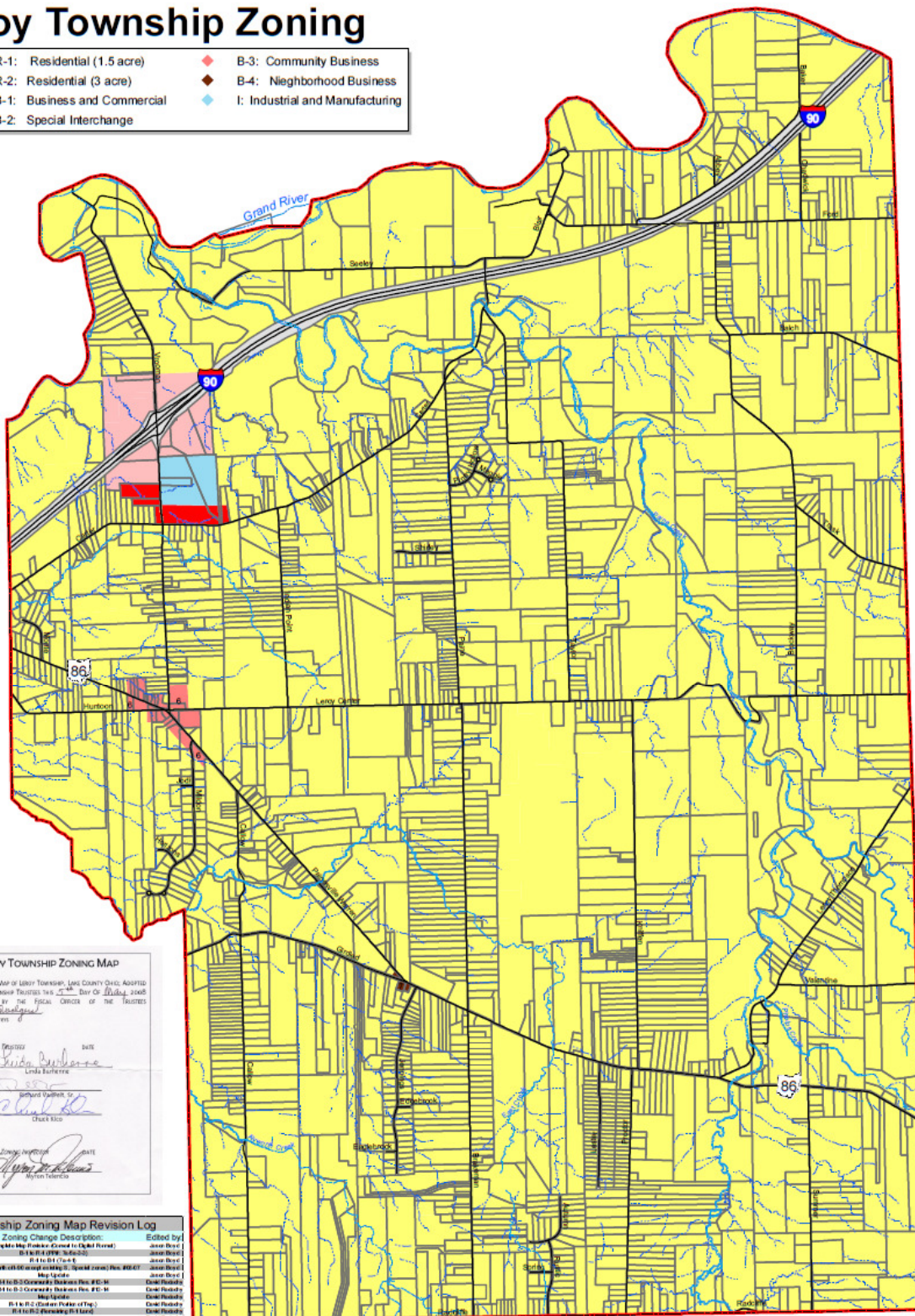
### **Industrial zones**

All land zoned I-Industrial is located on the east side of Vrooman Road, north of Carter Road. The State of Ohio currently operates a service garage on 4 acres in this area. Currently there is a concrete storage facility on 27 acres of the industrial land and the remaining 18 acres are vacant. The permitted uses allowed in this zone will require sewer and water.

Permitted uses in these zones consist of research and development labs, automotive repair, automotive parts and supplies, light manufacturing, distribution and wholesale uses, trade business services such as contractors, membership/sports/fitness clubs, indoor recreation and government facilities.

# Leroy Township Zoning

- ◇ R-1: Residential (1.5 acre)
- ◇ R-2: Residential (3 acre)
- ◆ B-1: Business and Commercial
- ◆ B-2: Special Interchange
- ◆ B-3: Community Business
- ◆ B-4: Neighborhood Business
- ◆ I: Industrial and Manufacturing



**LEROY TOWNSHIP ZONING MAP**  
 APPROVED ZONING MAP OF LEROY TOWNSHIP, LEAS COUNTY OHIO, ADOPTED BY THE LEROY TOWNSHIP TRUSTEES HAS, ON THE 11<sup>TH</sup> DAY OF JULY, 2008 AND CERTIFIED BY THE FISCAL OFFICER OF THE TRUSTEES ON 07/20/08  
 Sharon Rodgers  
 Trustee  
 Date: 7/11/08  
 Linda Barthelemy  
 Linda Barthelemy  
 Trustee  
 Date: 7/11/08  
 Richard Valentin, Jr.  
 Richard Valentin, Jr.  
 Trustee  
 Date: 7/11/08  
 Mylon Tolentino  
 Mylon Tolentino  
 Trustee  
 Date: 7/11/08

**Leroy Township Zoning Map Revision Log**

#	Date	Zoning Change Description	Edited by
1	Apr 2008	Complete Map Update - Correct to 2008 Revised	Jason Deitz
2	06/06/08	R-1 to R-2 (1.5 to 3)	Jason Deitz
3	09/02/08	B-1 to B-2 (Business and Commercial to Special Interchange)	Jason Deitz
4	Apr 2008	Map Update	Jason Deitz
5	08/08/08	B-1 to B-3 (Business and Commercial to Community Business)	Danil Rouds
6	10/13/08	B-1 to B-4 (Business and Commercial to Neighborhood Business)	Danil Rouds
7	10/08/08	Map Update	Danil Rouds
8	12/02/08	B-1 to I-1 (Business and Commercial to Industrial and Manufacturing)	Danil Rouds
9	08/05/08	B-1 to B-2 (Business and Commercial to Special Interchange)	Danil Rouds
10	08/05/08	B-1 to B-2 (Business and Commercial to Special Interchange)	Danil Rouds
11	07/11/08	Map Update	Danil Rouds



**DRAFT**

## Recreational Marijuana

In 2023, Ohio voters legalized recreation marijuana cultivation, processing and sales. Marijuana sales are subject to the regular sales tax, 7% in Lake County and additional 10% excise tax. The excise tax is divided the following way. 36% of the tax money goes to social equity and job initiatives, 25% goes to support abuse and addiction services, 3% goes to Ohio Division of Cannabis Control and 36% goes to the local jurisdiction.

There are 128 recreational marijuana dispensaries in 60 communities in Ohio. In the last six months of 2024, there were \$242,167,000 in sales, netting \$68,110 in tax revenue per store. There are five dispensaries in the City of Cleveland, so they received additional \$340,550 in revenue.

The law also allows for the local communities to prohibit the use in their community. In the case of Leroy Township, that would be done by Trustee Resolution. It would not be part of the zoning resolution.

## Zoning patterns and the tax base

Leapfrog development, where vast tracts of vacant land separate residential districts, burden residential taxpayers because of the high cost of building roads, water and sewer lines and other infrastructure through undeveloped areas where fewer people live.

According to cost-of-service studies conducted by municipalities throughout the United States, the cost of providing services for residential uses is greater than the property tax revenue they generate. Commercial and industrial uses pay more in taxes than the cost of services they use, essentially subsidizing residential uses and decreasing their tax burden.

Developed by the American Farmland Trust in 1990, cost of community service studies are being completed by

**Table 4.3**  
Cost of service studies in Ohio

Community	Cost of services used for every \$1 paid in property tax		
	Residential	Commercial and industrial	Agricultural
Huntington Township / Ross County (1998)	\$1.01	\$0.38	\$0.19
Union Township / Ross County (1998)	\$1.00	\$0.31	\$0.60
Hocking Township / Fairfield County (1999)	\$1.10	\$0.27	\$0.17
Liberty Township / Fairfield County (1999)	\$1.15	\$0.51	\$0.05
Madison Township / Lake County (1993)	\$1.40	\$0.25	\$0.30
Madison Village / Lake County (1993)	\$1.67	\$0.20	\$0.39

(Prindle 1999, 2000; American Farmland Trust 1993)

communities throughout Ohio. These studies allow township trustees, village administrators, and county commissioners to evaluate how their revenues compare with their expenditures.

The outcome is a ratio of the amount of money needed to provide public services (fire, police, education, community centers, and so on) for every dollar collected in property taxes. The results of these studies support the claims presented by smart growth advocates, farmland preservation taskforces, and local citizens; conventional suburban residential development requires higher financial resources in the long term to provide public services. Table 4.3 illustrates the similar results in five townships and one village who have completed cost of service studies.

For every dollar in property taxes paid by residential property owners in Madison Village, \$1.67 in services are used. Services provided to residents are subsidized by commercial and industrial property owners; for every dollar they pay in property taxes, they use 20 cents in services.

The survey conducted by Planning Commission staff in drafting this plan yielded a number of responses that asked “What am I getting for the amount of taxes I’m paying?” Leroy Township can benefit by conducting a similar cost of service study.

#### 4.4 Subdivision regulations

While zoning is adopted, implemented and enforced by the township, subdivision authority is the responsibility of the Lake County Planning Commission, under Ohio Revised Code §711.10. The Lake County Subdivision Regulations were first adopted in 1952 and were revised over the years, the last revision was in 2013. In addition to local zoning requirements, the County and appropriate agencies ensure proper arrangement of streets and layout of lots, provide adequate and convenient open spaces, utilities, public facilities, positive drainage and access for service and emergency vehicles.

The Ohio Revised Code divides subdivisions into two categories, major subdivisions and minor subdivisions:

**Major subdivision:** *The improvement of one or more parcels of land for residential, commercial, or industrial structures or groups of structures involving the division or allocation of land for the opening, widening, or extension of any street or streets except private streets serving industrial structures; the division or allocation of land as open spaces for common use by owners, occupants, or lease holders, or as easements for the extension and maintenance of public sewer, water, storm drainage or other public facilities*

**Minor subdivision:** *Notwithstanding the provisions of Sections 711.001 to 711.13, inclusive, of the Ohio Revised Code, a proposed division of a parcel of land along an existing public street or road, not involving the opening, widening,*

*or extension of any street or road, and involving not more than five (5) lots after the original tract has been completely subdivided, and submitted to the Planning Commission for approval without plat in accordance with these regulations.*

In 2003, the Lake County Planning Commission adopted conservation subdivision regulations to provide flexibility in design and promote the conservation of environmentally significant areas. Townships in the county, including Leroy, have the opportunity to work with the County to develop a zoning ordinance that will fit within the established framework.

## **4.5 Residential spatial distribution**

The amount of residential property in Leroy Township increased just over 2,500 acres since the mid-1970s. Today, there are 3,348 acres (1355 hectares) of residential land compared to 798 acres (323 hectares) in 1972. Similar to other unincorporated areas without public infrastructure, minor subdivisions or lot splits with single family detached dwelling units have been the common form of development since the 1950s.

Strip residential development is increasingly common in exurban areas outside of Cleveland and other Great Lakes cities. Subdivision of farmland often involves creating new lots along existing road frontages. This decreases or eliminates the developer's cost of providing improvements, since new roads, along with utility, water and sewer lines, usually aren't needed. The increased curb cuts from residential driveways adds to traffic congestion along busy rural roads, and the appearance of a long row of houses detracts from an area's rural atmosphere. Significant rear acreages are often left behind after land along the road frontage is consumed. Their access points sometimes are difficult to put roads in for subdivisions because of costs and safety.

The township has averaged 17 new building lots every year since 1997. Residents and land speculators can easily purchase 20 acres (8 hectares) of land with abundant frontage (using flag lot design) and create up to six buildable lots with minimal planning and zoning review. The county subdivision regulations consider such lot splits as minor subdivisions; they require only administrative review and approval by the county planning staff.

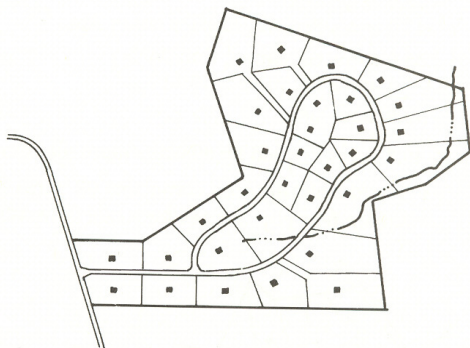
There has not been any major subdivision completed since 1997. Two were proposed, but they did not get completed. There were two major subdivisions approved in Leroy Township since adoption of the previous comprehensive plan in 1996; Hemlock Ridge and White Tail Run. Older major subdivisions in Leroy include Sunshine Farms, Highland Trail Cascade Ridge, Eaglebrook, and Clearbrook.

Although the 3.0-acre (1.2 hectare) lot minimum will maintain a low-moderate density pattern desired, the 200-foot width requirement is causing once-scenic farm roads to turn into a long strip of houses.

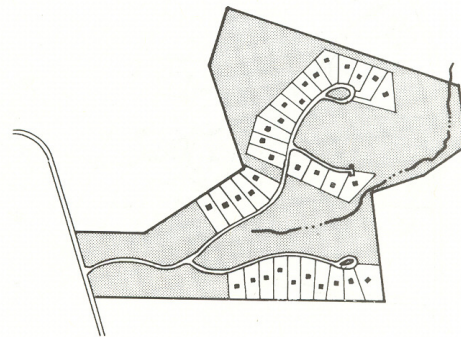
Landowners often sell parcels with limited access to developers who will acquire 60 feet of frontage and install new roads into the interior of the property, thus creating developable frontage. In the example illustrated below, the developer was ultimately able to subdivide a 20-acre (8.1 hectare) parcel into 15 lots by creating additional frontage with a new road. The 15-lot subdivision occupies the same frontage along the main road as four lots created through the minor subdivision process.

Of the 1,868 parcels in Leroy, 42.5% are smaller than 2.5 acres (1 hectare), indicating a large amount of lot splits. Development along Callow Road and Brakeman Road are prime examples of this development style. 37% of parcels in the township are larger than five acres (2 hectares), indicating the potential for more splits if appropriate frontage is available, or the combination of numerous parcels to create substantial development. As available frontage diminishes, the development pattern shown above will become commonplace.

Conservation design permanently preserves a percentage of the land, while allowing the same number of residential units (if not more) as permitted in the current zoning text. A new zone that permits smaller lot size requirements would be needed for this to occur.



**Figure 4-1: Conventional Design**



**Figure 4-2: Conservation Design**

Figures 4-1 and 4-2 show two 32 lot subdivisions on an 82-acre (33 hectare) parcel; one developed using conventional subdivision design, the other with conservation design. Lot size and amount of open space are the two primary differences in this model. Since sewer is unavailable, research would be needed to understand the minimum lot size needed to support a household septic treatment system as defined by the Lake County General Health District. Low-yield wells are also commonplace in certain areas of the Township; therefore, water availability testing would be necessary. Figure 4-4 displays the subdivision with over 50% of the property preserved. This property is usually deeded to a homeowners association, non-profit agency or park district to ensure the preservation in perpetuity.



Because smaller lots in a conservation subdivision may sell for less than a larger conventional building lot, some zoning regulations in the United States allow a bonus of 10% to 30% more lots in a conservation development, to offer an incentive to maintain large tracts of open space while making development of a conservation development as profitable as a conventional development.

Many residents are wary of embracing conservation development, even when the overall density is the same as under conventional zoning. Conservation development in the region is often indistinguishable from conventional subdivisions; open space is hidden away behind rear yards and narrow strips. The goal of conservation development – to preserve large, contiguous blocks of open space while still permitting development – is not realized.

Sewer and water are not available in the Township, and thus cluster or conservation development is not environmentally feasible. If public infrastructure does become available, the township may want to revisit the use of conservation development as a way to preserve open space and agricultural uses, and decrease the visual impact of strip residential development.



## 4.6 Commercial areas and uses

Leroy Township has 228 acres (92.3 hectares) of land zoned for commercial use. Today, only 0.2% of all land in the township is occupied by commercial uses, compared to 2.4% of Lake County as a whole. (This figure does not include home occupations, which are increasing.) The lack of sewer and water service, and the small potential customer base, are the primary reasons for the limited commercial base.

The 2015 survey indicated residents travel to Mentor, Painesville and Chardon for most services and day-to-day shopping. Small-scale retail development and mid-end table service diners and restaurants, according to the survey, are the major types of business residents would like to see in Leroy Township. The 2024 survey showed that the residents do not wish to see additional land be rezoned for commercial uses.

The Vrooman Road/I-90 exit area, Five Points Roundabout, and the Girdled Road/State Route 86 intersection are the only areas of commercial activity in the Township. Even then, commercial activity is very limited; a subway and a gas station at the Vrooman Road/I-90 exit area, a lone tavern at the Girdled Road/State Route 86, and a gas

**DRAFT**



Truck stop, Ashtabula County (LOPC)

station, a convenience store, and a tavern at Five Points Roundabout make up the commercial base in the township.

The completion of a high-level bridge spanning the Grand River valley at Vrooman Road has increased traffic volume. This has made the Five Points and I-90 exit area more attractive to businesses, but the lack of central water and sanitary sewer has limited growth. However, the Leroy Township zoning resolution is ill prepared to deal with more intensive commercial development, and some of its externalities. The zoning resolution does not adequately deal with signage, landscaping, site planning, access management, lighting, or the possible concentration of vehicle-related uses.

The agglomeration of mechanical commercial uses – used car and truck dealers, auto mechanics, body shops, gas stations, heavy equipment and bobcat rental, and auto parts sales – should be a concern, especially in the Vrooman Road corridor. Such uses are feasible in areas without sewer or water service, because water use and wastewater generation is minimal. Businesses not related to motor vehicles or construction typically do not locate in mechanical commercial areas; when they do, they are usually low-end uses such as mini-storage or landscape material and construction supply sales.

Once a mechanical commercial strip is established, it is difficult to redevelop or retrofit it. Zoning code updates intended to improve the appearance of such areas, such as updated sign, landscaping, architecture and access management requirements, usually face very vocal opposition from property owners in established mechanical commercial areas.

Mechanical commercial areas often form along arterials outside of rural towns and villages, where the lack of sewer service makes restaurants and other wastewater intensive uses impractical. Without adequate zoning controls, some areas along busy arterials in eastern Lake County, especially along US 20 (North Ridge Road), OH 84 (South Ridge Road), and Vrooman Road in Leroy Township may be prone to developing as mechanical commercial corridors.

Expressway exits in semi-rural areas are often considered attractive for truck stops; truck traffic is relatively heavy along the highway, land is inexpensive, and a ready workforce is nearby. If permitted, lighting and noise pollution, drainage and amount of impervious surface, access management and landscaping, and sign height and size must be clearly identified in the text and during site plan review processes. A use of this scale will set the pattern for future businesses. Truck stops and/or travel plazas should be clearly defined within the zoning text. Truck stops are not recommended as a permitted use, because of their immense scale and negative externalities (lighting, traffic congestion, noise, visual pollution from large signs) and their tendency to become an “anchor” that would form the base of a mechanical commercial corridor; such development could harm the rural character of the township.

A small tavern is located at the Girdled Road/Painesville-Warren Road intersection. To the west along Girdled Road, there is a small sand and gravel quarry. Aside from

*“Travel plaza, truck stop – use primarily engaged in the maintenance, servicing, storage, parking or repair of commercial vehicles, including the sale of **motor fuels or other petroleum products, and the sale of accessories or equipment for trucks and similar commercial vehicles.** A travel plaza or truck stop may also include overnight accommodations, showers, restaurants facilities, game rooms, and/or other divisions intended primarily for the use of truck crews and interregional travelers.”*  
 -- Town of Oakland, Florida zoning code

conforming home occupations, future commercial land use expansion along this corridor should be limited to around the intersection. Strip zoning along SR 86 would disrupt the rural character of the district, and attenuate the demand for commercial development at a Five Points town center.

## 4.7 Home Occupations

Home occupations are uses that are accessory to the main use of residential. Home offices of insurance, lawyers, etc. are the most common type of occupation. Hair dressers, sewing, tailoring, upholstery, etc. are also common home occupations that are not too intrusive. Leroy Township’s semi rural atmosphere with the large lots and old agriculture building also has attracted other home occupations that are a more intrusive for the community. These include contractors, automotive repair, and welding.

It was noted that home occupations are increasing in Leroy Township. It was recommended by the Comprehensive Plan to revised the home occupation regulations to regulate all home occupations and to better control the more intrusive ones. This was done in 2016 when 16.04.01 was amended. As home occupations grow and vary in the type of uses expand, it would be prudent to review and amend the zoning regulations to align with the vision of Leroy Township and to protect the rural character.

## 4.8 Industrial areas and uses

As with commercial uses, the lack of sewer and water service has been a barrier to industrial development. A road materials facility, a road construction contractor storage yards at I-90 and Vrooman Road and a 50-acre sand and gravel mining operation at Painesville-Warren Road are the only industrial uses in Leroy Township. The gravel yard is in a R-2 district. Land zoned for industrial and light manufacturing uses fronts on Vrooman Road, but such land uses are absent.

The respondents of the 2023 survey indicated that industrial uses are not desired. However, industrial uses can help achieve a more balanced tax base; they consume fewer services than residential uses for the property taxes they pay, effectively subsidizing residential property owners. Recognizing the need for a balanced tax base, Perry Township and Madison Township have recently created small industrial parks. If industrial development occurs in Leroy Township, it could take this type of form.



## 4.9 Agricultural areas and uses

Approximately 2,200 acres (889 hectares) or 14.15% of all land in Leroy Township is considered agricultural, a decline from 28% in 1984. A significant amount of the agriculture is hobby agriculture, horses or small crop land. The number of traditional farms has decreased. This reduction reflects the region as a whole, where farmland is increasingly consumed for large-lot subdivisions in exurban areas. The increase in farmland also comes from the large-lot subdivision. Horse owning and boarding are considered agriculture and the additional land and building of large barns has occurred over the past 15 years.

In Lake County, the amount of farmland fell from over 130,000 acres (52,600 hectares) in 1900 to about 16,000 acres (6,500 hectares) in 2002. There were 1,902 farms in 1900; in 2002, 280 remain. The bulk of farmland in the county was lost between 1920 and 1970, mostly as a result of suburbanization and land use conversion.

Today, agricultural activities in the region are dominated by horticulture (nurseries), viticulture and enology (vineyards and wineries), limited timber production, and

**DRAFT**

traditional farming, mainly hay. The soils north of State Route 84 are more suitable for horticulture.

In Leroy, agriculture is in the form of small-scale horse farms, wheat and grain, tree farms and limited timber harvesting. The majority of the agricultural lands are located south of the Leroy-Center Road corridor. Smaller, fragmented areas are located along Balch Road, Seeley Road, Carter Road and Ford Road. These areas are slowly being subdivided for residential homes.

Leroy is experiencing an increase in horse farms. An informal survey conducted by the Lake County Soil and Water Conservation found 82 livestock operations in Leroy Township; 76 of which are horse farms. Horse operations can range from one horse behind a garage to 100 animals in well-kept stables. These “farms” often lack the appropriate acreage for grazing and manure spreading.

Agricultural preservation options are available in the State of Ohio, but the scoring and variables used to evaluate potential properties has not yielded favorable scores for interested applicants in Leroy.

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 (4 hectares) 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.

The Ohio Revised Code grants the townships in Ohio the ability to determine how land is used through zoning. There is also a regulation in the ORC that prohibits townships from regulating or even outlawing agriculture. If a property owner claims that a use or building is agriculture, and they are verified to be, they are exempted from zoning. This has led to wine makers going from having tasting rooms for their wine and cheese to creating full restaurants in residential zones. A bigger issue has been building of large buildings to store agriculture equipment or horses being converted to general contractor or landscaper storage.

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, over 2,500 acres (1,000 hectares) is currently enrolled in this program in Leroy.

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.

### **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.

### **Grand River Valley American Viticultural Area**

Leroy Township is located in an area known as the Grand River Valley American Viticultural Area. The Grand River Valley's contours promote effective circulation of warmer air, reducing the threat of frost and extending the growing season. The valley is similar to Mosel, Bordeaux and Sonoma Valleys where the valley's climate is moderated by thermal effects of a large body of water, in this case, Lake Erie. The soils and contours also help control the grapes from absorbing an overabundance of water that could dilute the flavor and sugar of the grapes. There are twenty-two wineries in the Grand River Valley, four of which are in neighboring Madison Townships. These wineries promote tourism to the area and are an economic driver.

## **4.10 Traditional Town Center at Five Points Roundabout**

Small as it is, the Five Points Roundabout is the commercial heart of Leroy Township. The roundabout was created by ODOT and reconfigured a five-point intersection south of I-90. The area of the township includes a restaurant, and a gas station with a neighborhood convenience store. There is also VFW and a church in the area.

The 1984 Leroy Township Amendment to the Lake County Comprehensive Plan called for an "activity center" in the Five Points area, stating that it "has the most potential for increased growth. Not only is it the best location within a regional context, but increased business, civic and residential activity would do much to reinforce community identity, strengthen the tax base, and preserve open land."

The 2005 Lake County Comprehensive Plan encourages the development of new mixed-use urban or traditional town centers in existing centers such as Five Points, to

reinforce and preserve the identity and character of an area, and provide an alternative to large lot development that would otherwise line rural roads.

#### **4.11 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 Comprehensive Plan map will also display suggested land use/zoning patterns.

##### **LU-1 Leroy Township will use up-to-date, effective land use planning tools.**

- LU-1-p1 Revise the zoning resolution, to implement the goals and objectives of the current Leroy 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.
- LU-1-p3 Review the zoning resolution to determine to confirm that it is effective and efficient.

##### **LU-2 Residential development outside of the town center will retain its semi-rural character.**

- LU-2-p1 Outside of the town center at Five Points, permit residential development only if it is of a form or scale that does not require urban-level facilities or services.
- LU-2-p2 Review home occupation regulations to determine if they are effective in controlling the accessory use.
- LU-2-p3 Review the types of home occupations to see if the regulations are up to date and the new home occupations align with the rural environment.
- LU-2-p4 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-2-05 Research for options that would allow you add an additional fee for road maintenance to home occupations that operate heavy trucks and equipment.
- LU-2-06 Review the rear and sideline clearance and determine the best distances that will achieve the semi-rural character of the community.
- LU-2-07 Review accessory structure regulations to make sure that the size, number and location of accessory structures are consistent with character of the community. Revision the regulations if necessary.

LU-2-08 Research to see if a revision the zoning resolution is needed to define attached storage and limit amount of square footage of a dwelling unit that can be utilized as attached storage.

**LU-3 Commercial and retail districts will be attractive, inviting, convenient, and respectful of the rural character of the township.**

LU-3-p1 Establish a commercial district oriented in a cluster at the I-90/Vrooman Road exit, and at a traditional town center at Five Points.

LU-3-p2 Expand the expansion of the small commercial node on Painesville-Warren Road.

LU-3-p3 Remove commercial zoning on properties fronting Painesville Warren Road between Mildon Drive and Callow Road, to prevent the creation of a strip commercial district in the Five Points area.

LU-3-p4 Review the commercial districts around I-90 to determine the best use of the lots along Vrooman Road.

LU-3-p5 Truck Stops are a prohibited use. Review zoning language and look at other controls to ensure that truck stops and travel plazas are not developing in Leroy Township.

LU-3-p6 Prevent the creation of strip-oriented commercial districts, or the incremental expansion of commercial districts into strips. Should the Vrooman Road/I-90 interchange begin to develop, establish Carter Road as the southernmost limit of commercial development.

LU-3-p7 Implement strict sign design requirements in the zoning resolution. Prohibit the use of animated, oversized, and/or high-rise signs, even for traveler-related uses.

LU-3-p8 Implement architectural design requirements for commercial uses in the zoning resolution, which would be administered by the Town Commission during the development review process.

LU-3-p9 Implement strict site planning, landscaping, buffer yard, access management and lighting requirements for commercial uses, so the I-90 corridor maintains its forested appearance, and the township retains its rural character.

**LU-4 Limited industrial development is needed to diversify the tax base of Leroy Township, but must be located and sited in a manner that protects the character and tranquility of rural residential and agricultural areas.**



LU-4-p1 Site industrial uses in planned industrial parks.

LU-4-p2 Implement architectural design requirements for industrial uses in the zoning resolution, which would be administered by the Town Commission during the development review process. Prohibit low-end pre-engineered structures for industrial uses.

**LU-5 Protection of agricultural uses is needed to retain the low-density rural character of Leroy Township, provide open space, and maintain some diversity of the tax base.**

LU-5-p1 Encourage property owners to participate in Forest Tax and CAUV programs.

LU-5-p2 Consider the agricultural potential and value of certain soils when evaluating plans for large-scale development.

LU-5-p3 Prepare for the possibility of expansion of wineries into Leroy Township

**LU-6 Explore to see if marijuana sales are good fit for Leroy Township**

**DRAFT**