

**AN ORDINANCE AMENDING SECTION 1145.03 OF THE VILLAGE'S
PLANNING AND ZONING CODE**

WHEREAS, the current version of Planning and Zoning Code (“Zoning Code”) Section 1145.03(a)(1) requires single-family dwellings in the Village’s Historic Commercial Districts to follow the lot and yard requirements of the R-2 Single-Family Residential District found in Section 1126.05 through Section 1126.13 of the Planning and Zoning Code, which effectively prohibits the development of single-family dwellings in the C-H Historic Commercial I because the lot and yard requirements of the R-2 Single-Family Residential District are not conducive to the development of single-family dwellings in the C-H Historic Commercial I District; and

WHEREAS, the current version of Zoning Code Section 1145.03(b) conditionally allows the combination of residential and commercial uses in the same building located in the C-H Historic Commercial Districts I and II but does not conditionally permit the combination of residential and commercial uses in different buildings located on the same lot in the C-H Historic Commercial Districts I and II; and

WHEREAS, the Planning Commission passed a motion at its August 24, 2021 meeting initiating a proposed text amendment to Section 114.035 of the Zoning Code in order to address and correct the issues identified above; and

WHEREAS, Council passed Resolution 96-2021 on September 7, 2021 referring the proposed text amendment to the Planning Commission for a report and recommendation on the proposed changes to the Zoning Code; and

WHEREAS, the Planning Commission held an informal hearing on September 14, 2021 and unanimously voted to recommend approval of the proposed amendment to Council; and

WHEREAS, the proposed text amendment would amend Zoning Code Section 1145.01(a)(1) to require single-family dwellings in the C-H Historic Commercial I District to adhere to the lot and yard requirements found in Zoning Code Sections 1145.05 through Section 1145.09 while single-family dwellings in the C-H Historic Commercial II will still be required to follow the lot and yard requirements of the R-2 Single-Family Residential District found in Zoning Code Sections 1126.05 through 1126.13; and

WHEREAS, the proposed text amendment would amend Zoning Code Section 1145.03(b) to conditionally permit the combination of residential and commercial uses on the same lot but in different building located in the C-H Historic Commercial Districts I and II.

WHEREAS, this Council conducted a public hearing on the proposed change on October 19, 2021.

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

SECTION 1. Section 1145.03 of the Planning and Code is amended as follows:

“1145.03 USES.

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

- (1) Single-family dwelling in the C-H II District as permitted in the R-2 District. Single-family homes in the C-H II District shall follow the performance requirements found in Section 1126.05 through 1126.13. Single-family dwelling in the C-H I District shall following the lot and yard requirements in Sections 1145.05 through 1145.09. The design of single-family homes must comply with the standards found in Section 1181.29, Historic District Overlay.
- (2) Antique shop
- (3) Gift/florist/card shops
- (4) Book stores
- (5) Bakery shop, candy shop, ice cream parlor, donut shop
- (6) Personal services, including barbershop, beauty shop
- (7) Business services, including insurance, legal or real estate
- (8) Medical and dental offices, including medical and dental professionals
- (9) Bed and breakfast inns
- (10) Tailor or dressmaker

(b) Conditionally Permitted Uses. The following uses shall be conditionally permitted uses in the C-H Historic Commercial Districts, subject to meeting all applicable requirements set forth in this Chapter and the requirements of Chapter 1173:

- (1) Non-fast food restaurant
- (2) Dry cleaning establishment
- (3) Produce or health food store
- (4) Convenience or minimarket (not selling gasoline)
- (5) Hardware and home furnishing shops
- (6) Veterinary clinics (without outdoor kenneling or boarding of animals)
- (7) Government owned and /or operated buildings and facilities
- (8) Churches and other buildings for the purpose of religious worship
- (9) Dwelling units in combination with offices or other commercial or retail space
- (10) Dwelling units, offices or other commercial/retail uses in accessory buildings provided said buildings are properly served by utilities, e.g., electric, plumbing, public or private water and wastewater, etc., if needed for the use.**
- ~~(11)~~ Financial offices
- ~~(12)~~ Office buildings
- ~~(13)~~ Pharmacy
- ~~(14)~~ Public Utility rights-of-way and related structures subject to Section 1173.09(b).

SECTION 2. Section 1145.03 of the Planning and Zoning Code as it existed prior to the effective date of this Ordinance is repealed.

SECTION 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that

resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 3. This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 10-19-2021




President of Council



Mayor

Dated: 10/19/2021

ATTEST:



Clerk of Council

