

**A RESOLUTION REFERRING PROPOSED TEXT AMENDMENTS TO  
CHAPTER 1145 OF THE VILLAGE'S PLANNING AND ZONING CODE,  
AND DECLARING AN EMERGENCY**

WHEREAS, amendments to the Village's Planning and Zoning Code may be initiated by motion of the Planning Commission; and

WHEREAS, the Planning Commission passed a motion at its August 24, 2021 meeting initiating a proposed text amendment to Chapter 1145 of the Planning and Zoning Code ("Zoning Code"); and

WHEREAS, the proposed text amendments would amend Zoning Code Section 1145.03(a)(1) and Section 1145.03(b)(10) of the Planning and Zoning Code; and

WHEREAS, the current version of 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; and

WHEREAS, the current version of Zoning Code Section 1145.03(a)(1) 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 are not conducive to the development of single-family dwellings in the C-H Historic Commercial I District; 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; and

WHEREAS, 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;

WHEREAS, the current version of Zoning Code Section 1145.03(b)(10) conditionally allows the combination of residential and commercial uses in the same building located in the C-H Historic Commercial Districts I and II; and

WHEREAS, the proposed text amendment would amend Zoning Code Section 1145.03(b)(10) 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, Charter Section 9.06 and Zoning Code Section 1109.07 requires the proposed text amendments to the Zoning Code to be referred to the Commission for approval, disapproval, or for recommended modifications.

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


SECTION 1. The proposed text amendments to Chapter 1145 of the Village's Planning and Zoning Code made by motion of Planning Commission at its August 24, 2021, a copy of which is attached as Exhibit "A" and is expressly incorporated herein by reference, is referred to the Planning Commission approval, disapproval, or for recommended modifications on the proposed zoning amendment.

SECTION 2. 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 Resolution is hereby declared to be an emergency measure for the immediate preservation of the public health, safety, and welfare and for the further reason that it is necessary to refer the proposed text amendment of Chapter 1145 of Zoning Code to the Planning Commission for its evaluation and recommendation as soon as possible; wherefore, provided this Resolution receives the affirmative vote of two-thirds of the members of Council elected or appointed, it shall take effect immediately upon its passage and execution by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

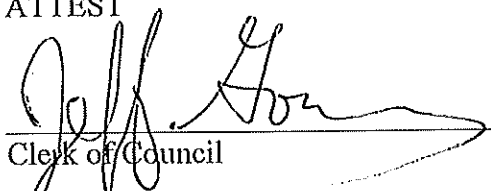
PASSED: 9-7-2021

  
\_\_\_\_\_  
President of Council

  
\_\_\_\_\_  
Mayor

Dated: 9/7/2021

ATTEST

  
\_\_\_\_\_  
Clerk of Council

**EXHIBIT "A" – RESOLUTION 96-2021**

**1145.01 PURPOSE.**

(a) The C-H Historic Commercial District I is established to preserve and protect the Village downtown core which is the historic and retail center of the Village at and near the intersection of Broadview Road and Streetsboro Road. This purpose shall be accomplished in this District by preserving the historic character and architectural integrity of the existing buildings in the District and setting forth guidelines for new development. The regulations contained in this District are intended to encourage a predominance of compact, neighborhood and pedestrian scale retail, service and office uses in the Village core. New commercial and retail development will be required to reflect the overall appearance, form, pattern, design and scale of this historic district. Pedestrian ways and bikeways are encouraged. This District is established to provide for commercial uses principally to accommodate the sale of convenience retail goods and personal services purchased frequently for daily or weekly needs, and smaller business office buildings, which do not generate traffic congestion or an excessive need for parking. In addition to the standards in this Chapter, all new structures, additions and renovations in the Commercial Historic Districts I and II must comply with the architectural standards found in Section 1181.29, Historic District Overlay.

(b) The C-H Historic Commercial District II is established to preserve and protect the existing historic area at and near the intersection of Brecksville Road and Streetsboro Road and to provide for uses which will be compatible with certain existing uses, the historic structures in the area, and the rural residential character of the Village. This purpose shall be accomplished in this District by preserving the historic character and architectural integrity of the existing buildings in the district and setting forth guidelines for new development. The regulations contained in this District are intended to encourage a predominance of neighborhood-scale retail, service and office uses. New commercial and retail development will be required to reflect the overall appearance, form, pattern, design and scale of this historic area. Pedestrian ways and bikeways are encouraged. This District is established to provide for commercial uses principally to accommodate the sale of convenience retail goods and personal services purchased frequently for daily or weekly needs and smaller business office buildings, which do not generate traffic congestion or excessive need for parking. (Ord. 73-2015. Passed 11-17-15.)

**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 dwellings 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.
- (110) Financial offices
- (121) Office buildings
- (132) Pharmacy
- (143) Public Utility rights-of-way and related structures subject to Section 1173.09(b)