

AN ORDINANCE AMENDING SECTION 1153.05 OF THE VILLAGE'S PLANNING AND ZONING CODE TO AMEND THE PERMITTED, CONDITIONAL, AND ACCESSORY USES PERMITTED IN THE PLANNED COMMERCE DISTRICT

WHEREAS, the current version of Planning and Zoning Code ("Zoning Code") Section 1153.05 establishes permitted, accessory, and conditional uses in the Village's Planned Commerce District; and

WHEREAS, the Director of Planning and Zoning has reviewed those uses and has recommended that certain amendments to Section 1153.05 be made to ensure the permitted, accessory, and conditional uses in the Planned Commerce District are consistent with the spirit and intent of the Zoning Code and the Planned Commerce District; and

WHEREAS, Council passed Resolution 23-2023 on March 7, 2023, referring the proposed text amendments to the Planning Commission for a report and recommendation on the proposed changes to the Zoning Code; and

WHEREAS, the Planning Commission held an information hearing on the proposed amendments on March 28, 2023, and voted to recommend approval of the proposed amendments to Council, subject to certain conditions; and

WHEREAS, the proposed text amendment would amend Zoning Code Section 1153.05 to: (1) clarify that the permitted and conditional uses in the Planned Commerce District shall not contain outdoor storage or uses other than required off-street parking; (2) clarify that financial institutions and restaurants in the Planned Commerce Districts are permitted uses, so long as those uses do not operate a drive-thru; (3) eliminate and modify the conditional uses allowed in the Planned Commerce District; and (4) clarify the specific accessory uses allowed in the Planned Commerce District; and

WHEREAS, this Council conducted a public hearing on the proposed amendments on April 18, 2023.

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

SECTION 1. That Section 1153.05, Permitted Uses, of the Codified Ordinances of the Village of Richfield be amended to read as follows:

"1153.05 PERMITTED USES

(a) Permitted Uses. The following uses shall be permitted uses in the Planned Commerce District and shall not contain outdoor storage or uses other than required off-street parking:

- (1) Administration and executive offices
- (2) Professional and medical offices
- (3) Research centers and testing labs

- (4) Professional training schools
- (5) Hotels and motels
- (6) Conference and meeting centers
- (7) Financial institutions without drive-thru
- (8) Business services including duplication, blueprinting, copy centers, office supplies, mailing services
- (9) Restaurants serving food and drinks without drive-thru

(b) Conditional Uses. The following uses shall be conditionally and only permitted with the express permission of the Commission and Council as provided in pursuant to Section 1173.13(b) and shall not contain outdoor storage or uses other than required off-street parking:

- ~~(1) Automotive service stations and repair~~
- (1) Drive-thru restaurants
- (2) Electronic Equipment testing and service ^{and}
- (3) Health, medical and fitness centers Hospitals, ^{and} medical centers, ^{and} fitness centers (Motion 15, May 16, 2023)
- ~~(4) Personal services including child day care centers, barber and beauty shops as accessory to permitted uses.~~
- ~~(4) Retail centers serving the district and with the combined area not exceeding 10% of the total district area.~~
- (4) Manufacturing and light assembly
- (5) Financial, services, or sales establishments providing drive-thru or pick up facilities including but not limited to a bank, pharmacy or dry cleaning agency institutions with drive-thru.
- (6) Pharmacies, dry cleaners, and other service uses as determined by the Planning Commission

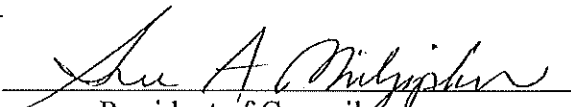
(c) Accessory Uses.

- (1) Off-street parking and loading, including parking garages, as regulated in Chapter 1177
- (2) Signs as regulated in Chapter 1163
- (3) Other accessory uses customarily associated with, and clearly incidental to the main use ~~and clearly incidental to the main uses~~
- (4) ~~Private parking garages~~ Personal services including child day care centers, barber and beauty shops as accessory to permitted uses”

SECTION 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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

PASSED: 5-16-23


 President of Council

Michael Lebeck
Mayor

Dated: 5/16/2023

ATTEST:

Jeff
Clerk of Council

