

A RESOLUTION REFERRING PROPOSED TEXT AMENDMENTS TO SECTION 1153.05 OF THE VILLAGE'S PLANNING AND ZONING CODE TITLED, "PERMITTED USES", AND DECLARING AN EMERGENCY

WHEREAS, Charter Section 9.06 and Section 1109.07 of the Planning and Zoning Code require proposed text amendments to the Planning and Zoning Code to be referred to the Planning Commission for approval, disapproval, or for recommended modifications; and

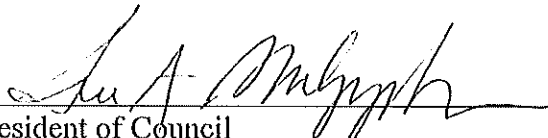
WHEREAS, the Director of Planning and Zoning has recommended certain text amendments to Section 1153.05 of the Planning and Zoning Code; and

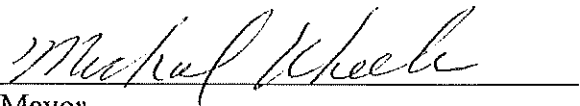
WHEREAS, Council wishes to refer the proposed text amendments to Section 1153.05 of the Planning and Zoning Code to the Planning Commission for approval, disapproval, or for recommended modifications.

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

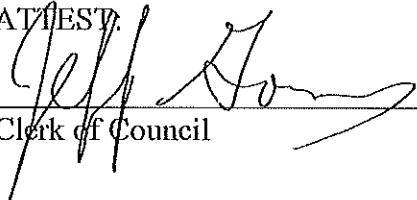
- SECTION 1. The text amendments to Section 1153.05 of the Planning and Zoning Code, as set forth in the Director of Planning and Zoning's Memorandum to Council and the Mayor, is referred to the Planning Commission approval, disapproval, or for recommended modifications on the proposed zoning amendment.
- 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 to Section 1153.05 of the Planning and 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: 3-7-2023


President of Council


Mayor

Dated: 3/7/2023

ATTEST:

Clerk of Council



Memorandum

TO: Michael Wheeler, Mayor
and Richfield Village Council

FROM: Brian M. Frantz, AICP

SUBJECT: Proposed Zoning Text Amendment – Planned Commerce District

DATE: March 1, 2023 (revised 3/9/23)

I am requesting the proposed zoning text amendment be referred to Planning Commission for recommendation pursuant to Section 1109.07 of the Planning and Zoning Code. The purpose of the proposed amendment is to consolidate, clarify and refine certain permitted and conditionally permitted uses in the Planning Commerce District. Below is the requested amendment (in red text):

1153.05 (b) CONDITIONAL 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
- (3) Health, medical and fitness centers-Medical centers and hospitals
- ~~(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 or other similar 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.~~

The table below provides a tentative timeline for adoption of the proposed amendment. Please contact me with any questions about the proposal.

<p>3-7-2023 Council Meeting</p>	<ul style="list-style-type: none"> • Referral legislation presented for an amendment to Section 1153.05 (a) (b) & (c) of the Planning and Zoning Code to consolidate, clarify and refine certain uses in the Planned Commerce District – 1st reading at Council. Desire to waive 2nd and 3rd readings and adoption. • Council refers legislation to Planning Commission for review and recommendation. • Council Clerk establishes public hearing date for 4-18-2023 Village Council meeting.
<p>3-14-2023 Planning Commission Meeting</p>	<ul style="list-style-type: none"> • Review of referral legislation from 3-7-2023 Council meeting. • Information hearing date set by Commission for their 3/28 meeting.
<p>3-17-2023 (no later than date)</p>	<ul style="list-style-type: none"> • Council Clerk posts legal notice in newspaper for 4-18-2023 public hearing (requires 30-day notice prior to the meeting). • Planning Department posts legal notice in newspaper for informational hearing at the 3-28-2023 Planning Commission meeting (requires 10-day notice prior to the meeting).
<p>3-21-2023 Council Meeting</p>	<ul style="list-style-type: none"> • Legislation – 1st reading of Ordinance to amend Section 1153.05 (a) (b) & (c).
<p>3-28-2023 Planning Commission Meeting</p>	<ul style="list-style-type: none"> • Planning Commission conducts required informational hearing. • Recommendation regarding referral legislation provided back to Village Council prior to 4/18.
<p>4-04-2023 Council Meeting</p>	<ul style="list-style-type: none"> • Legislation – 2nd reading of Ordinance to amend Section 1153.05 (a) (b) & (c).
<p>4-18-2023 Council Meeting</p>	<ul style="list-style-type: none"> • Council conducts required public hearing and 3rd reading of Ordinance to amend Section 1153.05 (a) (b) & (c). • Council has 90-days from public hearing to act regarding proposed amendment. <ul style="list-style-type: none"> ○ Ordinance amendments become effective 30 days after adoption pursuant to Section 4.12 of the Village Charter.