

RESOLUTION NO. 64-2018  
(Amended 12.18.18)

Offered by All of Council

**A RESOLUTION AMENDING SECTIONS 1103.03, 1149.03, AND 1173.13 OF THE VILLAGE OF RICHFIELD'S PLANNING AND ZONING CODE TO MAKE CAR WASHES A CONDITIONALLY PERMITTED USE IN THE C-2 GENERAL BUSINESS ZONING DISTRICT**

WHEREAS, on June 26, 2018, the Planning and Zoning Commission initiated proposed amendments to Sections 1103.03, 1149.03, and 1173.13 of the Planning and Zoning Code, which intended to provide for car washes as a conditionally permitted use in the C-2 General Business Zoning District, by motion pursuant to Section 1109.03(b) of the Richfield Codified Ordinances; and

WHEREAS, on July 17, 2018, this Council referred the proposed amendments to Sections 1103.03, 1149.03, and 1173.13 of the Planning and Zoning Code to the Planning and Zoning Commission for report and recommendation pursuant to Section 9.06 of the Charter and Section 1109.07 of the Richfield Codified Ordinances; and

WHEREAS, on November 13, 2018, Planning Commission held an informal hearing on the proposed amendments pursuant to Section 1109.09(a) of the Richfield Codified Ordinances; and

WHEREAS, on November 14, 2018, following the Commission's action at its meeting on November 13, 2018, Village Council received a favorable report and recommendation from the Commission to amend Sections 1103.03, 1149.03, and 1173.13 of the Planning and Zoning Code; and

WHEREAS, on December 18, 2018, this Council held a public hearing on the proposed zoning code amendments pursuant to Section 1109.11(a) of the Richfield Codified Ordinances; and

WHEREAS, based upon the report and recommendation of the Planning Commission, this Council has determined that it is in the best interest of the health, safety, and welfare of the Village to amend Sections 1103.03, 1149.03, and 1173.13 as described in the report and recommendation of the Planning and Zoning Commission.

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

SECTION 1. That Section 1103.03 of the Village's Planning and Zoning Code be amended as follows:

**“1103.03 GENERAL TERMS**

(a) Definitions used in this Zoning Code:

\* \* \*

(17) Car wash means a facility for washing one or more personal automobiles, using production line methods with a chain conveyor, blower, steam cleaning device, or other mechanical devices; or providing space, water, equipment, or soap for the complete or partial hand-washing of such automobiles, whether by operator or by customer. Car wash also includes waxing and detailing of personal automobiles.

\* \* \*”

SECTION 2. That Section 1103.03(a) shall be renumbered accordingly.

SECTION 3. That Section 1149.03 of the Village’s Planning and Zoning Code be amended as follows:

**“1149.03 USES.**

\* \* \*

(b) Conditionally Permitted Uses.

\* \* \*

(13) Car wash facilities subject to Section 1173.13 (b) (10).

\* \* \*”

SECTION 4. That Section 1173.13 of the Village’s Planning and Zoning Code be amended as follows:

**“1173.13 REGULATIONS PERTAINING TO CONDITIONALLY PERMITTED USES IN COMMERCIAL DISTRICTS.**

(a) Regulations in this section pertain only to those suggested conditionally permitted uses as specifically referenced. The regulations are listed in this section for ease of reference and to avoid duplication as they may apply to more than one use.

(b) During review of a permit application, the Commission may incorporate the regulations listed in this section that it determines appropriate for the proposed use:

\* \* \*

(11) Car wash facilities subject to the following:

- A. No more than one access driveway from a public street shall be permitted. If a parcel to be developed with a car wash facility has frontage on two public streets, a second access drive is permitted. However, the location of both driveways must be approved by the Planning Commission. Depending upon the spaces of neighboring driveway locations, the Commission can require limited access (right in/right out only) to either driveway based on consultation with the Village's Planning Director and Engineer.
- B. Queuing lanes shall be provided to accommodate a minimum of six vehicles per lane (non-automated) and three vehicles per automated lane. Vehicles cannot que in the public street, within the public right-of-way or over a public sidewalk.
- C. The site shall be designed to provide off-street parking. For fully automated car washes, two spaces are required for each wash lane/stall. For car wash facilities that utilize employees involved in the washing process (e.g., hand drying, waxing, pre-rinse, etc.), one parking space per employee is required in addition to the two spaces per wash lane stall.
- D. All washing, waxing, machine drying and related activities and operations shall be conducted entirely within an enclosed service building, except vacuuming stations and areas designated for hand drying of vehicles.
- E. Entrances/exits from the car wash facility can not face residentially zoned properties without extensive landscape screening and/or board-on-board fencing.
- F. Car wash facilities shall be located a minimum of 200 feet from an adjacent residential structure or be oriented to sufficiently direct sound away from an adjacent residential district.
- G. Car wash facilities shall be designed for, and restricted to, personal automobiles and shall exclude commercial motor vehicles.
- H. There shall be no outdoor loudspeakers, public-address systems or menu board speakers associated with the car wash facility.
- I. Exterior lighting shall contain the Fixed Seal of Approval provided by the International Dark-Sky Association. Lighting without this designation shall not be permitted.
- J. Car wash facilities must comply with all applicable local, county, state and federal rules and regulations.
- K. Car wash facilities shall be connected to the Village's public water and sanitary sewer system.
- L. Any violation of these regulations for an approved permit shall constitute a nuisance and as such a blighting condition on the property and/or the surrounding neighborhood. Any violation of these standards may result in the conditional zoning approval being revoked after a hearing by the Planning Commission.

M. A site plan illustrating compliance with the standards shall be provided to the Village in connection with a conditional use permit application. The site plan shall be drawn to an acceptable scale such as one-inch equals 50 feet."


SECTION 5. That existing Section 1103.03, Section 1149.03, and Section 1173.13 of the Planning and Zoning Code of the Codified Ordinances of the Village are hereby repealed.

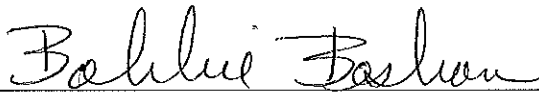
SECTION 6. That all other provisions of Chapters 1103, 1159, and 1173 of the Planning and Zoning Code of the Codified Ordinances of the Village, not amended herein, shall remain in full force and effect as they existed prior to the effective date of this Ordinance.

SECTION 7. 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 of 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.

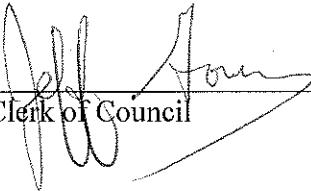
SECTION 8. This Resolution shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 1-15-19

  
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President of Council

  
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Mayor

Dated: 1-15-19

ATTEST:  
  
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Clerk of Council