

DATE:	<u>February 6, 2023</u>	1 ST READING:	<u>February 6, 2023</u>
INTRODUCED BY:	<u>Mayor Corcoran</u>	2 ND READING:	<u>February 21, 2023</u>
REFERRED BY:	<u>Planning Commission on 2-14-2023</u>	3 RD READING:	<u>March 6, 2023</u>
TEMPORARY NO:	<u>T 11-2023</u>	ADOPTED:	<u>March 6, 2023</u>
		EFFECTIVE:	<u>April 5, 2023</u>

Public Hearing on 3-06-2023

ORDINANCE NO. 6051-2023

**AN ORDINANCE AMENDING SECTIONS 1268.02, 1270.02,
AND 1272.02 OF THE NORTH RIDGEVILLE ZONING
CODE TO UPDATE USE REGULATIONS FOR CAR
WASHES.**

WHEREAS, this Council has established regulations which govern various permitted and conditional uses in the B-3 Highway Commercial District, B-4 Commercial Parkway District, and B-5 Architectural Business District; and

WHEREAS, because certain uses and commercial activities more intensely affect the surrounding area in which they are located than other uses, from time to time it is important to review uses for proper classification as permitted uses, conditional uses or uses not permitted in various districts; and

WHEREAS, the North Ridgeville Planning Commission carefully considered the proposed amendments at their meeting of February 14, 2023, and, by formal motion, *recommended* that the ordinance be approved; and

WHEREAS, following the publication of newspaper notice in conformance with the provisions of Section 9.1 of the Charter and Section 1246.03(d) of the Zoning Code, a public hearing was held on the 6th day of March 2023; and

WHEREAS, it is the desire of this Council to so amend these Codified Ordinances.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH RIDGEVILLE, LORAIN COUNTY, OHIO:

SECTION 1. That *Section 1268.02 Permitted and Conditional Uses* in the B-3 Highway Commercial District of the Zoning Code be amended as follows:

1268.02 PERMITTED AND CONDITIONAL USES.

(a) Permitted Uses. A building or premises may be used for the following purposes in a B-3 Highway Commercial District:

- (1) Animal hospital and clinic.
- (2) Antique shop.
- (3) Appliance store (major appliances, e.g. T.V., washing machine, and radio sales).
- (4) Automobile service station.
- (5) Automobile repair and accessory sales.
- (6) Boat and marine sales.
- (7) Camping trailer sales and service.

~~(8) Car wash.~~

- (9) Cemetery (minimum of ten acres); mortuary; crematory.
- (10) Church and professional building.
- (11) Clinic and professional building.
- (12) Drive-in bank.
- (13) Drive-in ice cream and soda sales.
- (14) Drive-in restaurant.
- (15) Drive-in theater.
- (16) Farm, fruit and produce stand (adequate off-street parking shall be provided to take care of all customers).
- (17) Florist shop and retail sales.
- (18) Food locker.
- (19) Funeral home.
- (20) Furniture store.
- (21) Garden and nursery center.
- (22) Gift and novelty shop.
- (23) Greenhouse.
- (24) Grocery and meat market.
- (25) Heating and plumbing materials (sales, yard).
- (26) Heavy equipment sales.
- (27) Laboratory (medical or dental).
- (28) Lumber yard; builders materials and supplies.
- (29) Monument sales.
- (30) Motel and hotel.
- (31) Office building.
- (32) Parking lot (subject to the provisions of Chapter 1284).
- (33) Pet store.
- (34) Customary accessory uses.
- (35) Any permitted use in a B-2 Central Business District.

(b) Conditional Uses. The following uses shall be deemed to be conditional uses in this district.

- (1) Bars and taverns.
- (2) Bowling alleys, provided that the building used for such purposes shall be not less than 100 feet from any residential district.
- (3) Swimming clubs and other commercial recreation and amusements.
- (4) Truck terminals.
- (5) Kennels.

(6) Car washes, provided that there shall be a separation distance of one (1) mile between car wash businesses where the car wash is the primary use. Separation distances shall be measured by a straight line connecting the closest distance between the lots. The separation requirement shall have no application where a car wash is an accessory use.

(c) Similar uses as determined in accordance with Chapter 1210, except for the following uses which are expressly prohibited:

- (1) Self-storage facilities.

SECTION 2. That *Section 1270.02 Permitted and Conditional Uses* in the B-4 Commercial Parkway District of the Zoning Code be amended as follows:

1270.02 PERMITTED AND CONDITIONAL USES.

(a) A building or premises may be used for the following purposes in a B-4 Commercial Parkway District:

- (1) Automotive center (sales and service).
- (2) Automobile service stations.
- (3) Automobile repairs (minor and major).
- (4) Clinics and professional office buildings.
- (5) Convention halls, auditoriums, and assembly halls.
- (6) Gifts and novelties sale.
- (7) Hotels.
- (8) Laboratories (medical and dental).
- (9) Motels.
- (10) Night clubs, including the sale of alcoholic beverages.
- (11) Restaurants, including drive-ins.
- (12) Other similar uses which serve the long-distance motoring public.

(b) The following uses shall be deemed to be conditional uses in this district.

- (1) Boat and marine sales; construction equipment (sales and service).
- (2) Camping trailers and mobile homes (sales only).
- (3) Car washes, **provided that there shall be a separation distance of one (1) mile between car wash businesses where the car wash is the primary use. Separation distances shall be measured by a straight line connecting the closest distance between the lots. The separation requirement shall have no application where a car wash is an accessory use.**
- (4) Farm implements (sales and service).
- (5) Heavy equipment sales.
- (6) Truck service.
- (7) Truck terminals.

(c) Single-family residential uses shall be specifically prohibited in the B-4 District, except for the dwellings of resident watchman and hotel and motel operators whose work requires their continual presence on the premises.

(d) Similar uses as determined in accordance with Chapter 1210, except for the following uses which are expressly prohibited:

- (1) Self-storage facilities.

SECTION 3. That *Section 1272.02 Permitted and Conditional Uses* in the B-5 Architectural Business District of the Zoning Code be amended as follows:

1272.04 PERMITTED AND CONDITIONAL USES.

(a) A building or premises may be used for the following purposes in a B-5 Architectural Business District:

- (1) Ambulance service.
- (2) Antique store.
- (3) Apparel and accessories store.
- (4) Appliances (household).
- (5) Art gallery.

- (6) Automobile accessory store, sales, and service.
- (7) Bakery.
- (8) Banks (see also loan and finance offices).
- (9) Barbershop.
- (10) Barber and beauty shop supply store.
- (11) Beauty shop.
- (12) Bed and breakfast inns.
- (13) Blueprinting.
- (14) Bicycle shop.
- (15) Book store.
- (16) Business equipment and supply.
- (17) Business or trade school.
- (18) Camera and photographic equipment supply store.
- (19) Child care center.
- (20) Churches and temples.
- (21) Candy, nut, and confectionary store.
- (22) Clinic (dental or medical).
- (23) Dairy bar.
- (24) Dairy products store (bottling operations excluded).
- (25) Dance studio.
- (26) Delicatessen.
- (27) Department store.
- (28) Discount center and store.
- (29) Drug store.
- (30) Dry cleaning (custom and self-service).
- (31) Dry goods store.
- (32) Eating place, grill.
- (33) Egg and poultry store.
- (34) Floor covering.
- (35) Florist; gift shop.
- (36) Funeral home and cemetery.
- (37) Furniture; household furnishings.
- (38) Garden and lawn supplies store.
- (39) Grocery store and meat market (supermarket).
- (40) Hardware and sporting goods.
- (41) Hobby shop.
- (42) Motel.
- (43) Health salon.
- (44) Rest home.
- (45) Jewelry store.
- (46) Laboratory (dental and medical).
- (47) Laundry (custom and self-service).
- (48) Lighting fixture sales.
- (49) Liquor store (sale by package only).
- (50) Libraries.
- (51) Loan and finance offices (see also banks).
- (52) Locksmith.
- (53) Luggage store.
- (54) License bureau.

- (55) Museum.
- (56) Music store; pianos, radio, and television.
- (57) Newspaper publishing sales and service.
- (58) Novelty shop.
- (59) Office (any office in which chattels or goods, wares, or merchandise are not commercially created, exchanged, or sold).
- (60) Office supply store.
- (61) Night club.
- (62) Optician and optometrist shops.
- (63) Paint and wallpaper store; art supplies.
- (64) Parking lot, either publicly or privately owned and operated.
- (65) Post office.
- (66) Plumbing and heating shop and supplies (enclosed storage only).
- (67) Professional services.
- (68) Pressing, altering, and repair of wearing apparel.
- (69) Printing and publishing, including processes related thereto.
- (70) Private clubs and lodges; YMCA; commercial recreation; fraternal societies.
- (71) Public utility offices and salesrooms.
- (72) Repair, rental, and servicing of any product, the sale of which is permitted in this District.
- (73) Restaurant.
- (74) Resale shop; used clothing and furniture.
- (75) Shoe store (sales and repair).
- (76) Sign painting shop.
- (77) Surgical supplies store.
- (78) Surplus store.
- (79) Telephone exchange and office.
- (80) Theater and theatrical studio.
- (81) Toy store.
- (82) Travel agency.
- (83) Variety and notions store.
- (84) Wall and floor coverings store.
- (85) Cemetery.
- (86) Drive-in bank.
- (87) Drive-in ice cream.
- (88) Drive-in restaurant.
- (89) Farm, fruit, and produce stand.
- (90) Gift and novelty shop.
- (91) Office building.
- (92) Pet store, pet cemetery with flat markers only.
- (93) Customary accessory uses.
- (94) Assisted living for the elderly.
- (95) Planned unit development.
- (96) Animal clinic or animal hospital.

(b) The following uses shall be deemed to be conditional uses in this district.

- (1) Bowling alleys shall be deleted, except as part of a larger planned unit commercial development (PUD), with buffer strip.
- (2) Swimming clubs and other commercial recreation and amusements, with buffer strip.

(3) Automobile service station, with buffer strip.

~~(4) Car wash, with buffer strip.~~

(c) Residences can co-exist at the same location when living quarters are maintained with a minimum of 1,040 square feet.

(d) Existing structures converted to a business shall be grandfathered with regard to setback, side yard, and rear yard requirements, but must have "Theme Design" on three prominent sides of the building to respect the architectural theme of the District.

(e) Similar uses as determined in accordance with Chapter 1210, except for the following uses which are expressly prohibited:

(1) Self-storage facilities.

SECTION 4. That, in all other respects, the North Ridgeville Zoning Code, as amended from time to time, shall remain in full force and effect.

SECTION 5. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were conducted 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 accordance with all legal requirements, including §121.22 of the Ohio Revised Code.

SECTION 6. That this Ordinance shall take effect and be in full force from and after the earliest period allowed by law.

PASSED: March 6, 2023



Jason R. Jacobs
PRESIDENT OF COUNCIL

ATTEST :



Nicholas Ciofani
CLERK OF COUNCIL

APPROVED: Mar 09, 2023



Kevin Corcoran
MAYOR