

ORDINANCE NO. 41-19

AN ORDINANCE TO AMEND SECTIONS 1270.03(b)(11) AND 1280.05(gg) OF THE CODIFIED ORDINANCES OF THE CITY OF AVON TO INCLUDE VETERINARY OFFICES ON THE SCHEDULE OF PERMITTED AND SPECIAL USES IN THE C-2 CENTRAL BUSINESS/FRENCH CREEK DISTRICTS

WHEREAS, the Planning Commission, upon review of Sections 1270.03(b)(11) and 1280.05(gg) of the Codified Ordinance of the City of Avon has recommended revisions to include veterinary office as a special use in the C-2 Central Business/French Creek Districts; and

WHEREAS, the Planning Commission authorized a Public Hearing on said amendments which was duly publicized according to law and held on April 17, 2019; and

WHEREAS, on April 17, 2019, by a vote of Four (4) in favor and Zero (0) opposed, Planning Commission recommended approval of said amendments; and

WHEREAS, on May 13, 2019, Council announced a Public Hearing; and

WHEREAS, said Public Hearing was duly publicized according to law and was held on June 10, 2019 at 7:25 p.m.; and

WHEREAS, Council, in considering the recommendation of Planning Commission, finds that amending Sections 1270.03(b)(11) and 1280.05(gg) of the Codified Ordinances of the City of Avon to include veterinary offices as a special use in the C-2 Central Business/French Creek District is a reasonable exercise of Council's zoning authority to promote local businesses in the French Creek District of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON, LORAIN COUNTY, STATE OF OHIO THAT:

Section 1 -That Section 1270.03(b)(11) which currently reads as follows:

1270.03 SCHEDULE OF PERMITTED USES.

	<u>C-1 Neighborhood Business</u>	<u>C-2 Central Business/ French Creek</u>	<u>C-3 Planned Commercial Development</u>	<u>C-4 General Business</u>
(b) <u>Retail and Services</u>				
(9) Restaurants (no indoor seating)			SU	SU
(10) Studios for instruction	P	P	SU	P
(11) Veterinary office			SU	P
(12) Animal boarding				SU

Shall be amended to read as follows: (new language in bold print)

1270.03 SCHEDULE OF PERMITTED USES.

	<u>C-1 Neighborhood Business</u>	<u>C-2 Central Business/ French Creek</u>	<u>C-3 Planned Commercial Development</u>	<u>C-4 General Business</u>
(b) <u>Retail and Services</u>				
(9) Restaurants (no indoor seating)			SU	SU
(10) Studios for instruction	P	P	SU	P
(11) Veterinary office		SU	SU	P
(12) Animal boarding				SU

Section 2 - That Section 1280.05(gg) which currently reads as follows:

1280.05 MINIMUM LOT AND YARD REGULATIONS FOR SPECIAL USES IN NONRESIDENTIAL DISTRICTS.

Schedule [1280.05](#) sets forth regulations governing minimum lot area and minimum lot width requirements for special uses in commercial, office and industrial districts. Supplemental requirements pertaining to such uses are set forth in Section [1280.06](#), and the specific divisions are referenced in Schedule [1280.05](#).

Schedule 1280.05

<u>MINIMUM LOT AND YARD REGULATIONS FOR SPECIAL USES IN NONRESIDENTIAL DISTRICTS</u>				
Special Use	<u>Special Use in District</u>	<u>Minimum Lot Regulations</u>		<u>Also See Section:</u>
		<u>Area</u>	<u>Width</u>	
(ff) Urgent care clinics	C-3 C-4	(1)	(1)	1280.06(jj)
(gg) Veterinary offices	C-3	(1)	(1)	1280.06(kk)
<u>Notes to Schedule 1280.05:</u> (1) Shall comply with district regulations. NA Not Applicable * = Must comply with ACO Section 1610.17				

Shall be amended to read as follows: (new language in bold print)

1280.05 MINIMUM LOT AND YARD REGULATIONS FOR SPECIAL USES IN NONRESIDENTIAL DISTRICTS.

Schedule [1280.05](#) sets forth regulations governing minimum lot area and minimum lot width requirements for special uses in commercial, office and industrial districts. Supplemental requirements pertaining to such uses are set forth in Section [1280.06](#), and the specific divisions are referenced in Schedule [1280.05](#).

Schedule 1280.05

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Special Use	<u>Special Use in District</u>	<u>Minimum Lot Regulations</u>		<u>Also See Section:</u>
		<u>Area</u>	<u>Width</u>	
(ff) Urgent care clinics	C-3 C-4	(1)	(1)	1280.06(jj)
(gg) Veterinary offices	C-2 C-3	(1) (1)	(1) (1)	1280.06(kk)
<u>Notes to Schedule 1280.05:</u> (1) Shall comply with district regulations. NA Not Applicable * = Must comply with ACO Section 1610.17				

Section 3 - The Codifier is hereby instructed to insert all amendments to Sections 1270.03(b)(11) and 1280.05(gg) contained in this legislation in the appropriate order within the existing codified ordinances, renumbering and/or relettering anywhere applicable. All other language contained in Sections 1270.03(b) and 1280.05 not specifically amended herein shall remain in full force and effect.

Section 4 - That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance 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 actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 5 - That this Ordinance shall take effect and be in force at the earliest date allowed by law.

Ordinance No. 41-19 (Con't)

First Reading: _____

Second Reading: _____

Third Reading: _____

PASSED: _____

DATE SIGNED: _____

By: _____

Craig Witherspoon, Council President

DATE APPROVED BY THE MAYOR _____

William D. Logan, Acting Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director

ATTEST:

Barbara J. Brooks
Clerk of Council

POSTED: _____

In Five Places as
Provided by Council

Prepared by:
John A. Gasior, Esq.
Law Director