

THE CITY COUNCIL OF NORTH ROYALTON, OHIO

ORDINANCE NO. 15-72

INTRODUCED BY: Nickell, Kasaris, Antoskiewicz, Langshaw

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 12 PLANNING AND ZONING CODE, CHAPTER 1260 GENERAL PROVISIONS AND DEFINITIONS, SECTION 1260.07 DEFINITIONS; CHAPTER 1274 PUBLIC FACILITIES DISTRICTS, SECTION 1274.02 USE REGULATIONS AND SECTION 1274.04 YARD REGULATIONS; CHAPTER 1276 BUSINESS DISTRICTS, SECTION 1276.02 USE REGULATIONS FOR OFFICE BUILDING DISTRICTS AND SECTION 1276.03 USE REGULATIONS FOR LOCAL BUSINESS DISTRICTS; CHAPTER 1278 INDUSTRIAL DISTRICTS, SECTION 1278.04 USE REGULATIONS FOR GENERAL INDUSTRIAL DISTRICTS; AND CHAPTER 1281 TRADITIONAL TOWN CENTER/MAIN STREET DISTRICT, SECTION 1281.03 USE REGULATIONS TO ALLOW FOR CHILD DAY CARE CENTERS AND ADULT DAY CARE CENTERS, AND DECLARING AN EMERGENCY

WHEREAS: It has been determined to be necessary to expand the permitted use districts for Child Day Care Centers and Adult Day Care Centers in order to better serve the community; and

WHEREAS: It is therefore necessary to amend the Codified Ordinances of the City of North Royalton, Part 12 Planning and Zoning Code, Chapter 1260 General Provisions and Definitions, Section 1260.07 Definitions; Chapter 1274 Public Facilities Districts, Section 1274.02 Use Regulations and Section 1274.04 Yard Regulations; Chapter 1276 Business Districts, Section 1276.02 Use Regulations for Office Building Districts and Section 1276.03 Use Regulations for Local Business Districts; Chapter 1278 Industrial Districts, Section 1278.04 Use Regulations for General Industrial Districts; and Chapter 1281 Traditional Town Center/Main Street District, Section 1281.03 Use Regulations to allow for these centers; and

WHEREAS: Council desires to provide for these amendments.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA AND STATE OF OHIO, THAT:

Section 1. Chapter 1260 General Provisions and Definitions, Section 1260.07 Definitions is hereby amended by creating a new paragraph (g) to hereinafter read as follows:

1260.07 Definitions

(g) *Day Care Centers.*

(1) *“Adult Day Care Center” means a non-residential facility that administers to the needs of seniors. Such centers may provide for the health, nutritional, social and daily needs of its occupants in a professionally staffed group setting for less than a twenty-four hour period. The care they provide is often a social model (focusing on socialization and prevention services) or a medical model (including skilled assessment, treatment and rehabilitation).*

(2) *“Child Day Care Center” means a non-residential facility that administers to the needs of infants, toddlers, preschool age children or school age children outside of school hours. Such centers may provide for the educational development, nutritional, social and daily needs of its occupants in a professionally staffed group setting for less than a twenty-four hour period.*

Re-number current (g) to (h)

Section 2. Chapter 1274 Public Facilities Districts, Section 1274.02 Use Regulations, paragraph (a) Permitted Buildings and Uses is hereby amended to hereinafter read as follows:

(a) Permitted Buildings and Uses
Schedule of Permitted Buildings and Uses in PF District
Accessory Buildings and Uses

Public parking areas, storage garages, parsonage, residence for custodian or guard, ~~and~~ maintenance and heating facility, *adult day care centers, child day care centers.*

Section 3. Chapter 1274 Public Facilities Districts, Section 1274.04 Yard Regulations, paragraph (b) Side and Rear Yards is hereby amended to hereinafter read as follows:

(b) Side and Rear Yards.

(1) Main buildings and uses. The yards for each public facility building shall be not less than the criteria set forth in the following schedule when adjacent to any Residential District:

| | | Minimum Yard (ft.)* | |
|---------------|---|---------------------|-------|
| | | Side* | Rear* |
| Governmental: | Administrative buildings | 50 | 75 |
| Civic: | Non-assembly buildings | 50 | 75 |
| | Assembly buildings | 50 | 75 |
| Educational: | Public, private and parochial schools | 75 | 100 |
| | Nursery schools, <i>adult day care centers</i> and child day care centers | 50 | 100 |
| | Buildings | 75 | 100 |
| Recreational: | Buildings | 75 | 100 |
| Religious: | Churches and synagogues | 50 | 75 |

*Or two times the height of the building, whichever is greater.

Section 4. Chapter 1276 Business Districts, Section 1276.02, Use Regulations for Office Building Districts, paragraph (c) Accessory Uses Permitted is hereby amended to hereinafter read as follows:

1276.02 USE REGULATIONS FOR OFFICE BUILDING DISTRICTS.

(c) Accessory Uses Permitted. Any accessory use which is incidental to the main uses, provided that it is planned and developed integrally with the main building and that it has no injurious effect on adjoining use districts, such as:

- (1) Storage garages and off-street parking areas for employees and customers as required in Chapter 1282.
- (2) Maintenance and storage facilities, if provided within the main building.
- (3) Employee lunch rooms; restaurants, provided they do not exceed ten percent of the gross floor area of the building.
- (4) Business, professional nameplate, directional, real estate and project signs, subject to the regulations set forth in Chapter 1284.
- (5) Pharmacies, which may be included as part of a medical building or clinic.
- (6) Newsstands, salons, barber shops or other uses commonly occurring in an office building provided that the aggregate of such use does not exceed thirty percent of the leasable square footage of the building.
- (7) ***Child day care centers, provided they do not exceed ten percent of the gross floor area of the building.***
- ~~(7-8)~~ Other uses which are developed integrally and are essential to the successful operation of the main use.

Section 5. Chapter 1276 Business Districts, Section 1276.03 Use Regulations for Local Business Districts, paragraph (a)(1) is hereby amended to hereinafter read as follows:

1276.03 USE REGULATIONS FOR LOCAL BUSINESS DISTRICTS.

(a) Main Buildings and Uses Permitted.

- (1) Professional, financial, governmental, medical, public utility, sales, executive and administrative office buildings and offices, practice of veterinary medicine and animal hospital (conducting wholly within an enclosed building), provided that no kennels, boarding facilities, or animals are housed on the premises, except for the medical purposes only and not to exceed to the extent medically necessary, ***adult day care centers and child day care centers***; and

Section 6. Chapter 1278 Industrial Districts, Section 1278.04 Use Regulations for General Industrial Districts, paragraph (d) Conditional Uses is hereby amended by creating a new item 4 as follows:

(d) Conditional Uses.

- (4) ***Adult Day Care Centers and Child Day Care Centers having frontage on State Route 82.***

Section 7. Chapter 1281 Traditional Town Center/Main Street District, Section 1281.03 Use Regulations Permitted Uses is hereby amended to hereinafter read as follows:

SCHEDULE 1281.03 PERMITTED USES

| | TCD-1 | TCD-2 | TCD-3 | TCD-4 | TCD-5 |
|---|----------|----------|----------|----------|----------|
| Retail and professional services | | | | | |
| Retail | P | P | P | P | P |
| Offices | P | P | P | P | P |
| Personal services | P | P | P | P | P |
| Repair services | P | P | P | P | P |
| Restaurants | P | P | P | P | P |
| Taverns/pubs | P | P | | P | P |
| Hotels/Bed and Breakfast | P | P | | P | |
| Banks | P | P | P | P | P |
| Gasoline service stations | | P | C | C | C |
| Automotive services | | P | | | C |
| Automotive repair | | P | | | C |
| Walk-up ATM's | P | P | P | P | P |
| Drive-through facility | C | P | C | C | C |
| Wholesale offices/showrooms | | P | | | |
| Outdoor displays | A | P | A | C | C |
| Indoor recreation/amusement | | P | | P | P |
| Veterinary clinics and veterinarian practices | P | P | P | P | P |
| Adult Day Care Centers | P | P | P | P | C |
| Child Day Care Centers | P | P | P | P | C |

Section 8. Part 12 Planning and Zoning Code, Chapter 1260 General Provisions and Definitions, Section 1260.07 Definitions; Chapter 1274 Public Facilities Districts, Section 1274.02 Use Regulations and Section 1274.04 Yard Regulations; Chapter 1276 Business Districts, Section 1276.02 Use Regulations for Office Building Districts and Section 1276.03 Use Regulations for Local Business Districts; Chapter 1278 Industrial Districts, Section 1278.04 Use Regulations for General Industrial Districts; and Chapter 1281 Traditional Town Center/Main Street District, Section 1281.03 Use Regulations of the Codified Ordinances of the City of North Royalton are hereby amended as provided for herein and all other provisions of Part 12 Planning and Zoning Code shall remain in full force and effect.

Section 9. This Ordinance shall supersede all previously adopted ordinances in direct conflict herewith.

Section 10. 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.

Section 11. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the city, and for the further reason that it is immediately necessary to expand the permitted use districts for Child Day Care Centers and Adult Day Care Centers in order to better serve the community.

THEREFORE, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to council, it shall take affect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

/s/ Larry Antoskiewicz
 PRESIDENT OF COUNCIL

APPROVED: /s/ Robert Stefanik
 MAYOR

DATE PASSED: September 15, 2015

DATE APPROVED: September 16, 2015

ATTEST: /s/ Laura J. Haller
 DIRECTOR OF LEGISLATIVE SERVICES

First reading July 21, 2015
 Second reading suspended
 Third reading September 15, 2015

YEAS: Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Muller, Kasaris

NAYS: none