

# THE CITY COUNCIL OF NORTH ROYALTON, OHIO

ORDINANCE NO. 15-95

INTRODUCED BY: Nickell, Kasaris, Antoskiewicz  
Langshaw

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART TWELVE PLANNING AND ZONING CODE, CHAPTER 1276 BUSINESS DISTRICTS, SECTION 1276.03 USE REGULATIONS FOR LOCAL BUSINESS DISTRICTS, AND SECTION 1276.04 USE REGULATIONS FOR GENERAL BUSINESS DISTRICTS, AND DECLARING AN EMERGENCY

WHEREAS: It has been determined that automobile service stations for the sale of gas and accessories should be allowed in Local Business and General Business Districts provided that a Conditional Use Permit is granted in accordance with the standards set forth in Sections 1262.07 and 1276.12 of the Codified Ordinances of the City of North Royalton; and

WHEREAS: It is therefore necessary to amend the Codified Ordinances of the City of North Royalton, Part Twelve Planning and Zoning Code, Chapter 1276 Business Districts, Section 1276.03 Use Regulations for Local Business Districts and Section 1276.04 Use Regulations for General Business Districts; and

WHEREAS: Council desires to provide for this amendment.

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

Section 1. Part Twelve Planning and Zoning Code, Chapter 1276 Business Districts, Section 1276.03 Use Regulations for Local Business Districts, Paragraph (a) Main Buildings and Uses Permitted of the Codified Ordinances of the City of North Royalton is hereby amended to hereinafter read as follows:

1276.03 USE REGULATIONS FOR LOCAL BUSINESS DISTRICTS.

(a) Main Buildings and Uses Permitted.

(2) B. Services.

4. Automotive services and maintenance, excluding major repair *and/or service station for sale of gas and accessories*, as provided for in paragraph (a)(2)B(5) *and (a)(2)B(6)* hereof; and

6. *Automobile service station for sale of gas and accessories, provided that a conditional use permit is granted in accordance with the standards set forth in Sections 1262.07 and 1276.12.*

Section 2. Part Twelve Planning and Zoning Code, Chapter 1276 Business Districts, Section 1276.04 Use Regulations for General Business Districts, Paragraph (a) Main Buildings and Uses Permitted of the Codified Ordinances of the City of North Royalton is hereby amended to hereinafter read as follows:

1276.04 USE REGULATIONS FOR GENERAL BUSINESS DISTRICTS.

(a) Main Buildings and Uses Permitted.

(1) Offices, stores, services and other use classifications as permitted in Local Business Districts, ~~except that automotive services as set forth in Section 1276.03(a)(2)B.4. shall not be permitted.~~

Section 3. Sections 1276.03 and 1276.04 of the Codified Ordinances of the City of North Royalton are hereby amended as provided for herein and all other provisions of Chapter 1276 shall remain in full force and effect.

Section 4. This Ordinance shall supersede all previously adopted Ordinances in direct conflict herewith.

Section 5. 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 6. 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 allow automobile service stations for the sale of gas and accessories in Local Business and General Business Districts provided that a Conditional Use Permit is granted in accordance with the standards set forth in Sections 1262.07 and 1276.12 of the Codified Ordinances of the City of North Royalton.

THEREFORE, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect 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 A. Stefanik  
MAYOR

DATE PASSED: November 4, 2015

DATE APPROVED: November 5, 2015

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

First reading October 6, 2015  
Second reading October 20, 2015  
Third reading November 4, 2015

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

NAYS: none