

ORDINANCE NO. 9-14

AN ORDINANCE AMENDING SECTION 1127.05 OF THE PAINESVILLE CODE OF 1998, RELATING TO THE DEFINITION OF RECREATIONAL FACILITIES and DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL of the City of Painesville, Lake County, Ohio:

SECTION I. That Section 1127.05 of the Painesville Code of 1998 is hereby amended to read as follows:

1127.05 SCHEDULE OF DISTRICT REGULATIONS.

District regulations for individual districts shall be as set forth in the Schedule of District Regulations, which shall be a part of this ordinance, and in Chapter 1131 of this ordinance entitled Supplemental Regulations.

Schedule of District Regulations.

S-1 SPECIAL DISTRICT

PURPOSE: To preserve environmentally sensitive areas, to maintain open space and to encourage the preservation of undeveloped areas.

PERMITTED USES:

- Single family residential
- Agricultural uses
- Hospitals
- Places of worship
- Schools, public and private
- Colleges/University
- Funeral homes
- Cemetery

CONDITIONAL USES:

- Golf Courses
- Roadside stands
- Noncommercial recreational uses
- Public Use

R-1 SINGLE FAMILY RESIDENTIAL

PURPOSE: To provide areas that will provide locations for single family development. Certain other uses shall be permitted that are compatible and supportive to the single family character.

PERMITTED USES:

- All uses listed as permitted uses in S-1

CONDITIONAL USES:

- Bed and Breakfast
- Non-commercial recreational uses
- Public Use

R-2 MULTI-FAMILY RESIDENTIAL

PURPOSE: To provide areas for the location and development of greater density residential development. Such districts are intended to be located where transportation facilities and convenience goods are readily available and are adequate to meet the increased demand.

PERMITTED USES:

- Single family residential
- Duplexes
- Multifamily residential subject to requirements of section 1131.05
- Places of worship
- Schools, public and private
- Recreational facilities
- Elderly Housing

CONDITIONAL USES:

- Bed and Breakfast
- Commercial Parking lot
- Day care or nursery school
- Hospitals

Nursing Homes
Golf Courses
Public Use
Adult Group Homes for the Elderly
Inn

B-1 BUSINESS/RESIDENTIAL

PURPOSE: The purpose of this district is to provide a transition from residential to the commercial areas, and to prohibit those automobile related businesses and uses, including drive-through commercial uses, that tend to make pedestrian circulation difficult or unsafe. Although the district may allow residential uses, it is not intended to offer a residential environment protected from the effects of usual and customary business activity. The permitted and conditional uses are those which will have a minimal impact on the adjacent residential property but will provide support activities to those adjacent areas.

PERMITTED USES:

Professional offices, general or medical, with no more than 3,000 square feet of gross ground floor area

Personal services
Financial institutions
Funeral homes
Places of worship

CONDITIONAL USES:

Residential uses as permitted in R-2 District
Transitional retail with no more than 2,000 square feet of gross ground floor area
Professional offices, general or medical, with more than 3,000 square feet of gross ground floor area

Day care facilities, commercial
Adult family homes
Adult group homes
Nursing homes
Assisted living facilities
Bed and Breakfast
Similar uses as determined by the Planning Commission
Public use

B-2 GENERAL BUSINESS

PURPOSE: The purpose of this district is to provide areas for commercial, service and business uses in a manner adequately served by transportation and utilities and to have minimal impact on other districts.

PERMITTED USES:

Retail stores
Auto repair, not including body work
Service Station
Offices
Hospitals
Restaurants, private clubs and bars
Drive-in and drive-thru restaurants
Financial institutions
Dry cleaners
Barber and beauty salon
Printing and publishing
Contractor shops without storage yards
Day care centers
Game rooms and pool halls
Wholesale and warehousing
Radio, television and cable transmission or receiving studio and associated appurtenances
Animal hospitals, veterinary clinics without outdoor runs.

CONDITIONAL USES:

Residential use when accessory to a permitted commercial use
Commercial recreational uses
Car wash
Public Use
Similar uses as approved by the Planning Commission

B-3 CENTRAL BUSINESS DISTRICT

PURPOSE: To provide a location for a greater intensity of development which permits a variety of commercial, business, cultural and recreational activities as a focal point of the community.

PERMITTED USES:

- Retail stores
- Offices, subject to the requirements of Section 1133.04
- Hospitals and nursing homes
- Restaurants
- Theaters
- Bars and Night clubs
- Motels and Hotels
- Dry cleaners and laundry
- Barber and beauty shops and similar personal services
- Printing and publishing
- Bakery

CONDITIONAL USES:

- Residential uses when accessory to a permitted commercial use
- Public Use
- Similar uses as approved by the Planning Commission
- Parking lots

OFFICE PARK DISTRICT

PURPOSE: To promote accessible and visible office parks in a campus-like setting where offices are clustered with minimal intrusion from non-office uses.

PERMITTED USES:

- Offices
- Restaurants when located within a building occupied by other permitted uses.
- Fitness Center
- Health Club

CONDITIONAL USES:

- Laboratories or research facilities
- Commercial Recreational uses
- Public Use
- Similar uses

M-1 LIGHT INDUSTRIAL

PURPOSE: To provide locations for activities generally understood to be manufacturing activities in a manner conducive to the creation of new job opportunities, minimization of impacts on other districts, and providing access to materials and adequate transportation facilities.

PERMITTED USES:

- Uses which involve the transformation of materials to create a finished product.
- Assembly uses
- Auto repair and body work
- Contractors shops
- Packaging facilities
- Offices
- Wholesale
- Warehousing and storage
- Testing and research
- Animal boarding and kennels
- Truck terminal facilities

CONDITIONAL USES:

- Public Use
- Commercial/Organizational recreation uses**
- Similar uses as approved by the Planning Commission

M-2 HEAVY MANUFACTURING

PURPOSE: To provide locations for uses that may have a significant impact on the surrounding uses of property and may require special performance standards in addition to those generally applicable in the M-1 district.

PERMITTED USES:

- Uses listed as permitted uses in the M-1 district

CONDITIONAL USES:

Public Use

Commercial/Organizational recreation uses

Manufacturing uses which involve potentially hazardous, explosive or flammable materials
Similar uses as approved by the Planning Commission.

SPECIAL DISTRICTS

FP FLOOD PLAIN DISTRICT

PURPOSE: To establish certain districts along water courses that as a result of a severe storm may be inundated by flood waters. To restrict the uses in these areas so as to preserve life and protect property and prevent or minimize damage. It is the intent of this district to regulate development in the areas designated as the 100 year flood plain as designated by the Floodway maps.

DESIGNATION OF FLOODPLAIN DISTRICT: The floodplain district shall be those areas designated as the 100 year flood way on the flood plain maps developed by the Army Corp of Engineers.

PERMITTED USES: All uses permitted in the district in which the property is located provided that the use meets the flood hazard requirement of the Ordinances of the City. There shall not be permitted any filling or change of grade to effect the floodway, diversion of water, or change in velocity.

DR DESIGN REVIEW DISTRICT

PURPOSE: To establish certain districts where the stabilization of the designated area is necessary to protect property values, stimulate economic activity and preserve and maintain the character of the area. It is the intent of this district to establish standards to maintain the historic character and attractiveness of the district and to promote compatible development of vacant land.

DESIGNATION OF DESIGN REVIEW DISTRICTS:

(a) Downtown Design Review District. There shall hereby be established a Downtown Design Review District as a Special District. The Downtown Design Review District shall include all lots and buildings including public properties and rights of way included in an area delineated on the District Map.

(b) Richmond Street Design Review District. There shall hereby be established a Richmond Street Design Review District, which includes all lots and buildings including public properties fronting on the following streets and rights of way included in an area delineated on the District Map.

PERMITTED USES: All permitted uses in the district in which the property is located provided that the use meets the design review requirements of this section and as set forth in Chapter 1146.

PUD PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT

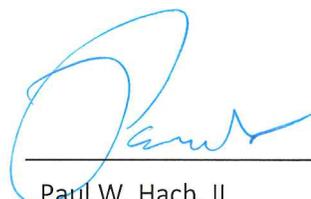
PURPOSE: All planned unit development (PUD) project proposals will be considered on the merits of the particular proposal in the context of the City's Comprehensive Plan, the neighborhood in which the PUD is to be located, the adequacy of public facilities and ease of extending service and the compatibility of the project proposal and immediate surroundings.

PERMITTED USES: All permitted uses in the district in which the property is located provided that the use meets the planned unit development requirements of this section and as set forth in Chapter 1134.

SECTION II. That this Ordinance is passed as an emergency measure for the protection and preservation of the peace, health, safety and general welfare of the inhabitants of the City of Painesville, the proposed change is necessary to provide the highest and best use of land described and therefore, this ordinance shall be effective immediately.

PASSED: May 19, 2014

EFFECTIVE DATE: May 19, 2014



Paul W. Hach, II
President of Council

ATTEST:



Tara Diehl
Clerk of Council