

CHAPTER 1113
Zoning District Regulations

1113.01 PURPOSE.

The purpose of this chapter is to classify land into zoning districts in order to:

- (a) Achieve the general purposes as set forth in this Code;
- (b) Promote the orderly future development of the City in accordance with the Comprehensive Plan;
- (c) Establish relationships between and among land uses that will ensure compatibility and maintain quality of life; and
- (d) Protect and promote suitable environments for agricultural, residential, commercial, industrial, institutional and public uses.

1113.02 ESTABLISHMENT OF ZONING DISTRICTS.

In order to carry out the provisions of this Code, the City of Painesville is divided into the following zoning districts for the following purposes:

Zoning Districts	
NAME	PURPOSE
S-1 SPECIAL	To preserve environmentally sensitive areas, to maintain open space and to encourage the preservation of undeveloped areas.
R-1 SINGLE FAMILY RESIDENTIAL	To provide areas for single family development. Certain other uses shall be permitted that are compatible and supportive to the single family character.
R1-60 SINGLE FAMILY RESIDENTIAL	To provide areas for single family development. Certain other uses shall be permitted that are compatible and supportive to the single family character.
R-2 MULTI-FAMILY RESIDENTIAL	To provide areas for greater density residential development. Such districts are intended to be located in proximity to transportation facilities and convenience goods.
B-1 BUSINESS/RESIDENTIAL	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.

B-2 GENERAL BUSINESS	To provide areas for a wide variety of commercial, service and business uses that are adequately served by transportation and utilities and serve the needs of the City and the region
B-3 CENTRAL BUSINESS	To provide a location for a greater intensity of development which permits a variety of commercial, business, cultural residential and recreational activities in a walkable, mixed use setting that forms a focal point of the community.
DD DOWNTOWN DEVELOPMENT	To provide a location for a greater intensity of development which permits a variety of commercial, business, cultural residential and recreational activities in a walkable, mixed use setting in accordance with the Downtown Master Plan and in the manner of historic downtowns.
M-1 LIGHT INDUSTRIAL	To provide locations for industrial uses which can be operated in a clean and quiet manner subject to those regulations and performance standards necessary to prohibit congestion and for the protection of adjacent residential and business activities.
M-2 INDUSTRIAL	To provide locations for a broad range of industrial uses, which, because of outdoor operations or because of their size, noise, dirt, dust, vibration, odor, or traffic require special performance standards in addition to those generally applicable in the M-1 district.
Land may also be classified into the following special districts:	
FP FLOOD PLAIN	FLOOD PLAIN DISTRICT To establish certain districts along water courses that may periodically be inundated by flood waters. Uses are restricted in these areas so as to preserve life, protect property, minimize disruption of commerce and government services 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.
DR DESIGN REVIEW HISTORIC DOWNTOWN RICHMOND STREET	DESIGN REVIEW DISTRICT 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 protect the historic character and architectural details of structures within the district, minimize the demolition of

HISTORIC PRESERVATION: Mentor Avenue Bank Street Railroad Street	historic structures, and encourage new buildings and development that will be harmonious with the existing historic architecture.
PUD PLANNED UNIT DEVELOPMENT	PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT To promote a creative and flexible approach to land development projects undertaken as a single entity that require flexibility in the strict application of city regulations to protect natural resources, allow for efficient infrastructure and utility design, create unique open spaces and achieve a better quality project than would be possible without such flexibility.

1113.03 CLASSIFICATION OF MAPS.

The boundaries of the zoning districts are shown upon the map dated January 4, 1993, as may be amended from time to time, which is made part of this Code and designated as the District Map. The setback requirements of the various Districts are shown upon the map which is made a part of this Code and designated as the Setback Map. This District Map and the Setback Map, together with all the notations, references, amendments and other information shown thereon are a part of this Code and have the same force and effect as if such maps and all the notations, references and other information shown there were all fully set forth or described therein, the original of which District and Setback Maps are properly attested and are on file with the Department of Community Development.

1113.04 DISTRICT BOUNDARIES.

With respect to determining the boundaries of the zoning districts shown on the District Map, the following rules shall apply:

- (a) The District boundary lines on such map are intended to follow either streets or alleys or lot lines; and where the Districts designated on the Map are bounded approximately by such street, alley or lot lines, the street or alley or lot shall be construed to be the boundary of the district, unless such boundary is otherwise indicated on the Map. In the case of unsubdivided property the District boundary lines shall be determined by the use of the scale appearing on the District Map or by dimensions.
- (b) Where the boundary of a District follows a railroad line, such boundary shall be deemed to be located midway between the main tracks of such railroad.
- (c) Whenever any area is annexed to the City the land shall be classified as the zoning district of the surrounding property located within the corporate limits until otherwise changed by ordinance, following the procedures set forth in this Code.
- (d) Whenever any street, alley or other public way is vacated by official action of Council, the zoning District adjoining each side of such street, alley or public way shall be automatically extended to the center of such vacation and all areas included in the

vacation shall then and henceforth be subject to all appropriate regulations of the extended district.

- (e) All areas within the corporate limits of the City which are under water and shown as included within a District shall be subject to all of the regulations of the district which immediately adjoins the water area. If the water area adjoins two or more Districts, the boundaries of each district shall be construed to extend into the water area in a straight line until they meet the other district.
- (f) Where features existing on the ground are at variance with those shown on the zoning map, or in other circumstances not covered by this section, the Zoning Administrator shall interpret the district boundaries. The interpretation of the Zoning Administrator shall be appealable to the Board of Zoning Appeals.

1113.05 COMPLIANCE .

- (a) No building, structure or land shall hereafter be used or occupied, and no building or structure or part thereof shall hereafter be erected, constructed, reconstructed, moved or structurally altered except in conformance with all of the regulations herein specified for the district in which it is located.
- (b) No yard or lot existing at the time of passage of this Code shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this Code, shall meet at least the minimum requirements established by this Code except as provided herein.

1113.06 DISTRICT REGULATIONS FOR MAIN USES.

The schedule of district regulations lists the main uses allowed within all zoning districts. The following provisions apply to the interpretation of the schedule:

- (a) Uses.
 - (1) A "P" in a cell indicates that a use type is allowed by-right in the respective zoning district. Permitted uses are subject to all other general standards of this Code as well as any specific standards that are noted in the last column of the schedule.
 - (2) A "C" in a cell indicates that a use may be permitted if approved by the Planning Commission through the Conditional Use review process as set forth in Section 1111.08. Conditional uses are subject to all other general standards of this Code as well as any specific standards that are noted in the last column of the schedule.
 - (3) A blank cell indicates that a use is prohibited in the respective zoning district.
- (b) Use Determination. The Administrator shall make the determination if a proposed use is a Permitted Use, Conditional Use, or Temporary Use under the provisions of this section.
- (c) Similar Use Determination.
 - (1) The Planning Commission may determine that a proposed use is substantially similar to a permitted or conditional use as established in Section 1113.06(d)

based on the proposed use activities, character of the use, or similarity to other uses contemplated by this Code. If the Planning Commission finds that the proposed use is a Similar Use, the application to establish such use shall be processed in the same manner as the comparable permitted use. If the Planning Commission finds that a proposed use is not a Similar Use, the application shall not be processed.

- (2) The applicant may request that the Planning Commission initiate a text amendment to address the proposed use and establish applicable guidelines and standards or the applicant may appeal the determination of the Planning Commission to Council. Council may affirm the finding of the Planning Commission or make its own finding that a proposed use is a Similar Use. In such event, the decision of Council shall be final.