

ORDINANCE NO. 73-24

**AN ORDINANCE TO AMEND THE PLANNING AND ZONING CODE
SECTION 1270.03 “SCHEDULE OF PERMITTED USES” AND SECTION
1280.05 MINIMUM LOT AND YARD REGULATIONS FOR SPECIAL USES
IN NON-RESIDENTIAL DISTRICTS TO REQUIRE A SPECIAL USE PERMIT
FOR URGENT CARE CLINICS IN THE C-2 DISTRICT**

WHEREAS, Section 1270.03 provides a schedule of the Permitted and Special Uses within the Business Districts; and

WHEREAS, 1280.05 sets forth regulations governing minimum lot area and minimum lot width requirements for Special Uses in commercial, office and industrial districts (i.e., non-residential districts); and

WHEREAS, 1270.03(a)(5) currently allows for urgent care clinics only in C-3 and C-4 Districts with a Special Use Permit; and

WHEREAS, 1280.05(gg) sets forth guidelines for Special Use permits in Districts C-3 and C-4 districts; and

WHEREAS, the Planning Coordinator has recommended amendments to these sections to allow for an urgent care clinic to be designated a Special Use Permit in the C-2 Central Business/French Creek District; and

WHEREAS, the Planning Commission authorized a Public Hearing on said amendments which was duly publicized according to law and held on June 19, 2024; and

WHEREAS, on June 19, 2024, by a vote of Five (5) in favor and Zero (0) opposed, Planning Commission recommended approval of the amendments to Sections 1270.03(a)(5) and 1280.05(gg) of the Planning and Zoning Code; and

WHEREAS, Council, on July 1, 2024 authorized a Public Hearing; and

WHEREAS, said Public Hearing was duly publicized according to law and was held on September 9, 2024 at 7:25 PM; and

WHEREAS, Council, in considering the recommendation of Planning Commission and comments from the Administration finds that amending Sections 1270.03(a)(5) and 1280.05(gg) of the Codified Ordinances of the City of Avon is in the best interests of the health, safety, and welfare of the citizens of Avon.

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

Section 1 - That Section 1270.03(a)(5) of the Avon Codified Ordinance which currently reads as follows:

1270.03 SCHEDULE OF PERMITTED USES.

	<u>C-1</u> <u>Neighborhood</u> <u>Business</u>	<u>C-2</u> <u>Central</u> <u>Business/</u> <u>French Creek</u>	<u>C-3</u> <u>Planned</u> <u>Commercial</u> <u>Development</u>	<u>C-4</u> <u>General</u> <u>Business</u>
(a) <u>Offices</u>				
(5) Urgent care clinic			SU	SU

Shall be amended to read as follows: (New language in bold print; deleted language stricken)

1270.03 SCHEDULE OF PERMITTED USES.

	<u>C-1</u> <u>Neighborhood</u> <u>Business</u>	<u>C-2</u> <u>Central</u> <u>Business/</u> <u>French Creek</u>	<u>C-3</u> <u>Planned</u> <u>Commercial</u> <u>Development</u>	<u>C-4</u> <u>General</u> <u>Business</u>
(a) <u>Offices</u>				
(5) Urgent care clinic		SU	SU	SU

Section 2 - That Section 1280.05(gg) of the Avon Codified Ordinance which currently reads as follows:

Schedule 1280.05

MINIMUM LOT AND YARD REGULATIONS FOR
SPECIAL USES IN NONRESIDENTIAL DISTRICTS

Special Use	<u>Special Use in</u> <u>District</u>	<u>Minimum Lot</u> <u>Regulations</u>		<u>Also See</u> <u>Section:</u>
		<u>Area</u>	<u>Width</u>	
(gg) Urgent care clinics	C-3 C-4	(1)	(1)	1280.06(jj)

Shall be amended to read as follows: (New language in bold print; deleted language stricken)

Schedule 1280.05

MINIMUM LOT AND YARD REGULATIONS FOR
SPECIAL USES IN NONRESIDENTIAL DISTRICTS

Special Use	<u>Special Use in</u> <u>District</u>	<u>Minimum Lot</u> <u>Regulations</u>		<u>Also See</u> <u>Section:</u>
		<u>Area</u>	<u>Width</u>	
(gg) Urgent care clinics	C-2 C-3 C-4	(1)	(1)	1280.06(jj)

Section 3 - The Codifier is hereby instructed to insert the amendments to Sections 1270.03(a)(5) and 1280.05(gg) in the appropriate order within the existing codified ordinances, renumbering and/or re-lettering anywhere applicable. All other language contained in Sections 1270.03(a)(5) and 1280.05(gg) 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.

First Reading _____

Second Reading _____

Third Reading _____

PASSED: _____

DATE SIGNED: _____

By: _____
Brian Fischer, Council President

DATE APPROVED BY THE MAYOR: _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director
City of Avon, Ohio

ATTEST:

Barbara Brooks, Clerk of Council

Ordinance No. 73-24 (Con't)

POSTED: _____
Electronically and at City Hall as
Provided by Council

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