

CITY OF ENGLEWOOD

IN

MONTGOMERY COUNTY, OHIO

ORDINANCE NO: 17-05

Passed: September 26, 2017

AN ORDINANCE: AMENDING CERTAIN SECTIONS OF CHAPTER 1262 OF THE ENGLEWOOD CODIFIED ORDINANCES, ENTITLED DISTRICT REGULATIONS

WHEREAS, the City Council has determined that it would be in the best interests of the City to amend certain provisions of Chapter 1262; and

WHEREAS, the purpose of amendments to Chapter 1262 is to protect the health, safety, and welfare of the citizens of Englewood; and

WHEREAS, Chapter 1262 permits motels and hotels in Highway Commercial Districts and as a Conditional Use in the Office and Industrial Sales/Service Park District; and

WHEREAS, City Council has determined that any new construction of a motel or hotel must limit guest room access to interior doors only; and

WHEREAS, the City is authorized as a charter municipality to exercise all powers of local self-government

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ENGLEWOOD, MONTGOMERY COUNTY, OHIO, AS FOLLOWS:

SECTION I That Chapter 1262.09, Highway Commercial District, Permitted Uses Section be amended by the addition of bold faced words, to read as follows:

(b) Permitted Uses. The following uses shall be permitted as a use-by-right in the C-2 Highway Commercial District:

- (1) Agricultural implement sales and farm equipment storage and rental;
- (2) Air conditioning, heating, plumbing and roofing shops;
- (3) Automobile, trailer, recreational vehicle and motorcycle sales;
- (4) Indoor commercial recreation establishments and health spas;
- (5) Equipment rental and repair establishments;
- (6) Pet shops, kennels and animal hospitals;
- (7) Motels/Hotels (**all guest rooms limited to interior door access only**);
- (8) Indoor theaters;
- (9) Warehouses and enclosed storage facilities; and
- (10) Convenience food stores.

SECTION II That Chapter 1262.11, Office and Industrial Sales/Service Park District, Conditional Uses Section be amended by the addition of bold faced words, to read as follows:

(c) Conditionally Permitted Uses. The following uses are permitted as conditional uses in the C-4 Office and Industrial Sales - Service Park District, subject to the approval of the Board of Zoning Appeals and the subsequent issuance of a conditional use permit by the Code Enforcement Officer, which procedure is specified in Sections 1266.01 and 1268.05(f):

- (1) Funeral home and mortuary;
- (2) Personal service establishments, such as a drug store, barber shop, beauty shop or similar personal service establishment, provided that not more than 10% of the total gross floor area of permitted uses is occupied by such use;
- (3) Restaurants: sit-down;
- (4) Motels/**Hotels (all guest rooms limited to interior door access only)**;
- (5) Compounding assembly, treatment or fabricating establishments which may be characterized as light industry, such as tool and die manufacturing, electrical and electronic component production and assembly, surgical and medical equipment, small motor and machinery production and similar uses. All such uses shall be carried out within a completely enclosed structure and shall comply with the minimum performance standards specified in Section 1266.04.
- (6) *(Editor's note: Division (c)(6) was repealed by Ordinance 83-18, passed June 14, 1983.)*
- (7) Municipal or government buildings; and
- (8) Personal wireless service facilities.

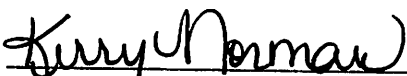
SECTION III It is hereby found and determined that all formal actions of this City Council concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

SECTION IV That this Ordinance shall be in full force and effect at the earliest date allowed by law.

PASSED THIS 26TH DAY OF SEPTEMBER, 2017.

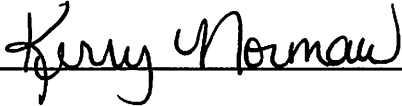

Patricia Burnside, MAYOR

ATTEST:


Kerry Norman, CLERK OF COUNCIL

C E R T I F I C A T E

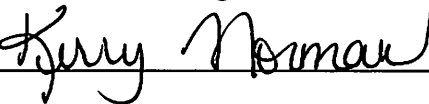
I, **Kerry Norman, Clerk of Council of the City of Englewood, Montgomery County, Ohio**, do hereby certify the foregoing is a true and correct copy from the *Record of Proceedings* of said City. **WITNESS** my signature this 26th day of September, 2017.

A handwritten signature in cursive script, reading "Kerry Norman", is written above a solid horizontal line.

Kerry Norman, Clerk of Council

C E R T I F I C A T E O F P O S T I N G

I, **Kerry Norman, Clerk of Council of the City of Englewood, Montgomery County, Ohio**, do hereby certify publication of the foregoing **ORDINANCE** was made as designated by Sections 224.01 and 24.02 of the Englewood Code.

A handwritten signature in cursive script, reading "Kerry Norman", is written above a solid horizontal line.

Kerry Norman, Clerk of Council