

**CITY OF ENGLEWOOD
IN
MONTGOMERY COUNTY, OHIO**

ORDINANCE: 25-02

PASSED: April 8, 2025

AN ORDINANCE: AMENDING ZONING CODE REGULATIONS PERTAINING TO CHAPTER 1262.09, C-2 HIGHWAY COMMERCIAL DISTRICT, AND CHAPTER 1270.01, WORDS AND TERMS DEFINED, BEING PART TWELVE OF THE ENGLEWOOD CODIFIED ORDINANCES

WHEREAS, amendments to the Englewood Zoning Code have been deemed necessary pursuant to reasons cited by Chapter 1268.02(c) of the Englewood Codified Ordinances; and

WHEREAS, notice of a hearing regarding matters herein was published in a newspaper of general circulation; and

WHEREAS, said hearing was held at the time and place advertised, as part of a regularly scheduled meeting of City Council; and

WHEREAS, the Administrative Board for Planning and Zoning Appeals (Planning Commission) has considered, at regularly scheduled meetings, open to the public, the zoning amendments outlined herein and has recommended same to City Council.

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

SECTION I That referenced Code Section 1262.09 of the Englewood Codified Ordinances be amended, by the addition of words in bold font and the deletion of words struck through, to read:

1262.09 C-2 HIGHWAY COMMERCIAL DISTRICT.

(a) Purpose. The intent of the C-2 Highway Commercial District is to accommodate both extensive land uses with high traffic generation characteristics and typical "highway-oriented" uses that derive a significant part of their trade by virtue of their location along highway frontage with its relatively high traffic volume.

(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.
- (11) **Tobacco or Vape Store**

(c) Conditionally Permitted Uses. The following uses are permitted as conditional uses in the C-2 Highway Commercial 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) Automobile convenience service facilities, service stations and washing establishments.
- (2) Automobile, trailer, recreational vehicle and motorcycle sales (new, used and rental);
- (3) Automobile tire sales and service.
- (4) Automobile upholstery repair.
- (5) Commercial greenhouses.
- (6) Fraternal lodges and private clubs.
- (7) Medical clinics and hospitals.
- (8) Municipal or government buildings.
- (9) Indoor commercial recreational establishments and teen centers.
- (10) Public utility substations or exchanges.
- (11) Lounges and restaurants (sit-down, carry-out and drive-in);
- (12) Retail establishments providing commodities intended primarily for interstate travelers.
- (13) Bus terminal.
- ~~—(14) Convenience food stores.~~

SECTION II That referenced Code Section 1270.01 of the Englewood Codified Ordinances be amended, by the addition of words in bold font and the deletion of words struck through, to read:

(73) Temporary Structure. "Temporary structure" means a structure of a temporary nature erected for a period not to exceed twelve months for such uses as construction offices or storage buildings at a construction site.

(73.2) Tobacco or Vape Store. Any establishment, structure, facility, store stand booth or concession that devotes 20 percent or more of its display floor area to the sale, display, marketing, bartering, trading, or exchange of electronic smoking devices as defined in ORC Section 2927.02, tobacco products, smoking accessories, devices or cartridges.

(73.5) Trailer. See "commercial vehicle".

SECTION III It is hereby found and determined that all formal actions of this council concerning and relating to the passage of this ordinance were taken in open meetings of this council, and that all deliberations of this council, and of any committees, that resulted in such 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 8th day of April 2025.

ATTEST:


Marla Goodrich, Clerk of Council


Cathy McGrail, Mayor

CERTIFICATE

I, Marla Goodrich, 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 8th day of April 2025.


Marla Goodrich, Clerk of Council

CERTIFICATE OF POSTING

I, Marla Goodrich, 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.


Marla Goodrich, Clerk of Council