

ORDINANCE NO.: 20 -2015
INTRODUCED BY: Alexander

AN ORDINANCE AMENDING SECTIONS 1151.03 AND 1123.04 OF THE ZONING CODE TO PROVIDE FOR INDOOR ENTERTAINMENT FACILITIES TO BE CONDITIONAL USES IN THE B-1 LOCAL BUSINESS DISTRICT; AND DECLARING AN EMERGENCY.

WHEREAS, requests have been made to the City's Division of Building Zoning and Housing for entertainment-type uses to be established in the B-1 Local Business District in the City and, currently, such establishments are not permitted uses or conditional uses in that zoning district; and

WHEREAS, this Council finds that indoor entertainment uses with floor areas not exceeding 5,000 square feet for each entertainment business can be compatible with both the permitted and conditional uses currently set forth in the Zoning Code, particularly if such entertainment uses are reviewed through a conditional use process as set forth in Chapter 1169 of the Zoning Code; and

WHEREAS, this Council desires to provide for indoor entertainment uses in the B-1 Local Business District within certain floor area size limitations and which meet the review standards for conditional uses in Chapter 1169 of the Zoning Code.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF RICHMOND HEIGHTS, STATE OF OHIO, THAT:

Section 1. Existing Section 1151.03 and Table 1151.03 within that Section of Title Five, "Zoning Code" of the City is amended by adding the following text in Table 1151.03, "B-1 Local Business District," "Conditional Uses":

Indoor entertainment facilities that do not exceed 5,000 square feet of floor space for each individual business.

Section 2. Existing Section 1123.04 of Chapter 1123, "Definitions", of Title Five, "Zoning Code", of the City is amended by adding a new subsection (b) as follows:

"1123.04 LETTERS E-F

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(b) Entertainment Facilities, Indoor. "Indoor entertainment facilities" shall mean a building or part of a building devoted to providing entertainment indoors for a fee, including, but not limited to, such activities as music, live performances, and games-e.g., pinball, video arcades, computer games, billiards, table games and similar small scale entertainment and amusements.

* * *"

Section 3. Existing Section 1123.04 of the Zoning Code is amended to add new subsection (b), as set forth in Section 2 above, and to re-letter the subsections in existing Section 1123.04 accordingly.

Section 4. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 5. This Ordinance is declared to be an emergency measure necessary for the preservation of the public health, safety and general welfare of the citizens, property owners, business tenants and visitors to, the City of Richmond Heights, and for the further reason that it is necessary to immediately amend the Zoning Code to provide for use of certain vacant business premises in B-1 Local Business Districts in the City so as to be occupied and economically viable and to provide tax revenues to the City; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____, 2015

David H. Roche, Mayor

APPROVED: _____, 2015

ATTEST: _____

Betsy Traben
Clerk of Council

Eloise Henry
President of Council