



MEMORANDUM

TO: City Council

FROM: Nick Parks, Senior Planner

DATE: March 2, 2023

RE: Zoning Code Update – Animal Day Care

Please find attached for your consideration, a proposed amendment to Chapter(s) 1261, 1273, 1274, 1275-A, and 1278 of the Solon Zoning Code (Definitions, C-1, C-2, C-3-A, and C-6).

In the interests of economic development and the future growth of the city, the Planning Department is recommending an update to the C-1, C-2, C-3-A, and C-6 zones in order to permit Animal Daycare Centers in any zone that is located in the CRD and currently allows for Pet Stores as a permitted use. The following language would be added to the code to define an Animal Day Care:

Animal Day Care – A facility that houses dogs and/or cats primarily for daytime care where overnight boarding shall not exceed twenty-five percent (25%) of the animals cared for on-site throughout the previous day, and where a signed agreement will be in place with the city in regards to outdoor exercise areas, waste management, and noise reduction. The term “Animal Day Care” shall be considered to be distinct from commercial dog kennels.

Similar businesses in surrounding areas are often permitted in retail districts with conditions regarding outdoor dog exercising, waste management, and noise reduction. This is not significantly different from pet stores who are/have been located in retail districts in Solon, house at least a minimal amount of animals, and/or allow animals in the facility for grooming, shopping, and sales.

To move forward with this item, City Council may either refer to the Planning Commission or schedule a public hearing per Section 1291 (H). If you have any questions please let me know.

CC: Planning Commission
Lon Stolarsky, Assistant Law Director

CHAPTER 1261 DEFINITIONS

1261.01 RULES FOR THE INTERPRETATION OF TERMS AND WORDS USED WITHIN THIS ZONING CODE:

- A. Words used in the present tense shall be interpreted to include the future tense.
- B. Words used in the singular number shall include the plural number, and the plural number shall include the singular number.
- C. The word “SHALL” is mandatory and not discretionary.
- D. The word “PERSON” includes a firm, co-partnership, company, association, organization, corporation, individual, or any legal entity which may own and/or use land or buildings.
- E. The word “STRUCTURE” shall include the word “BUILDING”.
- F. The word “LOT” includes the words “PLOT” and “PARCEL”.

1261.02 LIST OF DEFINITIONS:

ACCESSORY USE, BUILDING, OR STRUCTURE – A use or structure on the same lot with, and of a nature customarily incidental and subordinate to the principal use or structure or building.

ACCESSORY PAVEMENT AREA– A permitted pavement area, in addition to the permitted driveway(s), that is attached to the primary driveway and which is designed and intended for the short term parking or maneuvering of vehicles.

AGRICULTURAL ANIMALS - Animals customarily considered to be accessory to an agricultural use, whether intended for personal enjoyment, work, food or byproducts, including chickens, rabbits, goats, sheep, cattle, pigs, geese, turkeys, guinea fowl, and ratites and any similar animals. (Ord. 2014-128)

ANCHOR TENANT – The main store within a Shopping Center, comprising at least 80,000 square feet in area, and constituting the principal traffic generator within the Shopping Center development in question. (Ord. 2009-197)

ANIMAL DAY CARE – A facility that houses dogs and/or cats primarily for daytime care where overnight boarding shall not exceed twenty-five percent (25%) of the animals cared for on-site throughout the previous day, and where a signed agreement will be in place with the city in regards to outdoor exercise areas, waste management, and noise reduction. The term “Animal Day Care” shall be considered to be distinct from commercial dog kennels.

CHAPTER 1273 “C-1” (HISTORIC COMMERCIAL)

1273.01 PURPOSE:

The “C-1” (Historic Commercial) Zoning District has been established to provide a unique pedestrian friendly area that advances community character master plan goals through the preservation and commercial use of existing historically significant structures located within the area, and through new development of a compatible historic character. The City will pursue its master plan goals for this area through the application of specific building, landscape, and streetscape design criteria, as specified herein.

1273.02 PERMITTED USES:

A. PRINCIPAL USES:

The following uses shall be permitted in accordance with the provisions of this Ordinance:

1. Retail sales such as clothing stores, electronics stores, houseware stores, jewelers, office supply stores, bakeries, food stores, etc.;
2. Retail services such as beauty shops, barbers, travel agents, photographers, insurance sales, etc.;
3. Business and professional offices, including medical and dental offices;
4. Sit-down restaurants;
5. Casual restaurants;
6. Banks and other financial institutions;
7. Physical therapists;
8. Child day care and pre-schools;

9. Exercise and fitness studios;
10. Pet shops;
11. Animal day care;
12. Funeral Homes;
13. Museums, art galleries and similar uses;
14. Business Services, including duplicating and printing;
15. Any use that is determined by the City of Solon to be substantially similar to any of the above listed uses.

B. ACCESSORY USES:

Any use that is customarily incidental and accessory to any of the above listed permitted uses as determined by the City of Solon shall be permitted on the same lot as the principal use, subject to the provisions of this Chapter. All accessory uses, except parking, mechanical equipment, and approved signage, shall be wholly enclosed within the main building or other approved building.

C. PROHIBITED USES:

Prohibited uses within the "C-1" zoning district shall include, but are not limited to, the following. This list shall be considered to be supplementary to "Item A" (Principal Uses) and "Item B" (Accessory Uses) of this Chapter.

1. Residential use of any building or premises;
2. Hotels and Motels;
3. Churches, Synagogues, Temples, and other places of worship;
4. Gasoline sales;
5. Repair shops, including but not limited to automobile repair and/or servicing;
6. Automobile sales;
7. Fast food Restaurants;
8. Contractor shops and landscape businesses;

CHAPTER 1274 “C-2” (RESTRICTED COMMERCIAL)

1274.01 PURPOSE:

The “C-2” (Restricted Commercial) Zoning District has been established to provide for the rational development and redevelopment of specific areas within the City of Solon. The “C-2” district is intended to permit moderate intensity commercial uses subject to the requirements specified within this code.

1274.02 PERMITTED USES:

A. PRINCIPAL USES:

The following uses shall be permitted in accordance with the provisions of this Ordinance:

1. Retail sales such as clothing stores, electronics stores, houseware stores, jewelers, office supply stores, bakeries, food stores, etc.;
2. Retail services such as beauty shops, barbers, travel agents, photographers, insurance sales, etc.;
3. Business and professional offices, including medical and dental offices;
4. Fast food restaurants
5. Sit-down restaurants;
6. Casual restaurants;
7. Banks and other financial institutions;
8. Physical therapists;
9. Child day care and pre-schools;

10. Exercise and fitness studios;
11. Pet shops;
12. Animal day care;
13. Any use that is determined by the City of Solon to be substantially similar to any of the above listed uses.

(Ordinance 2019-191, passed 12/2/19, effective 4/28/20)

B. ACCESSORY USES:

Any use that is customarily incidental and accessory to any of the above listed permitted uses as determined by the City of Solon shall be permitted on the same lot as the principal use, subject to the provisions of this Chapter. All accessory uses, except parking, mechanical equipment and approved signage, shall be wholly enclosed within the main building or other approved building.

C. PROHIBITED USES:

Prohibited uses within the "C-2" zoning district shall include, but are not limited to, the following. This list shall be considered to be supplementary to "Item A" (Principal Uses) and "Item B" (Accessory Uses) of this Chapter.

1. Residential use of any building or premises;
2. Hotels and Motels;
3. Churches, Synagogues, Temples, and other places of worship;
4. Gasoline sales;
5. Repair shops, including but not limited to automobile repair and/or servicing;
6. Automobile sales;
7. Contractor shops and landscape businesses;
8. Commercial self-storage businesses;
9. Tattoo Parlors and/or body piercing shops;
10. Businesses selling products commonly used for drug paraphernalia;
11. Gambling establishments, including, but not limited to, internet gambling businesses;

CHAPTER 1275-A “C-3-A” (COMMERCIAL SHOPPING CENTER)

1275-A.01 PURPOSE:

The “C-3-A” (Commercial Shopping Center) Zoning District has been established to provide for the rational development and redevelopment of retail shopping centers and other integrated commercial developments within the City of Solon. The “C-3-A” district is intended to permit a wide range of commercial retail and service uses for the benefit of the Solon Community subject to the requirements further specified within this code.

1275-A.02 PERMITTED USES:

A. PRINCIPAL USES:

The following uses shall be permitted in accordance with the provisions of this Ordinance:

1. Retail sales such as clothing stores, electronics stores, houseware stores, jewelers, office supply stores, bakeries, food stores, etc.;
2. Retail services such as beauty shops, barbers, travel agents, dry cleaners, photographers, insurance sales, etc.;
3. Business and professional offices, including medical and dental offices;
4. Sit-down restaurants;
5. Casual restaurants;
6. Fast food restaurants;
7. Banks and other financial institutions;
8. Physical therapists;
9. Child day care and pre-schools;

10. Exercise and fitness studios;
11. Pet shops;
12. Animal day care;
13. Dry cleaners;
14. Post Office;
15. Any use that is determined by the City of Solon to be substantially similar to any of the above listed uses.

B. ACCESSORY USES:

1. Any use that is customarily incidental and accessory to any of the above listed permitted uses as determined by the City of Solon shall be permitted on the same lot as the principal use, subject to the provisions of this Chapter. All accessory uses, except parking, mechanical equipment and approved signage, shall be wholly enclosed within the main building or other approved building;
2. No approved accessory building shall exceed three percent (3%) of the square footage of the main building;
3. Gasoline Station - One (1) Gas Station is permitted as an accessory use per "C-3-A" Shopping Center project, but only as a directly affiliated subsidiary of the principal anchor tenant within the Shopping Center.

C. PROHIBITED USES:

Prohibited uses within the "C-3-A" zoning district shall include, but are not limited to, the following. This list shall be considered to be supplementary to "Item A" (Principal Uses) and "Item B" (Accessory Uses) of this Chapter.

1. Residential use of any building or premises;
2. Hotels and Motels;
3. Churches, Synagogues, Temples, and other places of worship;
4. Gasoline sales as a primary use;
5. Repair shops, including but not limited to automobile repair and/or servicing;
6. Automobile sales;

CHAPTER 1278 “C-6” (GENERAL COMMERCIAL)

1278.01 PURPOSE:

The “C-6” (GENERAL COMMERCIAL) Zoning District has been established to provide for the rational development and redevelopment of specific areas within the City of Solon. The “C-5” district is intended to permit higher intensity commercial uses subject to the requirements specified within this code.

1278.02 PERMITTED USES:

A. PRINCIPAL USES:

The following uses shall be permitted in accordance with the provisions of this Ordinance:

1. Retail sales such as clothing stores, electronics stores, houseware stores, jewelers, office supply stores, bakeries, food stores, etc.;
2. Retail services such as beauty shops, barbers, travel agents, dry cleaners, photographers, insurance sales, etc.;
3. Business and professional offices, including medical and dental offices;
4. Banks and other financial institutions;
5. Fast food restaurants;
6. Casual restaurants;
7. Sit down restaurants;
8. Physical therapists;
9. Child day care and pre-schools;

10. Exercise and fitness studios;
11. Pet shops;
12. Animal day care;
13. Post Office;
14. Any use that is determined by the City of Solon to be substantially similar to any of the above listed uses.

(Ordinance 2019-191, passed 12/2/19, effective 4/28/20)

B. ACCESSORY USES:

Any use that is customarily incidental and accessory to any of the above listed permitted uses as determined by the City of Solon shall be permitted on the same lot as the principal use, subject to the provisions of this chapter. All accessory uses, except parking, mechanical equipment, and approved signage, shall be wholly enclosed within the main building or other approved building.

C. PROHIBITED USES:

Prohibited uses within the "C-6" zoning district shall include, but are not limited to, the following. This list shall be considered to be supplementary to "Item A" (Principal Uses) and "Item B" (Accessory Uses) of this Chapter.

1. Residential use of any building or premises;
2. Hotels and Motels;
3. Churches, Synagogues, Temples, and other places of worship;
4. Gasoline sales;
5. Repair shops, including but not limited to automobile repair and/or servicing;
6. Automobile sales;
7. Contractor shops and landscape businesses;
8. Commercial self storage businesses;
9. Tattoo Parlors and/or body piercing shops;