

**MEMORANDUM  
ROBERT S. FRANKLAND, AICP  
PLANNING DIRECTOR**

**DATE: NOVEMBER 15, 2013**

**TO: SUSAN A. DRUCKER, MAYOR**

**RE: PROPOSED ZONING CODE AMENDMENT - COMPREHENSIVE  
REVISION OF PERMITTED USES**

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Please find attached for your consideration an ordinance proposing the comprehensive update and revision of the list of uses permitted within the City. If enacted, this would be the first such update in approximately 70 years. The background, rationale and recommendations relating to the proposed ordinance are examined in greater detail below.

**BACKGROUND**

The City adopted the first major revision of the Zoning Code in 2005. This revision focused on providing the basic planning and zoning tools necessary to protect the health, safety and welfare of city residents, while implementing the community's Master Plan concepts.

However, the 2005 process did not address the revision of the current list of permitted uses due to logistical challenges. Therefore, the permitted uses within the City have never been comprehensively evaluated and updated.

Not surprisingly, there are substantial shortcomings in this area. Examples of some of the more prominent issues are as follows:

1. The keeping of large agricultural animals, including cows, goats and swine, etc. is a permitted use in all single family residential zoning districts (a remnant from Solon's rural past);
2. Hotels, Clinics, Sanitariums, Children's Boarding Homes, Colleges, etc., are currently permitted on most of the land in the City that is zoned for apartment purposes;
3. Open air coal and fuel storage yards, frozen food lockers, soft drink bottling, bakeries, creameries etc, are currently permitted on the current Sears/Marc's property (although, interestingly, retail is not);
4. Automobiles are prohibited by law from being parked in a driveway in front of a residence overnight.

However, of equal significance is what is not explicitly prohibited. For example, pawn shops, the sale of drug paraphernalia (ie: Head Shops), tattoo/body piercing parlors, and gambling facilities, etc., while not historically considered to be permitted in the City, are all at least arguably permitted due to the ordinance's ambiguity in these areas.

Other legal issues of a less obvious nature are pervasive throughout the ordinance, including inconsistencies in wording and format between various zoning districts. Deficiencies such as these are certainly to be expected in an ordinance that has been assembled in a "piecemeal" manner over a span of many decades.

To address these issues, the proposed amendment focuses on three main goals: (1) Evaluate all existing uses, and remove and/or clarify any that are problematic; (2) Establish a standardized format for the listing of permitted, accessory, and prohibited uses throughout the zoning code; and, (3) Add use categories that are typically included in a modern zoning ordinance.

### **ISSUES OF NOTE**

An ordinance of this scope and impact will obviously require substantial review and discussion. However it may be worthwhile to point out a few issues that may be of particular interest:

1. Exception for the keeping of small agricultural animals - As noted above, the ordinance would prohibit the keeping of large traditional farm animals such as cows, pigs, sheep, goats, etc., within all residential zoning districts. However, the ordinance does propose an exception to permit the keeping of up to two small agricultural type animals (not more than 30 inches high at the shoulder). This may or may not ultimately be determined to be appropriate for the City, but reflects a growing national trend for keeping such animals as chickens, miniature goats, miniature pigs, etc. in suburban settings. Alternative approaches could include permitting such animals based on minimum lot sizes and setbacks.
2. Substantially Similar Uses - The ordinance introduces the concept that not only is a specifically listed use permitted, but also that any use that is substantially similar in character and impact to a listed use is also permitted. This simply acknowledges what is in fact a constitutional requirement. However, by stating the concept directly in the ordinance and establishing a general framework for how the concept is applied, the city will better be able to administer and control it's ordinances.
3. Transition from general to specific listing of uses - The current zoning ordinance occasionally permits very broad categories of uses without helpful clarification. Most notable is the city's principal commercial district, "C-3", which permits "any and all kinds of retail businesses" - despite many types of retail uses historically being prohibited in this district by the legal opinion of various law directors over the years. The proposed ordinance eliminates the concept of permitting broad categories of uses in favor of the listing of specific uses. This allows for a more precise definition of the types of uses and impacts that are approved by the City, while permitting substantial flexibility within the general use categories in accordance with the substantially similar concept discussed above.

## **MORATORIUM SUGGESTED**

The release of this document is intended to initiate a candid and public discussion of the potential short-comings and vulnerabilities of the existing zoning code. While many of the more harmful uses that are addressed within this report and the accompanying ordinance have historically been considered to be prohibited within the City, the very act of discussing necessary improvements could encourage attempts to force these uses into the City.

Therefore, it is suggested that the City consider placing a moratorium on the individual *prohibited uses* that are listed within the proposed ordinance, effective immediately upon the release of this document to City Council. It is further suggested that the timeframe of the moratorium extend through November of 2014 in order to permit the Planning Commission, Council, the administration, and the general public sufficient time to study, amend, and vote on the proposed ordinance.

## **RECOMMENDED STRATEGY FOR IMPLEMENTING THE ORDINANCE**

The City Charter requires that any modification to the list of permitted uses within the City be presented to the voters for approval at a regularly scheduled election. As the amendment literally proposes hundreds of alterations to the list of permitted uses (albeit with some redundancy between the various zoning districts), a vote on each individual change is virtually impossible. Therefore, it will be necessary to vote the amendment up or down as a whole.

It is hoped that by releasing the draft ordinance approximately one year in advance of the November 2014 ballot date, that sufficient time will be given for city officials and the general public to reach a level of comfort and understanding with the amendment that will allow its adoption as a whole. In the meantime, it is expected that the amendment will continue to evolve as needed based upon the input the City receives through work sessions, administrative review and public comments in the coming months.

It should also be noted that additional amendments will be forthcoming relating to non-zoning code sections of the codified ordinances that either contradict or are supplemental to the proposed zoning code use amendments.

## **CONCLUSIONS**

The current list of permitted uses has been assembled in a "piecemeal" manner over many decades, some dating back to a time when Solon was essentially rural in nature. Therefore, it is not surprising that certain uses are explicitly permitted that are incompatible with existing environment of the City today. Other uses lack clarity and uniformity between various zoning districts, which not only causes confusion, but also raises substantial legal concerns. The proposed ordinance is intended to address these issues and provide the City with a more effective tool to protect the health, safety and welfare of it's residents while advancing the Master Plan goals of the community. It is expected that the form and content of this ordinance will be substantially amended as input is received over the coming months.

Please let me know if I can answer any questions that you may have regarding this proposal.

CC: Tom Lobe, Law Director

**PROPOSED COMPREHENSIVE REVISION  
OF CITY OF SOLON ZONING CODE  
PERMITTED USES**

(DRAFT - NOVEMBER 15, 2013 - CITY OF SOLON PLANNING DEPARTMENT)

# **CONTENTS**

	<b><u>PAGES</u></b>
RESIDENTIAL ZONING DISTRICT PERMITTED USES.....	1-22
OFFICE ZONING DISTRICT PERMITTED USES.....	23-27
COMMERCIAL ZONING DISTRICT PERMITTED USES.....	28-43
INDUSTRIAL ZONING DISTRICT PERMITTED USES.....	44- 50
GENERAL PROHIBITED USES.....	51-54
DEFINITIONS.....	55-57

# **RESIDENTIAL ZONING DISTRICT**

## **PERMITTED USES**

**(NOTE: Changes to the existing ordinances are designated as follows. Added wording is designated in "red"; wording that is proposed to be deleted is designated in "black and is struck through"; retained wording from the existing ordinance is designated in "black".)**

# PROPOSED AMENDMENT #1

## CHAPTER 1263 - "R-1-A" (SINGLE FAMILY RESIDENTIAL) - PERMITTED USES

### ~~SECTION 1263.02 PERMITTED USES~~

- ~~A. ONE (1) SINGLE FAMILY DWELLING UNIT PER LOT, AS REGULATED HEREIN;~~
- ~~B. PUBLIC USES; INCLUDING THOSE DEVOTED TO PLAYGROUNDS, PARKS, PUBLIC RECREATIONAL BUILDINGS, PUBLIC SCHOOLS, COURT HOUSE, CITY HALL, FIRE STATION, POLICE STATION, WATER TOWERS AND RESERVOIRS.~~
- ~~C. AGRICULTURE AND NON-COMMERCIAL GREENHOUSES, NURSERY OR TRUCK GARDENING.~~
- ~~D. CHURCHES.~~
- ~~E. GOLF COURSES (BUT PROHIBITING DRIVING RANGES AND MINIATURE GOLF).~~
- ~~F. ACCESSORY USES AND STRUCTURES AS REGULATED IN CHAPTER 1287.06 OF THIS CODE.~~

### **1263.02 PERMITTED USES**

#### **A. PRINCIPAL USES:**

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

1. One (1) single family dwelling unit per lot;
2. Churches, synagogues, temples and other places of worship;
3. Federal, state, and local government buildings and uses;
4. Public and private golf courses, but excluding commercial driving ranges, miniature golf and similar commercial enterprises;
5. Any use that is determined by the City of Solon to be substantially similar to any of the above listed uses.

## **B. ACCESSORY USES:**

Uses that are determined by the City of Solon to be incidental and accessory to any of the above permitted principal uses, and/or are specifically listed as a permitted accessory use within this ordinance, shall be permitted on the same lot as the principal use, in accordance with the provisions of this Ordinance.

## **C. PROHIBITED USES:**

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

1. Commercial use of any building or premises, including the parking or storing of commercial vehicles or equipment shall be prohibited, except as otherwise explicitly permitted under the provisions of this Ordinance;
2. Keeping of large agricultural animals, such as pigs, cows, goats, donkeys, horses, etc., shall be prohibited, unless otherwise explicitly permitted within this ordinance. The keeping of small agricultural animals (ie: less than 30 inches at the shoulder) exclusively as pets, including but not limited to chickens and other fowl, shall be permitted as an accessory use provided that not more than two (2) such animals are kept on a property. Such animals shall only be permitted on condition that they do not pose a nuisance to adjacent property owners by reason of noise or odor, and are otherwise kept in a clean and sanitary condition;
3. Any use that is determined by the City of Solon to pose a general nuisance, or an imminent danger to the health, safety and welfare of the general public;
4. Any use that is determined by the City of Solon to be substantially similar to any of the above listed Prohibited Uses.

## **PROPOSED AMENDMENT #2**

### **CHAPTER 1264 - "R-1-B" (SINGLE FAMILY RESIDENTIAL) - PERMITTED USES**

#### **SECTION 1264.02 PERMITTED USES**

- ~~A. ONE (1) SINGLE FAMILY DWELLING UNIT PER LOT, AS REGULATED HEREIN;~~
- ~~B. PUBLIC USES; INCLUDING THOSE DEVOTED TO PLAYGROUNDS, PARKS, PUBLIC RECREATIONAL BUILDINGS, PUBLIC SCHOOLS, COURT HOUSE, CITY HALL, FIRE STATION, POLICE STATION, WATER TOWERS AND RESERVOIRS.~~
- ~~C. AGRICULTURE AND NON-COMMERCIAL GREENHOUSES, NURSERY OR TRUCK GARDENING.~~
- ~~D. CHURCHES.~~
- ~~E. GOLF COURSES (BUT PROHIBITING DRIVING RANGES AND MINIATURE GOLF).~~
- ~~F. ACCESSORY USES AND STRUCTURES AS REGULATED IN CHAPTER 1287.06 OF THIS CODE.~~

#### **1264.02 PERMITTED USES**

##### **A. PRINCIPAL USES:**

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

1. One (1) single family dwelling unit per lot;
2. Churches, Synagogues, Temples and other places of worship;
3. Federal, State, and Local government buildings and uses;
4. Public and private golf courses, but prohibiting commercial driving ranges, miniature golf and similar commercial enterprises;
5. Any use that is determined by the City of Solon to be substantially similar to any of the

above listed uses.

**B. ACCESSORY USES:**

Uses that are determined by the City of Solon to be incidental and accessory to any of the above permitted principal uses, and/or are specifically listed as a permitted accessory use within this ordinance, shall be permitted on the same lot as the principal use in accordance with the provisions of this Ordinance.

**C. PROHIBITED USES:**

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

1. Commercial use of any building or premises, including the parking or storing of commercial vehicles or equipment shall be prohibited, except as otherwise explicitly permitted under the provisions of this Ordinance;
2. Keeping of large agricultural animals, such as pigs, cows, goats, donkeys, horses, etc., shall be prohibited, unless otherwise explicitly permitted within this ordinance. The keeping of small agricultural animals (ie: less than 30 inches at the shoulder) exclusively as pets, including but not limited to chickens and other fowl, shall be permitted as an accessory use provided that not more than two (2) such animals are kept on a property. Such animals shall only be permitted on condition that they do not pose a nuisance to adjacent property owners by reason of noise or odor, and are otherwise kept in a clean and sanitary condition;
3. Any use that is determined by the City of Solon to pose a general nuisance, or an imminent danger to the health, safety and welfare of the general public;
4. Any use that is determined by the City of Solon to be substantially similar to any of the above listed Prohibited Uses.

## **PROPOSED AMENDMENT #3**

### **CHAPTER 1265 - "R-1-C" (SINGLE FAMILY RESIDENTIAL) - PERMITTED USES**

#### **SECTION 1265.02 PERMITTED USES**

- ~~A. ONE (1) SINGLE FAMILY DWELLING UNIT PER LOT, AS REGULATED HEREIN;~~
- ~~B. PUBLIC USES; INCLUDING THOSE DEVOTED TO PLAYGROUNDS, PARKS, PUBLIC RECREATIONAL BUILDINGS, PUBLIC SCHOOLS, COURT HOUSE, CITY HALL, FIRE STATION, POLICE STATION, WATER TOWERS AND RESERVOIRS.~~
- ~~C. AGRICULTURE AND NON-COMMERCIAL GREENHOUSES, NURSERY OR TRUCK GARDENING.~~
- ~~D. CHURCHES.~~
- ~~E. GOLF COURSES (BUT PROHIBITING DRIVING RANGES AND MINIATURE GOLF).~~
- ~~F. ACCESSORY USES AND STRUCTURES AS REGULATED IN CHAPTER 1287.06 OF THIS CODE.~~

#### **1265.02 PERMITTED USES**

##### **A. PRINCIPAL USES:**

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

1. One (1) single family dwelling unit per lot;
2. Churches, Synagogues, Temples and other places of worship;
3. Federal, State, and Local government buildings and uses;
4. Public and private golf courses, but prohibiting commercial driving ranges, miniature golf and similar commercial enterprises;
5. Any use that is determined by the City of Solon to be substantially similar to any of the above listed uses.

**B. ACCESSORY USES:**

Uses that are determined by the City of Solon to be incidental and accessory to any of the above permitted principal uses, and/or are specifically listed as a permitted accessory use within this ordinance, shall be permitted on the same lot as the principal use, in accordance with the provisions of this Ordinance.

**C. PROHIBITED USES:**

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

1. Commercial use of any building or premises, including the parking or storing of commercial vehicles or equipment shall be prohibited, except as otherwise explicitly permitted under the provisions of this Ordinance;
2. Keeping of large agricultural animals, such as pigs, cows, goats, donkeys, horses, etc., shall be prohibited, unless otherwise explicitly permitted within this ordinance. The keeping of small agricultural animals (ie: less than 30 inches at the shoulder) exclusively as pets, including but not limited to chickens and other fowl, shall be permitted as an accessory use provided that not more than two (2) such animals are kept on a property. Such animals shall only be permitted on condition that they do not pose a nuisance to adjacent property owners by reason of noise or odor, and are otherwise kept in a clean and sanitary condition;.
3. Any use that is determined by the City of Solon to pose a general nuisance, or an imminent danger to the health, safety and welfare of the general public;
4. Any use that is determined by the City of Solon to be substantially similar to any of the above listed Prohibited Uses.

## PROPOSED AMENDMENT #4

### CHAPTER 1266 - "R-1-D" (SINGLE FAMILY RESIDENTIAL) - PERMITTED USES

#### ~~SECTION 1266.02 PERMITTED USES~~

- ~~A. ONE (1) SINGLE FAMILY DWELLING UNIT PER LOT, AS REGULATED HEREIN;~~
- ~~B. PUBLIC USES; INCLUDING THOSE DEVOTED TO PLAYGROUNDS, PARKS, PUBLIC RECREATIONAL BUILDINGS, PUBLIC SCHOOLS, COURT HOUSE, CITY HALL, FIRE STATION, POLICE STATION, WATER TOWERS AND RESERVOIRS.~~
- ~~C. AGRICULTURE AND NON-COMMERCIAL GREENHOUSES, NURSERY OR TRUCK GARDENING.~~
- ~~D. CHURCHES.~~
- ~~E. GOLF COURSES (BUT PROHIBITING DRIVING RANGES AND MINIATURE GOLF).~~
- ~~F. ACCESSORY USES AND STRUCTURES AS REGULATED IN CHAPTER 1287.06 OF THIS CODE.~~

#### **1266.02 PERMITTED USES**

##### **A. PRINCIPAL USES:**

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

1. One (1) single family dwelling unit per lot;
2. Churches, Synagogues, Temples and other places of worship;
3. Federal, State, and Local government buildings and uses;
4. Public and private golf courses, but prohibiting commercial driving ranges, miniature golf and similar commercial enterprises;
5. Any use that is determined by the City of Solon to be substantially similar to any of the

above listed uses.

**B. ACCESSORY USES:**

Uses that are determined by the City of Solon to be incidental and accessory to any of the above permitted principal uses, and/or are specifically listed as a permitted accessory use within this ordinance, shall be permitted on the same lot as the principal use, in accordance with the provisions of this Ordinance.

**C. PROHIBITED USES:**

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

1. Commercial use of any building or premises, including the parking or storing of commercial vehicles or equipment shall be prohibited, except as otherwise explicitly permitted under the provisions of this Ordinance;
2. Keeping of large agricultural animals, such as pigs, cows, goats, donkeys, horses, etc., shall be prohibited, unless otherwise explicitly permitted within this ordinance. The keeping of small agricultural animals (ie: less than 30 inches at the shoulder) exclusively as pets, including but not limited to chickens and other fowl, shall be permitted as an accessory use provided that not more than two (2) such animals are kept on a property. Such animals shall only be permitted on condition that they do not pose a nuisance to adjacent property owners by reason of noise or odor, and are otherwise kept in a clean and sanitary condition;
3. Any use that is determined by the City of Solon to pose a general nuisance, or an imminent danger to the health, safety and welfare of the general public;
4. Any use that is determined by the City of Solon to be substantially similar to any of the above listed Prohibited Uses.

## **PROPOSED AMENDMENT #5**

### **CHAPTER 1267 - "R-1-E" (SINGLE FAMILY RESIDENTIAL) - PERMITTED USES**

#### **SECTION 1267.02 PERMITTED USES**

- ~~A. ONE (1) SINGLE FAMILY DWELLING UNIT PER LOT, AS REGULATED HEREIN;~~
- ~~B. PUBLIC USES; INCLUDING THOSE DEVOTED TO PLAYGROUNDS, PARKS, PUBLIC RECREATIONAL BUILDINGS, PUBLIC SCHOOLS, COURT HOUSE, CITY HALL, FIRE STATION, POLICE STATION, WATER TOWERS AND RESERVOIRS.~~
- ~~C. AGRICULTURE AND NON-COMMERCIAL GREENHOUSES, NURSERY OR TRUCK GARDENING.~~
- ~~D. CHURCHES.~~
- ~~E. GOLF COURSES (BUT PROHIBITING DRIVING RANGES AND MINIATURE GOLF).~~
- ~~F. ACCESSORY USES AND STRUCTURES AS REGULATED IN CHAPTER 1287.06 OF THIS CODE.~~

#### **1267.02 PERMITTED USES**

##### **A. PRINCIPAL USES:**

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

1. One (1) single family dwelling unit per lot;
2. Churches, Synagogues, Temples and other places of worship;
3. Federal, State, and Local government buildings and uses;
4. Public and private golf courses, but prohibiting commercial driving ranges, miniature golf and similar commercial enterprises;

5. Any use that is determined by the City of Solon to be substantially similar to any of the above listed uses.

**B. ACCESSORY USES:**

Uses that are determined by the City of Solon to be incidental and accessory to any of the above permitted principal uses, and/or are specifically listed as a permitted accessory use within this ordinance, shall be permitted on the same lot as the principal use, in accordance with the provisions of this Ordinance.

**C. PROHIBITED USES:**

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

1. Commercial use of any building or premises, including the parking or storing of commercial vehicles or equipment shall be prohibited, except as otherwise explicitly permitted under the provisions of this Ordinance;
2. Keeping of large agricultural animals, such as pigs, cows, goats, donkeys, horses, etc., shall be prohibited, unless otherwise explicitly permitted within this ordinance. The keeping of small agricultural animals (ie: less than 30 inches at the shoulder) exclusively as pets, including but not limited to chickens and other fowl, shall be permitted as an accessory use provided that not more than two (2) such animals are kept on a property. Such animals shall only be permitted on condition that they do not pose a nuisance to adjacent property owners by reason of noise or odor, and are otherwise kept in a clean and sanitary condition;
3. Any use that is determined by the City of Solon to pose a general nuisance, or an imminent danger to the health, safety and welfare of the general public;
4. Any use that is determined by the City of Solon to be substantially similar to any of the above listed Prohibited Uses.

## PROPOSED AMENDMENT #6

### CHAPTER 1268 - "R-1-F" (SINGLE FAMILY RESIDENTIAL - GOLF COURSE COMMUNITY) - PERMITTED USES

#### 1268.02 PERMITTED USES:

- ~~A. One (1) single family dwelling unit per lot.~~
- ~~B. Public Uses, including playgrounds, parks, recreational buildings, and reservoirs.~~
- ~~C. Golf Course Uses, including driving ranges, practice putting greens, clubhouses with parking, maintenance buildings, and restroom outbuildings.~~
- ~~D. Banquet facility with parking.~~
- ~~E. Recreational Uses, including swimming pools, tennis courts, and basketball courts.~~
- ~~F. Signage.~~
- ~~G. Guardhouses~~
- ~~H. All other uses customarily accessory to a golf course.~~

**A. PRINCIPAL USES:** The following uses shall be permitted in accordance with the provisions of this Ordinance:

1. One (1) single family dwelling unit per lot;
2. Federal, State and Local government buildings and uses;
3. Any use that is determined by the City of Solon to be substantially similar to any of the above listed uses.

**B. ACCESSORY USES:**

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

1. Golf Course Uses, including driving ranges, practice putting greens, clubhouses with parking, maintenance buildings, restroom outbuildings and all other uses customarily accessory to a golf course;

2. Banquet facility with parking;
3. Recreational Uses, including swimming pools, tennis courts, and basketball courts;
4. Signage in association with listed principal uses or accessory uses, as approved by the City;
5. Guardhouses;
6. Any other use that is determined by the City of Solon to be incidental and accessory to any of the above permitted principal or accessory uses shall be permitted on the same lot as the principal use or accessory use, in accordance with the provisions of this Ordinance;
7. Any use that is determined by the City of Solon to be substantially similar to any of the above listed accessory uses shall be permitted on the same lot as the principal use or accessory use, in accordance with the provisions of this Ordinance.

**C. PROHIBITED USES:**

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

1. Commercial use of any building or premises, including the parking or storing of commercial vehicles or equipment shall be prohibited, except as otherwise explicitly permitted under the provisions of this Ordinance;
2. Keeping of agricultural animals, such as pigs, cows, goats, donkeys, horses, chickens or other fowl shall be prohibited, unless otherwise explicitly permitted within this ordinance;
3. Any use that is determined by the City of Solon to pose a general nuisance, or an imminent danger to the health, safety and welfare of the general public;
4. Any use that is determined by the City of Solon to be substantially similar to any of the above listed Prohibited Uses.

## PROPOSED AMENDMENT #7

### CHAPTER 1269 - "R-2" (TWO-FAMILY RESIDENTIAL) - PERMITTED USES

#### 1269.02 PERMITTED USES:

~~A. ONE (1) TWO FAMILY RESIDENCE PER LOT.~~

~~B. ACCESSORY STRUCTURES AND USES AS REGULATED IN CHAPTER 1287.06 OF THIS CODE.~~

#### **A. PRINCIPAL USES:**

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

1. One (1) Two-family dwelling unit per lot;
2. Any use that is determined by the City of Solon to be substantially similar to any of the above listed uses.

#### **B. ACCESSORY USES:**

Uses that are determined by the City of Solon to be incidental and accessory to any of the above permitted principal uses, and/or are specifically listed as a permitted accessory use within this ordinance, shall be permitted on the same lot as the principal use, in accordance with the provisions of this Ordinance.

#### **C. PROHIBITED USES:**

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

1. Commercial use of any building or premises, including the parking or storing of commercial vehicles or equipment, except as explicitly permitted under the provisions of this Ordinance;

2. Keeping of agricultural animals, such as pigs, cows, goats, donkeys, horses, chicken or other fowl shall be prohibited, unless otherwise explicitly permitted within this ordinance;
- 3 Any use that is determined by the City of Solon to pose a general nuisance, or an imminent danger to the health, safety and welfare of the general public;
4. Any use that is determined by the City of Solon to be substantially similar to any of the above listed Prohibited Uses.

## PROPOSED AMENDMENT #8

### CHAPTER 1270 - "R-3" (MULTI-FAMILY RESIDENTIAL) - PERMITTED USES

#### 1270.02 PERMITTED USES:

- ~~A. MULTI FAMILY RESIDENCES FOR HOUSING MORE THAN ONE (1) FAMILY.~~
- ~~B. COLLEGES AND PRIVATE SCHOOLS OF EDUCATIONAL AND WELFARE INSTITUTIONS ORGANIZED AND OPERATED AS NON-PROFIT ORGANIZATIONS.~~
- ~~C. ORPHANAGES, CHILDREN'S BOARDING HOMES, DAY NURSERIES, AND KINDERGARTENS.~~
- ~~D. HOSPITALS, CLINICS, OR SANITARIUMS (OTHER THAN THOSE FOR THE FEEBLE MINDED, OR FOR THE TREATMENT OF CONTAGIOUS DISEASES, ALCHOHOLICS, OR DRUG PATIENTS).~~
- ~~E. ANY OTHER USE SIMILAR TO THOSE LISTED ABOVE OF AN EDUCATIONAL, WELFARE, OR CULTURAL NATURE, AND ALSO DORMITORIES AND OTHER RESIDENCE BUILDINGS OF SUCH INSTITUTIONS.~~
- ~~F. STRUCTURES AND USES IMMEDIATELY AND EXCLUSIVELY ACCESSORY TO THE PRINCIPAL USES PERMITTED ON SITE, INCLUDING GARAGES, PARKING AREAS, RECREATIONAL AREAS, DRIVEWAYS, AND PEDESTRIAN WALKS~~

#### **A. PRINCIPAL USES:**

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

1. Multi-family residences containing three (3) or more dwelling units per building;
2. Any use that is determined by the City of Solon to be substantially similar to any of the above listed uses.

## **B. ACCESSORY USES:**

The following accessory uses shall be permitted only as approved by the City Planning Commission and confirmed by City Council and only in accordance with the provisions of this Ordinance:

1. Parking garages;
2. Parking lots;
3. Recreational areas;
4. Club houses;
5. Any other uses that are determined by the City of Solon to be incidental and accessory to any of the above permitted principal or accessory uses shall be permitted on the same lot as the principal use or accessory use, in accordance with the provisions of this Ordinance;
6. Any use that is determined by the City of Solon to be substantially similar to any of the above listed accessory uses shall be permitted on the same lot as the principal use or accessory use, in accordance with the provisions of this Ordinance.

## **C. PROHIBITED USES:**

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

1. Commercial use of any building or premises, including the parking or storing of commercial vehicles or equipment, except as explicitly permitted under the provisions of this Ordinance;
2. Keeping of agricultural animals, such as pigs, cows, goats, donkeys, horses, chickens or other fowl shall be prohibited, unless otherwise explicitly permitted within this ordinance;
3. Any use that is determined by the City of Solon to pose a general nuisance, or an imminent danger to the health, safety and welfare of the general public;
4. Any use that is determined by the City of Solon to be substantially similar to any of the above listed Prohibited Uses.

## PROPOSED AMENDMENT #9

### CHAPTER 1271 - "R-3-A" (MULTI-FAMILY RESIDENTIAL - SENIOR CITIZEN 1) PERMITTED USES

#### 1271.02 PERMITTED USES:

##### A. PRINCIPAL USES:

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

- ~~A~~ **1.** Single family, two-family, and/or ~~attached~~ multi-family independent living units to be occupied exclusively by one or more individuals aged fifty (50) or over;
- ~~B.~~ Attached residences generally known as congregate housing and/or assisted living to be occupied by one or more individuals aged fifty (50) or over;
- 2.** Assisted living facilities in multi-family dwelling unit configurations to be occupied exclusively by one or more individuals aged fifty (50) or over. Assisted living facilities shall consist of a combination of housing, supportive services, personalized assistance, and health care designed to address the individual needs of those who require assistance with the activities of daily living. Assisted living facilities may have central or private kitchens, dining areas, recreational areas or other similar facilities, with separate bedrooms or living quarters where the emphasis of the facility remains residential;
- ~~C~~ **3.** Residential nursing home, provided that such use is planned and approved in conjunction with independent living units, and assisted living units as permitted above. The number of beds provided within such residential nursing home shall not exceed twenty-five percent (25%) of the total number of independent and assisted living units provided within the Senior Citizen Residential development;
- ~~D.~~ Accessory Uses, as designated below, where necessary for the comfort, convenience, and primary use of residents, employees, and visitors in the permitted buildings, and only as approved by the City Planning Commission, and confirmed by City Council:
- 4.** Any use that is determined by the City of Solon to be substantially similar to any of the above listed uses.

## **B. ACCESSORY USES:**

The following accessory uses shall be permitted only as approved by the City Planning Commission and confirmed by City Council and only in accordance with the provisions of this Ordinance:

- ~~1. Restaurant and/or coffee shop, for the use of residents, staff, and guests;~~
- ~~2. Convenience store, barber shop, laundry, dry cleaner, drug store and/or other specifically approved service uses;~~
- ~~3. Infirmary or other medical care facilities for the residents of the development, but only as an accessory use to assisted or nursing care facility;~~
- ~~4. Indoor and/or outdoor recreational facilities;~~
- ~~5. Meeting and/or social rooms or areas.~~

~~E. Any other accessory use immediately and exclusively accessory to a use permitted on the site, including automobile parking facilities; central heating, air conditioning and maintenance facilities wholly enclosed within a permitted building; utilities, mechanical equipment and/or storage facilities wholly enclosed within a permitted building as necessary for the proper functioning of permitted uses.~~

1. Parking garages;
2. Parking lots;
3. Recreational areas;
4. Club houses;
5. Any other uses that are determined by the City of Solon to be incidental and accessory to any of the above permitted principal or accessory uses shall be permitted on the same lot as the principal use or accessory use, in accordance with the provisions of this Ordinance;
6. Any use that is determined by the City of Solon to be substantially similar to any of the above listed accessory uses shall be permitted on the same lot as the principal use or accessory use, in accordance with the provisions of this Ordinance.

## **C. PROHIBITED USES:**

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

1. Commercial use of any building or premises, including the parking or storing of commercial vehicles or equipment, except as explicitly permitted under the

provisions of this Ordinance;

2. Keeping of agricultural animals, such as pigs, cows, goats, donkeys, horses, chickens or other fowl shall be prohibited, unless otherwise explicitly permitted within this ordinance;
3. Any use that is determined by the City of Solon to pose a general nuisance, or an imminent danger to the health, safety and welfare of the general public;
4. Any use that is determined by the City of Solon to be substantially similar to any of the above listed Prohibited Uses.

<b>1271.03 DEVELOPMENT STANDARDS:</b>
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**(NOTE: Remove all references to "Congregate Care Facilities" from Development Standard requirements)**

<b>1271.04 PARKING REQUIREMENTS:</b>
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**(NOTE: Remove all references to "Congregate Care Facilities" from Parking Requirements)**

## PROPOSED AMENDMENT #10

### CHAPTER 1272 - "R-3-B" (MULTI-FAMILY RESIDENTIAL - SENIOR CITIZEN 2) PERMITTED USES

#### 1272.02 PERMITTED USES:

##### A. PRINCIPAL USES:

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

- ~~A 1.~~ Single family, two-family, and/or ~~attached-~~ multi-family independent living units to be occupied exclusively by one or more individuals aged fifty five (55) or over;
- ~~B.~~ Attached residences generally known as congregate housing and/or assisted living to be occupied by one or more individuals aged fifty five (55) or over;
- 2. Assisted living facilities in multi-family dwelling unit configurations to be occupied exclusively by one or more individuals aged fifty five (55) or over. Assisted living facilities shall consist of a combination of housing, supportive services, personalized assistance and health care designed to address the individual needs of those who require assistance with the activities of daily living. Assisted living facilities may have central or private kitchens, dining areas, recreational areas, or other similar facilities, with separate bedrooms or living quarters where the emphasis of the facility remains residential.
- ~~C.~~ Accessory Uses, as designated below, where necessary for the comfort, convenience, and primary use of residents, employees, and visitors in the permitted buildings, and only as approved by the City Planning Commission, and confirmed by City Council:

##### B. ACCESSORY USES:

The following accessory uses shall be permitted only as approved by the City Planning Commission and confirmed by City Council and only in accordance with the provisions of this Ordinance:

- ~~1.~~ Restaurant and/or coffee shop, for the use of residents, staff, and guests;
- ~~2.~~ Convenience store, barber shop, laundry, dry cleaner, drug store and/or other specifically approved service uses;
- ~~3.~~ Infirmary or other medical care facilities for the residents of the development, but only

- ~~— as an accessory use to assisted or nursing care facility;~~
- ~~— 4. Indoor and/or outdoor recreational facilities;~~
- ~~— 5. Meeting and/or social rooms or areas.~~

~~**D.** Any other accessory use immediately and exclusively accessory to a use permitted on the site, including automobile parking facilities; central heating, air conditioning and maintenance facilities wholly enclosed within a permitted building; utilities, mechanical equipment and/or storage facilities wholly enclosed within a permitted building as necessary for the proper functioning of permitted uses.~~

1. Parking garages;
2. Parking lots;
3. Recreational areas;
4. Club houses;
5. Any other uses that are determined by the City of Solon to be incidental and accessory to any of the above permitted principal or accessory uses shall be permitted on the same lot as the principal use or accessory use, in accordance with the provisions of this Ordinance;
6. Any use that is determined by the City of Solon to be substantially similar to any of the above listed accessory uses shall be permitted on the same lot as the principal use or accessory use, in accordance with the provisions of this Ordinance.

**C. PROHIBITED USES:**

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

1. Commercial use of any building or premises, including the parking or storing of commercial vehicles or equipment, except as explicitly permitted under the provisions of this Ordinance;
2. Keeping of agricultural animals, such as pigs, cows, goats, donkeys, horses, chickens or other fowl shall be prohibited, unless otherwise explicitly permitted within this ordinance;
3. Any use that is determined by the City of Solon to pose a general nuisance, or an imminent danger to the health, safety and welfare of the general public;
4. Any use that is determined by the City of Solon to be substantially similar to any of the above listed Prohibited Uses.

# **OFFICE ZONING DISTRICT**

## **PERMITTED USES**

**(NOTE: Changes to the existing ordinances are designated as follows. Added wording is designated in "red"; wording that is proposed to be deleted is designated in "black and is struck through"; retained wording from the existing ordinance is designated in "black".)**

# PROPOSED AMENDMENT #11

## CHAPTER 1273 - "O-1" (GENERAL OFFICE) - PERMITTED USES

### 1273.02 PERMITTED USES:

#### A. PRINCIPAL USES:

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

1. Professional and business office buildings;
2. Medical office buildings, laboratories and clinics for the treatment and aid of humans;
3. Churches, Synagogues, Temples, and other places of worship;
4. Public and private educational facilities, including those devoted to general learning and religious instruction;
5. Trade and business schools;
6. Federal, state, and local government buildings;
7. Museums;
8. Any use that is determined by the City of Solon to be substantially similar to any of the above listed uses.

**B. ACCESSORY USES:** ~~Buildings and uses immediately and exclusively accessory to the uses permitted on the site, provided such accessory uses are planned and developed integrally with, and are necessary to the successful operation of, the main use.~~

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 Ordinance. All accessory uses, except parking, fences, walls, mechanical equipment and approved signage, shall be wholly enclosed within the main building or other approved structure.

### **C. PROHIBITED USES:**

Prohibited uses within the "O-1" zoning district shall include, but are not limited to, those listed below. 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. Commercial retail use of any building or premises, except as an incidental and minor component of a listed principal use, in accordance with the provisions of this Ordinance;
3. Any use that is determined by the City of Solon to pose a general nuisance, or an imminent danger to the health, safety and welfare of the general public;
4. Any use that is determined by the City of Solon to be substantially similar to any of the above listed Prohibited Uses.

## PROPOSED AMENDMENT #12

### CHAPTER 1274 - "O-2" (OFFICE PARK) - PERMITTED USES

#### 1274.02 PERMITTED USES:

##### A. PRINCIPAL USES:

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

- ~~1. Professional and Business Office Uses;~~
- ~~2. Medical and/or Dental Offices for the treatment and aid of humans;~~
1. Offices, including those for professional, business, real estate, insurance, or medical purposes;
3. 2. Colleges, Universities, Trade Schools, Business Schools;
4. 3. Federal, State and Local Government Offices;
4. 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 accessory use immediately and exclusively accessory to a use permitted on the site, including automobile parking facilities; central heating, air conditioning and maintenance facilities wholly enclosed within a permitted building; utilities, mechanical equipment and/or storage facilities wholly enclosed within a permitted building as necessary for the proper functioning of permitted 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 Ordinance. All accessory uses, except parking, fences, walls, mechanical equipment and approved signage, shall be wholly enclosed within the main building or other approved structure.

### **C. PROHIBITED USES:**

Prohibited uses within the "O-1" zoning district shall, include, but are not limited to, those listed below. 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. Commercial retail use of any building or premises, including the parking or storing of commercial vehicles or equipment, except as explicitly permitted under the provisions of this Ordinance;
3. Any use that is determined by the City of Solon to pose a general nuisance, or an imminent danger to the health, safety and welfare of the general public;
4. Any use that is determined by the City of Solon to be substantially similar to any of the above listed Prohibited Uses.

# **COMMERCIAL ZONING DISTRICT**

## **PERMITTED USES**

**(NOTE: Changes to the existing ordinances are designated as follows. Added wording is designated in "red"; wording that is proposed to be deleted is designated in "black and is struck through"; retained wording from the existing ordinance is designated in "black".)**

## PROPOSED AMENDMENT #13

### CHAPTER 1275 - "C-1" (HISTORIC COMMERCIAL) - PERMITTED USES

#### 1275.02 PERMITTED USES

##### A. PRINCIPAL USES:

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

- ~~1. Offices, including those for professional, business, real estate, insurance, or medical purposes;~~
  - ~~2. Pre schools;~~
  - ~~3. Funeral Homes;~~
  - ~~4. Museums, art galleries, and similar uses;~~
  - ~~5. Travel Agencies;~~
  - ~~6. Banks and similar financial institutions;~~
  - ~~7. Sit Down Restaurants;~~
  - ~~8. Personal Service Establishments;~~
  - ~~9. Business Services, including duplicating and printing;~~
  - ~~10. General retail uses which the Planning Commission determines to be fully consistent with the purposes of this section;~~
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. Funeral Homes;
  12. Museums, art galleries and similar uses;
  13. 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 allowed permitted on the same premises lot as the principal use, subject to the provisions of this Chapter. Any 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:

- ~~1. Grocery Stores;~~
- ~~2. Automobile Sales;~~
- ~~3. Gasoline Service Stations;~~
- ~~4. Hotels and Motels;~~
- ~~5. Indoor and Outdoor Recreation;~~
- ~~6. Mixed General Merchandise Stores;~~
- ~~7. Video Stores;~~
- ~~8. Furniture Stores;~~
- ~~9. Game Rooms;~~
- ~~10. Commercial or Personal Warehousing or Storage, except storage incidental to a permitted use;~~
- ~~11. Any other use incompatible with the Permitted Uses specified above, or otherwise prohibited under Chapter 1289.03 of this code.~~

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. Gasoline sales;
3. Repair shops, including but not limited to automobile repair and/or servicing;
4. Automobile sales;
5. Fast food Restaurants;
6. Contractor shops and landscape businesses;
7. Commercial self storage businesses;
8. Tattoo Parlors and/or body piercing shops;
9. Businesses selling products commonly used for drug paraphernalia;
10. Gambling establishments, including, but not limited to, internet gambling businesses;
11. Pawnshops, thrift stores, consignment shops, or any other businesses substantially dealing in the acquisition and/or resale of previously used goods;
12. Dance clubs and live entertainment venues;
13. Outdoor amusement enterprises;
14. Arcades and game rooms (however, "amusement devices", subject to the provisions of

- the Codified Ordinances of the City of Solon, shall be permitted as an accessory use.);
15. Laundry and Dry Cleaning Shops;
  16. Any use that is determined by the City of Solon to pose a general nuisance, or an imminent danger to the health, safety and welfare of the general public;
  17. Any use that is determined by the City of Solon to be substantially similar to any of the above listed Prohibited Uses.

## PROPOSED AMENDMENT #14

### CHAPTER 1276 - "C-2" (RESTRICTED COMMERCIAL) - PERMITTED USES

#### 1276.02 PERMITTED USES

##### A. PRINCIPAL USES:

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

- ~~1. Shopping Centers;~~
  - ~~2. Sit Down Restaurants;~~
  - ~~3. Professional and business offices;~~
  - ~~4. Banks, savings and loan associations, and similar financial institutions;~~
  - ~~5. General retail uses (except as prohibited below);~~
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. 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 ~~allowed~~ permitted on the same premises lot as the principal use, subject to the provisions of this Chapter. ~~Any~~ 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:

- ~~1. Automobile sales or service;~~
- ~~2. Laundry and dry cleaning plants, except that pickup and drop off facilities shall be permitted;~~
- ~~3. Commercial or personal warehousing or storage, except storage incidental to a permitted use;~~
- ~~4. Contractor's shops;~~
- ~~5. Indoor or outdoor sports recreation, except where clearly incidental to a permitted use;~~
- ~~6. Religious or other places of assembly;~~
- ~~7. Pet stores;~~
- ~~8. Gasoline Service Stations;~~
- ~~9. Drive in service businesses (except banking);~~
- ~~10. Any other use incompatible with the Permitted Uses specified above, or otherwise prohibited under Chapter 1289.03 of this code.~~

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. Gasoline sales;
3. Repair shops, including but not limited to automobile repair and/or servicing;
4. Automobile sales;
5. Fast food Restaurants;
6. Contractor shops and landscape businesses;
7. Commercial self storage businesses;
8. Tattoo Parlors and/or body piercing shops;
9. Businesses selling products commonly used for drug paraphernalia;
10. Gambling establishments, including, but not limited to, internet gambling businesses;
11. Pawnshops, thrift stores, consignment shops, or any other businesses substantially dealing in the acquisition and/or resale of previously used goods;
12. Dance clubs and live entertainment venues;
13. Outdoor amusement enterprises;
14. Arcades and game rooms (however, "amusement devices", subject to the provisions of the Codified Ordinances of the City of Solon, shall be permitted as an accessory use.);
15. Laundry and dry cleaning shops, except that pickup and drop off facilities shall be permitted;
16. Any use that is determined by the City of Solon to pose a general nuisance, or an imminent danger to the health, safety and welfare of the general public;
17. Any use that is determined by the City of Solon to be substantially similar to any of the above listed Prohibited Uses.

# PROPOSED AMENDMENT #15

## CHAPTER 1277 - "C-3" (COMMERCIAL) - PERMITTED USES

### 1277.02 PERMITTED USES

#### A. PRINCIPAL USES:

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

- ~~1. Any and all kinds of retail businesses;~~
  - ~~2. Sit Down Restaurants~~
  - ~~3. Fast Food Restaurants~~
  - ~~4. Post Offices~~
  - ~~5. Telephone exchanges~~
  - ~~6. Professional, private educational, private philanthropic or private eleemosynary uses.~~
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. Post Office;
  13. Any use that is determined 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 ~~allowed~~ permitted on the same premises lot as the principal use, subject to the provisions of this Chapter. ~~Any~~ 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:**

- ~~1. Gasoline Service Stations~~
- ~~2. Any other use incompatible with the Permitted Uses specified above, or otherwise prohibited under Section 1289.03 of this code.~~

Prohibited uses within the "C-3" 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. Gasoline sales;
3. Repair shops, including but not limited to automobile repair and/or servicing;
4. Automobile sales;
5. Contractor shops and landscape businesses;
6. Commercial self storage businesses;
7. Tattoo Parlors and/or body piercing shops;
8. Businesses selling products commonly used for drug paraphernalia;
9. Gambling establishments, including, but not limited to, internet gambling businesses;
10. Pawnshops, thrift stores, consignment shops, or any other businesses substantially dealing in the acquisition and/or resale of previously used goods;
11. Dance clubs and live entertainment venues;
12. Outdoor amusement enterprises;
13. Arcades and game rooms (however, "amusement devices", subject to the provisions of the Codified Ordinances of the City of Solon, shall be permitted as an accessory use.);
14. Any use that is determined by the City of Solon to pose a general nuisance, or an imminent danger to the health, safety and welfare of the general public;
15. Any use that is determined by the City of Solon to be substantially similar to any of the above listed Prohibited Uses.

## PROPOSED AMENDMENT #16

### CHAPTER 1278 - "C-3-A" (COMMERCIAL SHOPPING CENTER)- PERMITTED USES

#### 1278.02 PERMITTED USES

##### A. PRINCIPAL USES:

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

~~1. Retail Businesses, including retail service uses such as dry cleaners, travel agents, beauty salons, and bakeries, but excepting gasoline stations which shall only be permitted as an accessory use. Any other use that is otherwise prohibited within this Code and/or within the Codified Ordinances of the City of Solon shall also be prohibited.~~

~~2. Sit Down Restaurants;~~

~~3. Fast Food Restaurants;~~

~~4. Post Offices;~~

~~5. Business and Professional Offices;~~

~~6. Hotels;~~

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. Dry cleaners;
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.

## 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 ~~allowed~~ permitted on the same premises lot as the principal use, subject to the provisions of this Chapter. ~~Any~~ All accessory uses, except parking, mechanical equipment and approved signage, shall be wholly enclosed within the main building or other approved building;
2. ~~An~~ No approved accessory building shall be no larger than 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:

1. Vehicle Painting, Repair or Service Garages, Tire Sales, and Oil Changes Facilities.
2. Any other use incompatible with the Permitted Uses specified above, or otherwise prohibited under Section 1289.03 of this code.

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. Gasoline sales as a primary use;
3. Repair shops, including but not limited to automobile repair and/or servicing;
4. Automobile sales;
5. Contractor shops and landscape businesses;
6. Commercial self storage businesses;
7. Tattoo Parlors and/or body piercing shops;
8. Businesses selling products commonly used for drug paraphernalia;
9. Gambling establishments, including, but not limited to, internet gambling businesses;
10. Pawnshops, thrift stores, consignment shops, or any other businesses substantially dealing in the acquisition and/or resale of previously used goods;
11. Dance clubs and live entertainment venues;
12. Outdoor amusement enterprises;
13. Arcades and game rooms (however, "amusement devices", subject to the provisions of the Codified Ordinances of the City of Solon, shall be permitted as an accessory use.);
14. Any use that is determined by the City of Solon to pose a general nuisance, or an imminent danger to the health, safety and welfare of the general public;
15. Any use that is determined by the City of Solon to be substantially similar to any of the above listed Prohibited Uses.

## PROPOSED AMENDMENT #17

### CHAPTER 1279 - "C-4" (MOTORIST SERVICE COMMERCIAL)- PERMITTED USES

#### 1279.02 PERMITTED USES

##### A. PRINCIPAL USES:

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

1. Gas Stations;
2. Automobile Sales, where not more than 25% of monthly sales volumes consist of pre-owned vehicles;
3. Hotels and Motels;
4. Sit Down Restaurants;
5. Casual Restaurants;
- 5-6 Fast Food Restaurants;
6. Business; Professional; and/or Medical Offices;
7. 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. The servicing of automobiles including engines, drive-trains and bodywork shall be permitted as an accessory use to Automobile Sales or Gas Stations, provided that any inoperable and or unlicensed vehicles, parts, etc., are exclusively stored within a building and are not otherwise exposed to public view;
2. Any other use that is customarily incidental and accessory to any of the above listed permitted uses as determined by the City of Solon shall be ~~allowed~~ permitted on the same premises lot as the principal use, subject to the provisions of this chapter.  
~~Any~~ 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:

- ~~1. Any other use not specifically listed as a Permitted Use above, or otherwise prohibited under Section 1289.03 of this code.~~

Prohibited uses within the "C-4" 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, except as explicitly permitted within this Ordinance;
2. Retail sales and service uses, other than those specifically listed as a principal use above;
3. Business and professional offices, including medical and dental offices;
4. Repair Shops, but excepting automobile repair and/or servicing as part of a permitted Automobile Sales primary use;
5. Contractor shops and landscape businesses;
6. Commercial self storage businesses;
7. Gambling establishments, including, but not limited to, internet gambling businesses;
8. Pawnshops, thrift stores, consignment shops, or any other businesses substantially dealing in the acquisition and/or resale of previously used goods, excepting automobile sales operating as a permitted primary use;
9. Dance clubs and live entertainment venues;
10. Indoor or Outdoor amusement enterprises;
11. Arcades and game rooms (however, "amusement devices", subject to the provisions of the Codified Ordinances of the City of Solon, shall be permitted as an accessory use.);
12. Any use that is determined by the City of Solon to pose a general nuisance, or an imminent danger to the health, safety and welfare of the general public;
13. Any use that is determined by the City of Solon to be substantially similar to any of the above listed Prohibited Uses.

## PROPOSED AMENDMENT #18

### CHAPTER 1280 - "C-5" (INDUSTRIAL RETAIL AND SERVICE)- PERMITTED USES

#### 1280.02 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, dry cleaners, insurance sales, etc.
3. Business and professional offices, including medical and dental offices;
4. Hotels, motels; ~~and similar overnight lodging establishments;~~
5. Fast food restaurants;
6. Casual restaurants;
7. Sit-down restaurants;
8. Conference centers;
9. Banquet centers;
10. Banks and other financial institutions;
11. Physical therapists;
12. Movie theaters;
13. Child day care;
14. Exercise and fitness studios;
15. Pet shops;
16. 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-5" 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, except as explicitly permitted within this Ordinance;
2. Gasoline sales;
3. Repair shops, including but not limited to automobile repair and/or servicing;
4. Automobile sales;
5. Contractor shops and landscape businesses;
6. Commercial self storage businesses;
7. Tattoo Parlors and/or body piercing shops;
8. Businesses selling products commonly used for drug paraphernalia;
9. Gambling establishments, including, but not limited to, internet gambling businesses;
10. Pawnshops, thrift stores, consignment shops or any other businesses typically substantially dealing in the acquisition and/or resale of previously used goods;
11. Dance clubs and live entertainment venues;
12. Outdoor amusement enterprises;
13. Arcades and game rooms (however, "amusement devices", subject to the provisions of the Codified Ordinances of the City of Solon, shall be permitted as an accessory use.);
14. ~~Any use that poses a general nuisance to the general public.~~  
Any use that is determined by the City of Solon to pose a general nuisance, or an imminent danger to the health, safety and welfare of the general public;
15. Any use that is determined by the City of Solon to be substantially similar to any of the above listed Prohibited Uses.

## PROPOSED AMENDMENT #19

### CHAPTER 1281 - "C-6" (GENERAL COMMERCIAL) - PERMITTED USES

#### 1281.02 PERMITTED USES

##### A. PRINCIPAL USES:

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

- ~~1. Post offices and telephone exchanges;~~
  - ~~2. Professional, private educational, private philanthropic or private eleemosynary uses;~~
  - ~~3. Amusement Enterprises, including arenas, bowling alleys, dance halls, and other enclosed recreation establishments;~~
  - ~~4. Service Establishments, including laundries; dry cleaning; dyeing facilities; bakeries; creameries; frozen food lockers; ice manufacturing; soft drink bottling; refining, roasting, pasteurization and extracting processes; printing and publishing; repair of automobile motors, tires, and household appliances; body shops; plumbing, heating, painting, or upholstering contractors shops (open or enclosed);~~
  - ~~5. Enclosed storage facilities including those utilized for wholesale purposes;~~
  - ~~6. Open storage yards including those utilized to store building materials, lumber, coal, and fuel;~~
  - ~~7. Any other use(s) that are found to be similar to the above listed uses.~~
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. Post Office;

13. 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 ~~allowed~~ permitted on the same premises lot as the principal use, subject to the provisions of this chapter.

~~Any~~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:

- ~~1. Gasoline Service Stations~~
- ~~2. Any other use incompatible with the Permitted Uses specified above, or otherwise prohibited under Section 1289.03 of this code.~~

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. Gasoline sales;
3. Repair shops, including but not limited to automobile repair and/or servicing;
4. Automobile sales;
5. Contractor shops and landscape businesses;
6. Commercial self storage businesses;
7. Tattoo Parlors and/or body piercing shops;
8. Businesses selling products commonly used for drug paraphernalia;
9. Gambling establishments, including, but not limited to, internet gambling businesses;
10. Pawnshops, thrift stores, consignment shops, or any other businesses substantially dealing in the acquisition and/or resale of previously used goods;
11. Dance clubs and live entertainment venues;
12. Outdoor amusement enterprises;
13. Arcades and game rooms (however, "amusement devices", subject to the provisions of the Codified Ordinances of the City of Solon, shall be permitted as an accessory use.);
14. Any use that is determined by the City of Solon to pose a general nuisance, or an imminent danger to the health, safety and welfare of the general public;
15. Any use that is determined by the City of Solon to be substantially similar to any of the above listed Prohibited Uses.

# **INDUSTRIAL ZONING DISTRICT**

## **PERMITTED USES**

**(NOTE: Changes to the existing ordinances are designated as follows. Added wording is designated in "red"; wording that is proposed to be deleted is designated in "black and is struck through"; retained wording from the existing ordinance is designated in "black".)**

## PROPOSED AMENDMENT #20

### CHAPTER 1282-"I-1" (WAREHOUSING AND ASSEMBLING) - PERMITTED USES

#### 1282.02 PERMITTED USES

##### A. PRINCIPAL USES:

The following uses shall be permitted in the "I-1" (Warehousing and Assembling) zoning district, provided that such uses also comply with all applicable federal, state, and local regulations, including the Codified Ordinances of the City of Solon.

1. Warehousing, storing, wholesaling, and/or distributing of dry goods, clothing, drugs, furniture, hardware and other similar products;
2. Offices, including administrative, professional, medical and dental offices;
3. Light Industrial Uses as defined in this Code;
4. Printing and Publishing;
5. Paratransit;
6. Trade schools, business schools, and sports training facilities;
7. 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 ~~allowed~~ permitted on the same premises lot as the principal use subject to the provisions of this chapter. Any accessory uses, except off-street parking, truck loading areas, mechanical equipment, outdoor storage as regulated herein, and approved signage, shall be wholly and completely enclosed within the main building or other approved building.

2. The “process of machining” as defined herein, shall only be permitted when it is confined to a maximum of twenty percent (20%) of the business floor area. The “process of machining” is defined as the cutting, abrading, drilling, forming, grinding, and/or shaping of metal by power tools such as lathes, saws, drills, and presses;
3. Retail Sales: Retail sales are permitted as an accessory use within buildings within the “I-1” (Warehousing and Assembling) district subject to the following provisions:
  - a. On-site warehousing, distributing, wholesaling, processing, assembling, packaging, and or testing required—Retail sales are only permitted as a minor activity in direct association with the principal activity on site. Therefore such sales shall consist only of products or merchandise that are warehoused, distributed, wholesaled, processed, assembled, packaged, and/or tested on site.
  - b. Maximum Permitted Retail Area—The total area devoted to accessory retail sales shall not exceed ten percent (10%) of the square footage of the business unit, nor shall such sales area exceed one thousand (1,000) square feet.
  - c. Advertisement Prohibited—There shall be no exterior advertisement of any accessory retail sales located on the property. However, advertisement of retail sales activity may occur within the building so long as such advertisement is not visible from the exterior of the building.
4. Outdoor Storage: Outdoor storage which is ~~related~~ accessory **and incidental** to any **of the above listed** ~~permitted~~ principal uses shall be permitted ~~as an accessory use~~ in accordance with the following:
  - a. Such storage areas shall comply with the setback requirements for principal buildings specified within this chapter.
  - b. Such storage areas shall be fenced or otherwise screened from view from the street or from adjacent properties.**
  - ~~b~~c. Such storage areas shall not be considered to constitute any part of the open space requirements specified within this chapter.
  - ~~e~~d. Such storage areas shall not include the storage of raw materials in bulk as defined within this chapter.

### C. PROHIBITED USES:

~~The following uses shall be prohibited in the "I-1" Zoning District.~~

Prohibited uses within the "I-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, institutional, and retail buildings and uses (except as provided herein) provided, however, that residential buildings and uses shall be permitted in areas where private deed restrictions prohibiting any building or use other than for dwelling purposes were in effect at the time of the passage of this Ordinance and continue to remain in effect;
2. Medium Industrial Uses as defined in this Code;
3. Heavy Industrial Uses as defined in this Code;
4. Any principal industrial activity involving the production of products or components from raw materials;
5. Any other use ~~prohibited~~ listed within **the Prohibition of Specific Land Uses Section** ~~within~~ of this Code shall also be prohibited in "I-1" (Warehousing and Assembling) zoning district;
6. Any use that is determined by the City of Solon to pose a general nuisance, or an imminent danger to the health, safety and welfare of the general public;
7. Any use that is determined by the City of Solon to be substantially similar to any of the above listed Prohibited Uses.

## PROPOSED AMENDMENT #21

### CHAPTER 1283 - "I-2" (INDUSTRIAL MANUFACTURING) - PERMITTED USES

#### 1283.02 PERMITTED USES:

##### A. PRINCIPAL USES:

The following uses shall be permitted in the "I-2" (Industrial Manufacturing) zoning district, provided that such uses also comply with all applicable federal, state, and local regulations, including the Codified Ordinances of the City of Solon.

1. ~~Any Industrial or Manufacturing, processing and assembly of products and/or materials building or uses, except those prohibited listed under the Prohibited Use section~~ "Prohibition of Specific Land Uses" section of this code, or which are determined by the City of Solon to pose a threat to the general health, safety and welfare, or which otherwise pose a danger from fire, explosion, or which constitute a public nuisance due to noise, vibrations, light, glare, smoke, dust, fumes, or odors that are not effectively confined to the premises;
2. Warehousing, storing, ~~wholesale wholesaling jobbing,~~ and/or distributing of food, dry goods, clothing, drugs, furniture, hardware, and other **substantially** similar products;
3. Food and drink production, including bakeries, creameries, ~~frozen food lockers~~ **cold storage facilities**, ice manufacturing, soft drink bottling, refining, roasting, pasteurizing and extracting processes, entirely enclosed within a building;
4. Printing and publishing;
5. Business and professional offices, but excluding medical and dental offices;
6. **Research and Development facilities;**
- 6.7 Paratransit;
- 7.8. Colleges, universities, trade schools, business schools, and sports training facilities;
9. Assembly, restoration, or remanufacture of automobiles;

10. 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 uses shall be allowed permitted on the same premises lot as the principal use subject to the provisions of this chapter. Any accessory use, except parking, truck loading areas, mechanical equipment, outdoor storage as regulated herein, and approved signage, shall be wholly enclosed within the main building or other approved building. Retail Sales are permitted as an accessory use subject to the requirements specified herein.
2. Outdoor Storage: Outdoor storage which is accessory and incidental to any of the above listed principal uses shall be permitted in accordance with the following:
  - a. Such storage areas shall comply with the setback requirements for principal buildings specified within this chapter.
  - b. Such storage areas shall be fenced or otherwise screened from view from the street or from adjacent properties.
  - c. Such storage areas shall not be considered to constitute any part of the open space requirements specified within this chapter.

## C. PROHIBITED USES:

Prohibited uses within the "I-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, educational, institutional, and retail buildings and uses (except as otherwise permitted herein) are prohibited in "I-2" (Industrial/Manufacturing) districts, provided, however, that residential buildings and uses shall be permitted in areas where private deed restrictions prohibiting any building or use other than for dwelling purposes were in effect at the time of the passage of this Ordinance (Ordinance 1951-15, passed March 22, 1951) and continue to remain in effect. Any other use prohibited under Section 1289.03 shall also be prohibited in "I-2" (Industrial/Manufacturing) districts. and continue to remain in effect;
2. Landscaping businesses;
3. Commercial contractors, except that administrative offices and warehousing shall be

permitted;

4. Ambulance companies;
5. Automotive repair and servicing, except as part of a permitted "assembly, restoration, or remanufacture of automobiles" primary use;
6. Commercial storage services available to the general public;
7. Any use listed within the "Prohibition of Specific Land Uses" section of this Code shall also be prohibited in "I-1" (Warehousing and Assembling) zoning district;
8. Any use that is determined by the City of Solon to pose a general nuisance, or an imminent danger to the health, safety and welfare of the general public;
9. Any use that is determined by the City of Solon to be substantially similar to any of the above listed Prohibited Uses.

# **GENERAL PROHIBITED USES**

**(NOTE: Changes to the existing ordinances are designated as follows. Added wording is designated in "red"; wording that is proposed to be deleted is designated in "black and is struck through"; retained wording from the existing ordinance is designated in "black".)**

## PROPOSED AMENDMENT #22

### SECTION 1289.03 PROHIBITION OF SPECIFIC LAND USES:

To protect and advance the health, safety, and welfare of the residents of the City of Solon and the general public, the following specific land uses shall be prohibited in all zoning districts:

- (1) ACID MANUFACTURE.
- (2) ASPHALT MANUFACTURING OR REFINING.
- (3) BRICK, TILE OR TERRA COTTA MANUFACTURE.
- (4) CARBON, COKE, OR LAMPBLACK MANUFACTURE.
- (5) CELLULOID MANUFACTURE OR STORAGE.
- (6) CEMENT, LIME, GYPSUM, OR PLASTER OF PARIS MANUFACTURE.
- (7) CHLORINE OR HYDROCHLORIC, NITRIC, OR PICRIC ACID MANUFACTURE.
- (8) CLAY PRODUCTS MANUFACTURE.
- (9) COMMERCIAL DOG KENNELS.
- (10) COMMERCIAL RAISING OF FUR BEARING ANIMALS.
- (11) CONCRETE READY MIX AND CONCRETE PRODUCT PLANTS.
- (12) CREOSOTE MANUFACTURE OR TREATMENT PLANTS.
- (13) DISTILLATION OF BONES, FAT RENDERING, GLUE MANUFACTURE.
- (14) DYESTUFF MANUFACTURE.
- (15) EMERY CLOTH OR SANDPAPER MANUFACTURE.
- (16) EXPLOSIVE OR FIREWORKS MANUFACTURE OR STORAGE.
- (17) FERTILIZER MANUFACTURE.
- ~~(18) FISH HOUSE, LIVE POULTRY SALES; POULTRY KILLING WHERE THE MAIN OR PRINCIPAL BUSINESS IS THE KILLING OF POULTRY.~~
- (18) BUSINESSES INVOLVING THE ONSITE SLAUGHTER OF ANIMALS AND/OR THE KEEPING OF ANIMALS FOR SLAUGHTER.
- (19) GAS MANUFACTURE AND/OR STORAGE FOR DISTRIBUTION.
- (20) INCINERATION OR REDUCTION OF DEAD ANIMALS, GARBAGE, OFFAL OR REFUSE, EXCEPT A PRIVATE INCINERATOR. AN INCINERATOR SERVING AS AN INCIDENTAL ACCESSORY USE TO A PERMITTED BUSINESS.
- (21) IRON OR STEEL FOUNDRY, BLAST FURNACE, ROLLING MILL, OR FORGE STOP SHOP.
- (22) MATCH MANUFACTURE.
- (23) MINERAL INSULATION MANUFACTURE, MINING OPERATIONS.
- (24) NITRATING OF COTTON OR OTHER CELLULOSE MATERIAL.
- (25) NOISY AMUSEMENT ENTERPRISE IF OPERATED AS A BUSINESS.
- (26) OCCUPANCY OF OR BY AUTOMOBILE TRAILER, TRAILER COACH OR TRAILER, A CAMPER, TRAILER, RECREATIONAL VEHICLE, OR OTHER VEHICLE FOR LIVING QUARTERS AND/OR SLEEPING QUARTERS.
- (27) OILCLOTH OR LINOLEUM MANUFACTURE.

- (28) OIL **AND/OR OTHER FUEL** REFINERIES.
- ~~(29) OIL WELLS.~~
- (29) ORE REDUCTION AND GENERAL SMELTING OPERATIONS.
- (30) OUTDOOR DISPLAY OR SALE OF FOOD, MERCHANDISE, OR EQUIPMENT **UNLESS OTHERWISE SPECIFICALLY APPROVED WITHIN A PARTICULAR ZONING DISTRICT.** ~~EXCEPT ON THE PREMISES OF A BUSINESS ESTABLISHMENT OR FARM DEALING IN OR PRODUCING THE ITEMS BEING OFFERED FOR SALE EXCEPT, FURTHER, THAT VENDORS OF CHRISTMAS TREES AND OTHER SIMILAR ITEMS MAY BE LICENSED DURING THE HOLIDAY SEASON UNDER CHAPTER 846 OF THE BUSINESS REGULATION AND TAXATION CODE~~
- ~~(31) OUTDOOR MOVING PICTURE OR CINEMA~~ **MOVIE** THEATER.
- (32) POTASH MANUFACTURE.
- (33) PRINTING INK MANUFACTURE.
- (34) RAYON MANUFACTURE.
- ~~(36) RESTAURANTS DEVOTED ENTIRELY TO CARRY-OUT SERVICE.~~
- (35) ROCK AND SLAG CRUSHING.
- (36) RUBBER, CAOUTCHOUC, OR GUTTA PERCHA MANUFACTURE OR TREATMENT.
- (37) **JUNK YARDS AND/OR AUTO SALVAGE YARDS,** ~~SCRAP IRON, OR JUNK STORAGE, SCRAP PAPER OR RAG STORAGE.~~
- (38) **EXTERIOR STORAGE OF SCRAP METAL, PAPER, CLOTH, PLASTIC, GLASS, MASONRY, RUBBER, WOOD, GRAVEL, SAND, STONE, AND/OR ANY SIMILAR MATERIALS.**
- (39) SHELLAC, TURPENTINE, LACQUER OR VARNISH MANUFACTURE.
- (40) SMELTING OF ORES.
- (41) ~~SOAP,~~ TALLOW, GREASE OR LARD MANUFACTURE OR REFINING.
- (42) SODA ASH, CAUSTIC SODA, OR WASHING COMPOUND MANUFACTURE.
- ~~(43) SLAUGHTERHOUSES, STOCK YARDS.~~
- (44) STONE QUARRY, GRAVEL OR SAND PIT, **AND/OR MINING OPERATIONS.**
- (45) STORAGE OF VOLATILE OILS ~~OR,~~ GASOLINE, **OR GASSES IN EXCESS OF 25,000 GALLONS.**
- ~~(47) TANNERIES.~~
- (46) TANNING, CURING OR STORING OF RAW HIDES OR SKINS.
- (47) TAR DISTILLATION OR MANUFACTURE.
- (48) TAR ROOFING OR TAR WATERPROOFING MANUFACTURE.
- (49) ~~TRAILER CAMPS, TOURIST CAMPS, OR CABIN PLOT.~~ **RECREATIONAL VEHICLE PARKS, CAMPGROUNDS, CABIN RENTALS, OR ANY SIMILAR BUSINESS.**
- ~~(52) USED OR JUNK CAR LOTS.~~
- (50) **AUTOMOBILE SALES, WHERE MORE THAN 25% OF MONTHLY SALES VOLUMES CONSISTS OF PREOWNED VEHICLES.**
- (51) **ANY OTHER USE THAT IS DETERMINED BY THE CITY OF SOLON TO BE SUBSTANTIALLY SIMILAR TO ANY OF THE ABOVE LISTED PROHIBITED USES.**

## PROPOSED AMENDMENT #23

### SECTION 1289.04 USES PROHIBITED IN ALL SINGLE FAMILY AND TWO FAMILY RESIDENTIAL ZONING DISTRICTS:

The following uses shall be prohibited in all Single Family and Two Family Residential Zoning Districts:

- (1) ~~Auto, horse, motorcycle, dog or other race tracks.~~
- (2) ~~Parking lots not appurtenant to a permitted or conditionally permitted use.~~
- (3) ~~Miniature golf courses and golf driving ranges not appurtenant to a golf course.~~
- (4) ~~No part or portion of a residentially zoned lot or parcel of land shall be used for the purposes of permitting normal, ordinary and recurring non-residential vehicular use of roadways or other means of ingress or egress to any other lot or parcel of land.~~
- (5) ~~The parking or storing of a truck exceeding three quarter (3/4) of a ton in rated capacity.~~
- (6) ~~The permanent and/or overnight parking of any vehicle on a driveway within a required front yard set back.~~

## PROPOSED AMENDMENT #24

### 1289.05 PROHIBITION AGAINST GENERAL NUISANCES:

In addition to any use or property condition specifically prohibited herein, any other building(s), structure(s), or use(s) that poses a threat to the **general** health, safety and welfare, or which otherwise poses a danger from fire, ~~or~~ explosion, **structural instability or collapse**, or which ~~may create~~ **constitutes a** public nuisances due to noise, vibrations, **light, glare**, smoke, dust, fumes, **attraction of pests**, or odors, that are not effectively confined to the premises, **or which poses an attractive nuisance to children**, or which otherwise constitutes a blighting or deteriorating influence on the area in which the use or property condition is located, shall be prohibited.

# DEFINITIONS

**(NOTE: Changes to the existing ordinances are designated as follows. Added wording is designated in "red"; wording that is proposed to be deleted is designated in "black and is struck through"; retained wording from the existing ordinance is designated in "black".)**

## PROPOSED AMENDMENT #25

### SECTION 1261.02 LIST OF DEFINITIONS

**ASSISTED LIVING FACILITY** - An integrated facility providing a combination of housing, supportive services, personalized assistance, and health care designed to respond to the needs of those who require assistance with the activities of daily living. Assisted living facilities may have central or private kitchens, dining areas, recreational areas, or other facilities, but shall have private bedrooms and living quarters.

**DISTRIBUTING** - A use where goods are received and/or stored for delivery to the ultimate customer at remote locations, primarily in association with industrial and wholesaling processes.

**RESTAURANT, CASUAL** - A restaurant primarily devoted to the immediate consumption of food within the building with customers seated at tables or counters. Carry-out service shall only be permitted as an incidental and minor accessory use to the Casual Restaurant use and drive-through service is prohibited.

**RESTAURANT, FAST FOOD** – A restaurant where food may be consumed either onsite or off, and where most customers order food from a posted menu board at a counter or from a motor vehicle, and where food and beverages are dispensed in disposable wrappings or containers with disposable utensils. Carry-out and/or drive-through service may be a principal component of a fast food restaurant.

**RESTAURANT, SIT DOWN** – A restaurant devoted to immediate consumption of food within the building with the placing of orders, serving, and consumption all taking place at tables or counters where customers are seated, and involving the normal use of individual menus and non-disposable dishes and utensils. Carry-out service shall only be permitted as a minor accessory use to the Sit Down Restaurant use, and drive-through service is prohibited.. For the purposes of this code the terms “sit-down restaurant” and “standard” restaurant shall be considered to be synonymous.

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

**USE, PRINCIPAL** - The main use, building, or structure to which the premises is devoted and the primary purpose for which the premises exists.

**USE, PROHIBITED** - A use, building, or structure that is not permitted within a zoning district.

**USE, SUBSTANTIALLY SIMILAR** - A use that is not explicitly listed as a principal, accessory, or prohibited use, within a particular zoning district, but which possesses characteristics and impacts that are so similar to a specifically listed principal, accessory, or prohibited use as to make the two uses virtually equivalent. The determination as to whether a use qualifies as a substantially similar use shall be at the sole discretion of the City of Solon.

**WAREHOUSING** - Moderate to long term storage of goods, materials, and/or equipment primarily in association with industrial and distribution processes. The term "warehousing" shall not be considered to include commercial storage businesses available to the general public, or the short term parking or storing of vehicles, equipment, materials, for dispatching on a daily basis.