

EXHIBIT "A"

PROPOSED AMENDMENT #1

**ADD CHAPTER 1284, "I-3" (INDUSTRIAL AUTO SERVICE)
ZONING REGULATIONS, TO THE ZONING CODE**

CHAPTER 1284

“I-3” (INDUSTRIAL AUTO SERVICE)

1283.01 PURPOSE:

The “I-3” (Industrial Auto Service) zoning district has been established to permit moderate intensity manufacturing, warehouse, and office uses subject to the requirements specified within this code.

1283.02 PERMITTED USES:

A. PRINCIPAL USES:

The following uses shall be permitted in the “I-3” (Industrial Auto Service) 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. Manufacturing, processing and assembly of products and/or materials or uses, except those listed under the "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, wholesaling, and/or distributing of food, dry goods, clothing, drugs, furniture, hardware, and other substantially similar products;
3. Food and drink production, including bakeries, creameries, 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;
7. Paratransit;
8. Colleges, universities, trade schools, business schools, and sports training facilities;
9. Assembly, restoration, or remanufacture of automobiles;
10. Automotive Repair and/or Maintenance Services;
11. Automotive Towing and/or Impound Yards;
12. Electrical, Plumbing, and HVAC contractors and any similar low intensity contractor businesses that do not involve the bulk storage of materials and/or the dispatching or storing of construction equipment, trailers, and/or "large vehicles" as defined within this zoning code.
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:

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. 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-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, and retail buildings and uses (except as otherwise permitted herein) are prohibited in "I-3" (Industrial Auto Service) 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 and continue to remain in effect;
2. Landscaping businesses, excavators, and contractor businesses involving the bulk storage of materials and/or the dispatching or storing of construction equipment, trailers, and/or "large vehicles" as defined within this zoning code.
3. Ambulance companies;
4. Commercial storage services available to the general public;
5. Any use listed within the "Prohibition of Specific Land Uses" section of this Code shall also be prohibited in "I-3" (Industrial Auto Service) 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.

1283.03 LOT, BUILDING, AND PARKING STANDARDS:
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A. LOT REQUIREMENTS

1. MINIMUM GREEN SPACE - At least twenty percent (20%) of any lot shall be reserved as green space.
2. MINIMUM LOT WIDTH - The width of any lot shall not be less than one hundred and fifty (150) feet at the building line.
3. MINIMUM FRONT YARD GRADE - The finished grade line of the front yard shall have a minimum two percent (2%) grade falling from the front of the building to the street grade.

B. BUILDING SET-BACKS AND DIMENSION REQUIREMENTS:

1. MINIMUM FRONT YARD SET-BACKS – The minimum front yard set-back for any structure shall be one hundred and fifty (150) feet, except as otherwise specified below:
 - A. Lots fronting on Aurora Road - Any lot fronting on Aurora Road shall maintain a minimum front yard set-back of two hundred (200) feet.
 - B. Lots Opposite a Residential Zoning District - Any lot that is located across the street from residentially zoned land shall maintain a minimum front yard set-back of two hundred (200) feet.
 - C. Lots fronting on Secondary Roads - Any lot fronting on a secondary road shall maintain a minimum front yard set-back of seventy five (75) feet.
2. MINIMUM SIDE YARD SET-BACKS - No building may be located closer than ten (10) feet to any interior side property line, nor closer than one hundred fifty (150) feet to any principal side street, nor closer than seventy five (75) feet to any secondary side street.
3. MINIMUM SET-BACK FROM RESIDENTIAL ZONING AND USES - No building may be located closer than one hundred and fifty (150) feet to any Single Family or Two Family zoned or used land. In addition no storage of materials, trash, etc. may occur within this area.
4. MINIMUM REAR YARD SET-BACKS - No building may be located closer than twenty-five (25) feet to any interior rear property line nor closer than one hundred fifty (150) feet to rear principal street, nor closer than seventy-five (75) feet to any rear secondary street.
5. MINIMUM SET-BACK BETWEEN STRUCTURES - A minimum setback of twenty-five (25) feet shall be provided between buildings on the same, or adjacent lots.
6. MAXIMUM BUILDING COVERAGE - Not more than forty percent (40%) of the lot area shall be covered with buildings.
7. MAXIMUM HEIGHT – No structure may exceed fifty (50) feet in height above finished grade when adjacent to any nonresidential zoning district, nor shall such structures exceed thirty-five (35) feet in height when located within one hundred and fifty (150) of any residentially zoned land

However, chimneys, flagpoles, towers, water tanks and other appurtenances that are erected on, and are an integral part of, the main structure may extend to a height of one hundred (100) feet above the finished grade when abutting non-residentially zoned land, but such accessory structures shall not exceed seventy-five (75) feet in height when located within one hundred and fifty (150) feet of any residentially zoned land.

C. PARKING AREA SET-BACKS AND DIMENSION REQUIREMENTS:

1. **MINIMUM FRONT YARD SET-BACK** - Parking areas shall be located no closer than eighty (80) feet to any front property line and such parking areas shall be suitably landscaped. (see Section 1288.06 - Landscape and Screening Requirements for Front Yard Parking and Off-street Loading Areas)
2. **MINIMUM SIDE YARD SET-BACKS** - Parking areas shall be located no closer than five (5) feet to any interior side property line, nor shall such parking areas be located closer than eighty (80) feet to any principal side street nor closer than sixty (60) feet to any secondary side street. Side yard parking areas abutting residentially zoned or used land shall be located no closer than thirty (30) feet to the side property line. Street access drives shall maintain the same set-backs prescribed herein for parking areas, except when providing direct access from a parking area to a street the street set-back requirements will not apply.
3. **MINIMUM REAR YARD SET-BACKS** - Parking areas shall be located no closer than five (5) feet to any interior rear property line, no closer than eighty (80) feet to any principal rear street, nor closer than sixty (60) feet to any secondary rear street. Rear yard parking areas abutting residentially zoned or used land shall be located no closer than thirty (30) feet to the rear property line.
4. **MINIMUM SETBACK FROM BUILDINGS** - Parking areas and street access drives shall be located no closer than ten (10) feet to any building.

D. OFF-STREET LOADING AREA LOCATION, SET-BACK, AND DIMENSION REQUIREMENTS - In addition to the requirements of Section 1288.02 the following Off-street Loading requirements shall apply within "I-3" (Industrial Auto Service) Districts.

1. **SET-BACKS FROM STREETS** - Off-street loading areas shall be located no closer than eighty (80) feet to any primary street right of way line, nor closer than sixty (60) feet to any secondary street right of way line. Any off-street loading area that is located closer to a primary street than is the building on the lot shall be suitably landscaped as per the requirements of Section 1288.06 - (Landscape and Screening

Requirements for Front Yard Parking and Off-street Loading Areas) of this code.

2. LOCATION ADJACENT TO RESIDENTIAL AREAS PROHIBITED – No loading area or dock, nor any truck parking or storage shall be located between a building and any adjacent residential zoning district.

1283.04 ACCESSORY RETAIL SALES

Retail Sales are permitted as an accessory use within buildings within the “I-3” (Industrial Manufacturing) districts subject to the following provisions, except as otherwise regulated within this Zoning Code:

1. ON-SITE MANUFACTURING, FABRICATION, PRODUCTION, WAREHOUSING 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 manufactured, fabricated, produced, or warehoused as the principal activity on site.
2. 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.
3. ADVERTISEMENT PROHIBITED - There shall be no exterior advertisement of the accessory retail sales located on the property. Advertisement of the retail sales activity may occur within the building so long as such advertisement is not visible from the exterior of the building.

**SUMMARY TABLE OF
 "I-3" (INDUSTRIAL AUTO SERVICE)
 REQUIREMENTS***

BUILDING

MIN. FRONT SETBACK.....	SEE TEXT
MIN. SIDE YARD SET-BACK (interior).....	10 ft
MIN. SIDE YARD SET-BACK (street).....	75 or 150 ft
MIN. SET-BACK BETWEEN STRUCTURES ON SAME LOT.....	25 ft
MIN REAR YARD SET-BACK.....	25 ft
MAX. BUILDING HEIGHT	50 ft
MAX. BUILDING SIZE.....	N/A

PARKING

MIN. FRONT SET-BACK.....	80 ft
MIN. SIDE YARD SET-BACK (interior).....	5 ft
MIN. SIDE YARD SET-BACK (street).....	60 or 80 ft
MIN. REAR YARD SETBACK.....	5 ft

LOT

MIN. LOT WIDTH.....	150 ft
MIN. LOT AREA.....	N/A
MIN. GREEN SPACE.....	20%
MAX. IMPERVIOUS COVERAGE.....	80%

** SEE TEXT FOR COMPLETE REQUIREMENTS*

PROPOSED AMENDMENT #2

**ADD DEFINITIONS FOR "AUTOMOTIVE REPAIR AND/OR
MAINTENANCE SERVICES" AND "AUTOMOTIVE TOWING
AND/OR IMPOUND YARDS" TO SECTION TO SECTION
1261.02 OF THE ZONING CODE**

AUTOMOTIVE REPAIR AND/OR MAINTENANCE SERVICES - A business involving the repair and/or maintenance of automobiles where all vehicles are 100% screened from view from any street and/or any adjacent properties and where there is no outside storage of parts, scrap, debris, etc. and where there are no on-site retail sales associated with the business.

AUTOMOTIVE TOWING AND/OR IMPOUND YARDS - A business dedicated to the towing of vehicles and/or the short term storage of vehicles while awaiting transfer to a repair facility and/or approved release by a law enforcement agency, and where all vehicles are 100% screened from view from any street and/or any adjacent properties, and where there is no outside storage of parts, scrap, debris, etc., and where there are no on-site retail sales associated with the business. The term "Automotive Towing and/or Impound Yards" shall be considered to be distinct from junk yards and/or auto salvage/sales yards.

EXHIBIT "B"

EXHIBIT "B"

"I-3" - INDUSTRIAL AUTO SERVICE DISTRICT - CITY OF SOLON

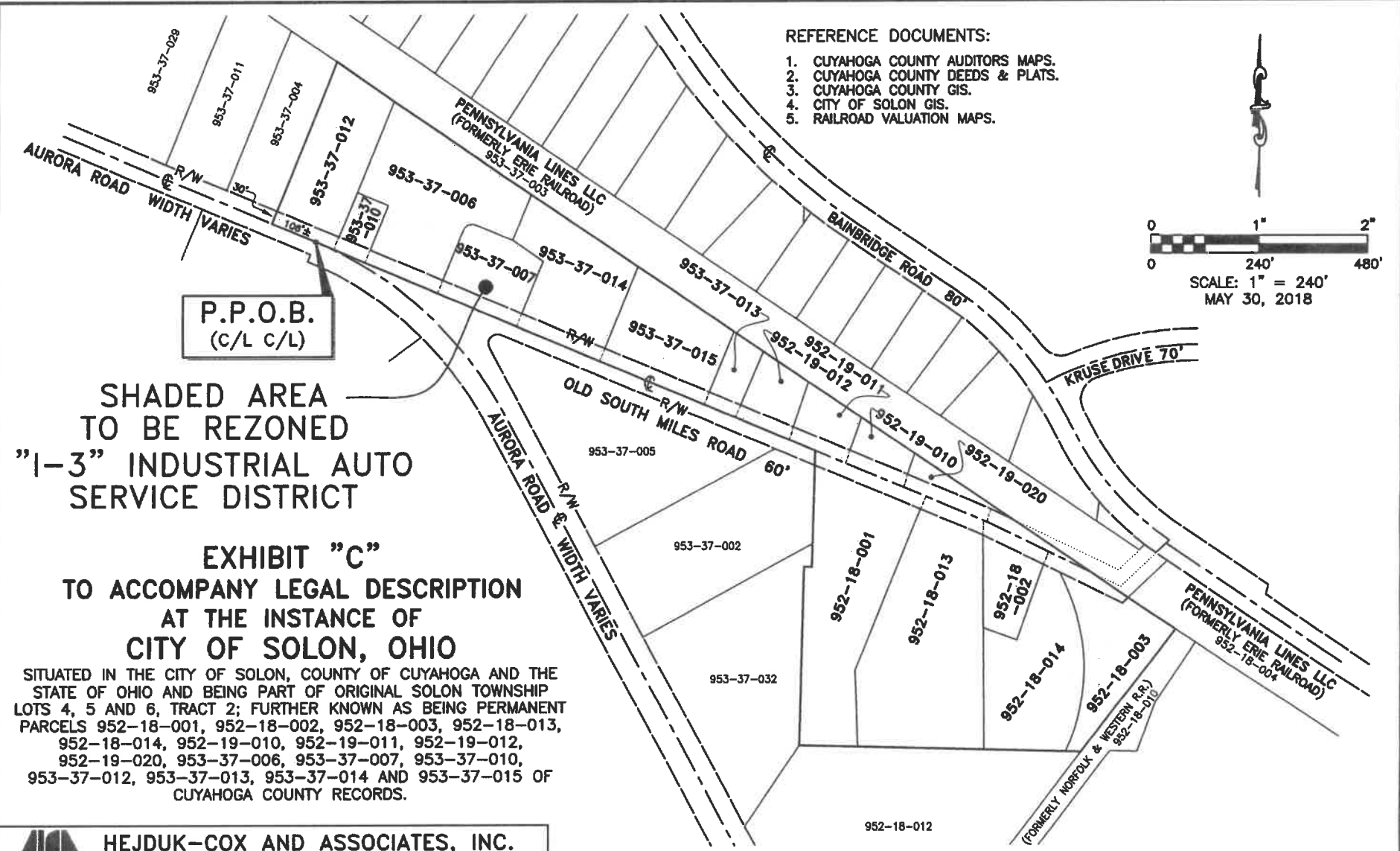
Situated in the City of Solon, County of Cuyahoga and the State of Ohio, and known as being part of Original Solon Township Lots 4, 5 and 6, Tract 2 and being further bounded and described as follows:

Beginning for reference at the intersection of the centerlines of Aurora Road (S.R. 43) (width varies) and Old South Miles Road (60 feet wide), said point being the **Principal Place of Beginning** (P.P.O.B.) of the parcel herein described;

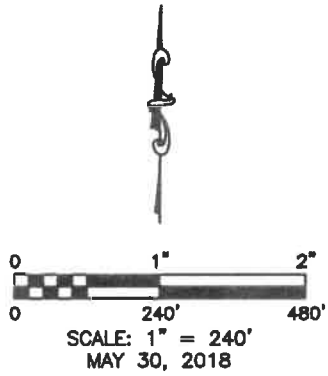
1. Thence northwesterly, along the centerline of Aurora Road, approximately 106 feet to a point at the southwest corner of land currently known as Permanent Parcel Number (PPN) 953-37-012 of Cuyahoga County Records;
2. Thence northeasterly, along the west line of said PPN 953-37-012, to a point on the southwesterly line of land currently owned by Pennsylvania Lines LLC (formerly known as the Erie Railroad), said point being at the northwest corner of said PPN 953-37-012;
3. Thence southeasterly, along the southwest line of said Pennsylvania Lines LLC land (formerly known as the Erie Railroad), and the northeast line of the following lands currently identified as Permanent Parcel Numbers 953-37-012, 953-37-006, 953-37-014, 953-37-015, 953-37-013, 952-19-012, 952-19-011, 952-19-010, 952-19-020, Old South Miles Road and 952-18-003, to a point at the northeast corner of said PPN 952-18-003, said point also being the northwest corner of PPN 952-18-010 (formerly known as Norfolk & Western Railroad);
4. Thence southwesterly, along the east line of said PPN 952-18-003 and the west line of said PPN 952-18-010 (formerly known as Norfolk & Western Railroad), to a point at the southeast corner of said PPN 952-18-003, said point being the northeast corner of PPN 952-18-012;
5. Thence westerly along the northerly line of said PPN 952-18-012 and the southerly line of lands currently identified as Permanent Parcel Numbers 952-18-003, 952-18-014, 952-18-013 and 952-18-001 to a point at the southwest corner of said PPN 952-18-001, said point also being the northwest corner of PPN 952-18-012 and a southeasterly corner of PPN 953-37-032;
6. Thence northerly, easterly and northerly along the westerly line of said PPN 952-18-001 and the easterly line of said PPN 953-37-032 and PPN 953-37-002, to a point on the centerline of Old South Miles Road;
7. Thence northwesterly, along the centerline of Old South Miles Road, to the intersection of the centerlines of Aurora Road (S.R. 43) and Old South Miles Road and the **Principal Place of Beginning**.

Permanent Parcel Numbers indicated hereon refer to Cuyahoga County Parcels as of May 2018. Legal Description prepared by Kenneth J. Hejduk, Registered Surveyor 6439, of Hejduk-Cox and Associates, Inc., May 30, 2018.

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- REFERENCE DOCUMENTS:
1. CUYAHOGA COUNTY AUDITORS MAPS.
 2. CUYAHOGA COUNTY DEEDS & PLATS.
 3. CUYAHOGA COUNTY GIS.
 4. CITY OF SOLON GIS.
 5. RAILROAD VALUATION MAPS.



P.P.O.B.
(C/L C/L)

**SHADED AREA
TO BE REZONED
"I-3" INDUSTRIAL AUTO
SERVICE DISTRICT**

**EXHIBIT "C"
TO ACCOMPANY LEGAL DESCRIPTION
AT THE INSTANCE OF
CITY OF SOLON, OHIO**

SITUATED IN THE CITY OF SOLON, COUNTY OF CUYAHOGA AND THE STATE OF OHIO AND BEING PART OF ORIGINAL SOLON TOWNSHIP LOTS 4, 5 AND 6, TRACT 2; FURTHER KNOWN AS BEING PERMANENT PARCELS 952-18-001, 952-18-002, 952-18-003, 952-18-013, 952-18-014, 952-19-010, 952-19-011, 952-19-012, 952-19-020, 953-37-006, 953-37-007, 953-37-010, 953-37-012, 953-37-013, 953-37-014 AND 953-37-015 OF CUYAHOGA COUNTY RECORDS.

HEJDUK-COX AND ASSOCIATES, INC.
CONSULTING ENGINEERS AND SURVEYORS
32145 Old South Miles Road Solon, Ohio 44139 (440) 248-1330 (440) 248-8895