

**ORDINANCE 2021-24
INTRODUCED BY: ROGOFF**

4314

**AN ORDINANCE
AMENDING THE PLANNING AND ZONING CODE OF THE
VILLAGE OF CHAGRIN FALLS AND AMENDING
SECTION 1135.02(a)(1) AND ADDING NEW SECTION
1135.02(a)(1)(B)**

WHEREAS, the Planning and Zoning Commission, at their May 17, 2021 meeting recommended to Council to amend Planning and Zoning Code Section 1135.02(a)(1) to permit limited retail sales or services within office buildings and to further amend Section 1335.02(a)(1) and add a new subsection (B) to limit the amount of retail sales or retail services permitted in a multi-tenant office buildings; and

WHEREAS, Council has held a public hearing on _____, 2021 on this Ordinance; and

WHEREAS, Council desires to enact the foregoing amendments to the Planning and Zoning Code by amending and re-lettering Section 1135.02(a)(1)(A) and adding (B) based, in part, on the recommendations of the Planning and Zoning Commission.

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE
OF CHAGRIN FALLS, CUYAHOGA COUNTY, STATE OF OHIO:**

Section 1. Planning and Zoning Code Section 1135.02(a)(1) is hereby amended and re-lettered in its entirety as follows:

(1) Office Buildings.

A. Office buildings, accommodating accounting, administrative, business, executive, governmental, insurance, investment, professional, public or quasi-public, real estate or travel agency establishments.

Current Section 1135.02(a)(1), the full text which files is hereby repealed:

(a) Main Uses

(1) Office Buildings. Office buildings, accommodating accounting, administrative, business, executive, government, insurance, investment, professional, public or quasi-public, real estate or travel agency establishments, except that no retails sales or retail services shall be permitted as their main use.

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Section 2. As amended, Planning and Zoning Code Section 1135.02(a)(1) with strikeouts for deletions and underlining for additions, reads in its entirety as follows:

(a) Main Uses

(1) Office Buildings.

(A) Office buildings, accommodating accounting, administrative, business, executive, government, insurance, investment, professional, public or quasi-public, real estate or travel agency establishments, ~~except that no retail sales or retail services shall be permitted as a main use.~~

Section 3. Planning and Zoning Code Section 1135.02 is hereby amended to add subsection (a)(1)(B) to read as follows:

(B) Retail sales or retail services may occupy thirty percent (30%) or less of the total square feet of a multi-tenant office building. Access to such retail use shall be through the primary means of ingress and egress to and from the principal building.

Section 4. The existing Section 1135.02(a)(1), to the extent inconsistent with the newly enacted provisions herein and any other Ordinance in conflict with this Ordinance are hereby repealed, except to the extent such code sections are the subject of an enforcement action they shall be considered effective for the purposes of enforcement for any violations that occurred prior to repeal.

Section 5. That actions of this Council concerning and relating to the passage of this legislation were adopted in lawful meetings of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in compliance with all legal requirements, including Chapter 114 of the Codified Ordinances of the Village of Chagrin Falls.

Section 6. That in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls, public notice of this Ordinance shall be given by posting a copy thereof for not less than fifteen (15) days in the Village Hall.

Section 7. That this Ordinance shall take effect and be in force after the earliest period allow by law.

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PASSED: _____, 2021

Erinn Grube, Council President

Submitted to the Mayor for
his approval on this

_____ day of _____, 2021

Approved by the Mayor

_____, 2021

Mayor William Tomko

I hereby certify that Ordinance No. 2021-24 was duly enacted on the __th day of June, 2021, by the Council of the Village of Chagrin Falls and posted in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls.

David Bloom, Clerk of Council