

FIRST READING: 7.24.23

SECOND READING: 10.9.23

THIRD READING: 10.23.23

AMENDED ORDINANCE NO. 66-23

BY: JEANNE GALLAGHER

AN ORDINANCE AMENDING THE DEVELOPMENT CODE OF THE CODIFIED ORDINANCES OF THE CITY OF ROCKY RIVER, SECTION 1183.11 ENTITLED SUPPLEMENTAL REGULATIONS FOR CERTAIN USES, REGARDING BUSINESS DISTRICT REGULATIONS, AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT "A"

WHEREAS: the Administration of the City of Rocky River, has deemed it necessary to amend Section 1183.11 entitled Supplemental Regulations For Certain Uses, of the Codified Ordinances regarding business district regulations within the Development Code; and

WHEREAS: this Ordinance was recommended by the Planning Commission of the City of Rocky River for approval on August 15th, 2023; and

WHEREAS: it is the desire of the Administration and Council of the City of Rocky River that Section 1183.11 of the Codified Ordinances of the City of Rocky River concerning the Development Code be amended regarding supplemental regulations for certain uses, as further described in the attached Exhibit "A".

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ROCKY RIVER, COUNTY OF CUYAHOGA, STATE OF OHIO:

SECTION 1. That Section 1183.11 entitled Supplemental Regulations For Certain Uses of the Codified Ordinances of the City of Rocky River be amended, as further described in the attached Exhibit "A".

PASSED: October 23rd, 2023

James W. Moran
JAMES W. MORAN
President of Council

PRESENTED

TO MAYOR: October 23rd, 2023 APPROVED: October 23rd, 2023

ATTEST:

Angela G. Pease
ANGELA G. PEASE
Clerk of Council

Pamela E. Bobst
PAMELA E. BOBST
Mayor

City of Rocky River } ss
County of Cuyahoga }

THE UNDERSIGNED CLERK OF THE COUNCIL OF THE CITY OF ROCKY RIVER, OHIO DOES HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE NO. 66-23 ADOPTED BY THE COUNCIL OF SAID CITY ON THE 23rd DAY OF October, 2023 THAT THE PUBLICATION OF SUCH ORDINANCE HAS BEEN MADE AND CERTIFIED OF RECORD ACCORDING TO LAW; THAT NO PROCEEDINGS LOOKING TO A REFERENDUM UPON SUCH ORDINANCE HAVE BEEN TAKEN; THAT SUCH ORDINANCE AND THE CERTIFICATE OF PUBLICATION THEREOF, ARE OF RECORD IN ORDINANCE RECORD NO. 66-23

Ordinances/Cover Ordinance for Section 1167.01

IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME AND AFFIXED MY OFFICIAL SEAL THIS 23rd DAY OF October, 2023.

Angela G. Pease
CLERK OF COUNCIL OF THE CITY OF ROCKY RIVER, OHIO

I, the undersigned clerk of council of the city of Rocky River, State of Ohio, do hereby certify that publication of the foregoing ordinance was duly made by posting a true copy thereof in the lobby of the Rocky River City Hall, in accordance with the charter of Rocky River, commencing on the 23rd day of October, 2023.

Angela G. Pease
Clerk of Council of the City of Rocky River, Ohio

1183.11 SUPPLEMENTAL REGULATIONS FOR CERTAIN USES.

The following are specific conditions, standards, and regulations for certain conditional uses and are in addition to the criteria and standards set forth in Sections 1183.03 through 1183.09.

- (c) Bank and other financial institutions with drive-through, Drive-thru facility in association with a permitted use, Freestanding automated teller machine or drive-thru, **Car washes.**
- (1) Such facilities shall be located on an arterial or collector street in an area least disruptive to pedestrian and vehicular traffic.
 - (2) Any proposed loudspeaker system shall be approved as part of the development plan.
 - (3) All access drives shall be located as far as practicable from an existing intersection in order to minimize congestion and constricted turning movements.
 - (4) Such facilities shall comply with the regulations in Section 1187.23, Off-street Waiting Spaces for Drive-thru Facilities.
 - (5) Vehicular approaches to the property shall be designed so as not to create an interference with traffic on surrounding public streets or roads.
 - (6) If compliance with any condition set forth within this Section ceases at any time after initial approval, the City of Rocky River may rescind that approval and order the drive-through service to be discontinued.
 - (7) Any drive-through service shall not decrease the number or size of parking spaces required for the principal use in Chapter 1187.
 - (8) The hours of operation for any drive-through service **facility** shall not begin before 7:00 A.M. nor end later than 11:00 P.M. for any site adjacent to any residential district.
 - (9) Any drive-through service shall create no more than 40 dBA at the property line.
 - (10) No signage shall be permitted in excess of the maximum permitted for the principal use in Chapter 1193. However, necessary additional directional signage for a drive-through service shall be permitted in conformance with Chapter 1193.