

1st reading _____
 2nd reading _____
 3rd reading _____
 Voted On _____
 Ayes: _____ Nays: _____
 PASSED _____ DEFEATED _____

ORDINANCE NO. 2017-30

**AN ORDINANCE
 AMENDING AND REPEALING CERTAIN SECTIONS OF
 THE CODIFIED ORDINANCES OF ORANGE VILLAGE
 REGULATING HOTELS AND MOTELS LOCATED IN
 THE VILLAGE.**

WHEREAS, this Council wishes to amend certain sections of the Codified Ordinances to make clear that certain “cooking facilities” are prohibited in all hotel and motel rooms located in the Village; and

WHEREAS, this Council wishes to amend certain sections of the Codified Ordinances to make clear that microwave ovens and coffee makers are not “cooking facilities” and are permitted in hotel and motel rooms located in the Village; and

WHEREAS, this Council wishes to amend certain sections of the Codified Ordinances to ensure that motels located in the Village are treated in a uniform manner with respect to minimum lodging unit size, irrespective of the Zoning District where the motel is located; and

WHEREAS, this Council wishes to amend certain sections of the Codified Ordinances to modify the permitted size and number of required parking spaces that must be present in hotel and motel parking lots located in the Village; and

WHEREAS, Council desires to amend certain Sections of the Codified Ordinances to give the Planning and Zoning Commission discretion to adjust parking size and aisle standards as a part of the development plan review process; and

WHEREAS, this ordinance has been referred to the Planning and Zoning Commission for its report and recommendation.

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

SECTION 1. That subsections (21) and (25) of Section 1140.05, Specific Meanings of Words or Phrases, of the Codified Ordinances of Orange Village are hereby amended to read as follows:

“1140.05 SPECIFIC MEANINGS OF WORDS OR PHRASES.

As used in this Zoning Code, certain words or phrases shall have the following meanings:

* * *

- (21) “Hotel” means every building used as a place where sleeping accommodations are offered for compensation to transient guests, in which five (5) or more rooms are used for the accommodation of such guests, such sleeping accommodations being conducted in the same building or in buildings connected therewith, including rooms for dining, entertainment, exhibitions, and convention or sales activities as well as personal services for guests. For purposes of this section, “transient” shall

mean no guest's stay at the hotel shall exceed one hundred twenty (120) days, unless it is established that the guest is domiciled at a location other than the hotel. Conclusive evidence that a guest is not transient shall be the guest's registration to vote at the hotel address or the guest's child or children attending school or schools in the Orange School District without having another residence in the Orange School District. Cooking facilities are not permitted in hotel rooms; however, microwave ovens and coffee makers are permitted in hotel rooms. For purposes of this section "cooking facilities" shall mean stoves, ovens, hotplates, ~~microwave ovens~~ or other instrument customarily used to cook or heat food.

* * *

- (25) "Motel" means any building, whether attached or detached, containing sleeping accommodations which are offered for compensation to transient guests, with accessory parking. For purposes of this section, "transient" shall mean no guest's stay shall exceed one hundred twenty (120) days, unless it is established that the guest is domiciled at a location other than the motel. Conclusive evidence that a guest is not transient shall be the guest's registration to vote at the motel address or the guest's child or children attending school or schools in the Orange School District without having another residence in the Orange School District. Cooking facilities are not permitted in motel rooms; however, microwave ovens and coffee makers are permitted in motel rooms. For purposes of this section "cooking facilities" shall mean stoves, ovens, hotplates, ~~microwave ovens~~ or any other instrument customarily used to cook or heat food."

SECTION 2. That Section 1156.04, Lot Area and Width, of the Codified Ordinances is hereby amended to read as follows:

" 1156.04 LOT AREA AND WIDTH.

(a) Compliance Required: Table of Lot Regulations. Every lot or parcel shall be of sufficient size to accommodate main and accessory buildings and uses, required yards and space for future expansion. Every lot occupied by a main building or use shall comply with the lot area and lot width by buildings for the various permitted uses as provided in the following table:

SCHEDULE OF LOT AREA REGULATIONS

	Minimum Lot <u>Area</u> (Acres)	Minimum Lot <u>Width</u> (Ft.)
Auto Service Station	1	150
Motel/Hotel	3	200
Theater	3	200
Restaurant if in a separate building	1 1/2	200
Automobile agency	3	200
Auto service/repair	1	150
Bank	1/2	100
Office/Professional building	2	150
Auto parts store	1	150
Car Wash	1	150

~~(b) Motel Lodging Unit Size. Each motel lodging unit shall be comprised of at least 325 square feet and shall not contain more than two sleeping rooms.~~

SECTION 3. That Section 1162.03, Schedule of Required Parking Spaces, of the Codified Ordinances is hereby amended to read as follows:

“1162.03 SCHEDULE OF REQUIRED PARKING SPACES.

Hotels and Motels	One and one-quarter (1.25) spaces per lodging unit
Medical and Dental Clinics	One (1) space for each one hundred fifty (150) square feet of gross floor area
Hotels and Motels	One and one-quarter (1.25) spaces per lodging unit

Required parking for uses not listed above shall be as established by the Planning and Zoning Commission. Where the computation of required off-street parking spaces results in a fractional unit, one additional parking space shall be provided. All parking spaces shall be a minimum of ~~180 square feet in area exclusive of drive aisles and shall have a minimum width~~ nine (9) feet wide and twenty (20) feet long with the exception

that parallel parking spaces shall be a minimum of eight (8) feet wide and twenty-two (22) feet long.”

SECTION 4. That Section 1162.08, Improvement of Parking Areas, of the Codified ordinances is hereby amended to read as follows:

“1162.08 IMPROVEMENT OF PARKING AREAS.

(a) Drive aisles providing direct access to parking spaces shall be a minimum of twenty-~~four~~-two (24~~22~~) feet in width. On-site drive aisles which do not provide access to individual parking spaces shall be a minimum of twenty (20) feet in width.

(b) Handicapped parking spaces and access shall be provided, designed and located in accordance with the requirements of the Americans with Disabilities Act.

(c) All parking areas and driveways shall be provided with an asphalt, concrete or other similar hard surface designed in accordance with criteria established by the Village Engineer. All parking areas and driveways shall be graded and drained to provide positive drainage away from buildings, to prevent runoff onto adjacent properties, and to direct storm water to an approved outlet.

(d) Concrete curbs at least six inches above the level of the surface of the parking area and at least twelve inches below the surface shall be provided to define the limits of the parking area except at exits and entrances. Such curbs shall be at least six inches thick.

(e) All parking facilities with a capacity of over ten (10) vehicles shall have permanent pavement markings to delineate the spaces. All parking areas containing more than forty (40) spaces shall contain planting strips or islands to interrupt the mass of paved area, aid in controlling the flow of traffic, and provide visual quality. A minimum of five (5) square feet of landscaped area shall be provided within the parking area for each one hundred (100) square feet of vehicle use area.

(f) The Planning and Zoning Commission may approve deviations from the minimum size of parking spaces and the minimum aisle width, specified in this Chapter, when it determines that such deviation will not compromise the public interest and the purpose of the standard(s) has been equally satisfied by alternative site design considerations such as, but not limited to: areas being available for the car bumper to over-hang the curb; wider than required parking spaces are proposed; angled parking (less than ninety (90) degrees is proposed; and/or the parking is for a use with traffic volumes and rates of parking space turn-over are significantly less than normally expected.”

SECTION 5. That Section 1166.04, Area and Yard Regulations for Motels and Hotels, of the Codified Ordinances is hereby amended to read as follows:

“1166.04 AREA AND YARD REGULATIONS FOR MOTELS AND HOTELS.

The area and yard regulations for motels and hotels shall be as follows:

- (1) A lot area of not less than three (3) acres or one thousand three hundred (1,300) square feet per lodging unit, whichever shall be the greater;

- (2) A minimum lot width of not less than two hundred (200) feet;
- (3) A maximum lot coverage of twenty percent (20%);
- (4) A minimum landscaped area of twenty five percent (25%) of the lot area;
- (5) A minimum front yard setback from right of way of one hundred (100) feet;
- (6) A minimum side and rear yard setback of one hundred (100) feet on a lot adjoining a residential district and thirty five (35) feet on a lot adjoining any other district;
- ~~(7) A minimum of three hundred twenty five (325) square feet of floor area per lodging unit."~~

SECTION 6. That Section 1166.08, No Cooking Facilities in Lodging Units in Hotels or Motels, of the Codified Ordinances of Orange Village is hereby amended to read as follows:

"1166.08 NO COOKING FACILITIES IN LODGING UNITS IN HOTELS OR MOTELS.

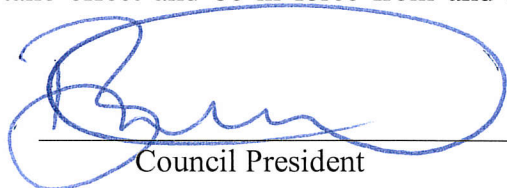
No cooking facilities shall be permitted in any lodging unit in any hotel or motel in the U-7 District. For purposes of this section "cooking facilities" shall mean stoves, ovens, hotplates, ~~microwave ovens~~ or any other instrument customarily used to cook or heat food."

SECTION 7. That existing subsections (21) and (25) of Section 1141.05, and Sections 1156.04, 1162.03, 1162.08, 1166.04, and 1166.08 of the Codified Ordinances of Orange Village, and any ordinance or any part of any ordinance in conflict with this Ordinance, are repealed.

SECTION 8. That actions of this Council concerning and relating to the passage of this legislation were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including Chapter 105 of the Codified Ordinances of Orange Village.

SECTION 9. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: October 4, 2017



Council President

Submitted to the Mayor for
approval on this 4th day of October, 2017

Approved by the Mayor this
4th day of October, 2017

ATTEST:



Clerk of Council



Mayor