

1st reading 5-2-18
 2nd reading 5-9-18
 3rd reading 5-16-18
 Voted On 4-15-18
 Ayes: 4 Nays: 3
 PASSED ☒ DEFEATED ☐

As amended 6/13/2018

ORDINANCE 2018-20 (AS AMENDED)

AN ORDINANCE AMENDING SUB-SECTION 1175.05(a)(2)D OF THE CODIFIED ORDINANCES OF ORANGE VILLAGE TO AMEND THE REGULATION OF MOVIE THEATERS WITHIN THE PINECREST DISTRICT.

WHEREAS, the Village has been advised that the movie theater in the Pinecrest District has been construct with the average individual theater having fewer than 100 seats, but with two theaters having 138 seats; and

WHEREAS, the Village has been requested by the operator of the movie theater in the Pinecrest Development to be able to have audience members who are younger than the age of 21 attend movies without being accompanied by an adult; and

WHEREAS, the administration has recommended a process by which movie theaters could be permitted to admit people under the aged of 21 at certain hours of the day, subject to a reconsideration of that permission if the relaxation of the age restriction creates adverse impacts on the Pinecrest District or other businesses within the Pinecrest District; and

WHEREAS, Council finds and determines that the requested amendments to the zoning code are in the best interest of the Village, the Pinecrest District, and the operator of the movie theater; and

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

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

SECTION 1. That existing sub-section 1175.05(a)(2)D, Use Regulations, of the Codified Ordinances of Orange Village is amended to read and provide as follows:

1175.05 USE REGULATIONS.

In the PPDD, a building or the land shall only be used, designed, erected, altered, or moved for a main or accessory use that is set forth in this Section 10175.05 or as approved pursuant to Section 1175.03(c).

(a) A use listed in Schedule 1175.05 shall be permitted by right when denoted by the letter "P" if all requirements of other Village ordinances and this Zoning Code have been met, except that:

(2) To the extent the following uses are otherwise permitted, they are restricted as follows:

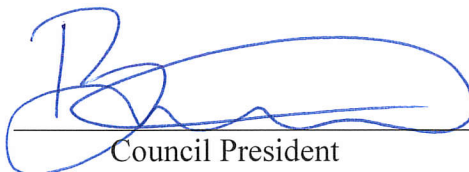
D. Movie theaters shall have an average of 100 or fewer seats for each individual screening theater, with no individual screening theater having more than 140 seats. and Movie theaters shall include supportive activities such as dining on the same premises and, after 7:00 p.m., shall admit only those persons who are ~~21~~ 18 years old or older, unless ~~and over unless~~ a person who is not 18 years old or older is accompanied by an adult who is 21 years old or older."

SECTION 2. That existing sub-section 1175.05(a)(2)D, Use Regulations, of the Codified Ordinances of Orange Village and any ordinance or any part of any ordinance in conflict with this Ordinance are repealed to the extent of the conflict.

SECTION 3. 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 4. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.


PASSED: July 11, 2018


Council President

Submitted to the Mayor for
approval on this 11 day of July, 2018

Approved by the Mayor this
11th day of July, 2018

ATTEST:


Acting Clerk of Council


Mayor