

ORDINANCE NO. 16-12

ORDINANCE AMENDING SECTION 1106.11 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF NORTH PERRY, OHIO TO ALLOW AN EXISTING SINGLE-FAMILY HOUSE LOCATED IN AN M-1 ZONE TO BE OCCUPIED BY A BUSINESS WHILE ALSO ALLOWING THE BUSINESS OWNER TO LIVE ON THE PREMISES BY ADDING PROVISIONS 1106.11(a)(2)GGG AND 1106.11(k) TO SECTION 1106.11 AS IT CURRENTLY EXISTS, AND DECLARING AN EMERGENCY.

WHEREAS, increased commercial activity within the Village can be achieved within the planning objectives of the Village by allowing existing single-family houses located in an M-1 zone within the Village to be occupied by a business while also allowing the business owner to live on the premises by adding provisions 1106.11(a)(2)GGG and 11.06.11(k) to Section 1106.11 as it currently exists.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF NORTH PERRY VILLAGE, COUNTY OF LAKE AND STATE OF OHIO, AS FOLLOWS:

Section 1. Section 1106.11(a)(2) of the Codified Ordinances of the Village of North Perry, Ohio is hereby amended to include the following:

GGG. Reoccupancy of an existing residential structure as a live/work unit in compliance with Section 1106.11(k) below.

Section 1106.11 of the Codified Ordinances of the Village of North Perry, Ohio is further amended to include the following:

(k) Live/Work Units. In order to encourage greater utilization of existing residential structures in the M-1 Mixed Use Commercial and Light Industrial District and to promote the economic well-being of the Village, existing residential structures may be used in accordance with a commercial development plan approved by the Planning Commission, provided such plan shall comply with the following requirements:

- (1) As used in this ordinance, a “live-work unit” means a structure that combines a commercial or manufacturing activity allowed in Section 1106.11(a) with an accessory residential living space for the owner of the commercial or manufacturing business and that person’s household.
- (2) Only existing residential structures shall be permitted to be occupied as a live/work unit.
- (3) In order to reside on the premises of a live/work unit, the residential owner shall be the primary person responsible for the commercial or manufacturing activity

performed. Additional persons may be employed by the commercial or industrial enterprise, but only family members are permitted to reside on the premises.

- (4) Within each live/work unit, the living area shall not exceed _____ [Village to determine appropriate amount – generally between 40% and 50%] of the total floor area of the unit.
- (5) The live/work unit shall comply with the parking and lighting requirements for permitted uses in an M-1 Mixed Use Commercial and Light Industrial District.
- (6) In the approval of a site plan for a live/work unit, the Planning Commission may require landscaping and screening of the parking lot and existing residential structure in order to ensure the building and use are compatible with the surrounding commercial area.
- (7) The resident owner of the commercial or manufacturing business shall maintain a valid zoning permit and any applicable business license for the business on the premises.

Section 2. Upon the effective date of this Ordinance, the Clerk of Council of the Village of North Perry, Ohio shall make available to all members of Council, and any members of the public, when required, copies of this amendment to the Codified Ordinances of the Village of North Perry, Ohio.

Section 3. The severability provisions of the Codified Ordinances Section 101.08 shall be applicable to this Ordinance.

Section 4. That all formal actions of this Council concerning the passage of this Ordinance were adopted in an open meeting, and all deliberations of this Council, or any of its committees, which result in formal actions, were in meeting open to the public, in compliance with all requirements included in Section 121.22 of the Ohio Revised Code.

Section 5. That this Ordinance is hereby declared to be and is passed as an emergency measure, the emergency being the immediate necessity to get optimum use of single family structures in M-1 districts. Said Ordinance is necessary for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the Village of North Perry.

WHEREFORE, this Ordinance shall take effect and be in full force immediately upon its passage by Council.

MAYOR

ADOPTED: September 8, 2016

ATTEST:

FISCAL OFFICER

1ST Reading July 7, 2016

2nd Reading August 4, 2016

3rd Reading September 8, 2016

Motion by Reichard to adopt, seconded by Siegel. Council members Thompson, Callahan, Cutler, L. Klco, Reichard and Siegel voted in favor of the ordinance.