

**AN ORDINANCE
ENACTING CHAPTER 1175 BETA CORE COMMERCIAL DISTRICT OVERLAY
AND REVISING THE ZONE MAP OF MAYFIELD VILLAGE
SO AS TO OVERLAY THE BETA CORE COMMERCIAL DISTRICT
OVER CERTAIN PROPERTIES LOCATED ON
BETA DRIVE IN MAYFIELD VILLAGE**

WHEREAS, the Village of Mayfield desires to provide for more efficient, higher and better use of the Village's finite land resources, to provide increased opportunities to create more modern, market-adaptive commercial real estate, to allow for the growth and retention of the Village's employers in-place, to increase employment opportunities, and to increase the value of the Village's commercial properties, all while protecting and preserving the character and qualities of residentially-zoned land that the community so clearly values; and

WHEREAS, in order to accomplish these goals, the Mayfield Village Council deems it to be in the best interest of the Village and its residents to enact Chapter 1175 Beta Core Commercial District Overlay; and

WHEREAS, the Mayfield Village Council further deems it in the best interest of the Village and its residents to overlay the Beta Core Commercial District over certain properties located on Beta Drive in Mayfield Village; and

WHEREAS, this Ordinance has been referred to the Planning and Zoning Commission for report and recommendation in accordance with Article III, Sections 12 and 13, of the Mayfield Village Charter; and

WHEREAS, said Ordinance has been read at two successive Council meetings, and thereafter a public hearing was held thirty days after the second reading, and prior to the third reading thereof, after having been advertised for thirty days in advance in a newspaper of general circulation throughout the Village, per Article III, Section 13 of the Charter; and

WHEREAS, said Ordinance will be referred to the Mayfield Village electors on May 3, 2022 for approval by the voters, per Article III, Section 13 of the Mayfield Village Charter.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF MAYFIELD VILLAGE, OHIO, THAT:

SECTION 1. Chapter 1175 Beta Core Commercial District Overlay of the Village's Codified Ordinances is enacted to read as fully set forth in Exhibit "A" attached hereto and incorporated herein by reference.

SECTION 2. The zone map of Mayfield Village, Ohio, established in Section 1153.01 of the Codified Ordinances of Mayfield Village, Ohio, as amended from time to time, is hereby amended to overlay the Beta Core Commercial District over certain properties located on Beta Drive in Mayfield Village as more particularly described in Exhibit "B", attached hereto and incorporated herein by reference.

SECTION 3. That the Clerk of Council is hereby and herein directed to certify a copy of this Ordinance to the Cuyahoga County Board of Elections to be placed on the ballot for the election to be held on May 3, 2022. The Clerk shall certify this Ordinance to the Board of Elections no later than sixty days prior to the election date of May 3, 2022 in accordance with Mayfield Village Charter Article III, Section 13.

SECTION 4. By authority of this Ordinance, the Board of Elections is authorized and directed to place on the ballot for the electors of Mayfield Village, at the election on May 3, 2022, the following question:

SHALL CHAPTER 1175 OF THE CODIFIED ORDINANCES OF MAYFIELD VILLAGE ENTITLED BETA CORE COMMERCIAL DISTRICT OVERLAY BE ENACTED AND THE ZONE MAP OF MAYFIELD VILLAGE BE AMENDED SO AS TO OVERLAY THE BETA CORE COMMERCIAL DISTRICT OVER CERTAIN PROPERTIES LOCATED ON BETA DRIVE IN MAYFIELD VILLAGE?

Yes _____

No _____

SECTION 5. All prior ordinances inconsistent with this in whole or in part are repealed to the extent necessary to avoid conflict herewith.

SECTION 6. The Council finds and determines that all formal actions of this Council relating to the adoption of this Ordinance have been taken at open meetings of this Council; and that deliberations of this Council and of its committees, resulting in such formal action, took place in meetings open to the public in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

SECTION 7. This Ordinance shall take effect upon its adoption by Council signature by the Mayor, and approval of a majority of the voters pursuant to the Charter requirements of the Village of Mayfield.



STEPHEN SCHUTT

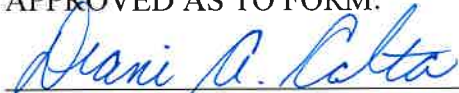
Council President

First Reading: October 18, 2021
Amended and Read 11/15
Second Reading: Amended and Read 12/6, 2021
Public Hearing 1/18/22
Third Reading: January 18, 2021^{x2}
PASSED: January 18, 2021^{x2}



BRENDA T. BODNAR, Mayor

APPROVED AS TO FORM:



ANTHONY J. COYNE, ESQ.,
Director of Law

ATTEST:



MARY E. BETSA, MMC
Clerk of Council

CHAPTER 1175
Beta Core Commercial District (BCCD) Overlay

1175.00	Definitions
1175.01	Intent
1175.02	Conformance
1175.03	Permitted uses
1175.04	Area regulations
1175.05	Yard regulations
1175.06	Height
1175.07	Off-street parking and loading
1175.08	Performance standards
1175.09	(Reserved)
1175.10	Development plans
1175.11	Applicability and conflict with other sections of the Zoning Code

1175.00 DEFINITIONS

Definitions established by Chapter 1145.01 shall apply and remain in effect as applicable. For the purposes of the Beta Core Commercial District Overlay, the following terms are defined as follows:

- (a) "Auto Garage" means any use that in whole or in part provides professional automobile repair or maintenance services to the public, including but not limited to any of the following: oil or fluid changes; tire installation; wheel balancing; front end alignments; general engine, frame, drive train, upholstery, body, electrical, heating, and/or cooling system repair or replacement; car audio installation; glass repair, automotive detailing; car painting; and/or any substantially similar activities.
- (b) "Eating Place" means any restaurant operation open to the public where food and beverages are consumed on the premises, orders are placed at tables or counters, and food and beverages are served at tables or counters. Carry-out service for consumption off premises shall only be permitted as an accessory use.
- (c) "Lodging Unit" means one (1) room, or rooms connected together, containing independent bathing, toilet, and sleeping facilities constituting a separate, independent accommodation for a transient individual or group of individuals for monetary compensation.
- (d) "Major Street" means any public thoroughfare designated by the Ohio Department of Transportation as a state route, and any public thoroughfare designated by the Cuyahoga County Engineer as a county road.
- (e) "Quick Service Eating Place" means any restaurant operation open to the public where food and beverages are consumed either on the premises or off, orders are placed from a posted menu board at a counter, and food and beverages are served in a ready-to-consume state in disposable wrappings or containers with disposable utensils. Such establishments emphasize timeliness, standardized ingredients and preparation, limited menu and low, accessible price points. Table service is not typically offered to customers. Carry-out service may be a principal component.

(f) "Secondary Street" means any public thoroughfare except those designated as a Major Street in Section 1175.00(e).

(g) "Service Station" means any use that includes the dispensing of fuel for vehicles as a primary or accessory function.

1175.01 PURPOSE

Mayfield Village has established the Beta Core Commercial District (BCCD) Overlay to provide for more efficient, higher and better use of the Village's finite land resources, to provide increased opportunities to create more modern, market-adaptive commercial real estate, to allow for the growth and retention of the Village's employers in-place, to increase employment opportunities, and to increase the value of the Village's commercial properties, all while protecting and preserving the character and qualities of residentially-zoned land that the community so clearly values.

1175.02 MAPPING AND APPLICABILITY

The BCCD Overlay may be overlayed on any zoning district where authorized by ordinance of Council. In the event conflicting standards exist between the underlying zoning and the BCCD Overlay, those standards of the of the BCCD Overlay shall control. The provisions of this chapter shall not absolve the developer from meeting the parking and stormwater performance standards established by the Zoning Code unless specified herein.

1175.03 PERMITTED USES

All uses permitted in the underlying zoning district shall be permitted in the BCCD Overlay except as provided in this Section.

Additional Permitted Uses:

(a) Main buildings and uses.

- (1) Eating places, including quick-service eating places, serving food in wholly enclosed buildings.
- (2) Professional offices up to four stories in height.

(b) Accessory buildings and uses.

- (1) Eating places, including quick-service eating places, serving food in wholly enclosed buildings.
- (2) Employees' lunch rooms, provided that no cooking facilities are installed on upper floor(s) of the building.

1175.04 AREA REGULATIONS

Every lot or parcel shall be of sufficient size to accommodate the main and accessory buildings or uses and the required yards and space for future expansion, as applicable, and every lot occupied by a main building shall comply with the lot area, lot width, the percentage of lot coverage by the buildings, and the landscaped areas as follows:

(a) Schedule of Lot Area Regulations

Main Use	Minimum		Maximum Lot Coverage (percent)	Minimum Lot Coverage (percent)
	Lot Area (acres)	Lot Width (feet)		
Service Station	3/4	125	30	10
Auto Garage: storage, repair	1	150	30	15
Motel / Hotel: with eating, assembly, recreation	2-1/2	200	35	15
Restaurant, if separate	3/4	100	30	10
Offices, if separate	1-1/2	125	45	20
Laboratories	1-1/2	175	50	20
Production Plant	4	275	50	25
Distribution Establishment	4-1/2	300	50	25

(b) General Area Regulations

(1) The lot area, as set forth in the above schedule, shall be the area of any lot or lots comprising a development, excluding the right-of-way of an existing or planned and duly-approved future street, or planned street widening, and it shall be construed to encourage more a mix of uses throughout the district, even within a single parcel, and to allow for more intensive development patterns than is otherwise provided for elsewhere in this Code.

(2) The lot width shall be the minimum distance along which any lot abuts a street line and the average width of any lot, and it shall be construed to encourage wider lots for each development, and consolidation of older non-conforming lots, as applicable.

(3) The lot coverage shall be the maximum percentage of the total ground floor area of all the buildings that cover any lot.

(4) The landscaped areas shall be the minimum percentage of that part of any lot which is not covered by buildings, parking areas, driveways, swimming pool or other permitted outdoor use. The landscape areas shall be developed and maintained as lawns along with trees and shrubs, or maintained in an orderly natural state.

(5) The lot area occupied by a motel / hotel shall be not less than set forth in subsection (a) hereof, or not less than 575 square feet of lot area for each lodging unit, whichever is the greater. Each lodging unit shall be comprised of at least 275 square feet of floor area, shall not contain more than two sleeping rooms, and shall not contain in-unit cooking facilities.

1175.05 YARD REGULATIONS

Front, side and rear yards shall be provided on every lot occupied by a main or accessory building or use in the Beta Core Commercial District (BCCD) Overlay established under this section in accordance with the following regulations and schedules:

(a) Schedule of Yard Regulations

	Minimum Yard Dimensions			
	Front Yards		Side and Rear Yards	
<u>Main Use</u>	Abutting Major Street (ft. to ROW)	Abutting Secondary Street (ft. to ROW)	Adjoining Residential District (feet)	Adjoining or Within Nonresidential District (feet)
Service Station	40	25	50, or 30 w/ screening*	20
Auto Garage: storage, repair	40	25	50, or 30 w/ screening*	20
Retail	35	20	30, or 20 w/ screening*	15
Motel / Hotel: with eating, assembly, recreation	80 (accessory uses, buildings 40)	50 (accessory uses, buildings 25)	80, or 50 w/ screening*	20
Restaurant, if separate	40	25	50, or 30 w/ screening*	20
Offices, if separate	40	30	50, or 30 w/ screening*	20
Laboratories	40	30	50, or 30 w/ screening*	20
Production Plant	80 (non-production facilities 40)	40 (non-production facilities 30)	70, or 40 w/ screening*	30
Distribution Establishment	80	40	70, or 40 w/ screening*	30
Loading Areas	80	40	70, or 40 w/ screening*	20
Parking Areas	35	35	35, or 20 w/ screening*	10

*See 1175.05(b)(3) below.

(b) General Yard Regulations

(1) Front yards. Front yards shall be provided of a depth not less than set forth above. The setbacks set forth above for uses abutting a major street shall be measured to the right-of-way as shown on the latest street plans under consideration, or accepted by the Municipality or the Ohio Department of Transportation. The front yards for uses abutting a secondary street shall be measured from the planned or existing street right-of-way line. Front yards may be used for driveways and visitor parking, except that no visitor parking shall be allowed in the required setbacks. However, any accessory parking or service areas shall be physically separated from the street by a curb and planting strip or other suitable barrier to prohibit unchanneled motor vehicle access or egress, except onto accessways as hereinafter set forth.

(2) Side and rear yards. A side and rear yard shall be provided between the buildings or uses and the side lot lines. The yards shall be measured from the building wall or open use to the nearest lot line. Where a permitted main use occupies a lot which adjoins a side or rear yard of a residential district line, yards shall be provided in accordance with the above schedule of yard regulations. Where a permitted main use occupies a lot which adjoins or is within a non-residential district, the side or rear yards shall be not less than set forth in the schedule unless required otherwise on an approved development plan. Accessory off-street parking and loading areas shall be permitted in a required side or rear yard. Outdoor storage of raw materials, products, equipment and vehicles shall not be permitted unless a temporary permit is granted by the Planning and Zoning Commission.

(3) Side and rear yards adjoining a residential district. The depth of side and rear yards may be decreased when the more intensive use is adequately screened from view of the residential use via combination of a six-foot opaque board-on-board type fence or masonry wall and a continuous buffer strip, consisting of a landscape bed measuring ten feet in depth, with live plant materials six feet in height at maturity planted no less than four feet apart on-center. Planting plan shall be subject to approval of the Planning and Zoning Commission. Landscape materials shall be installed and continuously maintained in a healthy and orderly state.

(c) Landscaping of Yards. Every required yard in which no off-street parking or loading spaces are permitted, and any additional required landscaped open areas as required in this Section shall be developed as lawn or planted areas or maintained in an orderly natural state. The Commission may also require additional fence, wall or hedge where a certain use adjoins a rear or side yard of a residential district and such structure or hedge is determined as being necessary to further buffer and protect such residential property.

(d) Illumination. Sources of light for illumination of the exterior of buildings or grounds shall be shielded so as not to cause glare which would be hazardous to auto drivers or would be objectionable to users of adjacent property.

1175.06 HEIGHT

(a) Height of the buildings permitted in the Beta Core Commercial District (BCCD) Overlay shall not exceed four occupiable stories above grade, or fifty feet, exclusive of towers, cornices or similar features.

(b) Height limitations established by this Section shall not apply to restrict the height of a church spire, belfry, clock tower, chimney flue, elevator bulkhead, air conditioning unit or other necessary accessory building equipment normally maintained above the roof line, but such provisions shall apply to all other structures, including towers and water tanks. Elevator bulkheads, air conditioner units or other necessary building equipment extending above the roof line of a building shall be enclosed with a solid cover designed to conform to the architectural style of the building so as to provide an adequate and aesthetic screen.

(c) Nothing in this Section shall prevent the erection above the height limit of a parapet wall or cornice, solely for ornament and without windows extending above such height limit, of not more than four feet.

1175.07 OFF-STREET PARKING AND LOADING

(a) A parcel and / or building containing one use shall provide the off-street parking spaces as required for the specific use under Chapter 1183.

(b) A parcel and / or building or group of buildings containing two or more uses which otherwise have different off-street parking requirements shall provide spaces for not less than 167% of the sum of the spaces ordinarily required for each use under Chapter 1183.

1175.08 PERFORMANCE STANDARDS

All performance standards established by Section 1173.08 shall apply to the Beta Core Commercial District (BCCD) Overlay.

1175.09 (RESERVED)

1175.10 DEVELOPMENT PLANS

All requirements established by Section 1173.10 shall apply to the Beta Core Commercial District (BCCD) Overlay.

1175.11 APPLICABILITY AND CONFLICT WITH OTHER SECTIONS OF THE CODE

(a) The following Sections of the Zoning Code, as amended, continue to apply specifically to the Beta Core Commercial District (BCCD) Overlay:

- (1) Section 1145.01 Definitions.
- (2) Section 1149.01 Enforcement.
- (3) Section 1149.03 Filing Fees.
- (4) Section 1149.04 Interpretation.
- (5) Section 1149.05 Completion and Restoration of Existing Buildings.
- (6) Section 1149.06 Nonconforming Uses.
- (7) Section 1149.99 Penalty.
- (8) Section 1153.01 District and Zone Map.






(b) Wherever there is a conflict between the provisions of this chapter and those established by the underlying zoning, those standards of the of the BCCD Overlay shall control, with the exception of parking and stormwater standards.

EXHIBIT "B"

PROPOSED BETA CORE COMMERCIAL DISTRICT OVERLAY

PARCEL	ADDRESS
831-11-031	6671 BETA
831-12-002	651 BETA
003	6855 BETA
005	600 BETA
006	6650 BETA
831-13-002	6690, 6700 BETA
004	681 BETA
013	6685 BETA
014	6670 BETA
015	6671 BETA
016	6680 BETA
018	N/A
831-14-001	6449 WILSON MILLS
002	6505 WILSON MILLS
003	6439 WILSON MILLS
004	767, 771, 777, 781 BETA
005	6439 WILSON MILLS
006	780 BETA
007	6447 WILSON MILLS
008	731, 35, 39 BETA
010	700 BETA
010X	700 BETA
011	6519 WILSON MILLS
012	730, 740, 750, 760 BETA
013	760 BETA
014	780 BETA
015	761 BETA
016	701 BETA
017	6501 WILSON MILLS
302	N/A
710	N/A
738	N/A
750	N/A
777	N/A
831-15-002	730 BETA
004	N/A
023	6551, 55, 59, 63 WILSON MILLS
024	6535 WILSON MILLS
026	6551, 55, 59, 63 WILSON MILLS
027	6571 WILSON MILLS
028	744 SOM CENTER
029	6529 WILSON MILLS
030	767, 771, 777, 781 BETA
033	N/A
700	N/A

EXISTING UNDERLYING ZONING

	LOCAL BUSINESS
	MOTORIST SERVICE
	SMALL OFFICE BUILDING
	OFFICE - LABORATORY
	PRODUCTION - DISTRIBUTION

