

**ORDINANCE NO. 84-16**

**AN ORDINANCE AMENDING SECTIONS 1105.097, 1105.098, 1141.02, 1141.04, & 1153.04(a)(38) OF THE ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF MEDINA, OHIO RELATIVE TO HEAVY AND LIGHT MANUFACTURING AND PRINCIPALLY AND CONDITIONALLY PERMITTED USES, AND DECLARING AN EMERGENCY.**

**WHEREAS:** Sections 1105.097, 1105.098, 1141.02, 1141.04, and 1153.04(a)(38) presently read as follows in relation to Heavy and Light Manufacturing, and Principally and Conditionally Permitted Uses:

**1105.097 MANUFACTURING, HEAVY**

“Heavy manufacturing” means a building or land used for the assembly, fabrication or processing of goods and materials using processes that ordinarily create smoke, noise, fumes, odor, glare or potential safety hazards (e.g., explosive materials processing).

**1105.098 MANUFACTURING, LIGHT**

“Light manufacturing” means a building or land used for the assembly, fabrication or processing of goods and materials using processes that ordinarily do not create smoke, noise, fumes, odor, glare or potential safety hazards (e.g., explosive materials processing).

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**1141.02 PRINCIPALLY PERMITTED USES.**

The following uses shall be permitted in the I-1 Industrial District:

<b>Residential</b>	<b>Public/Semi-Public</b>	<b>Commercial</b>
• None	• Public Utility	• Distribution Center for Fuel, Food and Goods, Underground Storage - Must be Completely Enclosed if Facing a Non-Industrial District
		• Heavy Duty Repair Services for Machinery and Equipment Including Repair Garages and Specialty Establishments including Motor, Body, Fender, Radiator Work.
		• Light Manufacturing
		• Mixed Use Building
		• Off-Street Parking Lot, Deck and Garage
		• Other Uses as Determined by the Planning Commission
		• Plant Greenhouse
		• Research and Development Laboratory

		and Processing with No Hazardous, Noxious or Offensive Conditions
		• Self-Storage Warehouse
		• Truck or Transfer Terminal - No Closer than 50 Feet from an Residential District
		• Veterinary Office or Hospital in an Enclosed Building
		• Warehousing
		• Wholesale Establishment

#### 1141.04 CONDITIONALLY PERMITTED USES.

The following uses shall be permitted as conditionally permitted uses in the I-1 Industrial District subject to the requirements of Chapter 1153, Conditional Uses. Numerical identification after each item corresponds to specific standards in Section 1153.04, Conditionally Permitted Use Regulations.

<b>Residential</b>	<b>Public/Semi-Public</b>	<b>Commercial</b>
• None	• Conservation Use	• Commercial Entertainment
	• Educational Institution for Higher Education	• Commercial Recreation
	• Passenger Transportation Agency and Terminal	• Contractor's Equipment Storage Yard or Plant, or Storage and Rental of Equipment Commonly Used by Contractors - Must be Completely Enclosed if Facing a Non-Residential District
	• Publicly Owned or Operated Governmental Facility <sup>3,7,8,11</sup>	• Cremation Facility
	• Wireless Telecommunication Facility	• Heavy Manufacturing
		• Office - Professional, Medical and Administrative <sup>37,39</sup>
		• Open Air Building Materials Sales Yard and Lumber Yard

		<ul style="list-style-type: none"> <li>• Motor Vehicle, Truck, Trailer and Farm Implement Repair, Service and Storage (Excluding Body Work, Painting, Engine Overhaul)</li> </ul>
		<ul style="list-style-type: none"> <li>• Retail</li> </ul>
		<ul style="list-style-type: none"> <li>• Truck Wash</li> </ul>

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1153.04(a)

(38) In the interests of the health, safety, general welfare and the protection of property values of the community, the area and adjoining land uses, and the other industries within the I-1 or I-3 District, the Planning Commission may require any conditions deemed necessary. In regard to an industrial operation whose effects on adjacent premises, the area or the community are not readily known, the Planning Commission may seek expert advice on what conditions should be imposed on the particular industrial operation to reasonably modify any injurious or offensive effects likely to result from such an operation. The cost of securing such expert assistance shall be borne by the applicant.

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**WHEREAS:** The notice of public hearing by Medina City Council was duly published and the hearing was duly held June 13, 2016.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEDINA, OHIO:**

**SEC. 1:** That Sections 1105.097, 1105.098, 1141.02, 1141.04 and 1153.04(a)(38) of the codified ordinances of the City of Medina, Ohio relative to Heavy and Light Manufacturing, and Principally and Conditionally Permitted Uses, shall be amended as follows:

1105.097 MANUFACTURING, HEAVY

“Heavy manufacturing” means a building or **outdoor** land used for the assembly, fabrication or processing of goods and materials using processes that ordinarily create **one or more of the following:** smoke, **dust, or other airborne particulates,** noise **which is plainly audible outside of the boundary lines of the parcel where the noise is being created,** fumes, odor, glare or potential safety hazards (e.g., explosive materials processing, **hazardous materials being used or created by a process, etc.)**.

1105.098 MANUFACTURING, LIGHT

“Light manufacturing” means a building or **outdoor** land used for the assembly, fabrication or processing of goods and materials using processes that ordinarily do not create **one or more of the following:** smoke, **dust, or other airborne particulates,** noise **which is plainly audible outside of the boundary lines of the parcel where the noise is being created,** fumes, odor, glare or potential safety hazards (e.g., explosive materials processing, **hazardous materials being used or created by a process, etc.)**.

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#### 1141.02 PRINCIPALLY PERMITTED USES.

The following uses shall be permitted in the I-1 Industrial District:

<b>Residential</b>	<b>Public/Semi-Public</b>	<b>Commercial</b>
• None	• Public Utility	• Distribution Center for Fuel, Food and Goods, Underground Storage - Must be Completely Enclosed if Facing a Non-Industrial District
		• Heavy Duty Repair Services for Machinery and Equipment Including Repair Garages and Specialty Establishments including Motor, Body, Fender, Radiator Work.
		• Light Manufacturing
		• Mixed Use Building
		• Off-Street Parking Lot, Deck and Garage
		• <b><u>Office - Professional, Medical and Administrative</u></b>
		• Other Uses as Determined by the Planning Commission
		• Plant Greenhouse
		• Research and Development Laboratory and Processing with No Hazardous, Noxious or Offensive Conditions
		• Self-Storage Warehouse
		• Truck or Transfer Terminal - No Closer than 50 Feet from an Residential District
		• Veterinary Office or Hospital in an Enclosed Building
		• Warehousing
		• Wholesale Establishment

#### 1141.04 CONDITIONALLY PERMITTED USES.

The following uses shall be permitted as conditionally permitted uses in the I-1 Industrial District subject to the requirements of Chapter 1153, Conditional Uses. Numerical identification after each item corresponds to specific standards in Section 1153.04, Conditionally Permitted Use Regulations.

<b>Residential</b>	<b>Public/Semi-Public</b>	<b>Commercial</b>
• None	• Conservation Use	• Commercial Entertainment

	<ul style="list-style-type: none"> <li>• Educational Institution for Higher Education</li> </ul>	<ul style="list-style-type: none"> <li>• Commercial Recreation</li> </ul>
	<ul style="list-style-type: none"> <li>• Passenger Transportation Agency and Terminal</li> </ul>	<ul style="list-style-type: none"> <li>• Contractor's Equipment Storage Yard or Plant, or Storage and Rental of Equipment Commonly Used by Contractors - Must be Completely Enclosed if Facing a Non-Residential District</li> </ul>
	<ul style="list-style-type: none"> <li>• Publicly Owned or Operated Governmental Facility <sup>3,7,8,11</sup></li> </ul>	<ul style="list-style-type: none"> <li>• Cremation Facility</li> </ul>
	<ul style="list-style-type: none"> <li>• Wireless Telecommunication Facility</li> </ul>	<ul style="list-style-type: none"> <li>• Heavy Manufacturing <sup>37, 38</sup></li> </ul>
		<ul style="list-style-type: none"> <li><del>• Office – Professional, Medical — and Administrative <sup>37,39</sup></del></li> </ul>
		<ul style="list-style-type: none"> <li>• Open Air Building Materials Sales Yard and Lumber Yard</li> </ul>
		<ul style="list-style-type: none"> <li>• Motor Vehicle, Truck, Trailer and Farm Implement Repair, Service and Storage (Excluding Body Work, Painting, Engine Overhaul)</li> </ul>
		<ul style="list-style-type: none"> <li>• Retail</li> </ul>
		<ul style="list-style-type: none"> <li>• Truck Wash</li> </ul>

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#### 1153.04(a)

(38) In the interests of the health, safety, general welfare and the protection of property values of the community, the area and adjoining land uses, and the other industries within the I-1 ~~or I-3~~ District, the Planning Commission may require any conditions deemed necessary. In regard to an industrial operation whose effects on adjacent premises, the area or the community are not readily known, the Planning Commission may seek expert advice on what conditions should be imposed on the particular industrial operation to reasonably modify any injurious or offensive effects likely to result from such an operation. The cost of securing such expert assistance shall be borne by the applicant.

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**SEC. 2:** That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

**SEC. 3:** That this Ordinance shall be considered an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason to make these changes effective immediately; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and signature by the Mayor.

**PASSED:** June 27, 2016                      **SIGNED:** Dennie Simpson  
Chairman Pro-Tem

**ATTEST:** Kathy Patton                      **APPROVED:** June 28, 2016  
Clerk of Council

**SIGNED:** Dennis T. Hanwell  
Mayor

Effective date – June 28, 2016