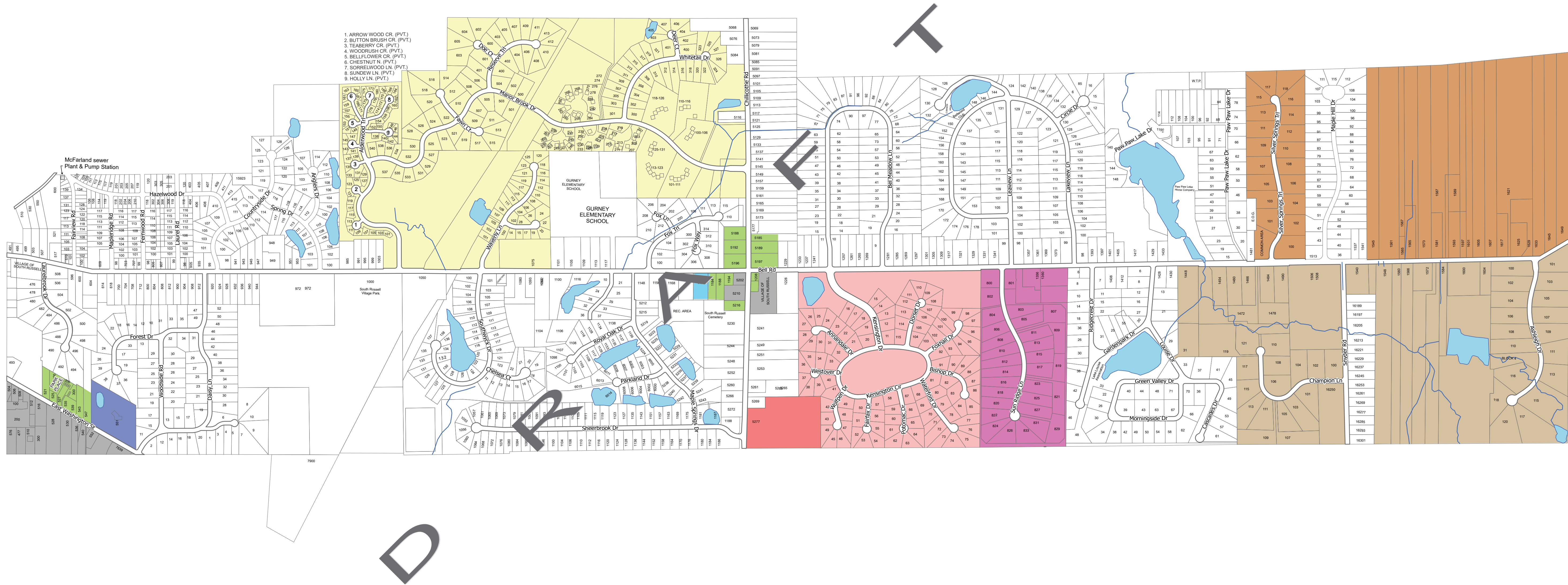


Village of South Russell Zoning Map



700 350 0 700 Ft

Village of South Russell Zoning Legend

 R-1A: Residential One Family (1 acre)  R-1B: Residential One Family (1.5 acres)  R-1C: Residential One Family (2 acres)  R-1D: Residential One Family (2.5 acres)  R-2: Residential Multi-family  R-3: Elderly Assisted Living  RN-1: Residential Neighborhood Development	 B-1 & I-1: Business & Light Industrial  B-2: Limited Business  B-3: Medical Hospital Service  B-4: Limited Offices
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May 2014

Section 4.01(b)(4) of the Zoning Code –

Fences: Fences may be permitted along the side or rear lot lines (set back at least 3' from the actual boundary line), provided at least 25 percent of the vertical surface is open to light and air. Such fences are permitted to a height not exceeding six (6) feet above the finished grade, except for fences along the side lot lines which run between the street and the front line of the residential structure, which shall not exceed three (3) feet in height. However, split-rail fences are permitted along boundary lines provided that the maximum height of such split-rail fence is four (4) feet. [For purposes of this Section, "boundary line" shall mean the outside perimeter line of property as set forth in the legal description contained in the deed for such property, except for property held in condominium ownership or in a private cluster residential development, where "boundary line" shall mean the outside perimeter line of the then existing common area of either the condominium development where such individual condominium is situated or the private cluster residential development where such single family detached dwelling is located]. (Amended by Ord. 1992-9, passed 02-24-92)

No fences are permitted along front lot lines with the exception of split-rail fences which shall not exceed four (4) feet in height.

All fences shall be of uniform design and well maintained.

First Sentence of 3.01

3.01 ZONING PERMITS - No structure or sign shall be erected, enlarged or moved in whole or in part, and no use shall be established or changed prior to the issuance of a zoning permit by the Zoning Inspector, except for the use set forth in Chapter 13 of this Code.

Section 2.01

(106) Retail:

(2) Serving and consumption of food and beverages; places where food or beverages are not consumed within a building may be permitted if a conditional use permit is granted according to provisions in this Code, except for the use set forth in Chapter 13 of this Code.

ORDINANCE NO.: _____ 2021-_____

FIRST READING _____

SECOND READING _____

INTRODUCED BY: _____

THIRD READING _____

**ORDINANCE AMENDING ZONING MAP OF THE VILLAGE OF SOUTH RUSSELL
AND DECLARING AN EMERGENCY.**

WHEREAS, after following the amendment process provided in Section 3.06 of the Zoning Code for the Village of South Russell and after a public hearing, Council desires to amend the Zoning Map to rezone certain parcel numbers from the B-2 zoning district to the B-1 zoning district to ensure that the current uses of those parcel numbers are permitted and/or conditional uses as provided for in the B-1 zoning district as described in the Zoning Code of the Village of South Russell.

NOW, THEREFORE, BE IT RESOLVED by Council:

SECTION 1. That the Village of South Russell Zoning Map is hereby rezoned to change the zoning district from B-2 to B-1 for only the following permanent parcel numbers: (1) 29-706406; (2) 29-108179; and (3) 29-705300, as depicted on the Zoning Map attached hereto and incorporated herein by reference as **EXHIBIT A.**

SECTION 2. It is hereby 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 on or after December 2, 1975, that resulted in formal action, were in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 3. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the Village of South Russell and to immediately apply the permitted and conditional uses for the B-1 district to those aforementioned parcels by way of zoning; wherefore, provided it receives the affirmative vote of at least two-thirds (2/3) of all members elected to Council, this Ordinance shall be in full force and effect immediately upon its passage.

Mayor - President of Council

ATTEST:

Fiscal Officer

I certify that Ordinance No. _____ was duly enacted on the _____ day of _____, 2021, by the Council of the Village of South Russell, and posted in accordance with the Codified Ordinances of the Village.

Fiscal Officer

ORDINANCE NO.: 2021-

FIRST READING

SECOND READING

INTRODUCED BY:

THIRD READING

**ORDINANCE AMENDING THE ZONING CODE AND ENACTING NEW CHAPTER 13
OF THE ZONING CODE OF THE VILLAGE OF SOUTH RUSSELL AND
DECLARING AN EMERGENCY.**

WHEREAS, after following the amendment process provided in Section 3.06 of the Zoning Code for the Village of South Russell and after a public hearing, Council desires to amend the Zoning Code and enact new Chapter 13 of the Zoning Code of the Village of South Russell to regulate the use of food trucks in the Village of South Russell.

NOW, THEREFORE, BE IT RESOLVED by Council:

SECTION 1. The Zoning Code of the Village of South Russell shall be amended to enact new Chapter 13 of the Zoning Code to read in full as follows:

“CHAPTER 13 FOOD TRUCK REGULATIONS

“13.00 INTENT – Food truck regulations are herein established to achieve among others, the following purposes:

“(a) To provide for food truck use in appropriate locations to serve neighborhood needs for catering services which do not attract large volumes of traffic.

“(b) To protect residential uses by limiting food truck use to private events and prohibiting food truck sales to the general public outside of Village or School District owned property.

“(c) To promote the most desirable land use and traffic patterns. (Ord. 2001-19).

“(d) To protect existing business uses and promote the parking and loading regulations set forth in Chapter 8 herein.

“(e) To provide responsible companies and individuals who engage in the operation of food trucks with clear and concise regulations to prevent safety, traffic and health hazards, as well as to preserve the peace, safety and welfare of the Village.

“13.01 DEFINITIONS -

“(a) "Food Truck" means any vehicle or trailer (whether self-propelled or propelled by an engine) which has been specifically designated or used for mobile food vending in which food is processed, prepared, or dispensed to the paying consumer.

“(b) “Village” refers to the Village of South Russell.

“13.02 GENERAL REGULATIONS -

“(a) No person shall offer for sale any food from any food truck without a current and valid license or certificate issued by the Geauga County Health District, Cuyahoga County Health District, City of Cleveland Health Department or other health department in the State of Ohio possessing the appropriate licensing authority. Such license or certificate shall be displayed during all times of operation.

“(b) No person shall offer for sale any food from any food truck without a current and valid license, certificate or sticker issued by the City of Cleveland or other municipality in the State of Ohio indicating that the food truck has passed a fire inspection during the past year. Such license, certificate or sticker shall be displayed during all times of operation.

“(c) All food trucks shall be subject to inspections during operation by the Zoning Inspector and fire prevention officer for compliance with local and state code and regulations.

“13.03 ZONING DISTRICTS -

“(a) Permitted Districts: Food Trucks are permitted subject to the regulations contained herein in the following districts: R-1-A, R-1-B, R-1-C, R-1-D, R-2 and RN-1.

“(b) Prohibited Districts: Food Trucks are prohibited in the following districts: R-3, B-1, B-2, B-3, B-4 and I-1.

“13.04 SPECIFIC REGULATIONS -

“(a) Food trucks may operate Sunday through Thursday from Noon to 9:00 p.m. and Fridays, Saturdays, and federal holidays from 9 a.m. to 10 p.m.

“(b) Food Trucks shall be limited to private events for the benefit of the property owner and shall be parked on the parcel on a paved or gravel surface.

“(c) Food Trucks may not be open for sale to the general public and are limited to invited guests of the property owner.

“(d) Food Trucks may not park on public or private streets unless all of the following apply:

- (1) The location is on a cul-de-sac or other portion of a street that does not restrict vehicular traffic; and
- (2) The use is for a private event; and
- (3) The event host obtains written permission from the Chief of Police.

“13.05 EXCEPTIONS -

“(a) Food Trucks are permitted in any zoning district and are permitted to sell to the general public provided all of the following apply:

- (1) The food truck is being utilized during a farmers’ market or a community/civic event; and
- (2) The food truck is operating on property owned by the Village or The Chagrin Falls Exempted Village School District; and
- (3) Each use is approved by Village Council.”

SECTION 2. It is hereby 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 on or after December 2, 1975, that resulted in formal action, were in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 3. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the Village of South Russell and to immediately apply such regulations to the use of food trucks in the Village of South Russell by way of zoning; wherefore, provided it receives the affirmative vote of at least two-thirds (2/3) of all members elected to Council, this Ordinance shall be in full force and effect immediately upon its passage.

Mayor - President of Council

ATTEST:

Fiscal Officer

I certify that Ordinance No. _____ was duly enacted on the _____ day of _____, 2021, by the Council of the Village of South Russell, and posted in accordance with the Codified Ordinances of the Village.

Fiscal Officer

ORDINANCE NO.: 2021-

FIRST READING

SECOND READING

INTRODUCED BY:

THIRD READING

**ORDINANCE AMENDING SECTION 4.01(b)(4) OF THE ZONING CODE
OF THE VILLAGE OF SOUTH RUSSELL AND DECLARING AN EMERGENCY.**

WHEREAS, after following the amendment process provided in Section 3.06 of the Zoning Code for the Village of South Russell and after a public hearing, Council desires to amend Section 4.01(b)(4) of the Zoning Code of the Village of South Russell to allow split-rail fences along the boundary line of a property in the residential district of the Village of South Russell.

NOW, THEREFORE, BE IT RESOLVED by Council:

SECTION 1. Section 4.01(b)(4) of the Zoning Code of the Village of South Russell shall be deleted in full and amended to read in full as follows:

“Fences: Fences may be permitted along the side or rear lot lines (set back at least 3' from the actual boundary line), provided at least 25 percent of the vertical surface is open to light and air. Such fences are permitted to a height not exceeding six (6) feet above the finished grade, except for fences along the side lot lines which run between the street and the front line of the residential structure, which shall not exceed three (3) feet in height. However, split-rail fences are permitted along boundary lines provided that the maximum height of such split-rail fence is four (4) feet. [For purposes of this Section, "boundary line" shall mean the outside perimeter line of property as set forth in the legal description contained in the deed for such property, except for property held in condominium ownership or in a private cluster residential development, where "boundary line" shall mean the outside perimeter line of the then existing common area of either the condominium development where such individual condominium is situated or the private cluster residential development where such single family detached dwelling is located].

No fences are permitted along front lot lines with the exception of split-rail fences which shall not exceed four (4) feet in height.

All fences shall be of uniform design and well maintained.”

SECTION 2. It is hereby 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 on or after December 2, 1975, that resulted in formal action, were in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 3. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the Village of South Russell and to immediately apply such amendment in the residential district in the Village of South Russell by way of zoning; wherefore, provided it receives the affirmative vote of at least two-thirds (2/3) of all members elected to Council, this Ordinance shall be in full force and effect immediately upon its passage.

Mayor - President of Council

ATTEST:

Fiscal Officer

I certify that Ordinance No. _____ was duly enacted on the _____ day of _____, 2021, by the Council of the Village of South Russell, and posted in accordance with the Codified Ordinances of the Village.

Fiscal Officer

ORDINANCE NO.: _____ 2021-_____

FIRST READING _____

SECOND READING _____

INTRODUCED BY: _____

THIRD READING _____

**ORDINANCE AMENDING SECTION 3.01 OF THE ZONING CODE
OF THE VILLAGE OF SOUTH RUSSELL AND DECLARING AN EMERGENCY.**

WHEREAS, after following the amendment process provided in Section 3.06 of the Zoning Code for the Village of South Russell and after a public hearing, Council desires to amend Section 3.01 of the Zoning Code of the Village of South Russell to ensure that zoning permits are not required for food trucks regulated in accordance with Chapter 13 of the Zoning Code of the Village of South Russell.

NOW, THEREFORE, BE IT RESOLVED by Council:

SECTION 1. The first sentence of Section 3.01 of the Zoning Code of the Village of South Russell shall be deleted and amended to read as follows:

“3.01 ZONING PERMITS - No structure or sign shall be erected, enlarged or moved in whole or in part, and no use shall be established or changed prior to the issuance of a zoning permit by the Zoning Inspector, except for the use set forth in Chapter 13 of this Code.”

SECTION 2. It is hereby 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 on or after December 2, 1975, that resulted in formal action, were in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 3. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the Village of South Russell and to immediately apply such amendment relating to food trucks in the Village of South Russell by way of zoning; wherefore, provided it receives the affirmative vote of at least two-thirds (2/3) of all members elected to Council, this Ordinance shall be in full force and effect immediately upon its passage.

Mayor - President of Council

ATTEST:

Fiscal Officer

I certify that Ordinance No. _____ was duly enacted on the _____ day of _____, 2021, by the Council of the Village of South Russell, and posted in accordance with the Codified Ordinances of the Village.

Fiscal Officer

ORDINANCE NO.: 2021-

FIRST READING

SECOND READING

INTRODUCED BY:

THIRD READING

**ORDINANCE AMENDING SECTION 2.01(106)(2) OF THE ZONING CODE
OF THE VILLAGE OF SOUTH RUSSELL AND DECLARING AN EMERGENCY.**

WHEREAS, after following the amendment process provided in Section 3.06 of the Zoning Code for the Village of South Russell and after a public hearing, Council desires to amend Section 2.01(106)(2) of the Zoning Code of the Village of South Russell to ensure that food trucks are not included in the definition of Retail and instead are regulated in accordance with Chapter 13 of the Zoning Code of the Village of South Russell.

NOW, THEREFORE, BE IT RESOLVED by Council:

SECTION 1. Section 2.01(106)(2) of the Zoning Code of the Village of South Russell shall be deleted in full and amended to read in full as follows:

“(106) Retail:

“(2) Serving and consumption of food and beverages; places where food or beverages are not consumed within a building may be permitted if a conditional use permit is granted according to provisions in this Code, except for the use set forth in Chapter 13 of this Code.”

SECTION 2. It is hereby 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 on or after December 2, 1975, that resulted in formal action, were in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 3. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the Village of South Russell and to immediately apply such amendment relating to food trucks in the Village of South Russell by way of zoning; wherefore, provided it receives the affirmative vote of at least two-thirds (2/3) of all members elected to Council, this Ordinance shall be in full force and effect immediately upon its passage.

Mayor - President of Council

ATTEST:

Fiscal Officer

I certify that Ordinance No. _____ was duly enacted on the _____ day of _____, 2021, by the Council of the Village of South Russell, and posted in accordance with the Codified Ordinances of the Village.

Fiscal Officer

CHAPTER 13

FOOD TRUCK REGULATIONS

13.00 INTENT – Food truck regulations are herein established to achieve among others, the following purposes:

- (a) To provide for food truck use in appropriate locations to serve neighborhood needs for catering services which do not attract large volumes of traffic.
- (b) To protect residential uses by limiting food truck use to private events and prohibiting food truck sales to the general public outside of Village or School District owned property.
- (c) To promote the most desirable land use and traffic patterns. (Ord. 2001-19).
- (d) To protect existing business uses and promote the parking and loading regulations set forth in Chapter 8 herein.
- (e) To provide responsible companies and individuals who engage in the operation of food trucks with clear and concise regulations to prevent safety, traffic and health hazards, as well as to preserve the peace, safety and welfare of the Village.

13.01 DEFINITIONS-

- (a) "Food Truck" means any vehicle or trailer (whether self-propelled or propelled by an engine) which has been specifically designated or used for mobile food vending in which food is processed, prepared, or dispensed to the paying consumer.
- (b) "Village" refers to the Village of South Russell.

13.02 GENERAL REGULATIONS-

- (a) No person shall offer for sale any food from any food truck without a current and valid license or certificate issued by the Geauga County Health District, Cuyahoga County Health District, City of Cleveland Health Department or other health department in the State of Ohio possessing the appropriate licensing authority. Such license or certificate shall be displayed during all times of operation.
- (b) No person shall offer for sale any food from any food truck without a current and valid license, certificate or sticker issued by the City of Cleveland or other municipality in the State of Ohio indicating that the food truck has passed a fire inspection during the past year. Such license, certificate or sticker shall be displayed during all times of operation.
- (c) All food trucks shall be subject to inspections during operation by the Zoning Inspector and fire prevention officer for compliance with local and state code and regulations.

13.03 ZONING DISTRICTS-

- (a) Permitted Districts: Food Trucks are permitted subject to the regulations contained herein in the following districts: R-1-A, R-1-B, R-1-C, R-1-D, R-2 and RN-1.

(b) Prohibited Districts: Food Trucks are prohibited in the following districts: R-3, B-1, B-2, B-3, B-4 and I-1.

13.04 SPECIFIC REGULATIONS-

(a) Food trucks may operate Sunday through Thursday from Noon to 9:00 p.m. and Fridays, Saturdays, and federal holidays from 9 a.m. to 10 p.m.

(b) Food Trucks shall be limited to private events for the benefit of the property owner and shall be parked on the parcel on a paved or gravel surface.

(c) Food Trucks may not be open for sale to the general public and are limited to invited guests of the property owner.

(d) Food Trucks may not park on public or private streets unless all of the following apply:

(1) The location is on a cul-de-sac or other portion of a street that does not restrict vehicular traffic; and

(2) The use is for a private event; and

(3) The event host obtains written permission from the Chief of Police.

13.05 EXCEPTIONS-

(a) Food Trucks are permitted in any zoning district and are permitted to sell to the general public provided all of the following apply:

(1) The food truck is being utilized during a farmers' market or a community/civic event; and

(2) The food truck is operating on property owned by the Village or The Chagrin Falls Exempted Village School District; and

(3) Each use is approved by Village Council.