

North Canton City Council  
Community and Economic Development Committee

ORDINANCE 48 - 2020

An ordinance to amend Chapter 1137, Business Districts, of the Codified Ordinances, specifically Section 1137.03, Schedule of Permitted Uses, to remove the words “in completely enclosed building” from the restaurant use under Retail/Services.

WHEREAS, due to sudden and necessary changes caused by the COVID-19 pandemic and the need to preserve public health the City wishes to encourage the use of outdoor dining facilities to limit the continued spread of disease and encourage physical distancing.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH CANTON, COUNTY OF STARK, AND STATE OF OHIO:

Section 1. That Chapter 1137, Business Districts, of the Codified Ordinances, specifically Section 1137.03, Schedule of Permitted Uses, be, and is hereby, amended to remove the words “in completely enclosed building” from the Restaurant use under Retail/Services as shown below.

SECTION 1137.01 SCHEDULE OF PERMITTED USES

Land Use Category	Office Building (OB)	Main Street Business (MSB)	General Business A (GB-A)	General Business B (GB-B)
<b>Residential</b>				
Multi-Family Dwellings	P		P	P
Residential Units Accessory to a Commercial Use		C	C	C
Residential Care Facility	C		C	C
<b>Office and Professional Services</b>				
Office, Including Administrative, Business, and Professional	P	P	P	P
Sales Office with Only Sample of Products	P	P	P	P
Banks or Banks with Accessory Drive-Through Lanes	C	P	P	P
<b>Medical Facilities</b>				
Medical or Dental Office	P	P	P	P
Hospital	C		C	C
<b>Retail/Services</b>				
Retail in Completely Enclosed Building	A, subject to Section 1137.09	P	P	P
Personal Service Establishment Including Barber, Beauty Shops, and Repair Shop for Personal Items such as Shoes, Watch, Camera, but Excluding Tattoo and/or Body Piercing Businesses and the Like	A, subject to Section 1137.09	P	P	P
Business Equipment and Supplies			P	P
Studios for Instruction	C	C	P	P
Drive-Through Facility in Association With a Permitted Use		C	C	C
Dry Cleaning Counter Service		P	P	P
Funeral Home, Mortuary	P	C	P	P
Furniture, Home Furnishing, Office Equipment, and Office Supplies Store			P	P
Motels, Hotels	C		C	P

Land Use Category	Office Building (OB)	Main Street Business (MSB)	General Business A (GB-A)	General Business B (GB-B)
Mainstream Media Shop in Compliance with Section 1137.13		P	P	P
Photographic Reproduction Services		P	P	P
Restaurant		P	P	P
Outdoor Dining		C	C	C
Self-Serve Laundry Facility			P	P
Veterinary Hospital with Associated Cages, Runs, and Kennels			C	P
Adult Uses				C
<b>Automotive Transportation</b>				
Parking as Principal Use (Lot or Garage)		P	P	P
Vehicle and Farm Implement Sales, Lease, and/or Rental Facility				P
Car Wash			C	C
Gasoline Station			C	C
Automobile Service Station			C	C
Vehicle, Repair Facility				P
<b>Entertainment, Recreation, Community Facility</b>				
Clubs, Lodges, or Other Assembly Halls	C	C	P	P
Civic Facility for Public Assembly		P	P	P
Day Care Facility, Adult	C	C	P	P
Day Care Facility, Child	C	C	P	P
Indoor Recreation Facility			P	P
Library, Museum	P	P	P	P
Outdoor commercial Recreation			C	P
Motion Picture and Theatrical Playhouse			P	P
Public Parks and/or Playgrounds	P		P	P
Places of Worship	C	C	P	P
School, Public or Private	C	C	P	P
Business and Trade School		C	C	C
Safety Facility, Public	P	P	P	P
Service Facility, Public	P		P	P
<b>Wireless Telecommunications Facility</b>		See Chapter 1157		
<b>Accessory Uses</b>				
Off- Street Parking and Loading Areas	A	A	A	A
Fencing and Screening	A	A	A	A
Outdoor Display of Merchandise for Sale		C	A	A
Outdoor Storage of Goods and Supplies				A
Outdoor Swimming Pools, Other Recreational Facilities in Connection with Motels	A	A	A	A
Signs	A	A	A	A
Trash Receptacles	A	A	A	A

Notes:

P = Principal use permitted by right  
C = Conditional use  
A = Accessory use

Section 2. That if a provision of this ordinance is or becomes illegal, invalid, or unenforceable, it shall not affect the validity or enforceability of any other provision of this ordinance.

Section 3. That this ordinance shall take effect and be in full force from and after the earliest period allowed by law.

Passed in Council this 23rd day of November 2020.

Attest: Benjamin R. Young  
Benjamin R. Young, Clerk of Council

Stephan B. Wilder  
Stephan B. Wilder, Mayor

Signed on: 23 November 2020