

PASSED 6/1/15

**ORDINANCE NO. 8 - 2015**

**AN ORDINANCE AMENDING THE VILLAGE OF OAK HARBOR  
ORDINANCES AND CREATING A RIVERFRONT OVERLAY DISTRICT  
IN SECTIONS 153.701-153.710**

WHEREAS, the Council of the Village of Oak Harbor implemented the Zoning Ordinance in the Village of Oak Harbor.

WHEREAS, the Village of Oak Harbor Planning Commission recommended to Council to create a new zoning district in the Zoning Ordinance, the Riverfront Overlay District, to allow certain private improvements along the Portage River.

WHEREAS, Council of the Village of Oak Harbor has had the required public hearing on the Planning Commission's recommendation to add the Riverfront Overlay District.

WHEREAS, the Council of the Village of Oak Harbor therefore deems it in the best interest of the Village to amend the Village of Oak Harbor Zoning Ordinance to create a Riverfront Overlay District.

**THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF OAK HARBOR:**

**SECTION 1:**

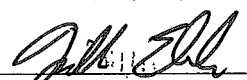
That the Zoning Ordinance of the Village of Oak Harbor be amended as follows:

See Exhibit A.

**SECTION 2:**

This Council hereby finds and determines that all formal actions relative to the adoption of this Ordinance were taken in an open meeting of this Council, and that all deliberations of Council, and of its committees, which result in formal action, were taken in full compliance with applicable legal requirements.

Approved: June 1, 2015

  
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William Eberle, Mayor

Attest:

Henry R. Jarrett  
Henry R. Jarrett, Fiscal Officer

Dated: June 1, 2015

First Reading: May 4, 2015

Second Reading: May 18, 2015

Third Reading: June 1, 2015

Adopted: June 1, 2015

## CHAPTER 153: ZONING CODE

### Section

|         |  |
|---------|--|
| 153.701 | Purpose  |
| 153.702 | District Boundaries  |
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### ***Cross-references***

Building Regulations, See Chapter 150

Flood Damage Prevention, See Chapter 151

Subdivision Regulations, See Chapter 152

### ***Riverfront Overlay District***

#### **153.701 Purpose**

The purpose of the Riverfront Overlay District is intended, in the interests of public health, comfort, prosperity or general welfare to preserve, create and enhance the Portage Riverfront and to promote the development of a riverfront promenade including connections to nearby public rights-of-way, open space and other public amenities. The Riverfront Overlay District crosses several zoning districts and is intended to unify the entire riverfront by promoting public access between districts. Site planning and design review is required for development and redevelopment.

**153.702 District Boundaries**

There is hereby established a Riverfront Overlay District that applies to all lots and lands between:

- 1) The western corporation limit marker on State Route 105 to the eastern most Village limits, and
- 2) The East-West centerline of Water Street/State Route 163 to the Portage River shoreline.

**153.703 Permitted Uses**

The following uses shall be permitted in the Riverfront Overlay District in addition to the uses already allowable in the Central Business, Office Business, Light Industry, Heavy Industry, R-1, R-2, R-3 and R-6:

- 1) In the absence of a Board of Riverfront Development, all uses shall be Conditionally Permitted.

**153.704 Conditionally Permitted Uses**

The following uses shall be conditionally permitted in the Riverfront Overlay District in addition to the uses already permitted in the Central Business District:

- 1) Public Restrooms
- 2) Fishing Access Point
- 3) Dining Terrace
- 4) Powered and/or non-powered watercraft Livery
- 5) Boat Docks
- 6) Fishing tackle, bait and supply
- 7) Marine Fuel sales
- 8) Skating rink/arena
- 9) Pier/Break wall area
- 10) Canoe/Kayak storage
- 11) Gazebo
- 12) Patio/Overlook
- 13) Shelter House
- 14) Amphitheater
- 15) Pedestrian Walkway
- 16) Non-motorized boat launch
- 17) Bed and Breakfast, lodging
- 18) Coffee Shop/Brew

19) Any other use which the Planning Commission determines meets the standards set forth in Section 153.707.

**153.705 Board of Riverfront Development**

(A) *Generally.* The Oak Harbor Planning Commission/Board of Zoning Appeals shall serve in the capacity of a Board of Riverfront Development and shall have such responsibilities, powers and duties as described in ORC 713.02-04

**153.706 Application and Notice**

(A) Application and Notice

1. Site plan and design review is required for any new structure, addition or enlargement in accordance with the thresholds of the Riverfront Overlay District.
2. A standard Village Zoning Application shall be filed.
3. The Oak Harbor Planning Commission/Board of Zoning Appeals shall review the Conditionally Permitted Use application for conformance and intent.

**153.707 Standards for Review; Certificate of Appropriateness**

(A) The Oak Harbor Planning Commission/Board of Zoning Appeals, in deciding whether to issue a Certificate of Appropriateness, shall determine that the application under consideration is not detrimental to the interest of the district and promotes, preserves and enhances the distinctive village character of the community.

**153.708 Appeals**

A person aggrieved by a decision of the Board Zoning Appeals may appeal to the Court of Common Pleas of Ottawa County, Ohio.

**153.709 Jurisdiction of existing boards and commissions unaffected**

This subchapter does not alter or affect or infringe upon any of the jurisdiction the Planning Commission of the village and is intended to be a new regulation. Nothing in this chapter shall be construed to limit the power of any other village board or commission.

**153.710 Penalty**

(A) Penalty for Violation.

Refer to §153.999 Penalty.