



Zoning Approval for Temporary Places of Business

Effective May 19, 2021 | **December 31, 2022**

In 2018, City Council approved 2018-5, which amended Chapter 721 (Peddlers, Solicitors, Temporary Businesses), which repealed the ability for businesses to establish temporary places to operate without maintaining a physical presence on that property. This ordinance was adopted to support the city's bricks and mortar businesses who have made a significant investment in their property and the city, by providing employment, tax revenues and other types of community support. Due to the COVID-19 pandemic, some commercial property owners are considering creative ways to attract new business and manage economic impacts. In response, the City has developed the following policy to allow temporary places of business on a time-limited basis. If the requirements of this policy have been met, an operator will be issued a Temporary Zoning Approval.

- To qualify, the property must be zoned a Business District and shall be a minimum of three (3) acres. The property must be occupied with an existing commercial use and may not have open zoning or property maintenance violations.
- The operator shall make application for a Certificate of Zoning Compliance with property owner approval. The proposed use must be permitted by right in the underlying zoning district (i.e., no conditional uses, no variance requests).
- The application shall include a site plan to scale clearly defining the temporary use area and any associated improvements to be made. No temporary use may be placed in a required yard; block access/egress to the site, adjacent tenants or the accessible path to the site or building; or take up required parking.
- Tents up to 400 square feet with 1 or more sides or up to 700 square feet without sides may be erected without a permit as long as the Zoning Approval for a Temporary Place of Business has been obtained. Tents over these limits, including the aggregate area of multiple tents within 12 feet of each other, are regulated by the Ohio Building Code and may only be erected subject to a tent permit per Chapter 733 and the OBC.
- The operator must abide by all applicable code restrictions regarding operations, delivery, etc. Temporary uses within 250 feet of residential property may not operate between 9:00 p.m. and 7:30 a.m.
- Any signage must comply with Chapter 1163 and the COVID policy for temporary signs.
- The operator shall meet any state or local requirements for registering and reporting with the Regional Income Tax Authority.
- Approved temporary businesses may operate a maximum duration of 60 calendar days, which need not be consecutive.