

**ORDINANCE NO. 4-26**

**AN ORDINANCE TO AMEND THE PLANNING AND ZONING CODE SECTIONS 1222.02 DEFINITIONS; 1270.03(b)(12) SCHEDULE OF PERMITTED USES; 1280.05 MINIMUM LOT AND YARD REGULATIONS FOR SPECIAL USES IN NON-RESIDENTIAL DISTRICTS; AND 1280.06(nn) TO REQUIRE A SPECIAL USE PERMIT FOR ANIMAL BOARDING IN THE M-1 DISTRICT**

**WHEREAS**, 1222.02(b) sets forth the definition of certain terms used throughout Part 12 of the Planning and Zoning Code; and

**WHEREAS**, 1270.03(b) sets forth a schedule of permitted and special uses in the Business District; and

**WHEREAS**, 1280.05 sets forth regulations governing minimum lot area and minimum lot width requirements for Special Uses in non-residential districts; and

**WHEREAS**, 1280.05(ll) sets forth minimum lot and yard regulations for Special Use permits for animal boarding in an M-1 district; and

**WHEREAS**, 1280.06(nn) sets forth regulations governing, among other things, the business of animal boarding; and

**WHEREAS**, the Administration is recommending amendments to these sections of the Avon Codified Ordinances (ACO) as they pertain Special Use Permits for animal boarding in the M-1 General Industrial District; and

**WHEREAS**, the Planning Commission authorized a Public Hearing on said amendments which was duly publicized according to law and held on December 17, 2025; and

**WHEREAS**, on December 17, 2025, by a vote of Five (5) in favor and Zero (0) opposed, Planning Commission recommended approval of the amendments to Sections 1222.02(b), 1270.03(b)(12), 1280.05(ll), and 1280.06(nn) of the Planning and Zoning Code; and

**WHEREAS**, Council, on January 12, 2026 authorized a Public Hearing; and

**WHEREAS**, said Public Hearing was duly publicized according to law and was held on February 9, 2026 at 7:20 PM; and

**WHEREAS**, Council, in considering the recommendation of Planning Commission and comments from the Administration and other members of Council, finds that amending Sections 1222.02(b), 1270.03(b)(12), 1280.05(ll), and 1280.06(nn) of the Codified Ordinances of the City of Avon is in the best interests of the health, safety, and welfare of the citizens of Avon.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON, LORAIN COUNTY, OHIO:**

Section 1 – That the following definition shall be added to Section 1222.02(b) of the Avon Codified Ordinance and shall read as follows:

### **1222.02 DEFINITIONS.**

**(3-B) “Animal boarding” is a professional service where pets stay at a specialized facility, like a kennel, pet hotel, or vet clinic, providing basic food, shelter, exercise, and care while owners are away. Animal boarding services may be for daily stays, short-term overnight stays or even longer periods of time, e.g., weekly stays. These stays may also include extra amenities like grooming or one-on-one playtime.**

Section 2 – That 1270.03(b)(12) of the Avon Codified Ordinance which currently reads as follows:

### **1270.03 SCHEDULE OF PERMITTED USES.**

|                                | <u>C-1<br/>Neighborhood<br/>Business</u> | <u>C-2<br/>Central<br/>Business/<br/>French<br/>Creek</u> | <u>C-3<br/>Planned<br/>Commercial<br/>Development</u> | <u>C-4<br/>General<br/>Business</u> |
|--------------------------------|------------------------------------------|-----------------------------------------------------------|-------------------------------------------------------|-------------------------------------|
|                                |                                          |                                                           |                                                       |                                     |
| (b) <u>Retail and Services</u> |                                          |                                                           |                                                       |                                     |
| (12) Animal boarding           |                                          |                                                           |                                                       | SU                                  |

**Shall be amended to read as follows: (New language in bold print; deleted language stricken)**

### **1270.03 SCHEDULE OF PERMITTED USES.**

|                                 | <u>C-1<br/>Neighborhood<br/>Business</u> | <u>C-2<br/>Central<br/>Business/<br/>French<br/>Creek</u> | <u>C-3<br/>Planned<br/>Commercial<br/>Development</u> | <u>C-4<br/>General<br/>Business</u> |
|---------------------------------|------------------------------------------|-----------------------------------------------------------|-------------------------------------------------------|-------------------------------------|
|                                 |                                          |                                                           |                                                       |                                     |
| (b) <u>Retail and Services</u>  |                                          |                                                           |                                                       |                                     |
| (12) <del>Animal boarding</del> |                                          |                                                           |                                                       | <b>SU</b>                           |

Section 3 – That Section 1280.05 of the Avon Codified Ordinance which currently reads as follows:

## Schedule 1280.05

**MINIMUM LOT AND YARD REGULATIONS FOR  
SPECIAL USES IN NONRESIDENTIAL DISTRICTS**

| <i>Special Use</i>                                                                                                                                  | <i>Special Use in District</i> | <i>Minimum Lot Regulations</i> |              | <i>Also See Section:</i> |
|-----------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|--------------------------------|--------------|--------------------------|
|                                                                                                                                                     |                                | <i>Area</i>                    | <i>Width</i> |                          |
| (II) Raising of animals for medical experimentation; raising of furbearing animals for commercial purposes; commercial dog kennels; animal boarding | M-1                            | 5 acres                        | (1)          | 1280.06(b)               |

Notes to Schedule [1280.05](#):

(1) Shall comply with district regulations.

NA Not Applicable

\* = Must comply with ACO Section [1610.17](#)

# Prohibited on any property adjacent to Detroit Road or within 500 feet of Detroit Road right-of-way.

**Shall be amended to read as follows: (New language in bold print; deleted language stricken)**

## Schedule 1280.05

**MINIMUM LOT AND YARD REGULATIONS FOR  
SPECIAL USES IN NONRESIDENTIAL DISTRICTS**

| <i>Special Use</i>                                                                                                                                             | <i>Special Use in District</i> | <i>Minimum Lot Regulations</i> |              | <i>Also See Section:</i> |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|--------------------------------|--------------|--------------------------|
|                                                                                                                                                                |                                | <i>Area</i>                    | <i>Width</i> |                          |
| (II) Raising of animals for medical experimentation; raising of furbearing animals for commercial purposes; commercial dog kennels; <del>animal boarding</del> | M-1                            | 5 acres                        | (1)          | 1280.06(b)               |
| <b>(rr) Animal Boarding</b>                                                                                                                                    | <b>M-1</b>                     | (1)                            | (1)          | <b>1280.06(nn)</b>       |

Notes to Schedule [1280.05](#):

(1) Shall comply with district regulations.

NA Not Applicable

\* = Must comply with ACO Section [1610.17](#)

# Prohibited on any property adjacent to Detroit Road or within 500 feet of Detroit Road right-of-way.

Section 4 - That Section 1280.06(nn) of the Avon Codified Ordinance which currently reads as follows:

**1280.06 SUPPLEMENTAL REGULATIONS FOR CERTAIN USES.**

The following are specific conditions, standards and regulations for certain special uses and are in addition to the criteria and standards set forth in Sections [1280.02](#) through [1280.05](#).

(nn) Raising of Animals for Medical Experimentation; Raising of Fur-bearing Animals for Commercial Purposes; Commercial Dog Kennels; Commercial Riding Stables or Riding Academies; Noncommercial Riding Stables; Animal Boarding.

(1) None of these uses may be located within 100 feet of any dwelling.

(2) All buildings, pens, and runways, exclusive of pasture, for housing or keeping, animals and livestock shall meet the following setbacks:

A. Commercial riding stables, fur-bearing animal hutches, and hutches of animals for medical experimentation shall not be less than 150 feet from any street or roadway and not less than 150 feet from any adjacent property line.

B. Noncommercial riding stables shall not be less than 150 feet from any street or roadway and not less than 25 feet from any adjacent property line.

C. Commercial dog kennels or boarding shall not be less than 300 feet from any street or roadway and not less than 50 feet from any adjacent property line.

(3) No person shall keep any animal for commercial purposes on any lot, unless the lot has a fenced area.

(4) Off-street parking is required for each lot subject to the following requirements:

A. Boarding kennel or stable - one space for each employee, plus three spaces for each person authorized to admit and release animals; and

B. Riding Academy - one space for each employee, plus two spaces for each appointment and student.

(5) All stables, pens, hutches, yards, or other quarters where animals are kept shall be maintained in a sanitary condition. They shall be kept clean and in good repair so as to prevent the breeding of flies and the emission of harmful and offensive odors. Manure piles must be removed twice each year.

**Shall be amended to read as follows: (New language in bold print; deleted language stricken)**

## **1280.06 SUPPLEMENTAL REGULATIONS FOR CERTAIN USES.**

The following are specific conditions, standards and regulations for certain special uses and are in addition to the criteria and standards set forth in Sections [1280.02](#) through [1280.05](#).

(nn) Raising of Animals for Medical Experimentation; Raising of Fur-bearing Animals for Commercial Purposes; Commercial Dog Kennels; Commercial Riding Stables or Riding Academies; Noncommercial Riding Stables; Animal Boarding.

(1) None of these uses may be located within 100 feet of any dwelling.

(2) All buildings, pens, and runways, exclusive of pasture, for housing or keeping, animals and livestock shall meet the following setbacks:

A. Commercial riding stables, fur-bearing animal hutches, and hutches of animals for medical experimentation shall not be less than 150 feet from any street or roadway and not less than 150 feet from any adjacent property line.

B. Noncommercial riding stables shall not be less than 150 feet from any street or roadway and not less than 25 feet from any adjacent property line.

C. Commercial dog kennels ~~or boarding~~ shall not be less than 300 feet from any street or roadway and not less than 50 feet from any adjacent property line.

**D. Animal Boarding shall comply with applicable District**

**Regulations.**

(3) No person shall keep any animal for commercial purposes on any lot, unless the lot has a fenced area.

(4) Off-street parking is required for each lot subject to the following requirements:

A. ~~Boarding~~ **Commercial dog kennel and animal boarding facilities** ~~or stable~~, - one space for each employee, plus three spaces for each person authorized to admit and release animals; and

B. ~~Riding Academy~~ **Commercial riding stables, a commercial facility for the raising of animals for medical experimentation or a facility for raising furbearing animals for commercial purposes, riding academies; non-commercial riding stables** - one space for each employee, plus two spaces for each appointment and student.

(5) All stables, pens, hutches, yards, or other quarters where animals are kept shall be maintained in a sanitary condition. They shall be kept clean and in good repair so as to prevent the breeding of flies and the emission of harmful and offensive odors. Manure piles must be removed twice each year.

Section 5 - The Codifier is hereby instructed to insert the amendments into the appropriate sections within the existing codified ordinances, renumbering and/or re-lettering anywhere applicable. All other language contained therein, not specifically amended herein, shall remain in full force and effect.

Section 6 - 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 of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 7 - That this Ordinance shall take effect and be in force at the earliest date allowed by law.

First Reading \_\_\_\_\_

Second Reading \_\_\_\_\_

Third Reading \_\_\_\_\_

PASSED: \_\_\_\_\_

DATE SIGNED: \_\_\_\_\_

By: \_\_\_\_\_  
Brian Fischer, Council President

DATE APPROVED BY THE MAYOR: \_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_  
Bryan K. Jensen, Mayor

\_\_\_\_\_  
John A. Gasior, Law Director  
City of Avon, Ohio

ATTEST:

\_\_\_\_\_  
Barbara Brooks, Clerk of Council

POSTED: \_\_\_\_\_  
Electronically and at City Hall as  
Provided by Council

Prepared By:  
John A. Gasior, Esq.  
Law Director