

Chapter 1145

Retail District

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CROSS REFERENCES

Exceptions and nonconforming uses - see P. & Z. Ch. [1161](#)

Height districts - see P. & Z. [1163.01](#), [1163.02](#)

Licensing multiple dwellings - see BLDG. Ch. [1333](#)

1145.01 PURPOSE AND INTENT.

It is the intent of Council to reclassify each of the Business Districts, originally encompassed in the Planning and Zoning Code by the following Chapters: 1151, U3A Shopping Center District; 1154, U3C Small Coordinated Group Office -Commercial District Boundaries; 1155, U4 Local Retail Store District; and 1157, U5 Commercial District into one uniform district to be hereafter referred to as the Retail District. The Retail District will serve to promote the general health, safety, and welfare of the citizenry by:

- (a) Allowing for uniform rules and regulations, to the best extent possible, within the various areas throughout the City where business may be conducted;
- (b) Recognizing the changes that have taken place throughout the City since the time the previous business districts were established; and
- (c) Ensuring that future business establishments will have a clear recognition and understanding of the rules and regulations going forward.

(Ord. 2012-16. Passed 3-20-12.)

1145.02 DISTRICT BOUNDARY.

The Retail District shall be contained in five distinct areas throughout the City as identified and shown on the Zoning Map, and shall be described and bound as follows:

(a) East 288 Street Area. On the South side of Lakeshore Boulevard, bound on the West by East 288th Street and proceeding east on all parcels which front Lakeshore Boulevard to East 293rd Street; On the North side of Lakeshore Boulevard, bound on the west by Gilchrist Drive and proceeding east on all parcels which front Lakeshore Boulevard to East 291st Street.

(b) Shoregate Town Centre Area. Each of the parcels which encompass the current Shoregate Town Centre: PPN 28-A-043-00-004-0, PPN 28-A-043-0-00-001-0, PPN 28-A-043-0-00-008, and 28-A-041-0-00-007-0; and the following parcels located on the corner of Lakeshore Boulevard and East 305th Street: PPN 28-A-043-0-00-005-0, and PPN 28-A-043-0-00-006-0.

(c) Lake Health Urgent Care Area. The current Lake Health Urgent Care center located on Lakeshore Boulevard bounded by the Shoreland Crossing development and the Shoregate Town Centre; PPN 28-A-041-0-00-005.

(d) Northshore Mall Area. Each of the parcels which encompass the area from the South boundary of East 305th Street which fronts on Lakeshore Boulevard, currently housing Rite Aid Drug Store, PPN 28-A-043-O-00-018-0, North to the end of the property which fronts Lakeshore Boulevard currently houses Northshore Mall, PPN 28-A-043-A-00-002-0.

(e) Vine Street Area. On the North side of Vine Street beginning at the intersection of Vine Street and Lakeshore Boulevard on each parcel which fronts Vine Street, Eastbound to the current Springcrest Apartments; On the South side of Vine Street beginning at the western most end of Vine Street on each parcel which fronts Vine Street Eastbound to the Eastlake corporation line.

(f) Southwest Vine Street/Willowick Drive Area. On the Northeast side of Willowick Drive from the property (multiple lots) which currently houses the Lutheran Church Northeast to Vine Street; then East on Vine Street to the Eastlake corporation line; then South to the lot lines of the Single Family parcels on Knobel Drive; then West to the lot lines of the Single Family parcels on Willowick Drive; then North along the property line of the Lutheran Church.

(g) East 305th Street/Euclid Avenue Area. All parcels fronting on the East and West sides of East 305th Street from Lakeland Boulevard South to Euclid Avenue; All parcels fronting on the North side of Euclid Avenue from East 305th Street East to the Willoughby corporation line and West to the Wickliffe corporation line.

(Ord. 2012-16. Passed 3-20-12.)

1145.03 USES.

The Retail District shall have the following main uses, accessory uses, and prohibited uses:

(a) Main Uses Permitted.

- (1) Retail establishments.
- (2) Offices. Professional, administrative, medical, public, semi-public and civil offices and other civil establishments.
- (3) Professional business and service establishments. Professional, craftsman, artisan business uses and personal services when recommended by the Planning Commission and approved by City Council.
- (4) Dining facilities, full service and drive through restaurants, ice cream parlors, pizza or other specialty food establishments.
- (5) Grocery stores.
- (6) School facilities.
- (7) Health club facilities.
- (8) Motor vehicle fueling stations.
- (9) Maximum of four entertainment device arcade(s) per three square mile(s).
- (10) Mechanical amusement devices and game rooms.

(b) Accessory Uses Permitted.

(1) Parking areas for the use of customers of the establishments permitted in Section [1145.03](#)(a).

(2) Building service facilities:

A. Facilities for the disposal of garbage and rubbish complying with the provisions of the Building Code.

B. Facilities shall be provided within an enclosed service area, separate from any pedestrian or vehicular traffic, for any accessory service needs to any retail establishment.

(c) Prohibited Uses.

(1) Retail establishments not conducive to those uses permitted in Section [1145.03](#)(a).

(2) Abortion clinics.

(3) Motels, hotels, or mobile home parks.

(4) Adult oriented material businesses.

(5) Used car sales with the exception of the area identified in Section [1145.02](#)(e).

(Ord. 2012-16. Passed 3-20-12; Ord. 2014-44. Passed 10-21-14; Ord. 2021-39. Passed 10-5-21.)

1145.04 HEIGHT RESTRICTIONS.

(a) No structure within the areas contained in Sections [1145.02\(a\)](#), (d) or (e) shall exceed three stories or thirty-five feet, whichever height is greater, exclusive of a peak style roof.

(b) No structure within the areas contained in Sections [1145.02\(b\)](#) or (c) shall exceed five stories or fifty-five feet, whichever height is greater, exclusive of a peak style roof.

(Ord. 2012-16. Passed 3-20-12.)

1145.05 PARKING AND TRAFFIC PATTERNS.

(a) Within the Retail District areas identified in Section [1145.02\(b\)](#) and (c), it is the intention of this section to secure the safety of pedestrians and vehicles by proper traffic routing and parking, and for the safe loading and unloading at the establishments within these areas.

(1) No permit shall be issued for the construction or alteration of any building within the areas unless the application for such permit includes data showing there is provided space sufficient for the parking of motor vehicles of the employees, patrons, licensees, clients, guests, tenants or other occupants for users thereof, and for proper loading and unloading.

(2) There shall be provided parking space, and loading and unloading space on or adjoining the premises sufficient in capacity to provide two and one-half square feet of parking space and loading and unloading space for each one square foot of floor space on the ground floor of all buildings within these areas.

(3) Adequate access driveways to parking spaces and loading and unloading spaces shall be provided and shall have a concrete apron no less than fifty feet from the curb line, and shall be kept open and unobstructed. All parking spaces, loading and unloading spaces, and the driveways leading thereto shall be smoothly graded with a blacktop or concrete surface, adequately drained, and shall be constructed in such a manner so that the surface water shall not discharge over or onto public sidewalks or streets or onto other premises. Lighting for such spaces and driveways shall be reflected away from adjacent residential areas.

(4) The application shall include a diagram of locations of the places of ingress and egress to ensure that the places of ingress and egress do not unreasonably interfere with the flow of vehicular traffic, or endanger the safety of pedestrians and other passengers traveling on the street and highways adjoining the areas within this District.

(b) Within the Retail District areas identified in Section [1145.02\(a\)](#), (d) and (e), no permit shall be issued for the construction, alteration or occupancy of any building unless the application for such permit includes data showing there is provided space sufficient for the parking of motor vehicles of patrons, licensees, clients, guests, tenants or other occupants thereof.

(1) A building occupied by one use shall provide the off-street parking spaces as required for the specific use.

(2) A building or group of buildings, occupied by two or more uses, operating normally during the same hours, shall provide spaces for not less than the sum of the spaces required for each use, provided, however, if a business development is comprised of twelve thousand square feet or more of building area, the required spaces may be computed for the total area of the building(s), as set forth in Section [1145.05](#)(b)(5).

(3) A restaurant shall provide one space per 100 square feet of floor area or one space for each two seats, whichever requires the greater number.

(4) A retail store, bank or office shall provide one space per 250 square feet floor area on the ground floor, and one space per 400 square feet floor area on the upper floor(s).

(5) For all other establishments, there shall be provided one space per 200 square feet of gross floor area for each floor of the building.

(Ord. 2012-16. Passed 3-20-12.)

1145.06 PARKING AND TRAFFIC OFFENSES; ENFORCEMENT AND PENALTY.

The following provisions apply in the Retail District areas identified in Section [1145.02](#)(b) and (c) only:

(a) Parking and Traffic Offenses.

(1) No person shall refuse or fail to comply with any order, signal or direction of any member of the Police or Fire Departments given or made in connection with the control of traffic or pedestrians.

(2) No operator of a vehicle and no pedestrian shall disobey the instructions of any traffic control device placed in accordance with this section, unless otherwise directed by a police officer.

(3) No person shall operate that vehicle at a speed in excess of fifteen miles per hour, or at a speed greater or less than is reasonable or proper, having due regard to the traffic or surface conditions, or in such a manner to permit the vehicle to stop within the assured clear distance ahead.

(4) No operator of a motor vehicle shall overtake or pass another vehicle proceeding in the same direction unless the other vehicle has come to a stop other than in obedience to a traffic control device.

(5) No person shall operate a motor vehicle in violation of Sections [333.01](#), [333.02](#), [333.025](#), or [333.08](#) of the Codified Ordinances of the City of Willowick.

(6) Right-of-way.

A. An operator of a motor vehicle shall yield the right of way at a stop sign to all vehicles not required to stop, and shall yield the right of way at an intersection or at a place where the lines of traffic cross, to a vehicle approaching from the right in the

absence of a stop sign, except that vehicles proceeding from parking areas into traffic lanes shall yield the right of way to vehicles in such lanes.

B. An operator of a motor vehicle leaving a parking space shall yield the right of way to all other vehicles being operated in a lawful manner.

C. Pedestrians shall have the right-of-way at all times and at all places.

(7) In the case of a collision with another vehicle or other property, the operator of a motor vehicle shall stop, and upon request of another person affected thereby, give such person their name and address, and the name and address of the owner of the motor vehicle. In the event that no other person affected thereby is present, the operator shall immediately stop and take reasonable steps to locate and notify the owner of the other property and give their name and address, and the name and address of the owner of the motor vehicle. In the event that the owner of the property affected thereby is not able to be located within twenty four (24) hours, the operator of the motor vehicle shall contact the Willowick Police Department of all facts regarding the incident.

(8) No person operating or being in charge of a motor vehicle shall permit the vehicle to stand unattended without stopping the engine, removing the key from the ignition and effectively setting the brake.

(9) Parking.

A. No person operating a motor vehicle shall stop, stand or park such vehicle immediately in front of or near at the rear of any building, except while loading or unloading passengers or parcels, in which event the motor vehicle shall be parked parallel to the building line or curb, except trucks loading or unloading at the rear of the building.

B. Except as provided herein, no person shall park a motor vehicle in any place other than those places marked as designated parking spaces.

C. No person shall park a motor vehicle within ten feet of a fire hydrant.

D. No person shall stop, stand or park a vehicle on or across a crosswalk or sidewalk, within twenty feet of a crosswalk, within twenty feet of a stop sign or other traffic control device located at the side of the portion of a shopping center traversed by vehicles, or within ten feet of a doorway or other access or entrance to the rear of a building except a vehicle loading or unloading. The Police Chief is empowered and authorized to designate or approve the marking of no parking areas prescribed by this section by signs or painted line or curbs.

E. No person who is not handicapped, or operating a motor vehicle to transport a handicapped person, shall stop, stand or park any motor vehicle at parking locations which are designated for handicapped persons. Handicapped person means any person who has lost the use of at least one leg or at least one arm; who is blind, deaf or so severely restricted as to be unable to move about without the aid of crutches or a wheelchair, or whose mobility is restricted by permanent cardiovascular, pulmonary or other condition.

(b) The Police Chief shall be empowered and authorized to designate or approve the erection of stop signs at such locations as he or she deems necessary for the safe and efficient movement of motor vehicles and pedestrians. He or she shall be further empowered and authorized to approve the placing of appropriate devices, lines or marks upon the roadways, parking areas and sidewalks to indicate crosswalks, walkways and safety islands at such places as he or she deems necessary.

(c) It shall be the duty of the Police Department to enforce the provisions of this section. In the event of a fire or other emergency, members of the Fire Department shall be authorized to direct traffic and otherwise assist the Police Department.

(d) Any person violating any provision of this section shall be subject to the following penalties:

(1) For a violation of Section [1145.06](#) (a)(1), (2), (3), (4), (6), or (8), a fine in an amount not to exceed one hundred fifty dollars (\$150.00).

(2) For a violation of Section [1145.06](#)(a)(9)(A) through (D), a fine in the amount of twenty-five dollars (\$25.00). In the event that the fine is not received by the Police Department within five days of the violation, the fine shall be fifty dollars (\$50.00).

(3) For a violation of Section [1145.06](#) (a)(9)(E), a fine in an amount not to exceed two hundred fifty dollars (\$250.00).

(4) For a violation of Section [1145.06](#)(a)(5), the penalties as set forth in [Chapter 333](#) of the Codified Ordinances of the City of Willowick.

(Ord. 2012-16. Passed 3-20-12.)

1145.07 CONSTRUCTION; SIGNS; TRASH.

Each building within the area designated in Section [1145.02](#)(b) and (c) shall be architecturally similar in design and of brick or stone construction on all sides. No sign shall be erected without the approval of the design and construction by the Chief Building Inspector. The outside storage of trash is prohibited.

(Ord. 2012-16. Passed 3-20-12.)

1145.08 SCREENING.

The owner of a lot in a Retail District which is being utilized for that use shall provide a six foot fence and a ten foot wide green belt, as provided in Section [1163.12](#), along those sides which abut lots in a Single Family or Multi Family District.

(Ord. 2012-16. Passed 3-20-12.)

1145.09 PLAN APPROVAL.

The Plan Review Board shall approve a preliminary plan under Section [1145.03](#)(a) and (b) upon the finding that the plan meets the requirements and standards of the Zoning Code and other applicable provisions of the Codified Ordinances. Final project plans shall also be submitted to and approved by the Plan Review Board before any

construction is stated if it finds that the plans meet the requirements and standards of the Zoning Code and other applicable provisions of the Codified Ordinances.

(Ord. 2012-16. Passed 3-20-12; Ord. 2021-52. Passed 12-21-21.)

1145.10 PERMANENT STRUCTURES; EXCEPTIONS.

No building or premises, parking lot or garage or any portion thereof shall be used by any vendor of goods, wares, merchandise or services for the conduct of such vendor's business unless the same is conducted in or on the premises of a permanent building or structure licensed by the City for that purpose. The Chief Building Inspector may recommend the issuance of a temporary permit authorizing business or fund raising activities to be conducted within the areas normally designated for vehicular and/or pedestrian traffic and/or parking. Such permission shall not exceed three weeks, and shall be upon such other terms and conditions as the Building Inspector may require. The temporary permit shall not be effective until such time as City Council affirms the recommendation of the Chief Building Inspector, or modifies same.

(Ord. 2012-16. Passed 3-20-12.)

1145.11 DEVELOPMENT STANDARDS; EXCEPTIONS.

The following development and design standards shall apply to all new construction or rehabilitation of buildings or premises in the Retail District within the City and shall be shown in the Preliminary Plan and final project plans:

A. Fundamental Goals for Design and Development

- a. The preservation and promotion of pedestrian access to Lake Erie and public spaces around the lakefront or incorporating it into designs is highly recommended.
- b. The creation of connections will make it easy for people to navigate and connect to adjoining municipalities.
- c. Commercial design projects will emphasize the following concepts:
 - i. **Think Pedestrian First**
 1. Willowick's commercial districts shall be designed and developed to provide for a safe and inviting pedestrian experience.
 2. Buildings should be designed to promote walkability or rehabilitated to recapture the qualities of existing buildings and their original pedestrian orientation.
 3. Business entrances shall engage the street and provide a clear entry sequence.
 4. Sidewalk areas should be wide enough to accommodate pedestrian activity while also allowing space for amenities such as landscaping, benches, transit waiting areas and refuse containers.
 5. Design Elements shall include:
 - a. Windows at street level;

- b. Landscape planters;
- c. Signage to scale (blade and pendant);
- d. Emphasis of window displays;
- e. Entry promotes 4-season activity;
- f. Limited head-in parking;
- g. Limited curb-cuts and vehicle access;
- h. Lighting building facades
- i. Building is to scale with adjacent buildings or properties;
- j. Consistent setbacks to sidewalks with adjacent properties;
- k. Promoting safe outdoor dining experiences;
- l. Emphasis on transitions/connections to Lakefront Park;
- m. Promoting business and retail use;
- n. Preservation of green space

ii. Lakefront Connectivity

- 1. Development or rehabilitation projects in the retail district should include a Lakefront element of design including boats or beach themed signage and sidewalk patterns encouraging pedestrian traffic to the park.

iii. Continuity of Design

iv. Quality of Design

- 1. The retail district should have well designed buildings of high quality materials, thoughtful detailing and have potential for effective reuse.
- 2. Four-sided design is encouraged to utilized and make aesthetically pleasing building elevations.
- 3. Building rehabilitation and new construction shall include the appropriate high quality treatment of all visible elevations.
- 4. Design, construction methods and materials used in rehabilitation work should be appropriate to the period of construction of a building and should include built-in longevity.
- 5. Fundamental Concepts
 - a. Building materials for new and rehabilitated structures should compliment and be compatible with existing historic buildings.
 - b. Unacceptable building materials include stucco or EIFS, split face concrete masonry units, jumbo brick and vinyl siding.
 - c. Design that is contextual and brings visual interest to the streetscape should be encouraged.
 - d. The Secretary of the Interior's Standards for Rehabilitation should be used to guide the

rehabilitation of historic buildings. Demolition of historic buildings is discouraged.

- e. Design elements shall include:
 - i. Maintaining or reinstating bulkheads, storefronts, transoms, doors, windows, cornices and parapets.
 - ii. Maintaining unused secondary door locations in storefronts.
 - iii. Maintaining or reinstating original interior ceiling lights. Ceilings shall not be dropped in front of window openings or transoms. Where necessary, dropped ceilings shall be held off the storefront walls.
 - iv. New construction and additions shall provide a transition, such as a setback or graduated height increase, to buffer visual effect and feeling when adjacent to a historic building.
 - v. Appropriate, traditional, quality building materials shall be used for repair, rehabilitation and new construction.

B. Building and Structure Design and Color Standards

- a. **Purpose of Standards.** In order to protect property values, provide cohesive City character and promote high-quality non-residential development and redevelopment. The following standards shall be adhered to:
 - i. General Design Standards. All buildings and structures shall have an equal level of finish on all sides, and shall utilized not more than two (2) primary building materials and not more than two (2) accent materials.
 - ii. Color Schemes. Building colors shall be earth-toned (i.e. brown, gray, and variations of brown and gray). Bright, chromatic colors are not permitted. All structures shall utilize a single coordinated color scheme with one (1) predominant color and not more than three (3) colors to accent, de-mark or otherwise provide interest to the structure.
 - iii. Architectural Features. The use of long, unbroken building facades shall be avoided. Exterior building facades shall exhibit the use of recesses, fenestration, pilasters, or other architectural features deemed appropriate by the Plan Review Board to provide character. In addition, major building entrances shall be clearly de-marked through the use of architectural features. The use of false building facades is not permitted unless the features present a quality, finished appearance from all sides and are consistent with the purpose of the district.
 - iv. Mechanical Equipment and Utilities. All utilities serving the site, including electric, telephone and all supporting equipment thereto,

including meters, transformers, etc., shall be placed underground or within the main building. Where meters, transformers or other equipment cannot be located within the main building, no such equipment shall be visible from any adjacent property or from any street right of way. Any proposed mechanical equipment shall be integrated into the building design and shall be concealed from view from adjacent properties and from street right of ways.

- b. Primary Building Materials. Acceptable primary building materials include brick, stone, and solid wood fencing. Other building materials determined by the City to be substantially similar in appearance and quality to those listed above may be recommended upon petition to the City of Willowick Planning Commission. Exposed roofing materials shall be earth-tone in color. Appropriate materials shall include asphalt shingles, wood shingles and seamed metal products.
- c. Accent Materials. Acceptable accent materials will include the “primary materials” listed above as well as E.I.F.S., stucco, aluminum siding and vinyl siding. Other building materials determined by the City to be substantially similar in appearance and quality to those listed above may be authorized upon petition to the Willowick Planning Commission.

C. Greenspace and Landscaping Requirements

- a. Landscaping/Ground Cover Required. Any portion of a lot that is not occupied by a structure, parking area, access way, or aisle shall be provided with all-season landscaping and/or vegetative ground cover.
- b. Maintenance of Landscaping/Ground Cover Required. All ground cover and landscaping shall be well maintained and kept reasonably weed-free. Dead or diseased plant material shall be immediately replaced.
- c. Landscape Plan Required. A Landscape Plan shall be provided at the time of the submission of the Preliminary Plan with a chart indicating the scientific and popular name of each species of landscaping proposed, the proposed height of the species at planting and at maturity, and the specific number of each species. **Landscape plans shall comply with the requirements of Chapter 1163.** The Zoning Inspector shall have discretion to approve minor modifications to the Landscape Plan affecting less than 20% of the landscaped area of the property and involving the replacement of existing landscaping, addition of landscaping, or other incidental modifications to the Landscape Plan.

The Planning Commission shall have the authority to waive the standards set forth in Section [1145.04](#) if it determines, after a public hearing, that due to unique circumstances, the minimum height restrictions set forth therein cannot practically be achieved, and that the adjustments proposed will not have a material adverse impact on the City.

(Ord. 2012-16. Passed 3-20-12.)