



# Quick Guide for New Businesses in Downtown Village of Wellington

Village of Wellington  
115 Willard Memorial Square  
Wellington, Ohio 44074

## QUICK GUIDE FOR NEW BUSINESSES IN DOWNTOWN VILLAGE OF WELLINGTON

The purpose of this guide is to provide a quick resource for information to new or potential business owners and operators seeking to locate in downtown Village of Wellington, and to help them understand the various rules, regulations, and procedures that they may encounter, along with approvals and permits they may be required to obtain. Please be cognizant of these as you enter into a lease or purchase agreement.

### 1) AN INTRODUCTORY MEETING

The Village of Wellington along with Main Street Wellington and the Village of Wellington Area Chamber of Commerce are eager to welcome and support your new venture in the heart of our community. Contact Marla Lent, Planning and Zoning Coordinator, to set up an initial introductory meeting at (440)-647-4626.

### 2) DETERMINATION OF ZONING COMPLIANCE

Downtown Village of Wellington is located in the Central Business (CB-1), which allows for a wide range of commercial uses (retail, restaurant, personal, and professional services) as well as residential uses on the upper floors of multi-story buildings. One of your first steps should be to contact the Village's Planning and Zoning Department (440-647-4626) to discuss your proposed new use and obtain **use change approval**, if it is determined to be necessary.

A **use change** occurs whenever a new business opens in an existing structure that is properly zoned for the proposed use, but where the proposed new use differs significantly from the previous use. A new business needs to be evaluated for both zoning compliance and **commercial building and fire code compliance**, which is discussed in the next section.

Zoning compliance for many new business uses in the Central Business District can be approved by the Planning and Zoning Administrator, especially when the new use is similar to the former use. For example, a new restaurant may be proposed for a space previously occupied by a bar or restaurant. A clothing retailer that decides to occupy space formerly used for retail sales of office supplies is another example of *similar uses* that can be approved by the Planning and Zoning Director.

New business uses where the proposed use is *dissimilar* to the previous use (for instance, opening a retail shop at the site of a former restaurant) **may** require approval by the Planning Commission. Each application will have to be evaluated on its own merit.

New businesses that require site modifications, such as building additions, decks, patios, and off-street parking spaces will likely require Planning Commission approval regardless of the proposed use.

#### ACTION ITEMS:

- Contact the Planning and Zoning Department (440-647-4626) to discuss the proposed business venture and its location; determine zoning compliance.
- Complete and submit a zoning permit application along with required drawings prepared in triplicate to the Planning and Zoning Department.
- If necessary, Planning and Zoning Department will schedule Planning Commission review. Meetings are held the 4<sup>th</sup> Wednesday of each month.

### 3) BUILDING OCCUPANY

Prior to occupying a building or land, a person must first make application and be approved for an occupancy permit. No person shall use or occupy a building that is created, erected, changed, converted or partially altered or enlarged in its use or structure until an occupancy permit is granted. Examples requiring occupancy permits include but are not limited to, new construction, opening a new business, new tenant or lessee.

#### Action Items:

- Complete occupancy permit application and submit to Planning and Zoning Administrator's Office
- Zoning Inspector will visit building or premises to ensure all zoning requirements are met.

### 4) DETERMINATION OF BUILDING AND FIRE CODE COMPLIANCE

Even if a new business use is found to be in compliance with the Village's zoning ordinance, it must still demonstrate compliance with the applicable commercial building and fire codes. The Village of Wellington contracts with a third party Building Inspector for the permitting, review, and inspection authority for all structures used for **residential and non-residential** purposes. Mixed-use buildings (i.e. those with commercial and residential components) and structures with four (4) or more residential dwelling units or apartments are considered commercial structures and are subject to oversight and review by the Village of Wellington's Building Inspector.

Because of uncertainties involved in determining building code compliance, applicants are strongly advised to retain an architect to do a "walk-through" inspection prior to signing a lease or purchasing the building. This inspection allows the architect to determine what improvements may be required to bring the property into compliance with applicable building codes and to provide estimates for the cost of these improvements.

If the new use also requires building additions, structural rebuilding, or modifications and upgrades to the building's electrical, HVAC, and/or plumbing systems (i.e. moving, adding, or building a new restroom, moving electrical outlets, walls, etc.), building permits, plan approvals, building permits, and inspections must be performed by the Village's Building Official. This is another reason why it may be advantageous to retain an architect or other design professional to help you navigate this step.

Finally, applicants should also contact Village of Wellington Fire Department (440-647-2245) to set up a fire safety inspection before opening for business.

#### ACTION ITEMS:

- Evaluate the scope of your project and what changes you plan on making to the building or its mechanical systems.
- Contact the Planning and Zoning Department to discuss the proposed new use, modifications, and updates you plan to make to the building.
- Determine whether you would benefit from retaining an architect to determine what improvements may be required for code compliance and/or to assist with interactions with the Building Official.

## 5) DESIGN REVIEW DISTRICT

In addition to the possible commercial building permits that may be required, §1182 of Village of Wellington Zoning Code states that exterior changes to buildings which would have an impact to the outside appearance of the structure, as determined by the Building and/or Zoning Inspector, and located in the Design Review District, shall be reviewed by the Design Review Board (DRB).

Examples of changes include, but are not limited to; things, such as, exterior paint color changes, remodeling which involves the alteration of any exterior design feature, including a foundation, alteration of a roofline, the construction or enclosure of any porch, deck or breeze way, the replacement of windows, or siding; the placement, replacement or reconstruction of any sign; the addition or replacement of doors, awnings, canopies, or other exterior design features or materials.

Any changes to the exteriors of buildings or signage, as determined by the Building and/or Zoning Inspector, will need to be reviewed by the DRB and found to be in compliance with the Design Review District Design Guidelines. Copies of the design guidelines and DRB application can be obtained on Village of Wellington's Planning and Zoning Department webpage, along with information about the design review application process and submission requirements <https://www.villageofwellington.com/74/Planning-and-Zoning-Department>

### ACTION ITEM:

- Complete and submit application for Design Review Board Review and Approval.

## 6) SIDEWALK CAFÉS

Sidewalk café's encourage a pedestrian-oriented environment and help create a visually attractive atmosphere and promote overall commerce. The Village has provisions that allow businesses to set up sidewalk café's on public sidewalks in the downtown business district. To promote a consistent approach and ensure public/pedestrian safety, the Village has adopted **Downtown Sidewalk Café Guidelines**. Copies of the guidelines and permit application can be obtained at the Village's Planning and Zoning Department webpage: <https://www.villageofwellington.com/164/Sidewalk-Cafe-Permit>

### ACTION ITEM:

- Complete Sidewalk Café Permit Application if applicable; submit application, drawings and associated fee directly to the Planning and Zoning Office for review and approval.

## 7) FINANCIAL INCENTIVES

Downtown Village of Wellington is a Community Reinvestment Area (CRA). The CRA program is an economic development tool offered and administered by the Village to encourage commercial development and residential renovation in the downtown area. The CRA provides real estate tax abatements on the increased value of real property improvements within the CRA's target area.

The value of the tax abatement is determined individually for commercial projects and can reach up to a 100% abatement of the improved real property tax valuation for up to 10 years. Abatement terms and conditions are based upon individual project factors such as estimated annual payroll and costs associated with the purchase and rehabilitation of a structure.

Because the Village of Wellington Village School District is the primary recipient of property tax collections, abatement requests of greater than 50% will require the approval of the Village of Wellington Village School District Board of Education and the execution of a compensation agreement with the District.

Any property owners within the designated CRA interested in the program should contact the Village Manager's Office for more information: 440-647-3827.

### **8) FURTHER ASSISTANCE**

If you still have questions about opening a business in downtown Village of Wellington, contact the Village of Wellington Planning and Zoning Department for additional assistance: 440-647-4626.

### **ADDITIONAL CONTACT INFORMATION**

<b>Village of Wellington Planning &amp; Zoning Dept.</b>	<a href="https://www.villageofwellington.com/74/Planning-and-Zoning-Department">https://www.villageofwellington.com/74/Planning-and-Zoning-Department</a>	(440) 647-4626
<b>Village of Wellington Fire Dept.</b>	<a href="https://www.villageofwellington.com/100/Community-Fire-District">https://www.villageofwellington.com/100/Community-Fire-District</a>	(440) 647-2245
<b>Lorain County Building Dept.</b>	<a href="https://www.cityoflorain.org/423/Building-Housing-and-Planning">https://www.cityoflorain.org/423/Building-Housing-and-Planning</a>	(440) 329-5207
<b>Lorain County Health Dept.</b>	<a href="https://www.loraincountyhealth.com/">https://www.loraincountyhealth.com/</a>	(440) 322-6367
<b>Main Street Wellington</b>	<a href="https://www.mainstreetwellington.org/">https://www.mainstreetwellington.org/</a>	(330) 331-4414
<b>Village of Wellington Chamber of Commerce</b>	<a href="https://www.facebook.com/WellingtonChamber/">https://www.facebook.com/WellingtonChamber/</a>	(440) 647-2222