

CITY OF OBERLIN, OHIO

ORDINANCE No. 14-64 AC CMS

AN ORDINANCE AMENDING CHAPTER 1327 OF THE CITY OF OBERLIN CODIFIED ORDINANCES AND DECLARING AN EMERGENCY

WHEREAS, the Oberlin City Council has proposed certain amendments to Chapter 1327 of the Oberlin Codified Ordinances; and

WHEREAS, the Oberlin Planning Commission has considered said amendments and has recommended to Council that the proposed amendments be adopted; and,

WHEREAS, the Oberlin Planning Commission has approved this Ordinance; and,

WHEREAS, this Council has held a public hearing concerning said amendments and has given notice of same pursuant to law.

NOW THEREFORE BE IT ORDAINED, by the Council of the City of Oberlin, County of Lorain, State of Ohio not less than five-sevenths (5/7ths) of all members elected thereto concurring:

SECTION 1. That Sections 1327.01 through 1327.06 of Chapter 1327 of the City of Oberlin's Codified Ordinances are hereby amended to read as set forth in **Exhibit A** attached hereto and incorporated herein by reference.

SECTION 2. It is hereby found and determined that all formal actions of this Council concerning or relating to the adoption 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 action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

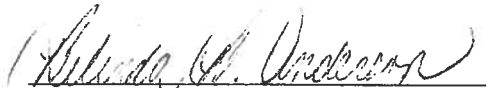
SECTION 3. That this ordinance is hereby declared an emergency measure necessary for the immediate preservation of the public peace, health and safety of the citizens of the City of Oberlin, Ohio, or to provide for the usual daily operation of a municipal department, to wit: to provide for an orderly and efficient procedure for amendments to the zoning map or text of the zoning code and to address certain omissions in the current form of the procedures and shall take effect immediately upon passage.

PASSED: 1st Reading: November 17, 2014

2nd Reading: December 1, 2014 (P), December 15, 2014 (A)


3rd Reading: January 5, 2015 (Effective in 30 days)

ATTEST:



BELINDA B. ANDERSON, MMC
CLERK OF COUNCIL

POSTED: 01/06/2015



H. SCOTT BROADWELL
PRESIDENT OF COUNCIL

EFFECTIVE DATE: 02/04/2015

ORDINANCE No. 14-64

EXHIBIT A

CHAPTER 1327

1327.01 INITIATION OF ZONING MAP OR TEXT CHANGE.

A proposed change of the Zoning Map or the text of the Zoning Code ("Zoning Amendment") may be initiated by City Council, by the independent recommendation of the Planning Commission or upon petition of the owner or an authorized agent of the owner of the property to which the change to the Zoning Map or text would apply.

1327.02 PETITION AND FEE.

Any property owner proposing a Zoning Amendment shall file a petition with the Planning Commission and copy of such petition with City Council. Notice of the submission of such petition shall be posted on the City website and in the same manner as other public notices within the City. The petition shall include a completed application form, any site or building plans and the fee in the amount prescribed by ordinance.

1327.03 REVIEW

For any petition filed by a property owner or for any referral of a proposed change made by Council motion, the Planning Commission shall be allowed no less than thirty (30) days, and no more than sixty (60) days, to review the petition or referral.

The Planning Commission may recommend the approval, disapproval or modification of any proposed Zoning Amendment and shall submit its recommendation in writing to Council.

1327.04 COUNCIL HEARING

Upon receipt of a recommendation from the Planning Commission, Council shall hold a public hearing before the adoption of the proposed Zoning Amendment.

Notice of the public hearing on the proposed Zoning Amendment shall be given thirty (30) days prior to the hearing by at least one (1) publication of the date, time and place of the hearing thereon in a newspaper of general circulation in the City, and notice shall be sent by regular mail to any petitioner and all property owners of record within 200 feet of the property that is the subject of the proposed Zoning Amendment.

1327.05 ACTION BY COUNCIL.

After the public hearing required by Section 1327.04, Council shall either adopt or deny the recommendation of the Planning Commission or adopt some modification thereof all by at least a 4/7th majority vote of its members, conflicting provisions relating to the number of votes contained in Section 713.12 of the Ohio Revised Code being hereby declared to be inoperative. Any proposed Zoning Amendment may be amended by Council prior to the final passage of the ordinance adopting such Zoning Amendment without further notice or postponement.

1327.06 EFFECT OF FAILURE TO NOTIFY INTERESTED PERSONS.

The failure to notify any owner or occupant of property under Section 1327.04 shall not invalidate any ordinance implementing a Zoning Amendment, provided such failure was not intentional.