

ORDINANCE NO.: 2019 – 76

INTRODUCED BY: MAYOR AND COUNCIL AS A WHOLE

AN EMERGENCY ORDINANCE TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF OAKWOOD THE QUESTION OF AMENDING AND SUPPLEMENTING THE VILLAGE CHARTER TO AUTHORIZE VILLAGE COUNCIL TO PERMIT PRODUCTION-DISTRIBUTION USES DESCRIBED IN OAKWOOD C.O. 1173.03 ON CERTAIN PROPERTIES IN THE VICINITY OF NORTH LANE IN THE VILLAGE WHICH ARE PRESENTLY ZONED R1F RESIDENTIAL.

WHEREAS, Council desires to place before the electorate of the Village a proposed Amendment to the current Village Charter to authorize Village Council to permit Production-Distribution uses described in Oakwood C.O. Section 1173.03 on certain properties in the vicinity of North Lane in the Village which are presently zoned R1F Residential; and

WHEREAS, Section 12.01 of the Village Charter and the Ohio Constitution require that Council submit to the electors any proposed alterations, revisions or amendments to the Charter at the next regular election or at a special election on a date designated by Council after submission by Council of the proposed Charter Amendment;

NOW, THEREFORE, Be It Ordained by the Council of the Village of Oakwood, County of Cuyahoga, State of Ohio, that:

Section 1: There shall be submitted to the electors of the Village of Oakwood, Ohio, at a special election to be held on the date of the primary election on the 17th day of March, 2020, the question of an amendment to the Charter of the Village of Oakwood and to provide therefor by amending and supplementing Article X of the Village Charter by the addition of a new Section 10.15 which upon the effective date of passage of the amended and supplemented new Section 10.15 shall read as follows:

"SECTION 10.15 NORTHERLY PRODUCTION-DISTRIBUTION DISTRICT

Notwithstanding the provisions of Sections 10.01 through 10.14 of the Village Charter and provisions of the current Codified Ordinances to the contrary, Village Council by a 2/3rds affirmative vote of its members is hereby authorized to permit Production-Distribution uses described in Oakwood C.O. Sec. 1173.03 on the following parcels located in the vicinity of North Lane in the Village which are presently zoned R1F Residential: Permanent Parcel Numbers 795-50-009, 795-50-010, 795-50-011 and 795-50-012, subject to such standards and requirements as are to be established by ordinance of Council.

Section 2: A diagram detailing the property involved is attached hereto and incorporated herein as Exhibit A and a legal description of the property involved is attached hereto and incorporated herein as Exhibit B.

Section 3: The ballot of said election shall at the top thereof be entitled, "Proposed Charter Amendment," a majority affirmative vote is necessary for passage and the question to be submitted on said ballot shall be in words as follows:

"Shall Article X of the Charter of the Village of Oakwood be amended and supplemented by adding Section 10.15 authorizing Village Council to permit by a 2/3 rds affirmative vote of its members Production-Distribution uses described in Oakwood C.O. Sec. 1173.03 on the following parcels located in the vicinity of North Lane in the Village which are presently zoned R1F Residential: 795-50-009, 795-50-010, 795-50-011 and 795-50-012, subject to such standards and requirements as are to be established by ordinance of Council?"

"YES - For Passage

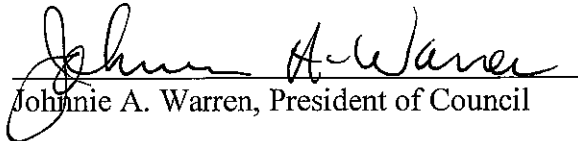
NO - Against Passage"

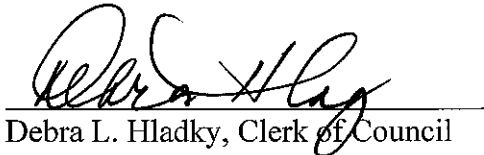
Section 3: The Clerk of Council is hereby authorized and directed to forward a certified copy of this Ordinance to the Board of Elections of Cuyahoga County and cause notice of the foregoing proposed Charter amendment to be given in accordance with general law.

Section 4: To pay the cost of publishing said notice, there be and is hereby appropriated from the General Fund such sums of money as may be required.

Section 5: This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the citizens of the Village of Oakwood for the reason that it is necessary to submit the proposed Charter Amendment to the Board of Elections for placement upon the ballot for the primary election to be held March 17, 2020 in order for the Village to avail itself of economic development opportunities for the benefit of its citizens and for which time is of the essence and, therefore, this Ordinance shall take effect and be in force immediately upon its passage and approval by the Mayor.

PASSED: December 17, 2019


Johnnie A. Warren, President of Council

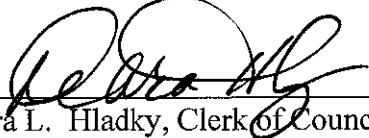

Debra L. Hladky, Clerk of Council

Presented to the
Mayor: December 18, 2019

Approved: December 18, 2019

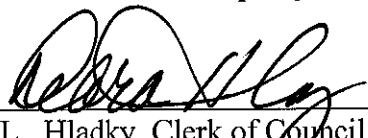

Mayor, Gary V. Gottschalk

I, Debra L. Hladky, Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that the foregoing Ordinance No. 2019 - 76 was duly and regularly passed by this Council at the meeting held on the 17 day of December 2019.


Debra L. Hladky, Clerk of Council


POSTING CERTIFICATE

I, Debra L. Hladky, Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that Ordinance No. 2019 - 76 was duly posted on the 18 day Dec of —, 2019 and will remain posted for a period of fifteen (15) days thereafter in the Council Chambers and in not less than five (5) of the most public places in the municipality as determined by the Council of the said Village.


Debra L. Hladky, Clerk of Council

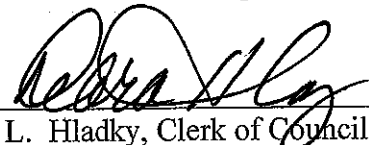
DATED: 

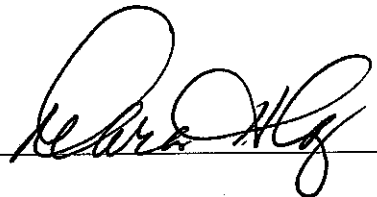
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Debra L. Hladky, Clerk of Council

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Debra L. Hladky, Clerk of Council

DATED: 

I, Debra L Hladky, Clerk of Council, Village of Oakwood, County of Cuyahoga, State of Ohio, do hereby certify this to be a true and exact copy of Ordinance 2019-76 passed by Oakwood Village Council on the third (3rd) reading on the _____ day of December, 2019 by a vote of six (6) out of six (6) council persons present.

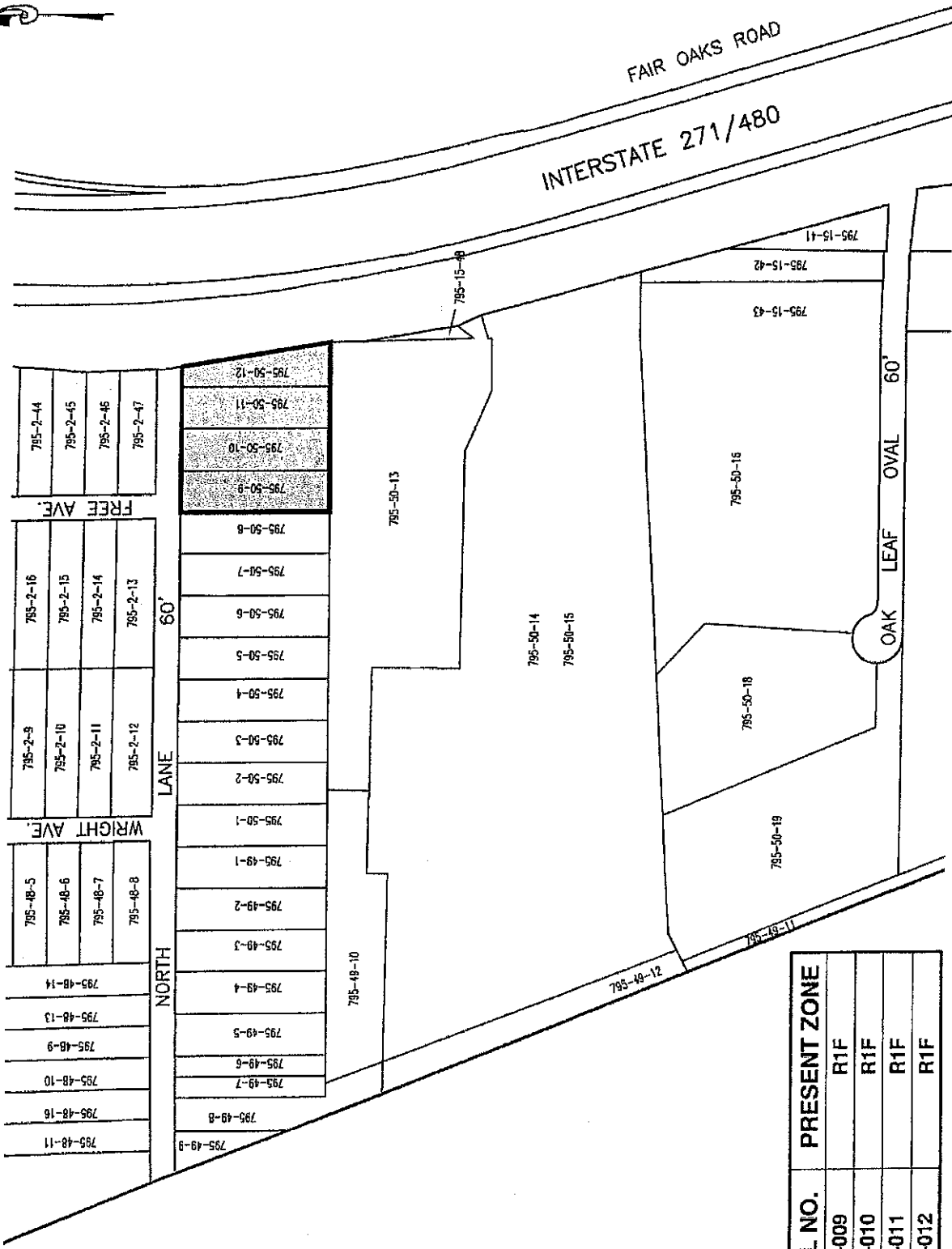
Certified this _____ day of _____, 20____.

Debra L Hladky, Clerk of Council

Date

EXHIBIT A

PROPOSED NORTHERLY PRODUCTION DISTRIBUTION DISTRICT



PARCEL NO.	PRESENT ZONE
795-50-009	R1F
795-50-010	R1F
795-50-011	R1F
795-50-012	R1F

EXHIBIT B

LEGAL DESCRIPTION FOR

PROPOSED NORTHERLY PRODUCTION - DISTRIBUTION DISTRICT

VILLAGE OF OAKWOOD, OHIO

November 21, 2019

Area Presently Zoned Residential Single Family (R1F)

Situated in the Village of Oakwood, County of Cuyahoga and State of Ohio and further described as follows:

Beginning at the northeasterly corner of Permanent Parcel No. 795-50-012, said point also being on the westerly Limited Access Line of Interstate 271/480, and the southeasterly corner of the North Lane Right of Way, and the place of beginning;

Thence southeasterly along the westerly Limited Access Line of Interstate 271/480, to the southeasterly corner of Permanent Parcel 795-50-012, said point also being the northwesterly corner of Permanent Parcel No. 795-50-013;

Thence westerly along the northerly property line of Permanent Parcel No. 795-50-013 to the southeasterly corner of Permanent Parcel No. 795-50-008, said point also being the southwestly corner of Permanent Parcel 795-50-009;

Thence northerly along the easterly property line of Permanent Parcel No. 795-50-008 to the northeasterly corner of Permanent Parcel No. 795-50-008, said point also being the northwesterly corner of Permanent Parcel 795-50-009 and a point on the southerly Right of Way line of North Lane;

Thence easterly along the southerly Right of Way line of North Lane to the northeasterly corner of Permanent Parcel 795-50-012, said point also being southeasterly corner of the North Lane Right of Way and on the westerly Limited Access Line of Interstate 271/480, and the place of beginning.



**Cuyahoga County Board of Elections
Candidate & Petition Services
2925 Euclid Avenue - 2nd Floor
Cleveland, OH 44115**

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Issue Filing Receipt

Date Received: 12/19/2019 2:59:30 PM
 Name of Filer: Debra Hladky
 Position of Filer: Clerk of Council
 Name of Contact: Jim Climer
 Position of Contact: Law Director
 Address: 24800 Broadway Ave Oakwood Village, OH 44146
 Telephone Number: 440-248-7906
 Email Address: jclimer@mrrlaw.com
 Requested Election Date: 3/17/2020
 Municipality/School Board: VILLAGE OF OAKWOOD
 Type of Issue: Proposed Charter Amendment
 Sub-Type of Issue:

Ballot Language: Shall Article Article X of the Charter of the Village of Oakwood be amended and supplemented by adding Section 10.14 authorizing Village Council to permit by a two-thirds (2/3) affirmative vote of its members Light Industrial uses in Oakwood C.O. Section 1173.02 on the following parcels located in the vicinity of Alexander and Macedonia Roads in the Village which are presently zone R1F Residential: PP#'s 795-18-034, 795-18-057 (the Southerly 65 feet of the parcel), 795-18-033 (the Southerly 65 feet of the parcel), 795-18-032 (the Southerly 65 feet of the parcel), 795-18-031 (the Southerly 65 feet of the parcel), 795-18-030, 795-28-006, 795-28-013, 795-28-005, 795-28-008 (the Westerly 134 feet of the parcel), 795-28-002 (the Westerly 134 feet of the parcel), subject to such standards and requirements as are to be established by ordinance of Council?

Documents Filed: Ord. 2019-75
 Ord. 2019-76
 Received By: Cory Milne
 Receipt Copy to: Municipality / School Board
 Candidate & Petition Services
 Fiscal Services

For Office Use Only: Receipt Number - 1058