

RESOLUTION NO. 2019 - 25

INTRODUCED BY MAYOR AND COUNCIL AS A WHOLE

A RESOLUTION REFERRING TO THE PLANNING COMMISSION FOR REPORT AND RECOMMENDATION A PROPOSED ORDINANCE REPEALING OAKWOOD VILLAGE CODIFIED ORDINANCE SECTIONS 1169.03(b)(3)(H), 1173.02(a)(4) AND 1173.03(a)(4) AND ENACTING OAKWOOD VILLAGE CODIFIED ORDINANCE SECTION 1175.01(48) SO AS TO PROHIBIT STORAGE AND DISTRIBUTION FACILITIES WITHIN THE VILLAGE AS PERMITTED OR CONDITIONAL MAIN USES AND DECLARING AN EMERGENCY.

WHEREAS, the Village Council, under authority of Oakwood Village Codified Ordinance Section 1151.01, deems it advisable to repeal Oakwood Village Codified Ordinance Sections 1169.03(b)(3)(H), 1173.02(a)(4) and 1173.03(a)(4) so as to eliminate storage and distribution facilities as permitted or conditional main uses within the Village; and,

WHEREAS, the Village Council, under authority of Oakwood Village Codified Ordinance Section 1151.01, deems it advisable to enact Oakwood Village Codified Ordinance Section 1175.01(48) so as to prohibit storage and distribution facilities as permitted or conditional main uses within the Village; and,

WHEREAS, Oakwood Village Charter Section 10.02(C) requires that, prior to passage, any Ordinance referring to zoning be submitted to the Planning Commission for report and recommendation;

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Oakwood, County of Cuyahoga, and State of Ohio that:

SECTION 1. Proposed Ordinance No. 2019 - , attached hereto and made a part hereof by reference and marked Exhibit "A", which repeals Oakwood Village Codified Ordinance Sections 1169.03(b)(3)(H), 1173.02(a)(4) and 1173.03(a)(4) so as to eliminate storage and distribution facilities as permitted or conditional main uses within the Village and enacts Oakwood Village Codified Ordinance Section 1175.01(48) so as to prohibit storage and distribution facilities as permitted or conditional main uses within the Village be and hereby is referred to the Planning Commission pursuant to Oakwood Village Charter Section 10.02(C) for report and recommendation.

SECTION 2. The Clerk of Council be and is hereby authorized and directed to refer the attached proposed Ordinance No. 2019 - to the Planning Commission for report and recommendation pursuant to Oakwood Village Charter Section 10.02(C) and the Codified Ordinances of the Village.

SECTION 3. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the Village, the reason for the emergency being that the same relates to the daily operation of a

2019-25 Refer Prohibited Storage & Distribution as uses municipal department and potential economic development activities adverse to the interests of the Village, its citizens and persons working within the Village and, therefore, provided it receives two-thirds of the vote of all members of Council elected thereto, said Resolution shall be in full force and effect immediately upon its adoption by this Council and approval by the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: April 9, 2019

Johnnie A. Warren
Johnnie A. Warren, President of Council

Debra L. Hladky
Debra L. Hladky, Clerk of Council

Presented to the Mayor April 10, 2019

Approved: April 10, 2019

Gary V. Gottschalk
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 Resolution No. 2019-25 was duly and regularly passed by this Council at the meeting held on the 9 day of April.

Debra L. Hladky
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 Resolution No. 2019-25 was duly posted on the 10 day of April, 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
Debra L. Hladky, Clerk of Council

DATED: April 10, 2019