

RESOLUTION NO. CRC 2020 - 09

INTRODUCED BY CHARTER REVIEW COMMISSION AS A WHOLE

A RESOLUTION REFERRING TO OAKWOOD VILLAGE COUNCIL RECOMMENDED AMENDMENTS TO OAKWOOD CHARTER SECTION 10.02

WHEREAS, Oakwood Charter Section 12.02 commits to the Oakwood Charter Commission the responsibility to review the Oakwood Village Charter and recommend to Oakwood Village Council any alterations, revisions and amendments to the Charter as may be deemed advisable within the judgment of the Commission; and

WHEREAS, the Commission has been duly appointed and it has met and reviewed the Charter; and

WHEREAS, the Commission deems it advisable to amend Section 10.02 of the Charter so that it eliminates the redundancy of both the Planning Commission and Village Council holding public hearings on the same zoning issue, and to streamline the re-zoning process.

NOW THEREFORE, BE IT ORDAINED that the Charter Review Commission of the Village of Oakwood, County of Cuyahoga, and State of Ohio recommends to the Oakwood Village Council that:

SECTION 1. Oakwood Village Charter Section 10.02 which presently reads as follows:

Sec. 10.02. FUNCTIONS OF PLANNING COMMISSION.

A. GENERAL FUNCTIONS.

It shall be the function and duty of the Planning Commission to make and adopt a general plan for the development and improvement of the Municipality. No general plan or portions thereof or amendments thereto shall be adopted by the Commission until after a public hearing thereon. So much of the general plan as may be established, or from time to time amended, by ordinance of Council shall constitute the official plan and map of the Municipality.

B. POWERS AND DUTIES.

The Planning Commission shall have the power or recommendation concerning the plan, design, location, removal, relocation and alteration of any building or structure belonging to the Municipality or located in or on public streets or public property; the location, widening, extension and vacation of streets, parks, parkways, playgrounds, recreation areas and other public places; the approval of plats for the subdivision of lands, the zoning of the Municipality for the purpose of regulating the location of trades, industries, multiple dwelling districts or other uses of the property, the height and design of buildings, the percentage of area of the lot which may be occupied by building, the area of lot per family of

occupation, the provision of yard spaces, the fixing of building lines and the preparation of plans or maps for the future physical development and harmonious improvement of the Municipality; and such other powers as are now or hereafter may be conferred by ordinance of the Council.

C. MANDATORY REFERRAL.

No public building, street, boulevard, parkway, park, public land, playground, dock, wharf, aviation field, utility, bridge, tunnel, or part thereof shall be constructed or authorized to be constructed in the Municipality, or purchased, or sold, or shall any street, avenue, parkway, boulevard or alley be opened for any purpose whatsoever, or shall any street, avenue, parkway, boulevard or alley be widened, narrowed, relocated, vacated, or its use changed or any ordinance referring to zoning or other regulations controlling the use or development of lands be passed, or become effective or binding upon the Municipality unless and until Council shall have first submitted the same to the Planning Commission for report and recommendation. Any matter so referred to the Planning Commission shall first be considered by the Planning Commission at a public hearing, to be held not earlier than fifteen (15) days after publication of notice thereof in a newspaper of general circulation in the Municipality, and thereafter shall be acted upon by it within sixty (60) days from the date of referral unless a longer time be allowed by Council. If the Planning Commission shall fail to act within the time allotted, Council may act thereon as if it has received a recommendation of approval in such matter. Any provision of any ordinance, resolution or order disapproved by formal action of the Planning Commission shall require a concurrence of three-fourths (3/4) of the members of Council for adoption or authorization.

When the Planning Commission shall make a recommendation to the Council for a change in, or addition to any zoning ordinance or building code, Council shall study each recommendation and take action within sixty (60) days by placing on its first reading an ordinance properly covering such recommendation. Final action by Council on such ordinance shall be taken by placing said ordinance on its third and final reading no later than sixty (60) days after its first reading.

should be amended to read as follows:

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A “redline” version showing the proposed amendments is attached hereto as Exhibit “A”.

SECTION 2. The Secretary of the Commission is hereby authorized and directed to refer the proposed amendment to the Oakwood Village Council for its consideration as provided in

Oakwood Village Charter Sections. 12.01 and 12.02.

PASSED: _____

Debra L. Hladky, Secretary of the Commission

Exhibit "A"

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~~shall be acted upon by it~~ within ~~sixty (60)~~thirty (30) days from the date of referral unless a longer time be allowed by Council. If the Planning Commission shall fail to act within the time allotted, Council may act thereon as if it has received a recommendation of approval in such matter. Any provision of any ordinance, resolution or order disapproved by formal action of the Planning Commission shall require a concurrence of three-fourths (3/4) of the members of Council for adoption or authorization.

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