

ORDINANCE NO. 25-15

AN ORDINANCE AMENDING SECTION 1270.07(c) OF THE CODIFIED ORDINANCES OF THE CITY OF AVON REGARDING AREA REQUIREMENTS FOR OUTDOOR STORAGE OF BULK MATERIALS IN BUSINESS DISTRICTS

WHEREAS, the Administration has been considering amendments to the Planning and Zoning Code dealing with area restrictions on outdoor storage and outdoor display; and

WHEREAS, such an amendment would be to §1270.07(c) of the Codified Ordinances as it pertains to the area of a lot that can be devoted to outdoor storage in non-residential districts; and

WHEREAS, the Planning Commission authorized a Public Hearing on said amendment which was duly publicized according to law and held on February 18, 2015; and

WHEREAS, on February 18, 2015, after fully discussing the proposed amendment to §1270.07(c), Planning Commission, by a vote of five (5) in favor and zero (0) opposed, recommended approval of the amendment to Section 1270.07(c) of the Planning and Zoning Code; and

WHEREAS, Council, on March 2, 2015 authorized a Public Hearing; and

WHEREAS, said Public Hearing was duly publicized according to law and was held on April 13, 2015 at 7:20 p.m.; and

WHEREAS, Council finds that this recommendation is reasonable and in the best interests of the safety, health and welfare of the City and deems it desirable that Section 1270.07(c) of the Codified Ordinances be amended.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON, LORAIN COUNTY, OHIO:

Section 1 - That Section 1270.03(c) of the Codified Ordinances of the City of Avon which currently reads as follows:

1270.07 OUTDOOR DISPLAY.

Outdoor display of merchandise for sale other than for automotive sales shall comply with the following:

- (c) Area. The area of lot devoted to outdoor display shall not exceed 25% of the ground floor area of the principal building. This limitation shall not apply to automotive sales and rental establishments.

Shall be amended to read as follows: (new language in bold print)

1270.07 OUTDOOR DISPLAY.

Outdoor display of merchandise for sale other than for automotive sales shall comply with the following:

- (c) Area. The area of lot devoted to outdoor display shall not exceed 25% of the ground floor area of the principal building. This limitation shall not apply to automotive sales, ~~and~~ rental **establishments and bulk material** (See definition of **“bulk material”** in §1222.02).

Section 2 - That it is found and determined that all formal actions of this Council concerning and relating to the passage 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 actions 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 shall take effect and be in force at the earliest date allowed by law.

First Reading: _____

Second Reading: _____

Third Reading: _____

PASSED: _____ DATE SIGNED: _____

By: _____

Craig L. Witherspoon, Council President

DATE APPROVED BY THE MAYOR: _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director

ATTEST:

Ellen R. Young
Clerk of Council

POSTED: _____

In Five Places as
Provided by Council

Prepared by:
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Law Director