

**ORDINANCE NO. 3-15**

**AN ORDINANCE TO AMEND §1244.08 OF THE CODIFIED ORDINANCES OF THE CITY OF AVON TO PERMIT PLANNING COMMISSION TO REQUEST ADDITIONAL INFORMATION INCLUDING AUTOTURN® OR ITS EQUIVALENT**

**WHEREAS**, the Planning Coordinator has recommended changes to the Planning and Zoning Code §1244.08 to include additional information that can be beneficial to the planning process; and

**WHEREAS**, the Planning Commission authorized a Public Hearing on said amendment which was duly publicized according to law and held on December 17, 2014; and

**WHEREAS**, on December 17, 2014, by a vote of five (5) to zero (0), Planning Commission recommended approval of said amendments to 1244.08 of the Planning and Zoning Code; and

**WHEREAS**, Council, on January 12, 2015, authorized a Public Hearing; and

**WHEREAS**, said Public Hearing was duly publicized according to law and was held on February 9, 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 Chapter 1244 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 1244.08, which currently reads as follows:

1244.08            REVIEW BY CITY CONSULTANTS.

The applicant for preliminary and/or final plat approval must deposit funds, in an amount deemed sufficient by the City, to enable the city to conduct a thorough review of the plat so submitted by a certified planner and/or other design professionals. (Ord. 80-12. Passed 9-10-12.)

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

1244.08            **REQUEST FOR ADDITIONAL INFORMATION.**

**(a)**     The applicant for preliminary and/or final plat approval must deposit funds, in an amount deemed sufficient by the City, to enable the city to conduct a thorough review of the plat so submitted by a certified planner and/or other design professionals.

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**(b) In review of an application for preliminary plat and/or final plat approval, the Planning Commission may request that the applicant supply additional information that the Commission deems necessary to adequately review and evaluate the proposed subdivision. Such information may include, but not be limited to, a traffic study and/or Autoturn® or its equivalent (Ord. 80-12. Passed 9-10-12.)**

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  
City of Avon, Ohio

ATTEST:

\_\_\_\_\_  
Ellen R. Young

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Posted: \_\_\_\_\_

In Five Places as  
Provided by Council

Prepared by:  
John A. Gasior, Esq.  
Law Director