

ORDINANCE NO. 19-26

**AN ORDINANCE TO AMEND THE PLANNING AND ZONING CODE
SECTION 1262.07(e)(3) AS IT RELATES TO WESTERN RESERVE DEVELOPMENT
DESIGN AND IMPROVEMENT STANDARDS**

WHEREAS, 1262.07(e)(3) sets forth Western Reserve Development Design and Improvement Standards; and

WHEREAS, the Planning Coordinator has recommended amendments to this section regarding modifications to individual sanitation systems for each lot; and

WHEREAS, the Planning Commission authorized a Public Hearing on said amendments which were duly publicized according to law and held on February 18, 2026; and

WHEREAS, on February 18, 2026, by a vote of Five (5) in favor and Zero (0) opposed, Planning Commission recommended approval of the amendments to Section 1262.07(e)(3) of the Planning and Zoning Code; and

WHEREAS, Council, on March 9, 2026 authorized a Public Hearing; and

WHEREAS, said Public Hearing was duly publicized according to law and was held on April 13, 2026 at 7:25 PM; and

WHEREAS, Council, considering the recommendation of Planning Commission and comments from the Administration, finds that amending Section 1262.07(e)(3) of the Codified Ordinances of the City of Avon is in the best interests of the health, safety, and welfare of the citizens of Avon.

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

Section 1 - That Section 1262.07(e)(3) of the Avon Codified Ordinance which currently reads as follows:

1262.07 WESTERN RESERVE DEVELOPMENT REGULATIONS.

(e) Design and Improvement Standards. In a Western Reserve Development, the design standards contained in Chapter 1246 and the improvement standards contained in Chapter 1248 may be modified as follows, provided that such modifications are approved by the City Engineer, the Planning Commission and, when required, the County Health Department:

(3) Provided there is not adverse effect on health, safety or welfare, the following modifications shall also be permitted:

A. Storm sewers shall not be required, and the provisions of Section 1248.10 regarding storm sewers shall not apply, with the exception of Section 1248.10(c) which requires compliance with Chapter 1042 of these Codified Ordinances.

B. Storm drainage systems utilizing swales shall be permitted, notwithstanding the provisions of Section 1248.10.

C. The storm drainage fee authorized by Section 1042.03 shall be reduced proportionately as determined by the Planning Commission and the Zoning Enforcement Officer in accordance with Section 1042.03(a)(2).

D. Individual sanitation systems for each lot shall be permitted, and the provisions of Section 1248.09 regarding sanitary sewerage systems shall not apply, except for Section 1248.09(e) which requires compliance with Chapter 1042 of these Codified Ordinances.

Shall be amended to read as follows: (New language in bold print; deleted language stricken)

1262.07 WESTERN RESERVE DEVELOPMENT REGULATIONS.

(e) Design and Improvement Standards. In a Western Reserve Development, the design standards contained in 1246 and the improvement standards contained in Chapter 1248 may be modified as follows, provided that such modifications are approved by the City Engineer, the Planning Commission and, when required, the County Health Department:

(3) Provided there is not adverse effect on health, safety or welfare, the following modifications ~~shall~~ **may** also be permitted:

A. Storm sewers shall not be required, and the provisions of Section 1248.10 regarding storm sewers shall not apply, with the exception of Section 1248.10(c) which requires compliance with Chapter 1042 of these Codified Ordinances.

B. Storm drainage systems utilizing swales shall be permitted, notwithstanding the provisions of Section 1248.10.

C. The storm drainage fee authorized by Section 1042.03 shall be reduced proportionately as determined by the Planning Commission and the Zoning Enforcement Officer in accordance with Section 1042.03(a)(2).

D. Individual sanitation systems for each lot ~~shall~~ **may** be permitted, **provided the developer installs a dry sanitary sewer system meeting city specifications complete with all appurtenances, including service laterals into each dwelling for future use.** The provisions of **Chapter 1042** & Section 1248.09 regarding sanitary sewerage systems shall ~~not~~ apply. ~~except for Section 1248.09(e) which requires compliance with Chapter 1042 of these Codified Ordinances.~~

Section 2 - The Codifier is hereby instructed to insert the amendments into Section 1262.07(e)(3) in the appropriate order within the existing codified ordinances, renumbering and/or re-lettering anywhere applicable. All other language contained in Section 1262.07(e)(3) not specifically amended herein shall remain in full force and effect.

Section 3 - 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.

Ordinance No. 19-26 (Con't.)

Section 4 - 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: _____
Brian Fischer, 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:

Barbara Brooks, Clerk of Council

POSTED: _____
Electronically and at City Hall as
Provided by Council

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