

ORDINANCE NO. 05-9

INTRODUCED BY: Uffman-Kirsch, Bobulsky, Mayor Luks

AN ORDINANCE AMENDING ORDINANCE 04-222 WHICH ESTABLISHED AN INTERIM DEVELOPMENT CONTROL DISTRICT (IDC) NO. 01, AS AN OVERLAY DISTRICT FOR A PERIOD OF FOUR (4) MONTHS PURSUANT TO CHAPTER 1268 OF THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON BY EXTENDING IDC NO. 1 FOR AN ADDITIONAL EIGHT (8) MONTHS PURSUANT TO SECTION 1268.07(E), AND DECLARING AN EMERGENCY

WHEREAS: Council recently adopted Ordinance 04-153 establishing Chapter 1268, Interim Development Control District in accordance with the recommendations of the recently adopted Master Plan; and

WHEREAS: Council has also recently adopted Ordinance 04-222 which established an Interim Development Control District (IDC) No. 01, as an overlay district for a period of four (4) months pursuant to Chapter 1268 of the Codified Ordinances of the City of North Royalton; and

WHEREAS: Section 1268.07(E) allows Council to extend an IDC District for an additional 8 months provided a Public Hearing has been held in accordance with applicable statutes; and

WHEREAS: Section 1268.07(E) requires a study and based on the study, allows Council to extend an IDC District for an additional 8 months provided a Public Hearing has been held in accordance with applicable codes; and

WHEREAS: Council desires to amend Ordinance 04-222 by extending IDC No. 1 for an additional eight (8) months pursuant to Section 1268.07(E).

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA AND STATE OF OHIO, THAT:

Section 1. Council finds that the Administration complied with Chapter 1268 and conducted a study of flood planes existing within the city and further finds that FEMA requires the city to adopt specific codes controlling development of certain real property located in specific flood planes and that ODNR has a model ordinance and Council is in the process of reviewing to adopt such a similar code as the model code promoted by ODNR. Council finds that the extension of the IDC No. 1 by amending Ordinance 04-222 to extend the district for an additional 8 months is necessary to preserve the public peace, safety and welfare. Said district shall expire on December 21, 2005.

Section 2. This Ordinance shall supersede all previously adopted Ordinances in direct conflict herewith.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 4. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the city, and for the further reason that Council has determined that it is immediately necessary to extend IDC No. 1 for an additional eight (8) months.

THEREFORE, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

PRESIDENT OF COUNCIL

APPROVED: _____
MAYOR

DATE PASSED: _____ DATE APPROVED: _____

First reading January 18, 2005
Sponsor withdrawn February 1, 2005

ATTEST: _____
DIRECTOR OF LEGISLATIVE SERVICES

YEAS:

NAYS: