

# THE CITY COUNCIL OF NORTH ROYALTON, OHIO

ORDINANCE NO. 21-127

INTRODUCED BY: Mayor Antoskiewicz, Marnecheck

AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF NORTH ROYALTON A CERTAIN AMENDMENT TO ARTICLE XII PLANNING COMMISSION, OF THE CHARTER OF THE CITY OF NORTH ROYALTON, BY AMENDING SUBSECTION (b)(2) PERTAINING TO ADOPTION OF MASTER LAND USE PLAN FOR REZONING OF THE CITY, AND DECLARING AN EMERGENCY

- WHEREAS: The 2021 Master Plan Committee has recommended the adoption of the revisions set forth in its final report to both Planning Commission and Council; and
- WHEREAS: The Planning Commission has reviewed the final report and approved of it and recommended to Council its adoption; and
- WHEREAS: The plan incorporates a new Zoning Map for the city to correct certain errors and to promote orderly community development; and
- WHEREAS: Council desires to provide a ballot issue to amend Article XII, Paragraph (b) of the Charter, entitled Powers and Duties of the Planning Commission to add additional language in subsection (b)(2) entitled Adoption of Master Land Use Plan for Rezoning of the City to adopt a revised Zoning Map and to aid in the enforcement of the Master Plan; and
- WHEREAS: To provide for the above, it is necessary to recommend an amendment to Article XII, Paragraph (b)(2) of the Charter, entitled Adoption of Master Land Use Plan for Rezoning of the City by amending said section; and
- WHEREAS: Council desires to provide for this amendment.

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

Section 1. Pursuant to Article XVIII, Section 9 of the Ohio Constitution, and Article XVIII, Subsection (e) of the Charter of the City of North Royalton, this Council hereby authorizes and directs the submission to the electors of the City of North Royalton, at an election to be held in the usual places of voting in said City on November 2, 2021, a proposed amendment to Article XII of the Charter, entitled Powers and Duties of the Planning Commission, which currently provides as follows:

## **ARTICLE XII PLANNING COMMISSION**

(b)(2) ADOPTION OF MASTER LAND USE PLAN FOR REZONING OF THE CITY.

Planning Commission and Council having adopted a Master Plan for the City as provided in (1) above, the Master Land Use Plan as set forth therein shall be the guide for all future rezoning of the City until otherwise amended pursuant to this Charter. Attached to Ordinance 14-78 as Exhibit A is a Zoning Map which is consistent with the guidelines of the newly adopted Master Plan, and which, upon adoption of this section of the Charter, shall be the new Zoning Map for the City and shall be effective and establish the current zoning for all parcels shown thereon upon the effective date of this provision, until otherwise amended pursuant to the City ordinances or this Charter. The Zoning changes made as a result of the adoption of this amendment shall not be considered as previously rezoned property as provided in Article XII, Section (g). Subsequent changes to the Zoning Map that are subject to referendum pursuant to Article XII, Section (g) shall remain subject to submission to the voters.

and which may be amended to read as follows:

## **ARTICLE XII PLANNING COMMISSION**

(b)(2) ADOPTION OF MASTER LAND USE PLAN FOR REZONING OF THE CITY.

Planning Commission and Council having adopted a Master Plan for the City as provided in (1) above, the Master Land Use Plan as set forth therein shall be the guide for all future rezoning of the City until otherwise amended pursuant to this Charter. Attached to Ordinance 21-127 is a Zoning Map which is consistent with the guidelines of the newly adopted Master Plan Update, and which, upon adoption of this section of the Charter, shall be the new Zoning Map for the City and shall be effective and establish the current zoning for all parcels shown thereon upon the effective date of this provision, until otherwise amended pursuant to the City ordinances or this Charter. The Zoning changes made as a result of the adoption of this amendment shall not be considered as previously rezoned property as provided in Article XII, Section (g). Subsequent changes to the Zoning Map that are subject to referendum pursuant to Article XII, Section (g) shall

remain subject to submission to the voters. Notwithstanding any other provision of this Charter, approval by the electorate at a general election of a Zoning Map revision to the Zoning Map noted herein shall take precedence over and supersede any and all prior Zoning Maps of the municipality establishing separate districts for development therein.

Section 2. The ballot for said issue shall be in substantially the following form:

**PROPOSED CHARTER AMENDMENT**

A majority affirmative vote is necessary for passage.

**SHALL THE CHARTER OF THE CITY OF NORTH ROYALTON,  
ARTICLE XII, PLANNING COMMISSION, SUBSECTION (b)(2) BE  
AMENDED BY ADOPTING A NEW MASTER LAND USE PLAN AND  
ZONING MAP FOR REZONING OF THE CITY?**

	YES
	NO

Section 3. The foregoing proposed amendment, if approved by a majority of the electors voting thereon at the aforesaid election to be held on November 2, 2021, shall become a part of the Charter of this City and shall be effective as of the date that said amendment has been certified by the Cuyahoga County Board of Elections as having been approved by a majority of the voters and Ordinance 14-78 shall be repealed thereby.

Section 4. The Director of Legislative Services be and hereby is authorized and directed to immediately deliver to the Board of Elections a certified copy of this Ordinance.

Section 5. The Director of Legislative Services be and hereby is authorized and directed, pursuant to the laws passed by the General Assembly, to give notice of this proposed Charter amendment by newspaper advertising.

Section 6. There shall be and hereby is appropriated from the General Fund a sufficient sum of money to pay the cost of printing and mailing copies of said proposed Charter amendment, for publishing an election notice, and for other costs incidental to carrying out the terms of this Ordinance.

Section 7. 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 8. 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 this Ordinance must be effective immediately in order to permit necessary arrangements to be made in sufficient time for said election.

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.

/s/ Paul F. Marnecheck  
PRESIDENT OF COUNCIL

APPROVED: /s/ Larry Antoskiewicz  
MAYOR

DATE PASSED: July 20, 2021

DATE APPROVED: July 21, 2021

ATTEST: /s/ Dana A. Schroeder  
DIRECTOR OF LEGISLATIVE SERVICES

First reading July 6, 2021  
Second reading suspended  
Third reading July 20, 2021

YEAS: Marnecheck, Fenos, Barath, Krejci  
Dietrich, Weimer, Wos

NAYS: none