

ORDINANCE NO. 06-2024 (AMENDED)

INTRODUCED BY: Mayor Graven and Council as a Whole

AN ORDINANCE AMENDING CHAPTER 1260 MIXED USE TRADITIONAL NEIGHBORHOOD DISTRICT (MUTND), SECTION 1260.07 OF THE CODIFIED ORDINANCES OF THE CITY

WHEREAS, pursuant to Codified Ordinance Section 1212.05, in concert with the City Planner and consistent with the recommendations draft dated January 4, 2024, have drafted, evaluated, discussed, and amended the criteria for mixed use traditional neighborhood areas in the city and has finalized its proposals and recommendations to Council; and

WHEREAS, at its March 6, 2024 public meeting, the Planning and Zoning Commission, by motion, voted and approved to recommend to City Council that Chapter 1260 Section 1260.07 be amended, all of the same consistent with the draft exhibit received by the Clerk of Council from the Planning & Zoning Commission and attached hereto; and

WHEREAS, Council has received the recommendation from the Planning Commission dated March 8, 2024 recommending adoption of the amendment to Section 1260.07 of Chapter 1260; and

WHEREAS, in accordance with Codified Ordinance Sections 1212.05(a) Council has caused Notice of a public hearing by Council to be published in a newspaper of general circulation in the City at least thirty (30) days before such public hearing affording all interested parties the opportunity to be heard on the issue; and

WHEREAS, the requisite public hearing has been held by Council, after proper public notice of the same, this Council desires to accept the recommendation of the Municipal Planning & Zoning Commission on this matter. Now therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OLMSTED FALLS, CUYAHOGA COUNTY, OHIO, THAT:

SECTION 1. This Council hereby accepts and approves the recommendation of the Planning & Zoning Commission dated March 8, 2024 and hereby amends, Section 1260.07 of Chapter 1260, titled “MUTND, Mixed Use Traditional Neighborhood District,” to read in its entirety as shown on Exhibit “A” attached hereto and incorporated herein by reference as if fully rewritten herein.

SECTION 2. That all prior ordinances or resolutions inconsistent herewith are hereby expressly repealed.

SECTION 4. Council finds and determines that all formal actions of this Council relating to the adoption of this Ordinance have been taken at open meetings of this

Council; and that deliberations of this Council and of its committees, resulting in such formal action, took place in meetings open to the public, in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

SECTION 5. This Ordinance shall take effect at the earliest time allowed by law.

Cornel Munteanu, President of Council

PASSED: _____

APPROVED: _____
James P. Graven, Mayor _____
Date

APPROVED AS TO FORM: _____
Max Rieker, Director of Law

ATTEST: _____
Angela Mancini, Clerk of Council

First Reading: _____

Second Reading: _____

Third Reading: _____

	Yea	Nay
Munteanu	_____	_____
Chitester	_____	_____
Coy	_____	_____
McFadden	_____	_____
Wolanin	_____	_____
Gluss	_____	_____
Saari	_____	_____

Exhibit "A"

1260.07 DEVELOPMENT DESIGN STANDARDS.

A Mixed Use Traditional Neighborhood Development approved as a conditional use shall comply with the following development design standards.

(a) Residential Density. The maximum density of areas devoted to residential uses shall not exceed **FIVE (5)** ~~seven (7)~~ dwelling units per acre, provided however, that age restricted senior residences and assisted living facilities shall not exceed twenty (20) dwelling units per acre. In determining residential density, areas devoted to common open space or the natural area corridor shall not be included.

(b) Mixed Use Requirement. Every MUTND shall contain a mixture of uses.

(1) Residential uses shall comprise not less than thirty percent (30%), nor more than seventy percent (70%) of the total land area of the MUTND.

(2) Non-residential uses, including offices, commercial uses, and institutional uses shall comprise not less than ten percent (10%) nor more than fifty percent (50%) of the total land area of the MUTND.

(3) A MINIMUM OF THIRTY PERCENT (30%) OF ALL RESIDENTIAL DWELLING UNITS MUST BE SINGLE FAMILY DETACHED DWELLINGS ON INDIVIDUAL BUILDING LOTS.

~~—(3)~~ (4) The Planning Commission may adjust the standards set forth in Subsections (b)(1) and (2) hereof in instances where they make a determination that such adjustment is necessary due to the existence of unique circumstances and in order to achieve the goals of the Comprehensive Plan.

(e) Minimum Separation Between Buildings. In order to ensure reasonable privacy and separation of buildings, individual buildings located within the MUTND shall be separated by the minimum distances specified below:

(1) Single-family detached dwelling units shall be separated from each other by a minimum of ~~ten~~ **FIFTEEN (15)** feet.

(i) Access and Connectivity. Streets and alleys shall be designed to permit adequate access by emergency vehicles, promote the safety of motorist and pedestrians, minimize traffic conflicts and congestion, and promote the safe, efficient flow of vehicular traffic. Sidewalks and pathways shall provide connectivity within the development, with adjacent properties, and with downtown. The vehicular circulation system shall be designed to assure that the entire area (as shown on the Comprehensive Plan) is a cohesive development, and to promote inter-connection among individual projects. Internal circulation that isolates a project shall be discouraged. Streets and walkways shall be extended and stubbed to adjoining properties to allow for future extensions. The specific manner of termination of streets and pathways shall be as determined and approved by the Planning Commission. The **USE OF PRIVATE STREETS IS DISCOURAGED, HOWEVER, THE** Planning Commission may consider private streets **IN UNIQUE CIRCUMSTANCES** pursuant to Section 1268.07(g).