

tem 1<sup>st</sup> reading \_\_\_\_\_  
2<sup>nd</sup> reading \_\_\_\_\_  
3<sup>rd</sup> reading \_\_\_\_\_  
Voted On \_\_\_\_\_  
Ayes: \_\_\_\_\_ Nays: \_\_\_\_\_  
PASSED \_\_\_\_\_ DEFEATED \_\_\_\_\_

**ORDINANCE NO. 2017-29**

**AN ORDINANCE  
AMENDING SECTION 1173.12 OF THE CODIFIED  
ORDINANCES OF ORANGE VILLAGE REGARDING THE  
REQUIREMENT THAT PLANNING AND ZONING  
COMMISSION MUST MAKE A RECOMMENDATION TO  
COUNCIL ON THE APPROVAL OF FINAL  
DEVELOPMENT PLANS.**

WHEREAS, the Planned Mixed-Use District (“PM-UD”) ordinance was enacted in 1989, and at that time Council’s role in the approval of the final development plans for various districts in the Village was not well defined;

WHEREAS, now, in all other development districts, Council does not play a role in the approval of final development plans as that is a power that has been vested in the Planning and Zoning Commission;

WHEREAS, Council desires to amend the Section 1173.12 to result in the PM-UD being consistent with the Village’s procedures in all other zoning districts; and

WHEREAS, this ordinance has been referred to the Planning and Zoning Commission for its report and recommendation.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF ORANGE VILLAGE, CUYAHOGA COUNTY, STATE OF OHIO:**

SECTION 1. That Section 1173.12, Approval by Commission, of the Codified Ordinances is hereby amended to read and provide, in its entirety, as follows:

**“1173.12 APPROVAL BY COMMISSION.**

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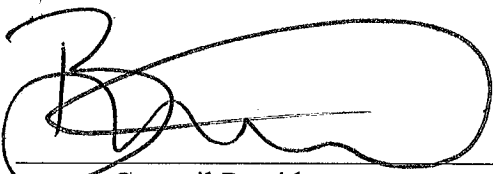
(b) If the Commission finds that such proposed detailed development plan is in accordance with the preliminary land use plan theretofore approved, and is in keeping with the spirit and intent of this zoning district and meets all the conditions which the Commission in its discretion may have imposed, the Commission may approve or disapprove the detailed development plan ~~and certify its approval or disapproval and recommendations to Council.~~ The Commission shall act in approving or disapproving any such detailed development plan proposal not later than forty-five (45) days after its receipt by the Commission, unless the Commission extends the time for a reasonable period for good cause.”

SECTION 2. That existing Section 1173.12 of the Codified Ordinances of Orange Village, and any ordinance or any part of any ordinance in conflict with this Ordinance, are repealed.

SECTION 3. That actions of this Council concerning and relating to the passage of this legislation 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 action were in meetings open to the public, in compliance with all legal requirements including Chapter 105 of the Codified Ordinances of Orange Village.

SECTION 4. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: Sept. 13, 2017

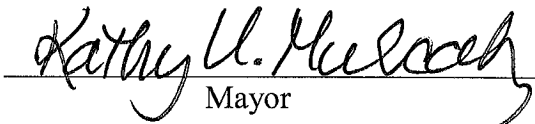
  
\_\_\_\_\_  
Council President

Submitted to the Mayor for approval on this 13 day of Sept., 2017

Approved by the Mayor this 13 day of September, 2017

ATTEST:

  
\_\_\_\_\_  
Clerk of Council

  
\_\_\_\_\_  
Mayor