

FIRST READING: 11.13.17
SECOND READING: 11.27.17
THIRD READING: 7.30.18

2ND AMENDED
ORDINANCE NO. 84-17

BY: JOHN B. SHEPHERD

AN ORDINANCE AMENDING THE DEVELOPMENT CODE OF THE CODIFIED ORDINANCES OF THE CITY OF ROCKY RIVER, CHAPTER 1127 REGARDING DEVELOPMENT PLAN REVIEW PROCEDURES AS PROVIDED IN SECTIONS 1127.03 AND 1127.35, AS FURTHER DESCRIBED IN THE ATTACHED EXHIBITS "A" AND "B"

WHEREAS: the Administration of the City of Rocky River, has deemed it necessary to amend Sections 1127.03 entitled "Development Plan Review Required" and 1127.35 entitled "Appeals of Planning Commission Decisions" of the Development Code of the Codified Ordinances regarding Planning Commission decisions and approval regulations; and

WHEREAS: this Ordinance was recommended by the Planning Commission of the City of Rocky River for approval on July 17th, 2018; and

WHEREAS: it is the desire of the Administration and Council of the City of Rocky River that Sections 1127.03 and 1127.35 of the Development Code of the Codified Ordinances of the City of Rocky River concerning Planning Commission decisions and approval regulations be amended, as further described in the attached Exhibits "A" and "B".

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ROCKY RIVER, COUNTY OF CUYAHOGA, STATE OF OHIO:

SECTION 1. That Section 1127.03 entitled "Development Plan Review Required" and Section 1127.35 entitled "Appeals of Planning Commission Decisions" of the Codified Ordinances of the City of Rocky River be amended as further described in the attached Exhibits "A" and "B".

PASSED: July 30th, 2018 
JAMES W. MORAN
President of Council

PRESENTED
TO MAYOR: July 30th, 2018 APPROVED: July 30th, 2018

ATTEST:


SUSAN G. PEASE
Clerk of Council

PAMELA E. BOBST
Mayor

City of Rocky River } ss
County of Cuyahoga }

THE UNDERSIGNED CLERK OF THE COUNCIL OF THE CITY OF ROCKY RIVER, OHIO DOES HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE NO. 84-17 ADOPTED BY THE COUNCIL OF SAID CITY ON THE 30th DAY OF July, 2018. THAT THE PUBLICATION OF SUCH ORDINANCE HAS BEEN MADE AND CERTIFIED OF RECORD ACCORDING TO LAW; THAT NO PROCEEDINGS LOOKING TO A REFERENDUM UPON SUCH ORDINANCE HAVE BEEN TAKEN; THAT SUCH ORDINANCE AND THE CERTIFICATE OF PUBLICATION THEREOF, ARE OF RECORD IN ORDINANCE RECORD NO. 84-17

I, the undersigned clerk of council of the city of Rocky River, State of Ohio, do hereby certify that publication of the foregoing ordinance was duly made by posting a true copy thereof in the lobby of the Rocky River City Hall, in accordance with the charter of Rocky River, commencing on the 30th day of July, 2018.



Clerk of Council of the City of Rocky River, Ohio

IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME AND AFFIXED MY OFFICIAL SEAL THIS 30th DAY OF July, 2018.


CLERK OF COUNCIL OF THE CITY OF ROCKY RIVER, OHIO

1127.03 DEVELOPMENT PLAN REVIEW REQUIRED.

Review of a preliminary development plan and a detailed development plan shall be conducted in compliance with the following:

(a) Development Plan Review Required. A development plan that indicates, among other things, the exact location of buildings, landscaping, parking areas, access drives, signs, and outdoor storage areas shall be required for the following:

- (1) Cluster Residential developments;
- (2) New construction of all permitted uses in the Golden Age, Single-family Attached, Multi-family, Business, Office, Mixed-use, and as well as Service Manufacturing districts;
- (3) New construction of all non-residential permitted uses in Single-Family and Two-Family Residential Districts;
- (4) New construction of all conditional uses; and,
- (5) Any existing or previously approved development meeting the criteria of sub-sections (1) through (4) above that proposes to alter, reconstruct, or otherwise modify a use or site including expanding the floor area of the permitted use; increasing the number of dwelling units in a multi-family development; or changing the use **in local and general business districts**.~~which requires an increase in the amount of parking or a change in the site's circulation.~~

(b) Exceptions.

~~—(1) A change of occupancy in an existing structure, or in a previously approved detailed development plan, when there is no change in the bulk of the structure, and no change in the parking required, shall be exempt from the development plan review procedures.~~

(2) Individually developed single-family detached dwelling units and individually developed two-family dwellings shall not be subject to development plan review. However, these uses shall seek and receive approval for a Zoning Certificate as specified in Chapter 1129, Zoning Certificates and Certificates of Zoning Compliance.

(Ord. 48-09. Passed 5-24-10. **Ord. 84-17. Passed 7-30-18.**)

1127.35 APPEALS OF PLANNING COMMISSION DECISIONS.

Decisions by the Planning Commission granting or denying approval of ~~preliminary or detailed~~ development plans shall be final. Appeals shall be subject to review by the Board of Zoning and Building Appeals as provided for in the City's Charter, Article VI, Section 2, subparagraph (2).

(Ord. 84-17. Passed 7-30-18.)