

A RESOLUTION REFERRING CERTAIN LAND USE REGULATIONS GOVERNING THE SETBACK REQUIREMENTS FOR FENCES ADJACENT TO INTERSTATE HIGHWAYS, AND DECLARING AN EMERGENCY

WHEREAS, Charter Section 9.06 and Section 1109.07 of the Planning and Zoning Code require regulations controlling the use of development of land in the Village to be referred to the Planning Commission for approval, disapproval, or for recommended modifications; and

WHEREAS, Council recently passed Ordinance No. 33-2025, which established certain land use regulations governing fences adjacent to interstate highways, as a means of addressing the consequences of the tree clearing activities by the Ohio Department of Transportation in its right-of-way on its interstate highways, which have dramatically increased noise and light pollution throughout the Village, particularly on residential properties adjacent to interstate highways;

WHEREAS, Council continues to evaluate ways to address the consequences of ODOT's tree clearing activities, and desires to potentially amend the Section 1181.13 of the Planning and Zoning Code to allow, only for those residential properties adjacent to interstate highways, to erect fences that do not maintain at least twenty-five percent (25%) of the vertical surface open to light and air to be constructed without regard to setback lines in yards parallel to the interstate highway;

WHEREAS, Council wishes to refer the foregoing potential amendment to the Planning and Zoning Code to the Planning Commission for approval, disapproval, or for recommended modifications.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Richfield, County of Summit, State of Ohio that:

- SECTION 1. The text amendments to the Planning and Zoning Code, as set forth in Ordinance No. __-2025, is referred to the Planning Commission approval, disapproval, or for recommended modifications on the proposed zoning amendment.
- SECTION 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution 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 including Section 121.22 of the Ohio Revised Code.
- SECTION 3. This Resolution is hereby declared to be an emergency measure for the immediate preservation of the public health, safety, and welfare and for the further reason that it is necessary to refer the proposed text amendments to the Planning and Zoning Code to the Planning Commission for its evaluation and recommendation as soon as possible; wherefore, provided this Resolution

receives the affirmative vote of two-thirds of the members of Council elected or appointed, it shall take effect immediately upon its passage and execution by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 8-5-2025

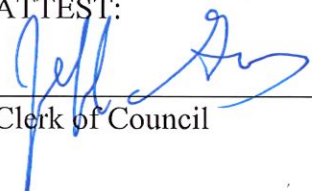


President of Council



Mayor

Dated: 8/5/2025

ATTEST:


Clerk of Council