

**A RESOLUTION REFERRING PROPOSED TEXT AMENDMENTS TO SECTIONS 1130.07 AND 1130.15 (B) OF THE VILLAGE'S PLANNING AND ZONING CODE TITLED, "YARD REQUIREMENTS", AND DECLARING AN EMERGENCY**

WHEREAS, amendments to the Village's Planning and Zoning Code ("Zoning Code") may be initiated by motion of the Planning Commission; and

WHEREAS, the Planning Commission passed a motion at its May 16, 2022 meeting initiating a proposed text amendments to Zoning Code Section 1130.07 titled, "Yard Requirements" to reduce the side and rear yard setbacks for accessory buildings on half acre lots in the R-3 Zoning District from 20 feet to 15 feet and a proposed text amendment to Section 1130.15 titled "Standards for Cluster Dwellings as Conditionally Permitted in the R-3 District to reduce the side and rear yard setbacks for accessory buildings on cluster lots in the R-3 Zoning District from 15 feet to 10 feet; and

WHEREAS, Charter Section 9.06 and Zoning Code Section 1109.07 requires the proposed text amendments to the Zoning Code to be referred to the 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 proposed text amendments to Section 1130.07 and 1130.15 (b) to reduce the side and rear yard setbacks made by motion of Planning Commission at its May 16, 2022 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 amendment of Section 1181.13 of 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: 5-17-22

Robbie Basbarn

President of Council

Michael W. W. W.

Mayor

Dated: 5/17/2022

ATTEST:

Jeffery A. ...  
Clerk of Council