

ORDINANCE NO. 125-24

**AN ORDINANCE TO AMEND SECTION 210.01(f) OF THE CODIFIED
ORDINANCES OF THE CITY OF AVON TO INCREASE FEES IN THE
PLANNING AND ZONING CODE,
AND DECLARING AN EMERGENCY**

WHEREAS, the Administration has reviewed the language and fees charged in Section 210.01(f), of the Planning and Zoning Code; and

WHEREAS, due to the increase in time and expenses for these services it was determined that the fees charged in Section 210.01(f) should be increased; and

WHEREAS, Council as a whole, having reviewed said amendments, also finds them to be appropriate and in the best interests of the health, safety, and welfare of the citizens of Avon and desires to amend Section 210.01(f) as set forth in Exhibit A, attached hereto and incorporated herein by this reference.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
AVON, LORAIN COUNTY, OHIO:**

Section 1 - That the provisions of Section 210.01(f) pertaining to Planning and Zoning Code fees shall be amended to read as set forth in the new Section 210.01(f) attached to this Ordinance as Exhibit "A" which is incorporated herein by reference.

Section 2 - The Codifier is hereby instructed to insert the amendments into Section 210.01(f) as contained in this legislation. All other language contained in Section 210.01(f) not specifically amended herein shall remain in full force and effect.

Section 3 - That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance 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 actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4 - That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety, and welfare of the citizens of the City of Avon, the immediate emergency being the necessity to amend Section 210.01(f) to provide for increases in fees for the Planning and Zoning Code; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

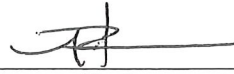
PASSED: December 14, 2024 DATE SIGNED: December 16, 2024

By: Brian Fischer
Brian Fischer, Council President

Ordinance No. 125-24 (Con't)

DATE APPROVED BY THE MAYOR:

December 17, 2024



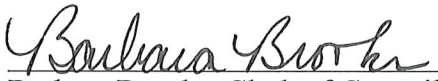
Bryan K. Jensen, Mayor

APPROVED AS TO FORM:



John A. Gasior, Law Director

ATTEST:



Barbara Brooks, Clerk of Council

Posted:

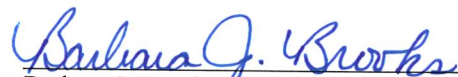
December 18, 2024

Electronically and at City Hall as
Provided by Council

Prepared By:
John A. Gasior, Esq.
Law Director

I, Barbara J. Brooks, Clerk of the Council of the City of Avon, Ohio, hereby certify this document to be a true and exact copy of Ordinance No. 125-24, passed by the Council of said City on December 16, 2024.

IN WITNESS WHEREOF, I have on this 17th day of December 2024, affixed my signature and official seal.



Barbara J. Brooks, Clerk of the Council
of the City of Avon, Ohio

EXHIBIT A TO ORDINANCE NO. 125-24

CHAPTER 210 General Fee Schedule

210.01 SCHEDULE ESTABLISHED.

(f) Planning and Zoning Code.

(1) Zoning Code	
A. Zoning permits	\$15.00 \$25.00 upon filing of application with Clerk of Council Zoning Enforcement Officer for placement on BZA agenda
B. Home occupation permit	\$15.00 \$25.00 upon filing of application for initial permit or any renewal thereof with Clerk of Council Zoning Enforcement Officer
C. Rezoning	\$200.00 \$250.00 plus \$10.00 per person required to be notified. of public hearing to be fixed by the Board, upon presentation to the Clerk for placement on agenda. hearing to be fixed by Board Upon receipt of payment, Planning/Zoning Secretary will set the date of the Public Hearing and place the item on the P.C.'s agenda
D. Code Amendments	\$250.00 fee to be placed on agenda
D E. Board of Zoning Appeals	\$100.00 \$150.00 plus \$10.00 per person required to be notified. upon the filing by the applicant with the Secretary of the Planning Commission with a list of adjacent property owners to be served with notice of hearing Upon receipt of payment, Planning/Zoning Secretary will place the item on the ZBA's agenda
E F. Special use permits	
1. Planning Commission and City Council review fee	\$100.00 \$250.00 Planning Commission plus \$10.00 per person required to be notified.
2. Legal/ Eng./Admin. review fee Residential	\$300.00 \$500.00 Legal/Eng./Admin. review fee plus \$10.00 per person required to be notified.
3. Legal review fee Commercial	\$600.00 TOTAL \$750.00
	# ____ Notices x \$10.00 (cost per person to be notified by Registered Mail for Public Hearing)

(2) Planning Commission fees for any informal presentation to Planning Commission (PC) ~~\$100.00~~ **(\$250.00)**

(3) Small Cell Facility – State sanctioned review fee **(\$250.00)**

(3 4) Subdivision Regulations

A. Major subdivision preliminary plat fee:	\$850.00 \$1,100.00 (\$150.00 \$250.00 for PC; \$700.00 \$850.00 for Legal/Eng./Admin. and review fee combined; plus \$10.00 per person to be notified of public hearing on preliminary plat) Deposit - \$1,500*
B. Major subdivision final plat review fee:	\$1,500.00 \$1,850.00 (\$300.00 \$500.00 for PC plus \$10.00 per lot in proposed subdivision; \$1,200.00 \$1,350.00 for Legal/Eng./Admin. and review fee combined, plus \$40.00 \$50.00 per lot for Administrative review.) Deposit - \$5,000.00*
C. General Development Plan	\$750.00 (\$250.00 for PC; \$250.00 \$500.00 ; Legal/Eng./Admin. and review fee. \$500.00)
C. D. Nonresidential development fee/deposit:	
1. Minor modifications to a site or structure (does not require legal or engineering review)	\$200.00 \$500.00 (\$100.00 \$250.00 for PC; \$100.00 \$250.00 Legal/Eng./Admin. and review fee).
a. Minor modifications to a site or structure (requiring less than two hours of engineering and/or legal review)	\$300.00
2. Developments up to two acres	\$1,000.00 \$1,450.00 (\$100.00 \$250.00 for PC; \$900.00 \$1,200.00 for Legal/Eng./Admin. and review fee combined) \$1,500.00 deposit*
3. Developments of two to five acres	\$2,100.00 \$2,800.00 (\$100.00 \$250.00 for PC; \$2,000.00 \$2,550.00 for Legal/Eng./Admin. and review fee combined) \$5,000.00 deposit*
4. Developments over five acres	\$5,100.00 \$5,850.00 (\$100.00 \$250.00 for PC; \$5,000 \$5,600.00 for Legal/Eng./Admin. and review fee combined) \$10,000.00 deposit* with upward adjustment as deemed necessary by the Law Director and/or the City Engineer. for major developments)
D E. Minor subdivision/lot split review fee:	\$75.00 \$250.00 , plus \$75.00 \$125.00 per lot split from remainder for Legal/Eng./Admin. and review fee
E F. Zoning map:	\$15.00 (36" x 36") \$20.00
F G. City street map:	\$1.00 (36" x 24") \$5.00
G H. Planning and zoning code book:	\$20.00 Available on City website or \$40.00
H I. Standard construction drawings:	\$75.00 Available on City website or \$100.00
I J. Sign application review fee: Permanent	\$25.00 Admin. review fee \$25.00 per sign
Sign application review fee: Temporary	Admin. review fee \$50.00 per sign
J K. Special meeting, request of Planning Commission or Board of Zoning Appeals	\$500.00 \$1,000.00 (Payable at the time the matter is placed on the agenda by the Planning Commission/ Board of Zoning Secretary . May be waived only upon a majority vote of all members of the Planning Commission.) No fee if meeting called by Municipality.

(4 5) Storm water fees and deposits **(No Amendments at this time.)**

(§ 6) Planning Commission and/or Board of Zoning Appeals is hereby granted authority to waive fees and grant refunds up to \$500.00. Any refund in excess of \$500.00 must be approved, in writing, by the Finance Director.

(7) ~~In the event the City is required, upon the recommendation of The Administration, including, but not limited to, the Planning Commission, Planning Coordinator, the City Engineer, or Law Director, may require to obtain the assistance of outside expertise professional services. This may includeing but not limited to,~~ architectural, engineering, planning, legal, and traffic ~~experts.~~ The developer or subdivider **applicant shall reimburse the City any costs above and beyond the initial fee **or deposit** collected at the time of submission **or during the course of review to cover the cost of said experts.** ~~From the date of billing by the City, the developer~~ **Applicant** shall have thirty (30) days to pay said costs **from the date of billing.** The costs set forth herein shall be paid regardless of plan approval or disapproval **of the application.****

***Deposits noted with this asterisk and not covered under paragraph (7) above, are subject to increase when said deposits are exhausted.**