

ORDINANCE NO. 17-25

AN ORDINANCE GRANTING A SPECIAL USE PERMIT TO LORAIN COUNTY METRO PARKS FOR CONSTRUCTION OF A TRAILHEAD TO INCLUDE AN ELEVEN (11) CAR PARKING LOT AND A TEN (10) FOOT WIDE ALL-PURPOSE TRAIL FOR AN AREA DESIGNATED AS THE UPPER FRENCH CREEK WETLANDS LOCATED AT 4488 JAYCOX ROAD AND DECLARING AN EMERGENCY

WHEREAS, zoning regulations for the City of Avon require a Special Use Permit for the construction, maintenance and operation of public parks and public recreational facilities in residential districts, pursuant to ACO §1262.03(c)(3); and

WHEREAS, Lorain County Metro Parks submitted to Planning Commission on February 19, 2025, plans and specifications for the construction of a trailhead, including an eleven (11) car parking lot and a ten (10) foot wide all-purpose trail leading within an area to be known as the Upper French Creek Wetlands consisting of 46.83 acres of property located in the vicinity of 4488 Jaycox Road, (fka the Bob-O-Link Golf Course); and

WHEREAS, following a public hearing on February 19, 2025, Planning Commission by a vote of Four (4) to Zero (0) voted to recommend approval of the Special Use Permit; and

WHEREAS, Council, after reviewing the application and the recommendation of the Planning Commission, deems it in the best interests of the health, safety, and welfare of the community that the Special Use Permit be granted.

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

Section 1 - That Council hereby accepts the recommendations of the Planning Commission and grants a Special Use Permit to Lorain County Metro Parks for construction of a trailhead, including an eleven (11) car parking lot and a ten (10) foot wide all-purpose trail to be known as the Upper French Creek Wetlands area consisting of 46.83 acres in the vicinity of 4488 Jaycox Road (See, attached [Exhibit A](#) which is incorporated herein by this reference). Said construction shall proceed subject to the conditions set forth in this ordinance and pursuant to the plans and specifications submitted and approved by Planning Commission.

Section 2 - Conditions. 1) That the project shall proceed as approved and recommended by the Planning Commission on February 19, 2025; 2) that the Special Use Permit granted herein is conditioned upon applicant meeting all applicable requirements of the Avon Codified Ordinances, including, but not limited to those set forth in Chapter 1230 and Sections 1280.02, 1280.03, 1280.04(o), and 1280.06(z) of the Codified Ordinances of the City of Avon. Any expansion, development, enlargement, improvement, change in use or the like, other than maintenance of the property in its current condition, will require an additional amendment to this Special Use Permit, with a recommendation of Planning Commission and approval by Council.

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 grant a Special Use Permit to Lorain County Metro Parks for the Upper French Creek Wetlands area thereby allowing construction of a trailhead, an eleven (11) car parking lot and a ten (10) foot wide all-purpose trail to begin this spring on the 46.83 acre site located in the vicinity of 4488 Jaycox Road; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____

DATE SIGNED: _____

By: _____
Brian Fischer, Council President

DATE APPROVED BY THE MAYOR _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director

ATTEST:

Barbara Brooks, Clerk of Council

POSTED: _____
Electronically and at City Hall as
Provided by Council

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