

## **ORDINANCE NO. 29-20**

### **AN ORDINANCE TO AMEND SECTIONS 1222.02, 1278.03, 1280.05 AND 1280.06 OF THE CODIFIED ORDINANCES OF THE CITY OF AVON TO INCLUDE GARDEN CENTER ON THE SCHEDULE OF PERMITTED AND SPECIAL USES IN THE M-1 GENERAL INDUSTRIAL AND M-2 LIGHT INDUSTRIAL DISTRICTS**

**WHEREAS**, the Planning Commission, upon review of Sections 1222.02, 1278.03, 1280.05 and 1280.06 of the Codified Ordinance of the City of Avon has recommended to Council revisions to include garden centers as a special use in the M-1 General Industrial / M-2 Light Industrial Districts; and

**WHEREAS**, after authorizing and conducting a Public Hearing on said amendments, the Planning Commission, on February 19, 2020, by a vote of five (5) to zero (0), recommended approval of the amendments to Sections 1222.02, 1278.03, 1280.05 and 1280.06 to include Garden Centers as special uses in Section 1278.03; and

**WHEREAS**, Council, on March 10, 2020, authorized a Public Hearing; and

**WHEREAS**, said Public Hearing was duly publicized according to law and was held on April 13, 2020 at 7:20 PM; and

**WHEREAS**, Council, in considering the recommendation of Planning Commission, finds that amending Sections 1222.02, 1278.03, 1280.05 and 1280.06 of the Codified Ordinances of the City of Avon to include garden center as a special use in the M-1 General Industrial / M-2 Light Industrial Districts is a reasonable exercise of Council's zoning authority.

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

Section 1 - That the proposed amendments to Sections 1222.02, 1278.03, 1280.05 and 1280.06 to include Garden Center as a Special Use in M-1 and M-2 is hereby adopted in its entirety as set forth in the attached Exhibit A which is incorporated herein by this reference.

Section 2 - The Codifier is hereby instructed to insert all amendments to Sections 1222.02, 1278.03, 1280.05 and 1280.06 contained in this legislation in the appropriate order within the existing codified ordinances, renumbering and/or relettering anywhere applicable. All other language contained in Sections 1222.02, 1278.03, 1280.05 and 1280.06 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 shall take effect and be in force at the earliest date allowed by law.

First Reading \_\_\_\_\_

Second Reading \_\_\_\_\_

Third Reading \_\_\_\_\_

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  
City of Avon, Ohio

ATTEST:

\_\_\_\_\_  
Barbara Brooks  
Clerk of Council

Posted: \_\_\_\_\_  
In Five Places as  
Provided by Council

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