

ORDINANCE NO. 2023-34

AN ORDINANCE APPROVING THE RECOMMENDATION OF THE PLANNING COMMISSION FOR A PROPOSED AMENDMENT TO CHAPTER 1147 OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOWICK, TITLED “INDUSTRIAL DISTRICT;” SPECIFICALLY, SECTION 1147.05, TITLED “PROHIBITED USES;” AUTHORIZING THE SUBMISSION OF THE PROPOSED AMENDMENT TO THE ELECTORS OF THE CITY AT THE NEXT GENERAL ELECTION, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Willowick Charter and Chapter 1147 of the Codified Ordinances of the City of Willowick empower the City to establish the division of its municipal corporate limits into use district zones and the specific identification of permitted main and accessory uses therein; and

WHEREAS, the City of Willowick Planning Commission by public hearing reviewed a proposed amendment to Chapter 1147 of the Codified Ordinances of the City of Willowick, Ohio, captioned “Industrial District;” specifically, Section 1147.05, titled “Prohibited Uses,” and thereafter recommended approval of the requested amendment to this Council; and

WHEREAS, the Council and Administration believe it is in the best interests of the residents of the City of Willowick to amend Chapter 1147 and the specific uses set forth within the Retail District under Section 1147.05; and

WHEREAS, Section 3.15 of the Charter of the City of Willowick requires that a measure which provides for a change in the uses of a property from uses presently authorized by the existing zoning code of the City shall go into effect only after approval by a majority of the electors of the City voting upon it;

NOW, THEREFORE BE IT ORDAINED by the Council of the City of Willowick, County of Lake, State of Ohio:

Section 1. That the Planning Commission’s recommendation as set forth immediately below to amend Chapter 1147 of the Codified Ordinances of the City of Willowick, titled “Industrial District;” specifically Section 1147.05, titled “PROHIBITED USES,” is hereby approved by Council and shall be submitted to the electorate of the City at the next general election on November 7, 2023.

1147.05 PROHIBITED USES.

- (a) Asphalt manufacture or refining.
- (b) Paint, oil (including linseed), shellac, turpentine, lacquer or varnish manufacture.
- (c) Petroleum products manufacture or wholesale storage of petroleum.
- (d) Quarry or stone mill.
- (e) Wool pulling or scouring.
- (f) Acetylene gas manufacture or bulk storage.
- (g) Ammonia, bleaching powder or chlorine manufacture.

- (h) Chemical manufacture.
- (i) Concrete or cement manufacture.
- (j) Iron or steel foundry.
- (k) Rolling mills.
- (l) Any other trade, industry or use that will be injurious, hazardous, noxious or offensive to an extent equal to or greater than those enumerated.
- (m) Any industry or use creating noise and/or vibrations at the boundary of the district adjoining a residential district or public street exceeding the average intensity of street traffic noise at any point along the boundary.
- (n) Sale of motor vehicles**

Section 2. All formal actions of this Council concerning the passage of this Ordinance were adopted in an open meeting, and that all deliberations of this Council, or any of its Committees, which resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Chapter 107 of the Codified Ordinances and Section 121.22 of the Ohio Revised Code.

Section 3. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, welfare and dignity of the residents of the City of Willowick, insofar as the zoning district amendment provides for a uniform application of the City's Planning and Zoning Code to all Use Districts.

WHEREFORE, this Ordinance shall be in full force and effect immediately upon its passage by Council and approval by the Mayor.

Adopted by Council: _____, 2023

Monica Koudela, Council President

Submitted to the Mayor: _____, 2023

Michael J. Vanni, Mayor

Approved by the Mayor: _____, 2023

ATTEST: _____
Christine Morgan, Clerk of Council