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City of Willoughby Hills

Council
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ORDINANCE NO. 2014-48

AN ORDINANCE AMENDING PART ELEVEN – PLANNING AND ZONING CODE, TITLE ELEVEN– SUPPLEMENTAL DEVELOPMENT STANDARDS, CHAPTER 1153 – OFF-STREET PARKING AND LOADING REGULATIONS, SECTION 1153.07 – LOCATION OF REQUIRED PARKING SPACES AND SECTION 1153.11 – REGULATIONS FOR ACCESS DRIVES OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOUGHBY HILLS AND REPEALING ANY AND ALL CONFLICTING LEGISLATION.

WHEREAS; off-street parking regulations are established to achieve, among other, the following: (a) to relieve congestion so streets can be utilized more fully for movement of vehicular traffic; (b) to promote the safety and convenience of pedestrians and shoppers by separating parking areas and extensive car movements in the vicinity of pedestrian ways; (c) to protect adjoining residential neighborhoods from on-street parking; (d) to promote the general convenience, welfare and prosperity of residential, business, service and manufacturing developments which depend on off-street parking facilities; and (e) to provide regulations and standards for the development of accessory off-street parking and loading facilities in accordance with objectives of the Master Plan and Codes of the City; and

WHEREAS, without compromising the purpose and intent of **Chapter 1153 – Off-Street Parking and Loading Regulations**, the objective of the proposed amendments is to update the text of both **Section 1153.07 – Location of Required Parking Spaces** and **Section 1153.11 – Regulations for Access Drive** to reflect the cross references required by the addition and/or amendments to Chapter 1137 – Commercial District Regulations, Section 1137.06 – Off-Street Parking and Loading Regulations; and

WHEREAS, on April 7, 2014, the Planning and Zoning Commission & Architectural Board of Review submitted a letter to Council stating that as a result of the presentation of proposed addition of Cross Access Connection to Section 1137.06 – Off-Street Parking and Loading Regulations, including cross reference **Section 1153.07 – Location of Required Parking Spaces** and **Section 1153.11 – Regulations for Access Drive**, discussions by Members of the Planning and Zoning Commission, and a Public Hearing were held on March 20, 2014; a motion was drafted and approved at the Planning and Zoning Commission Meeting held on April 3, 2014 to submit said Sections as amended to City Council; and

WHEREAS, on April 17, 2014 the proposed amendments to **Section 1137.06 – Off-Street Parking and Loading Regulations of the Planning and Zoning Code**, including cross reference **Section 1153.07 – Location of Required Parking Spaces** and **Section 1153.11 – Regulations for Access Drives** were further reviewed and based on that review general typing corrections were made and an updated draft was provided to Council; and

WHEREAS, on May 26, 2014 the Planning and Zoning Commission & Architectural Board of Review submitted a letter providing to the Members of Council a timeline of the information submitted for the proposed changes, and recommended that the City Council of Willoughby Hills adopt the proposed Amendments to the Zoning Code set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILLOUGHBY HILLS, LAKE COUNTY, STATE OF OHIO, THAT:

SECTION 1. The existing **Subsection (e) of Section 1137.07 – Location of Required Parking Spaces** of the Codified Ordinances of the City of Willoughby Hills is hereby amended to read and provide in its entirety as follows:

“(e) **Access.** All required off-street parking spaces shall have direct access to an aisle or driveway without the need to move any other vehicle, except as otherwise specifically permitted in this Chapter. Insofar as practical the Planning and Zoning Commission may recommend more restrictive access drive location requirements than specified in Schedule 1153.11. Consultation with the City Engineer, and safety officials as well as review of traffic studies may be used to overrule Section 1137.06(a)(3).”

SECTION 2. The existing **Subsection (a), Sub-Subsection (3) of Section 1137.11 – Regulations for Access Drives** of the Codified Ordinances of the City of Willoughby Hills is hereby amended to read and provide in its entirety as follows:

“(a)

(3) The minimum distance between non-residential access drives, on adjacent parcels, shall be as set forth in Schedule 1153.11 below, as measured from centerline to centerline. The Planning and zoning Commission may grant an exception to the regulation in Schedule 1153.11 when the Commission determines that reduced spacing will not impair public safety or the management of traffic on abutting roadways. In granting this exception, the Planning and Zoning Commission may require the property owner to enter into a recorded agreement with the city that pre-existing access points to the site will be closed and eliminated after the completion of a joint access driveway with an adjacent parcel. When the Planning and Zoning Commission determines that limited access drives are appropriate due to traffic studies or recommendations of the City Engineer or safety forces, minimum spacing may be increased or waived in lieu of cross access connections on neighboring commercial lots. See Section 1137.06.06(a) **CROSS ACCESS CONNECTION BETWEEN ADJACENT Commercial USES.**”

SECTION 3. All Ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as of the effective date of this Ordinance.

SECTION 4. The actions of this Council concerning and relating to the passage of this legislation were conducted in lawful meetings of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in compliance with all legal requirements including Chapter 107 of the Codified Ordinances of the City of Willoughby Hills.

SECTION 5. This Ordinance shall be in full force and effect at the earliest time permitted by law.

Passed: July 10, 2014

Submitted to the Mayor for his approval
on this 10 day of July, 2014

ATTEST:

Victoria Ann Savage
Victoria Ann Savage, CMC
Clerk of Council

Raymond C. Somich
Raymond C. Somich
President of Council

Approved by the Mayor
July 10, 2014

Robert M. Weger
Robert M. Weger
Mayor

Public Hearing Advertised: **June 11, 2014**

Public Hearing Held: **July 24, 2014**

First Reading: **June 12, 2014**

Second Reading: **June 26, 2014**

Third Reading: **July 10, 2014**

Adopted: **July 24, 2014**