

**CITY OF NORTH OLMSTED
ORDINANCE NO. 2009 - 64**

BY: Mayor O'Grady

***AN ORDINANCE PROVIDING FOR THE AMENDMENT OF
THE ZONE MAP OF THE CITY OF NORTH OLMSTED IN
ORDER TO SUPPLEMENTALLY ZONE THE HEREINAFTER
IDENTIFIED PARCELS OF REAL PROPERTY SO AS TO
INCLUDE THEM WITHIN THE WIND ENERGY OVERLAY
DISTRICT ("WEOD") OF THE CITY OF NORTH OLMSTED.***

WHEREAS, this Council, with the assistance of the Director of Planning, has conducted a review of the Zone Map of the City of North Olmsted in order to determine what parcels of real property in the City would, by their size, location and distance from residential structures, be suitable for locating medium Wind Energy Conversion Systems (WECS), pursuant to the provisions of Chapter 1153 of the Zoning Code, entitled "Wind Energy Conversion Systems; and

WHEREAS, this Council, based upon such review, desires to amend the Zone Map of the City of North Olmsted in order to supplementally zone certain properties located throughout the City that are either zoned for Limited Industrial-Industrial Park use or are publicly-owned for inclusion within the Wind Energy Overlay District (WEOD) that is provided for in said Chapter 1153 of the Zoning Code; and

WHEREAS, this Council expressly finds that the supplemental zoning of these parcels of real property, which are identified in the attached map, for inclusion within the said overlay district represents sound planning and is not likely to have adverse economic impact upon the owners of said properties or upon neighboring properties; and

WHEREAS, this Council further finds that the proposed supplemental zoning of these parcels for inclusion within the said overlay district will not be inconsistent with the City's Master Plan, and will promote the health, safety and welfare of the residents of this City; and

WHEREAS, the Planning Commission on the _____ day of _____, 2009, by formal motion, (recommended - did not recommend) (with suggested changes) that this Ordinance, proposing to amend the Zone Map of the City of North Olmsted by supplementally zoning the land identified in the attached map into the WEOD, be adopted; and

WHEREAS, following publication of newspaper notice and notice to the record title holders of real property located within one thousand (1,000) feet of the subject parcels proposed to be supplementally zoned, a public hearing was held, in conformance with the provisions of Section 14 of Article IV of the Charter and Section 1127.03 of the Zoning Code, on the ____ day of _____, 2009.

***NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
NORTH OLMSTED, CUYAHOGA COUNTY, AND STATE OF OHIO:***

SECTION 1: That the Zone Map of North Olmsted is hereby amended, and, as amended, shall depict and state that certain parcels of land in the City of North Olmsted which are either presently zoned for Limited Industrial-Industrial Park use only or are publicly-owned parcels of land are hereby supplementally zoned to the Wind Energy Overlay District provided for in Chapter 1153 of the City Zoning Code. A true and accurate copy of a map identifying and depicting the location of such parcels of land that are hereby supplementally zoned is attached to this Ordinance as Exhibit "A."

SECTION 2: That the City Engineer be and he hereby is directed to amend the Zone Map of the City of North Olmsted so that, when amended, the said Zone Map will disclose that the said parcels of land described in Section 1 hereof have been supplementally zoned to the Wind Energy Overlay District, and that said parcels of land may be thereafter additionally used in accordance with the uses permitted and the regulations provided for in the Wind Energy Overlay District of the City pursuant to the applicable provisions of the Zoning Code of the City of North Olmsted as they may be from time to time amended.

SECTION 3: That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____

First Reading: _____

Second Reading: _____

Third Reading: _____

Committee: _____

ATTEST:

BARBARA L. SEMAN
Clerk of Council

KEVIN M. KENNEDY
President of Council

APPROVED:

APPROVED AS TO FORM:

MAYOR THOMAS E. O'GRADY

s/James M. Dubelko
JAMES M. DUBELKO
Director of Law