

**ORDINANCE NO. 18-2020**

**INTRODUCED BY: COUNCIL MEMBERS MUNTEANU AND JONES**

**AN ORDINANCE REPEALING ORDINANCE 85-2019 AND READOPTING AMENDMENTS TO SECTION 1240.09(a)(3)(A) OF THE OLMSTED FALLS CODIFIED ORDINANCES ENTITLED “ACCESSORY USE REGULATIONS” AND DECLARING AN EMERGENCY**

**WHEREAS**, Olmsted Falls City Council in Ordinance 85-2019 amended certain provisions of Section 1240.09(a)(3)(A) of the Olmsted Falls Codified Ordinances entitled “Accessory Use Regulations”, and specifically, provisions concerning garage sizes; and

**WHEREAS**, the passage of said Ordinance was premature, in that the proposed amendment required referral to and recommendation from the Planning and Zoning Commission, necessitating the repeal of 85-2019 for the purpose of said referral; and

**WHEREAS**, this matter is referred on \_\_\_\_\_, 2020 to the Planning and Zoning Commission for referral and recommendation.

**WHEREAS**, City Council and the Administration have reviewed said regulations and recommend updates in order to better facilitate the size of accessory buildings. Now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OLMSTED FALLS, CUYAHOGA COUNTY, STATE OF OHIO, THAT:**

**SECTION 1.** Ordinance 85-2019 is hereby repealed, and in accordance with this Ordinance 18-2020, Olmsted Falls Codified Ordinance Section 1426.03, is hereby amended to read as follows: (new material appears like **THIS** and deleted material appears like ~~this~~)

**1240.09 ACCESSORY USE REGULATIONS.**

Accessory uses, buildings, and structures permitted in association with residential uses shall conform to the location, coverage, and maintenance standards contained in this section. Attached garages as part of a dwelling are subject to all yard requirements for a principal building specified in Sections 1240.05 or 1240.06 respectively.

(a) Area and Yard Requirements for Accessory Uses on Single-Family Lots.

(3) Garages and detached accessory building regulations. The number and size of accessory buildings and garages shall comply with the following:

A. Each dwelling unit shall have a two-car garage with a minimum floor area of 396 square feet. The garage may be either attached to or detached from the dwelling unit. The maximum floor area of a garage shall be ~~600~~ 880 square feet **ON ANY LOT LESS THAN ONE ACRE, AND 880 SQUARE FEET FOR** an attached or detached garage **ON ANY LOT GREATER THAN ONE ACRE.** A dwelling unit **ON ANY LOT GREATER THAN ONE**

**ACRE** that has an attached garage may be permitted to have a second garage detached from the dwelling unit provided the total floor area of the two garages does not exceed 880 square feet.

**SECTION 2.** This Council finds and determines that all formal actions of this Council relating to adoption of this Ordinance have been taken at open meetings of this Council; and that deliberations of this Council and of its committees, resulting in such formal action, took place in meetings open to the public, in compliance with all statutory requirements including the requirements of 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 health, safety and welfare of the residents of the City of Olmsted Falls, Ohio. Therefore, this Ordinance shall take effect immediately upon the affirmative vote of not less than five members elected to Council, and signature by the Mayor, or otherwise at the earliest time allowed by law.

ADOPTED: \_\_\_\_\_

\_\_\_\_\_  
*Paul Stibich, President of Council*

APPROVED BY: \_\_\_\_\_

*James P. Graven, Mayor*

\_\_\_\_\_  
*Date*

APPROVED AS TO FORM: \_\_\_\_\_

*Andrew D. Bemer, Director of Law*

ATTEST: \_\_\_\_\_

*Angela Mancini, Clerk of Council*

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

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

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