

****REVISED****

1st Reading 09-26-16

2nd Reading 10-10-16

3rd Reading 10-24-16
3961

**ORDINANCE NO. 2016-59
INTRODUCED BY: MAYOR TOMKO**

**AN ORDINANCE
AMENDING THE PLANNING AND ZONING CODE OF THE
VILLAGE OF CHAGRIN FALLS, AND REPEALING SECTIONS
1130.03(a)(3) AND AMENDING SECTIONS 1130.04(b), (c), (d), (f),
AND (g), 1130.05(a)(2), 1130.06(b), 1130.07, 1130.08, 1130.09,
1130.09(a)(3), 1130.09(d), (e), AND (f) AND 1130.10(e) REGARDING
REGULATION OF RESIDENTIAL USES IN THE RESIDENTIAL
MIXED USE DISTRICT IN THE VILLAGE.**

WHEREAS, the Planning and Zoning Commission has reviewed and discussed amendments to Chapter 1130 of the Planning and Zoning Code regarding multi-family dwelling, and additional regulations for attached single family, two family and attached single family dwellings; and

WHEREAS, the Planning Commission on October 17, 2016 recommended to Council that they repeal Section 1130.03(a)(3), and amend Sections 1130.04(b), (c), (d), (f), and (g), 1130.05(a)(2), 1130.06(b), 1130.07, 1130.08, 1130.09, 1130.09(a)(3), 1130.09(d), (e) and (f) and 1130.10(e) of the Planning and Zoning Code of the Village of Chagrin Falls as hereinafter set forth; and

WHEREAS, Council has held a public hearing on November 14, 2016 on this Ordinance; and

WHEREAS, Council desires to enact the foregoing amendments, repeal and additions to the Planning and Zoning Code, based on the recommendation of the Planning and Zoning Commission.

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE
VILLAGE OF CHAGRIN FALLS, CUYAHOGA COUNTY, STATE OF OHIO:**

SECTION 1. Section 1130.03(a)(3) of the Planning and Zoning Code of the Village of Chagrin Falls, the full text of which follows is hereby repealed:

- (3) Multi-family (MF) dwellings. (Ord. 1993-45. Passed 7-12-13.)

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SECTION 2. That Section 1130.04(b) of the Planning and Zoning Code of the Village of Chagrin Falls is hereby amended to read in its entirety as follows:

(b) Maximum Density.

ASF:	10 units per acre
2F	10 units per acre

SECTION 3. That existing Section 1130.04(b) of the Planning and Zoning Code of the Village of Chagrin Falls, the full text of which follows is hereby repealed:

(b) Maximum Density.

ASF:	10 units per acre
MF:	20 units per acre.

SECTION 4. That Section 1130.04(c) of the Planning and Zoning Code of the Village of Chagrin Falls is hereby amended to read in its entirety as follows:

(c) Building Coverage.

1F:	24% for main building, maximum
2F:	27% for main building, maximum
ASF:	30% for all main and accessory buildings, maximum.

SECTION 5. That existing Section 1130.04(c) of the Planning and Zoning Code of the Village of Chagrin Falls, the full text of which follows is hereby repealed:

(c) Building Coverage.

1F:	24% for main building, maximum
2F:	27% for main building, maximum
ASF/MF:	30% for all main and accessory buildings, maximum.

SECTION 6. That Section 1130.04(d) of the Planning and Zoning Code of the Village of Chagrin Falls is hereby amended to read in its entirety as follows:

(d) Common Open Space.

ASF:	Ten percent (10%) of lot area, minimum, as defined and regulated in Section 1130.09(d).
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SECTION 7. That existing Section 1130.04(d) of the Planning and Zoning Code of the Village of Chagrin Falls, the full text of which follows is hereby repealed:

(d) Common Open Space.

ASF/MF:	Ten percent (10%) of lot area, minimum, as defined and regulated in Section 1130.09(d).
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SECTION 8. That Section 1130.04(f) of the Planning and Zoning Code of the Village of Chagrin Falls is hereby amended to read in its entirety as follows:

(f) Dwelling Unit Area.

1F:	1 story building - 800 square feet, minimum. 2-2 1/2 story building - 1,100 square feet, minimum.
2F:	1 story building - 950 square feet, minimum. 2-2 1/2 story building - 1,100 square feet, minimum.
ASF:	1,000 square feet minimum for a one-bedroom unit and 150 square feet for each additional bedroom.

SECTION 9. That existing Section 1130.04(f) of the Planning and Zoning Code of the Village of Chagrin Falls, the full text of which follows is hereby repealed:

(f) Dwelling Unit Area.

1F:	1 story building - 800 square feet, minimum. 2-2 1/2 story building - 1,100 square feet, minimum.
2F:	1 story building - 950 square feet, minimum. 2-2 1/2 story building - 1,100 square feet, minimum.
MF:	750 square feet minimum for a one-bedroom unit and 150 square feet for each additional bedroom.
ASF:	1,000 square feet minimum for a one-bedroom unit and 150 square feet for each additional bedroom.

SECTION 10. That Section 1130.04(g) of the Planning and Zoning Code of the Village of Chagrin Falls is hereby amended to read in its entirety as follows:

(g) Storage Area.

ASF:	100 square feet minimum per dwelling unit provided on the ground floor or basement level of each dwelling unit.
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SECTION 11. That existing Section 1130.04(g) of the Planning and Zoning Code of the Village of Chagrin Falls, the full text of which follows is hereby repealed:

(g) Storage Area.

ASF:	100 square feet minimum per dwelling unit provided on the ground floor or basement level of each dwelling unit.
MF:	60 square feet minimum per dwelling unit provided in the common area enclosed within each main building.

SECTION 12. That Section 1130.05(a)(2) of the Planning and Zoning Code of the Village of Chagrin Falls is hereby amended to read in its entirety as follows:

(a) Main Buildings.

(1)	R1/R2/ASF: 2 1/2 stories maximum and not exceeding 35 feet.
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SECTION 13. That existing Section 1130.05(a)(2) of the Planning and Zoning Code of the Village of Chagrin Falls, the full text of which follows is hereby repealed:

(a) Main Buildings.

(1)	R1/R2/ASF: 2 1/2 stories maximum and not exceeding 35 feet.
(2)	MF: 3 stories maximum and not exceeding 35 feet.

SECTION 14. That Section 1130.06(b) of the Planning and Zoning Code of the Village of Chagrin Falls is hereby amended to read in its entirety as follows:

(b) Attached Single Family (ASF).

SECTION 15. That existing Section 1130.06(b) of the Planning and Zoning Code of the Village of Chagrin Falls, the full text of which follows is hereby repealed:

(b) Attached Single Family (ASF) and Multifamily (MF) Dwellings.

SECTION 16. That Section 1130.08 of the Planning and Zoning Code of the Village of Chagrin Falls is hereby amended to read in its entirety as follows:

1130.08 DISTANCES BETWEEN BUILDINGS AND USES.

In the RMU District, attached single family (ASF) dwellings shall be developed and maintained in accordance with the following regulations regarding the required distances between buildings and other uses.

SECTION 17. That existing Section 1130.08 of the Planning and Zoning Code of the Village of Chagrin Falls, the full text of which follows is hereby repealed:

1130.08 DISTANCES BETWEEN BUILDINGS AND USES.

In the RMU District, attached single family (ASF) and multifamily (MF) dwellings shall be developed and maintained in accordance with the following regulations regarding the required distances between buildings and other uses.

SECTION 18. That Section 1130.09 of the Planning and Zoning Code of the Village of Chagrin Falls is hereby amended to read in its entirety as follows:

1130.09 DESIGN REGULATIONS AND STANDARDS.

In an RMU District, attached single family (ASF) dwellings shall be developed and maintained in accordance with the following design regulations and standards.

SECTION 19. That existing Section 1130.09 of the Planning and Zoning Code of the Village of Chagrin Falls, the full text of which follows is hereby repealed:

1130.09 DESIGN REGULATIONS AND STANDARDS.

In an RMU District, attached single family (ASF) and multifamily (MF) dwellings shall be developed and maintained in accordance with the following design regulations and standards.

SECTION 20. That Section 1130.09(a)(3) of the Planning and Zoning Code of the Village of Chagrin Falls is hereby amended to read in its entirety as follows:

(3) Buildings may be attached if it is determined by the Planning and Zoning Commission that site design will be improved as a result. However, attached buildings shall be designed with visible offsets or setbacks not less than six feet in depth or with substantial variations in alignment.

SECTION 21. That existing Section 1130.09(a)(3) of the Planning and Zoning Code of the Village of Chagrin Falls, the full text of which follows is hereby repealed:

(3) The maximum length of any multi-family residential building shall be 100 feet. Buildings may be attached if it is determined by the Planning and Zoning Commission that site design will be improved as a result. However, attached buildings shall be designed with visible offsets or setbacks not less than six feet in depth or with substantial variations in alignment.

SECTION 22. That Section 1130.09(d) of the Planning and Zoning Code of the Village of Chagrin Falls is hereby amended to read in its entirety as follows:

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(d) Common Open Space. As required in Section 1130.04(d), at least ten percent (10%) of the total area of the development shall be reserved as common open space in ASF developments.

SECTION 23. That existing Section 1130.09(d) of the Planning and Zoning Code of the Village of Chagrin Falls, the full text of which follows is hereby repealed:

(d) Common Open Space. As required in Section 1130.04(d), at least ten percent (10%) of the total area of the development shall be reserved as common open space in ASF and MF developments.

SECTION 24. That Section 1130.09(e) of the Planning and Zoning Code of the Village of Chagrin Falls is hereby amended to read in its entirety as follows:

(e) Pedestrian Circulation. Each ASF development shall be served by a comprehensive walkway system, adequately separated from vehicular circulation, connecting residential buildings to parking and recreation areas.

SECTION 25. That existing Section 1130.09(e) of the Planning and Zoning Code of the Village of Chagrin Falls, the full text of which follows is hereby repealed:

(e) Pedestrian Circulation. Each ASF and MF development shall be served by a comprehensive walkway system, adequately separated from vehicular circulation, connecting residential buildings to parking and recreation areas.

SECTION 26. That Section 1130.09(f) of the Planning and Zoning Code of the Village of Chagrin Falls is hereby amended to read in its entirety as follows:

(f) Utility Equipment. All utility lines serving a mixed use residential development shall be located underground. All rooftop mechanical equipment shall be enclosed in a manner which complements the architectural style of the building on which it is located.

SECTION 27. That existing Section 1130.09(f) of the Planning and Zoning Code of the Village of Chagrin Falls, the full text of which follows is hereby repealed:

(f) Utility Equipment. All utility lines serving a multi-family residential development shall be located underground. All rooftop mechanical equipment shall be enclosed in a manner which complements the architectural style of the building on which it is located.

SECTION 28. That Section 1130.10(e) of the Planning and Zoning Code of the Village of Chagrin Falls is hereby amended to read in its entirety as follows:

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(e) ASF.

SECTION 29. That existing Section 1130.10(e) of the Planning and Zoning Code of the Village of Chagrin Falls, the full text of which follows is hereby repealed:

(e) ASF/MF.


SECTION 30. The existing Sections 1130.03(a)(3), 1130.04(b), (c), (d), (f), and (g), 1130.05(a)(2), 1130.06(b), 1130.07, 1130.08, 1130.09, 1130.09(a)(3), 1130.09(d), (e) and (f) and 1130.10(e) of the Planning and Zoning Code of Chagrin Falls to the extent inconsistent with the newly enacted provisions and any other Ordinance in conflict with this Ordinance are hereby repealed.

SECTION 31. That actions of this Council concerning and relating to the passage of this legislation were adopted in lawful meetings of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in compliance with all legal requirements, including Chapter 114 of the Codified Ordinances of the Village of Chagrin Falls.

SECTION 32. That in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls, public notice of this Ordinance shall be given by posting a copy thereof for not less than fifteen (15) days in the Village Hall.

SECTION 33. That this Ordinance shall take effect and be in force after the earliest period allowed by law.

PASSED: November 14, 2016

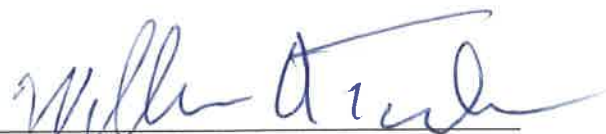

Karl Maersch, Council President

Submitted to the Mayor for
his approval on this

15 day of November, 2016

Approved by the Mayor

November 15, 2016


Mayor William Tomko

ORDINANCE NO. 2016-59
INTRODUCED BY: MAYOR TOMKO

I hereby certify that Ordinance No. 2016-59 was duly enacted on the 14 day of November, 2016, by the Council of the Village of Chagrin Falls and posted in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls.



Clerk of Council