

**ORDINANCE NO. 2014-16 (AMENDED)
INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE AMENDING SECTION 1168.06 OF THE
ZONING CODE OF THE CITY TITLED "SCHEDULE OF
AREA, YARD AND HEIGHT REGULATIONS"**

WHEREAS, an amendment to the City's Planning and Zoning Code with regard to permitted buildings has been referred to the Planning Commission for review; and

WHEREAS, the Planning Commission reviewed the proposed amendment on March 27, 2014, and unanimously approved this amendment to the City's Planning and Zoning Code; and

WHEREAS, the same has been submitted to this Council for consideration, and for adoption upon the recommendation of the Lyndhurst Planning Commission; and

WHEREAS, all public hearings have been conducted, and all necessary public notices have been made and copies provided for public review. Now, therefore,

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

SECTION 1. Section 1168.06 of the Zoning Code of the City entitled "Schedule of Area, Yard, and Height Regulations" is hereby amended to read as follows: (new material appears like THIS and deleted material appears like ~~this~~):

**1168.06 SCHEDULE OF AREA, YARD, AND HEIGHT
REGULATIONS.**

* * *

(e) Applicable to retail use only, hotel OR APARTMENT BUILDING use not included. Location and orientation of hotel OR APARTMENT BUILDING on-site requires Planning Commission approval.

Planning Commission shall apply the following standards:

1. The hotel OR APARTMENT BUILDING OR COMBINATION THEREOF shall be designed, constructed, operated and maintained so as to be harmonious with and appropriate in appearance to the existing or intended character of the general vicinity, and such use shall not change the essential character of the same area
2. The hotel OR APARTMENT BUILDING OR COMBINATION THEREOF use shall not be hazardous or disturbing to existing or future neighboring uses.

SECTION 2. All other provisions of Sections 1168.06 of the Zoning Code of the City not specifically amended or repealed herein shall remain in full force and effect, and only those sections specifically deleted shall be repealed and those sections specifically amended shall be amended without any effect on the other provisions of said sections.

SECTION 3. The Council finds and determines that all formal actions of this Council relating to the 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 4. This Ordinance shall take effect at the earliest time allowed by law.

PASSED: May 19, 2014

MAYOR

VICE-MAYOR

ATTEST: _____
Clerk of Council

I, the undersigned Clerk of Council of the City of Lyndhurst, hereby certify that there is no newspaper published or having an office of publication in said City, and that I published the foregoing Ordinance by advertising the same by title on one day in each of two consecutive weeks in a newspaper of general circulation in said City, on May 29, 2014 and June 5, 2014.

Clerk of Council

First Reading: March 3, 2014

Second Reading: March 17, 2014

Third Reading: April 7, 2014