

North Canton City Council
Community and Economic Development Committee

Resolution No. 6 - 2019

A resolution, pursuant to North Canton Codified Ordinance section 1181.04, requesting the Planning Commission review, consider, and recommend, or not recommend, Council's proposal to amend section 1177.10, Action by City Council, to Action by City Council "for Similar Use Recommendation."

WHEREAS, Ordinance 1177.10 does not make clear that City Council's actions in response to the Planning Commission's recommendations described in Chapter 1177 Conditional Use Permits and Similar Uses are limited to similar use applications and does not include conditional use applications.

WHEREAS, a minor amendment to Ordinance 1177.10 is necessary to make clear the Planning Commission grants or denies conditional use applications, and provides its recommendation to City Council for similar use applications.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH CANTON, COUNTY OF STARK, AND STATE OF OHIO:

- Section 1. That, pursuant to North Canton Codified Ordinance section 1181.04, City Council requests the Planning Commission review and consider a proposal to amend section 1171.10, Public Hearing and Notice by Planning Commission, of the City's codified ordinances, to Action by City Council, to Action by City Council "for Similar Use Recommendation". A copy of the proposed amended ordinance is attached hereto as Exhibit "A" and is incorporated herein by this reference.
- Section 2. That if a provision of this resolution is or becomes illegal, invalid or unenforceable, that it shall not affect the validity or enforceability of any other provision of this resolution.
- Section 3. That this resolution shall take effect and be in full force from and after the earliest period allowed by law.

Passed in Council this 24 day of June 2019


David Held, Mayor

Signed: 6/24, 2019

ATTEST:


Laura Brown, Director of Finance

1177.10 ACTION BY CITY COUNCIL FOR SIMILAR USE RECOMMENDATION.

Council shall, at a regular or special meeting, take action on the Planning Commission's recommendation for a similar use permit.

(a) Council shall either:

- (1) Adopt the recommendation of the Planning Commission; or
- (2) Deny the recommendation of the Planning Commission; or
- (3) Adopt some modification thereof.

(b) If Council grants a similar use permit, the similar use shall then be added to those districts that allow the principal or conditional use that is most similar, as identified in Council's action.