

AN ORDINANCE CONFIRMING THE RECOMMENDATION OF PLANNING COMMISSION FOR A CONDITIONAL USE SITE PLAN FOR A SECOND CELL TOWER AT 32867 PIN OAK PARKWAY AND DECLARING AN EMERGENCY.

WHEREAS, Planning Commission has, at its meeting of June 6, 2023, recommended the approval of a Conditional Use Site Plan for a second cell tower at the existing cell tower site at 32867 Pin Oak Parkway; and

WHEREAS, Council has determined that the recommendation of the Planning Commission should be confirmed.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF
THE CITY OF AVON LAKE, STATE OF OHIO:

Section No. 1: That, in accordance with Section 1214.03 of the Codified Ordinances, the recommendation of the Planning Commission that the Conditional Use Site Plan for a second cell tower at 32867 Pin Oak Parkway is hereby confirmed.

Section No. 2: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees which resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 3: That this Ordinance is hereby declared to be an emergency measure, the emergency being the necessity of installing a second cell tower, thus for the public welfare of Avon Lake residents. Therefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor.

PASSED: 7/10/2023

/s/ Martin E. O'Donnell

President of Council

POSTED: 7/14/2023

APPROVED: 7/11/2023

ATTEST: /s/ Valerie E. Rosmarin

Clerk of Council

/s/ Gregory J. Zilka

Mayor