

**CITY OF TWINSBURG, OHIO**

**ORDINANCE 17-2006**

AN ORDINANCE AMENDING SECTION 1174.05  
PARKING OF THE ZONING CODE OF THE CITY OF  
TWINSBURG, OHIO, TO ALTER REQUIREMENTS  
FOR OFF-STREET PARKING FACILITIES

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**WHEREAS**, Section 1174.05 of the Zoning Code of the City of Twinsburg sets forth certain requirements for the establishment and maintenance of off-street parking facilities; and

**WHEREAS**, Council has determined that said requirements should be altered; and

**WHEREAS**, the Twinsburg Planning Commission, at its regular meeting of January 9, 2006 has considered and recommended the proposed amendments.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Twinsburg, County of Summit and State of Ohio:

**SECTION I:** That Section 1174.05, subsections (e), (f) and (g) be and the same are hereby amended to read as follows:

**1174.05 OFF-STREET PARKING & LOADING REGULATIONS:**

(e) Location: Parking spaces required for a specific use shall be located on the lot of such use or as provided in subsection (f) below.

(f) Joint Use of Facilities.

**(1) Churches, civic clubs, community centers, auditoriums, and lodge halls may, subject to approval by Planning Commission, make arrangements with business establishments which normally have different hours of operation for sharing up to, but not more than, fifty percent (50%) of their requirements in adjacent parking areas which are accessory to such business uses. However, Where there is a sharing of facilities by different owners or tenants, there shall be an written agreement covering a period of time as may be required by the Planning Commission, to be signed by the owner and joint user and filed in the Building Department. provided that—**Should any of the uses be changed or the facilities discontinued, then the required spaces for the use or uses remaining shall be provided elsewhere as a condition precedent to the continued use of such building or buildings.

**(2) Business and industrial uses.**

- (i) Planning Commission may modify the number of spaces required in these standards where free parking areas or public parking areas are readily accessible and/or where public transportation is used extensively.**
- (ii) Parking facilities shall be provided on the same lot as the main use being served, except where modified by Planning Commission in recognition of binding joint use agreements. At least fifty percent (50%) of the parking spaces required by these regulations shall be provided on the lot of the use generating the demand. Where there is a sharing of facilities by different owners or tenants, an agreement specifying the number of spaces and period of time the agreement shall be binding shall be submitted, reviewed and recommended by**

**Planning Commission. Such agreement shall be by lease or by deed restriction.**

(g) Continuation of Facilities. Off-street parking and loading facilities accessory to an existing use on the effective date of this Zoning Ordinance and those required as accessory to a use created or a building constructed or altered thereafter, ~~shall~~ **may** be continued and maintained in operation, ~~shall not be used for automobile sales or service or repair of motor vehicles~~ and shall not be reduced below the requirements of this Zoning Ordinance during the period that the main use is maintained unless an equivalent number of spaces is provided for such use in another location approved by the Planning Commission.

~~Whenever the Planning Commission permits parking facilities on land other than the zoning lot on which the building or use served is located, such land shall be in the same ownership as the zoning lot occupied by the building or use to which the parking facilities are accessory. Such ownership shall be by deed or a long-term lease agreement, whereby the owner of the land on which the parking facilities are to be located shall be bound by a covenant filed and recorded in the office of the county Recorder, requiring each such owner, his heirs or assigns, to maintain the required number of parking facilities for the duration of the use served as a precedent to the continuation of such use.~~

**SECTION II:** It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting or meetings of this Council and any of its committees that resulted in such formal action, were in meetings open to the public and in full compliance with all legal requirements, including without limitations, those set forth in Section 121.22 of the Ohio Revised Code.

**SECTION III:** That this Ordinance is hereby declared to be an emergency measure, necessary for the immediate preservation of the public peace, health, safety, convenience and welfare of the citizens of the City of Twinsburg, and for the additional reason that Board must continue to function without delay, and provided it receives the affirmative vote of five or more members of Council, it shall take effect and be in force immediately upon its passage and approval of the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: \_\_\_\_\_

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

\_\_\_\_\_  
Bill Furey, President of Council

Submitted to the Mayor for approval this  
\_\_\_\_\_ day of \_\_\_\_\_, 2006

Approved by the Mayor \_\_\_\_\_, 2006

\_\_\_\_\_  
Katherine A. Procop, Mayor

ATTEST:

\_\_\_\_\_  
Cynthia A. Kaderle, CMC  
Clerk of Council

1<sup>st</sup> Rdg. \_\_\_\_\_  
2<sup>nd</sup> Rdg. \_\_\_\_\_  
3<sup>rd</sup> Rdg. \_\_\_\_\_

Passed: \_\_\_\_\_

Yes \_\_\_\_\_ No \_\_\_\_\_

**CERTIFICATE OF POSTING**

I, Cynthia A Kaderle, Clerk of Council, of the City of Twinsburg, State of Ohio, do hereby certify that publication of the foregoing ordinances, resolutions was duly made by posting true copies thereof at five of the most public places in said City as determined by Section 113.02 of the Codified Ordinances of the City of Twinsburg; each for a period of fifteen days commencing on the \_\_\_\_\_ day of \_\_\_\_\_, 2006

\_\_\_\_\_  
Cynthia A. Kaderle, CMC  
Clerk of Council  
City of Twinsburg

PROPOSED