

BRUNSWICK CITY PLANNING & ZONING COMMITTEE

Agenda

JUNE 8, 2020

6:25 PM

In Council Chambers

or immediately following the Finance Committee Meeting

1. Discussion Items
 - (a) **ORD. NO. 38-2020** - An ordinance extending a temporary moratorium on the acceptance and processing of applications for zoning, occupancy, conditional use and/or building permit approvals for multi-family dwelling units in all zoning districts and the issuance of such approvals. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)
 - (b) **ORD. NO. 39-2020** - An emergency ordinance establishing a temporary moratorium on the acceptance and processing of applications for zoning, occupancy, conditional use and/or building permit approvals for convalescent care facilities in all zoning districts and special planning districts in the city, with the exception of the Senior Development Special Planning District Number 5, and the issuance of such approvals. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)
2. General Discussion
3. Adjournment

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 6/8/2020

TO: Vice Mayor Michael Abella Jr. and Members of City Council

FROM: Carl S. DeForest, City Manager
Grant Aungst

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 38-2020** - An ordinance extending a temporary moratorium on the acceptance and processing of applications for zoning, occupancy, conditional use and/or building permit approvals for multi-family dwelling units in all zoning districts and the issuance of such approvals. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

BACKGROUND: The members of the Economic Development Committee would like the following extended for an additional six months from the date of conclusion. 78-19 Multifamily housing, currently ending on August 12, 2020, and given the time for review of the update to the comprehensive plan and the timing of legislation, they would like to move forward with the extension for June 8, 2020.

PURPOSE AND EXPLANATION: In the Advance Brunswick Comprehensive Plan Update, it states that multi-family structures should be strategic in placement given the very limited development land that is within the C-G Commercial General Districts. We have limited space within the C-G areas. As we examine all areas of the City, wanting to ensure the highest and best use along with any practical difficulties that may affect the delivery of City services to such facilities.

IMPLEMENTATION SCHEDULE: Earliest time allowed by law.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

One Reading	Yes
Two Readings	No
Three Readings	No
Emergency	Yes
Suspension of Rules	Yes

If emergency or suspension of the rules, why the request?

It is requested that City Council suspend the rules and pass as an emergency measure to allow proper time to analyze information presented in the Comprehensive Plan Update.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 38-2020

BY: Mr. Delsanter, Mr. Hanek, and Mr. Ousley

AN ORDINANCE EXTENDING A TEMPORARY MORATORIUM
ON THE ACCEPTANCE AND PROCESSING OF APPLICATIONS
FOR ZONING, OCCUPANCY, CONDITIONAL USE AND/OR
BUILDING PERMIT APPROVALS FOR MULTI-FAMILY
DWELLING UNITS IN ALL ZONING DISTRICTS AND THE
ISSUANCE OF SUCH APPROVALS.

WHEREAS: The City of Brunswick may legitimately regulate the location and approval of Multi-Family Dwelling Units, as defined in Codified Ordinance Section 1242.02(32)(c);

WHEREAS: On February 12, 2018, City Council adopted Ordinance No. 9-18, establishing a six (6) month temporary moratorium on the acceptance and processing of applications for zoning, occupancy, conditional use and/or building permit approvals for Multi-Family Dwelling Units in any Zoning District in the City effective as of February 12, 2018;

WHEREAS: On July 9, 2018, City Council adopted Ordinance No. 46-18 extending the temporary moratorium on the acceptance and processing of applications for zoning, occupancy, conditional use and/or building permit approvals for Multi-Family Dwelling Units in any Zoning District in the City for an additional six (6) months up to and including February 12, 2019;

WHEREAS: On February 11, 2019, City Council adopted Ordinance No. 3-19 extending the temporary moratorium on the acceptance and processing of applications for zoning, occupancy, conditional use and/or building permit approvals for Multi-Family Dwelling Units in any Zoning District in the City for an additional six (6) months up to and including August 12, 2019;

WHEREAS: On July 22, 2019, City Council adopted Ordinance No. 40-19 extending the temporary moratorium on the acceptance and processing of applications for zoning, occupancy, conditional use and/or building permit approvals for Multi-Family Dwelling Units in any Zoning District in the City for an additional six (6) months up to and including February 12, 2020;

WHEREAS: On November 25, 2019, City Council adopted Ordinance No. 78-19 extending the temporary moratorium on the acceptance and processing of applications for zoning, occupancy, conditional use and/or building permit approvals for Multi-Family Dwelling Units in any Zoning District in the City for an additional six (6) months up to and including August 12, 2020; and

WHEREAS: This Council believes that extending the temporary moratorium on the acceptance and processing of applications for zoning, occupancy, conditional use and/or building permit approvals for Multi-Family Dwelling Units in any Zoning District in the City, and on the issuance of such approvals, will not deny property owners economically viable use of their property and will permit the City Administration, Council and Planning Commission necessary time to undertake a review of the Brunswick Zoning Code and possible amendment thereof relative to the location and approval process for Multi-Family Dwelling Units.

WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

SECTION 1: The six (6) month temporary moratorium extension established by Ordinance No. 78-19 shall be extended for a period of six (6) months up to and including February 12, 2021, wherein the City shall not accept or process any applications for zoning, occupancy, conditional use and/or building permit approvals for Multi-Family Dwelling Units in any Zoning District in the City, and further shall not issue any such approvals during said period.

SECTION 2: Whenever the provisions of this Ordinance conflict with any other Ordinance or any provision of the Codified Ordinances of the City, the provisions of this Ordinance shall control.

SECTION 3: 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 that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 4: That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 1st Reading _____

2nd Reading _____

3rd Reading _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST:

Clerk of Council
Fijabi Julien-Gallam, CMC

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 6/8/2020

TO: Vice Mayor Michael Abella Jr. and Members of City Council

FROM: Carl S. DeForest, City Manager
Grant Aungst

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 39-2020** - An emergency ordinance establishing a temporary moratorium on the acceptance and processing of applications for zoning, occupancy, conditional use and/or building permit approvals for convalescent care facilities in all zoning districts and special planning districts in the city, with the exception of the Senior Development Special Planning District Number 5, and the issuance of such approvals. - **1st Reading** (To be brought from Planning & Zoning Committee, Administration/Grant Aungst)

BACKGROUND: The City of Brunswick currently has multiple facilities for the use of convalescent care and special care facilities. As we examine all areas of the City, wanting to ensure the highest and best use along with any practical difficulties that may affect the delivery of City services to such facilities.

PURPOSE AND EXPLANATION: Based on our Advance Brunswick update, the administration continues to study the highest and best use along with analyzing the available resources the City services are able to offer these types of facilities.

IMPLEMENTATION SCHEDULE: Earliest time allowed by law.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

One Reading	Yes
Two Readings	No
Three Readings	No
Emergency	Yes
Suspension of Rules	Yes

If emergency or suspension of the rules, why the request?

It is requested that City Council suspend the rules and pass as an emergency measure to allow proper time to analyze information presented in the Comprehensive Plan Update.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 39-2020

BY: Mr. Delsanter, Mr. Hanek, and Mr. Ousley

AN EMERGENCY ORDINANCE ESTABLISHING A TEMPORARY MORATORIUM ON THE ACCEPTANCE AND PROCESSING OF APPLICATIONS FOR ZONING, OCCUPANCY, CONDITIONAL USE AND/OR BUILDING PERMIT APPROVALS FOR CONVALESCENT CARE FACILITIES IN ALL ZONING DISTRICTS AND SPECIAL PLANNING DISTRICTS IN THE CITY, WITH THE EXCEPTION OF THE SENIOR DEVELOPMENT SPECIAL PLANNING DISTRICT NUMBER 5, AND THE ISSUANCE OF SUCH APPROVALS.

WHEREAS: The City of Brunswick may legitimately regulate the location and approval of Convalescent Care Facilities, as defined in Codified Ordinance Section 1242.02(28), which includes, without limitation, senior living, assisted living, memory care and other similar facilities; and

WHEREAS: This Council believes that a temporary moratorium on the acceptance and processing of applications for zoning, occupancy, conditional use and/or building permit approvals for Convalescent Care Facilities in any Zoning District and Special Planning District in the City, with the exception of the Senior Development Special Planning District Number 5, and on the issuance of such approvals, will not deny property owners economically viable use of their property and will permit the City Administration, Council and Planning Commission necessary time to undertake a review of the Brunswick Zoning Code and possible amendment thereof relative to the location and approval process for Convalescent Care Facilities.

WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

SECTION 1: For a period of six (6) months from the effective date of this Ordinance, the City shall not accept or process any applications for zoning, occupancy, conditional use and/or building permit approvals for Convalescent Care Facilities, including, without limitation, senior living, assisted living, memory care and other similar facilities, in any Zoning District and Special Planning District in the City, with the exception of the Senior Development Special Planning District Number 5, and further shall not issue any such approvals during said period.

SECTION 2: Whenever the provisions of this Ordinance conflict with any other Ordinance or any provision of the Codified Ordinances of the City, the provisions of this Ordinance shall control.

SECTION 3: 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 that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 4: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and general welfare of the City and its residents and property owners and for the additional reason that it is required to permit the City Administration, Council and Planning Commission necessary time to undertake a review of the Brunswick Zoning Code and possible amendment thereof relative to the location and approval process for Convalescent Care Facilities. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading_____

Rules Suspended: AYES_____ NAYS_____

ADOPTED: _____ AYES_____ NAYS_____

ATTEST: _____
Clerk of Council
Fijabi Julien-Gallam, CMC