

BRUNSWICK CITY PLANNING & ZONING COMMITTEE

Agenda

FEBRUARY 27, 2023

6:40 PM

or Immediately Following
Safety & Environment Committee

1. Discussion Items

ORD. NO. 11-2023 - An emergency ordinance establishing a temporary moratorium on the acceptance and processing of applications for zoning, occupancy and/or permit approvals for electric vehicle charging stations in all zoning districts of the City and the issuance of such approvals. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

2. General Discussion

3. Adjournment

PROPOSED LEGISLATION



DATE: 2/27/2023

TO: Vice Mayor Nicholas Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Grant Aungst

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 11-2023** - An emergency ordinance establishing a temporary moratorium on the acceptance and processing of applications for zoning, occupancy and/or permit approvals for electric vehicle charging stations in all zoning districts of the City and the issuance of such approvals. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

BACKGROUND: Council believes that a temporary moratorium on the acceptance and processing of applications for zoning, occupancy and/or permit approvals for Electric Vehicle Charging Stations in all Zoning Districts of 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 the Planning Commission necessary time to undertake a review of the Brunswick Zoning Code and possible amendment thereof.

PURPOSE AND EXPLANATION: 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 and/or permit approvals for Electric Vehicle Charging Stations in all Zoning Districts of the City, and further shall not issue any such approvals during said period.

IMPLEMENTATION SCHEDULE:

Immediately

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?

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.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. _____

BY:

AN EMERGENCY ORDINANCE ESTABLISHING A TEMPORARY
MORATORIUM ON THE ACCEPTANCE AND PROCESSING OF
APPLICATIONS FOR ZONING, OCCUPANCY AND/OR PERMIT
APPROVALS FOR ELECTRIC VEHICLE CHARGING STATIONS
IN ALL ZONING DISTRICTS OF THE CITY AND THE ISSUANCE
OF SUCH APPROVALS.

WHEREAS: The City of Brunswick may legitimately regulate the location and approval of Electric Vehicle Charging Stations; and

WHEREAS: This Council believes that a temporary moratorium on the acceptance and processing of applications for zoning, occupancy and/or permit approvals for Electric Vehicle Charging Stations in all Zoning District of 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.

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 and/or permit approvals for Electric Vehicle Charging Stations in all Zoning Districts of the City, and further shall not issue any such approvals during said period.

SECTION 2: This Ordinance shall not apply to applications for permit approvals for Electric Vehicle Charging Stations in Residential Zoning Districts where such Electric Vehicle Charging Stations are to be located in fully enclosed buildings and are intended solely for the personal use of the resident.

SECTION 3: 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 4: 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 5: 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. 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
Laura E. Timura