

BRUNSWICK CITY PLANNING & ZONING COMMITTEE

Agenda

DECEMBER 11, 2023

6:10 PM

**or Immediately Following
Services, Utilities, Technology, & Cable Committee**

1. Discussion Items
 - (a) **ORD. NO. 106-2023** - An emergency ordinance extending a temporary moratorium on the acceptance and processing of rezoning, conditional use and/or use variance applications for all real property located in the R-L Low Density Residential District, 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: 12/11/2023

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. 106-2023** - An emergency ordinance extending a temporary moratorium on the acceptance and processing of rezoning, conditional use and/or use variance applications for all real property located in the R-L Low Density Residential District, and the issuance of such approvals. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

BACKGROUND: On June 26, 2023, City Council adopted Ordinance No. 52-2023, establishing a six (6) month moratorium on the acceptance and processing of rezoning, conditional use and/or use variance applications for all real property located in the R-L Low Density Residential District, and the issuance of such approval. Council believes that extending a temporary moratorium on the acceptance and processing of rezoning, conditional use and/or use variance applications for all real property located in the R-L Low Density Residential District, 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 for possible amendments.

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 rezoning, conditional use and/or use variance applications for any real property located in the R-L Low Density Residential District, 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. 106-2023

BY: Mr. Delsanter, Mr. Lambert, Mrs. Piper

AN EMERGENCY ORDINANCE EXTENDING A TEMPORARY
MORATORIUM ON THE ACCEPTANCE AND PROCESSING OF
REZONING, CONDITIONAL USE AND/OR USE VARIANCE
APPLICATIONS FOR ALL REAL PROPERTY LOCATED IN THE
R-L LOW DENSITY RESIDENTIAL DISTRICT, AND THE
ISSUANCE OF SUCH APPROVALS.

WHEREAS: The City of Brunswick, as a chartered home rule municipality, may legitimately regulate zoning and land use within the City;

WHEREAS: On June 26, 2023, City Council adopted Ordinance No. 52-2023, establishing a six (6) month moratorium on the acceptance and processing of rezoning, conditional use and/or use variance applications for all real property located in the R-L Low Density Residential District, and the issuance of such approvals; and

WHEREAS: This Council believes that extending a temporary moratorium on the acceptance and processing of rezoning, conditional use and/or use variance applications for all real property located in the R-L Low Density Residential District, 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 for possible amendment thereof.

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

SECTION 1: The six (6) month moratorium established by Ordinance No. 52-2023 shall be extended for a period of six (6) months up to and including June 26, 2024, wherein the City shall not accept or process any rezoning, conditional use and/or use variance applications for any real property located in the R-L Low Density Residential District, and further shall not issue any such approvals during said period.

SECTOIN 2: This Ordinance shall not apply to applications for rezoning, conditional use and/or use variances filed prior to the effective date of Ordinance No. 52-2023 or to real property legally annexed into the City that applies for rezoning to the R-L Low Density Residential District.

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