

AN ORDINANCE DECLARING A MORATORIUM ON NEW CONDITIONAL USE PERMITS IN THE LAKE ROAD FOCUS AREA PURSUANT TO CODIFIED ORDINANCE SECTION 1214.03 AND DECLARING AN EMERGENCY.

WHEREAS, that the Avon Lake Power Plant closed March 31, 2022; and

WHEREAS, it has been determined that there is a need to request further study relative to the impact of this and surrounding property for the future redevelopment of the property identified as the Lake Road focus area in the Comprehensive Land Use Plan; and

WHEREAS, this moratorium shall have no effect on the operation of the existing, conditional uses in this business district, or conditional uses that have the same operation as the conditional uses, they are replacing; and

WHEREAS, the City adopted a new Planning and Zoning code, which has been available for public review.

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

Section No. 1: That City Council hereby enacts a 12-month moratorium, expiring December 12, 2023, on new Conditional Use permits throughout this area, effective the date of passage of this Ordinance, to allow sufficient time for proper review by City Council, Planning Commission, Board of Zoning Appeals, and any committee or focus group appointed by Council.

Section No. 2: That the Clerk of Council is hereby directed to forward a copy of this legislation to the Chief Building Official, the Planning Commission, Board of Zoning Appeals, and any Committee appointed by City Council for review of this legislation.

Section No. 3: That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of any committee that resulted in those formal actions were in meetings open to the public in compliance with law.

Section No. 4: That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety, and welfare, and for the further reason that it is immediately necessary to

protect the planning process. Therefore this Ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

1<sup>st</sup> reading: 11/14/2022

2<sup>nd</sup> reading: 11/28/2022

3<sup>rd</sup> reading:

PASSED: 12/12/2022

/s/ Martin E. O'Donnell

President of Council

POSTED: 12/16/2022

APPROVED: 12/13/2022

ATTEST: /s/ Valerie E. Rosmarin

Clerk of Council

/s/ Gregory J. Zilka

Mayor