

ORDINANCE NO. 4-25

AN ORDINANCE EXTENDING THE TEMPORARY MORATORIUM ON THE FUTURE DEVELOPMENT OR CONSTRUCTION OF ANY HOTEL, MOTEL, EXTENDED STAYS, BOARDING HOUSES OR THE LIKE WITHIN THE CITY OF AVON AND DECLARING AN EMERGENCY

WHEREAS, Council, on June 24, 2024, passed Ordinance No. 67-24 extending the Temporary Moratorium prohibiting the future development and construction of any hotel, motel, extended stay, boarding house, or the like within the City of Avon; and

WHEREAS, said moratorium is set to expire on January 14, 2025; and

WHEREAS, in furtherance of the plan to review the law in this area, the Administration recommends a one-hundred eighty-day (180) extension of the moratorium to approximately July 15, 2025, to provide a sufficient amount of time for the new legislation, if necessary, to be adopted and take effect before the expiration of the moratorium period; and

WHEREAS, the Administration will continue to work towards placing legislation before Planning Commission in an effort to bring about final recommendations to City Council updating regulations covering this area of the Planning and Zoning Code; and

WHEREAS, Council agrees with the Administration that such an extension is necessary to continue to review any applicable sections of its Codified Ordinances and any applicable state law, conduct community outreach, and to study, plan for, formulate, and draft reasonable and comprehensive regulations with respect to future development or construction of any hotel, motel, extended stays, boarding houses or the like within the City and therefore finds it necessary, appropriate and in the best interests of the public health, safety, and welfare of the citizens of Avon to extend the current moratorium currently in effect.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON, LORAIN COUNTY, OHIO:

Section 1 – That Council hereby extends the temporary moratorium prohibiting the future development and construction of any hotel, motel, extended stay, boarding house, or the like within the City of Avon for one hundred eighty-day (180) extension or until July 15, 2025 (whichever is later). For purposes of this extended moratorium, an Extended Stay Rental means any hotel, motel, boarding house, and the like that is rented wholly or partly for a fee. "Hotel & Motel" shall have the same meanings as set forth in ACO Sections 1222.02(b)(58) & (84). Furthermore, during the period of the extended moratorium established herein, no planning applications, building permits, licenses, or zoning certificates shall be accepted or granted for the purposes of future development, renovation or construction of any of these facilities.

Section 2 – That if any section, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall

be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 3 – That 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 is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the City of Avon, the immediate emergency being the necessity to extend the temporary moratorium to enable the City to continue to responsibly study, analyze, and review regulations related to future development and construction of hotels, motels, extended stay rentals, boarding houses and the like for the reasons set forth in the recitals of this Ordinance and Ordinance No. 67-24; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____ DATE SIGNED: _____

By: _____
Brian Fischer, Council President

DATE APPROVED BY THE MAYOR _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director

ATTEST:

Barbara J. Brooks, Clerk of Council

POSTED: _____
Electronically and at City Hall as
Provided by Council

Prepared by:
John A. Gasior, Esq.
Law Director