

ORDINANCE NO. 119-25

AN ORDINANCE EXTENDING THE TEMPORARY MORATORIUM ON THE ACCEPTANCE AND PROCESSING OF APPLICATIONS FOR ZONING, OCCUPANCY, SPECIAL USE AND/OR BUILDING PERMIT APPROVALS FOR THE ESTABLISHMENT, DEVELOPMENT AND CONSTRUCTION OF CAR WASHES AND SELF-STORAGE FACILITIES WITHIN THE CITY OF AVON AND DECLARING AN EMERGENCY

WHEREAS, Council, on May 28, 2024, passed Ordinance No. 65-24 imposing a Temporary Six-Month Moratorium, prohibiting the future development and construction of any carwashes and self-storage facilities or the like within the City of Avon; and

WHEREAS, Council passed Ordinance No. 104-24 on November 11, 2024 and Ord. No. 46-25 on May 27, 2025 to extend the Temporary Six-Month extensions of the moratorium; and

WHEREAS, Ordinance No. 46-25 is set to expire on December 23, 2025; and

WHEREAS, members of the Administration (Zoning Enforcement, Planning Coordinator, City Engineer and Law Director) have met several times over the past year to formulate a plan to allow these facilities to responsibly locate in the City of Avon; and

WHEREAS, adopting responsible and well-planned zoning amendments in furtherance of these goals will benefit existing car washes and storage facilities and enhance opportunities for other businesses to locate and serve the residents of Avon and surrounding communities; and

WHEREAS, an extension of the moratorium to June 23, 2026, will provide additional time for the Administration to propose new legislation (or amendments to existing ordinances), to be adopted and take effect before the expiration of the moratorium period; 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 carwashes and self-storage facilities 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 to June 23, 2026.

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

Section 1 – That Council hereby extends the six-month temporary moratorium on the acceptance and processing of applications for zoning, occupancy, special use and/or building permit approvals for the establishment, development and construction of carwashes and self-storage facilities, set to expire on December 23, 2025 (Ord. 46-25) to June 23, 2026. Furthermore, during the period of the extended moratorium established herein, no building

permits, licenses, or zoning certificates shall be granted for the purposes of future development 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 on future development and construction of carwashes and self-storage facilities and the like set to expire on December 23, 2025 and thereby enable the City to continue to responsibly study, analyze, and review regulations related to these uses; 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
City of Avon, Ohio

ATTEST:

Barbara Brooks, Clerk of Council

Ordinance No. 119-25 (Con't)

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

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