

RECORD OF ORDINANCES

Ordinance No. 3635

Passed June 12, 2018

AN ORDINANCE IMPOSING AN ADDITIONAL SIX MONTH MORATORIUM, FROM THE EFFECTIVE DATE OF THIS ORDINANCE, ON THE ISSUANCE AND PROCESSING OF BUILDING OR ZONING PERMITS AND ON THE APPROVAL BY PLANNING COMMISSION OF APPLICATIONS WITHIN THE WESTERN LANDS, TO ALLOW THE CITY'S CONSULTANT ADEQUATE TIME TO CONDUCT A STUDY ASSESSING THE LAND USE AND ZONING DESIGNATION FOR THE WESTERN LANDS; AND DECLARING AN EMERGENCY.

WHEREAS, the 2009 West Carrollton Sustainable Comprehensive Plan serves as the official long range vision of the city's future growth and development; and

WHEREAS, Chapter III, Growth Management and Land Use, of the Comprehensive Plan designates property located in the city south of Farmersville-West Carrollton Road ("Western Lands"), as illustrated in "Exhibit A" attached hereto and incorporated herein, for future residential use with a strong emphasis on developing new housing product within a single-family residential neighborhoods; and

WHEREAS, the existing use of the Western Lands is primarily agricultural and single-family residential, while the current zoning of the Western Lands is M-2 Manufacturing District; and

WHEREAS, the existing use of the adjacent property within the city north of the Western Lands is primarily heavy industrial, while the current zoning is both M-2 Manufacturing District and M-3 Rural Manufacturing District; and

WHEREAS, the Western Lands currently lack the infrastructure necessary for development; and

WHEREAS, City staff has received multiple inquiries regarding potential uses of the Western Lands, which are both consistent and inconsistent with the current zoning and/or future use; and

WHEREAS, City Council has directed the City Manager to hire a consultant to conduct a study of the Western Lands to assess the land use and zoning designation of that area; and

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WHEREAS, Ordinance 3627 which imposed a six-month moratorium on the issuance of building or zoning permits and on the approval by Planning Commission of applications within the Western Lands to provide time for the consultants to conduct a study to assess the land use and zoning designation of the Western Lands expires on June 19, 2018; and

WHEREAS, the City's consultants have requested additional time to conclude their study; and

WHEREAS, an additional six month moratorium on the issuance of building or zoning permits and on the approval by Planning Commission of applications within the Western Lands will allow adequate time for the City's consultant to conclude their the study, and for City staff to review and report back to Council as to any recommendations for land use designation and zoning for the Western Lands.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WEST CARROLLTON, COUNTY OF MONTGOMERY, STATE OF OHIO:

Section 1: That the City Council hereby imposes a six month moratorium on the issuance of building or zoning permits and on the approval by Planning Commission of applications within the Western Lands. The purpose of the moratorium is to provide adequate time for the consultant to conclude their study to assess the land use and zoning designation of the Western Lands.

Section 2: That City Council hereby directs that no building or zoning permits shall be issued for the Western Lands and that Planning Commission shall not take action on any application regarding the Western Lands during the six month moratorium.

Section 3: That it is hereby found and determined that all formal actions of Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and all deliberations of this Council and or any committees that resulted in formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121 of the Ohio Revised Code.

Section 4: That this ordinance is hereby declared to be an emergency necessary for the immediate preservation of the public health, safety, and welfare.

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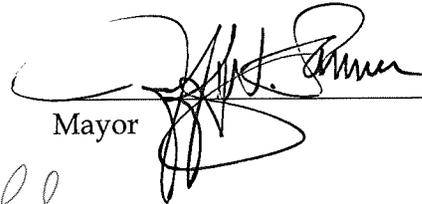
Dayton Legal Blank, Inc.

Form No. 30050

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Mayor

Attest: Tom Reilly
Clerk of Council

Effective Date: June 12, 2018

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Dayton Legal Blank, Inc.

Form No. 30050

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Passed _____, 20____

