

CITY OF MIDDLEBURG HEIGHTS, OHIO

Ordinance No. 2020- **81**

Introduced By: Mayor Matthew Castelli

**AN ORDINANCE
ESTABLISHING A TEMPORARY MORATORIUM ON THE ACCEPTANCE
AND PROCESSING OF APPLICATIONS FOR ZONING, OCCUPANCY,
AND/OR BUILDING PERMIT APPROVALS FOR STORAGE FACILITIES
AND DECLARING AN EMERGENCY**

WHEREAS, the City of Middleburg Heights may regulate the locations and operation of businesses within the City, including storage facilities; and

WHEREAS, for purposes of this Ordinance, a storage facility is defined as any premises which is designed and used for bulk storage for cars, recreational vehicles, boats and/or motorcycles; or self-service storage facilities as defined in Ohio Revised Code Section 5322.01; and

WHEREAS, the City of Middleburg Heights is working together with the Cuyahoga County Planning Commission to develop a comprehensive, useable, and actionable Master Plan for the City of Middleburg Heights; and

WHEREAS, the Master Plan will document all recommendations regarding issues related to Land Use and Zoning, Building and Land Vacancy, Economic Development, Environment and Transportation; and

WHEREAS, the City is simultaneously undergoing a Zoning Code update project with the assistance of a land use planning and zoning professional; and

WHEREAS, this ordinance will temporarily preserve the status quo pending further study of a new Comprehensive Master Plan and Zoning Code update; and

WHEREAS, the Mayor and Council have determined this temporary moratorium will protect the planning process and will be in the best interest of the community, health, safety and welfare to undertake a review of the Middleburg Heights Zoning Code and to consider updates so that any necessary regulations conform to the goals of the City of Middleburg Heights.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MIDDLEBURG HEIGHTS, STATE OF OHIO, AS FOLLOWS:

Section 1: For a period of six months from the effective date of this Ordinance, the City shall not accept or process any applications for zoning, occupancy, and/or building permit approvals for storage facilities.

Section 2: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage 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 actions were in meetings open to the public, in compliance with all legal requirements, including Chapter 107 of the Middleburg Heights Code and Section 121.22 of the Ohio Revised Code.

Section 3: That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of said City. Wherefore, provided this Ordinance receives the affirmative vote of at least two-thirds (2/3) of the members of Council it shall take effect and be in force immediately upon its passage and approval by the Mayor.

Passed: 10/13/20

David Bortolotto
President of Council

Attest: M. Meala
Clerk of Council

Approved On: 10-14-2020

Presented to Mayor: 10/14/20

Matthew J. Caslett
Mayor

	Yea	Nay
Bortolotto	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ali	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sage	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Meany	<input checked="" type="checkbox"/>	<input type="checkbox"/>
McGregor	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ference	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Grech	<input checked="" type="checkbox"/>	<input type="checkbox"/>

I, Mary Ann Meala Clerk of the Council of the City of Middleburg Hts., Ohio, hereby certify that Ord. 2020-81 adopted by the Council of the City of Middleburg Hts., on 10/13/20 was posted for a period of fifteen days, beginning 10/15/20 and remained so posted for fifteen days at the two posting places as designated by Charter.

Mary Ann Meala
Clerk

CERTIFICATE

I, Mary Ann Meala Clerk of Council of the City of Middleburg Heights, Ohio, do hereby certify that the foregoing is a true and accurate copy of Ord. 2020-81 passed on the 13th day of October 2020 by said Council.

Mary Ann Meala
Clerk of Council