

ORDINANCE NO. 2023-O-08

AN ORDINANCE EXTENDING THE EXISTING 6 MONTH MORATORIUM ON THE ACCEPTANCE AND PROCESSING OF APPLICATIONS FOR ZONING AND/OR OCCUPANCY PERMIT APPROVALS FOR ELDERLY APARTMENTS IN THE AREA DESIGNATED AS THE ARTARP AREA IN THE MENTOR ON THE LAKE ZONING ORDINANCES AND THE ISSUANCE OF SUCH APPROVALS IN THE CITY OF MENTOR ON THE LAKE FOR A PERIOD OF TWO MONTHS, AND DECLARING AN EMERGENCY

WHEREAS, on November 22, 2022, the City of Mentor on the Lake passed a Six Month Moratorium Zoning Ordinance, Ordinance No. 2022-O-22, regarding the Elderly Apartments in the Area Designated as the ARTARP area in the City; and

WHEREAS, this Moratorium expires on May 22, 2023 and during this six month period a Committee of Council has been diligently working on the issues presented in the Moratorium Ordinance; and

WHEREAS, Council has determined that it needs to extend the Moratorium for an additional two months in order to allow Council the necessary time to study, contemplate and discuss the proposed zoning amendment ordinance regarding Elderly Apartments in the Area Designated as the ARTARP area in the City; and

WHEREAS, in accordance with the Constitution of the State of Ohio and the pertinent provisions of the Ohio Revised Code, the City of Mentor on the Lake has the power to enact planning and zoning laws and business license laws that are intended to protect the health, welfare and safety of the citizens of the City; and

WHEREAS, that City Council wishes to further study the impact and/or location of these types of uses relative to the concerns identified in Ordinance 2022-O-22; and

WHEREAS, this Council believes that a temporary moratorium on the acceptance and processing of applications in this zoning district will not deny property owners economically viable use of their property and will afford City Officials and this Council the time necessary to put in place reasonable zoning and business regulations to preserve the public health, safety and welfare.


NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MENTOR ON THE LAKE, LAKE COUNTY, STATE OF OHIO, THAT:

SECTION 1. Council hereby extends the existing 6-month moratorium for a period of two additional months on the acceptance and processing of applications for zoning, occupancy and/or building permit approvals for elderly apartments in the ARTARP zoning area and the issuance of such approvals.

SECTION 2. The Council finds and determines that all formal actions of this Council relating to the adoption of this Ordinance have been taken at open meetings of this Council; and that deliberations of this Council and of its committees, resulting in such formal action, took place in meetings open to the public, in compliance with the statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

SECTION 3. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the residents of Mentor on the Lake for the reason that it is necessary to impose this moratorium extension immediately to facilitate a study of current planning and zoning and ordinances in order to determine appropriate rules and regulations and locations for these types of uses. Said Ordinance is necessary for the immediate preservation of the public health, safety and welfare of the inhabitants of the City of Mentor-on the-Lake, Ohio.

WHEREFORE, this Ordinance shall be in full force and effect immediately upon its passage by Council and approval by the Mayor.




ROBERT JOHNSON
PRESIDENT OF COUNCIL



DAVID R. EVA
MAYOR

Dated: 4/25/2023

ADOPTED: April 25, 2023

ATTEST: 
Clerk of Council