

AN ORDINANCE ESTABLISHING A TEMPORARY MORATORIUM ON THE ACCEPTANCE AND PROCESSING OF APPLICATIONS FOR ZONING CERTIFICATES BY THE VILLAGE AND PROHIBITING THE DEMOLITION OF STRUCTURES FOR THE C-3 COMMERCIAL DISTRICT AND C-S SPECIAL COMMERCIAL DISTRICT IN THE VILLAGE; AND DECLARING AN EMERGENCY.

Whereas, pursuant to Resolution No. 62-1994 and Resolution No. 4-1998, this Council created an Historic District in the Village of Richfield which encompasses the C-3 Commercial District and the C-S Special Commercial District as set forth the Village's Planning and Zoning Code and Zoning Districts Map; and

Whereas, several structures within this designated Historic District have significant historical value to the heritage of the Village; and

Whereas, it the goal of the Village of Richfield to enhance and promote the preservation of historic structures in the Historic District; and

Whereas, the Historic District areas encompassing the C-3 Commercial District and C-S Special Commercial District in the Village are experiencing an increased demand for commercial development and are in need of immediate protection and certain land use controls for their proper future development by adding special criteria and standards for review to the Village's Planning and Zoning Code in order to protect the historic structures in these areas and safeguard the heritage of the Village, but permit future commercial development, which development will be compatible with these historic structures, enhance the economic vitality of the Districts as a whole and foster civic pride in the beauty and aesthetic character of the Village; and

Whereas, a professional planning consultant and the Law Director's Office are currently in the process of discussing and drafting regulations which will further the above-stated purposes for the Historic District, which process will take a period of at least three months to draft the regulations, complete the review by and recommendation of the Planning Commission, and the review by this Council, as well as to hold a public hearing or hearings on said regulations; and

Whereas, this Council believes that a ninety (90)-day moratorium on the acceptance and processing of applications for certain types of zoning certificates and development reviews in the identified zoning districts will not unreasonably prohibit the use of properties in said districts and will afford Village officials, the Planning Commission and this Council the time necessary to put into place reasonable development criteria and standards for review to further the aforesaid purposes; and

Whereas, this Council is highly mindful of its obligations to the public to provide for orderly development within the Village in order to protect the public health, safety and general welfare and this Council is also highly mindful of the rights of private landowners to use and enjoy their property;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Richfield, County of Summit, State of Ohio:

- SECTION 1. That for a period of ninety (90) days from the effective date of this Ordinance, the Village shall not accept or process any applications for zoning certificates filed after the effective date of this ordinance and the demolition of any structure shall be prohibited for all properties located in the C-3 Commercial District and the C-S Special Commercial District as set forth on the Zoning Districts Map in the Village of Richfield. Demolition of a structure may be permitted if the Mayor, as head of the Department of Safety, determines that such demolition is immediately necessary to protect the safety of persons and property.
- SECTION 2. Whenever the provisions of this Ordinance conflict with any other ordinance or provision of the Codified Ordinances of the Village of Richfield, the provisions of this Ordinance shall control.
- SECTION 3. Any applications for zoning certificates that were filed with the Village pending prior to the effective date of this Ordinance are not subject to the provisions of this Ordinance and may be processed as otherwise provided by law.
- SECTION 4: Upon this Ordinance taking effect, the Clerk shall forward a certified copy of this Ordinance to the Summit County Building Department.
- SECTION 5. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and general welfare and for the further reason that it is immediately necessary to provide appropriate protection to the development sensitive areas within the Village's Historic District in order to preserve their unique character and to make provision for the land use planning process to be appropriately performed during the time that regulations are being promulgated to provide such protections; wherefore, provided this Ordinance receives the affirmative vote of two-thirds of the members of Council elected or appointed, it shall take effect immediately upon its passage and execution by the

Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: February 6, 2001

Michael H. Hayes
President of Council
Ronald H. Jassen
Mayor
Dated: 2/10/2001

ATTEST:
Carol Gibson
Clerk of Council