

ORDINANCE NO. 2020 - 30

AN ORDINANCE EXEMPTING CERTAIN USES FROM THE TEMPORARY MORATORIUM SET FORTH IN ORDINANCE 2020-2 AND ORDINANCE 2020-20 ON THE ACCEPTANCE OF ANY APPLICATIONS SEEKING DEVELOPMENT AND ON THE ACCEPTANCE OF BUILDING PERMIT APPLICATIONS AND DECLARING AN EMERGENCY

**WHEREAS**, the City of Parma Heights, Ohio (the "City") is a legally and regularly created, established, organized and existing municipal corporation under the provisions of the Constitution of the State of Ohio and home rule charter of the City; and

**WHEREAS**, the Charter authorizes the City Council to enact emergency ordinances for the preservation of public, health, peace, or safety; and

**WHEREAS**, the City currently regulates land uses within the city limits in accordance with Chapter 11 of the Parma Heights Municipal Code pursuant to its Home Rule Constitutional authority and the Ohio Constitution; and

**WHEREAS**, the character of development activity in the City can have a negative impact upon the health, safety and general well-being of the residents and visitors of the City; and

**WHEREAS**, the City Council adopted Ordinance 2020-2 imposing a six (6) month Moratorium on the on all applications for development and the acceptance of building permit applications for the property located within the Planned Unit Development District located at Pearl Road and W 130<sup>th</sup> St. in the City of Parma Heights and any property located on Pearl Road between West 130<sup>th</sup> Street and Ackley Road in the City of Parma Heights in order to review all land use codes and regulations as they affect land use development in those areas; and

**WHEREAS**, the City Council adopted Ordinance 2020-20 extending the Moratorium set forth in Ordinance 2020-2 for an additional six (6) months and expanding the area being included under the Moratorium to include the property on York Road from West Ridgewood to Huffman Road; and

**WHEREAS**, since the enactment of Ordinance 2020 – 2 and 2020-20 the Mayor declared a state of emergency in the City due to COVID-19, the staff available to review this matter has been diminished, new members have been appointed to the Planning Commission, City buildings have been closed and many public meetings have been suspended causing delays; and

**WHEREAS**, since the enactment of Ordinance 2020-2 and 2020-20 the Planning Commission, Mayor and administration, despite delays, have worked diligently to study the properties located within the area subject to the Moratorium and are in the process of finalizing amendments to the Land Use Code in order to ensure that all land use and development proceeds in a manner that is consistent with the City of Parma Heights 2017 Master Plan and long term and short term sustainability goals of the City; and

**WHEREAS**, in order to facilitate continued development within the City of Parma Heights, City Council determined certain uses are not inconsistent with the goals of the City and should be exempted from the Moratorium on the acceptance, processing and approval of applications for development authorization and permits by the City of Parma Heights and on the acceptance of certain building permit applications.

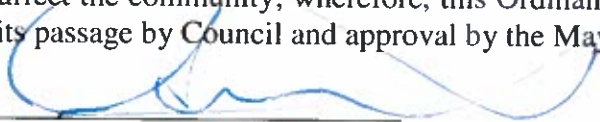
NOW, THEREFORE BE IT ORDAINED by the Council of the City of Parma Heights, County of Cuyahoga and State of Ohio:

Section 1. The following uses are exempted from the Moratorium set forth in Ordinance 2020-2 and Ordinance 2020-20: General Retail Sales, Beauty Salons and Barber Shops.

Section 2. This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of the Council and of any of its Committees comprised of a majority of the members of the Council that resulted in those formal actions were in meetings open to the public, in compliance with the law.

Section 3. This Ordinance is declared to be an emergency measure immediately necessary for the public peace, health, and safety of the Municipality and for the further reason that it is necessary for the City to ensure future land use and development does not negatively affect the community; wherefore, this Ordinance shall be in full force and effect from and immediately after its passage by Council and approval by the Mayor.


PASSED: 12-7-2020

  
COUNCIL PRESIDENT PRO-TEM

ATTEST: Florence A. Bohdan

12-7-2020  
APPROVED

FILED WITH  
THE MAYOR: 12-7-2020

  
MAYOR