

June 29, 2023

**ECONOMIC DEVELOPMENT COMMITTEE**

July 5, 2023

Council Chambers

Following Service Committee

*Committee and Council Meetings can be viewed by accessing YouTube*

**AGENDA**

1. Consider **Ordinance No. 23-27** AN ORDINANCE AUTHORIZING A MORATORIUM ON THE PROCESSING OR APPROVAL OF ANY APPLICATION FOR A CERTIFICATE OF ZONING CLEARANCE, BUILDING OCCUPANCY PERMIT, OR ANY OTHER PERMIT OR APPROVAL REQUIRED UNDER A SECTION OF THE ZONING CODE RELATED TO SHIPPING CONTAINERS, TEMPORARY STRUCTURES, STORAGE UNITS, PODS AND BINS AS WELL AS FOR VAPE AND TOBACCO SHOPS IN THE DC DOWNTOWN DISTRICT OF WHICH ARE CURRENTLY UNDER REVIEW BY THE PLANNING COMMISSION AND CITY COUNCIL BY WAY OF ORDINANCE 23-22 AND DECLARING AN EMERGENCY
  
1. Other items at the discretion of the chair.

BY \_\_\_\_\_

**AN ORDINANCE AUTHORIZING A MORATORIUM ON THE PROCESSING OR APPROVAL OF ANY APPLICATION FOR A CERTIFICATE OF ZONING CLEARANCE, BUILDING OCCUPANCY PERMIT, OR ANY OTHER PERMIT OR APPROVAL REQUIRED UNDER A SECTION OF THE ZONING CODE RELATED TO SHIPPING CONTAINERS, TEMPORARY STRUCTURES, STORAGE UNITS, PODS AND BINS AS WELL AS FOR VAPE AND TOBACCO SHOPS IN THE DC DOWNTOWN DISTRICT OF WHICH ARE CURRENTLY UNDER REVIEW BY THE PLANNING COMMISSION AND CITY COUNCIL BY WAY OF ORDINANCE 23-22 AND DECLARING AN EMERGENCY**

WHEREAS, the Constitution of the State of Ohio and the Ohio Revised Code authorize municipalities to enact local planning and zoning laws designed to protect the health, safety, welfare, comfort, and peace of the municipality; and,

WHEREAS, legislation updating, amending, and/or changing portions of the Newark City Zoning Code is currently pending approval by both the Planning Commission and City Council; and,

WHEREAS, due to the nature of the changes involving shipping containers, temporary structures, storage units, pods and bins as well as proposed prohibitions on vape and tobacco shops in the DC Downtown District, a moratorium is requested on the processing or approval of any application for a certificate of zoning clearance, building occupancy permit or any other permit or approval required involving the above structures, buildings, or uses until the Planning Commission has made a recommendation and City Council has voted on Ordinance 23-22; and,

WHEREAS, an emergency is hereby declared to exist due to the current status of the legislation and review of the zoning changes all in an effort to protect the health, safety, and public welfare of the City and the citizenry pursuant to Article 4.06 of the Charter of the City of Newark, Ohio.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NEWARK, COUNTY OF LICKING, STATE OF OHIO:**

**SECTION ONE:** That there is hereby imposed a complete moratorium on the processing or approval of any application for certificate of zoning clearance, building occupancy permit, or any other permit or approval required under the Zoning Code, related to shipping containers, temporary structures, storage units, pods, and bins as well as vape and tobacco shops

in the DC Downtown District hereof until the Planning Commission and City Council have sufficiently reviewed Ordinance 23-22 and action by City Council to approve or deny said changes has been taken.

**SECTION TWO:** That no certificate of zoning clearance, building occupancy permit, or any other permit or approval required under the Zoning Code of the City of Newark for any property, building, structure, use, or change of use shall be granted in reference to shipping containers, temporary structures, storage units, pods and bins as well as vape and tobacco shops in the DC Downtown District while Ordinance 23-22 is pending.

**SECTION THREE:** That an emergency is hereby declared to exist as set forth in this Ordinance as this matter which impacts the health, safety and public welfare of the City of Newark and that as such, this Ordinance shall be effective immediately upon passage by Council and approval by the Mayor pursuant to Article 4.07 of the Charter of the City of Newark, Ohio.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
**PRESIDENT OF COUNCIL**

ATTEST: \_\_\_\_\_  
**CLERK OF COUNCIL**

**DATE FILED WITH MAYOR:** \_\_\_\_\_

**DATE APPROVED BY MAYOR:** \_\_\_\_\_

\_\_\_\_\_  
**MAYOR**

**FORM APPROVED:** \_\_\_\_\_  
**DIRECTOR OF LAW**