

ORDINANCE NO: 13-88  
INTRODUCED BY: Mr. Lee

First Reading 10-7-13  
Passed on Second Reading  
10-21-13

**AN ORDINANCE**

**DECLARING A SIX MONTH MORATORIUM ON DEVELOPMENT FOR ATTACHED RESIDENCE DISTRICT OF FIVE PERMANENT PARCELS OF LAND KNOWN AS CAHOON WEST, AND THROUGHOUT THE CITY WITH THE EXCEPTION OF THE RETAIL BUSINESS DISTRICT UNDER C.O. 1173, AND DECLARING AN EMERGENCY**

**WHEREAS**, Council approved placing on the ballot the rezoning of five permanent parcels of land known as Cahoon West from Third Residence District to Attached Residence District by Ordinance 13-56 passed August 5, 2013; and

**WHEREAS**, this rezoning ordinance will not go into effect unless approved by voters city-wide and in Ward 2 on November 5<sup>th</sup>, 2013 in accordance with Bay Village Charter Section 7.6; and

**WHEREAS**, it has been determined that there is a need to request further study relative to the impact of Chapters 1158 and 1158(B) on Attached Residences in the City of Bay Village;

**WHEREAS**, this moratorium shall have no effect on the development in the Retail Business District under C.O. 1173 for the development of Attached Residences in said District; and

**NOW THEREFORE, BE IT ORDAINED** by the Council of the City of Bay Village, Ohio:

**SECTION 1.** That Council hereby enacts a six (6) month moratorium on development for Attached Residence District of these five parcels of land known as Cahoon West, and throughout the City, other than in the Retail Business District in accordance with Chapter 1173, effective the date of passage of this ordinance, in order to allow sufficient time for proper review of Chapters 1158 and 1158(B) by City Council, Planning Commission, Board of Zoning Appeals, and any committee appointed by Council.

**SECTION 2.** That the Clerk of Council is hereby directed to forward a copy of this legislation to the Building Director, the Planning Commission, Board of Zoning Appeals, and any committee appointed by City Council for review of this legislation.

**SECTION 3.** That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of any committee that resulted in those formal actions were in meetings open to the public in compliance with law.

**SECTION 4.** That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, and for the further reasons that it is immediately necessary to protect the planning process, wherefore

this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED: October 21, 2013

/s/ Paul A. Koomar  
PRESIDENT OF COUNCIL

/s/ Joan T. Kemper  
CLERK OF COUNCIL

APPROVED: October 22, 2013

/s/ Deborah L. Sutherland  
MAYOR

10/3/2013 jc