



LEGISLATIVE COVER MEMO

Introduction: November 18, 2024

Public Hearing: December 2, 2024

Effective Date: January 1, 2024

Agenda Item: **Ordinance 2024-33**

EXTENDING THE MORATORIUM ON THE ISSUANCE OF ZONING PERMITS AND APPROVALS FOR NEW DEVELOPMENT ALONG THE STATE ROUTE 73, STATE ROUTE 123, AND DIXIE HIGHWAY CORRIDORS FOR A PERIOD OF 90 DAYS

Submitted by: Jonathan Westendorf, City Manager

Scope/Description: The City of Franklin currently has a moratorium in effect that suspends the City's review and issuance of zoning approvals for new development in the SR 73, SR 123, and Dixie Highway corridors to allow the City time to fulfill its zoning/planning objectives.

The moratorium is set to expire on January 14, 2025. The City needs additional time to fulfill the purposes of the moratorium. This Ordinance extends the current moratorium for an additional 90 days following the current January 14, 2025 expiration date. The new expiration date will be April 14, 2025.

Exhibits: [Exhibit A](#) – Map of moratorium area along SR 73
[Exhibit B](#) – Map of moratorium area along SR 123
[Exhibit C](#) – Map of moratorium area along Dixie Highway

Recommendation: Approval

CITY OF FRANKLIN, OHIO
ORDINANCE 2024-33

**EXTENDING THE MORATORIUM ON THE ISSUANCE OF ZONING PERMITS AND APPROVALS FOR NEW
DEVELOPMENT ALONG THE STATE ROUTE 73, STATE ROUTE 123, AND DIXIE HIGHWAY
CORRIDORS FOR A PERIOD OF 90 DAYS**

WHEREAS, Ohio Revised Code Chapter 713 authorizes the City of Franklin, Ohio to regulate zoning and use of real property located within the City's territorial boundaries for the purpose of promoting the public health, safety, convenience, comfort, prosperity and general welfare;

WHEREAS, the City engaged planning, zoning and development consulting firm McBride Dale Clarion to assist the City with completing necessary revisions and updates to the City's Comprehensive Plan, Unified Development Ordinance ("UDO"), and official Zoning Map;

WHEREAS, during this planning and zoning update process, the City and its consultant identified State Route 73, State Route 123, and Dixie Highway (collectively, the "Targeted Corridors") as important commercial corridors in the City, which may require their own unique zoning regulations and/or district classifications;

WHEREAS, on September 16, 2024, City Council passed Ordinance 2024-21, establishing a 120-day moratorium on the issuance of zoning permits and approvals for any and all new development of real estate in the Targeted Corridors to give the City time it needs to properly analyze these areas from a zoning regulatory and planning perspective; and

WHEREAS, the City needs time to study and evaluate the types of public infrastructure, building improvements and land uses that are best-suited for the Targeted Corridors, and potentially develop and adopt amendments to the UDO and Zoning Map to facilitate such improvements and uses, to fulfill the City's objectives of enhancing and promoting its economic development efforts, and the health, safety and general welfare of Franklin residents; and

WHEREAS, given the importance of the Targeted Corridors to the Franklin community, and limited remaining developable real estate located in the Targeted Corridors, City Council finds it necessary to extend the current moratorium on the issuance of zoning permits and approvals for any and all new development of real estate in the Targeted Corridors to give the City time it needs to properly analyze these areas from a zoning regulatory and planning perspective for an additional 90 days following the current January 14, 2025 expiration date of the moratorium.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FRANKLIN, WARREN COUNTY, OHIO THAT:

Section 1. It is in the interests of the public health, safety, convenience, comfort and prosperity, and the general welfare of the Franklin community, to allow the City adequate time to determine the types of public infrastructure, building improvements and land uses best-suited for the Targeted Corridors and, in turn, consider potential amendments to the UDO and official Zoning Map to facilitate such improvements and uses.

Section 2. The current moratorium on the City's review and issuance of any and all zoning permits and approvals authorizing new development on real property located in the Targeted Corridors enacted through Ordinance 2024-21 on September 16, 2024 and set to expire on January 14, 2025, is hereby extended for an additional 90 days following its current expiration date. The new moratorium expiration date shall, therefore, be April 14, 2025.

Section 3. The portions of the Targeted Corridors impacted by the moratorium enacted pursuant to this Ordinance are described and depicted in Exhibit A, Exhibit B, and Exhibit C to this Ordinance.

Section 4. For the purposes of this Ordinance, “new development” shall mean: (i) any change in the present and actual (as of the date of this Ordinance) use of land and structures located in the Targeted Corridors; and (ii) any new construction towards any land use on presently vacant real estate.

Section 5. During the moratorium established by this Ordinance, City staff shall be prohibited from accepting applications for zoning permits and approvals which are in any way related to new development on real estate in the Targeted Corridors (including but not limited to applications for subdivisions, site plans, variances, conditional uses, and Zoning Map amendments).

Section 6. The moratorium shall not apply to: (i) zoning permits and approvals involving existing structures and land uses (*i.e.* active uses of real property as of the date of this Ordinance) on real estate in the Targeted Corridors; or (ii) approved or pending applications, as of the date of this Ordinance, for zoning permits or other approvals related to new development on real estate in the Targeted Corridors.

Section 7. City staff and consultants are hereby directed to continue analyzing necessary, appropriate and desirable public infrastructure, building improvements, land uses and future development in the Targeted Corridors, and the potential need for amendments to the UDO and Zoning Map to facilitate such improvements, uses and development, in order to enhance and promote the public health, safety and general welfare. City staff shall keep Council apprised of their progress towards the moratorium goals.

Section 8. Council reserves the right to terminate the moratorium if, at any time prior to the moratorium’s natural expiration set forth herein, Council determines, in its sole discretion, that the purposes of the moratorium have been fulfilled.

Section 9. It is found that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Rules of Council.

INTRODUCED: November 18, 2024

ADOPTED: December 2, 2024

ATTEST: _____
Khristi Dunn, Clerk of Council

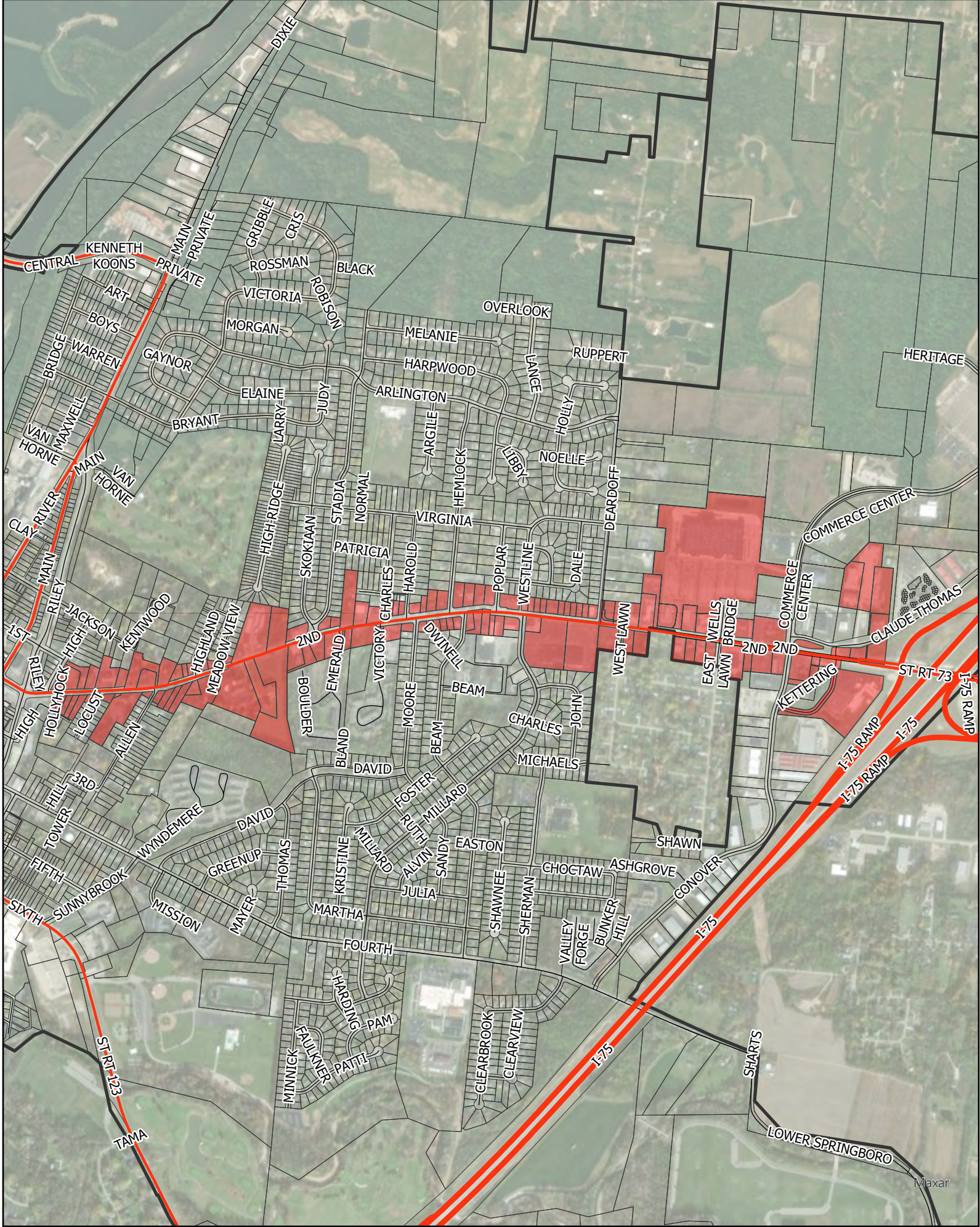
APPROVED: _____
Brent Centers, Mayor

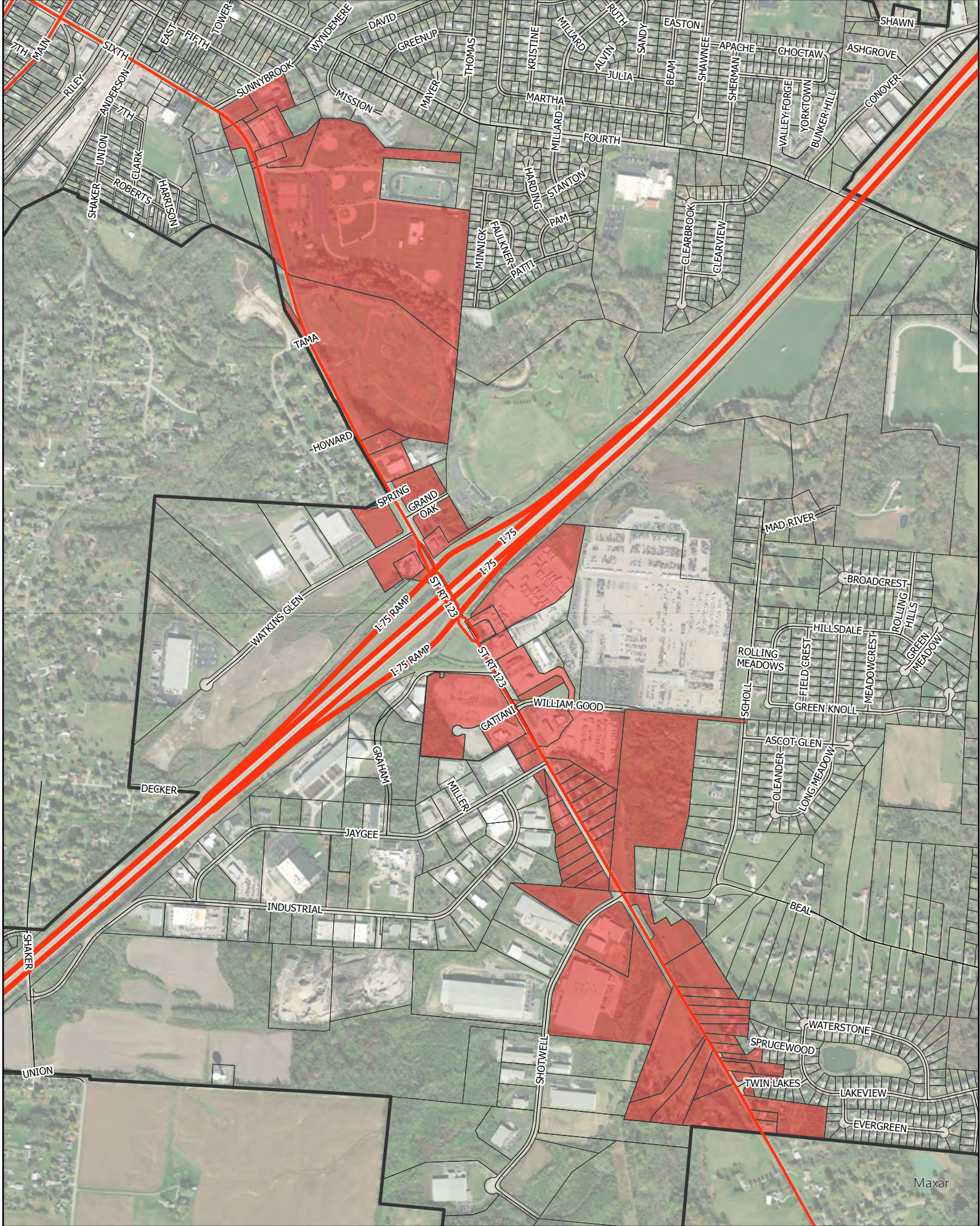
CERTIFICATE

I, the undersigned Clerk of Council for the Franklin City Council do hereby certify that the foregoing is a true and correct copy of Ordinance 2024-23 passed by that body on December 2, 2024.

Khristi Dunn, Clerk of Council

Approved as to form: _____
Ben Yoder, Law Director





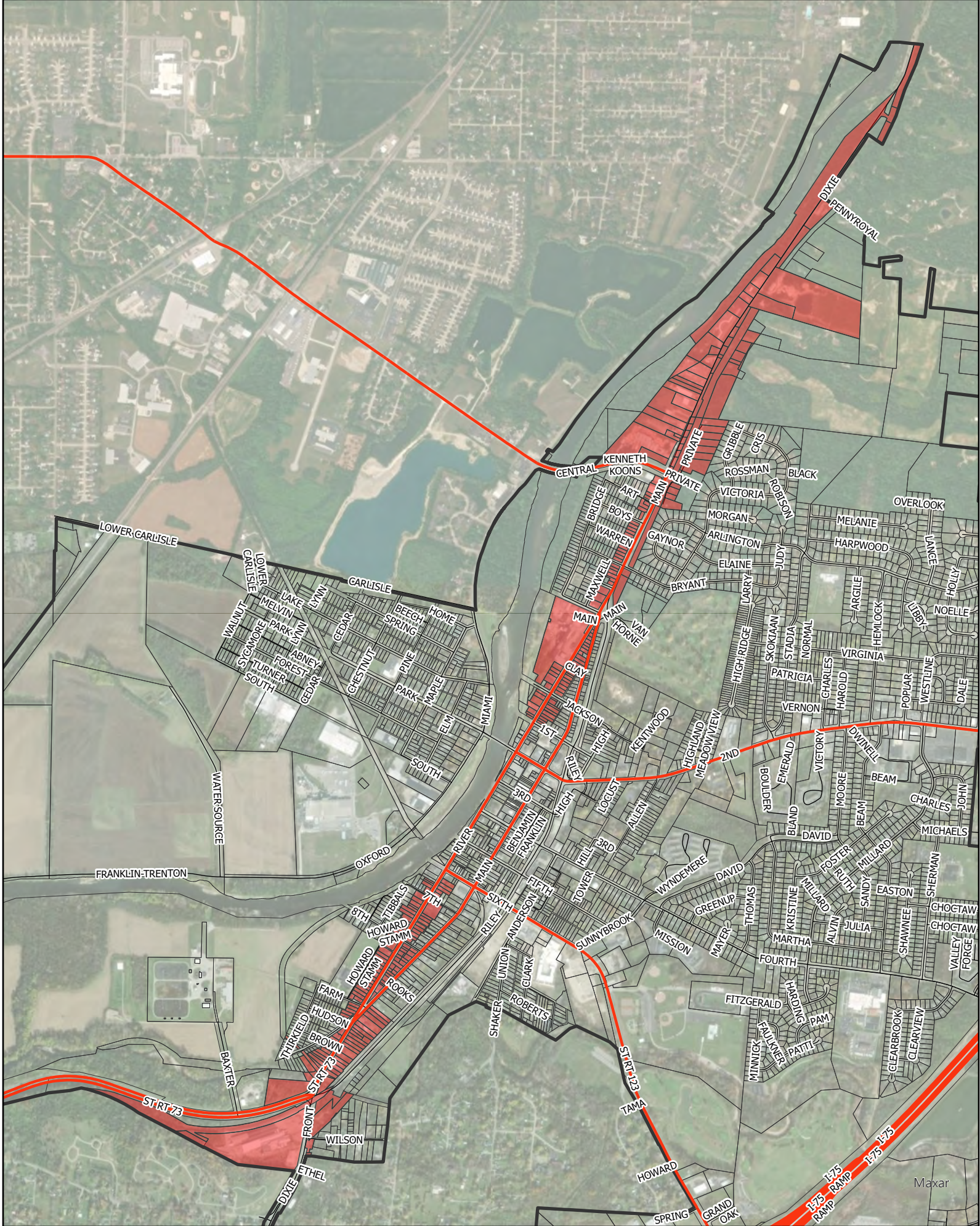


Exhibit C - Dixie Highway

