



## LEGISLATIVE COVER MEMO

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**Introduction:** June 6, 2022

**Public Hearing:** June 20, 2022

**Effective Date:** July 20, 2022

**Agenda Item:** **Ordinance 2022-17**

EXTENDING THE DEVELOPMENT MORATORIUM ON NEW  
COMMERCIAL DEVELOPMENT WITHIN THE DOWNTOWN  
REVITALIZATION AREA FOR AN ADDITIONAL 180 DAYS

**Submitted by:** Jonathan Westendorf, City Manager

**Scope/Description:** The City of Franklin currently has a development moratorium in effect on the acceptance of applications for major subdivisions, major site plans, planned unit developments, and Zoning Map amendments for new commercial developments within the Downtown Revitalization Area. The purpose of the moratorium is to give the City time to evaluate the types of public infrastructure, building improvements and land uses best-suited for the Downtown Revitalization Area (and potentially adopt amendments to the City's Comprehensive Plan, Uniform Development Code and Zoning Map to facilitate such improvements/uses). The moratorium is set to expire on August 21, 2022. The City needs additional time to fulfill the purposes of the moratorium. This Ordinance extends the current moratorium for an additional 180 days following the current August 21st expiration date.

**Exhibits:** Exhibit A: Downtown Revitalization Area Map

**Vote Required for Passage:** Per Section 4.03 of the City's Charter, the passage of this Ordinance requires the affirmative vote of a majority of members of Council present.

**Recommendation:** Approval

CITY OF FRANKLIN, OHIO  
ORDINANCE 2022-17

**EXTENDING THE DEVELOPMENT MORATORIUM ON NEW COMMERCIAL DEVELOPMENT  
WITHIN THE DOWNTOWN REVITALIZATION AREA FOR AN ADDITIONAL 180 DAYS**

WHEREAS, Ohio Revised Code Chapter 713 authorizes the City of Franklin, Ohio to regulate zoning and land use of real property located within its territorial boundaries to promote the public health, safety, convenience, comfort, prosperity, or general welfare;

WHEREAS, in conformance with, and furtherance of Ohio Revised Code Chapter 713, the Franklin City Council adopted the City's Comprehensive Plan, Unified Development Code ("UDO") and Zoning Map;

WHEREAS, following new construction projects and other development opportunities in the City in 2021, City Council commissioned a Downtown Revitalization Study to evaluate potential public roadway, building façade, and land use improvements that may be warranted in the downtown areas described in the attached Exhibit A (the "Downtown Revitalization Area");

WHEREAS, on August 16, 2021, City Council passed Ordinance 2021-24, establishing a 180-day development moratorium on new commercial development within the Downtown Revitalization Area to allow the City time to evaluate the types of public infrastructure, building improvements and land uses best-suited for the Downtown Revitalization Area, and potentially adopt amendments to the City's Comprehensive Plan, Uniform Development Code and Zoning Map to facilitate such improvements and uses;

WHEREAS, on February 7, 2022, City Council passed Emergency Ordinance 2022-05, followed by non-emergency Ordinance 2022-08 on March 7, 2022, extending the moratorium an additional 180 days;

WHEREAS, the current development moratorium is set to expire on August 21, 2022;

WHEREAS, the City's evaluation of, and discussions about, public infrastructure, building improvements and land uses best-suited for the Downtown Revitalization Area, and potential amendments to the City's Comprehensive Plan, Uniform Development Code and Zoning Map to facilitate the same, are ongoing, and the City requires additional time to fulfill the purposes of the current development moratorium; and

WHEREAS, given the importance of the Downtown Revitalization Area to the City's future public convenience, comfort, prosperity and general welfare, City Council finds it necessary to extend the current moratorium on new commercial development in the Downtown Revitalization Area for an additional 180 days following the current August 21, 2022 expiration date of the moratorium.

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

Section 1. The current development moratorium on new commercial development within the Downtown Revitalization Area enacted through Ordinance 2021-24, effective on September 5, 2021 and extended through Ordinances 2022-05 and 2022-08, set to expire on August 21, 2022, is hereby extended for an additional 180 days following its current expiration date. The new moratorium expiration date shall, therefore, be February 17, 2023.

Section 2. During the moratorium, City staff shall be prohibited from accepting applications for major subdivisions, major site plans, planned unit developments and Zoning Map amendments for new commercial developments within the Downtown Revitalization Area.

Section 3. This moratorium shall not apply to applications for minor subdivisions, minor site plans, conditional uses, or variances involving existing commercial developments in the Downtown Revitalization Area; or those persons having a vested interest in new commercial development with the Downtown

Revitalization Area, with “vested interest” defined to mean an approved or pending application for a major subdivision, major site plan, planned unit development, or Zoning Map amendment for new commercial development within the Downtown Revitalization Area.

Section 4. City staff engaged in studying the Downtown Revitalization Area in furtherance of the purposes of this moratorium shall keep Council apprised of their progress throughout the moratorium period towards determining appropriate public infrastructure, building improvements and land uses for the Downtown Revitalization Area, and the potential need for amendments to the City’s Comprehensive Plan, UDO and Zoning Map to facilitate the same. Council reserves the right to terminate the moratorium prior to the new February 17, 2023 expiration date if Council determines, in its sole discretion, that the purposes for the moratorium have been fulfilled.

Section 5. 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 occurred 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.

Section 6. This Ordinance shall go into effect on July 20, 2022

INTRODUCED: June 6, 2022

ADOPTED: June 20, 2022

ATTEST: \_\_\_\_\_  
Khristi Dunn, Clerk of Council

APPROVED: \_\_\_\_\_  
Brent Centers, Mayor

CERTIFICATE

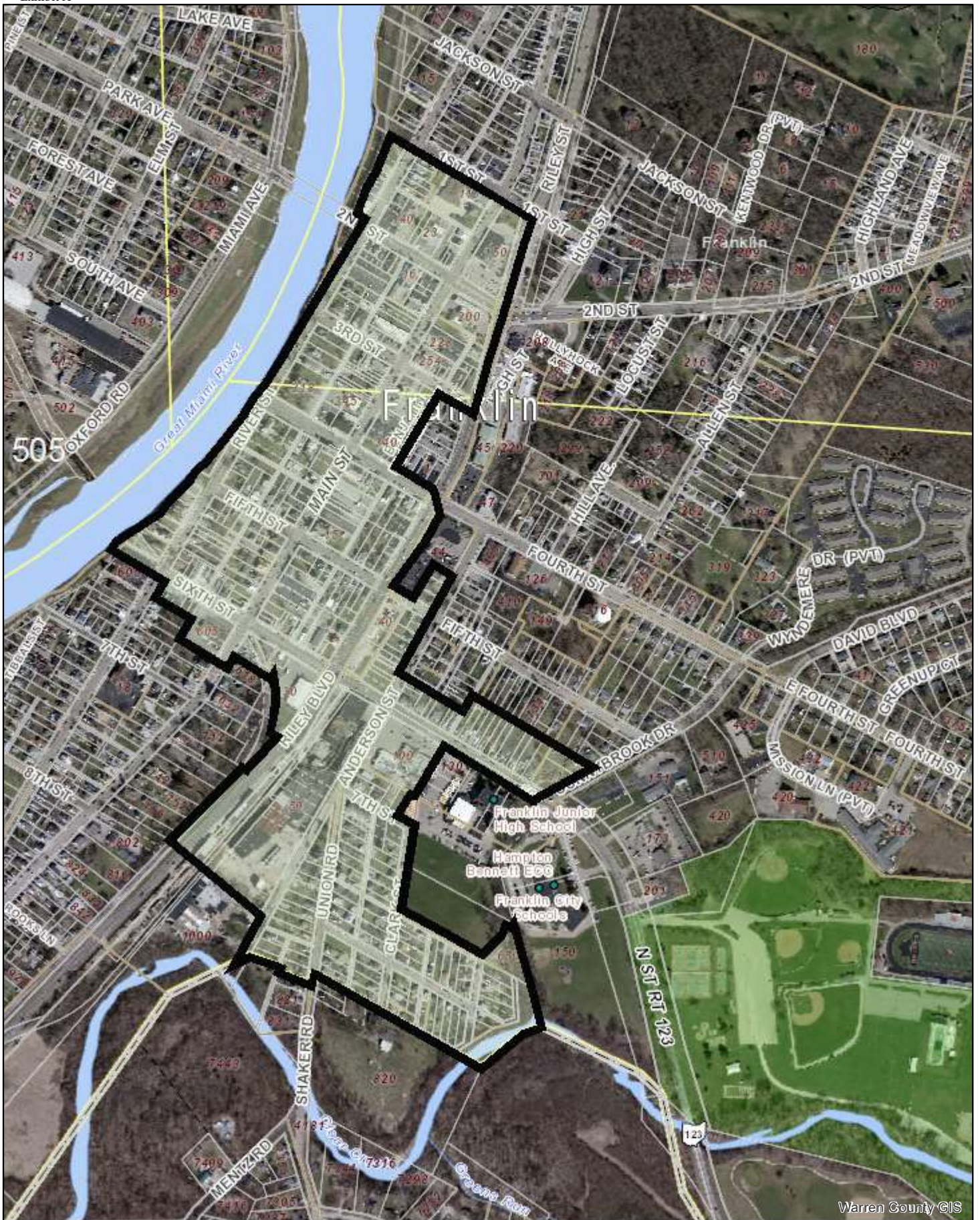
I, the undersigned Clerk of Council for the Franklin City Council, do hereby certify that the foregoing is a true and correct copy of Ordinance 2022-17 passed by that body on June 20, 2022.

\_\_\_\_\_  
Khristi Dunn, Clerk of Council

APPROVED AS TO FORM:

\_\_\_\_\_  
Ben Yoder, Law Director





Warren County GIS

Date: 7/27/2021

| Cadastral Lines     |                       | Corporate Line | Parcel Line          | Hardware   |
|---------------------|-----------------------|----------------|----------------------|------------|
| Line Type           |                       | County Line    | Subdivision Lot Line | Tract Line |
| Auditors Tract Line | Overpass Line         | Road ROW       | School Line          | VMS Line   |
| Civil Township Line | Subdivision Unit Line | Section Line   | Waste Road Line      |            |

## Exhibit A

1 inch = 600 feet

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