

First Reading: March 7, 2023
Second Reading: Dispensed

RESOLUTION NO. 2023- 18

**BOARD OF TRUSTEES, DEERFIELD TOWNSHIP
WARREN COUNTY, OHIO**

**RESOLUTION ESTABLISHING A DEVELOPMENT MORATORIUM
ON THE ISSUANCE OF ZONING PERMITS AND APPROVALS
FOR NEW DEVELOPMENT ALONG THE US ROUTE 22 & 3 CORRIDOR**

WHEREAS, Deerfield Township has adopted a limited home-rule form of government which empowers the Township to exercise all powers of local self-government, and adopt local regulations that do not conflict with general laws, for the protection of the health, safety and general welfare of Township residents;

WHEREAS, Ohio Revised Code 519.02 further empowers the Township to impose reasonable zoning regulations for the purpose of promoting the public health, safety and morals within the Township in accordance with a comprehensive plan;

WHEREAS, Deerfield Township has maintained, and routinely updated, a comprehensive land use plan pertaining to all real property in the Township (the "Comprehensive Plan");

WHEREAS, the Comprehensive Plan sets forth the Township's policies, vision and goals for future growth and development in the community, along with objectives and action items to implement the same;

WHEREAS, the Deerfield Township Board of Trustees adopted the most recent version of the Comprehensive Plan on June 21, 2022 through the passage of Resolution 2022-33;

WHEREAS, a stated goal of the Township in the Comprehensive Plan is to maintain a vibrant community by actively facilitating compatible development and redevelopment in certain targeted areas, including the Route 22 & 3 corridor (the "Targeted Corridor");

WHEREAS, the Township intends to engage a consultant to assist the Township in implementing the Comprehensive Plan by, among other things, studying the Targeted Corridor and identifying the most appropriate and desirable land uses and future development for the area;

WHEREAS, the Township requires time to study and evaluate the types of public infrastructure, building improvements and land uses best-suited for the Targeted Corridor, and potentially develop and adopt amendments to the Deerfield Township Zoning Resolution and Zoning Map to facilitate such improvements and uses, in order to enhance and promote the public health, safety and general welfare; and

WHEREAS, given the importance of the Targeted Corridor to the public convenience, comfort, prosperity and general welfare, the Board of Trustees finds it necessary to enact a twelve (12) month moratorium on the issuance of zoning permits and approvals for any and all new development located within 500 feet of the Targeted Corridor, as described and depicted on Exhibit A to this Resolution.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of Deerfield Township, Warren County, Ohio:

SECTION 1. The issuance of any and all zoning permits and approvals to allow new development on real property located within 500 feet of the Targeted Corridor, as described and depicted on Exhibit A to this Resolution, (the “Subject Property”) is hereby suspended for a period of twelve (12) months from the date of this Resolution, which suspension shall expire on March 5, 2024 (the “Moratorium”).

SECTION 2. During the Moratorium, Township staff shall be prohibited from accepting applications for any zoning permits and approvals which are in any way related to new development on the Subject Property; including but not limited to variance, conditional use, and Zoning Map amendment applications.

SECTION 3. The Moratorium shall not apply to: (i) zoning permits and approvals involving existing developments on the Subject Property; or (ii) zoning permit and approval applications submitted by persons having a vested interest in new development on the Subject Property. For the purposes of this Resolution, a person has a “vested interest” in new development if the person has zoning approval, or a pending application for zoning approval, for a development on the Subject Property prior to the enactment of this Moratorium.

SECTION 4. During the Moratorium, the Township Administrator, Community Development Director, Law Director, other appropriate Deerfield Township staff, and consultants engaged by the Township are hereby directed to study and evaluate necessary, appropriate and desirable public infrastructure, building improvements, land uses and future development in the Targeted Corridor; and the potential need for amendments to the Deerfield Township Zoning Resolution and Zoning Map to facilitate such improvements, uses and development, in order to enhance and promote the public health, safety and general welfare.

BE IT FURTHER RESOLVED, that this Resolution constitutes an emergency measure necessary for the immediate preservation of the public health, safety and general welfare, and for the further reason that the Board desires to make an informed decision regarding the most appropriate and desirable public infrastructure, building improvements, land uses and future development in the Targeted Corridor, and the potential need for amendments to the Deerfield Township Zoning Resolution and Zoning Map to facilitate such improvements, uses and development.

BE IT FURTHER RESOLVED, that by a majority vote of its members, the Board of Trustees hereby dispenses with the requirement that this Resolution be read on two separate days and authorizes passage on the first reading, and this Resolution shall be effective upon its passage per Ohio Revised Code 504.11.

VOTE RECORD:

Ms. Hedding Y Ms. Seitz Y Ms. Malhotra Y

PASSED at the meeting of the Deerfield Township Board of Trustees, this 7th day of March, 2023.



Lelle Lutts Hedding, President



Julie Seitz, Vice President



Kristin Malhotra, Trustee

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Deerfield Township, Warren County, Ohio Fiscal Officer, this 7th day of March, 2023.



**Dan Corey, Fiscal Officer
Deerfield Township, Warren County, Ohio**

APPROVED AS TO FORM:



Benjamin J. Yoder, Law Director

Route 22 & 3 Development Moratorium Area

