

ORDINANCE 2019-24

AN ORDINANCE AMENDING THE 2018 ZONING CODE OF THE VILLAGE OF COMMERCIAL POINT, OHIO

WHEREAS, Part Eleven of the Codified Ordinances of the Village of Commercial Point consists of the Village Zoning Code and Subdivision Regulations; and

WHEREAS, the Planning and Zoning Commission of the Village of Commercial Point has determined that it is necessary to amend the 2018 Zoning Code of the Village of Commercial Point; and

WHEREAS, the Council of the Village of Commercial Point has the authority to approve amendments to the Zoning Code.

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Commercial Point, Pickaway County, Ohio, that;

SECTION I: Section 1139.01 shall be amended as described in the attached Exhibit A.

SECTION 2: It is hereby found and determined 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 and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 3: Wherefore, this Ordinance shall take effect and be in force immediately upon passage and approved by Council and shall become effective upon passage by Council.

Vote on Suspension of Readings:

Motion by: _____ 2nd _____

Roll Call:

___ Ben Townsend
___ Aaron Grassel

___ Scott O'Neil
___ Laura Wolfe

___ Bruce Moore
___ Jason Thompson

Vote on Passage of the Ordinance:

Motion by: Scott O'Neil 2nd Aaron Grassel

Roll Call:

Yes Ben Townsend
Yes Aaron Grassel

Yes Scott O'Neil
Yes Laura Wolfe

 Bruce Moore
 Jason Thompson

**PASSED AND ADOPTED BY THE COUNCIL OF THE VILLAGE OF COMMERCIAL
POINT ON THIS 2 DAY OF DECEMBER 2019.**

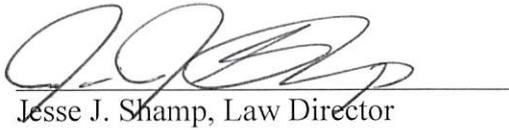


Gary Joiner, Mayor



Wendy Hastings, Fiscal Officer

Approved as to Form:



Jesse J. Shamp, Law Director

Exhibit A

1139.01 PLANNING AND ZONING COMMISSION.

The Planning and Zoning Commission is hereby created which shall consist of five (5) residents of the Municipality plus one alternate. Members shall be appointed by the Mayor and approved by Council for terms of ~~three~~ four (34) years each, except for four of the original members appointed to the newly formed Planning and Zoning Commission board. Two of the original members appointed shall serve a term of one (1) year each and another two of the original members appointed shall serve a term of two (2) years each. In the case of a vacancy, the Mayor shall appoint and Council shall approve a replacement commissioner who shall serve the balance of the vacated term. All such members shall serve without compensation. The Planning and Zoning Commission may adopt rules necessary to the conduct of its affairs in keeping with the provisions of this Zoning Code. The Planning and Zoning Commission shall be the Planning Commission as outlined in Chapter 713 of the Ohio Revised Code.

(a) Meetings.

(1) The Planning and Zoning Commission shall hold regular meetings as determined by the Commission's Rules. Robert's Rules of Order is generally followed for order of business.

(2) An organizational meeting shall be held each January at which time the following officers shall be elected: chairperson; vice chairperson; secretary.

(3) A Special Meeting of the Planning and Zoning Commission can be called at the request of the Mayor or Commission chairperson or upon written notice by two (2) or more of its members; in all cases such request or notice shall be given at least twenty-four (24) hours prior to the meeting time.

(4) All meetings shall be public and public records shall be kept of all proceedings indicating the vote of each member on each issue, the members present and absent, and the facts of each case and other minutes of the meeting, a copy of which shall be sent to Council. Nothing in this Code shall prevent the Planning and Zoning Commission from granting a continuance of a public hearing.

(b) Procedure. Four (4) members constitute a quorum. The Planning and Zoning Commission shall act by resolution passed by the vote of a majority of the members of the Planning and Zoning Commission. The chairperson, or in his/her absence the vice-chairperson, shall administer oaths and compel the attendance of witnesses. The Planning and Zoning Commission's secretary shall keep minutes of the proceedings, indicating the vote of each member on each question, or if absent or failing to vote, so note. The secretary shall keep records of the Planning and Zoning Commission's examinations and other official actions, all of which

are to be filed in the Municipal Building and are public record. All meetings shall be open to the public.

(c) Duties. The duties of the Planning and Zoning Commission are as follows:

(1) To hear and decide appeals where it is alleged there is in error in any order, requirement, decision, or determination made by the Planning and Zoning Administrator.

(2) To initiate amendments to the provisions of this Zoning Code and official Zoning Map and forward a recommendation to Council.

(3) To review all proposed amendments of this Zoning Code and Zoning Map, as per Chapter 1143, and to forward recommendations to Council.

(4) To review all proposed Preliminary development plans, as per Chapter 1173, and to forward recommendations to Council.

(5) To review and act upon applications for variances from the requirements of this Zoning Code, as per Chapter 1147.

(6) To review and act upon applications for conditional use permits, as per Chapter 1145 and all other pertinent sections of this Zoning Code.

(7) To act on all major Site Development Plans, as per Chapter 1141.

(8) To act on all Development Plans, as per Chapter 1173.

(9) To review and act upon reconstruction and substitution of nonconforming uses.

(10) To act on major subdivisions, per the Subdivision Regulations of Commercial Point.

(11) To make plans which show the Planning and Zoning Commission's recommendations for the character of both public and private streets, bridges, parks, open spaces, waterways, and utilities.

(12) To make plans which show the Planning and Zoning Commission's recommendations on the location and extension of streets, bridges, parks, open spaces, waterways, and utilities.

(13) To work to make plans and recommendations for the control and care of historic structures and grounds.

(14) To assist in the design of public works such as bridges, street fixtures, public art, and visible utilities.

(15) To make plans and recommendations for the control, installation, and care of trees and other vegetation.

(16) To administer and make recommendations for the application of other municipal planning documents adopted by Council.

(17) To hear and decide appeals of the decision of the Chief Building Official in regard to the Residential Building Code.

(18) Other duties as may be directed by Council.

(d) Matters of Interpretation. It is the intent of this Zoning Code that all questions of interpretation and enforcement shall be first presented to the Planning and Zoning Administrator, and that such questions shall be presented to the Planning and Zoning Commission on appeal from the decision of the Planning and Zoning Administrator.

Village of Commercial Point Council,

The Commercial Point Planning and Zoning Commission members have voted unanimously to amend Zoning Code "**1139.01 PLANNING AND ZONING COMMISSION**" to read as follows:

"The Planning and Zoning Commission is hereby created which shall consist of five (5) residents of the Municipality plus one alternate. Members shall be appointed by the Mayor and approved by Council for terms of **three (3) years each, except for four of the original members appointed to the newly formed Planning and Zoning Commission board. Two of the original members appointed shall serve a term of one (1) year each and another two of the original members appointed shall serve a term of two (2) years each.** In the case of a vacancy, the Mayor shall appoint and Council shall approve a replacement commissioner who shall serve the balance of the vacated term. All such members shall serve without compensation. The Planning and Zoning Commission may adopt rules necessary to the conduct of its affairs in keeping with the provisions of this Zoning Code. The Planning and Zoning Commission shall be the Planning Commission as outlined in Chapter 713 of the Ohio Revised Code."

The members of the Planning and Zoning Commission respectfully requests that council reads and makes a motion to approve this language-change prior to December 31, 2019.

Sincerely,



Dan Kopec
Planning & Zoning Commission Chairman

RECEIVED
OCT 24 2019

BY: PB