

ORDINANCE 2020-15

AN ORDINANCE AMENDING SECTION 1173.06 OF THE ZONING CODE OF THE VILLAGE OF COMMERCIAL POINT, AND DECLARING AN EMERGENCY.

WHEREAS, Section 1173.06 of the Zoning Code of the Village of Commercial Point presently requires the Village Council to act upon submitted Preliminary Plans, Development Standards Texts, and Development Plans for Planned Districts at the next regularly scheduled Village Council meeting following submission thereof; and

WHEREAS, the Village of Commercial Point has experienced rapid residential and commercial growth in recent years; and

WHEREAS, the Village of Commercial Point anticipates continued residential and commercial development in the coming years; and

WHEREAS, the Village Council wishes to have more time to evaluate submitted Preliminary Plans, Development Standards Texts, and Development Plans for Planned Districts before acting thereupon; and

WHEREAS, in light of several pending development projects in the Village, an amendment to the Zoning Code is immediately necessary to allow the Village Council greater time to evaluate said Preliminary Plans, Development Standards Texts, and Development Plans for Planned Districts before acting thereupon and to align said timelines with other sections of the Zoning Code.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF COMMERCIAL POINT, OHIO THAT:

SECTION 1. Section 1173.06(a)(3) of the Zoning Code, with respect to the time frame for Council's evaluation of and action upon Preliminary Plans and Development Standards Texts for Planned Districts, is hereby amended as follows:

1173.06(a)(3) Once the applicant has submitted a completed application in accordance with the submission schedule, staff shall submit the application, including the Preliminary Plan and Development Standards Text, to Council for their review and action within forty-five (45) days. It shall be the duty of Council to review the Preliminary Plan and Development Standards Text and determine whether it complies with the regulations of this Chapter.

SECTION 2. Section 1173.06(b)(3) of the Zoning Code, with respect to the time frame for Council's evaluation of and action upon Development Plans for Planned Districts, is hereby amended as follows:

1173.06(b)(3) It shall be the duty of Council to review the Development Plan and determine whether it complies with the regulations of this Chapter. Such determination shall be made by Council within forty-five (45) days of submission of the Development Plan to Council, which shall be done after any necessary approvals by the Village Engineer and Planning and Zoning Administrator are obtained and payment of the construction plan review fee is received by the Village. If Council finds that the Development Plan complies in all respects with the regulations of this Chapter and the previously approved Preliminary Plan and Development Standards Text, Council shall approve the Development Plan. With the approval of Council, minor modifications of the approved Development Plan may be made. Such modifications shall not increase the overall density of the site or change the essential character of the approved Development Plan. If the Planning and Zoning Administrator determines that such proposed changes significantly alter the approved Development Plan, it is considered a major change and the Development Plan must be resubmitted to Council for approval.

SECTION 3. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of any other committees that result 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.

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SECTION 4. In light of several pending major development projects and to permit Council more time to review applicable Preliminary Plans, Development Standards Texts, and Development Plans for Planned Districts submitted under the Village Zoning Code and to align said timelines with other sections of the Zoning Code, this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety of the Village of Commercial Point and, therefore, shall take immediate effect upon passage.

Vote on Suspension of the Readings:

Motion by: Aaron Grassel

2nd: Tracy Joiner

Roll Call:

N/A Bruce Moore

Yes Tracy Joiner

Yes Jason Thompson

Yes Aaron Grassel

Yes Ryan Mitchem

Yes Laura Wolfe

Vote on Passage of the Ordinance:

Motion by: Aaron Grassel

2nd: Laura Wolfe

Roll Call:

N/A Bruce Moore

Yes Tracy Joiner

Yes Jason Thompson

Yes Aaron Grassel

Yes Ryan Mitchem

Yes Laura Wolfe

Adopted this 17th day of August, 2020.


Allan D. Goldhardt, Mayor


Wendy Hastings, Fiscal Officer

Approved as to Form:


Josh Cartee, Law Director