

**ORDINANCE 2022-06  
(AS SUBSTITUTED)**

**AN ORDINANCE REPEALING AND REPLACING SECTION 1171.04(a)(5) OF THE ZONING CODE OF THE VILLAGE OF COMMERCIAL POINT, AND DECLARING AN EMERGENCY.**

**WHEREAS**, Ohio Revised Code Chapters 711, 713, and 715 provide a statutory village the authority to enact zoning laws, rules, and regulations and provide for the enforcement thereof; and

**WHEREAS**, the Village of Commercial Point has adopted a Zoning Code, as amended from time to time, to regulate property within the Village; and

**WHEREAS**, Section 1171.04(a)(5) of the Zoning Code was originally enacted with a requirement that all main and accessory structure maintain a side yard of not less than twenty (20) feet in Limited Manufacturing Districts, and

**WHEREAS**, due to the increase of warehousing use within the Village of Commercial Point, Section 1171.04(a)(5) of the Zoning code needs updated to account for, and clarify, the unique needs of warehousing, and to reduce the side yard set back requirement from twenty (20) feet to ten (10) feet in Limited Manufacturing Districts for accessory structures; and

**WHEREAS**, the Village Council wishes to update Section 1171.04(a)(5) within the Zoning Code of the Village of Commercial Point; and

**WHEREAS**, the Village intends to retain all rights and authority provided to it under the Ohio Revised Code and Zoning Code as amended to enforce the zoning laws, rules, and regulations of the Village.

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

**Section 1. Repeal and Replacement of Section 1171.04(a)(5) of the Zoning Code.** The Zoning Code of the Village of Commercial Point is hereby amended to repeal and replace the current Section 1171.04(a)(5) in its entirety and replace Section 1171.04(a)(5) with Exhibit A, which is attached to this Ordinance and incorporated herein by reference. Nothing in this Section shall be construed as the Village waiving any of its rights or authority under the Ohio Revised Code or Zoning Code, as amended.

**Section 2. Open Meetings Certification.** It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council and of any other 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. Emergency Declaration; Effective Date.** Because the amendment of Section 1171.04(a)(5) is necessary to ensure the continued economic development of the Village of Commercial Point, this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety in the Village and shall, therefore, go into effect immediate effect upon passage.

Vote on Suspension of the Readings:

Motion by: Jason West

2<sup>nd</sup>: Tracy Joiner

Roll Call:

Yes Nancy Geiger

Yes Tracy Joiner

Yes Jason West

Yes Ross Crego

Yes Ryan Mitchem

Yes Laura Wolfe

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Vote on Passage of the Ordinance:

Motion by: Nancy Geiger

Roll Call:

Yes Nancy Geiger

Yes Ross Crego

Yes Tracy Joiner

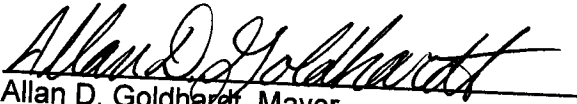
Yes Ryan Mitchem

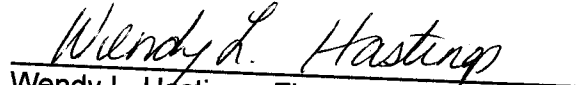
2<sup>nd</sup>: Ryan Mitchem

Yes Jason West


Yes Laura Wolfe

Adopted this 24<sup>th</sup> day of January, 2022.

  
Allan D. Goldhardt, Mayor

  
Wendy L. Hastings, Fiscal Officer

Approved as to Form:

  
Joshua Cartee, Village Solicitor

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**EXHIBIT A TO ORDINANCE 2022-06**

**1171.04 DEVELOPMENT STANDARDS.**

(a) Lot and Building Requirements. The following lot and building requirements are minimum standards, except where noted, and shall apply in the Limited Manufacturing District (LM):

(1) Lot Area: No minimum lot area is required, however, all lots shall abut an improved public right-of-way and lot area shall be adequate to provide the required yard space.

(2) Lot Coverage (Maximum): No maximum lot coverage is required, however, the lot coverage shall be adequate to provide the yard space required.

(3) Lot Width: No minimum lot width is required, however, all lots shall abut an improved public right-of-way and have adequate width to provide the required yard space and meet minimum access requirements.

(4) Front Yard Setback: The minimum front yard setback shall be no less than fifty (50) feet measured from the street right-of-way.

(5) Side Yard Setback: For accessory structures, including open service and loading areas, the required side yards shall not be less than ten (10) feet, unless adjacent to any residential zoning district, Planned Residential District, Planned Conservation District, Traditional Neighborhood Development District, and Planned Unit District whereby the side yard shall be no less than fifty (50) feet. For main structures, including open service and loading areas, the required side yards shall not be less than twenty (20) feet, unless adjacent to any residential zoning district, Planned Residential District, Planned Conservation District, Traditional Neighborhood Development District, and Planned Unit District whereby the side yard shall be no less than fifty (50) feet. For purposes of this subsection, "main" shall be synonymous with "principal" as used elsewhere in the Zoning Code.

(6) Rear Yard Setback: For main and accessory structures the required rear yard shall be not less than twenty (20) feet, unless adjacent to any residential zoning district, Planned Residential District, Planned Conservation District, Traditional Neighborhood Development District, and Planned Unit District whereby the rear yard shall be no less than fifty (50) feet.

(b) Supplemental Standards. The following supplemental standards shall apply within the Limited Manufacturing District (LM):

(1) No building shall exceed sixty (60) feet in height.

(2) Applicable standards shall be met in corresponding chapters of this Zoning Code.