



ORDINANCE NO. 16-2016

AN ORDINANCE AMENDING SECTION 1131.06, "CRITERIA FOR APPROVAL" OF THE CODIFIED ORDINANCES OF THE VILLAGE OF JOHNSTOWN AND DECLARING AN EMERGENCY

WHEREAS, the Planning and Zoning Commission met and approved a list of general conditions and standards for "Conditional Uses"; and

WHEREAS, on March 2, 2016 the Planning and Zoning Commission voted 5-0 recommending approval of the text amendment as proposed; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF JOHNSTOWN, COUNTY OF LICKING, STATE OF OHIO; AND A MAJORITY OF THE MEMBERS CONCURRING THAT:

Section 1.

Council hereby amends Section 1131.06 of the codified ordinances of Johnstown, Ohio "Criteria for approval" to read as follows:

1131.06 General Standards for all Conditional Uses

The Planning and Zoning Commission shall review the particular facts and circumstances of each proposed conditional use and shall approve the application for a Conditional Use Permit only when it has determined that there has been adequate evidence presented to show that such use at the proposed location:

- (a) Is in fact a conditional use as listed in this Zoning Ordinance for the zoning district in which the site is located;
- (b) Will be in accord with the general objectives, or with any specific objective, of the comprehensive plan and the Zoning Ordinance;
- (c) Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area;
- (d) Will not be hazardous or disturbing to existing or future neighboring uses;
- (e) Will be served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately for such services;

- (f) Will not create excessive additional requirements at public cost for public facilities and services, and will not be detrimental to the economic welfare of the community;
- (g) Will not involve uses, activities, processes, materials, equipment and/or conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odors;
- (h) Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares; and
- (i) Will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.

Section 2.

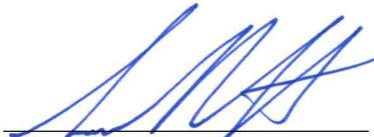
It is found and determined that all formal actions of this Village Council concerning and relating to the recommendation of adoption of this Ordinance were approved in an open meeting of this Village Council and that meetings resulted in such formal action where meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code and the Charter for the VILLAGE OF JOHNSTOWN

Section 3.

This Ordinance was amended and declared to be an emergency necessary for the immediate preservation of the public peace, health, safety or welfare, and for the further reason that it is necessary for this legislation to have the same effective date as Ordinance 08-2016. The Ordinance shall therefore take effect on April 15, 2016.

Date of Introduction: March 15, 2016
Public Hearing/Passage: April 5, 2016
Effective Date: April 15, 2016

By: VanDeest


Sean Stanart, Mayor



ATTEST TO:

APPROVED AS TO FORM:


Teresa Monroe
Clerk of Council


Jennifer Croghan
Law Director