

**VILLAGE OF YELLOW SPRINGS, OHIO
ORDINANCE 2013-19**

**ORDINANCE ADOPTING THE NEW ZONING CODE: PART 12, TITLE 4,
CHAPTERS 1240-1284 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF
YELLOW SPRINGS AND REPEALING THE EXISTING ZONING CODE: PART 12,
TITLE 4, CHAPTERS 1240-1284 AND APPENDICES OF THE CODIFIED
ORDINANCES OF THE VILLAGE OF YELLOW SPRINGS**

WHEREAS, the Village Charter and Chapter 713 of the Ohio Revised Code empower the Village to enact a zoning code and to provide for its administration, enforcement and amendment; and

WHEREAS, the Planning Commission has recommended the repeal of the existing zoning code as codified in Part 12, Title 4 of the Codified Ordinances of Yellow Springs Chapters 1240-1284 and Appendices (the “Old Zoning Code”), and the adoption of new zoning code for the purpose of promoting the public health, safety, convenience, comfort, prosperity, and general welfare; and has held public hearings on the subject matter; and has submitted a new Part 12, Title 4 of the Codified Ordinances of Yellow Springs Chapters 1240-1284 (the “2013 Zoning Code”) to the Village Council with the recommendation to adopt the new zoning code following public hearings; and

WHEREAS, for the purpose of promoting the public health, safety, convenience, comfort, prosperity, and general welfare, the Village Council has accepted the Planning Commission recommendation to adopt a new zoning code; and

WHEREAS, Village Council has given notice of public hearings pertaining to the proposed new 2013 Zoning Code; and has held public hearings; and desires to repeal existing the Old Zoning Code, and adopt the new 2013 Zoning Code; and

WHEREAS, all requirements for recommending the repeal of the existing Old Zoning Code and the adoption of the new 2013 Zoning Code by the Planning Commission as amended by Village Council have been met, and all requirements for Village Council’s action thereon have been likewise met;

**NOW, THEREFORE, THE COUNCIL FOR THE VILLAGE OF YELLOW SPRINGS,
OHIO, GREENE COUNTY, HEREBY ORDAINS THAT:**

Section 1. Village Council hereby acknowledges receipt of, and after due deliberation accepts, the recommendation of the Planning Commission made after public hearing and public meetings, that the existing Old Zoning Code, be repealed and the new 2013 Zoning Code, be adopted.

Section 2. Village Council, having accepted the recommendation of the Planning Commission, and after public hearing and public meetings wherein the proposed new 2013 Zoning Code was reviewed and amended, finds it is in the best interest of the Village of Yellow Springs and its

citizens to repeal the existing Old Zoning Code, and adopt the new 2013 Zoning Code, which is attached hereto as Exhibit A and incorporated herein by this reference.

Section 3. That all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council, and that any and 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 of the Ohio Revised Code.

Section 4. Village Council hereby repeals the Old Zoning Code effective on November 30, 2013. The 2013 Zoning Code shall become effective on December 1, 2013.

Judith Hempfling, Council President

PASSED: 9-16-2013

ATTEST: Judith O. Kintner, Clerk of Council

Roll Call:

Hempfling Y Askeland Absent Wintrow Y

Walkey Absent Simms Y