

**VILLAGE OF YELLOW SPRINGS, OHIO
ORDINANCE 2019-23**

**REPEALING SECTION 1276.02 “PLANNING COMMISSION POWERS AND DUTIES”
OF THE CODIFIED ORDINANCES OF THE VILLAGE OF YELLOW SPRINGS,
OHIO AND ENACTING NEW SECTION 1276.02 “PLANNING COMMISSION
POWERS AND DUTIES”**

Whereas, Codified Ordinance Section 1276.02 of the Village of Yellow Springs, Ohio provides the Planning Commission powers and duties; and

Whereas, Village Council has determined that it would be in the best interest of the Village to adopt a new Section 1276.02 entitled “Planning Commission Powers and Duties” of the Codified Ordinances of the Village of Yellow Springs, Ohio to change procedures in keeping with the Village Charter,

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

Section 1. Section 1276.02 entitled “Planning Commission Powers and Duties” of the Codified Ordinances of the Village of Yellow Springs, Ohio be repealed.

Section 2. A new Section 1276.02 entitled “Planning Commission Powers and Duties” of the Codified Ordinances of the Village of Yellow Springs, Ohio be enacted to read as set forth on Exhibit A with new language underlined and **bolded** and deleted language in ~~strikethrough~~, which is attached hereto and incorporated herein.

Section 3. This ordinance shall take effect and be in full force at the earliest date permitted by law.

Brian Housh, President of Council

Passed: 7-15-2019

Attest: _____
Judy Kintner, Clerk of Council

ROLL CALL

Brian Housh __Y__ Marianne MacQueen _Y__ Kevin Stokes __Y__

Lisa Kreeger __Y__ Kineta Sanford __Y__

EXHIBIT A

1276.02 PLANNING COMMISSION POWERS AND DUTIES.

In addition to the powers and duties granted in Ohio R.C. Chapter 713 and by the Village Charter, the Planning Commission shall have the following powers and duties:

(a) The Planning Commission and Village staff shall carry on a continuous review of the effectiveness and appropriateness of this code and recommend to Village Council any appropriate changes or amendments.

(b) The Planning Commission shall hear and make recommendations to the Village Council regarding amendments to this code, including rezoning requests, following the procedure outlined in Section 1280.03.

(c) The Planning Commission shall render decisions on conditional use applications and site plans, unless otherwise specifically provided.

(d) The Planning Commission shall keep minutes of its proceedings showing the action of the Commission and the vote of each member upon each question or, if absent or failing to vote, indicating as such. The Commission shall act by resolution. Minutes and the records of all official actions shall be filed with the Clerk of Council and kept as a public record.

(e) The presence of three members shall constitute a quorum. The concurring vote of a majority of the quorum of the ~~three~~ Planning Commission members shall be necessary to take any action authorized by the code, unless otherwise specified within the code.

(f) Before a zoning application is approved, the Commission shall make an affirmative finding that specific provisions of controlling sections of the code have been met or exceeded.

(g) The Planning Commission shall adopt rules and procedures governing its activities, which shall be filed with the Clerk of Council.

(Ord. 2013-19. Passed 9-16-13.)