



## ORDINANCE O-06-2025

### AN ORDINANCE TO AMEND CHAPTER 1115.07 OF THE PLANNING AND ZONING CODE OF THE CITY OF NEW ALBANY CODIFIED ORDINANCES AS REQUESTED BY THE CITY OF NEW ALBANY

**WHEREAS**, it has been found that the codified ordinances of the city of New Albany, chapter 1115.07 needs to be amended to align the expiration of conditional use and final development plan approvals as well as clarify the revocation process; and

**WHEREAS**, the city recognizes the need to align the time frames and to provide due process for permit holders; and

**WHEREAS**, the Planning Commission has held a public hearing and recommended approval of the proposed amendments to the codified ordinance at its meeting on January 22, 2025.

**NOW, THEREFORE, BE IT RESOLVED** by Council for the City of New Albany, Counties of Franklin and Licking, State of Ohio, that:

**Section 1:** Council hereby amends portions of codified ordinance chapter 1115.07 as set forth in Exhibit A, which depicts these amendments in red font and strikethroughs.

**Section 2.** It is hereby found and determined that all formal actions of this council concerning and relating to the adoption of this legislation were adopted in an open meeting of council, and that all deliberations of the council and or any of its committees that resulted in such formal action were in meetings open to the public, in compliance with Section 121.22 of the Ohio Revised Code.

**Section 3.** Pursuant to Article 6.07(B) of the New Albany Charter, this ordinance shall become effective thirty (30) days after adoption.

**CERTIFIED AS ADOPTED** this 18 day of FEB, 2025.

**Attest:**

A handwritten signature in blue ink, appearing to read "Sloan T. Spalding", written over a horizontal line.

Sloan T. Spalding  
Mayor

A handwritten signature in blue ink, appearing to read "Jennifer H. Mason", written over a horizontal line.

Jennifer H. Mason  
Clerk of Council

**Approved as to form:**

  
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Benjamin S. Albrecht  
Law Director

**Legislation dates:**

Prepared: 01/24/2025

Introduced: 02/04/2025

Revised:

Adopted: 02/18/2025

Effective: 03/20/2025

## Exhibit A – O-06-2025

### 1115.07 - EXPIRATION AND REVOCATION OF ZONING PERMIT ISSUED UNDER CONDITIONAL USE PROVISIONS.

- (a) Expiration. The Planning Commission's approval of the zoning permit conditional use issued in accordance with Section 1115.06 shall become null and void after one (1) year if an occupancy permit has not been issued or after two (2) years if renovations or construction has not begun such use is not carried out within one year after the date of approval. The Planning Commission may grant an extension of a zoning permit conditional use issued in accordance with Section 1115.06 for an additional period of six (6) months for good cause.
- (b) Revocation. In the event of a violation, the Planning Commission Municipality may revoke the approved conditional use. zoning permit The Municipality shall notify a conditional use holder with the reasons for violation of the terms and/or conditions of the approved conditional use and a statement that the conditional use holder shall have 30 days to comply with the approved conditional use. If the conditional use holder does not comply, a Planning Commission hearing shall be scheduled. The requirements for public notice and notification of parties of interest shall be as specified in Section 1115.05. The Planning Commission may either revoke, continue, or modify the approved conditional use. written evidence by any resident or official of the Municipality of violation of the Zoning Ordinance and/or written terms and conditions upon which approval was based.