

CHAPTER 1153 Amendments; Zone Map Changes

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1153.01 SUBMISSION TO PLANNING COMMISSION REQUIRED.

In accordance with the provisions of Ohio R.C. 713.10, Council may from time to time amend or change by ordinance the number, shape or area of districts established on the Zone Map or the regulations set forth in this Zoning Code, but no such amendment or change shall become effective unless the proposed amendment or change is first submitted to the City Planning Commission for approval, disapproval or suggestions and such Commission shall have been allowed a reasonable time, not less than thirty days, for consideration and report.

(Ord. A-2248. Passed 4-9-01.)

1153.02 PLANNING COMMISSION PUBLIC HEARING.

Before submitting its recommendations and report to Council, the City Planning Commission shall hold a public hearing on the proposed amendment or change and shall advertise a legal notice of the time, place and date of such hearing in a newspaper of general circulation in the City at least fourteen days prior to the hearing. The Commission shall also notify all property owners who, in the opinion of the Commission, may be affected by such amendment or change, in accordance with such rules of procedure as the Commission may establish.

(Ord. A-2248. Passed 4-9-01.)

1153.03 COUNCIL PUBLIC HEARING.

Council shall hold a public hearing before the adoption of the proposed amendment or change and shall publish one notice of the time, place and date of such hearing in a newspaper of general circulation within the City at least fourteen days prior to the hearing, provided that if the proposed amendment or change rezones or redistricts ten or fewer parcels of land, written notice of the hearing shall also be mailed to the owners of all properties located within 200 feet in any direction of the property affected by the proposed amendment, and also to any other property owners that Council may determine as being affected by the proposed change. Such notice shall be mailed by first-class mail at least ten days before the date of the hearing.

(Ord. A-2248. Passed 4-9-01.)

1153.04 FAILURE TO NOTIFY; EFFECT.

Failure to notify as hereinabove provided shall not invalidate an ordinance, provided that such failure was not intentional. The omission of the name of any owner or occupant of property who may, in the opinion of the Planning Commission, be affected by such amendment or change, shall not invalidate any ordinance passed hereunder, it being the intention of this section to provide, as far as may be possible, for notice to the persons substantially interested in the proposed change that an ordinance is pending before Council that propose to make a change in the Zone Map or the regulations set forth in this Zoning Code.

(Ord. A-2248. Passed 4-9-01.)

1153.05 APPLICATION FOR ZONE MAP AMENDMENT.

Any application to amend the Zone Map shall be made on forms specified by the Planning Coordinator, and include the following:

- (a) Name, mailing address, and phone number of property owner;
- (b) Name, mailing address, and phone number of applicant;
- (c) Present use;
- (d) Present zoning district;
- (e) Proposed uses for planned developments;
- (f) Proposed zoning district;
- (g) A vicinity map to scale of the area on the Zone Map proposed to be amended, showing property lines, roads, existing and proposed zoning, and such other items as the Planning Coordinator may require;
- (h) A legal description of the area on the Zone Map proposed to be amended;
- (i) A fee as established by Council;
- (j) The names and addresses of the owners of all properties within 200 feet of any part of the property to be amended; and,
- (k) Verification by the applicant that all information in the application is true and correct to the best of his knowledge.

(Ord. A-2248. Passed 4-9-01.)

1153.06 APPLICATION FOR ZONING CODE AMENDMENT OR CHANGE.

Any application to amend regulations set forth in this Zoning Code shall be made on forms specified by the Planning Coordinator, and include the following:

- (a) Name, mailing address, and phone number of applicant;
- (b) Existing text proposed to be amended or changed;
- (c) Proposed text amendment or change;
- (d) Statement explaining the purpose for the proposed text amendment or change.

(Ord. A-2248. Passed 4-9-01.)

1153.07 WITHDRAWAL OF APPLICATION.

Any request to withdraw an application to amend or change the Zone Map or regulations set forth in this Zoning Code shall be provided in writing to the Planning Coordinator at least seventeen days prior to the public hearing scheduled before Planning Commission or Council. Withdrawal of an application shall have the same effect as denial of the application by Council.

(Ord. A-2248. Passed 4-9-01.)

1153.08 RE-FILING OF APPLICATION.

When an application to amend or change the Zone Map or regulations set forth in this Zoning Code has been denied by Council, no new application for the same proposed amendment or change shall be filed within six months of the date the previous denial became effective. Any new application shall require a public hearing before Planning Commission prior to the required public hearing before Council.

(Ord. A-2248. Passed 4-9-01.)

1153.09 IDENTIFICATION OF ORIGINAL AND DUPLICATE ZONE MAPS.

The original Zone Map shall be identified by the signature of the Mayor and attested by the Clerk of Council. The original Zone Map shall be kept on file with the Clerk of Council who may provide such duplicate copies as may be necessary for the general public and for the proper administration of this chapter. All such duplicate copies shall be clearly marked "DUPLICATE" and shall contain a date of reproduction. The original Zone Map shall, in all cases be the final authority as to the status of current zoning districts irrespective of the number of duplicate copies that may be in existence. In the event that the original Zone Map becomes damaged, destroyed, or lost, Council may, by ordinance, adopt a new original Zone Map that shall supersede the prior original Zone Map. The new original Zoning Map may correct drafting or other errors or omissions in the prior original Zone Map, but no such corrections shall have the effect of amending the Zone Map or subsequent amendments thereof.

(Ord. A-2248. Passed 4-9-01.)

1153.10 FILING FEES FOR AMENDMENTS.

Any petition for an amendment to this Zoning Code, except by the Planning Commission or the Board of Appeals, shall be accompanied by a filing fee of one hundred and fifty dollars (\$150.00), which shall be paid to the Finance Department. No part of such fee shall be returned to the petitioner.

(Ord. A-2248. Passed 4-9-01; Ord. A-2468. Passed 1-9-06.)

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