

Amendments

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CROSS REFERENCES

Council may amend districting or zoning - see Ohio R.C. 713.10

1115.01 POWER OF COUNCIL.

Whenever the public necessity, convenience, or general welfare require, Council may, by Ordinance, after receipt of a recommendation there on from the Planning and Zoning Board and subject to the procedures provided by law, amend, supplement or change the regulations, district boundaries or classifications of property now or hereafter established by this Ordinance or amendments thereof. The Planning and Zoning Board shall submit its recommendation regarding all applications or proposals for amendments or supplements to Council.

1115.02 INITIATION OF AMENDMENTS.

Amendments to this Ordinance may be initiated in one of the following ways:

- (a) By referral of a proposed amendment to the Planning and Zoning Board by Village Council.
- (b) By the adoption of a motion by the Planning and Zoning Board submitting the proposed amendment to Village Council.
- (c) By the filing of an application by at least one (1) owner or lessee of property, or his designated agent, within the area proposed or affected by the said amendment.

1115.03 APPLICATION.

An application for amendment may be obtained from the Zoning Inspector, or from the Village Fiscal Officer. Such application shall contain, at a minimum, the information specified in Appendix A and, when complete, shall be transmitted by the applicant to the Zoning Inspector.

1115.04 TRANSMITTAL OF RESOLUTION TO PLANNING AND ZONING BOARD.

Upon referral of the proposed Ordinance by Village Council, or the filing of an application by at least one (1) owner or lessee of the property, or their designated agent, said proposed amendment or application shall be transmitted to the Planning and Zoning Board.

1115.05 RECOMMENDATION BY PLANNING AND ZONING BOARD.

Within sixty (60) days after the first regular meeting of the Planning and Zoning Board after the receipt of the proposed amendment, the Planning and Zoning Board may recommend to the Village Council that the amendment be approved as requested, approved with modification, or it may recommend that the amendment be denied. A public hearing may be held by the Planning and Zoning Board for consideration of the proposed amendment. If such a hearing is held, the Planning and Zoning Board shall follow the same requirements for notification as specified in Section 1115.06 below.

1115.06 ACTION BY VILLAGE COUNCIL.

(a) **Public Hearing.** Before the proposed Ordinance may be passed, the Village Council shall hold a public hearing, and shall give at least thirty (30) days notice of the time and place thereof in a newspaper of general circulation in the Village. If the proposed Ordinance intends to remove or redistrict ten (10) or less parcels of land, as listed on the tax duplicate, written notice of the hearing shall be made by the Village Fiscal Officer, by first-class mail, at least twenty (20) days before the date of the public hearing to the owners of property within 200 feet or contiguous to, and directly across the street from such parcel or parcels to be redistricted to the address of such owners appearing on the Pickaway County Auditor's current tax list, as provided by the applicant. The failure of delivery of such notice shall not invalidate such proposed Ordinance.

(b) **Display of Relevant Materials.** During such thirty (30) days, the text or copy of the text of the proposed Ordinance, together with maps, plans, and reports submitted by the Planning and Zoning Board shall be on file, for public examination, in the office of the Village Fiscal Officer.

(c) **Action by Village Council.** No such Ordinance which is in accordance with the recommendation submitted by the Planning and Zoning Board shall be deemed to pass or take effect without the concurrence of at least a majority of the membership of the Village Council. No such Ordinance which violates, differs from, or departs from the recommendation submitted by the Planning and Zoning Board shall take effect unless passed or approved by not less than three-fourths (3/4) of the membership of the Village Council.

(d) **Criteria.** In reviewing the proposed amendment and arriving at its decision, the Village Council shall consider the following factors:

- (1) **Compatibility** of the proposed amendment with the zoning and use of adjacent land, and with land use plans for the general area.
- (2) The effect of the adoption of the proposed amendment on motor vehicle access, traffic flow, and the provision of public services in the general area.
- (3) The effect of the adoption of the proposed amendment upon the public health, safety and general welfare of the residents of the Village.

(Ord. 2000-14. Passed 7-24-00.)

1115.07 EFFECTIVE DATE AND REFERENDUM.

Such amendment adopted by Village Council shall become effective thirty (30) days after the date of Ordinance, subject to the provisions for referendum specified in the Ohio Revised Code. If the amendment as passed by Village Council pertains to a change in the Official Zoning Map, such change shall be incorporated onto the Map by reference to the Ordinance Number and date of adoption.