

SECTION 15

ZONING CHANGES AND TEXT AMENDMENTS

SECTION 15.1 AUTHORITY

Whenever the public necessity, convenience, general welfare, or good zoning practices require, the Township Trustees may, by resolution, after receipt of recommendation thereon from the Zoning Commission and subject to the procedures provided by law, amend, supplement, change or repeal the regulations, restrictions, and boundaries or classification of property, now or hereafter established by this Resolution.

SECTION 15.2 PROCEDURES

A. Initiation of Zoning Amendments

1. Amendments to this zoning resolution may be initiated by
 - a. Motion of the Township Zoning Commission, or
 - b. By the passage of a resolution by the Board of Township Trustees, or
 - c. By the filing of an application by one or more of the owners or lessees of property within the area proposed to be changed or affected by the proposed amendment with the Township Zoning Commission.
2. The Board of Township Trustees, upon the passage of such a resolution, shall certify it to the Township Zoning Commission, which shall be deemed to occur on the first business day following the date of its passage.

B. Application

An owner or lessee of property filing an application to amend the Zoning Resolution, shall make such application on forms prescribed by the Zoning Administrator. Applications must be complete and shall be accompanied by information or data indicating the necessity for, or desirability of, the change request, and filed with the Zoning Administrator ten (10) business days prior to the meeting of the Zoning Commission where the applicant seeks to be heard. These same rules shall apply to revisions to a previously submitted application. (Rev. 9/1/05- Z17-C280)

C. FEES

An owner or lessee of property filing an application to amend the Zoning Resolution shall pay a fee, in accordance with the Township fee schedule, for each application to defray the cost of advertising, mailing, filing with the county recorder. The applicant shall additionally pay all other expenses incurred by the Township, including but not limited to the fees of any design or engineering professionals. A deposit for additional expenses may be required. No permit shall be issued nor any action shall be taken on an application until all fees are paid in full.

- D. Submission to the Zoning Commission** which shall be deemed to occur on the first business day following the date of a resolution by the Board of Township Trustees, or the filing of an application by

E. Public Hearing and Notice by Zoning Commission

1. Upon the adoption of a motion of the Township Zoning Commission, the certification of a resolution by the Board of Township Trustees, or the filing of an application by one or more of the owners or lessees of property, the Zoning Commission or Zoning Administrator on behalf of the Zoning Commission shall set a date for a public hearing, which date shall not be less than twenty (20) nor more than forty (40) days from the date of the adoption, certification or filing of an application. In the event that the Lucas County Planning Commission has not returned its report and recommendation, said hearing may be cancelled and rescheduled administratively by the Zoning Administrator.
2. Notice of the hearing of the Zoning Commission shall be given at least ten (10) days before the date of the hearing in accordance with Ohio Rev. Code Section 519.12.

F. Submission to the Lucas County Planning Commission

1. Within five (5) days after the adoption of a motion of the Township Zoning Commission, the certification of a resolution by the Board of Township Trustees, or the filing of an application by one or more of the owners or lessees of property the Zoning Administrator shall transmit a copy of it together with text and maps pertaining to it, to the Lucas County Planning Commission for approval, disapproval or suggestions.
2. The Lucas County Planning Commission shall recommend the approval or denial of the proposed amendment or the approval of some modification of it and shall submit its recommendation to the Township Zoning Commission. The recommendation shall be considered at the public hearing held by the Township Zoning Commission on the proposed amendment.

G. Recommendation by the Zoning Commission

1. The Township Zoning Commission, within thirty (30) days after the public hearing, shall recommend the approval or denial of the proposed amendment, or the approval of some modification of it, and submit that recommendation together with the motion, application or resolution involved, the text and map pertaining to the proposed amendment, and the recommendation of the Lucas County Planning Commission to the Board of Township Trustees.
2. The Commission shall keep minutes of its proceedings showing the vote of each member upon each question and shall keep records of its examinations and other official actions, all of which shall be filed in the office of the Commission, and shall be a public record.

H. Public Hearing and Notice by Township Trustees

1. The Board of Township Trustees, upon receipt of the recommendation of the Zoning Commission, shall set a time for a public hearing on the proposed amendment, which date shall not be more than thirty (30) days from the date of receipt.
2. Notice of the hearing of the Board of Township Trustees shall be given at least ten (10) days before the date of the hearing in accordance with Ohio Rev. Code Section 519.12.

I. Action by Board of Township Trustees

1. Within twenty (20) days after its public hearing, the Board of Township Trustees shall either adopt or deny the recommendations of the Township Zoning Commission or adopt some modification of them. If the Board denies or modifies the recommendation of the Township Zoning Commission, a majority vote of the Board shall be required.
 - i. *When the Board of Trustees formally vote to continue a public hearing to a future date, they are keeping the floor open for testimony and evidence rather than ending the proceedings. The statutory 20-day clock mandated by Ohio Revised Code Section 519.12 begins running once the public hearing has officially concluded. The 20-day deadline for the Trustees to adopt, modify, or deny the proposed text amendment is triggered on the exact calendar day that the final, continued session is formally closed, whether or not a final vote is taken.*
2. The proposed amendment, if adopted by the Board of Township Trustees, shall become effective in thirty (30) days after the date of its adoption, unless, within thirty (30) days after the adoption, there is presented to the Board of Township Trustees a petition pursuant to Ohio Rev. Code Section 519.12.
3. Within five (5) working days after an amendment's effective date, the Board of Township Trustees shall file the text and maps of the amendment in the office of the Lucas County Recorder and with the Lucas County Planning Commission.

Zoning Amendment Process

