

**Article 4: District Change & Resolution Amendment**

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**Section 1            General**

In accordance with section 519.02 of the Ohio Revised Code, the Board of Township Trustees may, by resolution, after recommendation thereon by the Zoning Commission and subject to the procedure provided in the Ohio Revised Code, amend or change the regulation, district boundaries or classifications of property, now or hereafter established by this Resolution or amendments thereof. Such amendments may be made without the vote of electors, except as provided by the Ohio Revised Code. (Revised January 22, 2007)

**Section 2            Appointment of the Commission** (Revised January 22, 2007)

A Washington Township Zoning Commission is hereby created. Such Commission shall be appointed by the Board of Township Trustees for five-year terms and shall consist of five members, who shall be residents of the unincorporated territory of Washington Township.

- A. The terms of all members shall be of such length and so arranged that the term of one member shall expire each year.
- B. Each member shall serve until his successor is appointed and qualified.
- C. Members of the Commission shall be removable for nonperformance of duty, misconduct in office or other cause by the Board of Trustees upon written charges being filed with the Trustees and after a public hearing has been held regarding such charges, a copy of the charges having been served upon the member so charged at least ten days prior to the hearing, either personally or by registered mail, or by leaving the same at the member's usual place of residence. The member shall be given an opportunity to be heard and answer such charges.
- D. Vacancies shall be filled by the Board of Township Trustees and shall be for the unexpired term.

**Section 3            Commission Organization** (Revised January 22, 2007)

- A. The Commission shall organize and adopt rules in accordance with the provision of this Resolution.
  - 1. Meetings of the Commission shall be held at the call of the Chairperson, and at such other times as the Commission may determine.
  - 2. The Commission shall keep minutes of its proceedings showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact, and shall keep records of its actions and other official actions, all of which shall be immediately filed in the office of the Board of Township Trustees and shall be a public record.
  - 3. The Commission members shall be required to disqualify themselves from the deliberations and voting on cases in which they are among the notified property owners.

- B. Three members of the Commission shall constitute a quorum. The Commission shall act by resolution; and the majority vote of the quorum shall be necessary to exercise any power of the Commission.
- C. The Commission may call upon the township departments for assistance in the performance of its duties, and it shall be the duty of such department to render such assistance to the Commission as may reasonably be required.
- D. The Township Zoning Commission shall submit its recommendation regarding all applications to the Board of Township Trustees.

**Section 4 Procedure for Change**

- A. By whom initiated

Amendments to the Zoning Resolution may be initiated by motion of the Township Zoning Commission, by the passage of a resolution therefor by the Board of Township Trustees or by the filing of an application thereof by one or more of the owners, lessees, of property within the area proposed to be changed or affected by the proposed amendment with the Township Zoning Commission. (Revised January 22, 2007)

- B. Application for change of district boundary or reclassification of property (Revised January 22, 2007)

All applications for change in district boundary or reclassification of property shall include the following:

- 1. Description and location of property.
- 2. Description of proposed use and/or buildings or structures.
- 3. The reasons for change.
- 4. A map of the area including all lots within five hundred (500) feet of any part of the property involved, and location and use of building or structures thereon.
- 5. The names and addresses of owners of lots shown on said map.
- 6. Verification by the applicant attesting to the truth and accuracy of all facts and information presented in the application.
- 7. Filing fee, as established by the Washington Township Trustees and made payable to Washington Township Trustees. (Revised January 22, 2007)
- 8. Architectural or engineering drawings and data that will show the type of buildings and/or structures and landscaping proposed. (Revised January 22, 2007)
- 9. A plot plan of the tract meeting the requirements of this Resolution, showing among other requirements, the following: (Revised January 22, 2007)
  - a. Public and/or private streets.
  - b. District buffer areas.
  - c. Parking and loading area diagrams.
  - d. Building structure size and location.
  - e. Landscaping plans.

- f. Lighting plans.
  - g. Any other information required in General Regulations.
10. For a "PD" District, all requirements specified in Planned Development shall also be furnished. (Revised January 22, 2007)
11. Any other information as requested by the Board of Trustees and/or Zoning Commission.
- C. Planning Commission Action
- 1. Within five (5) days after the initiation of any amendment, the Zoning Commission shall transmit a copy thereof with text and map pertaining thereto to the County Planning Commission. (Revised January 22, 2007)
  - 2. The County Planning Commission shall recommend the approval or denial of the proposed amendment or the approval of some modification thereof and shall submit such recommendation to the Zoning Commission. Such recommendation shall be considered at the public hearing held by the Zoning Commission on such proposed amendment. (Revised January 22, 2007)
- D. Public Hearing
- Upon the initiation of any amendment, the Zoning Commission shall set a date for a public hearing thereon, which date shall not be less than twenty (20) nor more than forty (40) days from the date of the certification of such resolution or the date of adoption of such motion or the date of the filing of such application.
- Before submitting its recommendation on a proposed amendment to the Township Trustees, the Zoning Commission shall hold at least one public hearing thereon. (Revised January 22, 2007)
- E. Notice of Public Hearing
- 1. Notice of such hearing shall be given by the Zoning Commission by one publication in one or more newspapers of general circulation in the Township, at least ten (10) days before the date of such hearing.
  - 2. If the proposed amendment intends to re-zone or re-district ten or less parcels of land, written notice of the public hearing shall be mailed by the Zoning Commission, by first class mail, at least ten (10) days before the date of the public hearing to all property owners within five hundred (500) feet of any part of any property proposed to be re-zoned or re-districted to the addresses of such owners appearing on the county auditor's current tax list. (Revised January 22, 2007)
  - 3. The failure of delivery of such notice shall not invalidate any such amendment. (Revised January 22, 2007)
  - 4. The published and mailed notices shall contain information set forth by section 519.12 of the Ohio Revised Code. (Revised January 22, 2007)
- F. Recommendation of the Commission and Certification to Trustees
- The Zoning Commission shall, within thirty (30) days after such hearing, recommend the approval or denial of the proposed amendment, or the approval of some modification thereof and submit such recommendation together with such application or resolution, the text and map pertaining thereto and the recommendation of the County Planning Commission thereon to the Township Trustees. (Revised January 22, 2007)
- G. Public Hearing by the Trustees

1. The Township Trustees shall, upon receipt of such recommendation, set a time for a public hearing on such proposed amendment, which date shall not be more than thirty (30) days from the date of the receipt of such recommendation from the Zoning Commission. (Revised January 22, 2007)
  2. Notice of such public hearing shall be given by the Trustees by publication in one or more newspapers or general circulation in the Township at least ten (10) days before the date of such hearing.
  3. The published notice shall contain information set forth by section 519.12 of the Ohio Revised Code. (Revised January 22, 2007)
- H. Action by the Trustees
1. Within twenty (20) days after such public hearing, the Trustees shall either adopt or deny the recommendation of the Zoning Commission or adopt some modification thereof.
  2. In the event that the Trustees deny or modify the recommendation of the Zoning Commission, the unanimous vote of the Trustees is required.

I. Effective Date

Such amendment adopted by the Trustees shall become effective in thirty (30) days after the date of such adoption unless within thirty days after the adoption of the amendment, there is presented to the Trustees a petition, signed by a number of registered electors residing in the unincorporated area of the Township or part thereof included in the zoning plan, equal to not less than eight (8) percent of the total vote cast for all candidates for governor in such area at the last preceding election at which a governor was elected, requesting the Trustees to submit the amendment to the electors of such area for approval or rejection at the next primary or general election. (Revised January 22, 2007)

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