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Section 5.00 Procedure for Amendments for District Changes

This resolution may be amended by utilizing the procedures specified in Sections 5.01-General to Section 5.13-Action by the Board of Trustees, inclusive of this resolution.

Section 5.01 General

Whenever public necessity, convenience, general welfare, or good zoning practice require, the Board of Township Trustees may be 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.

Section 5.02 Initiation of Zoning Amendments

Per the Ohio Revised Code §519.12 amendments to this resolution may be initiated in one of the following ways:

1. By adoption of a motion by the Zoning Commission
2. By adoption of a resolution by the Board of Township Trustees.
3. By the filing of an application by at least one owner or lessee of property within the area proposed to be changed or affected by said amendment.

Section 5.03 Contents of Application

Applicants for amendments to the Official Zoning Map adopted, as part of this resolution by Article 6-Provisions for Official Zoning Map, shall contain at least the following information:

1. Name, address, and phone number of applicant(s) and legal owner(s).
2. Area in question shall be drawn on a certified map from the Licking County Engineer's Office.
3. Present use.
4. Present zoning district.
5. Proposed use.
6. Proposed zoning district.
7. A written description, sufficient to identify the area in questions, shall be included, as well as a legal description, including a survey, describing the area proposed to be rezoned. A copy of the deed showing the applicant's legal ownership of the lot(s) is also required.
8. A vicinity map at a scale approved by the Zoning Inspector showing property lines, thoroughfares, existing and proposed zoning, and such other items as the Zoning Inspector may require.
9. **Not needed because Bud or I (the clerk) can do this from the Licking County website and I do not use mailing labels I print directly onto the envelope.**

~~Names and addresses of all the parties in interest regarding Names and addresses of all legal owners of property within, contiguous to, and directly across the thoroughfare from the parcel to be considered for a variance or conditional use by the Zoning Commission Board. The address of such owners shall be obtained from the list of names appearing on the Licking County Auditor's current tax list or the Treasurer's mailing list, and to such other list or lists that may be specified by the Board of Township Trustees. These names and addresses shall be typed on two sets of mailing labels.~~

10. A statement on how the proposed amendment relates to the comprehensive plan.
11. A fee as established by the Board of Township Trustees according to Section 2.11: Schedule of Fees, Charges, and Expenses, see also Appendix C: Fee Schedule.
12. Owner's consent to application or satisfactory showing of the applicant's legal or equitable interest in said property.
13. Applications for amendments proposing to amend, supplement, change or repeal portions of this resolution other than the Official Zoning Map shall include items in Sections 5.03.A, 5.03.J, and 5.03.L listed above in addition to the proposed text.
14. If rezoning a portion of a lot of record and not the entire lot of record, the applicant shall provide a survey and legal description of the area to be rezoned. Said survey and legal shall be recorded with the resolution adoption the zoning map amendment.

Section 5.04 General Standards for All Zoning Amendments

1. Will be harmonious and in accordance with the general objectives, or with any specific objective of the township comprehensive plan and/or the zoning resolution and the Subdivision, Land Division, Development and Congestion Prevention Regulations for Licking County, Ohio.
2. Will be designed, constructed, operated, and maintained so as to be harmonious in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.
3. Will not be hazardous or disturbing to existing or future neighboring uses.
4. Will be served adequately by essential public facilities and services, such as highways, street, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to adequately provide any such services.
5. Will not involve uses, activities, processes, materials, equipment and conditions of operations that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, odor, air or water pollution, or potential for explosion.

6. Will have vehicular approaches to the property, which shall be so designed as to not create an interference with traffic on surrounding public thoroughfares.
7. Will not result in destruction, loss, or damage or a natural, scenic, or historic feature of major importance.

Section 5.05 Transmittal to Zoning Commission

Immediately after the adoption of a resolution by the Board of Township Trustees or the filing of an application by at least one owner or lessee of property, said resolution or application shall be transmitted to the Zoning Commission. The Zoning Inspector or Township Fiscal Officer shall transmit the application or resolution to the Zoning Commission Clerk or if the clerk is not available due to leave or vacancy of position, then to the Zoning Commission Chairperson within forty-eight (48) hours.

Section 5.06 Submission to County Planning Commission

Within five days after the adoption of a motion by the Commission, transmittal of a resolution by the Board of Township Trustees, or the filing of an application by at least one owner or lessee, the Zoning Commission shall transmit a copy of such motion, resolution, or application together with the text and map pertaining to the case in questions to the Licking County Planning Commission (LCPC). The Licking 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 by the Zoning Commission.

Note: The LCPC regular monthly meeting is normally held the 4th Monday of every month, except in May and December, when it is held the 3rd Monday (subject to change without notice in this resolution). The Zoning Commission's public hearing should be scheduled after this date but should also comply with Section 5.08 – Notice of Public Hearings by Zoning Commission of this resolution.

Section 5.07 Submission to Director of Transportation

Before any zoning amendment is approved affecting any land within 300 feet of the centerline of a proposed new highway or highway for which changes are proposed as described in the certification to local officials by the Director of Transportation, or within a radius of 500 feet from the point of intersection of said centerline with any public road or highway, the Zoning Commission shall give notice, by registered or certified mail to the Director of Transportation. The Zoning Commission may proceed as required by law, (Ohio Revised Code, Section 5511.01); however, the Board of Township Trustees shall not approve the amendment for 120 days from the date the notice is received by the Director of Transportation. If the Director of Transportation notifies the Board of Township Trustees that he shall proceed to acquire any land needed, then the Board of Township Trustees shall refuse to approve the rezoning. If the Director of Transportation notifies the Board of Township Trustees that acquisition at this time is not in the public interest, or upon the expiration of the 120-day period of any extension thereof agreed upon the Director of Transportation and the property owner, the Board of Township Trustees shall proceed as required by law.

Section 5.08 Notice of Public Hearing by Zoning Commission

The Zoning Commission shall schedule a public hearing after the adoption of their motion, transmittal of a resolution from the Board of Township Trustees, or the filing of an application for zoning amendment. Said hearing shall be not less than 20 nor more than 40 days from the date of adoption of such motion, transmittal of such resolution, or the filing of such application.

Section 5.09 Notice of Public Hearing in Newspaper

Before holding the public hearing as required in Section 5.08 – Notice of Public Hearing by Zoning Commission, notice of such hearing shall be given by the Zoning Commission **as required under the provision of Ohio Revised Code §519.15. by at least one publication in one or more newspapers of general circulation in the township at least 10 days before the date of said hearing.**

Section 5.09.A Published Notice, Amendment to Rezone Greater than 10 Parcels

If the proposed amendment alters the text of the zoning resolution, or rezones or redistricts more than ten (10) parcels of land, as listed on the Licking County Auditor's current tax list, the published notice shall set forth the time, date, and place of the public hearing, and shall include all of the following:

1. The name of the Zoning Commission that will be conducting the public hearing on the proposed amendment.
2. A statement indicating that the motion, application, or resolution is an amendment to the zoning resolution.
3. The time and place where the text and maps of the proposed amendment will be available for examination for a period of at least ten (10) day prior to the public hearing.
4. The name of the person responsible for giving notice of the public hearing by publication.
5. A statement that after the conclusion of such hearing the matter will be submitted to the Board of Township Trustees for its action.
6. Any other information requested by the Zoning Commission.

Section 5.09.B Published Notice, Amendment to Rezone 10 or Fewer Parcels

If the proposed amendment intends to rezone or redistrict ten (10) or fewer parcels of land as listed on the Licking County Auditor's current tax list, the published notice shall set forth the time, date, and place of the public hearing, and shall include all of the following:

1. The name of the Zoning Commission that will be conducting the public hearing on the proposed amendment.
2. A statement indicating that the motion, resolution, or application is an amendment to the zoning resolution.

3. A list of the addresses of all properties to be rezoned or redistricted by the proposed amendment, and the names of the owners of these properties, as they appear on the Licking County Auditor's current tax list.
4. The present zoning classification of property named in the proposed amendment and the proposed zoning classification of such property.
5. The time and place where the motion, resolution, or application proposing to amend the zoning resolution will be available for examination for a period of at least ten (10) days prior to the public hearing.
6. The name of the person responsible for giving notice of the public hearing by publication or by mail, or by both publication and mail.
7. Any other information requested by the Zoning Commission.
8. A statement that after the conclusion of such hearing, the matter will be submitted to the Board of Township Trustees for its action.

Section 5.10 Notice to Property Owners by Zoning Commission

If the proposed amendment intends to rezone or redistrict ten (10) or less parcels of land, as listed on the tax duplicate, written notice of the hearing shall be mailed by the Zoning Commission, **under the provision of Ohio Revised Code §519.15.**

~~by first class mail as certificate of mailing, at least ten (10) days before the date of the public hearing to all owners of property within, contiguous to, and directly across the thoroughfare from the parcel proposed to be rezoned or redistricted to the address of such owners appearing on the Licking County Auditor's current tax list or the Treasurer's mailing list, and to such other list or lists that may be specified by the Board of Township Trustees. The failure to deliver the notice, as provided in this section, shall not invalidate any such amendment.~~ The notice shall contain the same information as required of notices published in newspapers as specified in Section 5.09-Notice of Public Hearing in Newspaper.

Section 5.11 Recommendation by Zoning Commission

Within thirty (30) days after the public hearing required by Section 5.10-Notice to Property Owners by Zoning Commission, the Zoning Commission shall recommend to the Board of Township Trustees that the amendment be granted as requested, or it may recommend a modification of the amendment requested, or it may recommend that the amendment not be granted.

Section 5.12 Public Hearing by Board of Township Trustees

Within thirty (30) days from the receipt of the recommendation of the Zoning Commission, the Board of Township Trustees shall hold a public hearing. The Board of Township Trustees **shall provide notice of such hearing as required under the provision of Ohio Revised Code §519.15.**

~~as specified in Section 5.09—Notice of Public Hearing in Newspaper and 5.10—Notice of Property Owners by Zoning Commission, shall give notice of such public hearing in a newspaper and to contiguous property owners.~~

Within thirty (30) days from the receipt of the recommendation of the Zoning Commission, the Board of Township Trustees shall hold a public hearing. The Board of Township Trustees, as specified in Section 5.09-Notice of Public Hearing in Newspaper and 5.10-Notice of Property Owners by Zoning Commission, shall give notice of such public hearing in a newspaper and to contiguous property owners.

Section 5.13 Action by Board of Township Trustees

Within twenty (20) days after the public hearing required by Section 5.12-Public Hearing by the Board of Township Trustees, the Board of Township Trustees shall either adopt or deny by resolution the recommendation of the Zoning Commission or adopt some modification thereof. In the event the Board of Township Trustees denies or modifies the recommendation of the Commission, the majority of the Board of Township Trustees is required.

Section 5.14 Effective Date and Referendum

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

No amendment, for which such referendum vote has been requested, shall be put into effect unless a majority of the votes cast on the issue are in favor of the amendment. Upon certification by the Board of Elections that the amendment has been approved by the voters, it shall take immediate effect.

Section 5.15 Updating the Zoning Resolution Text or Zoning Map

Upon the effective date (Section 5.14-Effective Date and Referendum) of a zoning text amendment or Zoning Map amendment, the Jersey Township Board of Trustees shall cause the Zoning Resolution or Zoning Map to be changed to reflect the newly adopted text or map. The amended text of the Zoning Resolution shall be followed by the following statement "Resolution Number ____ INSERT NUMBER ____". This shall serve to identify the resolution in which the amendment was passed for future reference. Additionally, all amendments shall be listed under Amendments at the beginning of the Jersey Township Zoning Resolution.

Section 5.16 Certification of Zoning Amendments to the Licking County Recorder's Office and the Licking County Planning Commission

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 **Licking** County Recorder and with the ~~regional-or~~ **Licking** County Planning Commission if one exists.

The board shall file all amendments, including text and maps that are in effect on January 1, 1992, in the office of the **Licking** County Recorder within thirty (30) working days after that date. The board shall also file the duplicates of the same documents with the ~~regional-or~~ **Licking** County Planning Commission, if one exists, within the same period.

The failure to file any amendment, or any text and maps, or duplicates of any of these documents, with the office of the **Licking** County Recorder or the ~~regional-or~~ **Licking** County

Planning Commission as required by this section does not invalidate the amendment and is not grounds for an appeal of any decision of the Board of Zoning Appeals.

Article 5: Amendment; Amended by the Board of Trustees, Jersey Township, Licking County, Ohio, Resolution # April 29, 2013, Effective May 29, 2013.

Jersey Township Zoning Resolution
Adopted April 29, 2013 – Effective Date May 29, 2013

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