

Township Zoning Amendment Procedure

This pamphlet has been prepared to assist the public in an understanding of the procedures to amend a previously adopted township zoning resolution. There are two kinds of zoning amendments: changes in the zoning text and changes in the zoning map (or district changes); however, the same procedure applies. The following outline has been adapted from the Ohio Revised Code, Section 519.12. Note: Procedures for home-rule townships may be different.

A. Initiation of Amendment

1. **Who may apply**
 - a. zoning commission by motion
 - b. township trustees by resolution
 - c. property owner or lessee by application
2. **Application form**
 - a. completed form and filing fee submitted to the zoning commission
 - b. indicates change requested and legal description of property involved (if district change)

B. Processing of Amendment by Zoning Commission

1. **Copy of proposed amendment** must be transmitted to the Regional Planning Commission within five (5) days after receipt.
2. **Public hearing date** to be set not less than twenty (20) nor more than forty (40) days from receipt of application, resolution by trustees or motion by zoning commission.
3. **Newspaper notice** of public hearing must be published at least ten (10) days prior to the hearing in a newspaper of general circulation in the township.
4. **Written notice to property owners** within, contiguous to, and directly across the street from the land to be rezoned must be sent at least ten (10) days before the public hearing, if ten (10) or fewer parcels of land are proposed to be rezoned.
5. **The published and mailed notices** shall include the time, date and place of the public hearing and all other required information per Ohio Revised Code, Section 519.12(C).
6. **Published notices** for *text amendments* or rezoning of *more than ten (10) parcels of land* shall include the time, date and place of the public hearing and all other required information per Ohio Revised Code, Section 519.12(d).

Note: Sec. 5511.01 of the O.R.C. requires notification to the Ohio Department of Transportation before any amendment is approved which affects land near proposed new highways or planned improvements.

C. Regional Planning Commission Action

1. **Reviews** proposed amendment at regularly scheduled meeting.
2. **Transmits recommendation** of approval, denial, or approval of a modification of the proposed amendment to the zoning commission.

D. Zoning Commission Action

1. **Considers the recommendation** of the RPC at their previously scheduled public hearing.
2. **Decision** of approval, denial or approval of some modification must be made within thirty (30) days after the hearing. The recommendations of the zoning commission and Regional Planning Commission shall be forwarded to the township trustees.

E. Processing of Amendment by Township Trustees

1. **Sets date for public hearing** within thirty (30) days after receipt of zoning commission's recommendation.
2. **Newspaper notice** of public hearing must be published at least ten (10) days before the hearing in a newspaper of general circulation in the township.
3. **Published notices** shall include the time, date and place of the public hearing and all other required information per Ohio Revised Code, Section 519.12(F), if ten (10) or fewer parcels of land are proposed to be rezoned.
4. **Published notices** for text amendments or rezoning of more than ten (10) parcels of land shall include the time, date and place of the public hearing and all other required information per Ohio Revised Code, Section 519.12(G).

F. Township Board of Trustees Action

1. **Decision** of trustees must be within twenty (20) days after the public hearing.
2. **Decision** may be to adopt, or deny the recommendations of the Zoning Commission or adopt a modification of them. If the board denies or modifies the commission's recommendations, a majority vote of the board shall be required.
3. **Any amendment adopted** by the trustees becomes effective in thirty (30) days from the date of their decision, unless a petition for referendum is filed within that 30-day period.

4. **Trustees** are required to file all adopted zoning amendments with the Stark County Recorder within five (5) working days after the effective date. A copy is also to be filed with RPC.

G. Referendum

1. **Within thirty (30) days** after adoption, residents may submit a petition to trustees, signed by registered electors equal to eight (8) percent of the total votes cast for governor in the most recent general election within the area of the zoning plan. Such petition, accompanied by an appropriate map of the affected area, shall be in a form as required by Section 519.12 and governed by rules specified in Section 3501.38, Ohio Revised Code.
2. **Board of Trustees must transmit petition** within two (2) weeks to the Board of Elections, which shall determine the sufficiency and validity. The petition shall be certified to the Board of Elections not less than seventy-five (75) days prior to the election.
3. **Unless approved by a majority of the voters in the township**, no amendment for which a referendum vote has been requested is effective.
4. **Upon certification by the Board of Elections** that the amendment has been approved by the voters, it takes immediate effect.

NOTE: This pamphlet is an outline of amendment procedures. O.R.C. 519.12 should be reviewed for specific language and current law.



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