

# 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 (ORC), Section 519.12. Note: Procedures for home-rule townships may be different.

## A. Initiation of Amendment

### 1. Who may apply?

- a. Township 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 **township**
- 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 the receipt of the application, resolution by Trustees, or motion by Zoning Commission.
3. **Notice of public hearing** must be published at least ten (10) days prior to the hearing.
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 mailed notices** shall include the time, date, and place of the public hearing and all other required information per ORC 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 ORC 519.12(D).

## C. Regional Planning Commission Action

1. **Reviews** proposed amendment at regular 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 meeting.
2. **Decision** of approval, denial, or approval of some modification must be made within thirty (30) days after the hearing. The recommendation 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. **Notice of public hearing** must be published at least ten (10) days before the hearing.
3. **Published notices** shall include the time, date, and place of the public hearing and all other required information information per ORC 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 information per ORC 519.12(G).

## F. Township 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 Trustees deny or modify the Zoning Commission's recommendation, a majority vote of the Trustees 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 thirty (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.

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

## G. Referendum

1. **Within thirty (30) days** after adoption, residents may submit a petition to trustees, signed by registered electors equal to thirty-five (35) 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, ORC.
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 ninety (90) days prior to the election.
3. **Unless approved by the 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 the amendment procedure. ORC 519.12 should be reviewed for specific language and current law.**

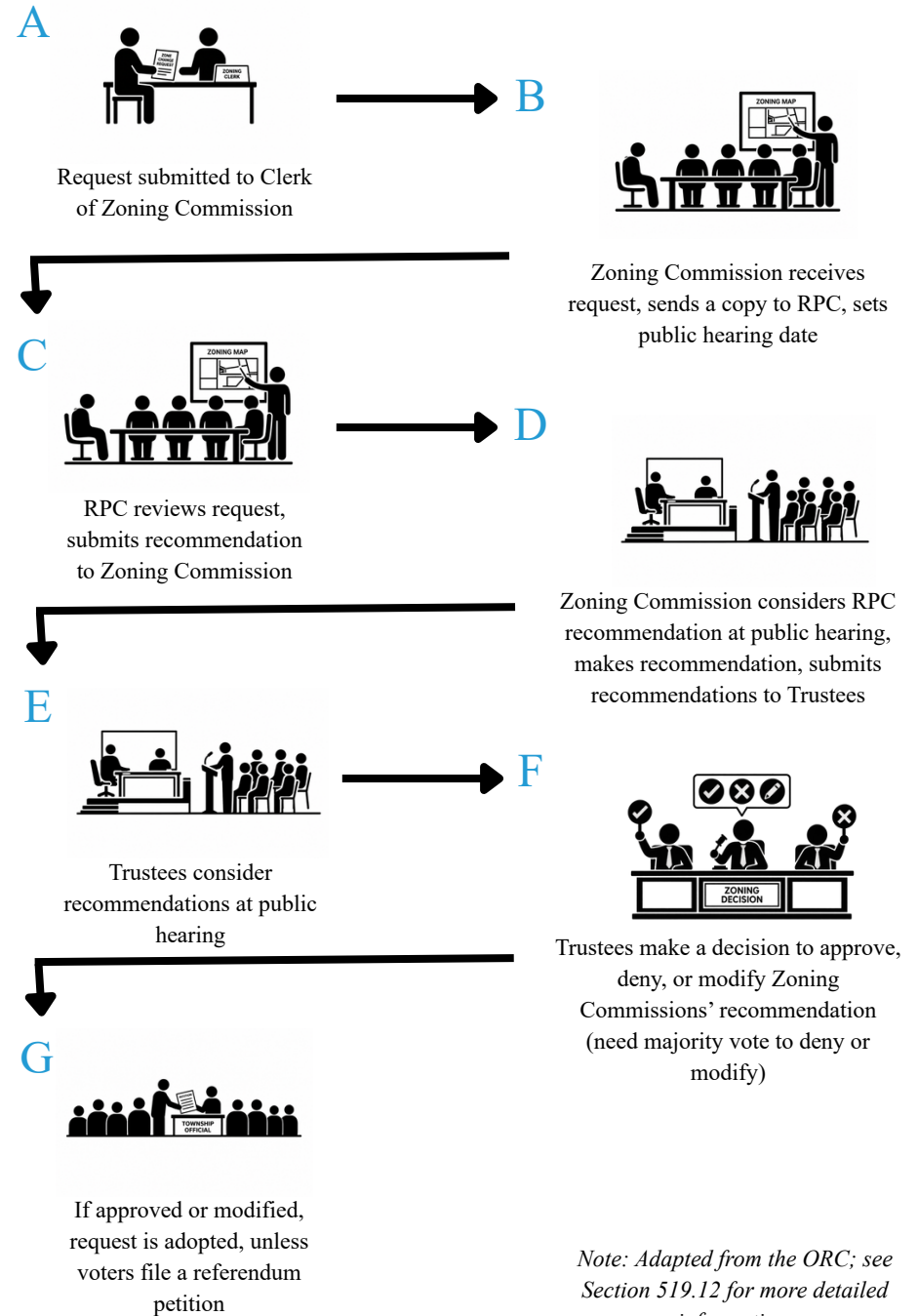


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## TOWNSHIP ZONING AMENDMENT PROCEDURE



*Note: Adapted from the ORC; see Section 519.12 for more detailed information*