

ORDINANCE NO. OR03-25

AN ORDINANCE BY THE TROTWOOD CITY COUNCIL REPEALING CURRENT SECTION 1125.08 “ZONING TEXT AND MAP AMENDMENTS” OF THE TROTWOOD CODES OF ORDINANCES, AND ENACTING A NEW SECTION 1125.08 “ZONING TEXT AND MAP AMENDMENTS” TO INCLUDE A WAIT PERIOD FOR RESUBMISSIONS.

WHEREAS, the current Section 1125.08 “Zoning Text and Map Amendments” of the Trotwood Codes of Ordinances needs to be updated to include a wait period for resubmissions of applications; and

WHEREAS, it would be beneficial to City Staff and members of the community if Section 1125.08 of the Trotwood Codes of Ordinances were updated to include a wait period for resubmissions of applications for zoning map and text amendments; and

WHEREAS, the City Manager recommends that Council repeal the current Section 1125.08 “Zoning Text and Map Amendments” of the Trotwood Codes of Ordinances and that a new Section 1125.08 “Zoning Text and Map Amendments” be enacted; and

WHEREAS, Council accepts the recommendation of the City Manager and, therefore, will repeal and replace Section 1125.08 “Zoning Text and Map Amendments” of the Trotwood Codes of Ordinances as set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TROTWOOD, STATE OF OHIO:

SECTION I: The current Section 1125.08 “Zoning Text and Map Amendments” of the Trotwood Codes of Ordinances is hereby repealed in its entirety.

SECTION II: A new Section 1125.08 “Zoning Text and Map Amendments” is hereby enacted as set forth in Exhibit “A” attached hereto and incorporated herein by reference, with additions in **bold** and underscoring and deletions in ~~strikethrough~~.

SECTION III: It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that any and all deliberations of this Council that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including but not limited to Section 121.22 of the Ohio Revised Code.

TROTWOOD, OHIO 45426

3035 OLIVE ROAD

CITY OF TROTWOOD

SECTION IV: This Ordinance shall take effect at the earliest time allowed by law.

Passed this 7th day of April, 2025.

ATTEST:

APPROVED:


KARA B. LANDIS
CLERK OF COUNCIL


YVETTE F. PAGE
MAYOR


TYNA R. BROWN
VICE-MAYOR

CERTIFICATE OF RECORDING OFFICER

I, the undersigned, hereby certify that the foregoing is a true and correct copy of Ordinance No. OR03-25 adopted by the Trotwood City Council at a regular scheduled meeting held on the 7th day of April, 2025, and that I am duly authorized to execute this certificate.

Signed this _____ day of _____, _____.

CLERK OF COUNCIL

1125.08 ZONING TEXT AND MAP AMENDMENTS.

- (a) Amendment may be initiated by Council, the Planning Commission, Zoning Administrator, or by an application by one or more owners of property affected by the proposed amendment. The term "owner" shall mean the property owner or a person or other party holding a written option to purchase that property.
- (b) An application for an amendment shall be accompanied by maps, drawings and data necessary to demonstrate the proposed amendment is in conformance with the Comprehensive Land Use Plan of the City, and that public necessity, convenience and general welfare require or permit the adoption of the proposed amendment.
- (c) The Zoning Administrator shall make a thorough investigation and analysis of an application for a zoning amendment, and shall afterwards prepare a written report, along with recommendations for submission to the Planning Commission.
- (d) Within forty-five days of the receipt of an application for a zoning amendment, the Planning Commission shall hold a public hearing. In addition, the Commission shall publish a notice of public hearing in a newspaper of general circulation in Trotwood not less than ten (10) days prior to the date of such hearing, and shall be responsible for notifying, by mail, at least ten days in advance of such hearing, all property owners within 300 feet of the property in question. Additionally, at least 10 days before Public Hearing, an information sign shall be posted on any property being considered for rezoning. Said sign shall be posted by the application and shall state: "An application has been filed for rezoning of this property. For Information, call 854-7221." The signs may be borrowed from the Planning Department at the Trotwood Government Center. Said sign must remain in place until the application has been approved or disapproved by City Council.
- (e) Within forty-five days of holding the public hearing, the Planning Commission may recommend that the application be granted as requested, or it may recommend a modification of the zoning amendment request, or it may recommend that the application not be approved.
- (f) The recommendation of the Planning Commission shall be submitted to the Council and shall be accompanied by a report of findings, summary of hearings, and all data submitted with the application.
- (g) Within forty-five days following receipt of a recommendation from the Planning Commission, Council shall schedule a public hearing. In doing so, Council shall publish a notice of public hearing in a newspaper of general circulation in Trotwood not less than ten days prior to the date of such hearing, and shall be responsible for notifying, by mail, at least ten days in advance of such hearing, all property owners within 300 feet of the property in question.
- (h) **No application for a Zoning Code amendment that is substantially similar to an application that has been denied, wholly or in part, shall be accepted for one (1) year from the date of the denial. The Zoning Administrator shall determine if a similar application differs enough to be considered a different application and not subject to this subsection.**