
CHAPTER 1149 CHANGES AND AMENDMENTS

1149.01 PROCEDURE.

This Ordinance may be amended utilizing the procedures established in **Section 4.04 of the Charter of the City of Tiffin.**

1149.02 GENERAL.

Whenever the public necessity, convenience, general welfare, or good zoning practices require, City Council may, by ordinance after receipt of recommendation from the Planning Commission, and subject to procedures provided by law, amend, supplement, change, or repeal the regulations, restrictions, and district boundaries or classification of property.

1149.03 INITIATION OF ZONING AMENDMENTS.

Amendments to this Ordinance may involve an amendment of the text of this Ordinance or the Official Zoning Map, and may be initiated in one of the following ways:

- (a) By the introduction of an ordinance by a member of City Council.
- (b) By the filing of a petition signed by property owners of fifty percent (50%) or more of all the property within the boundary of two hundred feet (200') of the boundaries proposed to be changed. Council shall act upon such petition within ninety days (90) after the filing thereof.

1149.04 CONTENTS OF PETITION FOR AN OFFICIAL ZONING MAP AMENDMENT.

Petition for amendment to the Official Zoning Map adopted as part of this Ordinance by **Chapter 1160**, shall contain at a minimum, the following information:

- (a) The name, address, and phone number of the petitioners..
- (b) A statement of the reason(s) for the proposed amendment.
- (c) Present use.
- (d) Present zoning district.
- (e) Proposed use.
- (f) Proposed zoning district.
- (g) 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.
- (h) A list of all property owners and their mailing addresses who are within, contiguous

to or directly across the street from the parcel(s) proposed to be rezoned and any others that may have a substantial interest in the case, except that addresses need not be included where more than ten (10) parcels are to be rezoned.

- (i) A statement on the ways in which the proposed amendment relates to the Comprehensive Plan.
- (j) A fee as established by City Council and adopted by ordinance (refer to **Section 1145.17**).

1149.05 CONTENTS OF PETITION FOR ZONING TEXT AMENDMENT.

Petitioners for amendments proposing to change, supplement, amend, or repeal any portion(s) of this Ordinance other than the Official Zoning Map, shall contain at least the following information:

- (a) The name, address, and phone number of the petitioner.
- (b) The proposed amending Ordinance or Resolution approved as to form by the Director of Law.
- (c) A statement of the reason(s) for the proposed amendments.
- (d) A statement explaining the ways in which the proposed amendment relates to the Comprehensive Plan.
- (e) A fee as established by City Council and adopted by ordinance.

1149.06 JOINT PUBLIC HEARING.

Immediately after the first reading of the proposed Ordinance or Resolution, the presiding officer of Council shall set a date for a public hearing before a joint meeting of Council and the Planning Commission not earlier than fifteen (15) days after the first reading.

- (a) **Notice of Public Hearing in Newspaper.**
Notice of the joint public hearing shall be given by one (1) or more newspapers of general circulation in the City at least seven (7) days before the date of such hearing. The published notice shall set forth the time and place of the public hearing, and provide a summary of the proposed amendment.
- (b) **Notice to Property Owners.**
If the proposed amendment intends to rezone or redistrict a parcel of land as listed on the tax duplicate, written notice of the hearing shall be mailed by the Clerk of Council.
 - (1) Notice shall be sent by certified mail with return receipt requested at least seven (7) days before the day of the public hearing to all owners of property within, contiguous to, and directly across the street from such area proposed to be rezoned or redistricted.

- (2) Notices shall be addressed to the property owners appearing on the County Auditor's current tax list or to other lists as may be required by Council.
- (3) The failure to deliver the notification 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 1149.06(a)**.

1149.07 TRANSMITTAL TO PLANNING COMMISSION.

Immediately after the public hearing required in **Section 1149.06**, the proposed ordinance or resolution shall be transmitted to the Planning Commission. Within fifteen (15) days after receipt, the Planning Commission shall return to the Clerk of Council the written recommendations of a majority of the members of the Commission.

1149.08 ACTION BY CITY COUNCIL.

Upon receipt of the recommendation from the Planning Commission, the proposed ordinance or resolution shall be given its second reading at the next regularly scheduled meeting of City Council, unless an earlier special meeting is called for that purpose.

- (a) In the event the City Council denies or modifies the recommendation of the Planning Commission, it must do so by not less than three-fourths (3/4) of the full membership of the City Council.
- (b) In case the proposed amendment, supplement or change is disapproved by the Planning Commission or a protest against a change is presented, duly signed by the following:
 - (1) Owners of sixty percent (60%) or more either of the area of the lots included in such proposed change, or
 - (2) Sixty percent (60%) or more of the area if all the property within a radius of 200 feet of any area proposed to be changed, or
 - (3) Of those immediately adjacent in the rear thereof extending 200 feet therefrom, or
 - (4) Of those directly opposite thereto extending 200 feet from the street frontage of such opposite lots, then

Such amendment shall not become effective except by a favorable vote of three-fourths (3/4) of all the members of Council.

- (c) In no event shall an ordinance or resolution be considered as having passed unless it receives at least a majority of the vote of the members of Council.