



**URBAN PRESERVATION OVERLAY DISTRICT
ZONING MAP AMENDMENT APPLICATION
CITY OF DAYTON, OHIO**

A. Name of Applicant _____

Mailing Address _____

City _____ State _____ Zip Code _____

Daytime Phone Number (____) _____ Fax Number (____) _____

Email Address _____

Interest of Applicant _____

B. Description of Properties to be Included in Urban Preservation District

Proposed Name for Urban Preservation District _____

North, South, East and West Boundaries of Proposed Urban Preservation District _____

Addresses of Properties _____

City of Dayton Lot Numbers for Properties _____

Parcel I.D. Numbers for Properties _____

Existing Zoning for Properties _____

Existing Use of Properties _____

C. Rationale for Establishing the Urban Preservation District

Explain Why the Urban Preservation District Needed. (Use additional sheets if necessary.)

Explain How the Properties in the Proposed Urban Preservation District Contain One or More of the Attributes Listed in Section 150.355.4 (A) (1), (2) and (3) of the Zoning Code. (Use additional sheets if necessary.)

D. Required Attachments

Vicinity Map (see instructions for format)

Map Showing Boundaries of Proposed Urban Preservation District (see instructions for format)

Nomination Form (see instructions for format)

List of Property Owners (see instructions for format)

Mailing Labels (see instructions for format)

E. Certification and Applicant's Signature

I hereby certify that the information contained in this application and all attachments is true and correct.

Signature of Applicant

Date

Printed Signature of Applicant



Urban Preservation Overlay District Zoning Map Amendment Application Filing Information City of Dayton, Ohio

Application Requirements

An application to establish an Urban Preservation Overlay Zoning District in the City of Dayton, Ohio, must be filed with the City Plan Board in the Department of Planning and Community Development on approved forms and the filing fee paid. Before submitting an application, applicants are strongly encouraged to meet with Department of Planning and Community Development staff to discuss the proposed application. Any application that does not comply fully with the application requirements (e.g., inaccurate, incomplete, and/or missing attachments, fee not paid) shall be regarded as incomplete until it is submitted in the proper form.

The City of Dayton's official zoning code and official zoning map are on the City of Dayton's web site at <http://www.cityofdayton.org/departments/pcd/planning/Pages/ZoningMap.aspx>.

Instructions for Completing Application

Item A. Name of Applicant and Interest of Applicant

Name of Applicant

Self-explanatory.

Interest of Applicant

The applicant must state his or her particular interest in the case. Applications will be accepted from owners, lessees of property, or developers with an option on property within the proposed Urban Preservation District or accepted from those who meet the requirements in Section 150.355.4 (B) of the city's zoning code. See Sections 150.125.2-150.125.3 and 150.355.4 (B) of the city's zoning code for more information.

Item B. Description of Properties to be Included in Urban Preservation District

Proposed Name for Urban Preservation District

If the Urban Preservation District is approved, by what name shall it be called? Options to consider include naming the district after a major street in the proposed district, the neighborhood, a prominent former resident, a prominent feature, or the name of the area when it was first platted into residential or commercial lots.

North, South, East and West Boundaries of Proposed Urban Preservation District

List the sides of the streets, alleys, lot lines, railroad tracks, etc., that will define the north, south, east, and west boundaries of the proposed district. Example: The north boundary of the Sonoma Heights Urban Preservation District is the rear lot lines of the north side of Merlot Drive; the south boundary is the alley behind the south side of Chablis Avenue; the east boundary is the west side of Cask Avenue, and the west boundary is the east side of Cork Street.

Addresses of Properties

List the street addresses of all houses, other buildings, vacant lots, and other property within the proposed district. Street addresses can be obtained from the Montgomery County Auditor's office and at www.mcrealestate.org.

City of Dayton Lot Numbers and Parcel I. D. Numbers for Properties

List the lot numbers and parcel I. D. numbers of all houses, other buildings, vacant lots, and other property within the proposed district. City of Dayton lot numbers and Montgomery County parcel I.D. numbers can be obtained from the Montgomery County Auditor's office and at www.mcrealestate.org. The parcel I.D. is the book, page, and index number of the lot.

Existing Zoning for Properties

List the existing City of Dayton zoning district(s) for all properties within the proposed district. The existing zoning can be found at <http://www.cityofdayton.org/departments/pcd/planning/Pages/ZoningMap.aspx> , or by calling Zoning Administration at 937-333-3887.

Existing Use of Properties

List how the properties within the proposed district are being used. For example, are some of the properties being used for single-family homes, apartments, parks, offices, vacant lots, businesses, schools, etc?

Item C. Rationale for Establishing Urban Preservation District

Explain Why the Urban Preservation District is Needed

Why does this area need or deserve the additional zoning regulations an Urban Preservation District provides? What changes in the area will the district encourage?

Explain How the Properties in the Proposed Urban Preservation District Contain One or More of the Attributes Listed in Section 150.355.4 (A) (1), (2) and (3) of the Zoning Code

Explain how the proposed district contains one or more of the following attributes: (1) Distinctive building features such as: (a) Period of construction; (b) Style; (c) Scale; (d) Mass; and (e) Material. (2) Distinctive site planning and natural features such as: (a) Lot platting; (b) Street layout and composition; (c) Setback and yards; (d) Parks/Open spaces; and (e) Lighting. (3) Distinctive land uses or land use patterns, such as mixed uses or unique uses, neither of which are generally permitted by the underlying zoning code without modification.

Item D. Required Attachments

Vicinity Map

One copy of the vicinity map is required with the application. The vicinity map is to be drawn to a legible scale, with the scale used noted on the map. The vicinity map is to show the subject property and all property within 250 feet, street and lot lines, and lot numbers.

A vicinity map can be created from information available in the Montgomery County Administration Building, Auditor's Office, 451 West Third Street, Dayton, Ohio; from the Montgomery County, Ohio website (www.mcrealestate.org); or an engineer or surveyor can prepare the map. If the applicant prepares the map, the page(s) used from the Montgomery County plat books must be identified.

If the vicinity map is larger than 8.5" x 11", a copy reduced to 8.5" x 11" must also be submitted with the application. A .pdf or .jpeg file of the vicinity map may be submitted in lieu of paper copies. Figure 1 is an example of a vicinity map.

Figure 1. Vicinity Map



Scale: 1 inch = 250 feet

Map Showing Boundaries of Proposed Urban Preservation District.

One copy of a map with the north, south, east and west boundaries of the proposed district outlined is required with the application. The boundaries outlined on the map must match the boundaries described in Item B of the application. If the boundaries map is larger than 8.5" x 11", a copy reduced to 8.5" x 11" must also be submitted with the application. A .pdf or .jpeg file of the map may be submitted in lieu of paper copies.

Nomination Form.

Section 150.355.4 (B) of the city zoning code explains the nomination process. To be designated, a district may be nominated by the City Plan Board, or the Priority Board, or neighborhood or business association of which the proposed district is a part, or by a petition signed by owners representing a majority of parcels in the proposed area. If nominated by petition, the petition shall contain the signatures of at least one property owner for each taxable parcel and at least one authorized signatory for each tax-exempt parcel listed on the County Auditor's records. The petition must also contain at least one signature from an owner of record on each block face in the proposed district. Please contact the Plan Board Secretary for a copy of the required nomination form.

List of Property Owners

Using the maps obtained from the County Auditor’s office, measure 250 feet from the boundaries of the proposed district. List all the names, tax mailing addresses, City of Dayton lot numbers, and parcel I.D. numbers of each property owner wholly or partially within the 250 feet radius, including those of the property within the proposed district. This information can be obtained from the Montgomery County Auditor’s office and at www.mcrealestate.org. The parcel I.D. is the book, page, and index number of the lot. The City of Dayton lot number is listed as the “Legal Description” on the property records found at www.mcrealestate.org. Figure 2 is an example of a list of property owners.

Figure 2. List of Property Owners

Parcel I.D.	City Lot Number (Legal Description from www.mcrealestate.org)	Property Owner	Property Owner’s Tax Mailing Address
R72 04103 0362	65277	George Washington	299 C Street Dayton, OH 45400
R72 04103 0375	65276	Thomas Jefferson	301 C Street Dayton, OH 45400
R72 04103 0095	65275	Abigail Adams	1700 Wisteria Way Utopia, OH 45555

Mailing Labels

Each application must include the property owners list (owner's name and tax mailing address) developed for “List of Property Owners” above, typed on mailing labels or typed on a mailing label template. An example is shown in Figure 4.

If submitted on mailing labels, three sets of labels are required in Avery 5160 format or an equivalent format. If submitted on a mailing label template, a template equivalent to the Avery 5160 format should be used. The template shown in Appendix A may also be used.

Figure 3. Mailing Labels

George Washington 2100 Park Place Dayton, OH 45400	Thomas Jefferson 2110 Park Place Dayton, OH 45400	Abigail Adams 1700 Wisteria Way Utopia, OH 45555
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Item E. Certification and Applicant’s Signature

Self-explanatory. Staff may ask applicant for picture identification.

Review and Adoption Process

Urban Preservation Plan

The Department of Planning and Community Development will verify that the application for the Urban Preservation District meets the application requirements described in the city zoning code. Then the Department of Planning and Community Development, in consultation with the property owners, will prepare an Urban Preservation Plan for the proposed district. See Sections 150.355.5 through 150.355.7 of the city zoning code for more information about the Urban Preservation Plan.

Plan Board Hearing

The City's zoning code requires that all proposed zoning map amendments go before the City Plan Board for review. A proposal to establish an Urban Preservation Overlay District is considered a zoning map amendment. After the Urban Preservation Plan is prepared, the City Plan Board will schedule a public hearing on the proposal in accordance with Sections 150.125.5 and 150.125.7 of the city zoning code. Notices of the public hearing are sent to property owners within 250 feet of the proposed district and to the land use committee in which the proposed district is located. The land use committee may invite the applicant to present his or her case for the map amendment to it at a meeting. If the land use committee has a recommendation on the proposal, they will forward it to the Plan Board for consideration.

The applicant will have an opportunity to present his or her case for the map amendment at the Plan Board public hearing. In addition, all views, pro and con, may be presented by any interested citizen in person or by letter at the public hearing. After a public hearing and review of the pertinent facts involved in the case, the Plan Board will forward its recommendation for approval or disapproval of the zoning map amendment to the City Commission for further action. See Sections 150.125.7 and 150.125.8 of the city zoning code for more information about the Plan Board decision-making process, and the items the Plan Board should consider when making its recommendation.

Action by the City Commission on Requests for Zoning Map Amendments

If the Plan Board recommends approval, or approval with modifications, of the proposed zoning map amendment, the City Commission will hold a public hearing on the proposal. The applicant will have an opportunity to present his or her case for the map amendment at the public hearing. In addition, any interested citizen at the public hearing may present all views, pro and con. After a public hearing and review of the pertinent facts involved in the case, the City Commission will decide whether or not to approve the zoning map amendment. The City Commission must approve a zoning map amendment in order for it to become effective. Map amendments usually take effect immediately upon approval by the City Commission. See Sections 150.125.8-150.125.13 of the city zoning code for more information.

If the Plan Board recommends disapproval of the proposed map amendment, within twenty days of the Plan Board decision, the applicant may notify the Clerk of the City Commission and Secretary to the Plan Board in writing that he or she desires a public hearing before the City Commission. The City Commission will hold a public hearing on the proposed amendment. The applicant will have an opportunity to present his or her case for the map amendment at the public hearing. In addition, any interested citizen at the public hearing may present all views, pro and con. After a public hearing and review of the pertinent facts involved in the case, the City Commission will decide whether or not to approve the zoning map amendment. The City Commission must approve a zoning map amendment in order for it to become effective. See the Sections 150.125.8-150.125.13 of the city zoning code for more information.

Appendix A Mailing Label Template May be used in lieu of the Avery 5160 template or its equivalent.			