



# Zoning Code Text Amendment Application City of Dayton, Ohio

Complete this form in Adobe Reader software, not a Web browser, to ensure the privacy of your information. Place the cursor in a field and type. Print a copy to add the required signature(s) in blue or black ink and return this form with required attachments to: City of Dayton, Department of Planning and Community Development, 101 West Third Street, P.O. Box 22, Dayton, OH. 45401. Phone 937-333-3670

**A. Name of Applicant** \_\_\_\_\_

Mailing Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Daytime Phone Number \_\_\_\_\_ Fax Number \_\_\_\_\_

Email Address \_\_\_\_\_

**B. Description of Proposed Text Amendment**

Section(s) of Zoning Text to be Amended

Reason Zoning Text Should be Amended

Interest of Applicant \_\_\_\_\_

**How Text Amendment Will Benefit Applicant**

**C. Required Attachment**

Complete Wording of Proposed Text Amendment in Electronic Format

**D. Certification**

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

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date



# Zoning Code Text Amendment Application Filing Information City of Dayton, Ohio

## Application Requirements

An application for a change to the official zoning code text of 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 a zoning text amendment 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 text and official zoning map are on the City of Dayton's web site at [www.cityofdayton.org](http://www.cityofdayton.org).

## Instructions for Completing Application

### Item A. Name of Applicant

Self-explanatory.

### Item B. Description of Proposed Text Amendment

Zoning text section numbers and headings can be found in the City of Dayton's zoning code. The zoning code is on the City of Dayton's web site, [www.cityofdayton.org](http://www.cityofdayton.org). An example of a zoning text section number and heading is 150.320.5, Off-Street Parking Requirements.

Explain the reason why the zoning code should be amended. What is the problem with the current language? How will the text amendment improve the administration of the zoning code, improve conditions in the zoning district(s) that would be affected by the proposed amendment, or benefit the City of Dayton overall? What changes have occurred since the zoning code was adopted that require an amendment to the zoning text?

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 that would be affected by the proposed text amendment. See the Sections 150.125.2-150.125.3 of the city zoning code for more information.

Explain how the text amendment will benefit the applicant or property owned by the applicant.

### Item C. Required Attachment

The proposed text amendment is to be submitted in an electronic format (diskette, CDROM, or similar). We cannot accept emailed submissions. The proposed text amendment must list the appropriate zoning text section number(s) and heading(s) with proposed additions or changes in ***bold italics*** and proposed deletions in ~~strikethrough~~. See examples on next page.

### Example 1

Section 150.130.1 Complaints Regarding Violations

(A) Whenever a violation of this Zoning Code occurs, or is *can be* alleged to have occurred, any person may ~~file~~ *submit* a complaint. Such complaint shall ~~be in writing~~ *include the address or lot number* and shall fully state the cause and basis of the complaint and ~~shall~~ be filed with the Zoning Administrator.

<b>Example 2</b>			
Schedule 150.340.2			
PERMITTED USES IN INDUSTRIAL DISTRICTS			
	I-1	I-2	BP
	Light Industrial	General Industrial	Business Park
(1) Industrial			
(a) <del>Glue manufacture</del>		€	
(b) <i>Manufacturing, light</i>	<i>P</i>	<i>P</i>	<i>P</i>
(c) Water supply/treatment facility	<i>P C</i>	<i>P C</i>	<i>P C</i>

### Review and Adoption Process

#### Plan Board Hearing

The City’s zoning code requires that all proposed text amendments go before the City Plan Board for review. After receipt of a complete application, the City Plan Board will schedule a public hearing on the proposal in accordance with Sections 150.125.5-150.125.6 of the city zoning code. Notices of the public hearing are sent to the City’s seven Priority Boards. The Priority Boards may invite the applicant to present his or her case for the text amendment to their Priority Board or Land Use Committees. If the Priority Boards or Land Use Committees have 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 text 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 text amendment to the City Commission for further action. See Sections 150.125.5-150.125.6, 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 shall consider when making its recommendation.

#### Action by the City Commission on Requests for Zoning Text Amendments

If the Plan Board recommends approval, or approval with modifications, of the proposed zoning text 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 text amendment at the public hearing. In addition, all views, pro and con, may be presented by any interested citizen at the public hearing. 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 text amendment. The City Commission must approve a zoning text amendment in order for it to become effective. Text amendments usually take effect immediately upon approval by the City Commission. See Sections 150.125.8-150.125.11 of the city zoning code for more information.

If the Plan Board recommends disapproval of the proposed text 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 text amendment at the public hearing. In addition, all views, pro and con, may be presented by any interested citizen at the public hearing. 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 text amendment. The City Commission must approve a zoning text amendment in order for it to become effective. See the Sections 150.125.8-150.125.11 of the city zoning code for more information.