



FACT SHEET

AGENDA ITEM NO: 14

DATE: 04/12/2021

ORDINANCE NO: 21-22

RESOLUTION NO:

READING: FIRST

PUBLIC HEARING: YES

April 24, 2021 @ 7:30 P.M.

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: Dave Efland, Planning and Community Development Director

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

AN ORDINANCE ADOPTING THE 2020-2040 THOROUGHFARE PLAN AND AMENDMENTS TO CHAPTER 1103 OF THE CITY OF DELAWARE PLANNING AND ZONING CODE AND DECLARING AN EMERGENCY.

BACKGROUND:

The City has been working on a new Comprehensive Plan and Thoroughfare Plan for the community for some time. The Thoroughfare Plan has been created with input from City staff, regional partners, and citizens through the Access Delaware process. It reflects completed improvements over the last planning period as well as future improvements needed for major roadways and intersections. Over 60 projects have been completed during the last planning period. This plan reflects over 100 future improvements to the transportation system in the community.

The 2020-2040 Thoroughfare Plan has been developed using the Access Delaware process and led by the Public Works Department and City Engineer. It is critical that this plan is updated concurrently with the Delaware Together Plan as several sections of the City code as well as the Charter of the City of Delaware closely link and/or require these plans to be in place. The Plan documents over 60 completed projects over the last planning period as well as recommends over 100 street stub extensions, roadways, and intersection improvements in the future. This plan serves as a guide to require major transportation improvements and is intended to be used during project planning development, capital improvement planning, and other initiatives. It is anticipated that the Plan and its elements may be amended through the planning

period as new studies, technologies, growth and development parameters, or other elements change and evolve. The Delaware Together Plan reflects the inputs and improvements noted within this Thoroughfare Plan and thus the Thoroughfare Plan is also recommended for formal adoption concurrent with the Comprehensive Plan. Chapter 1103 Thoroughfare Plan of the Delaware City Planning and Zoning Code adopts the Thoroughfare Plan and provides for several elements of its implementation. The proposed Chapter is attached for consideration. As there were several necessary changes and to ensure clarity, the entire current Chapter is recommended to be repealed and replaced in total with the recommended Sections.

The Planning Commission held a work session to discuss the Thoroughfare Plan on March 17 at which time it was well received by the Commission. The Planning Commission unanimously recommended adoption of the 2020-2040 Thoroughfare Plan and the Amendments to Chapter 1103 at its meeting of April 7, 2021.

REASON WHY LEGISLATION IS NEEDED:

Chapter 1103 of the Planning and Zoning Code of the City of Delaware adopts the Thoroughfare Plan. The Charter of the City of Delaware provides in Article XXI Section 103 for the official city plan including roadways and its update from time to time.

COMMITTEE RECOMMENDATION:

The Planning Commission recommended approval 7-0 on April 7, 2021.

FISCAL IMPACT(S):

POLICY CHANGES:

This action will officially adopt the new Thoroughfare Plan (Official City Plan per the Charter includes roadways) for the City of Delaware which will replace the current Thoroughfare Plan Map passed by Ordinance 01-96. Passage of an Emergency Clause is needed to make the new Plan effective immediately upon passage and to ensure there is no overlap in Official Plans.

PRESENTER(S):

Dave Efland, Planning and Community Development Director

RECOMMENDATION:

Approval

ATTACHMENT(S)

Staff Report with attachments.
2020-2040 Thoroughfare Plan Map

ORDINANCE NO. 21-22

AN ORDINANCE ADOPTING THE 2020-2040 THOROUGHFARE PLAN AND AMENDMENTS TO CHAPTER 1103 OF THE CITY OF DELAWARE PLANNING AND ZONING CODE AND DECLARING AN EMERGENCY.

WHEREAS, the Planning Commission, at its meeting of April 7, 2021 recommended approval of the 2020-2040 Thoroughfare Plan (PC 2021-0814), and

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Delaware, State of Ohio:

SECTION 1. That the 2020-2040 Thoroughfare Plan be and the same is hereby approved and accepted.

SECTION 2. Existing version of Chapter 1103 of the Delaware Codified Ordinances is hereby repealed.

SECTION 3. Chapter 1103 of the Codified Ordinances is hereby replaced with the following language:

Chapter 1103 Thoroughfare Plan

1103.01 THOROUGH PLAN ADOPTED.

The 2020-2040 Thoroughfare Plan as prepared by the City of Delaware, a copy of which is attached hereto, is hereby adopted as the official thoroughfare plan for major streets and thoroughfares for the City of Delaware, Ohio and its long-range planning area.

1103.02 CERTIFICATION AND FILE COPY.

The City Clerk is authorized and directed to certify Council's approval on a copy of the Thoroughfare Plan and such Plan, as certified, shall be on file in the office of the City Manager.

1103.03 CERTIFICATION TO COUNTY RECORDER, ENGINEER, AND DIRECTOR OF REGIONAL PLANNING

The City Clerk is authorized and directed to certify Council's approval and certification of the Thoroughfare Plan to the County Recorder, County Engineer, and Director of the Regional Planning Commission.
(Ord 21-22, Passed XX-XX-2021)

SECTION 4. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of

this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including Section 121.22 of the Ohio Revised Code.

SECTION 5. EMERGENCY CLAUSE. That this ordinance is hereby declared to be an emergency measure necessary to provide for the public peace, safety, health and welfare of the City and to ensure that only one Thoroughfare Plan is in full force and effect for the City of Delaware and as such will be in full force and effect immediately upon passage.

VOTE ON EMERGENCY CLAUSE:

YEAS ___ NAYS ___
ABSTAIN ___

PASSED: _____, 2021

YEAS ___ NAYS ___
ABSTAIN ___

ATTEST: _____
CITY CLERK

MAYOR



PLANNING COMMISSION / STAFF REPORT

CASE NUMBERS: 2021-0812 & 0814

REQUEST: Multiple Requests

PROJECT: Delaware Together Comprehensive Plan
& 2020-2040 Thoroughfare Plan

MEETING DATE: April 7, 2021

APPLICANT/OWNER

City of Delaware

REQUEST

2021-0812: A request by the City of Delaware for adoption of the Delaware Together Comprehensive Plan and Amendments to Chapter 1101 of the Planning & Zoning Code of the City of Delaware.

2021-0814: A request by the City of Delaware for adoption of the 2020-2040 Thoroughfare Plan and Amendments to Chapter 1103 of the Planning & Zoning Code of the City of Delaware.

BACKGROUND/PROPOSAL

The City has been working on a new Comprehensive Plan and Thoroughfare Plan for the community for some time. The Comprehensive Plan, known as Delaware Together, has been a citizen driven effort with a formal Steering Committee appointed by City Council in June 2018. After a competitive application and selection process, a 31-person citizen Steering Committee was appointed to reflect diverse backgrounds, interests, and areas of the City. The Steering Committee worked closely with the national consultant team, Staff, and the community to guide the planning process. The work of Plan development included multiple opportunities for public engagement generating over 2,500 comments. Building upon the City of Delaware's well-managed growth strategies and strong planning tradition, Delaware Together has woven together technical analysis, citizen engagement, Steering Committee input, and best practices to reflect ideas and insights for the future in the broadest public policy document a community can create. It expresses the values and aspirations of who and what we want to become as a community over the next 10-15 years.

The Thoroughfare Plan has been created with input from City staff, regional partners, and citizens through the Access Delaware process. It reflects completed improvements over the last planning period as well as future improvements needed for major roadways and intersections. Over 60 projects have been completed during the last planning period. This plan reflects over 100 future improvements to the transportation system in the community.

STAFF ANALYSIS

- The Delaware Together planning process was designed to create a new city-wide plan that reflects community ideas and insights for the future. The resulting Comprehensive Plan puts forth a vision for the community for both the near and long term. A comprehensive plan is a long-term guide that expresses the values and aspirations of a community. It is the broadest public policy document a community can create for its future. It considers the input of residents, workers, and other stakeholders. The Plan helps the City respond to change and acts as a guidebook for decision-makers. It can also serve as a marketing tool to clearly convey the community's values and priorities.

The Plan is composed of 8 chapters that resulted in 6 Goals, almost 60 Objectives, and over 230 individual actions that will be pursued, monitored, and adjusted as needed over time. The Plan was driven by the public through the Steering Committee as well as engagement processes that resulted in over 2,500 separate comments, thoughts, and input items.

It is meant to be a living document that will be revisited through the years and can be modified as needed while its core vision and goals continue to guide decision-making. Outcomes of the Plan can be measured individually, but the Plan also acknowledges and seeks to leverage the potential synergies between individual recommendations.

The Steering Committee unanimously recommended adoption of the Delaware Together Plan at its meeting of March 23, 2021.

Chapter 1101 - Master Plan of the Delaware City Planning and Zoning Code adopts the Comprehensive Plan and provides for several elements of its implementation. The proposed Chapter is attached for consideration.

As there were several necessary changes and to ensure clarity, the entire current Chapter is recommended to be repealed and replaced in total with the recommended Sections.

- The 2020-2040 Thoroughfare Plan has been developed using the Access Delaware process and led by the Public Works Department and City Engineer. It is critical that this plan is updated concurrently with the Delaware Together Plan as several sections of the City code as well as the Charter of the City of Delaware closely link and/or require these plans to be in place. The Plan documents over 60 completed projects over the last planning period as well as recommends over 100 street stub extensions, roadways, and intersection improvements in the future. This plan serves as a guide to require major transportation improvements and is intended to be used during project planning development, capital improvement planning, and other initiatives. It is anticipated that the Plan and its elements may be amended through the planning period as new studies, technologies, growth and development parameters, or other elements change and evolve. The Delaware Together Plan reflects the inputs and improvements noted within this Thoroughfare Plan and thus the Thoroughfare Plan is also recommended for formal adoption concurrent with the Comprehensive Plan.

Chapter 1103 Thoroughfare Plan of the Delaware City Planning and Zoning Code adopts the Thoroughfare Plan and provides for several elements of its implementation. The proposed Chapter is attached for consideration. As there were several necessary changes and to ensure clarity, the entire current Chapter is recommended to be repealed and replaced in total with the recommended Sections.

STAFF RECOMMENDATION (2021-0812 – ADOPTION OF THE DELAWARE TOGETHER COMPREHENSIVE PLAN AND AMENDMENTS TO CHAPTER 1101 OF THE PLANNING & ZONING CODE OF THE CITY OF DELAWARE)

Staff recommends approval of a request by the City of Delaware for adoption of the Delaware Together Comprehensive Plan and Amendments to Chapter 1101 of the Planning & Zoning Code of the City of Delaware.

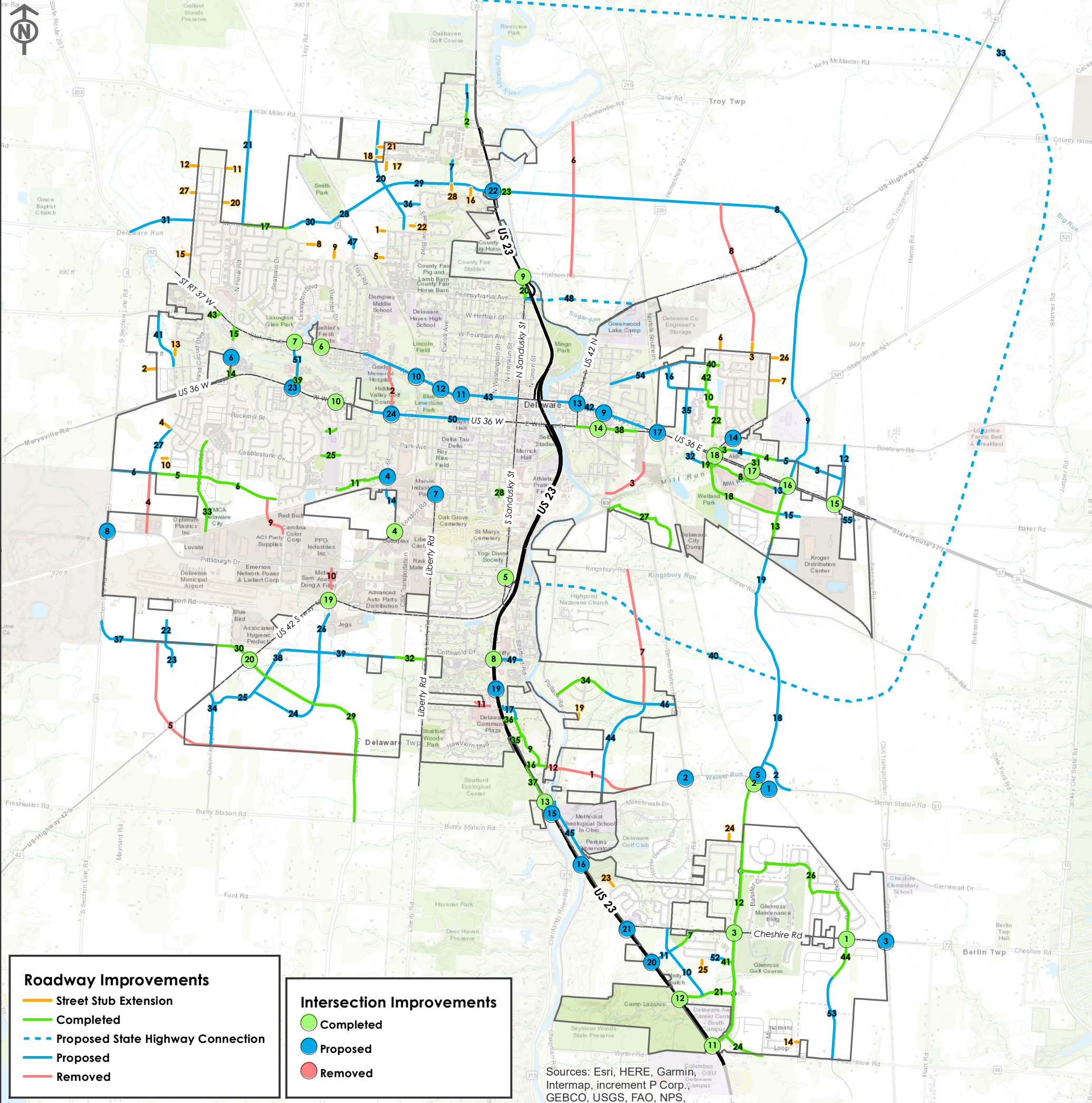
STAFF RECOMMENDATION (2021-0814 – ADOPTION OF THE 2020-2040 THOROUGHFARE PLAN AND AMENDMENTS TO CHAPTER 1103 OF THE PLANNING & ZONING CODE OF THE CITY OF DELAWARE)

Staff recommends approval of a request by the City of Delaware for adoption of the 2020-2040 Thoroughfare Plan and Amendments to Chapter 1103 of the Planning & Zoning Code of the City of Delaware.

COMMISSION NOTES:

MOTION: _____ 1st _____ 2nd *approved* *denied* *tabled* _____

CONDITIONS/MISCELLANEOUS:



Roadway Improvements

- Street Stub Extension
- Completed
- - - Proposed State Highway Connection
- Proposed
- Removed

Intersection Improvements

- Completed
- Proposed
- Removed

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS,

Roadway Improvements

Proposed:

- 1 Backage Road Extension
- 2 Berlin Station Road Relocation
- 3 Biltmore Drive Extension
- 4 Biltmore Drive Extension
- 5 Biltmore Drive Extension
- 6 Boulder Drive Extension
- 7 Bruce Road Extension
- 8 Byxbe Parkway Extension
- 9 Byxbe Parkway Extension
- 10 Cheshire Crossing Drive Extension
- 11 Cheshire Road Extension
- 12 Commercial Connector Road
- 13 Commercial Frontage Road
- 14 Curtis Street Realignment
- 15 Davidson Lane Extension
- 16 Ferguson Avenue Extension
- 17 Frontage Road Extension
- 18 Glenn Parkway Extension
- 19 Glenn Road Improvement
- 20 Heritage Blvd. Extension
- 21 Houk Road Extension to Hills Miller Rd.
- 22 Industrial Access Drive (North)
- 23 Industrial Access Drive (South)
- 24 Industrial Backage Road Construction
- 25 Industrial Backage Road Construction
- 26 Jegs Blvd. Extension
- 27 Lehnner Woods Blvd. Extension
- 28 Merrick Blvd. CSX RR Crossing
- 29 Merrick Blvd. Extension
- 30 Merrick Blvd. Extension (Cambridge to Troy)
- 31 Merrick Blvd. Extension West to SR 203
- 32 Mill Run Loop Extension
- 33 Northeast US36/SR37/US23 Bypass
- 34 Owen Fraley Road Realignment
- 35 Residential Connector Street
- 36 Residential Connector Street
- 37 Sawmill Parkway Extension Phase G

- 38 Slack Road Realignment
- 39 Slack Road Reconstruction
- 40 Southeast US23/US42 to US36/37 Bypass
- 41 Springner Woods Blvd Extension
- 42 SR37 (E Central Avenue) Improvement
- 43 SR37 (W Central Ave. Reconstruction)
- 44 Stockdale Farms Drive
- 45 Stratford Road Extension
- 46 Terra Alta Drive Extension
- 47 Troy Road Realignment
- 48 US 42 to US 23 Connector
- 49 US23/Stratford Connector
- 50 US36 (W William Street Reconstruction)
- 51 Valleyside Drive Extension
- 52 Vista Ridge Drive Extension
- 53 Winterbourne Drive Extension
- 54 Vernon Avenue Reconstruction
- 55 Nutter Farm Lane Extension (East)

Street Stub Extensions:

- 1 Rutherford Ave Extension
- 2 Aaron Drive Extension
- 3 Ashburn Drive Extension
- 4 Benjamin Street Extension
- 5 Birchard Ave Extension
- 6 Brittany Drive Extension
- 7 Brittany Drive Extension
- 8 Broadview Chase Dr Extension
- 9 Buehler Dr. Extension
- 10 Burgoyne Street Extension
- 11 Connaught Place Extension
- 12 Connaught Place Extension
- 13 Curly Smart Circle Extension
- 14 Ensights Lane Extension
- 15 Farmland Drive Extension
- 16 Hayloft Dr Extension

- 17 Hope Lane Extension
- 18 Kensington Dr Extension
- 19 Prato Road Extension
- 20 Silversmith Lane Extension
- 21 Sylvan Lane Extension
- 22 Taylor Ave Extension
- 23 Unnamed Street Extension
- 24 Unnamed Street Extension
- 25 Unnamed Street Extension
- 26 Wallace Drive Extension
- 27 White Elm Drive Extension
- 28 Woodhaul Dr Extension

Complete:

- 1 Applegate Lane Extension
- 2 Backage Road
- 3 Biltmore Drive Extension
- 4 Biltmore Drive Extension
- 5 Boulder Drive Extension
- 6 Boulder Drive Extension (S Houk to Firestone)
- 7 Cheshire Road Relocation
- 8 Commercial Frontage Road
- 9 Coughlan Lane Extension
- 10 Ferguson Ave Extension
- 11 Firestone Drive Extension
- 12 Glenn Parkway Extension
- 13 Glenn Road Improvement
- 14 Houk Road Improvement
- 15 Houk Road Realignment
- 16 Meeker Way Construction
- 17 Merrick Blvd. Extension
- 18 Mill Run Crossing Construction
- 19 Mill Run Loop Extension
- 20 N Sandusky Street Extension
- 21 Ohio Health Blvd.
- 22 Old Colony Drive Extension
- 23 Panhandle Road Bridge Replacement
- 24 Peachblow Road Realignment

- 25 Penick Avenue Extension
- 26 Residential Loop Connection
- 27 Rochedale Run/Randall Rd.
- 28 S Washington St Extension
- 29 Sawmill Parkway
- 30 Sawmill Parkway Extension Phase F
- 31 Sky View Lane Construction
- 32 Slack Road Reconstruction
- 33 South Houk Road Extension
- 34 Terra Alta Drive
- 35 US23/Hawthorn Blvd. Intersection & Extension
- 36 US23/Penny Way Improvement
- 37 US23/SR315/Stratford Rd Intersection Improvement
- 38 US36 (E William) Widening
- 39 Valleyside Drive Extension
- 40 Vernon Avenue Extension
- 41 Vista Ridge Drive Extension
- 42 Wallace Drive Extension
- 43 Warrensburg/SR 37 Intersection
- 44 Winterbourne Drive

Removed:

- 1 Braumiller Road Realignment
- 2 Curtis Street Extension
- 3 East Point Crossing Extension
- 4 Industrial Connector Street
- 5 Industrial Loop Road
- 6 Neighborhood Collector Street
- 7 Neighborhood Collector Street
- 8 Neighborhood Collector Street
- 9 Neighborhood Connector Street
- 10 Pittsburgh Drive Connector
- 11 Pollyanna Drive Extension
- 12 Stratford-Pollock Road Connection

Intersection Improvements

Proposed:

- 1 Berlin Station Road Railway Crossing Removal
- 2 Braumiller/Berlin Station Intersection
- 3 Cheshire Road/CSX Crossing
- 4 Curtis St/Firestone Drive Intersection
- 5 Glenn Parkway/Railroad Grade Separation
- 6 Houk Road/Greenlawn Drive Turn Lane
- 7 London Road/Liberty Road Intersection
- 8 Pittsburgh Drive/Section Line Road Intersection
- 9 SR37/Channing Street Intersection Improvement
- 10 SR37/CSX RR Bridge Clearance Improvement
- 11 SR37/Elizabeth Intersection Improvement
- 12 SR37/Euclid Ave. Intersection Improvement
- 13 SR37/US42 (Central/Lake) Intersection
- 14 SR521/Bowtown Intersection Modification
- 15 Stratford Road/US23 Intersection modification
- 16 Stratford/US23 Intersection
- 17 The Point Improvement
- 18 US 23/Hull Drive Intersection Modification
- 19 US 23/Cheshire Road Intersection Modification
- 20 US23/Cheshire Road Intersection
- 21 US23/Cheshire Road Intersection Modification
- 22 US23/Merrick/Panhandle Intersection
- 23 US36/Carson Farms/Valleyside Dr. Signalization
- 24 US36/Curtis Street Intersection Improvement
- 25 US42/Owen Fraley Rd. Intersection Improvement

Complete:

- 1 Cheshire Road/Winterbourne Intersection
- 2 Glenn Parkway/Berlin Station Intersection
- 3 Glenn Parkway/Cheshire Road
- 4 London Road/Curtis Street Intersection
- 5 Sandusky/Belle Intersection Signalization
- 6 SR 37 (Central Ave.)
- 7 SR 37/Lexington Blvd. Intersection Signal
- 8 US 23/Cottswold Drive Intersection Modification
- 9 US 23/N Sandusky Intersection
- 10 US 36/Delaware Crossing Intersection
- 11 US23/Glenn Road/Winter Rd Intersection
- 12 US23/Ohio Health Blvd. Intersection
- 13 US23/SR315/Stratford Rd Intersection Improvement
- 14 US36/Cheshire Street Signal
- 15 US36/Davidson Lane Intersection
- 16 US36/Glenn Road/Winter Rd Intersection
- 17 US36/Glenwood Commons Intersection
- 18 US36/SR521 Intersection Improvement
- 19 US42/Jegs Blvd. Intersection
- 20 US42/Sawmill Parkway Intersection



City of Delaware, Ohio
2020-2040 Thoroughfare Plan
Project Summary

Adopted by
City Ordinance: 21 – XX'
XX-XX-2021

Last Updated: 02/22/2021

City of Delaware Planning and Zoning Code

Proposed

Chapter 1103 – Thoroughfare Plan

Repeal Chapter 1103 – Thoroughfare Plan and replace it with the following:

Chapter 1103 Thoroughfare Plan

1103.01 THOROUGH PLAN ADOPTED.

The 2020-2040 Thoroughfare Plan as prepared by the City of Delaware, a copy of which is attached hereto, is hereby adopted as the official thoroughfare plan for major streets and thoroughfares for the City of Delaware, Ohio and its long-range planning area.

1103.02 CERTIFICATION AND FILE COPY.

The City Clerk is authorized and directed to certify Council's approval on a copy of the Thoroughfare Plan and such Plan, as certified, shall be on file in the office of the City Manager.

1103.03 CERTIFICATION TO COUNTY RECORDER, ENGINEER, AND DIRECTOR
OF REGIONAL PLANNING

The City Clerk is authorized and directed to certify Council's approval and certification of the Thoroughfare Plan to the County Recorder, County Engineer, and Director of the Regional Planning Commission.

(Ord 21-XX, Passed XX-XX-2021)

Existing

City of Delaware Planning and Zoning Code

Chapter 1101 – Master Plan

Chapter 1103 – Thoroughfare Plan

The following pages contain the existing Chapters 1101 and 1103.

CODIFIED ORDINANCES OF DELAWARE
PART ELEVEN - PLANNING AND ZONING CODE

TITLE ONE - Planning
Chap. 1101. Master Plan.
Chap. 1103. Thoroughfare Plan.

CHAPTER 1101
Master Plan

- | | |
|---|---|
| 1101.01 Master Plan adopted. | 1101.03 Planning policy statement. |
| 1101.02 Certification and file copy. | |

CROSS REFERENCES
Official City plan - see CHTR. Sec. 103
Procedure in plan legislation - see CHTR. Sec. 104

1101.01 COMPREHENSIVE PLAN ADOPTED.

The Comprehensive Plan 2003-2008 as prepared by the City of Delaware Department of Planning and Community Development, a copy of which is attached hereto, is hereby adopted as the official Comprehensive Plan for the City of Delaware, Ohio. (Ord. 04-24. Passed 3-8-2004.)

1101.02 CERTIFICATION AND FILE COPY.

The City Clerk is authorized and directed to certify Council's approval on a copy of the Comprehensive Plan and such Plan, as certified, shall be on file in the office of the City Manager. (Ord. 04-24. Passed 3-8-2004.)

1101.03 AMENDING THE COMPREHENSIVE PLAN

A. Amendment Procedures. Amendments to the Comprehensive Plan may be initiated in one of the following ways:

- (1) Applications to amend the Future Land Use Map may be filed by an owner or lessee located within the area of the proposed amendment; or by any government official, unit or bureau affected by such amendment.
- (2) Applications to amend the text of the Comprehensive Plan may be filed by any individual or organization; or by any government official, unit or bureau affected by such amendment.
- (3) By the adoption of a motion by the Planning Commission.
- (4) By the adoption of a motion by the City Council.

B. Amendments to the Comprehensive Plan Initiated by Property Owner(s). An amendment initiated under the procedures established 1101.03A shall be submitted and reviewed according to the following:

- (1) Submission Requirements. Applications for amendments shall contain the following information:
 - (a) The name, address and phone number of the applicant(s) and the property owner if other than the applicant.
 - (b) A tax map showing property lines and the proposed land use designation consistent with the categories as shown on the Future Land Use Map and/or a written proposal to modify the text, referencing the page and section number.
 - (c) A statement of reasons for the proposed amendment, including evidence that quantifiable and qualitative changes in the area or respective policy(s) in question support the proposed amendment.
 - (d) A statement on the ways in which the proposed amendment can be supported by the goals, objectives and strategies, as well as the purposes and the intent of the Comprehensive Plan.
 - (e) Payment of the appropriate fees as set forth in the schedule of fees adopted by Council.
 - (f) A list of all property owners and their mailing addresses who are within 150 feet from the parcel(s) proposed to be rezoned and others that may have substantial interest in the case.
- (2) Review for Completeness. The Director of Planning and Community Development shall review the submitted application for completeness and compliance with the applicable submission requirements within ten (10) days of receipt of such application. If the application is deemed insufficient, the Director of Planning and Community Development shall notify the applicant of the deficiencies and place the application on hold until complete. When the application is determined complete and the application fee has been paid, the Director of Planning and Community Development shall officially accept the application for consideration.
- (3) Transmittal to Planning Commission. After the filing of a completed application by an owner, lessee of property or developer with an option on such property, the Director of Planning and Community Development shall transmit the application to the Planning Commission to begin the process set forth below.

C. Amendments Initiated by the Planning Commission. After the passage of a motion by the Planning Commission or the adoption of a resolution by Council, the motion or resolution shall be reviewed and considered by the Planning Commission and Council according to the process set forth herein.

D. Public Hearing and Notice by the Planning Commission. Upon the receipt of an application or resolution or upon the passage of a motion, the Planning Commission shall set a date for a public hearing thereon. Notice of the public hearing shall comply with the following:

- (1) Notice of the proposed amendment shall be published at least ten (10) days prior to the date of the required hearing, in one or more newspapers of general circulation in the City. The notice shall include the map of a proposed amendment to the Future Land Use Map.

- In addition, the Director of Planning and Community Development or designee shall send a notice to the tax mailing addresses of all property owners whose property is located within 150 feet of the parcel(s) proposed to be rezoned.
- (2) Notices shall include the time and place of the public hearing, a summary of the proposed amendment and a statement that opportunity to be heard will be afforded to any person interested. Failure of delivery of such notice shall not invalidate any such amendment.
 - (3) For proposed amendments to the Future Land Use Map, the petitioner shall post a sign conforming to the following:
 - (a) The sign shall be posted on at least one of the parcels in the area proposed in the amendment in a location visible from an adjacent street.
 - (b) The sign shall be two (2) feet by two (2) feet with letters not less than two (2) inches in height notifying the public of the date, time and location of the upcoming hearing.
 - (c) The sign shall be posted continuously for at least ten (10) days prior to the date of the required public hearing and removed within 72 hours after the date of the public hearing.
 - (4) The Planning Commission may continue or defer its consideration and no further written notice shall be required.

E. Recommendation by the Planning Commission.

- (1) Within sixty (60) days from receipt of the proposed amendment, and after the conclusion of the public hearing required in Section 1130.05, the Planning Commission shall recommend one of the following to Council.
 - (a) That the amendment be granted as requested;
 - (b) That the amendment be granted as modified by the Planning Commission; or
 - (c) That the amendment be denied.
- (2) If the Planning Commission does not make a recommendation on the proposed amendment within the sixty (60) days, or an extended period as may be agreed upon by the applicant or City Council it shall be deemed that the recommendation of the Planning Commission is that the amendment be denied.
- (3) The Secretary of the Planning Commission shall file with the Clerk of Council a report of the Planning Commission's action.

F. Public Hearing and Notice by Council. Upon receipt of the recommendation from the Planning Commission, Council shall schedule a public hearing. The hearing shall be not more than thirty (30) days from the receipt of the recommendation. Notice of the public hearing shall be given by Council according to the following:

- (1) Notice of the public hearing shall be given to at least one (1) or more newspapers of general circulation in the City. The notice shall be published at least ten (10) days before the date of the hearing. The notice shall include the map of a proposed amendment to the Future Land Use Map.
- (2) Notices shall include the time and place of the public hearing, a summary of the proposed amendment and a statement that opportunity to be heard will be afforded to any person interested. Failure of delivery of such notice shall not invalidate any such amendment.
- (3) For proposed amendments to the Future Land Use Map, the petitioner shall post a sign conforming to the following:

- (a) The sign shall be posted on at least one of the parcels in the area proposed to be rezoned in a location visible from an adjacent street.
 - (b) The sign shall be two (2) feet by two (2) feet with letters not less than two (2) inches in height notifying the public of the date, time and location of the upcoming hearing.
 - (c) The sign shall be posted continuously for at least ten (10) days prior to the date of the required public hearing and removed within 72 hours after the date of the public hearing.
- (4) During the thirty (30) days prior to the public hearing, the text of the proposed amendment, maps if applicable, and the maps, plans and reports that constitute the recommendation of the Planning Commission, shall be on file for public examination in the Department of Planning and Community Development.

G. Final Action by Council. Following such hearing and after reviewing the recommendations of the Planning Commission thereon, Council shall consider such recommendations and vote on the passage of the proposed amendment to the Comprehensive Plan. Approval of such amendment shall take effect within 30 days. (Ord. 04-55, Passed 4-12-04)

**CHAPTER 1103
Thoroughfare Plan**

**1103.01 Thoroughfare Plan accepted.
1103.02 Certification on Plan and file
copy.**

**1103.03 Certification to County
Recorder, Engineer and
Director of Regional
Planning Commission.**

1103.01 THOROUGHFARE PLAN ACCEPTED.

The official plan for major streets and thoroughfares for the City of Delaware and for territory within three miles thereof, prepared by the firm of ms Consultants and titled Thoroughfare Plan – City of Delaware, Ohio, is hereby accepted, confirmed and certified.

1103.02 CERTIFICATION ON PLAN AND FILE COPY.

The City Clerk is authorized and directed to certify Council's approval and certification on the Thoroughfare Plan and cause such Plan, as certified, to be filed in the office of the City Manager.

**1103.03 CERTIFICATION TO COUNTY RECORDER, ENGINEER
AND DIRECTOR OF REGIONAL PLANNING COMMISSION.**

The City Clerk is authorized and directed to certify Council's approval and certification of the Thoroughfare Plan to the County Recorder, County Engineer and Director of the Regional Planning Commission.

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