

CHAPTER 1104. COMPREHENSIVE PLAN AND THOROUGHFARE PLAN

1104.01. Comprehensive Plan adopted.

The Delaware Together Comprehensive Plan as prepared by the City of Delaware, a copy of which is on file in the Planning and Community Development Department, is hereby adopted as the official comprehensive plan for the City of Delaware, Ohio.

1104.02. 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.

1104.03. 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 character and focus area map may be filed by the record property owner or designee for the property 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 resolution by the Planning Commission.
 - (4) By the adoption of a resolution by the City Council.
- (b) Amendments to the Comprehensive Plan Initiated by Property Owner(s) or Designee. An amendment initiated under Section 1104.03 (a) shall be submitted and reviewed according to the following:
- (1) Submission Requirements. Applications for amendments shall contain all items set forth in the application checklist on file with the Planning and Community Development Department unless items are determined by the Director of Planning and Community Development to be inapplicable or unnecessary and are waived.
 - (2) Application Submission. Applications shall be submitted in accordance with the published deadline calendar. The Director of Planning and Community Development shall have the authority to amend the calendar from time to time.
 - (3) 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 in writing 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.

PART ELEVEN - PLANNING AND ZONING CODE
TITLE ONE PLANNING
CHAPTER 1104. COMPREHENSIVE PLAN AND THOROUGHFARE PLAN

- (4) Transmittal to Planning Commission. After the filing of a completed application, 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 or City Council. After the passage of a resolution by the Planning Commission or the adoption of a resolution by Council, the resolution shall be reviewed and considered first by the Planning Commission who shall make a recommendation to City Council. Second, City Council shall review and consider the application after Planning Commission. The process for review shall be as set forth in this chapter.
- (d) Planning Commission Process for Public Hearing and Review. Upon the receipt of an application or resolution, 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, on the City's website.
 - A. 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 200 feet of the parcel(s) proposed to be amended.
 - (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 character and focus areas map, a sign shall be posted on the property conforming to the following:
 - A. A sign notifying the public of an application under review shall be posted on each public road frontage of the property/properties in the area proposed to be amended in a location visible from an adjacent public street, or if necessary, in an alternative location approved by the Planning and Community Development Department.
 - B. Sign size and contents shall be specified by the Planning and Community Development Department.
 - C. The sign shall be posted at least ten (10) days in advance of the public hearing and shall remain in place for the duration of the process.
 - (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, 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.

PART ELEVEN - PLANNING AND ZONING CODE
TITLE ONE PLANNING
CHAPTER 1104. COMPREHENSIVE PLAN AND THOROUGHFARE PLAN

- (3) The Planning Commission shall file with the Clerk of Council a report of the Planning Commission's action.
- (f) City Council Process for Public Hearing and Review. 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 proposed amendment shall be published at least ten (10) days prior to the date of the required hearing, on the City's website.
 - (2) Notice 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 character and focus area map, a sign shall be posted on the property conforming to the following:
 - A. A sign notifying the public of an application under review shall be posted on each public road frontage of the property/properties in the area proposed to be amended in a location visible from an adjacent public street, or if necessary, in an alternative location approved by the Planning and Community Development Department.
 - B. Sign size and contents shall be specified by the Planning and Community Development Department.
 - C. The sign shall be posted at least ten (10) days in advance of the public hearing and shall remain in place for the duration of the process.
 - (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.

1104.04. Thoroughfare plan accepted.

The 2020—2040 Thoroughfare Plan as prepared by the City of Delaware, a copy of which is on file with the City Engineer's Office, 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.

1104.05. 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.

1104.06. Certification to County Recorder, Engineer, and 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.