

Section 1115.04

(d) Amendment Process: Amendments to the UDO text or map shall be submitted and reviewed according to the following steps:

1. **Pre-application Meeting:** Upon the recommendation of the City Engineer, or upon the request of the applicant, the applicant shall meet with the TRC prior to submitting an application for an amendment. The purpose of the meeting is to discuss the proposal and to provide feedback regarding applicable standards and requirements.
2. **Formal Application Submittal:** The applicant shall submit an application meeting all of the applicable requirements of the UDO. All applications shall be submitted by the application deadline established by the City.
3. **Review by the TRC:** Upon receipt of an application, the City Engineer shall forward the application to the TRC. The TRC shall review the application for completeness, and if the application is incomplete, shall advise the applicant of the deficiencies and inform the applicant that no further action will be taken on the application until all necessary and required information has been provided. If the application is deemed complete and the application fee has been paid, the TRC shall recommend to the City Engineer that the City officially accept the application. Only complete applications will be forwarded to the Planning Commission.
4. **Notice of Public Hearing before Planning Commission:** Upon determination by the TRC that an application contains all the necessary and required information, the City Engineer shall place the application on Planning Commission's agenda and schedule a public hearing on the proposed amendment. Notice of the hearing shall be provided at least once by posting in the Franklin Municipal Building and on the City of Franklin's official website. The notice shall be posted at least five (5) days before the date of the hearing. The notice shall state the time and place of the hearing and a summary of the proposed amendment. The text of the proposed amendment, maps, and plans (if applicable) shall be kept on file for public examination in the office of the City Engineer.
5. **Notice to Property Owners of Public Hearing Before Planning Commission:** If the proposed amendment intends to rezone or redistrict ten (10) or less parcels of land, as listed on the tax duplicate, written notice of the public hearing shall be provided to all owners of property ~~within 250 feet of any part of that are contiguous to~~ the parcel or lot proposed to be rezoned or redistricted ~~or that are across the street from it.~~ The applicant shall provide to the City Engineer a list (based upon the Warren County Auditor's current tax lists) of the owners of property that are ~~within 250 feet of any part of contiguous to~~ the parcel or lot proposed to be rezoned or redistricted ~~or that are across the street from it.~~

Such notice shall be sent by the City via regular mail, at least seven (7) days before the date of the hearing, addressed to the owners appearing on the list provided by the applicant and as verified by City staff. If an application is tabled at the request of the applicant, or due to incompleteness of the application submitted by the applicant, and the public hearing postponed, the cost of mailing the required further notices shall be borne by the applicant.

6. **Preparation of Staff Report:** The City Engineer shall prepare a staff report providing an analysis of the proposal and a recommendation. The City Engineer shall consider comments from the TRC in formulating his recommendation. The application and all supplemental information filed with the application shall be forwarded to the Planning Commission at least three (3) working days prior to the meeting at which the Planning Commission will consider the application. At said meeting, the City Engineer shall present his report to the Planning Commission.
7. **Planning Commission Hearing and Recommendation:** The Planning Commission shall review the application and recommend to City Council that the amendment be granted as requested; be granted as modified by Planning Commission; or be denied. The Planning Commission shall indicate specific reasons for its recommendation.
8. **Notice of Public Hearing before Council:** Following receipt of the recommendation from the Planning Commission, the Clerk of Council shall schedule a public hearing on the proposed amendment. Notice of the hearing shall be provided at least once by posting in the Franklin Municipal Building and on the City of Franklin's official website at least five (5) days before the date of the hearing. The notice shall state the time and place of the hearing and a summary of the proposed amendment.
9. **Notice to Property Owners of Public Hearing before Council:** Notice of the public hearing shall be given by the Clerk of Council. Such notice shall be sent by via regular mail, at least seven (7) days before the date of the hearing, addressed to the owners appearing on the list provided by the applicant and as verified by City staff. If an application is tabled at the request of the applicant or due to incompleteness of the application submitted by the applicant, and the public hearing postponed, the cost of mailing the required further notices shall be borne by the applicant.
10. **Action by City Council:** After holding the public hearing, City Council shall either approve the amendment, approve the amendment with modifications, or deny the amendment.

Section 1115.05

(d) Procedures - Applications and Preliminary Development Plans:

1. **Pre-application Meeting:** Upon the recommendation of the City Engineer, or upon the request of the applicant, the applicant shall meet with the TRC prior to submitting an application and Preliminary Development Plan. The purpose of the meeting is to discuss the proposal and to provide feedback regarding applicable standards and requirements.
2. **Formal Application Submittal:** The applicant shall submit an application and Preliminary Development Plan meeting all of the applicable requirements of the UDO. All applications shall be submitted by the application deadline established by the City.
3. **Review by the TRC:** Upon receipt of an application and Plan, the City Engineer shall forward the application and Preliminary Development Plan to the TRC. The TRC shall review the application and Plan for completeness, and if the application and/or Plan is incomplete, shall advise the applicant of the deficiencies and inform the applicant that no further action will be taken on until all necessary and required information has been provided. If the application and Plan are deemed complete and the application fee has been paid, the TRC shall recommend to the City Engineer that the City officially accept the application. Only complete applications and Preliminary Plans will be forwarded to the Planning Commission.
4. **Review of Preliminary Development Plan by Others:** The City Engineer shall distribute the preliminary development plan and application to the following for review and comment:
 1. Regulatory agencies which have statutory authority to subsequently review and approve any aspect of the development, including but not limited to the Army Corps of Engineers, the Warren County Health Department, and the Ohio Environmental Protection Agency;
 2. Other agencies that, at the discretion of the City, may have appropriate technical expertise;
 3. Appropriate local City administrative officials, including the Law Director; and/or
 4. Consultants retained by the City.
5. **Notice of Public Hearing before Planning Commission:** Upon determination by the TRC that an application and Preliminary Development Plan contains all the necessary and required information and completion of review of the Plan by others, the City Engineer shall place the application and Plan on Planning Commission's agenda and schedule a public

hearing on the proposed amendment. Notice of the hearing shall be provided at least once by posting in the Franklin Municipal Building and on the City of Franklin's official website at least five (5) days before the date of the hearing. The notice shall state the time and place of the hearing and a summary of the proposed application and Preliminary Development Plan. The application and Plan shall be kept on file for public examination in the office of the City Engineer.

6. **Notice to Property Owners of Public Hearing Before Planning Commission:** If the proposed Overlay District intends to apply to ten (10) or less parcels of land, as listed on the tax duplicate, written notice of the public hearing shall be provided to all owners of property that are ~~within 250 feet of any part of~~contiguous to the parcel or lot proposed for the Overlay District ~~or that are across the street from it~~. The applicant shall provide to the City Engineer a list (based upon the Warren County Auditor's current tax lists) of the owners of property that are ~~within 250 feet of any part of~~contiguous to the parcel or lot proposed for the Overlay District ~~or that are across the street from it~~. Such notice shall be sent by the City via regular mail, at least seven (7) days before the date of the hearing, addressed to the owners appearing on the list provided by the applicant and as verified by City staff. If an application is tabled at the request of the applicant, or due to incompleteness of the application submitted by the applicant and the public hearing postponed, the cost of mailing the required further notices shall be borne by the applicant.
7. **Preparation of Staff Report:** The City Engineer shall prepare a staff report providing an analysis of the proposal and a recommendation. The City Engineer shall consider comments from the TRC in formulating his recommendation. The application and all supplemental information filed with the application shall be forwarded to the Planning Commission at least three (3) working days prior to the meeting at which the Planning Commission will consider the application. At said meeting, the City Engineer shall present his report to the Planning Commission.
8. **Site Visit:** The Planning Commission or Council may, together with the applicant and the applicant's consultant(s), visit the site to gain a thorough understanding of the characteristics of the site.
9. **Review and Recommendation by Planning Commission:** The Planning Commission shall review the application and recommend to City Council that the PUD/PRCD be granted as requested; be granted as modified by the Planning Commission; or be denied.

10. **Notice of Public Hearing before Council:** Following receipt of the recommendation from the Planning Commission, the Clerk of Council shall schedule a public hearing on the proposed Overlay District. Notice of the hearing shall be provided at least once by posting in the Franklin Municipal Building and on the City of Franklin's official website at least five (5) days before the date of the hearing. The notice shall state the time and place of the hearing and a summary of the proposed application.
11. **Notice to Property Owners of Public Hearing before Council:** Notice of the public hearing shall be given by the Clerk of Council. Such notice shall be sent by via regular mail, at least seven (7) days before the date of the hearing, addressed to the owners appearing on the list provided by the applicant and as verified by City staff. If an application is tabled at the request of the applicant or due to incompleteness of the application submitted by the applicant, and the public hearing postponed, the cost of mailing the required further notices shall be borne by the applicant.
12. **Action by City Council:** After holding the public hearing, City Council shall approve the application and Preliminary Plan; deny the application and Preliminary Plan; or approve the application and Preliminary Plan subject to additional conditions and restrictions to which the owner has agreed.

1115.06

(f) Application and Final Plat Procedures:

1. **Final Plat Pre-application Meeting:** Upon the recommendation of the City Engineer, or upon the request of the applicant, the applicant shall meet with the City Engineer prior to submitting a Final Plat for consideration by the Planning Commission.
2. **Formal Application Submittal:** The applicant shall submit an application and Final Plat meeting all of the applicable requirements of the UDO. All applications shall be submitted by the application deadline established by the City.
3. **Review by the TRC:**
 1. The City Engineer shall forward the application and Final Plat to the TRC. The TRC shall review the application and Plat for completeness, and if the application is incomplete, shall advise the applicant of the deficiencies and inform the applicant that no further action will be taken on the application until all necessary and required information has been provided. If the application and Plat are deemed complete and the application fee has been paid, the TRC shall recommend to the City Engineer that the City officially accept the application. Only complete applications and Plats will be forwarded to the Planning Commission.
 2. If it has been over twelve (12) months since approval of the Preliminary Plat was granted and if any changes or amendments have been made to this UDO, any phase(s) or portion(s) of the original approved Preliminary Plat that have not received Final Plat approval, must be re-submitted for approval under the amended UDO.
4. **Preparation of Staff Report:** The City Engineer shall prepare a staff report providing an analysis of the proposal and a recommendation. The City Engineer shall consider comments from the TRC in formulating his recommendation. The application, the Final Plat, and all supplemental information filed with the application shall be forwarded to the Planning Commission at least three (3) working days prior to the meeting at which the Planning Commission will consider the application. At said meeting, the City Engineer shall present his report to the Planning Commission.
5. **Notice of Public Hearing Before Planning Commission:** Upon determination by the TRC that an application and Preliminary Plat contains all the necessary and required information, the City Engineer shall place the application and Plat on Planning Commission's agenda and schedule a public hearing on the proposed subdivision. Notice of the hearing shall be provided at least once by posting in the Franklin Municipal Building

and on the City of Franklin's official website at least five (5) days before the date of the bearing. The notice shall state the time and place of the hearing and a summary of the proposed application and Preliminary Plat. The application and Plat shall be kept on file for public examination in the office of the City Engineer.

6. **Notice to Property Owners of Public Hearing Before Planning Commission:** If the proposed subdivision intends to apply to ten (10) or less parcels of land, as listed on the tax duplicate, written notice of the public hearing shall be provided to all owners of property that are ~~within 250 feet of any part of~~contiguous to the parcel or lot proposed for the subdivision ~~or that are across the street from it~~. The applicant shall provide to the City Engineer a list (based upon the Warren County Auditor's current tax lists) of the owners of property that are ~~within 250 feet of any part of~~contiguous to the parcel or lot proposed for the Overlay District ~~or that are across the street from it~~. Such notice shall be sent by the City via regular mail, at least seven (7) days before the date of the hearing, addressed to the owners appearing on the list provided by the applicant and as verified by City staff. If an application is tabled at the request of the applicant, or due to incompleteness of the application submitted by the applicant, and the public hearing postponed, the cost of mailing the required further notices shall be borne by the applicant.
7. **Planning Commission Hearing and Recommendation:** The Planning Commission shall recommend either that the Final Plat be approved as submitted, that the Final Plat be approved with modifications, or that the Final Plat be denied.
8. **Notice of Public Hearing before Council:** Following receipt of the recommendation from the Planning Commission, the Clerk of Council shall schedule a public bearing on the proposed amendment. Notice of the hearing shall be provided at least once by posting in the Franklin Municipal Building and on the City of Franklin's official website at least five (5) days before the date of the hearing. The notice shall state the time and place of the hearing and a summary of the proposed amendment.
9. **Notice to Property Owners of Public Hearing before Council:** Notice of the public hearing shall be given by the Clerk of Council. Such notice shall be sent by via regular mail, at least seven (7) days before the date of the hearing, addressed to the owners appearing on the list provided by the applicant and as verified by City staff. If an application is tabled at the request of the applicant or due to incompleteness of the application submitted by the applicant, and the public hearing postponed, the cost of mailing the required further notices shall be borne by the applicant.

10. **Action by Council:** After consideration of the Final Plat by the Planning Commission, the Plat shall be transmitted to the Council. Council shall approve the Final Plat, approve the Plat with modifications, or deny the Plat. Written notice of Council's decision, including all conditions that may be associated with the decision, shall be transmitted to the applicant no later than ten (10) days after the date the decision was rendered. The written notice shall also include the findings of facts Council made in rendering its decision.
11. **Effect of Approval:** Approval of the Final Plat by the Council shall be deemed to constitute acceptance by the public of the dedication of every right-of-way and other proposed public easement or space shown on said Plat; however, improvements such as streets, sewer, water or other infrastructure shall not be accepted by the City until constructed and the construction plans for the same have been submitted and approved and the Developer/Subdivider has recorded said construction plans, as required by section 1115.06(i).
12. **Recording of Final Plat:** Once Council has approved a Final Plat, the Developer/Subdivider shall make any corrections or modifications required and shall forward the Final Plat to the City for the required signatures. Final Plats may not be recorded until all required signatures of officials have been placed on the Final Plat. Once the appropriate officials have properly signed the Final Plat, the applicant shall record the Final Plat with the Warren County Recorder's Office. Once recorded, a copy of the recorded Final Plat shall be filed with the City Engineer. If not recorded within twelve (12) months of the date of approval by Council, the Final Plat shall expire and be of no effect.
13. **Expiration:** The approval of a Final Plat by Council shall be effective for a maximum period of twelve (12) months and shall guarantee that the terms under which the approval was granted will not be affected by changes or amendments to this UDO. If after this twelve (12) month period, any changes or amendments are made to this UDO, and any phase(s) or portion(s) of the original approved Preliminary Plan that have not received Construction Plan approval, then that phase(s) or portion(s) must be resubmitted for approval under the amended UDO.
14. **Transfer of Lots:** No lots within a subdivision or any section thereof may be transferred until the Final Plat is accepted by the City and the Plat is recorded in the Warren County Recorder's Office.

Section 1115.08

(g) Procedures for Major Site Plans:

1. **Pre-application Meeting:** If recommended by the City Engineer or Zoning Inspector, or as requested by the applicant, the applicant may meet with the TRC prior to submitting an application and Site Plan. The purpose of the meeting is to discuss the proposal and to provide feedback regarding applicable standards and requirements.
2. **Formal Application Submittal:** The applicant shall submit an application and Site Plan meeting all of the applicable requirements of this Section. All applications shall be submitted by the application deadline established by the City.
3. **Review by the TRC:** Upon receipt of an application and Site Plan, the Zoning Inspector shall schedule a meeting with appropriate City staff to review the same. Staff shall review the application and Site Plan for completeness, and if the application or Site Plan is incomplete, shall advise the applicant of the deficiencies and inform the applicant that no further action will be taken on the application until all necessary and required information has been provided. Only applications and Plans deemed complete shall be deemed officially accepted by the City.
4. **TRC Report:** If the application and Site Plan have been deemed complete and the application fee has been paid, the application and Plan shall be forwarded on to the Planning Commission. The City Engineer and the Zoning Inspector shall prepare a TRC report, providing an analysis of the proposal and recommendations. Said report shall be forwarded along with the application, Site Plan and all supplemental information filed there with to the Planning Commission.
5. **Notice of Public Hearing before Planning Commission:** Upon determination that an application contains all the necessary and required information, the City Engineer shall place the application and Site Plan on Planning Commission's agenda, and shall schedule a public hearing. Notice of the hearing shall be provided at least once by posting in the Franklin Municipal Building and on the City of Franklin's official website The notice shall be posted at least five (5) days before the date of the hearing. The notice shall state the time and place of the hearing. If an application is tabled at the request of the applicant, or due to incompleteness of the application submitted by the applicant, and the public hearing postponed, the cost of mailing the required further notices shall be borne by the applicant.

6. **Notice to Property Owners of Public Hearing:** Written notice of the public hearing shall be provided to all owners of property ~~within 250 feet of any part of adjacent to~~ the property proposed for development. Such notice shall be sent by the City, via regular mail, at least seven (7) days before the date of hearing, addressed to the owners appearing on the list provided by the applicant and as verified by City staff. If an application is tabled after the first public hearing, no further notification to ~~property owners within 250 feet of any part of the property adjacent propertyowners~~ shall be required; however, if the first public hearing is postponed at the request of the applicant or due to the incompleteness of the application submitted by the applicant, the cost of mailing further notices shall be borne by the applicant.
7. **Action by the Planning Commission:** The Planning Commission shall consider the application and Site Plan at its formal public meeting. It may consider comments by staff as appropriate, any presentation by the applicant(s), and comments by interested parties. The Planning Commission shall consider this information and render a decision at a public meeting. The Planning Commission shall approve the Site Plan as submitted, approve the Site Plan with conditions or modifications, or deny the application and Site Plan. Its decision shall take effect immediately. Written notice of Planning Commission's decision, including all conditions that may be associated with the decision, shall be transmitted to the applicant no later than ten (10) days after the date the decision was rendered. The written notice shall also include the findings of facts Planning Commission made in rendering its decision.

Section 1115.09

(g) Procedures for Planning Commission Approval: The following outlines the procedure under which the Planning Commission decides development approvals under this Section:

1. **Pre-application Meeting:** Upon the recommendation of the City Engineer or Zoning Official, or upon the request of the applicant, the applicant shall meet with the TRC prior to submitting an application. The purpose of the meeting is to discuss the proposal and to provide feedback regarding applicable standards and requirements.
2. **Formal Application Submittal:** The applicant shall submit an application meeting all of the applicable requirements of this Section. All applications shall be submitted by the application deadline established by the City.
3. **Review by the TRC:** Upon receipt of an application, the City Engineer or Zoning Official shall forward the application to the TRC. The TRC shall review the application for completeness, and if the application is incomplete, shall advise the applicant of the deficiencies and inform the applicant that no further action will be taken on the application until all necessary and required information has been provided. If the application is deemed complete and the application fee has been paid, the TRC shall recommend that the City officially accept the application. Only complete applications will be forwarded to the Planning Commission.
4. **Notice of Public Hearing before Planning Commission:** Upon determination that an application contains all the necessary and required information, the Zoning Official shall place the application on Planning Commission's agenda, and shall schedule a public hearing. Notice of the hearing shall be provided at least once by posting in the Franklin Municipal Building and on the City of Franklin's official website . The notice shall be posted at least five (5) days before the date of the hearing. The notice shall state the time and place of the hearing. If an application is tabled at the request of the applicant, or due to incompleteness of the application submitted by the applicant, and the public hearing postponed, the cost of mailing the required further notices shall be borne by the applicant.

5. **Notice to Property Owners of Public Hearing before Planning Commission:** Written notice of the public hearing shall be provided to all owners of property that are within 250 feet of any part of contiguous to the subject parcel or lot ~~or that are across the street from it~~. The applicant shall provide to the Zoning Official a list (based upon the Warren County Auditor's current tax lists) of the owners of property that are within 250 feet of any part of contiguous to the subject parcel or lot ~~or that are across the street from it~~. Such notice shall be sent by the City via regular mail, at least seven (7) days before the date of the hearing, addressed to the owners appearing on the list provided by the applicant and as verified by City staff. If an application is tabled at the request of the applicant, or due to incompleteness of the application submitted by the applicant, and the public hearing postponed, the cost of mailing the required further notices shall be borne by the applicant.
6. **Preparation of Staff Report:** The City Engineer and/or Zoning Official, as appropriate, shall prepare a staff report providing an analysis of the proposal and a recommendation. The City Engineer and/or Zoning Official shall consider comments from the TRC in formulating his recommendation. The application and all supplemental information filed with the application shall be forwarded to the Planning Commission at least three (3) working days prior to the meeting at which the Planning Commission will consider the application. At said meeting, the City Engineer and/or Zoning Official shall present his report to the Planning Commission.
7. **Action by the Planning Commission:** The Planning Commission shall consider the application at its formal public meeting. It may consider comments by staff as appropriate, any presentation by the applicant(s), and comments by interested parties. The Planning Commission shall consider this information and render a decision at a public meeting. The Planning Commission shall approve the application; deny the application; or approve the application subject to additional conditions and restrictions which Planning Commission may deem reasonable and in the public interest. Planning Commission's decision shall require a majority vote of Planning Commission members present for the public meeting. The decision shall be reduced to writing and transmitted to the applicant within thirty (30) days following the public meeting at which the decision is rendered.

1115.10

(d) Approvals by the Appeals Board: The following outlines the procedure under which the Appeals Board decides variances, changes in nonconforming uses, and determinations of similar uses under this Section.

1. **Pre-application Meeting:** Upon the recommendation of the Zoning Official, or upon the request of the applicant, the applicant shall meet with the TRC prior to submitting an application. The purpose of the meeting is to discuss the proposal and to provide feedback regarding applicable standards and requirements.
2. **Formal Application Submittal:** The applicant shall submit an application meeting all of the applicable requirements of the UDO. All applications shall be submitted by the application deadline established by the City.
3. **Review by the TRC:** Upon receipt of an application, the Zoning Official shall forward the application to the TRC. The TRC shall review the application for completeness, and if the application is incomplete, shall advise the applicant of the deficiencies and inform the applicant that no further action will be taken on the application until all necessary and required information has been provided. If the application is deemed complete and the application fee has been paid, the TRC shall recommend to the Zoning Official that the City officially accept the application. Only complete applications will be forwarded by the TRC to the Appeals Board.
4. **Preparation of Staff Report:** The Zoning Official shall prepare a staff report providing an analysis of the proposal and a recommendation. The Zoning Official shall consider comments from the TRC in formulating his recommendation. The application and all supplemental information filed with the application shall be forwarded to the Appeals Board at least three (3) working days prior to the meeting at which the Board will consider the application. At said meeting, the Zoning Official shall present his report to the Appeals Board.
5. **Notice of Public Hearing before Appeals Board:** Upon determination that an application contains all the necessary and required information, the Zoning Official shall place the application on Appeals Board's agenda, and shall schedule a public hearing. Notice of the hearing shall be provided at least once by posting in the Franklin Municipal Building and on the City of Franklin's official website. The notice shall be published at least five (5) days before the date of the hearing. The notice shall state the time and place of the hearing. If an application is tabled at the request of the applicant, or due to incompleteness of the application submitted by the applicant, and the public hearing postponed, the cost of mailing the required further notices shall be borne by the applicant.

6. **Notice to Property Owners of Public Hearing before Appeals Board:** Written notice of the public hearing shall be provided to all owners of property that are within 250 feet of any part of~~contiguous to~~ the subject parcel or lot ~~or that are across the street from it~~. The applicant shall provide to the Zoning Official a list (based upon the Warren County Auditor's current tax lists) of the owners of property that are within 250 feet of any part of~~contiguous to~~ the subject parcel ~~or that are across the street from it~~. Such notice shall be sent by the City via regular mail, at least seven (7) days before the date of the hearing, addressed to the owners appearing on the list provided by the applicant and as verified by City staff. If an application is tabled at the request of the applicant, or due to incompleteness of the application submitted by the applicant, and the public hearing postponed, the cost of mailing the required further notices shall be borne by the applicant.
7. **Action by the Appeals Board:** The Appeals Board shall consider the application at its formal public meeting. It may consider comments by staff as appropriate, any presentation by the applicant(s), and comments by interested parties. The Appeals Board shall consider this information and render a decision at public meeting. The Appeals Board shall approve the application as submitted, approve the application subject to additional conditions and restrictions to which the owner has agreed, or deny an application. Its decision shall take effect immediately. Written notice of the Appeals Board's decision, including all conditions that may be associated with the decision, shall be transmitted to the applicant no later than ten (10) days after the date the decision was rendered. The written notice shall also include the findings of facts the Appeals Board made in rendering its decision.