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### **3303.005 – ~~Reserved~~ Numbered terms.**

“2024 Zoning Code” means Title 34 of the Columbus City Codes (1959), as amended.

### **3303.26 - Letter Z.**

"Zoning Code" or "Zoning Ordinance" means Ordinance 2130-76, as amended, including Title 33 of the Columbus City Codes (1959), unless otherwise specifically stated.

"Zone In Initiative” means the phased creation of the new 2024 Zoning Code resulting from the collective city planning and zoning work of the Zone In project team consistent with the objectives of Resolution 0179X-2023 and the anticipated series of Digital Zoning Map amendments to apply the 2024 Zoning Code to properties in a phased progression across the City of Columbus.

### **3309.01 - Digital zoning map establishment, interpretation and maintenance.**

Columbus city council has adopted the Official Zoning Map (also known as the “Digital Zoning Map” or “Zoning Map”) in digital form and deems the ~~digital zoning map~~ Digital Zoning Map to be the Official Zoning Map for the city of Columbus. This map contains the districts as described in the 2024 Zoning Code and conforms to provisions of the 2024 Zoning Code and all ordinances and laws related to zoning that are now in effect and which in the future may be in effect. This map also contains the districts and all overlay boundaries as described in this Zoning Code and conforms to provisions of this Zoning Code and all ordinances and laws related to zoning that are now in effect and which in the future may be in effect. The repository for the Official Zoning Map, in any form including digital, is the Department. Responsibility for maintenance of the Official Zoning Map is established in the Department.

The Director ~~shall have~~ has the authority to determine what districts an unnamed use is of similar enough character and nature to warrant inclusion in and may publish, ~~from time to time~~, such determinations. The Director ~~shall also have~~ has the authority to make determinations as to district boundaries when a conflict exists in determining exact district boundaries as indicated on the Official Zoning Map.

### **3309.02 - Zoning map districts.**

The area, height, overlay and use districts as designated in ~~the~~ this Zoning Code, and the 2024 Zoning Code ~~shall~~ will be part of the Zoning Map.

### **3309.03 - Establishment of districts; rezoning to the 2024 Zoning Code.**

For the purpose of this Zoning Code, the city is divided into classes of use districts, height districts and area districts as provided for by this Zoning Code ~~code~~ and as may be indicated in ~~this chapter~~ Title 33. Property legislatively rezoned from a Zoning Code district to a 2024 Zoning Code district pursuant to this chapter are divided into districts as provided for in the 2024 Zoning Code, found in Title 34 of the Columbus City Codes.

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**Chapter 3310 AMENDMENTS OF THE ZONING CODE AND DIGITAL ZONING MAP;  
REZONING TO THE 2024 ZONING CODE**

**3310.01 Application for amendment to the Zoning Map.**

- (A) Any person may apply to city council through the department for an amendment of the Zoning Map as it relates to a particular property located in a district of this Zoning Code, on a form provided for that purpose by the department and filed in its office with the required fee in accordance with ~~C.C.~~ section 3305.05. Such application shall be processed according to the provisions of this chapter. An application may include more than one lot or parcel of land provided that all are contiguous to each other. For the purpose of complying with this section and computing the fee required, lots or parcels separated only by a public street or alley shall be considered as contiguous to each other. The development commission shall review applications for amendment of the Zoning Map made pursuant to this Zoning Code and make recommendations thereon to council.
- (B) No application that proposes to rezone a property from a district under the 2024 Zoning Code to a district under this Zoning Code shall be accepted by the Department. Any property in a 2024 Zoning Code district shall only be permitted to rezone to another 2024 Zoning Code district and shall follow the application process provided for in division (A) of this section. Such application shall be processed according to the procedural provisions of Title 33.
- (C) Provisions of this Zoning Code shall not apply to a property that is rezoned into a district of the 2024 Zoning Code unless specifically provided for in this Zoning Code or the 2024 Zoning Code.

**3310.02 Council initiatives to amend the Zoning Map.**

- (A) City council may ~~from time to time~~ on its own motion or petition, after public notice and hearing, amend the Zoning Map, districts, or regulations.
- (B) City Council, by way of Resolution 0179X-2023, expressed its intent to adopt and support the goals and priorities of the Zone In Initiative that have resulted in the creation of the 2024 Zoning Code. Consistent with that Resolution, and in furtherance of the purposes and policies of the Zone In Initiative, Council may move to amend the Zoning Map to rezone properties in phases in accordance with the Zone In Initiative from Title 33 Zoning Code district designations to Title 34 2024 Zoning Code district designations. The rezoning of properties from a Title 33 Zoning Code district to a Title 34 2024 Zoning Code district shall occur only as an initiated act of Council.
- (C) Council initiatives to amend the Zoning Map as it relates to a particular property that has been rezoned into a district of the 2024 Zoning Code shall be made in accordance with the process established in division (A) of this section, and as may be provided for in Title 34 of the Columbus City Codes. Provisions of this Zoning Code do not apply to a property that has been rezoned into a district of the 2024 Zoning Code, except as specifically provided for in the 2024 Zoning Code or in this chapter.

**3310.03 Department proposal to amend the Zoning Map.**

- (A) The department may propose amendments of the Zoning Map districts or regulations to city council. Such proposals shall be submitted to the development commission for review and recommendation prior to being acted upon by council. Written notice of the public hearing before

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the development commission on an amendment to the Zoning Map, districts or regulations, proposed by the department shall be as provided for as in section 3310.05(D).

- (B) Proposals by the department to amend the Zoning Map as it relates to a particular property that has been rezoned into a district of the 2024 Zoning Code shall be made in accordance with the process established in division (A) of this section and as may be provided for in Title 34 of the Columbus City Codes.

#### **3310.04 Effect on existing buildings and permits; existing uses and structures.**

- (A) If any area is hereafter transferred to another district located in the Zoning Code by a change in the district boundaries by amendment as provided in this chapter, the provisions of this Zoning Code with regard to buildings or premises existing or buildings for which permits have been issued at the time of the passage of the Zoning Ordinance on September 13, 1954, ~~shall will~~ apply ~~to remain in full force and effect for any~~ buildings or premises existing for which permits have been issued in such transferred area at the time of the passage of such amendment, for any property not rezoned to a 2024 Zoning Code district.
- (B) On any property to be rezoned pursuant to the Zone In Initiative, the provisions of this Zoning Code, other than the applicable 2024 Zoning Code district, will apply to any application for a new or amended site plan or building permit, provided that:
- (1) the application was filed with and accepted for review by the Department prior to the effective date of the legislation rezoning the property; and
- (2) the approvals of the Department have not expired.
- (C) Implementation of the Zone In Initiative requires sensitive treatment of existing uses and existing structures with approved certificates of zoning clearance under Title 33 that represent significant and historical investments in the city. While it is intended that properties rezoned to the 2024 Zoning Code will ultimately meet the building and use requirements of the 2024 Zoning Code, it is acknowledged that existing uses and existing structures may be permitted to continue and may be considered conforming under the definitions and provisions of the 2024 Zoning Code.

#### **3310.05 Zoning Map amendment upon application.**

Each application for amendment of the Zoning Map pursuant to Section 3310.01 shall comply with the requirements of this section.

- (A) Each application shall be given by attesting to the truth and exactness of the information supplied therein and shall be accompanied by:
- (1) A plot plan or sketch of the subject lot and building, if any, and the immediate vicinity drawn to scale with dimensions;
  - (2) A map showing the location of the property within the city;
  - (3) A legal description of the subject property;
  - (4) An affidavit of the applicant listing the names and addresses as shown on the county engineer's ownership maps, the county auditor's current tax list and the county treasurer's mailing list of all owners of:
    - (a) The property to be rezoned or redistricted;

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- (b) All contiguous property ignoring any intervening public right-of-way per C.C. 3310.01;
  - (c) All property within 125 feet of the exterior boundaries of the property to be rezoned; and
  - (d) Any property within 125 feet of the applicant's property in the event the applicant owns property contiguous to the subject property;
  - (5) A statement of the applicant's interest in the proposed rezoning and of the present and proposed zoning classification of the subject premises; and
  - (6) Such further information as is reasonable and necessary for proper consideration by the department, the development commission, and the city council.
- (B) Upon submittal of each application, the subject property shall be posted in the manner as prescribed by the Director in addition to all other forms of notice.
  - (C) The director is authorized to request and receive reports from various city departments and divisions and other agencies concerned with such amendment as to its probable favorable or unfavorable effect upon their operation and administration, to correlate such reports, and to make a recommendation to the development commission and to city council for or against such amendment. The director shall include in his or her report a statement of the department's position and justification for that position based on applicable planning principles and policies.
  - (D) Before the development commission makes a recommendation to city council concerning such amendment, the department's staff shall notify the applicant; all of the owners of the subject property; all of the owners of neighboring property as set out in the applicant's affidavit; and the concerned area commission, if any; of the time and place of the development commission meeting at which such amendment will be considered.
  - (E) Upon receipt of the development commission's recommendation for or against such amendment and the director's report, city council shall take such further steps as it deems necessary and appropriate regarding hearings, notices and other matters pertaining to such amendment.

### **3310.06 Method of measurement.**

Unless otherwise provided, all measurements required by this Zoning Code to be made between the property subject to an application and any other property shall be made in the following manner: From that point on the subject property closest to the other property, a straight line of the required length shall be measured to the closest point on the other property, including a point on the lot line.

### **3310.07 Notice of public hearing before council**

- (A) The city clerk shall give notice in the City Bulletin of the time and place for any public hearing before council on any proposed ordinance to amend the Zoning Map.
- (B) Except for Council-initiated actions to rezone portions of the Zoning Map to the 2024 Zoning Code as provided for in Section 3310.02(B), the following notice and hearing requirements shall apply:
  - (1) Unless otherwise directed by council or its zoning committee, the city clerk shall mail written notice to the applicant, all of the owners of the subject property, all of the owners of neighboring property as set out in the applicant's affidavit, the concerned area commission, if any, and those

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specified by the zoning committee by city council of the time and place of such public hearing at least ten days prior thereto.

(2) In the event the applicant secures permission from city council or the zoning committee chairperson to reschedule the public hearing after notices have already been mailed by the city clerk, applicant shall pay a service fee of \$50.00 to cover the cost of handling and mailing up to 50 copies of a subsequent notice plus \$1.00 for each copy handled and mailed in excess of 50. The city clerk shall assess such fee which shall be payable to the city treasurer.

(3) The city clerk shall notify persons identified in ~~subsection A~~ division (B)(1) of this section of the hearing on any proposed ordinance to amend the Zoning Map which is rescheduled or tabled unless said ordinance was tabled or rescheduled during the original hearing to a specific date for hearing before council.

(C) For Council-initiated actions as provided for in Section 3310.02(B), the following notice and hearing process shall apply and the provisions of Section 111.33 are waived:

(1) Council shall adopt a resolution indicating that in accordance with the Zone In Initiative, it intends to amend the Zoning Map to rezone properties from Title 33 Zoning Code district designations to new Title 34 2024 Zoning Code district designations;

(2) A minimum period of sixty (60) days from the date of passage of the resolution provided for in division (C)(1) of this section shall be allowed for the acceptance by Council of public comment;

(3) Council shall hold at least two (2) public meetings concerning the proposed amendments to the Zoning Map at issue;

(4) Area Commissions, the Historic Resources Commission, the Development Commission, and any other applicable reviewing bodies of the Zoning Code shall be provided the proposed supporting documentation and materials from the Zone In Initiative for the applicable phase, and shall submit any comments that the reviewing body may have to the Council prior to the expiration of the public comment period provided for in division (C)(2) of this section;

(5) Council shall take any public comments, the comments of any Area Commission, Historic Resources Commission, Development Commission, or any other applicable reviewing body of the Zoning Code as well as any comments offered by the Director into consideration during a scheduled public meeting; and

(6) If determined by Council to be in the best interest of the City, Council may consider legislation to implement changes in accordance with the Zone In Initiative.

### **3310.08 ~~Notice of amendment proposed by the department.~~[Reserved]**

~~Written notice of the public hearing before the development commission on an amendment to the Zoning Map, districts or regulations, proposed by the department shall be provided as in C.C. 3310.05(C). Written notice of the public hearing before city council shall be provided as in C.C. 3310.07.~~

### **3310.15 Duties of development commission relating to zoning.**

The development commission shall:

- A. Hold hearings on all applications for rezonings;
- B. Consider all ~~department proposals and~~ recommendations for amendments to the official ~~zoning map~~ Zoning Map.

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- C. Submit to council the recommendations of the development commission, together with the reasons for such recommendations, in all matters pertaining to applications for rezoning or recommendations by the department for amendments to the official Zoning Map;
  - D. Have all of the powers conferred on a planning commission by Sections 713.06 to 713.10 inclusive, of the Ohio Revised Code except as applied to Council-initiated actions taken in furtherance of the Zone In Initiative as set forth in section 3310.02(B);
  - E. Delegate to the director such of its powers and duties as it deems necessary for the proper administration and enforcement of this Zoning Code and the 2024 Zoning Code; and
  - F. Perform such other duties and functions as may be assigned ~~to~~ by this Zoning Code, the 2024 Zoning Code, or other ordinances of council.