

## ARTICLE XVIII: AMENDMENTS

### **1800 Authority**

This Ordinance, including the Official Zoning Map, may be amended from time to time by the City Council as herein specified, but no amendment shall become effective unless it shall have been proposed by or shall first have been submitted to the Planning Commission for review and recommendation. The Planning Commission shall have thirty days within which to submit its report. If the Planning Commission fails to submit a report within the thirty-day period, it shall be deemed to have approved the proposed amendment.

### **1801 Requirements for Change**

When the public necessity, convenience, general welfare, or good zoning practice justify such action, and after the required review and report of the Planning Commission, the City Council may undertake the necessary steps to amend the Zoning Ordinance.

### **1802 Procedure for Amendments**

Requests to amend the Zoning Ordinance shall be processed in accordance with the following requirements:

**1802.1 Initiation of amendments.** A proposed amendment to the Zoning Ordinance may be initiated by the Planning Commission or at the direction of City Council for Planning Commission review and recommendation, or by the owner or owners of the property proposed to be changed, provided, however, that action shall not be initiated for a zoning amendment affecting the same parcel or parcels of property or any part thereof, and requesting the same change in district classification by a property owner or owners of more than once every twelve months.

**1802.2 Application procedure.** Except in instances of City Council-initiated zoning amendment review, which shall be submitted to the Planning Commission by staff, application forms for amendment requests shall be obtained from the Planning Commission or the Zoning Administrator. Completed forms, together with an application fee to cover administrative costs, plus any additional information the applicant feels to be pertinent shall be filed with the Planning Commission. Any communication purporting to be an application for an amendment shall be regarded mere notice to seek relief until it is made in the form required.

**1802.201** Applications for amendments must be submitted in proper form at least three weeks prior to a Planning Commission meeting in order to be heard at that meeting.

**1802.202** Application fees shall be forwarded by the Planning Commission to the City Administrative Officer who shall supervise the application of same to the cost of advertising and other administrative expenses.

**1802.203** The Planning Commission, at regular meetings, shall review and prepare a report, including its recommendation for transmittal to the City Council.

**1802.204** All meetings of the Planning Commission shall be open to the public. At a meeting, any party may appear in person, or by agent, or by attorney.

**1802.205** No member of the Planning Commission shall participate in a matter in which he has any pecuniary or special interest.

**1802.206** Following action by the Planning Commission, all papers and data pertinent to the application shall be transmitted to the City Council for final action.

**1802.3 Public Hearing.** Before enacting an amendment to this Ordinance, the City Council or Planning Commission shall hold a public hearing thereon, notice of time and place of which shall be published in a newspaper of general circulation in the City at least fifteen days in advance of the scheduled public hearing date. Conspicuous notice shall be placed on or adjacent to the property affected, with at least one such notice being visible from each public thoroughfare that abuts the property. The notice shall be posted at least fifteen days prior to the public hearing.

**1802.4 Changes in the Zoning Map.** Following final action by the City Council any necessary changes shall be made on the Official Zoning Map. A written record of the type and date of such change shall be maintained by the City Administrative Officer. Until such change is made, no action by the City Council on amendments to the Zoning Map shall be considered official, unless the Administrative Officer fails to make the change within seven days after formal action by the City Council. In the latter event, action by the City Council shall be considered official seven days after the date of the action if the Administrative Officer has failed to make the appropriate changes.

### **1803 Reversion**

To prevent land speculation at the expense of the general public and to insure the timing of projects in accord with stated developmental objectives, construction shall start on all rezoned property within six months after rezoning. If construction has not begun within the specified time and is not completed within two years, the Planning Commission shall review the zoning of said property and the progress which has taken place and, if deemed necessary, initiate proceedings to reclassify the property in a manner consistent with the comprehensive plan.

Editor's note-(renumbered Article XIII, Sections 1300, 1301, 1302, 1302.1, 1302.2, 1302.201, 1302.202, 1302.203, 1302.204, 1302.205, 1302.206, 1302.3, 1302.4, and 1303 to new Article XVII, Sections 1800, 1801, 1802, 1802.201, 1802.202, 1802.203, 1802.204, 1802.205, 1802.206, and 1803, ord. of 4-21-2011), (Sections 1202.1 & 1202.2 amended 4/18/19).