



## **12-1L-8: ZONING AMENDMENTS:**

- A. **Vote Required For Approval:** The city council may, by a majority vote of all members thereof, adopt amendments to this chapter; except, that where an amendment changes all or part of an existing classification from residential to either commercial or industrial, a four-fifths ( $\frac{4}{5}$ ) majority vote of all members of the city council is required.
- B. **Initiation Of Amendment:** Proceedings for amendment of this chapter shall be initiated by either a petition of the owner or owners of property within a zoning district, by a recommendation of the planning commission, or by action of the city council.
- C. **Application For Amendment:** All applications for amendment which are initiated by the owner or owners of property shall be filed in the office of the city clerk and shall state the exceptional conditions claimed as a basis for the amendment.
- D. **Referral To Planning Commission:** The city clerk shall refer all applications for amendment to the planning commission. Upon receipt of the application and application fee, the city clerk shall establish a date for a public hearing by the planning commission and shall be responsible for the publication of hearing notices.
- E. **Planning Commission Hearing And Recommendation:** The planning commission shall hold a public hearing affording an opportunity for all parties interested to be heard. The city clerk shall give not less than ten (10) days' nor more than thirty (30) days' notice of the time and place of such hearing published in the designated legal newspaper for the city. Within sixty (60) days after the date of reference by the council, the planning commission shall make a written report to the council stating its findings and recommendations.
- F. **Action By City Council:**
  - 1. Within thirty (30) days after the receipt of the report and recommendations from the planning commission, the council shall consider the amendment.
  - 2. If the planning commission fails to make a report to the council within sixty (60) days after the referral of the application, then the council shall consider the amendment.
  - 3. Failure to receive a report from the planning commission as herein provided shall not invalidate the proceedings or action of the council.
  - 4. At the time of consideration, the council may take final action upon the application or it may continue the discussion from time to time for further investigation.
  - 5. The council may also request further information and report from the planning commission. (Ord. 429, 8-3-2010)