

ARTICLE 7

ZONING DISTRICT CHANGE

A proposal for a change in district classification (rezoning) may be initiated by either the City Commission, the Planning Commission, or by application of the owner of property affected.

The applicant shall first obtain the proper application form from the Office of the City Engineer.

The rezoning application form shall be completely filled out and returned to the Office of the City Engineer with the appropriate filing fee and required information. An application shall not be scheduled for public hearing until the application form has been fully completed, the fee paid, and all required information submitted.

The Planning Commission shall hold a public hearing at which time citizens and parties of interest shall have an opportunity to be heard. The Office of the City Engineer shall be responsible for having an official notice of the public hearing published in a newspaper of general circulation at least 20 days prior to the hearing. The Office of the City Engineer shall be responsible for following the administrative procedures for a zoning district amendment as prescribed in the adopted zoning regulations. The notice shall fix the time and place of the hearing and shall describe generally the change requested. A written notice shall also be mailed to notify surrounding property owners of the public hearing and of their right to file protest petitions and shall explain the protest procedure.

The public hearing may be adjourned from time to time and, upon its conclusion, the Planning Commission shall prepare and adopt its recommendation to the Governing Body. This recommendation shall be submitted along with an accurate record of the public hearing. Protest petitions must be signed by all owners, including a spouse in jointly owned property, and submitted within the fourteen-day period in order to be valid.

The Governing Body shall consider the Planning Commission's recommendation and may either approve the recommendation; override the Planning Commission's recommendation by a 2/3 majority vote of the membership of the Governing Body; or return the proposed amendment to the Planning Commission for reconsideration. If received for reconsideration, the Planning Commission shall consider the Governing Body's reasons for disapproval and may resubmit its original recommendation or a revised recommendation. Upon receipt of the recommendation, the Governing Body may approve or disapprove the proposed zoning district amendment.

If the Governing Body approves the requested change, it shall adopt an ordinance to that effect. If the official zoning map has been adopted by reference, the amending ordinance shall define the change of boundary and shall order the official zoning map to be similarly amended.