

SECTION 1200. AMENDMENTS

1201. Adoption

This Ordinance may be amended, changed or altered by a majority vote of all of the Council. An amendment of this Ordinance that changes all or part of a zoning district from a residential classification to either a commercial classification or an industrial classification shall require a two-thirds majority vote of all of the Council. No amendment to this Ordinance shall be adopted until after a Public Hearing has been duly advertised and held by the Commission. (*Ord No 10-16-2008*)

1202. Kinds of Amendments

An amendment of this Ordinance may be one of the following:

- .01 A change in a district's boundary (rezoning)
- .02 A change in a district's regulations
- .03 A change in any other provision of this Ordinance

1203. Initiation of Proceedings

Proceedings for amending this Ordinance shall be initiated by at least one of the following three methods:

- .01 By petition of an affected owner or owners of property which is proposed to be rezoned, or for which district regulation changes are proposed
- .02 By recommendation of the Commission
- .03 By action of the Council

1204. Exhibits Required

The following are exhibits which are required for rezoning or district regulation changes initiated by property owners:

- .01 The boundary survey and plot plan as required for building permit applications
- .02 Legal description of the affected property
- .03 A written description of the request setting out the nature of the request, its relationship to the Comprehensive Plan, and possible impacts of granting the application

1205. Notice

A notice of the time and place of the Public Hearing shall be published in the official newspaper of the City, at least 10 days prior to the date of the hearing. When an amendment involves changes in district boundaries affecting an area of five acres or less, a similar notice shall be mailed at least 10 days before the date of the hearing, to each owner of affected property, and property situated, wholly or partly, within 350' of the property to which the amendment relates. A copy of the notice and list of the owners and addresses to which the notice was sent, shall be attested by the responsible person and shall be made a part of the proceedings. Failure to give mailed notice to individual property owners or defects in the notice shall not invalidate the proceedings, provided a bonafide attempt to comply with this provision has been made.

1206. Floodplain Amendment

The floodplain designation on the Zoning District Map shall not be removed from floodplain areas unless it can be shown that the designation is in error or that the area has been filled to or above the elevation of the regulatory flood protection elevation and is contiguous to lands outside the floodplain. *(Ord No 12-15-2011-1)*

Any amendment involving a change in the Floodplain District boundary or requirements within the Floodplain District must be submitted to and approved by the Commissioner of Natural Resources and the Federal Emergency Management Agency prior to adoption. The Commissioner of Natural Resources must be given 10 days' written notice of all hearings to consider an amendment to this Ordinance involving a change in the Floodplain District Boundary or requirements within the Floodplain District and said notice shall include a draft of the Ordinance amendment or technical study under consideration. *(Ord No 12-15-2011-1)*

1207. Rehearing

No applicant or representative shall be entitled to present any petition for rezoning within six months of the time the original petition was denied by the Council when such petition and request is substantially the same as the originally denied petition and request. This provision shall not apply to petitions withdrawn before Council action.