

10-3-12: AMENDMENTS:

(A) Procedure; Filing: This title may be amended whenever the public necessity and convenience and the general welfare require such amendment.

1. Proceedings for amendment of this title shall be initiated by:
 - (a) A petition of the owner or owners of the actual property, the zoning of which is proposed to be changed;
 - (b) A recommendation of the Planning Commission; or
 - (c) By action fo the City Council
2. To defray administrative costs of processing requests for an amendment to this title, a fee, as established by the city council, shall be paid by the petitioner.
3. All applications for changes in the boundaries of any zoning district which are initiated by the petition of the owner or owners of the property, the zoning of which is proposed to be changed, shall be accompanied by a map or plat showing the lands proposed to be changed and all lands within three hundred fifty feet (350') of the boundaries of the property proposed to be rezoned, together with an abstractor's certificate of property owner(s) name(s) and address(es) within three hundred fifty feet (350') of the outer boundaries of the property in question.
4. Before any amendment is adopted, the Planning Commission shall hold at least one public hearing thereon, after a notice of the hearing has been published in the official newspaper at least ten (10) days before the hearing, and in the case of district boundary amendments, after a notice has been mailed to property ownes within three hundred fifty feet (350') of the subject property. Failure of such owners to receive notice shall not invalidate the proceedings. Following the hearing, the Planning Commission shall report its findings and recommendations on the proposed amendment to the City Council. If no recommendation is transmitted by the Planning Commission within sixty (60) days after the hearing, the City Council may take action without awaiting such recommendation.
5. Upon filing of such report, the City Council may hold such public hearings upon the amendment. After the conclusion of the hearings, if any, the City Council may adopt the amendment or any part thereof in such form as it deems advisable. the amendment shall be approved in accordane with the voting requirements of MSA section 462.357, subdivision 2. The City Council shall act upon the application within sixty (60) days after receiving the recommendation of the Planning Commission.
6. The council may, by resolution, deny a proposed amendment and inlcude the findings and reasons for denial in the resolution. The findings shall outline the ways in which the proposed use fails to meet the standards and intent of this title and is otherwise injurious to the public health, safety and welfare.

(B) Amendment Adopted: See section [10-5-26](#) of this title. (Ord. 002-469, 2-19-2002)