

SECTION 29: AMENDMENT PROCEDURES.

- Subd. 1. Authority. Zoning Ordinance and Zoning Map amendments which change the classification of land from residential to commercial or industrial require a four-fifths vote by the City Council for approval. All other Zoning Ordinance amendments require a simple majority.
- Subd. 2. Procedure.
- A. Proceedings to amend this Ordinance shall only be initiated by the Council, the Planning Commission or a petition of the property owner(s).
 - B. An application for an amendment shall be filed with the Zoning Administrator. Petitions by property owners requesting change in a district boundary shall be accompanied by a map or plat showing the lands proposed to be changed and all land within three hundred fifty (350) feet of the boundaries of the property proposed for such rezoning together with the names and addresses of the owners of land in such area.
- Subd. 3. Public Hearing. No amendment shall be adopted until a public hearing has been held thereon by the Planning Commission or Council. Notice of the time, place and purpose of an amendment hearing shall be published in the official newspaper at least ten (10) days prior to the day of hearing. When an amendment involves changes in one or more district boundaries affecting an area of five (5) acres or less, notice of the hearing shall be mailed at least ten (10) days before the date of hearing to each owner of property within the area proposed to be changed and owners of property situated wholly or partially within three hundred fifty (350) feet of the property to which the amendment relates. Any appropriate records may be used to determine the names and addresses of such owners, and a copy of the notice, together with a list of the owners and addresses to which the notice was sent, shall be attested to by the City Clerk or Building Official and Zoning Administrator and shall be made part of the record of the proceeding. The failure of a property owner to receive notice as specified herein shall not invalidate the public hearing or the amendment proceeding.
- Subd. 4. Commission Action. Following conclusion of the public hearing(s) held by the Planning Commission, the Commission shall report its findings and recommendations on the proposed amendment to the Council and the Building Official and Zoning Administrator within sixty (60) days following the hearing. If no report or recommendation is transmitted by the Planning Commission within sixty (60) days following referral of the amendment to the Commission, the Council may take action on the amendment without awaiting such recommendation.
- Subd. 5. Council Action. Following Planning Commission consideration or the expiration of its review period, the Council may hold such hearings to consider the amendment as it deems advisable. Following the conclusion of the hearings, if any, the Council may adopt the amendment, or any part thereof in such form as it deems advisable, reject the amendment, or refer it to the Planning Commission for further consideration. In reviewing

a proposed amendment, consideration shall be given to existing conditions within the area directly and indirectly affected by the proposal, the conservation of property values, the use to which the property affected is being devoted at the time, and relevant provisions, if any, in the land use plan.