

## CHAPTER 17.24

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## CHAPTER 17.24

### AMENDMENTS TO ORDINANCE

#### **17.24.010 INITIATION OF AMENDMENTS**

- A. Whenever public necessity and the general welfare require it, boundaries of the zones, zoning districts and zoning regulations or restrictions established by this title may be amended. Such requests to amend, change, modify or repeal any part of this title shall be initiated by one of the following: (i) A resolution of intention of the City Council; (ii) A resolution of intention of the Planning Board; (iii) A resolution of intention of the Zoning Commission; (iv) A verified petition of an owner(s) of the affected property; or (v) A plaintiff in an action in eminent domain to acquire the property as to which the zone or property use amendment is proposed.
- B. Whenever any person or entity allowed to initiate an amendment desires a change in regulations, they may file with the designated Administrative Official, on forms provided by the City for this purpose, an application duly signed and notarized by the person or authorized representative of that entity requesting an amendment or change of regulations.

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#### **17.24.020 AMENDMENTS – INVESTIGATION REQUIREMENTS**

Upon initiation of an amendment by the City Council, Planning Board, Zoning Commission or upon petition from an affected property owner, the Zoning Commission shall conduct an investigation relating to such initiation or petition as will provide necessary information to assure that the action of each such initiation or petition is consistent with the intent and purpose of this title as set forth in 17.04, General Provisions including but not limited to a written report that the proposed amendment complies with the City of Dillon Growth Policy.

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#### **17.24.030 PUBLIC HEARING REQUIREMENTS**

- A. The Zoning Commission shall hold a public hearing on the matters referred to in such initiation or petition at which parties in interest and citizens shall have an opportunity to be heard. Notice of such public hearings shall be provided as required by Chapter 17.100, Noticing and Hearing Procedure.
- B. Any proposed amendment shall be the subject of one public hearing before the City Council, after receiving a report from the Zoning Commission as set forth below.
- C. The public hearing to be heard by the Zoning Commission shall be conducted by the bodies specified in this subsection.

1. Any amendment to the text of this title affecting zoning shall be heard by the Zoning Commission and one member of the Planning Board shall attend also.
2. After such hearing, the Zoning Commission will receive comments from the Planning Board and submit a written report with recommendations to the City Council for a decision.

D. An amendment to this title must receive a favorable vote of two-thirds of the total members of the City Council.

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#### **17.24.040 PROTEST TEXT AMENDMENTS**

In the case of protest against such changes or amendments signed by the owners of twenty-five (25) percent or more of either the area of the lots included in any proposed change, or those lots two hundred (200) feet from a lot included in a proposed change, such amendment may not become effective except upon a favorable vote of two-thirds of the total members of the City Council. Two hundred (200) foot measurement is determined by property lot line of applicant property to property lot line of adjacent property(s).

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#### **17.24.050 APPLICATIONS**

If a application for amendment is denied the same application for amendment shall not be submitted until the expiration of one (1) year after the date of denial. If substantial material facts change during the year, a new application may be submitted for review.

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