

Section 13: Zoning Amendments

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13.01 Criteria for Granting Zoning Amendments.

Subd. 1. The City Council may adopt amendments to the Zoning Ordinance and Zoning Map in relation both to land uses within a particular district or to the location of the district line. Such amendments shall not be issued indiscriminately, but shall only be used as a means to reflect changes in the goals and policies of the City as reflected in the Comprehensive Plan or changes in conditions in the City.

13.02 Kinds of Amendments.

Subd. 1. A change in a district's boundary (rezoning).

Subd. 2. A change in a district's regulations.

Subd. 3. A change in any other provision of this Ordinance.

13.03 Initiation of Proceedings. Proceedings for amending this Ordinance shall be initiated by at least one of the following 3 methods:

Subd. 1. By petition of an owner or owners of property which is proposed to be rezoned, or for which district regulation changes are proposed.

Subd. 2. By recommendation of the Planning Commission.

Subd. 3. By action of the City Council.

13.04 Required Exhibits for Rezoning or District Regulation Changes Initiated by Property Owners.

Subd. 1. A boundary survey and preliminary building and site development plan.

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13.05 Procedure. The procedure for a property owner to initiate a rezoning or district regulation change is as follows:

- Subd. 1.** The property owner or his agent shall meet with the Zoning Administrator to explain his situation, learn the procedures, obtain an application form, and be notified of required submittals.
- Subd. 2.** The applicant shall file the completed application form together with the required exhibits with the Zoning Administrator and shall pay a fee as established by the City Council.
- Subd. 3.** Upon official submission of the request, the Zoning Administrator shall set a public hearing on the request for the next regularly scheduled Planning Commission meeting occurring at least 21 days from such date. The Zoning Administrator shall also cause notice of the public hearing containing a description of the property and description of the request, to be published no more than 30 days and no less than 10 days prior to the hearing. Written notification of the hearing shall also be mailed at least 10 working days prior to the date of the hearing to all owners of land within 350 feet of the boundary of the property in question for rezoning. Failure of a property owner to receive said notice shall not invalidate any such proceeding as set forth within this Ordinance provided a bona fide attempt to comply with this provision has been made. The City Council may waive the mailed notice requirements for a city-wide amendment to the zoning ordinance initiated by the Planning Commission or City Council.
- Subd. 4.** The Planning Commission shall hold the public hearing and, provided that the time to act on the request has been extended pursuant to statute, within 60 days shall recommend to the Council either approval or denial.
- Subd. 5.** No application of a property owner for an amendment to the text of the Ordinance or the Zoning Map shall be considered by the Planning Commission within the 1 year period following a denial of such request, except the Planning Commission may permit a new application, if in the opinion of the Planning Commission, new evidence or a change of circumstances warrant it.