

CHAPTER 18

AMENDMENTS

10-18-1	<i>General</i>
10-18-2	<i>Initiation of Zoning Amendments</i>
10-18-3	<i>Contents of Application</i>
10-18-4	<i>Transmittal to Commission</i>
10-18-5	<i>Commission Public Hearing</i>
10-18-6	<i>Recommendation by Commission</i>
10-18-7	<i>Action by Council</i>
10-18-8	<i>Resubmission of Application</i>

10-18-1: GENERAL: Whenever the public necessity, convenience, general welfare or good zoning practices require, the Council, after receipt of recommendation thereon from the Commission and subject to procedures provided by law, may amend, supplement, change or repeal the regulations, restrictions and boundaries or classifications of property.

10-18-2: INITIATION OF ZONING AMENDMENTS: Amendments to this Ordinance may be initiated in one (1) of the following ways:

- (A) By adoption of a motion by the Commission;
- (B) By adoption of a motion by the Council; and
- (C) By the filing of an application by a property owner or a person who has an existing interest in property within the area proposed to be changed or affected by said amendment.

10-18-3: CONTENTS OF APPLICATION: Applications for amendments to this Ordinance shall contain the following information:

- (A) Name, address and phone number of applicant;
- (B) Proposed amendment;
- (C) Present land use and present zoning district;
- (D) Proposed use and proposed zoning district;
- (E) A list of all property owners and their mailing addresses who are within three

hundred (300) feet of the external boundaries of the land being considered;

(F) A statement of why the proposed amendment is requested, how the proposed amendment relates to the Plan and how the proposed amendment fits the criteria of the Ordinance (10-9-2); and

(G) Rezone requests for small tracts and/or single ownership tracts must be accompanied by findings of public or community interest.

10-18-4: TRANSMITTAL TO COMMISSION: Zoning districts shall be amended in the following manner:

(A) Requests for an amendment to this Ordinance shall be submitted to the Commission which shall evaluate the request to determine the extent and nature of the amendment requested;

(B) If the request is in accordance with the adopted Plan, the Commission may recommend and the Council may adopt or reject the Ordinance amendment under the notice and hearing procedures as herein provided; and

(C) If the request is not in accordance with the adopted Plan, the Commission may recommend and the Council may adopt or reject an amendment to the Plan under the notice and hearing procedures provided in Section 67-6509, Idaho Code. After the Plan has been amended, the Ordinance may then be amended as herein provided.

10-18-5: HEARING PROCEDURES: The commission shall process proposed zoning amendments in substantial conformance with the notice and hearing procedures provided under Idaho Code Section 67-6509.

10-18-6 RESUBMISSION OF APPLICATION: No application for a reclassification of any property which has been denied shall be resubmitted in either substantially the same form or with reference to substantially the same premises for the same purposes within a period of one (1) year from the date of such action unless there is an amendment to the Plan which applies to the specific property under consideration.