
9.3 Procedure for calling a public hearing.

Prior to scheduling the required public hearings, applicants shall first complete all submission requirements provided by the zoning administrator (e.g. forms, fees, deeds, maps, etc.)

The zoning administrator shall then notify the applicant of the date, time, and place of the required public hearing.

~~At least 16 but not more than 44 days-~~ **At least 15 but not more than 45 days** prior to scheduled public hearings the building and zoning inspector shall publish in the newspaper of general circulation notice of the date, time, place, and purpose of the public hearing.

If a zoning amendment is for the rezoning of property, then the public notice shall also include: (1) the location of the property; (2) the present zoning classification of the property; and (3) the proposed zoning of the property.

Not less than 15 days prior to the date of a public hearing, the building and zoning inspector shall post in a conspicuous location on the property in question a sign which shall contain information regarding the proposed rezoning; specifically the date, time, place, and purpose of the public hearing.

No official action shall be taken on a proposed amendment by the county commission until after the required public hearings have been conducted.

The primary goal of conducting public hearings on proposed zoning amendments shall be to solicit pertinent factual information which will be beneficial in helping the planning board and the county commissioners judge the merits of each specific proposed amendment.

9.3.1 Notice to property owners. The planning board shall give notice of the date, time, place, and purpose of public hearings to be held by it on proposed amendments or supplements by mail to the owners of all properties lying within 200 feet of any part of the property proposed to be changed. The failure to notify as provided in this section shall not invalidate any recommendations adopted hereunder.

9.3.2 Action on planning board. The planning board may recommend that the application be granted as requested, or it may recommend a modification of the zoning amendment requested in the application, or it may recommend that the application not be granted. These recommendations shall then be certified to the county commissioners.

9.3.3 Public hearing by commissioners. After receiving from the planning board the certification of said recommendations on the proposed amendment, and before adoption of such amendment, the commissioners shall hold a public hearing thereon, following the procedures set forth herein for calling and conducting public hearings.

9.3.4 Action of the county commissioners. The county commissioners shall consider the recommendations of the planning board, and vote on the proposed amendment to the text or map of the zoning ordinance after the public hearing. The applicant and others so requesting shall receive notice of the decision of the county commissioners through the zoning administrator.

9.3.5 Denial of rezonings. If the decision of the county commission is to deny the rezoning of property, then the same property may not again be considered for rezoning until the expiration of at least six months immediately following the defeat of the rezoning by the county commission.