

#### Sec. 4.7. - Zoning amendment.

- A. *Purpose.* The regulations imposed and the districts created by this ordinance may be amended from time to time in accordance with this section. This process for amending the zoning ordinance text or the zoning map is intended to permit modifications in response to changed conditions or changes in city policy. Amendments are not intended to relieve particular hardships or confer special privileges or rights upon any person or party.
- B. *Initiation.* Applications for zoning amendments (text or map amendments) may be filed by the city or by an owner of any property that is in the city or by their authorized agent.
- C. *Procedure.* Applications shall be filed with the planning department, in accordance with the requirements of section 3.2 (application). Upon receiving a complete application, the planning department shall schedule the application for consideration by the planning commission. Amendments initiated by the city also require an application, but are exempt from fees. (See appendix A: zoning map amendment).
  - 1. *Action by the planning commission.*
    - a. The planning commission shall conduct a public hearing on a proposed zoning amendment, in accordance with section 3.4 (public hearing) no more than 60 days after receipt of a complete application. Notice for the public hearing shall be in accordance with section 3.3 (notice). If, in the planning commission's judgment, the application does not contain sufficient information to enable the commission to properly discharge its responsibilities, the commission may request additional information from the applicant. In that event, the 60-day period shall be suspended pending receipt of all requested information.
    - b. The planning commission shall make findings of fact, based upon the evidence presented at the public hearing, pursuant to each of the applicable standards in subsection D. (findings of fact for zoning amendments) below.
    - c. Within 45 days of the close of the public hearing, the planning commission shall forward to the Mount Pleasant commission its recommendation, together with the commission's findings of fact. The commission recommendation may take the form of approval or denial. If the requested amendment is a text amendment, the recommendation shall include the commission's proposed language.
  - 2. *Action by the Mount Pleasant commission.*
    - a. Consideration of the planning commission recommendation shall be placed on a Mount Pleasant commission agenda within 30 days. The Mount Pleasant commission may take action in the form of approval or denial. In the case of text amendments, the Mount

Pleasant commission shall not be bound by the precise language of the commission recommendations. The Mount Pleasant commission may also refer the application back to the commission for further consideration.

- b. Amendments to both the text and zoning map require the approval of the Mount Pleasant commission at two separate readings by a simple majority vote. A public hearing is required at the second reading.

D. *Findings of fact for zoning amendments.* The planning commission in its review and recommendation and the Mount Pleasant commission in its deliberations shall make specific findings with regard to the following grounds for an amendment:

1. The amendment is in agreement with the land use plan for the area.
2. There will be no adverse effect upon adjoining property owners, unless such effect can be justified by the overwhelming public good or welfare.
3. No property owner or small group of property owners will benefit materially from the change to the detriment of the general public.
4. Conditions affecting the area have changed to a sufficient extent to warrant an amendment to the area's land use plan and subsequently, the zoning map.

(Ord. No. 2018-1028, § 1(Exh. A), 11-20-2018)