
16.03.080 Amendments; zoning; rezoning.

- A. Initiation of amendments to text or official zoning map. The city council may, from time to time, amend, supplement, change or repeal the regulations and provisions of this title. Amendments to the text of this title may be initiated by the city council, city staff, the planning commission or written application of any property owner or resident of the city. Rezoning or amendments to the zoning district map may be initiated by the city council, city staff, the planning commission or a real property owner in the area to be included in the proposed amendment.
- B. General rezoning of the city. Whenever the official zoning map is in any way to be changed or amended incidental to or as part of a general revision of this title, whether such revision is made by repeal of this title and enactment of a new chapter or otherwise, the requirement of an accurate survey map or other sufficient legal description of, and the notice to and listing of names and addresses of owners of real property in the area of the proposed change, shall be waived. However, the proposed zoning map shall be available for public inspection in the city hall during regular business hours for fifteen (15) days prior to the public hearing on such amendments.
- C. Rezoning application process. The following process shall apply when a property owner applies for different zoning for his or her property).
 - 1. Step 1: Optional preapplication conference. The applicant may attend a preapplication conference with city staff. The purpose of the meeting is to discuss the zoning amendment, submittal requirements and review process.
 - 2. Step 2: Zoning amendment application submittal. The applicant shall submit one (1) copy of the complete zoning amendment application package to the city and shall request that the application be reviewed by the planning commission and city council.

Note: In the case of text amendments, only items "a" and "b" below are required. The zoning amendment application shall include:

- a. A completed zoning amendment application form, application fee per the city fee schedule (as adopted) and fee reimbursement agreement (if requested).
- b. If the proposed change is a text amendment only, a written description of the proposed change to the text of this title, including the citation of the portion of the title to be changed and the wording of the proposed change must be included. The description must provide the rationale for the proposed change, citing specific difficulties with the existing text and similar provisions in zoning codes of other jurisdictions that support the rationale of the proposed change.
- c. A legal description of all property to be considered for rezoning.
- d. A title commitment or current proof of ownership.
- e. If the land proposed for rezoning is not subdivided, or if a zoning district boundary is proposed to bisect a platted parcel, a zoning amendment map (fifteen [15] copies) of the area, including the proposed change, sized twenty-four (24) inches high by thirty-six (36) inches wide, with the following information:
 - 1) North arrow, scale (1" = 100' or 1" = 200') and the date of preparation.
 - 2) The subdivision or block and lot name of the area to be zoned (if applicable) at the top of each sheet.

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- 3) A legal description of the area to be zoned (entire area and individual zoning districts). On property that is not subdivided, zone boundaries shall be determined by a metes-and-bounds description.
 - 4) The location and boundaries, including dimensions, of the property proposed for rezoning.
 - 5) The acreage or square footage contained within the property proposed for rezoning.
 - 6) All existing land uses in the proposed rezoning area.
 - 7) Zoning and existing land uses on all lands adjacent to the proposed rezoning.
 - 8) The location and dimensions for all existing public rights-of-way, including streets and centerlines of watercourses within and adjacent to the rezoning.
 - 9) The names of all adjoining subdivisions with lines of abutting lots, and departing property lines of adjoining properties not subdivided.
 - 10) Certificate blocks for the surveyor, planning commission, city council and county clerk and recorder.
 - 11) An AutoCAD™ drawing file (Release 12 or higher) of the zoning amendment map on a compact disc or other electronic transfer method acceptable to the city.
- f. A written statement describing the proposal and addressing the following points:
- 1) The rationale for the proposed rezoning;
 - 2) Present and future impacts on the existing adjacent zone districts, uses and physical character of the surrounding area;
 - 3) Impact of the proposed zone on area accesses and traffic patterns;
 - 4) Availability of utilities for any potential development;
 - 5) Present and future impacts on public facilities and services, including but not limited to fire, police, water, sanitation, roadways, parks, schools and transit;
 - 6) The relationship between the proposal and the Comprehensive Plan; and
 - 7) Public benefits arising from the proposal.
- g. Names and addresses of property owners within one hundred fifty (150) feet and mineral interests and lessees.
3. Step 3: Rezoning/amendment application certification of completion. Within a reasonable period of time, staff shall either certify that the application is complete and in compliance with all submittal requirements or reject it as incomplete and notify the applicant of any deficiencies. The applicant shall then correct any deficiencies in the application package, if necessary, and submit the required number of copies of the application to the city. The original application and all documents requiring a signature shall be signed in blue ink.
 4. Step 4: Final staff review and report to planning commission. Staff shall complete a final review of the resubmitted materials and prepare a report to the planning commission explaining how the application is or is not consistent with the criteria for amendments to the official zoning map or criteria for amendments to the text of the zoning code.
 5. Step 5: Set rezoning/amendment public hearing before the planning commission and complete public notification process. The city shall send notice of the public hearing to the applicant, the parties shown on the list of surrounding property owners/mineral interests and the appropriate referral agencies a reasonable length of time before the initial planning commission public hearing. Such notice shall not

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- be required for text amendments. For zoning map amendments, a public hearing notification sign shall be posted on the property by the applicant. Such posting shall be in a location and in a manner that makes it clearly visible from the adjoining street. The city shall publish notice in a newspaper of general circulation. The public hearing may be held a reasonable length of time after the date of posting of the property and newspaper publication. If the zoning amendment request is accompanying another application which is scheduled for public hearings before the planning commission and city council, one (1) public hearing may be held on both applications.
6. Step 6: Planning commission public hearing and action on the zoning amendment. The planning commission shall hold a public hearing to review the zoning amendment based on the criteria for amendments to the official zoning map or the criteria for text amendments to the code. The planning commission shall then make a recommendation to the city council to approve, conditionally approve or deny the zoning amendment application.
 7. Step 7: Finalize amendment based on planning commission comments. The applicant shall revise the zoning amendment application based on the planning commission's comments and submit it to the city.
 8. Step 8: Set city council public hearing and complete public notification process. The city council shall schedule a public hearing for the purpose of taking action on the zoning amendment. The city shall publish notice in a newspaper of general circulation. The hearing may be held no less than ten (10) days from the date of advertising.
 9. Step 9: Notify parties of interest. Not less than ten (10) days before the date scheduled for the initial city council public hearing, staff shall notify the applicant, the parties for whom the applicant provided public hearing notification addresses and the appropriate referral agencies. The notice shall include the time and place of the public hearing, the nature of the hearing, the location of the subject property and the applicant's name. Such notice shall not be required for text amendments.
 10. Step 10: City council public hearing and action on the zoning amendment. The city council shall, after receiving the report and recommendations from the planning commission, hold a public hearing and act upon the proposed amendment. Following the required hearing, the city council shall consider the comments and evidence presented at the hearing, evaluate the application in accordance with the criteria listed below and approve, approve with conditions or deny the application, in whole or in part. The city council can require that an area being rezoned have an approved planned development overlay zone prior to development, in which case the district designation on the official zoning map shall be followed by "(PD)." Decisions by the city council with all conditions shall be done by resolution.
- D. Criteria for amendments to the official zoning map. For the purpose of establishing and maintaining sound, stable and desirable development within the city, the official zoning map shall not be amended except:
1. To correct a manifest error in an ordinance establishing the zoning for a specific property;
 2. To rezone an area or extend the boundary of an existing district because of changed or changing conditions in a particular area or in the city generally;
 3. The land to be rezoned was zoned in error and as presently zoned is inconsistent with the policies and goals of the Master Plan;
 4. The proposed rezoning is necessary to provide land for a community-related use that was not anticipated at the time of the adoption of the Master Plan, and the rezoning will be consistent with the policies and goals of the Master Plan;
 5. The area requested for rezoning has changed or is changing to such a degree that it is in the public interest to encourage development or redevelopment of the area; or

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6. A rezoning to planned development overlay district is requested to encourage innovative and creative design and to promote a mix of land uses in the development.

This declaration of criteria for zoning map amendments shall not control an amendment that occurs incidentally to a general revision of the zoning map.

- E. Criteria for text amendments to the code. For the purpose of establishing and maintaining sound, stable and desirable development within the city, the text of this title shall not be amended except:
 1. To correct a manifest error in the text of this title;
 2. To provide for changes in administrative practices as may be necessary to accommodate changing needs of the community and the city staff;
 3. To accommodate innovations in land use and development practices that were not contemplated at the adoption of this title; or
 4. To further the implementation of the goals and objectives of the Master Plan.
- F. Map - Amendment upon zoning establishment or modification. Upon enactment of any ordinance annexing and establishing zoning or modifying existing zoning for any property, and upon final passage thereof, the city shall amend the prior existing official maps to include the annexed area with the proper zoning classification or show the amended classification, as the case may be. Such updated, current official map shall contain, in table form, the date and number of the ordinance amending it, the date the map was amended to reflect each amendment and the initials of the person who checked and approved the change to the map.

(Ord. 962 §§1, 2, 2007)