

## CHAPTER 4 - AMENDMENTS TO ZONING ORDINANCE

### SECTION:

- 4.01: Initiate
- 4.02: Application and Procedure
- 4.03: Approvals Required
- 4.04: Effective Date
- 4.05: Criteria

#### **4.01: INITIATE.**

The City Council or Planning Commission may, upon their own motion, initiate a request to amend the text or the district boundaries of this Ordinance. The procedural requirements of Section 3.02 shall not apply to such proposed amendments initiated by the City except to the extent required by Minnesota State Statute. Any person owning real estate within the City may initiate a request to amend the district boundaries or text of this Ordinance so as to affect the said real estate.

#### **4.02: APPLICATION AND PROCEDURE.**

An amendment to this Ordinance (text or map) requires a public hearing and is to be processed in accordance with the procedures set forth in Chapter 9, (Zoning Application Procedures) of this Ordinance. The information required for all amendment applications generally consists of items outlined in Chapter 9 (Zoning Applications Procedures) of this Ordinance, and shall be submitted unless exempted by the City.

#### **4.03: APPROVALS REQUIRED.**

Approval of a proposed amendment shall require a majority vote of all members of the City Council. Amendments which change all or part of the existing classification of a zoning district from residential to either commercial or industrial shall require a two-thirds (%) four (4) out of five (5) members of the City Council] majority vote of all members of the City Council.

#### **4.04: EFFECTIVE DATE.**

The amendment shall not become effective until such time as the City Council approves an Ordinance and the Ordinance is published in the official newspaper.

#### **4.05: CRITERIA.**

The Planning Commission and City Council shall consider possible effects of the proposed amendment. Factors to be considered in determining the possible effects of the proposed amendment shall include, but are not limited to, the following:

- A. The proposed action has been considered in relation to the specific policies and provisions of and has been found to be consistent with the Comprehensive Plan.
- B. The proposed application is or will be compatible with present and future land uses of the area.
- C. The proposed application conforms to all performance standards contained in this Ordinance.
- D. The proposed application can be accommodated with existing public services and will not overburden the City's service capacity.
- E. Traffic generation by the proposed use is within capabilities of streets serving the property.