

D. Procedure

All applications shall be filed with the Zoning Administrator in accordance with the requirements of Section 3.2 (Application). Once it is determined that the application is complete, the Zoning Administrator shall schedule the application for consideration by the Planning and Zoning Commission. Amendments initiated by the City also require an application, but are exempt from fees. (See Appendix B for Flowchart 5: Zoning Text and Map Amendment Process.)

2. Action by the Planning and Zoning Commission

- a. The Planning and Zoning Commission shall conduct a public hearing on a proposed special use in accordance with Section 3.4 (Public Hearing) no more than sixty (60) days of receipt of a complete application. Notice for the public hearing shall be in accordance with Section 3.3 (Public Notice). If, in the Planning and Zoning 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 sixty (60) day period shall be suspended pending receipt of all requested information.
- b. Within forty-five (45) days of the close of the public hearing, the Planning and Zoning Commission shall forward to the City Council its recommendation, together with the minutes of the hearing and the Commission's findings of fact.
- c. The Planning and Zoning Commission shall make findings of fact, based upon the evidence presented at the public hearing, pursuant to each of the applicable standards in Paragraph E (Findings of Fact for Zoning Amendments) below. If the zoning amendment is proposed by the City Council, the Planning and Zoning Commission recommendation may take the form of approval, approval with conditions or denial. If the zoning amendment is proposed by an owner of property within the City or City board or commission other than the City Council, the Commission shall recommend approval or approval with conditions, or shall deny the application. If the Commission shall vote to deny an application for a zoning amendment submitted by an applicant other than the City Council, such action shall constitute a final administrative decision.

3. Action by the City Council

The City Council shall consider the application within thirty (30) days of receiving the findings of fact and recommendation from the Planning and Zoning Commission. The City Council may take action in the form of approval, approval with conditions, or denial on applications for zoning text amendments, and approval or denial on applications for zoning map amendments. The City Council may also refer the application back to the Planning and Zoning Commission for further consideration.

E. Findings of Fact for Zoning Amendments

The Planning and Zoning Commission recommendation and City Council decision on any zoning amendment, whether text or map amendment, is a matter of legislative discretion that is not controlled by any particular standard. However, in making their recommendation and decision, the Planning and Zoning Commission and City Council shall consider the following standards, as set forth in Table 1: Standards for Zoning Amendments below.