

24.19.600 AMENDMENTS

24.19.610 PURPOSE

The Zoning Map may be amended by changing the boundaries of any zone in accordance with the procedure prescribed in this Section.

24.19.615 INITIATION

- A. A change in the boundaries of any zone may be initiated by the owner or the authorized agent of the owner of the property by filing an application for a change in zone boundaries as prescribed in this Section. If the property for which a change of zone is proposed is in more than one ownership, all the owners or their authorized agents shall join in filing the application.
- B. A change in the boundaries of any zone may be initiated by resolution of the Planning Commission when approved by the City Council; or initiated directly by the City Council.

24.19.620 APPLICATION: DATA AND MAPS TO BE FURNISHED

A property owner or his authorized agent, desiring to propose a change in the boundaries of the zone in which his property is located, may file with the Planning Director an application for a change in zone boundaries on a form prescribed by the Planning Director and shall include the following data:

- A. Name and address of the applicant
- B. Statement that the applicant is the owner or the authorized agent of the owner of the property for which the change in zone boundaries is proposed.
- C. Address and legal description of the property.
- D. An accurate scale drawing of the site and the surrounding areas showing existing streets and property lines, and existing and proposed zone boundaries. The Planning Director shall determine the area required to be included on the plan to illustrate the relationship to and impact on the surrounding area, but not less than 300 feet or more than 600 feet from the property proposed for rezoning.
- E. Complete environmental assessment information on forms supplied by the Planning Director.

24.19.620 AMENDMENTS (continued)

- F. The Planning Director may require additional information or maps if they are necessary to enable the Planning Commission and Council to determine whether the change is consistent with the objectives of this Ordinance. The Planning Director may authorize omission of the map required by this Section, if the Director deems it is not necessary.

24.19.625 FEE

The application shall be accompanied by a fee established by Resolution of the City Council to cover the cost of processing the application as prescribed in this Section.

24.19.630 PUBLIC HEARING BY PLANNING COMMISSION AND CITY COUNCIL

The Planning Commission and the City Council shall each hold a public hearing on every application for a change in zone boundaries. The hearing shall be set and notice given as prescribed below:

A. SETTING OF THE HEARING

The Secretary to the Planning Commission, in the case of the Planning Commission, and the City Clerk in the case of the City Council, shall set the time and place of the public hearing, required by this Ordinance; the Planning Commission or Council, at the time of their hearing may continue the time or place of a hearing.

B. HEARING

The Planning Commission shall hold a public hearing on a rezoning request, or an amendment within forty (40) days after the compliance with the California Environmental Quality Act, Public Resources Code Section 21000 through and including Section 21176 and amendments thereof. Within thirty (30) days after action of the Planning Commission, the City Council shall hold a public hearing to act upon the action of the Planning Commission.

24.19.630 PUBLIC HEARING BY PLANNING COMMISSION AND CITY COUNCIL (continued)

C. NOTICE

Notice of a public hearing shall be given not less than 10 days nor more than 30 days prior to the date of the hearing as established by resolution of the City Council. The notice for a Zoning Map Amendment shall include the alternate zone classifications indicated in Section 24.19.650.

24.19.635 INVESTIGATION AND REPORT

The Planning Director shall make an investigation of the application or proposal and shall prepare a report thereon which shall be submitted to the Planning Commission and to the applicant prior to the public hearing.

24.19.640 ACTION BY THE PLANNING COMMISSION

The Planning Commission shall review and consider the Director's report, comments from the applicant and the public within 40 days after compliance with the California Environmental Quality Act Sections 21000 through 21176 inclusive of the Public Resources Code. The Commission shall make one of the following findings:

- A. If the Commission finds that the change is consistent with the objectives of this ordinance, the General Plan and development policies of the City, it shall recommend to the Council the introduction of an ordinance amending the Zoning Map.
- B. If the Commission finds that the change is not consistent with the objective of this Ordinance, the General Plan and development policies of the City it may recommend to the Council denial of the application, continue it for changes to be consistent, or reject the proposal.
- C. Upon action of the Planning Commission, the Planning Director shall prepare and forward a report to the City Council on the recommendation of the Planning Commission.

24.19.645 ACTION BY THE CITY COUNCIL

The City Council shall review and consider the Planning Commissions recommendation(s), comments by the applicant and the public. The Council shall make one of the following findings:

- A. If the Council finds that the change is consistent with the objectives of this ordinance, the General Plan and development policies of the City, it shall introduce an ordinance amending the Zoning Map.

24.19.645 ACTION BY THE CITY COUNCIL (cont.)

B. If the Council finds that the change is not consistent with the objective of this Ordinance, the General Plan and development policies of the City, it may deny the proposal or continue it for changes to be consistent. If the changes are of a substantial nature, the City Council shall forward the application back to the Planning Commission for their recommendation on the amended proposal.

24.19.650 ALTERNATE CLASSIFICATION IN LIEU OF PROPOSED CLASSIFICATION

Following a public hearing on a change in the boundaries of any zone, if the Planning Commission and/or Council determines that, a change to a zone classification other than the proposed classification requested by the applicant in the hearing notice is desirable, the Planning Commission may recommend and the Council may adopt an alternate classification to a proposed classification in accord with the following schedule:

<u>Proposed Zone Described in Public Hearing Notice</u>	<u>Alternate Zone that may be Considered</u>
RR	A
RL	RR, A
R-1	RR, RL,
RC	RL, RR, R-1,
RA	Any other R Zone,
CO	A
C-1	A
C-2	CO
VC	C-1
I-1	A
I-2	I-1, A
MHP	R-L, RC, R-1, RR
A	None

In order to more properly accommodate these alternate zone classifications, the Notice of Public Hearing Shall indicate the alternate classifications, if any, which Planning Commission and City Council could consider.

24.19.655 CITY COUNCIL ACTION FINAL

The City Council's action to approve or deny is final.

24.19.660 NEW APPLICATION

Following the denial of a change in zone boundaries, an application or request for the same or substantially the same change shall not be filed within one calendar year of the date of denial.

24.19.665 CHANGE OF ZONING MAP

A change in zone boundaries shall be indicated by listing on the Zoning Map, and the number of the Ordinance amending the map shall be maintained with the zoning code.

24.19.700 AMENDMENTS TO REGULATIONS/TEXT

24.19.710 PURPOSE

The text of the Zoning Regulations of this Ordinance may be amended in accord with the procedure prescribed in this Section.

24.19.720 INITIATION

- A. A change in the text of the regulations may be initiated by the Planning Commission, who will hold a public hearing and make recommendation to the City Council.
- B. The City Council may initiate proceedings and submit the matter to the Planning Commission for public hearing.

24.19.730 PUBLIC HEARING, PLANNING COMMISSION

- A. The hearing date shall be set by the Planning Commission Secretary for not more than thirty (30) days after the initiating motion by the Planning Commission or City Council.
- B. Notice of the required public hearings shall contain the time and place of the hearing and the general purpose of the proposed amendment.
- C. Notice of a public hearing concerning a proposed text amendment shall be given by the Planning Commission in accordance with Gov. Code Section 65090 which requires, in relevant part, that such notice shall be published at least one time not less than ten (10) days prior to the hearing.

Where the proposed amendment affects the permitted uses of real property, notice shall also be given pursuant to Gov. Code Section 65091 which requires, in relevant part, that notice shall be mailed or delivered at least ten (10) days prior to the hearing to all owners of real property as shown on the latest equalized assessment roll within 300 feet of the real property that is the subject of hearing.

24.19.740 INVESTIGATION & REPORT

The Planning Director shall study the proposed amendment and shall provide information necessary to assure action consistent with the intent of this ordinance and the General Plan and shall report the findings to the Planning Commission.

24.19.750 ACTION BY THE PLANNING COMMISSION

Within thirty (30) days after the conclusion of the public hearing the Planning Commission shall file its recommendation with the City Council, together with a report of findings, hearings, and other supporting data.