

**CHAPTER 26
PLANNING AND ZONING
ARTICLE XII. AMENDMENTS**

- | | |
|-------------------|--|
| Section 26-XII-1. | Procedure |
| Section 26-XII-2. | Public Hearing Required Before Amending Notice |

SECTION 26-XII-1. Procedure

This Zoning Ordinance, including the map, may be amended, but all proposed amendments shall be submitted first to the Planning commission for its recommendations, which recommendations shall be submitted to the City Council for its consideration within thirty (30) days. For the purpose of establishing and maintaining sound, stable, and desirable development within the City, it is declared to be a public policy that amendments shall not be made to the Zoning Ordinance and map, except to promote more fully the objectives and purposes of this ordinance or to correct manifest errors. Any person seeking an amendment of the Zoning Ordinance shall submit to the Cedar City Community Development Director a written petition designating the change desired, the reasons therefor, and wherein the proposed amendment would further promote the objectives and purposes of the Zoning Ordinance, together with a fee of \$25.00. The Community Development Director shall in turn transmit the petition to the Planning Commission. Upon the receipt of the petition, the Planning Commission shall consider the request.

Any application for a zone change must comply with the following notice requirements prior to Planning Commission consideration:

- (1) five (5) business days' notice by the Petitioner shall be given to all property owners of record within a 300-foot radius from the boundary of the proposed zone change. Said notice shall be sent certified mail by the Petitioner to said property owners, or hand-delivered to the property owners (certificate of hand-delivery to be filed with City Community Development Director) in accordance with the most current Iron County Assessment Roll;
- (2) The posting of a sign(s) by the City on the property proposed to be re-zoned. The sign(s) shall be posted in a conspicuous place at all points where City Streets intersect, within 10-feet of the street right-of-way line. The sign(s) shall be at least 24 inches square and be labeled with 2-inch high letters reading "PROPOSED ZONE CHANGE NOTICE" with the zone change notice stapled below, and;
- (3) the applicant shall pay an additional administration fee in the amount of \$25.00.

The Planning Commission may call a public hearing before submitting recommendations to the City Council.

Before recommending an amendment to the ordinance, it must be shown that such amendment is reasonably necessary, is in the best interest of the public, and is in harmony with the objectives and purposes of this ordinance. Failure on the part of the Planning Commission to make recommendations within thirty (30) days shall be deemed to constitute approval of such proposed amendment unless a longer period is granted by the City Council. The fee provided herein shall not be remitted.

SECTION 26-XII-2. Public Hearing Required Before Amending. Notice

Amendments to this ordinance may be adopted by the City Council only after submitting mailing certifications or affidavit of mailing of notification to all property owners within 300-feet of a proposed zone map amendment, a public hearing has been held in relation thereto before said Council in which parties in interest and citizens shall have an opportunity to be heard. A notice of the time and place of such hearing shall be published in a newspaper of general circulation within the City, on the City's website, and on the City's official social media accounts at least fourteen (14) days before the date of the hearing.