

## Article 14: Amendments

### ***Section 320: Amendments in General***

Amendments to the text of these regulations or to the zoning map may be made in accordance with the provisions of this article.

### ***Section 321: Criteria for Amendment of Zoning Regulations, or Modification to Zoning District Map***

Due to the ever-changing conditions which exist in Franklin County, it is hereby acknowledged that it will from time to time be necessary to adopt amendments to the Unified Land Use Regulations of Franklin County. Any such amendment must promote the health, safety, morals, comfort and general welfare of Franklin County by conserving and protecting property and building values, by securing the most economical use of the land and facilitating the adequate provision of public improvements in accordance with the master plan adopted by Franklin County.

### ***Section 322: Initiation of Zoning Amendments***

- A. Whenever a request to amend these regulations or to amend the zoning map is initiated by the County Commission, the Planning and Zoning Commission, Board of Zoning Adjustment, or Planning and Zoning Department, the county counselor in consultation with the planning staff shall draft an appropriate order and present that order to the Planning and Zoning Commission for recommendation.
- B. Any other person may also petition ~~to amend these regulations~~ for a regulation amendment. In cases of citizen initiated rezoning requests, applications will be accepted in accordance with Article 4, Section 78 "Who May Submit Permit Applications." The petition shall be filed with the Planning and Zoning Department and shall include, among the information deemed relevant by the Planning Director:
  1. A completed application.
  2. A description of the proposed map change or a summary of the specific objective of any proposed change in the text of these regulations,
  3. Payment of all fees.
- C. Upon receipt of a petition, the Planning Director, if he/she believes that the proposed amendment has significant merit and would benefit the general public, shall forward the petition to the Planning and Zoning Commission for their recommendation and then a public hearing set in accordance with these regulations.

### ***Section 323: Planning and Zoning Commission Consideration of Proposed Amendments***

- A. The Planning Commission, through a public hearing, shall consider any proposed amendment to the Unified Land Use Regulations or the Zoning Map and make a recommendation to the County Commission.
- B. The Planning and Zoning Commission will allow up to fifteen (15) minutes for the presenter(s) of the application and up to five (5) minutes per witness on the presentation of evidence and arguments, not including questions posed by the Planning and Zoning Commission. The Planning and Zoning Commission will then allow a three (3) to five (5) minute rebuttal of the presenter. The Planning and Zoning Commission reserves the right to modify the time parameters. If the time parameters are to be

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modified, such will be set forth in the “Notice of Hearing.”

***Section 324: Written Comments***

- A. The Planning and Zoning Department will receive written comments, on behalf of the County Commission, from the date of Planning and Zoning recommendation until close of business on the day immediately preceding the date of the hearing in accordance to the Administrative Written Testimony Procedures Policy.
- B. The Planning and Zoning Department will retain all written comments and forward said comments to the County Commission as a part of the official record of the public hearing.
- C. The County Commission reserves the right to amend the Administrative Written Testimony Procedures Policy depending on the file at hand.

***Section 325: County Commission Action on Amendments***

- A. No order or recommendation that amends any of the provisions of these regulations may be adopted until a public hearing has been held on the proposed amendments.
- B. The planning staff shall publish a notice of the public hearing on any order that amends the provisions of these regulations in a newspaper having general circulation in the area. The notice shall be published at least 15 calendar days prior to the public hearing.
- C. With respect to map amendments, initiated by a citizen, the planning staff shall mail written notice of the public hearing to the record owners for tax purposes of all properties whose zoning classification is changed by the proposed amendment as well as the owners of all properties within 600 feet of the property rezoned by the amendment.
- D. With respect to map amendments, initiated by Franklin County, the planning staff shall publish a notice of the public hearing, at least fifteen (15) calendar days prior to the public hearing, in a newspaper having general circulation in the area. This notice shall also be posted, at least fifteen (15) days in advance, in one or more public areas of the courthouse of the county.
- E. The notice required by this section shall:
  - 1. State the date, time, and place of the public hearing,
  - 2. Summarize the nature and character of the proposed change,
  - 3. If the proposed amendment involves a change in zoning district classification, reasonably identify the property whose classification would be affected by the amendment,
  - 4. State that the full text of the amendment can be obtained from the Planning and Zoning Department, and

***Section 326: Conclusion of Hearing***

- A. At the conclusion of the public hearing on a proposed amendment, the County Commission shall take such action as necessary on the proposed order. The County Commission may continue the hearing

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until a subsequent meeting, or designated time, and may keep the hearing open to take additional information up to the point a final decision is made. No further notice of a continued hearing need be published unless a period of six weeks or more elapses between hearing dates. A vote by a majority of the Commission members present will be made to determine whether the hearing shall remain open and be continued to a later date

- B. Appeals from the decisions of the County Commission shall be done in accordance with Missouri Law.

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