

SECTION 8

GENERAL PROVISIONS

What this Section Does: The purpose of this section is to provide guidance to the Planning Commission in making recommendations on the initial zoning of areas being annexed to the City and in evaluating petitions for amendments to the City's zoning map.

A. Amendment

1. Ordinance and Map may be Amended. This Zoning Ordinance, including the Map, may be amended, supplemented, changed, or modified from time to time, 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.
2. Petition to Zoning Administrator. Any person seeking an amendment of the Zoning Ordinance or Map shall submit a written petition to the Zoning Administrator. Petitions for amendments shall include:
 - a. a description of the proposed change, including a legal description of the properties involved in proposed zoning map changes,
 - b. a statement of reasons for the proposed change, and
 - c. a statement explaining how the proposed change is in accord with the City's comprehensive plan. The Planning Commission may also recommend zoning amendments to the City Council on its own initiative.
3. Fee. The filing fee for petitions for zoning amendments shall be set by resolution adopted by City Council.
4. Hearing. Upon receipt of a petition for a zoning amendment and the required fee, the Zoning Administrator shall schedule a hearing on the proposed amendment before the Planning Commission. All hearings on proposed zoning amendments shall be held within sixty (60) days of the receipt of the petition by the Zoning Administrator. Notice for the hearing shall be given as described in I.C. 67-6509.
5. Protest. In case of a protest against a change in the Zoning Ordinance, or Map, signed by the owners of twenty (20) percent or more, either of the area of the lots included in such proposed change, or those within a three hundred (300) foot radius of the exterior boundaries of such lots in such change, such amendment shall not become effective except by a favorable vote of at least one-half plus one ($\frac{1}{2} + 1$) of the members of the full City Council.
6. Resubmittal. Any given petition to amend the Zoning Ordinance, including, but not limited to, changes in the boundaries of zones, shall not again be submitted to the Zoning Administrator within six (6) months following final action by the City Council concerning the same subject matter.

B. Basis for Zoning Additions to the City and Zoning Amendments

1. Written findings shall be prepared in support of all initial zoning and zoning map amendment decisions if required by Idaho Code Section 67-6535.
2. The zoning of all areas shall be in harmony with the City's adopted comprehensive plan, as required by Idaho Code Section 67-6511. Because the comprehensive plan provides only

general guidance for zoning decisions, the Planning Commission shall also take the following considerations into account:

- a. The potential for disruption of agricultural irrigation and drainage systems;
- b. The potential for damage to neighboring properties or public facilities (including streets, culverts, bridges, and existing storm drains) from accelerated storm water or snow melt run-off;
- c. The potential for traffic congestion as a result of development or changing land use in the area and need that may be created for wider streets, additional turning lanes and signals, and other transportation improvements;
- d. The potential for exceeding the capacity of existing public services, including, but not limited to: schools, public safety services, emergency medical services, solid waste collection and disposal, other public utilities, and parks and recreational services;
- e. The potential for nuisances or health and safety hazards that could have an adverse affect on adjoining properties; and
- f. Recent changes in land use on adjoining parcels or in the neighborhood of the proposed zoning map amendment.