

ARTICLE 20 CHANGES AND AMENDMENTS

20.01 Changes and amendments to the Zoning Ordinance shall be initiated in the following manner:

20.02 BY RESOLUTION OF THE CITY COUNCIL.

20.03 BY RESOLUTION OF THE PLANNING COMMISSION.

20.04 BY PETITION OF THE PROPERTY OWNER(S) affected or by their authorized agent.

(a) A petition to amend the Zoning Ordinance shall be filed with the Planning Department on forms prepared by the Planning Commission.

(b) A petition to amend the Zoning Map shall include the following data in the form of written description and plans.

- Location and legal description of the property to be reclassified.
- Site size and size of area to be reclassified
- Applicant and property owners' name and address.
- Existing buildings, alterations to existing buildings and proposed new buildings.
- Hours of operation.
- Noise, odors, fumes and smoke resulting from operation.
- Capacities of use.
- Generation of traffic created by such use.
- Parking facilities.
- All other data as Planning Commission deems necessary to give a full, fair and practical ruling.

(c) The petition must be filed* 21 days prior to the date of public hearing and shall be heard not later than 50 days after the filing of such petition.

*Administratively changed to conform to local papers weekly publication schedule

- (d) Payment at the time of petition of the required fee as set forth in Article 24.

20.05 PLANNING COMMISSION HEARING

A public hearing shall be held by the Planning Commission on all proposed changes and amendments to the Zoning Ordinance.

- 20.06 A resolution to approve a change or amendment must be adopted by majority vote of the entire Planning Commission. The resolution, together with relevant information and drafts or proposed ordinances shall be referred within thirty (30) days from the date of adoption to the City Council.

- 20.07 The Planning Commission may table any time and continue any hearing in order to obtain additional information. Persons previously notified as provided herein, need not be notified of the continuance of said hearing unless the Planning Commission so orders.

20.08 NOTICE OF PLANNING COMMISSION HEARINGS

Notice of the time, place, purpose, and if necessary, a general description of the area affected, shall be given in the following manner:

20.09 PROPOSED AMENDMENT TO THE ZONING MAP

- (a) By publication, at least once, of a notice in a newspaper of general circulation, published and circulated in the City of San Jacinto not less than (10) days prior to the date of such hearing.
- (b) By mailing a written notice not less than ten (10) days prior to the date of such hearing to the owners of all property proposed for reclassification.
- (c) In addition, the Planning Commission may cause, if it deems necessary or desirable, written notices to be mailed to other owners of property within at least three hundred (300) feet of the boundary of the area proposed for reclassification. Names and mailing addresses for the purpose of such written notification shall be obtained from the County Assessor's last equalized assessment role or the current assessment role.

Failure to send notice by mail to any such property owner, where the address of such owner is not a matter of public record, shall not invalidate any proceedings in connection with a proposed amendment.

20.10 Proposed amendment to the written portion of the Zoning Ordinance affecting the use of the land in any zone classification other than for procedure or fees:

- (a) By publication, at least once, of a notice in a newspaper of general circulation, published and circulated in the City of San Jacinto not less than (10) days prior to the date of such hearing.

20.11 CITY COUNCIL HEARING

After receipt of the resolution of the Planning Commission, the City Council shall hold a public hearing to consider such resolution and the findings and recommendations of the Planning Commission.

20.12 The City Council may adopt, modify or reject the amendment; provided however, that if the City Council act in a manner substantially different than the action recommended by the Planning Commission the City Council shall first refer the matter back to the Planning Commission, or direct the Planning Commission to meet with the Council to discuss the proposed amendment. If a matter is referred back to the Planning Commission the Commission is not required to hold a further public hearing thereon. Failure of the Planning Commission to report within forty (40) days after a reference, shall be deemed to be approval of the action of the City Council and the City Council's action shall be final.

20.13 The City Council may table any item and continue any hearing in order to obtain additional information. Persons previously notified, as provided herein, need not be notified of the resumption of said hearing unless the City Council so orders.

20.14 NOTICE OF HEARING BY CITY COUNCIL

Notice of the time, place, purpose, and if necessary, a general description of the area affected shall be given in the following manner.

20.15 PROPOSED AMENDMENT TO THE ZONING MAP

- (a) By publication, at least once, of a notice in a newspaper of general circulation, published and circulated in the City of San Jacinto not less than ten (10) days prior to the date of such hearing.

- (b) By mailing a written notice not less than ten (10) days prior to the date of such hearing to the owners of all property proposed for zoning reclassification.
- (c) In addition, the City Council may, if it deems necessary or desirable, cause notice to be mailed as provided in Section 20.09 (c).

Failure to send notice by mail to any such property owner, where the address of such owner is not a matter of public record, shall not invalidate any proceedings in connection with a proposed amendment.

20.16 EXCEPTION

If the matter under consideration is to change property from one zone to another, and the Planning Commission has recommended against the adoption of such amendment, the City Council shall not be required to take any further action unless an interested party shall request such a hearing by filing a written request with the City Clerk within five (5) days after the Planning Commission files its resolution and recommendation with the City Council. Such appeal shall be accompanied by a required filing fee as set forth in Article 24.

20.17 Proposed amendment to written portion of the ZONING ORDINANCE affecting the use of land in any zone or reclassification other than procedure of fee:

- (a) By publication, at least once, of a notice in a newspaper of general circulation, published and circulated in the City of San Jacinto not less than ten (10) days prior to the date of such hearing.

20.18 Amendment of the Zoning Ordinance by providing for procedural changes and for establishing or modifying fees shall be accomplished in the usual manner required by law for the adoption of ordinances by a general law municipality of the State of California.

20.19 RE-APPLICATION FOR AMENDMENT TO ZONING MAP

No petition for amendment of the Zoning Map which is similar to a petition previously denied shall be considered by the Planning Commission within six (6) months of the date of the final action on the previous petition unless, in the Judgment of the Planning Commission, substantial changes have been made in the petition or the area adjacent to the subject site.

ORDINANCE NO 431, ADOPTED 10-11-66, ORDINANCE NO 519, ADOPTED 9-7-71