



APPLICATION FOR AMENDMENT TO ZONE

(Title 9, Chapter 3, Cassia County Zoning Ordinance)

APPLICATION NO. _____

Applicant/Owner Information:

<u>Applicant/Authorized Agent</u> (Attach additional pages if Necessary)
Name: _____
Address: _____
City: _____
State: _____ Zip: _____
Contact Phone # _____
Email: _____

<u>Property Owner(s) of Record</u> (Attach additional pages if Necessary)
Name: _____
Address: _____
City: _____
State: _____ Zip: _____
Contact Phone # _____
Email: _____

Property Information:

Physical Location of Property: _____

Property Legal Description: (Complete Legal Description; attach if necessary):

- GIS/GPS Property Legal Description Data, in digital file format, submitted to County Mapping Department. (Contact County Mapping Department for file format specifications/requirements)

Existing Use of Property: _____

Number of Acres to be included in the Proposed Zoning Designation: _____

Current Zoning Designation of the Property: _____

Proposed Zoning Designation of the Property: _____

Cassia County Zoning Regulations
<http://www.cassiacounty.org/county-code>

9-3-3: **AMENDMENTS:**

- A. Policy: The zoning ordinance, including the map, may be amended, but for the purpose of establishing and maintaining sound, stable and desirable development in the county, it is declared to be 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 title. (Ord. 93-6-1, 6-28-1993)
- B. Petition and Fee: Any person seeking an amendment of the zoning ordinance or map shall submit to the Zoning Administrator 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 as set by the county. The Zoning Administrator shall in turn transmit the petition to the Planning and Zoning Commission. (amd. Ord. 2017-11-2)
- C. Public Hearing; Notice: Amendments to this title may be adopted after public hearings in relation thereto have been conducted. Hearings shall be conducted as provided for in Idaho Code Section 67-6509, and the Board of County Commissioners shall conduct a hearing upon receipt of written recommendation from the Planning and Zoning Commission and after appropriate notice has been provided. As such public hearings 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 in the county at least fifteen (15) days before the date of the hearing. (amd. Ord. 2017-11-2.)
- D. Vote: A favorable vote of two-thirds ($\frac{2}{3}$) of the members of the Board of County Commissioners and proper publication of an amending ordinance shall be required before an amendment can become effective. (Ord. 99-1-1, 1-4-1999, Ord. 2017-11-2).

TITLE 67
STATE GOVERNMENT AND STATE AFFAIRS
CHAPTER 65
LOCAL LAND USE PLANNING

67-6509. RECOMMENDATION AND ADOPTION, AMENDMENT, AND REPEAL OF THE PLAN. (a) The planning or planning and zoning commission, prior to recommending the plan, amendment, or repeal of the plan to the governing board, shall conduct at least one (1) public hearing in which interested persons shall have an opportunity to be heard. At least fifteen (15) days prior to the hearing, notice of the time and place and a summary of the plan to be discussed shall be published in the official newspaper or paper of general circulation within the jurisdiction. The commission shall also make available a notice to other papers, radio and television stations serving the jurisdiction for use as a public service announcement. Notice of intent to adopt, repeal or amend the plan shall be sent to all political subdivisions providing services within the planning jurisdiction, including school districts and the manager or person in charge of the local public airport, at least fifteen (15) days prior to the public hearing scheduled by the commission. Following the commission hearing, if the commission recommends a material change to the proposed amendment to the plan which was considered at the hearing, it shall give notice of its proposed recommendation and conduct another public hearing concerning the matter if the governing board will not conduct a subsequent public hearing concerning the proposed amendment. If the governing board will conduct a subsequent public hearing, notice of the planning and zoning commission recommendation shall be included in the notice of public hearing provided by the governing board. A record of the hearings, findings made, and actions taken by the commission shall be maintained by the city or county.

(b) The governing board, as provided by local ordinance, prior to adoption, amendment, or repeal of the plan, may conduct at least one (1) public hearing, in addition to the public hearing(s) conducted by the commission, using the same notice and hearing procedures as the commission. The governing board shall not hold a public hearing, give notice of a proposed hearing, nor take action upon the plan, amendments, or repeal until recommendations have been received from the commission. Following consideration by the governing board, if the governing board makes a material change in the recommendation or alternative options contained in the recommendation by the commission concerning adoption, amendment or repeal of a plan, further notice and hearing shall be provided before the governing board adopts, amends or repeals the plan.

(c) No plan shall be effective unless adopted by resolution by the governing board. A resolution enacting or amending a plan or part of a plan may be adopted, amended, or repealed by definitive reference to the specific plan document. A copy of the adopted or amended plan shall accompany each adopting resolution and shall be kept on file with the city clerk or county clerk.

(d) Any person may petition the commission or, in absence of a commission, the governing board, for a plan amendment at any time, unless the governing board has established by resolution a minimum interval between consideration of requests to amend, which interval shall not exceed six (6) months. The commission may recommend amendments to the comprehensive plan and to other ordinances authorized by this chapter to the governing board at any time.

History:

[67-6509, added 1975, ch. 188, sec. 2, p. 515; am. 1992, ch. 269, sec. 3, p. 832; am. 1999, ch. 396, sec. 5, p. 1103; am. 2010, ch. 253, sec. 1, p. 643; am. 2014, ch. 93, sec. 5, p. 256.]