

SECTION 19: AMENDMENTS AND REZONING

AMENDMENTS/REZONING

Subdivision 1. AUTHORITY

Whenever the public necessity, convenience, general welfare or good land use require such amendment, the County Board may by ordinance, amend, extend or add to the regulations of this Ordinance in accord with the applicable provisions of Minnesota Statutes 394.21 - 394.37.

Subdivision 2. APPLICATION

A. Amendment

1. An application for amendment, extension or addition to the regulations of this Ordinance shall be filed with the Zoning Administrator by one of the following:
 - a. A petition from a resident or residents living within the jurisdiction of this Ordinance.
 - b. A recommendation of the Joint Planning Board.
 - c. Action by the County Board.
2. Said Application shall be filed at least thirty (30) days prior to the hearing thereof.
3. An application for an amendment not initiated by the Joint Planning Board shall be referred to the Joint Planning Board for study and report and may not be acted upon by the Board until it has received the recommendations of the Joint Planning Board.
4. Required information accompanying application to change the wording of this Ordinance shall contain the following:
 - a. Stated reason for change requested.
 - b. Statement of compatibility to the County and City Comprehensive Plans.
 - c. Text or portion of the existing ordinance to be amended.
 - d. Proposed amended text and statements outlining any other effects that the amendment may have on other areas of this Ordinance.
 - e. Additional information as may be requested by the Joint Planning Board.

B. Rezoning

1. Required information accompanying rezoning applications to change district boundaries shall contain the following:
 - a. The names and addresses of the petitioner or petitioners, and their signatures of the petition.(Must be legal property owner or option holder.)
 - b. A specific description of the area proposed to be rezoned, and the names and addresses of all owners of property lying within such area, and a description of the property owned by each.
 - c. The present district classification of the area and the proposed district classification.
 - d. Proposed use of the land (a statement of the type, extent, area, etc).
 - e. Compatibility with the Land Use Plans of McLeod County and the City of Hutchinson (a statement of conditions warranting change in zoning).
 - f. A legal description of the property(ies) to be rezoned.
 - g. Must provide a Registered Land Survey of property to be rezoned (showing location, dimensions, zoning of adjacent properties, existing uses and buildings of adjacent properties within five hundred (500) feet in incorporated areas, and one-half (1/2) mile in unincorporated areas drawn to scale).
 - h. Additional information as may be requested by the Joint Planning Board.

Subdivision 3. PROCEDURE

1. Upon receipt of the proper application and other requested material for amendment or rezoning, the Joint Planning Board shall hold a public hearing in a location to be prescribed. Such public hearings may be continued from time to time and additional hearings may be held.
2. Notice of the time, place and purpose of any public hearings shall be given by publication in a newspaper of general circulation, at least ten (10) days before the hearing.
3. For district boundary changes or zoning use changes, paragraph 1 and 2 of this Subdivision shall apply, plus written notice of public hearings shall be sent by letter to all property owners of record within five hundred (500) feet of the affected property in incorporated

areas, and one-half (1/2) mile in unincorporated areas, the affected Board of Town Supervisors and the Municipality within the Urban Boundary District.

The failure to give mailed notice to the individual owners, or defects in the notice shall not invalidate the proceedings provided a bona fide attempt to comply with this Subdivision has been made.

Subdivision 4. ACTION AND AUTHORIZATION

1. Following the closing of the public hearing, the Joint Planning Board shall request the Zoning Administrator to report its findings and recommendations on the proposed amendment or rezoning to the County Board at their next regularly scheduled board meeting.
2. Upon the filing of such report or recommendation, the County Board may hold such public hearings upon the amendment as it deems advisable. After the conclusion of the hearings, if any, the County Board may adopt the amendment or any part thereof in such form as it deems advisable. The amendment shall be effective only if a majority of all members of the Board concur in its passage.

Subdivision 5. FEES

1. All applications for a zoning district boundary change or amendment to this Ordinance shall be accompanied by a fee set by the County Board and kept on file with the Zoning Administrator and Auditor.

Subdivision 6. RECORDING

Upon the adoption of any ordinance or other official control including any maps or charts supplemented to or as a part thereof, the County Auditor shall file a certified copy thereof with the County Recorder for record. Ordinances, resolutions, maps or regulations filed with the County Recorder pursuant to this Ordinance do not constitute encumbrances on real property.

Subdivision 7. EFFECTIVE DATE

The amended Ordinance shall become effective after adoption by the County Board and due publication thereof.