

1.11

## CODE AND MAP AMENDMENT PROCEDURES

The County Commission may amend this Code, including the map, but only in accord with the following procedure:

1.11.1

The County Commission may instruct the Planning Commission to study and make recommendations or certify amendments to this Code in response to changes in policy and conditions which may be of concern to the County Commission.

1.11.2

The Planning Commission may initiate Code amendment recommendations to the County Commission.

1.11.3

Any other person seeking to amend this Code or map shall make application for such amendment by filing the following material with the Planning Commission:

1.11.3.1

A written petition designating the change desired and the reasons therefore.

1.11.3.2

A non returnable amendment review fee in an amount determined by resolution of the County Commission, based on actual cost of review.

1.11.4

The Planning Commission shall review the amendment application and certify its recommendations concerning the proposed amendment to the County Commission within 45 days from receipt of the amendment application in a regularly scheduled meeting. The Planning Commission shall recommend adoption of a proposed amendment only where the following findings are made:

1.11.4.1

The proposed amendment is in accord with the General Plan of Box Elder County.

1.11.4.2

Changed or changing conditions make the proposed amendment reasonably necessary to carry out the purposes of this Code.

1.11.5

After receipt of the certified favorable recommendations of the Planning Commission, the County Commission shall give notice of a public hearing to consider such amendment as provided by law for zoning amendments. (At least 14 days' notice of the time and place of such hearing shall be published in a newspaper of general circulation in Box Elder County.)

1.11.6

After the required public hearing on the proposed amendment, the County Commission may adopt or reject such amendment.

1.11.7

A majority vote by members of the County Commission that agrees with an unfavorable recommendation of the Planning Commission shall constitute a denial of the application, and no public hearing shall be held. However, if the County Commission determines that the proposed amendment may be desirable in spite of the Planning Commission's recommendation, a public hearing shall be held, with notice as required by law, prior to formal action on the application by the County Commissioner.

1.11.8

If the County Commission proposes to make any substantive change in the amendment as submitted to it by the Planning Commission, or as advertised, it shall refer such change back to the Planning Commission for its recommendation before adoption of such amendment.

#### 1.11.8.1

Where an application for zoning amendment has been denied, the Planning Commission and the County Commission shall not review the same zoning amendment application within 2 years of such denial. It may consider the proposal thereafter, but only if there is a substantial change of conditions since the earlier application. A re-submitted application shall be processed in accordance with the procedure outlined above.