

AN ORDINANCE TO AMEND ARTICLE 14, SECTION 141 OF THE ZONING ORDINANCE OF THE CITY OF ROANOKE DATED MAY 14, 1951.

BE IT ORDAINED BY THE CITY OF ROANOKE ALABAMA AS FOLLOWS:

Section 1. Authority to Amend.

Whenever the public necessity, convenience, general welfare or good zoning practices warrants such action, the City Council, by favorable vote of a majority of the members, may amend the regulations or zoning district boundaries.

Section 2. Authorized Petitioners.

A petition for amendment of this ordinance or the zoning district boundaries may be initiated by the City Council, the Planning Commission, or the owner or his agent of such property subject to amendment of zoning district boundaries.

Section 3. Petition for Amendment.

(a) A petition for amendment when initiated by the property owner or authorized agent of such owner shall meet the application requirements of this section.

(b) The application for rezoning shall be made on a form available from the City Clerk and be filed with the City Clerk at least fourteen (14) days prior to the Planning Commission hearing. The applicant shall provide the following information and materials:

(1) Name, signature, address of the property owner and agent of the property owner, if any.

(2) Address and legal description of the property under consideration, accompanied by a copy of the applicable tax maps clearly indentifying the property subject to rezoning.

(3) Present and proposed zoning and land use of the property under consideration.

(4) Reason for rezoning request.

(5) A site plan, drawn to scale and dimensioned, showing the size and location of the property boundaries, public right-of-ways, and the proposed use and development layout.

(6) The names and addresses of each property owner adjacent to the property under consideration including those across the street, as listed in the Randolph County Tax Assessor office.

(7) A \$100 filing fee.

Section 5. Planning Commission Action.

(a) In case of a petition by a property owner, at least six (6) days prior to the scheduled Planning Commission hearing, the City Clerk shall give written notice of the rezoning to all adjacent property owners. Such notice shall be deemed as given when deposited by certified letter, addressed to such property owners at their addresses as submitted with the rezoning application. The notice shall state the following information:

- (1) The name of the petitioner.
- (2) The location of the property.
- (3) The current and proposed zoning and land use of the property.
- (4) The time, date, and location of the Planning Commission hearing of the proposed zoning amendment.

(b) The Planning Commission shall hold a public hearing at the first regularly scheduled meeting after compliance with the application and notice requirements of this ordinance.

(c) The Planning Commission, by majority vote, shall report its recommendations to the City Council. The Planning Commission report shall be transmitted to the City Council within thirty (30) days of the hearing, unless an extension period is granted by the City Council. Otherwise, the proposed amendment shall be considered to have been recommended by the Planning Commission.

Section 6. City Council Action.

(a) Upon receipt of the recommendation of the Planning Commission, the City Council shall hold a public hearing on the proposed amendment at the next regularly scheduled City Council meeting.

(b) The City Council shall give public notice of the hearing on the proposed amendment in accordance with this article.

(c) Following notice and hearing, the City Council shall decide by majority vote of its members to accept or reject the proposed amendment.

(d) If the City Council takes no final action upon the proposed amendment within ninety (90) days after receipt of the recommendation of the Planning Commission, the proposed amendment shall be deemed to have been rejected and overruled by the Council.

Section 7. Public Notice of Hearings.

(a) At least fifteen (15) days in advance of the public hearing before the City Council, the Council shall post the proposed zoning ordinance amendment in full in the local newspaper of general circulation. A notice must accompany the ordinance stating the time and place of the public hearing by the Council and stating that at such time and place all persons who desire shall have an opportunity to be heard in opposition to or in favor of the proposed ordinance. An amendment shall become effective upon final posting of the adopted ordinance, as required by law.

(b) At least six (6) days in advance of the public hearing before the Planning Commission, the Commission shall post the proposed zoning ordinance amendment in full in the local newspaper of general circulation within the City. A notice shall accompany the amendments stating that all persons who desire shall have an opportunity of being heard in opposition to or in favor of the proposed amendment.

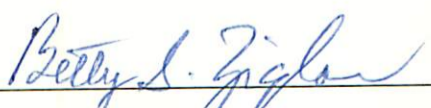
Section 8. Time Limit.

After the City Council has voted on an application of rezoning or other amendment to the Zoning Ordinance, another application for rezoning of the same tract or parcel of land, or change of the same portion of the Zoning Ordinance will not be considered until a period of one (1) year has elapsed from the date of such action by the City Council. Provided however, that the City Council may adjust this time period if in the opinion of a majority of the City Council, an unusual situation or circumstance exists.

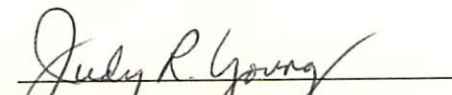
Section 9. That this Ordinance shall be in force and effect upon its Passage and Adoption as provided by Law.

ADOPTED THIS 13 DAY OF December, 1993.

ATTEST:



Betty S. Ziglar, Mayor



Judy R. Young, City Clerk