

## Chapter 20.80 - ZONING ORDINANCE AMENDMENTS

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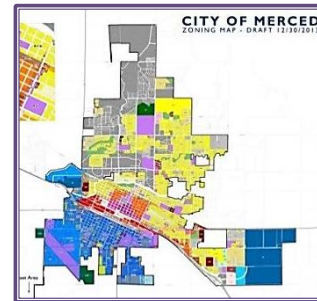
### 20.80.010 Purpose

This chapter establishes procedures for amending the Zoning Ordinance text and map. All amendments to the Zoning Ordinance shall be processed as set forth in Government Code Section 65853 et seq. and as specified in this chapter.

### 20.80.020 Initiation

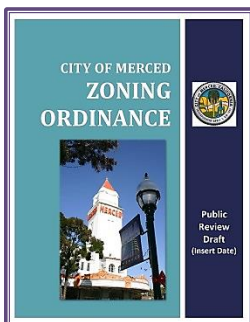
**A. Zoning Map Amendment or Zone Change.** A request for an amendment to the Zoning Map may be initiated by:

1. The City Council; or,
2. The Planning Commission (with the concurrence of the City Council); or,
3. The Director of Development Services (with the concurrence of the City Council); or,
4. One or more owners of the property for which the amendment is sought.



**B. Zoning Ordinance Text Amendment.** A request for an amendment to the text of the Zoning Ordinance may be initiated by:

1. The City Council; or,
2. The Planning Commission (with the concurrence of the City Council); or,
3. The Director of Development Services (with the concurrence of the City Council); or,
4. Any resident, property owner, or business owner in the City of Merced.



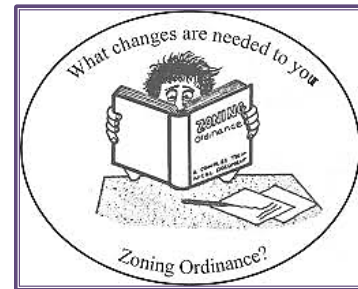
**20.80.030 Application**

An application for a Zoning Ordinance Amendment shall be filed and reviewed in compliance with Chapter 20.66 (Permit Application and Review). The application shall include the information and materials specified by the Development Services Department, together with all required application fees. For amendments submitted by a resident, property owner, or business owner, it is the responsibility of the applicant to provide evidence in support of the findings required by Section 20.80.060 (Findings and Decision).

**20.80.040 Planning Commission Hearing and Action**

**A. General.** The Planning Commission shall conduct a public hearing on a proposed Zoning Ordinance Amendment in compliance with Chapter 20.72 (Public Notice and Hearings).

**B. Recommendation of Approval.** The Planning Commission may recommend to the City Council the approval or conditional approval of the proposed Zoning Ordinance Amendment, based upon the findings specified in Section 20.80.060 (Findings and Decision) below. The Development Services Department shall forward the Planning Commission's recommendation, and the reasons for the recommendation, to the City Council within 90 days after the date the hearing was closed to the public. A recommendation for approval shall be made by a majority vote of the total membership of the Planning Commission.

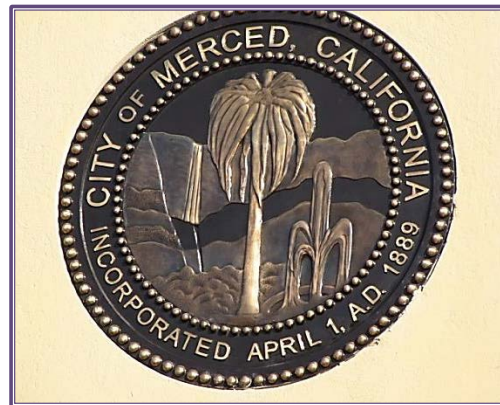


**C. Denial.**

1. The Planning Commission may recommend denial of the proposed Zoning Ordinance Amendment based upon the findings specified in Section 20.80.060 (Findings and Decision) below.
2. If at least four members of the Planning Commission do not vote to recommend approval or denial, then the action shall be deemed a recommendation of denial.
3. For a Zoning Map Amendment, if the action of the Planning Commission is to recommend denial, the City Council is not required to take further action on the proposed amendment unless an interested party requests a hearing in writing (along with applicable fees) with the City Clerk or Planning Division within five business days after the Planning Commission recommendation is filed with the City Council.

**20.80.050 City Council Hearing and Action**

- A. General.** After receipt of the Planning Commission's recommendation of approval on the proposed Zoning Ordinance Amendment, the City Council shall conduct a public hearing in compliance with Chapter 20.70 (Public Notice and Hearings). If the Planning Commission recommends denial or their action was deemed a recommendation of denial, then the City Council shall not be required to take any further action on the amendment unless an interested party requests a hearing by filing a written request with the City Clerk or Planning Division within five business days after the Planning Commission files its recommendations with the City Council.
- B. Approval or Denial.** The City Council may approve, conditionally approve, or deny the proposed Zoning Ordinance Amendment. The City Council shall approve Zoning Ordinance Amendments by ordinance.
- C. Finality of Action.** The action by the City Council shall be by a majority vote of the entire Council and shall be final and conclusive.
- D. Referral to Commission.** If the City Council proposes to adopt a substantial modification to the Zoning Ordinance Amendment not previously considered by the Planning Commission, the proposed modification may be first referred to the Planning Commission for its recommendation.
- E. Failure to Report.** Failure of the Planning Commission to report back to the City Council within 60 days following the referral, or within the time set by the City Council, shall be deemed a recommendation for approval.

**20.80.060 Effective Dates**

A Zoning Ordinance Amendment becomes effective 30 calendar days following the second reading and adoption of the ordinance by the City Council at the first regular Council meeting following the introduction of the ordinance at the conclusion of the public hearing. (See Government Code Section 36937).



