

1 **ARTICLE XXVII DISTRICT CHANGES AND REGULATIONS**

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Section 1. District Changes

- A. Whenever the public necessity, convenience, general welfare or good zoning practice requires, the County Commission may by order, after receiving a recommendation and report from the County Planning Board and subject to the procedure provided in this Article, amend, supplement or change the zoning district boundaries now or hereafter established by the Regulations created under the authority of Sections 64.211 to 64.295 of the Missouri Revised Statutes, 1978.
 - 1. It shall be the duty of said Planning Board to submit its recommendations to the County Commission regarding all applications or proposals for district changes.
 - 2. A zoning district change may be initiated by passing a resolution therefore by the County Planning Board, on its own action, or by a verified application of one (1) or more of the owners or lessees of property within the area proposed to be changed or affected by said resolution.

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1 **Section 2. Procedure for Change**

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- 3 A. Applications for any change of zoning district boundaries or classification of property as shown on the zoning map,
4 shall be submitted to the Planning Director upon such forms, and shall be accompanied by such data and information
5 as may be prescribed for that purpose by the Planning Board, so as to assure the fullest practicable presentation of
6 facts for the permanent record.
- 7
- 8 1. Each such application shall be verified by at least one (1) of the owners or lessees of property within the
9 area proposed to be reclassified, attesting to the truth and correctness of all facts and information presented
10 with the applications.
- 11
- 12 2. Applications for change initiated by the Planning Board itself shall be accompanied by its motion pertaining
13 to such proposed change.
- 14
- 15 3. All applications for change shall be submitted at least thirty (30) days prior to the public hearing date to be
16 held by the Planning Board.
- 17
- 18 B. Any person or persons, except the Planning Board, desiring a change in the zoning classification of property shall
19 file with the application for such change a statement giving names and addresses of the owners of all properties lying
20 within the area sought to be changed and within one thousand (1,000) feet of any part of the premises the zoning
21 classification of which is proposed to be changed.
- 22
- 23 C. Before submitting its recommendations on a proposed change to the County Commission, the Planning Board shall
24 hold at least one (1) public hearing thereon, notice of which shall be given by at least one (1) publication in a
25 newspaper of general circulation in the county at least fifteen (15) days before the date of such hearing.
- 26
- 27 1. Except for applications or resolutions for change of zoning district initiated by the Planning Board, a notice
28 of such hearing shall also be posted at least fifteen (15) days in advance thereof in at least two (2)
29 conspicuous places on the premises the zoning classification of which is proposed to be changed.
- 30
- 31 2. The notice shall state the place or places and time at which the proposed change to the zoning district,
32 including text and maps, may be examined.
- 33
- 34 D. The County Planning Board after consideration of the proposed district change shall recommend within twenty-five
35 (25) days after the conclusion of such hearing of the County Planning Board the approval or denial of the proposed
36 district change or the approval of some modification thereof to the County Commission together with such
37 application or resolution and the text and map pertaining thereto.
- 38
- 39 1. If the County Commission deems it desirable, an application or resolution may be tabled to the next meeting
40 for one (1) additional hearing, in which case the recommendation shall be submitted within twenty-five
41 (25) days after the second hearing.
- 42
- 43 E. In case of written protest against any proposed amendment, such amendment may not be passed except by the
44 favorable vote of two-thirds (2/3) of the members of the County Commission when
- 45
- 46 1. signed and acknowledged by the owners of thirty (30) percent of the frontage within one thousand (1,000)
47 feet of the right or left of the frontage proposed to be changed,
- 48
- 49 2. or by the owners of thirty (30) percent of the frontage directly opposite,
- 50
- 51 3. or directly in the rear of the frontage proposed to be altered,
- 52
- 53 4. or in cases where the land affected lies within one and one-half (1-1/2) miles of the limits of a municipality,
54 by the city council or zoning board of any such municipality, filed with the county clerk.
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- 1
- 2 F. Any person adversely affected by an order of the County Commission adopting, amending or rescinding a district
- 3 change may appeal to the Circuit Court serving Greene County on the grounds that said County Commission failed
- 4 to comply with the law in adopting, amending, rescinding, publishing or distributing such district change, or that the
- 5 change, as adopted or amended by said County Commission is unreasonable or unlawful.
- 6
- 7 G. Each application for zoning change, except those initiated by the Planning Board, shall be accompanied by a check
- 8 payable to the Treasurer of Greene County, or a cash payment in an amount to be determined by the County
- 9 Commission, to cover the cost of application review, publishing, posting and/or mailing the notices of the hearing or
- 10 hearings required by the foregoing provisions.
- 11

12 **Section 3. Zoning Regulation Amendments**

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- 14 A. Whenever the public necessity, convenience, general welfare or good zoning practice requires, the County
- 15 Commission may by order, after receiving a recommendation and report from the County Planning Board, and
- 16 subject to the procedure provided in this Article, amend, supplement or change the Zoning Regulations, now or
- 17 hereafter established by the Regulations created under authority of Sections 64.211 to 64.295 of the Missouri
- 18 Revised Statutes, 1978.
- 19
- 20 1. It shall be the duty of said Planning Board to submit its recommendations to the County Commission
- 21 regarding all proposals for amendments to the zoning regulations.
- 22
- 23 a. An amendment, supplement or change of the text of the Regulations may be initiated by passing a
- 24 resolution therefore by the County Planning Board, on its own action, or
- 25
- 26 b. upon written petition to the County Commission by any citizen of Greene County.
- 27
- 28 2. In any case, it shall be the duty of the Planning Board, in the interest of public necessity and good zoning
- 29 practice, to conduct a review of the Zoning Regulations at least once per year and report its findings and
- 30 recommendations to the County Commission.
- 31

32 **Section 4. Procedure for Change**

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- 34 A. Before submitting its recommendations on a proposed amendment to the County Commission, the Planning Board
- 35 shall hold at least one (1) public hearing thereon.
- 36
- 37 1. Notice of the hearing shall be given by at least one (1) publication in a newspaper of general circulation in
- 38 the County at least fifteen (15) days in advance thereof in at least two (2) conspicuous places in each
- 39 township.
- 40
- 41 2. The notice shall state the place and time of the hearing and the place and time at which the proposed
- 42 amendment to the Regulations may be examined.
- 43
- 44 B. The County Planning Board, after consideration of the proposed amendment shall, within a reasonable time after the
- 45 conclusion of such public hearing or hearings, recommend the approval or denial of the proposed amendment or the
- 46 approval of some modification thereof to the County Commission.
- 47
- 48 C. If the proposed amendment is adopted by the County Commission, an attested copy shall be certified to the County
- 49 Clerk and a copy shall be recorded in the office of the Recorder of Deeds.
- 50
- 51 D. Any person adversely affected by an order of the County Commission adopting, amending or rescinding a
- 52 regulation, may appeal to the Circuit Court having jurisdiction in Greene County.
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Section 5 Limitation on Applications for Rezoning

- A. No application for rezoning of any tract, lot or parcel of land within the unincorporated area of Greene County, Missouri, other than an application initiated by the Planning Board as set forth in Section 1(a) of this Article,
1. shall be filed or allowed prior to the expiration of four (4) months from the time that the Greene County Commission shall have finally acted on any application for rezoning of all or any part of the same lot, tract or parcel of ground,
 2. unless the application previously acted upon was initiated by the Planning Board, or
 3. unless during said four (4) months interval property adjoining or abutting the lot, tract or parcel of land or within one thousand (1,000) feet, as provided in Section 2(c) of this Article, of the lot, tract or parcel of land shall have been rezoned by the Greene County Commission or by any other appropriate zoning authority.