Zone Map Amendment Process & Checklist

Instructions (Please read carefully)

The submittal must include: 1 copy of the application packet

1. A completed application form signed by the owner or agent.
2. If the application is being submitted by an agent, a letter of authorization from the property owner must accompany the application.
3. A justification letter from the applicant must be submitted that addresses § 150.07 (D-G), Policies for Deciding Zone Map Amendments in the Zoning Code.

   A rezoning must be consistent with the health, safety, morals, and general welfare of the City. The burden of proof is on the applicant to show why the rezoning should be made.

   (D) The following policies for deciding zone map change applications pursuant to the City Zoning Code are:

   1. A proposed zone change must be found to be consistent with the health, safety, morals, and general welfare of the City.

   2. Stability of land use and zoning is desirable; therefore, the applicant must provide a sound justification for the change. The burden is on the applicant to show why the change should be made, not on the City to show why the change should not be made.

   3. A proposed change shall generally be consistent with adopted elements of the Comprehensive Plan or other City master plans and amendments thereto including privately developed area plans which have been adopted by the City.

   4. The applicant must demonstrate that the existing zoning is inappropriate because:

      a) there was an error, mistake or is necessary to correct an injustice that occurred when the existing zone map patter was created, including the placement of a R-1 or transitional zone on an antiquated plat filed before the City's incorporation and adoption of its own Zoning Code or on land annexed by the City, or
      b) changed neighborhood or community conditions justify the change, or
      c) a different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other City master plan, even though (1) or (2) above do not apply. Applicant's reliance on this provision requires proof that (a) there is a public need for a change of the kind in question, and (b) that need will be best served by changing the classification of the particular piece of property in question as compared with other available property.

   (E) The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a change of zone.

   (F) Location on a collector or major street is not in itself sufficient justification of apartment, office, or commercial zoning.

   (G) A zone change request which would give a zone different from surrounding zoning to one small area, especially when only one premise is involved, is generally called a "spot zone." Such a change of zone may be approved only when:

   1. the change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan; or
   2. the area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones: because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.

4. If SU zoning designation is requested, an accurate site plan shall be submitted with the application (11" x 17" minimum - folded) (see Site Plan Checklist for site plan requirements)
5. Application and checklist shall be checked for completeness

ZONE MAP AMENDMENT CHECKLIST

WITH THE SUBMITTAL OF THE APPLICATION & CHECKLIST, THE APPLICANT ATTESTS THAT THE FOLLOWING IS SUBMITTED. FAILURE TO ADEQUATELY PROVIDE REQUESTED INFORMATION OR FALSIFYING INFORMATION MAY RESULT IN A CONTINUANCE OR DENIAL OF YOUR CASE (ATTACH ADDITIONAL SHEET IF NECESSARY). Please check if completed

- ☐ Completed application
- ☐ Justification letter for request must address each policy of #3, §150.07 (D-G) listed above
- ☐ Letter of authorization from the property owner if application is submitted by an agent
- ☐ Site Plan and related drawings ("11 X 17" folded to 8.5" x 14") (if SU zoning is requested)
- ☐ List of any original or related file numbers on the cover application
- ☐ Fee

Applicant Signature: _____Date:_____

For Office Use Only

H.T.E. PROJECT# _____

Comments: _____

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Staff Signature: _____Date:_____

Hearing Date Assigned: _____

Form revised October 2010