



ZONING MAP AMENDMENT / REZONE APPLICATION

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Application # _____

CONTACT INFORMATION

<u>APPLICANT</u>
Name _____
Address _____
City _____ State _____ Zip _____
Ph _____ Fax _____
E-mail _____

<u>CONTACT</u>
Name _____
Address _____
City _____ State _____ Zip _____
Ph _____ Fax _____
E-mail _____

Description of Proposal Including Zone Requested: _____

Total Area of Property Proposed for Rezone in Acreage or Square Feet: _____

Current Zoning of Property: _____

Current Comprehensive Plan Designation: _____

Current Land Use of Property: _____

General Notes:

A change to the Zoning Map requires a public hearing before the Planning Commission. The Commission considers the following criteria in making their recommendation to the City Council. The City Council may only approve the rezone request if it conforms to all the following criteria.

Complete a response to each of the following questions as it relates to the proposed zoning map / rezone amendment. Be descriptive, specific and complete in your answers. City staff is not responsible to prepare any reasons in support of your request. Use additional sheets if necessary.

COMPLETE THE FOLLOWING.

1. Please describe how this request is in accord with the goals and policies of the Comprehensive Plan. Be specific and cite the goals and policies that are applicable and why.

2. Will the grant of the Rezone request indicate that the affected property is receiving special or privileged treatment? Describe why or why not.

3. Will the proposal be materially detrimental to properties in the vicinity or the community based on the entire range of uses allowed in the proposed zone? Describe why or why not.

4. Are adequate public services available to serve the full range of uses allowed in the proposed zone? Please provide as much detail as possible, including examples of a range of possible uses.

5. Describe how the proposal meets one or more of the following three criteria:
A. The rezone is warranted because of a change in circumstances.
B. The rezone is warranted because of a need for additional property in the proposed zoning classification; or
C. The rezone is warranted because the proposed zoning is appropriate for reasonable development of the subject property.

6. Will the proposed rezone promote the health, safety, and welfare of the general public? Please describe how.

I certify to the best of my knowledge, the information provided on this application is true and correct.

Sign Owner / Agent _____ **Date** _____

Print Owner / Agent _____ **Date** _____



OFFICE USE ONLY

Received By _____ Date _____

Application Fee \$ _____ Date _____ Receipt Number _____

19.110.230 Rezones/Amendments to the Official Zoning Map.

The Planning Department, the Commission, or the Council may initiate amendments to the Official Zoning Map, or any member of the public may request an amendment to the Official Zoning Map by submitting a complete application on forms provided by the Planning Department.

A. Public Hearing. Notice of public hearing shall be prepared by the Planning Department pursuant to MTMC 19.110.180. Supplemental public notification requirements for rezones are contained in Chapter 18.25 MTMC. One open record public hearing is required before the City Council. Planning Commission shall hold a public hearing prior to making their recommendation to the City Council. The Council shall also have a public hearing for rezones.

B. Conditions. When considering a rezone/Zoning Map amendment request, the Commission and Council shall consider the applicable standards, criteria, and policies established by this and other City ordinances and the Comprehensive Plan. Specific conditions of approval may be imposed in order to ensure conformance of the proposal with the criteria for review identified below. Conditions of approval associated with a rezone request may be incorporated into a binding agreement such as a concomitant agreement or approved site plan.

C. Criteria for Review and Conclusions of Law. The Planning Commission shall consider the following criteria in making their recommendation to the City Council. The Council may approve the rezone request only if the proposal conforms to all of the following criteria. The Council shall adopt findings and conclusions for the record which support their decision.

1. The proposal is in accordance with the Comprehensive Policy Plan;
2. Any parcel of land contained in this request, whether under single or unified ownership is not receiving special or privileged treatment;
3. The proposal will not be materially detrimental to properties in the vicinity or the community based on the entire range of uses allowed in the proposed zone;
4. Adequate public services will be available to serve the full range of proposed uses;
5. The reclassification is warranted because of a change in circumstances, or because of a need for additional property in the proposed zoning district classification, or because the proposed zoning classification is appropriate for reasonable development of the subject property; and
6. The proposed rezone would promote the general health, welfare, and safety of the community.

D. Final Decision. The Commission may recommend approval, denial, or approval with conditions, the request for change in zone classification. The recommendation shall be submitted to the City Council for final action. The decision of the City Council shall be deemed issuance of the change in zone classification, if approved, and the Zoning Map shall be revised to reflect the approved change in zoning designation unless an appeal or request for reconsideration is filed according to the procedure outlined in MTMC 19.110.100 and MTMC 19.110.110. (Ord. 2116, 1996; Ord. 2074 § 5.3(F), 1995).