

## PROCEDURE FOR ZONE/REZONE APPLICATION

- 1) WHO CAN INITIATE A ZONE/REZONE PROCEDURE?
  - a) The City Council on its own initiative may begin a zone/rezone procedure.
  - b) The Planning Commission by a majority vote of its members may initiate a zone/rezone action.
  - c) A property owner or his authorized agent may request a zone/rezone consideration.
  
- 2) FILING PROCESS:

Application shall be made to the City Clerk on a form provided by the City. These additional items need to accompany the application.

  - a) Title insurance certificate showing owners of record of subject property.
  - b) Listing of all property owners and addresses within 300' of the proposed change of zone.
  - c) Legal description of the property for which a zone/rezone is sought.
  - d) Map showing exact dimensions of the subject property and showing the adjoining streets.
  
- 3) FILING FEES:           \$300.00
  
- 4) PUBLIC HEARINGS AND FINDINGS: PLANNING COMMISSION
  - a) The Planning Commission shall conduct at least one public hearing on an application to zone/rezone. All property owners within 300' of the boundary of the subject property are to receive written notice of the hearing. The City Clerk should confer with the Chairman of the Planning Commission before setting a date for the hearing. Copies of all pertinent material should be furnished to the Commission.
  - b) After the public hearing(s) the Commission files with the City Council (within 60 days of the hearing) a written report of its findings and recommendation concerning the zone/rezone. This is only if the Commission is recommending approval of the zone/rezone. The Planning Commission findings, among other things, must indicate that the proposed zoning amendment is in conformance with the comprehensive plan. If the proposed amendment is not in conformance with the comprehensive plan, then the zone/rezone action by the City Council shall concurrently include the appropriate amendment to the comprehensive plan.
  - c) If the Commission disapproves and denies an application for zone/rezone the decision is final unless the applicant timely appeals the matter to the City Council, whereupon the appropriate record regarding the matter shall be furnished the council.

5) PUBLIC HEARING(S): CITY COUNCIL

- a) In the event the Planning Commission after public hearing recommends for the zone/rezone, then the City Council is required to conduct at least one public hearing on the proposed amendment. All property owners within 300' of the boundary of the area for which zone/rezone is being considered shall receive written notice of the hearing.
- b) If the Council agrees (after public hearing) to make the zoning change, the City Attorney will be instructed to draw up the necessary ordinance incorporating the required amendments to the zoning ordinance (and to the comprehensive plan, if required).
- c) Upon adoption of the ordinance, the zoning map will be amended to reflect any change of zoning classification or a modification of the zoning district boundary.
- d) The property owner/petitioner desirably should be given notice in writing of the changes which have been effected.

**APPLICATION FOR ZONING/REZONING CLASSIFICATION**

**DATE:** \_\_\_\_\_

**RECEIPT #** \_\_\_\_\_

I hereby make application for zoning classification:

1. **NAME OF APPLICANT:** \_\_\_\_\_

2. **MAILING ADDRESS:** \_\_\_\_\_

3. **TELEPHONE NUMBER:** \_\_\_\_\_

4. **APPLICANT'S RELATIONSHIP TO PROPERTY INVOLVED:** \_\_\_\_ **OWNER**  
\_\_\_\_ **CONTRACT PURCHASER** \_\_\_\_ **LESSEE** \_\_\_\_ **OTHER** \_\_\_\_\_  
(please specify) \_\_\_\_\_

5. **PROPERTY OWNERS NAME, ADDRESS, TELEPHONE # (per County tax roll):**  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. **Location of Property:** \_\_\_\_\_

7. **Legal Description:** \_\_\_\_\_  
\_\_\_\_\_

8. **Present Use and Zoning:** \_\_\_\_\_

9. **Proposed Use and Zoning:** \_\_\_\_\_  
\_\_\_\_\_

10. **What error in the existing Ordinance would be corrected by the proposed amendment?** \_\_\_\_\_  
\_\_\_\_\_

11. **What changed or changing conditions make the passage of this amendment necessary?** \_\_\_\_\_

12. **Are there other circumstances which justify this amendment?** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

13. Time scheduled for development? \_\_\_\_\_

14. Provide Ownership Report listing all property owners within 300 feet of the boundaries of the property in question as described in item #7: (Done by Title Company) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

15. Exhibits submitted, number and kind (vicinity map, petition of property owners neighbors, copy of option to purchase, etc.) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

I, the undersigned, do hereby certify that the information contained herein is true and correct. I do further understand that any deliberate attempt to mislead or deceive the Planning Agency of the City of Benton City shall cause the denial of this application and forfeit of any fees paid at the time of filing with the City Clerk.

APPLICANT'S SIGNATURE:(please print after signing):

\_\_\_\_\_

OWNERS SIGNATURE:(or his agent) (please print after signing):

\_\_\_\_\_

City Clerk's

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

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**OFFICE USE ONLY**

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APPROVED \_\_\_\_\_ DENIAL \_\_\_\_\_ TABLED \_\_\_\_\_ DATE: \_\_\_\_\_

Planning Agency Chairman: \_\_\_\_\_

Planning Agency Secretary: \_\_\_\_\_

**AFFECTED PROPERTY OWNERS MAY REQUEST A CHANGE IN VALUATION FOR PROPERTY TAX PURPOSES NOT WITHSTANDING ANY PROGRAM OF REVALUATION**