

## REZONE

### IN ORDER TO FILE AN APPLICATION TO REZONE, THE APPLICANT SHALL;

1. Submit a complete and signed General Application to Rezone.
2. Provide a plat, or location map, drawn to scale, which shall clearly show the property proposed to be Rezoned and its present classification and existing uses if any.
3. **Provide a complete and correct ownership list (form(s) attached) of all the owners of record for all property to be Rezoned, and for all owners of record for all property located within 200 feet of the property proposed to be Rezoned. If the property is adjacent to the City limits or outside the City limits, the notification boundary shall be extended to 1,000 feet in the unincorporated area. Ownership information must be typewritten.**

An owner of record shall mean any person or entity who is reflected as the most recent owner or owners of property as documented in (1) the Riley County Register of Deeds or (2) the Riley County District Court, or (3) the Pottawatomie County Register of Deeds, or (4) the Pottawatomie County District Court, or any combination thereof. The applicant should contact these offices, as appropriate by County, in order to complete the attached boundary ownership list.

**The ownership list shall be typed either on the attached form(s) or shall follow the format as shown on the attached form. Lists from a professional service, or any other source, must be submitted either on the attached form(s) or put in the equivalent format.**

Submit the ownership map, which is prepared by the City and provided to the applicant. The City of Manhattan will rely on the list provided by the applicant and will not check to verify its correctness. It may be prudent for the applicant to obtain the owner of record information from professional services, which are available locally. The fee for those services are to be paid by the applicant.

4. Provide a complete and correct legal description of the entire property for which the rezoning is requested. The legal description must be typewritten, readable and reproducible.
5. Pay the rezoning fee (\$160).
6. Provide a written response to the matters the Planning Board and City Commission consider when making a decision to rezone the property. Those matters include the following:
  - (a) Proposed zoning district and land uses to be established;
  - (b) The existing use of the property;

- (c) The physical and environmental characteristics of the property;
  - (d) The zoning and land uses of nearby properties;
  - (e) The suitability of the subject property for the land uses to which it is restricted under current zoning;
  - (f) The character of the neighborhood;
  - (g) The compatibility of the proposed zoning district with nearby properties and the extent to which it may detrimentally affect those properties;
  - (h) The conformance of the requested change to the adopted Comprehensive Plan for the City of Manhattan. (If the proposed Rezoning is in accordance with the Comprehensive Plan, it shall be presumed to be reasonable.);
  - (i) The zoning history of the subject property and the length of time it has remained vacant as zoned;
  - (j) Whether the proposed district would be consistent with the intent and purpose of the zoning regulations;
  - (k) The relative gain to the public health, safety and welfare that denial of the proposed amendment would accomplish, compared with the hardship imposed upon the individual owner that would result from such denial;
  - (l) Whether adequate sewer and water facilities, streets and other needed public services exist, or can be provided to serve the uses that would be permitted by the proposed zoning district, and,
  - (m) Any additional matters as may apply in individual circumstances.
7. Obtain a Notice of Public Hearing Yard Sign and Instructions from the Community Development Department and post the sign on the property at least 20 days prior to the public hearing. (**Note: in some instances, the applicant may be required to supply a sign, which will be determined at the pre-application meeting.**)
8. On the day of the public hearing, come to the Community Development Department, prior to 5 PM, and sign the Yard Sign Affidavit.

**Special Note: If a protest petition is filed, the applicant should be aware that first reading to rezone the property may be delayed in order for the City to determine the validity of the protest petition.**

Requests will not be scheduled for a public hearing if applications and attachments are incomplete or unsigned. If you have any questions about the application or the information required please contact the Community Development Department before submitting the application.

**Prior to making any improvements, it is the applicant's responsibility to contact the Code Services Department (587-4506) to determine applicable building and fire codes, if a building permit is needed.**