

# REZONING

## INSTRUCTIONS

### A Planning Board Process

#### Information

The following instructions outline the process for filing an application for Rezoning with the City of Manhattan. Through the rezoning process, the boundaries of any zoning district may be changed, or the district classification of any parcel of land may be changed. To process your request in a timely manner, it is important to understand the application submittal requirements and that your application is complete at the time of submission.

#### Applicability

To be eligible for rezoning consideration, the subject property must meet one of the following conditions:

1. Have at least 100 feet of frontage on a public street.
2. Be at least 10,000 square feet in area.
3. Abut a lot, parcel, or tract of land that has the same zoning classification as is being sought for the subject property. [Section 26-9B-2A]

#### Procedure Type

Property owner initiated rezoning requests are subject to a Type-III review process [Section 26-9B-2B] with the Planning Board authorized to recommend approval or denial of a request; and the City Commission is authorized to approve or deny the request by ordinance.

#### Instructions

##### Pre-Application Requirements

Prior to applying, an applicant needs to complete the following steps.

#### Step 1: Schedule a Pre-Application Conference

A pre-application conference is intended to familiarize the applicant with the development review and approval process, provide for an exchange of information, advise the applicant as to the key planning, zoning, engineering, and other considerations, and to determine the information required to accompany an application.

A pre-application conference is required to be held at least **15 days** before an application is submitted.

In accordance with Paragraph 26-8B-3C-3, the applicant must submit information concerning the rezoning request as required by the Zoning Administrator at least **5 working days** prior to the conference.

### **Pre-Application Conference Information**

1. A site drawing showing property for which rezoning is sought. If more than one zoning district will be sought, identify the proposed boundaries of the different zoning districts.
2. A written description of the nature and type of development that is proposed and the zoning that will be sought.
3. A complete and accurate legal description of the entire property proposed for rezoning. The legal description must be typewritten, readable, and reproducible.
4. A written description of public services that are currently available or are available to be extended to the property and their capability of supporting the proposed use.
5. An overview of projected traffic impacts associated with the proposed rezoning.
6. Preliminary building renderings if seeking rezoning to a district that includes building and architectural controls.

A meeting report will be prepared by staff and provided to the applicant summarizing meeting outcomes and expectations. The pre-application conference and meeting report will determine whether special studies or reports may be required along with any other specific items.

A pre-application conference is valid for a period of **6 months**. If an application is not filed in this time, a new pre-application conference will be required. [[Section 26-8B-3C-5](#)]

### **Step 2: Hold a Neighborhood Meeting**

After the pre-application conference and prior to filing an application, the applicant will be required to hold a neighborhood meeting to inform nearby residents of a proposed project [[Section 26-8B-4](#)], identify issues and concerns, and to answer questions from property owners entitled to notice under [Sec. 26-8B-6, Notice](#).

Contact the Community Development Department to request preparation of a list of property owners required to be notified in conjunction with the request. Property owners should receive the mailed notice a minimum of **7 days** in advance of the neighborhood meeting. The mailed notice will also need to be submitted to the Community Development Department that will be responsible for publishing the notice through the City's *In Touch* notification system.

After the meeting, the applicant will need to prepare a Neighborhood Meeting Report (included).

### Step 3: Prepare additional materials to accompany your application

Submission of information less than necessary to adequately review and process your application may result in a delay of the review process. Community Development staff will determine the completeness, accuracy, and sufficiency of the application within **15 business days** of receipt of the application. [[Sec. 26-8C-3](#)]

#### Rezoning Application Attachments

1. A payment of \$160 made payable to the City of Manhattan.
2. A complete and accurate legal description of the property for which rezoning is sought. The legal description must be typewritten, readable, and reproducible.
3. A digital site plan in a pdf format. A checklist of what should be provided on the site plan can be found [here](#) to help with its creation.
4. One (1) copy of the preliminary plat (24" by 36").
5. A Drainage Report if required by the Public Works Department as a result of the pre-application conference.
6. A Traffic Impact Study if required by the Public Works Department as a result of the pre-application conference.
7. Public/Institutional District: Provide a written statement identifying the intended use necessitating the rezoning. [Section 26-9B-2E]
8. Village-Style Development: For Village-style development in the RM and RH Districts, the applicant must provide a site plan and written descriptions with adequate details to show compliance with the applicable design standards in Division 26-4A, Residential Design Standards. [Section 26-9B-2F]
9. Master Development Plan: For Residential Master Plan Development in the RL, RL-A, RM and RH Districts, a master development plan (DP) is required to be submitted concurrently with an application for rezoning. [Section 26-9D-1C]
10. Preliminary Development Plan: A request to rezone property to the PD, Planned Development Floating Zone District is to be accompanied by a preliminary development plan (PDP). [Paragraph 26-9D-2B-1]

### Step 5: Submit your application

Upon completion of the previous steps, fill-out and submit the application to the Community Development Department.

# NEIGHBORHOOD MEETING

## REPORT

A Community Development Department Form

### Applicant Information

Applicant name: \_\_\_\_\_

Project name: \_\_\_\_\_

### Report

1. Describe the outcome of the meeting including issues raised and other information deemed relevant.

### Attachments

The following attachments must be included with the submitted Neighborhood Meeting Report.

1. Copy of the meeting notice.
2. Copy of the mailing list.
3. Copy of attendee sign-in sheet.

### Attestation

By my signature on this form, I certify that I mailed notice to all owners of property within the regulatory notification area.

Print Name: \_\_\_\_\_ Date: \_\_\_\_\_

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