CITY OF PRESCOTT

REZONE SUBMITTAL CHECKLIST

IN ORDER TO SUBMIT THIS APPLICATION YOU MUST SCHEDULE A MEETING WITH A CITY PLANNER. TO SCHEDULE A MEETING PLEASE CALL 928-777-1207.

No application will be accepted unless it is complete including, but not limited to, the following:

- ❑ A copy of the Pre-Application Conference Letter. PAC#_____
- ❑ Application stating the request, the Assessor's Parcel number, and an application signed and dated, indicating whether the applicant is the owner or the agent. If agent, include the name and address of the property owner, phone number, and a letter of authorization.
- ❑ One (1) copy of the legal description including a map of the property with surveyor's seal and an electronic copy of the legal description in "**Word - .doc" format**.
- ❑ Nine (9) **FOLDED** copies of the Site Plan. (Minimum size 24" X 36") including at a minimum all information specified in the *Land Development Code*, Article 9.8.4B. and any additional information which may be necessary to clearly define the intended use of the property.
  - ❑ One (1) 8 ½" X 11" xerographic reduction or photo reduction of the Site Plan.
  - ❑ **An electronic file of the Site Plan in a .pdf format**.
- ❑ General Plan Designation _____. If the proposed zoning district is not compatible with the underlying General Plan designation, a separate General Plan Amendment Application must be submitted prior to the Rezone Application.
  Please Note: General Plan Amendment and Rezone requests will not be heard in the same meeting.
- ❑ A filing fee in the amount of: **$1,818.64 plus $22.35 per acre**

Postage Mailing Fee. The Community Development Department will notify adjacent property owners of this application within 300 feet of the subject property (or a greater distance if deemed necessary by the Community Development Director). The applicant will be billed and required to pay the postage-mailing fee prior to the scheduled Public Hearing.

NOTE: A DETERMINATION OF "APPLICATION COMPLETENESS" BY THE STAFF PLANNER AND A RECEIPT FOR THE FILING FEE WILL BE SENT TO THE APPLICANT WITHIN FIFTEEN (15) DAYS OF SUBMITTAL OF THE APPLICATION.

(Office Use Only)

_____ _____

PLANNER TAKING IN APPLICATION **DATE TAKEN IN**

CITY OF PRESCOTT
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION
201 S. Cortez, Prescott, AZ 86301 (928) 777-1356

REZONE APPLICATION

Property Address: _____

Assessor's Parcel Number (s)(APN):_____

Township_____ **Section**_____ **Range**_____ **Zoning:** _____

Subdivision Name:_____

Legal Owner Name & Address: _____ _____ _____ **Phone:**_____ **Fax:**_____ **Email:**_____	***For Staff Use Only*** RZ#_____ Date Received: _____ Taken In By: _____ Assigned To: _____
Applicant/Agent Name & Address (If different than property owner, **Agent letter must accompany submittal):** _____ _____ _____ **Phone:**_____ **Fax:**_____ **Email:**_____	Date Application Complete: _____ Fees & Charges: _____ Receipt #/Date: _____

Detailed Description of Request:_____
_____
_____

Total Acres:_____ Current Zoning:_____ Proposed Zoning_____
General Plan Designation: _____ Area Specific Plan:_____

I/we hereby certify that I am/we are the legal owner's of record of the property described in this application.

_____ _____ _____
Name **Signature** **Date**

Revised 2/17/11

REZONE SUBMITTAL REQUIREMENTS
***Land Development Code*, Article 9.15.**

Applicability. The official zoning map of the City of Prescott provides zoning classifications for all properties within the incorporated area. For a property owner to initiate a change in the zoning classification of any property, an application for an amendment to the zoning map (a rezoning) must be filed with the City.

An application for an amendment to the official zoning map may be initiated by:

- City Council on its own motion;
- Planning & Zoning Commission;
- Community Development Director; or
- The owner of the subject property.

Pre-Application Process. Prior to the submission of an application for a zoning map amendment, all potential private party applicants or agents shall attend a pre-application meeting as set forth in Section 9.1.2 of the LDC. The purpose of the meeting is to acquaint the applicant with applicable procedures, standards and plans, and to respond to any questions that the applicant or the City may have regarding the application.

Application Submittal. A complete application for a zoning map amendment shall be submitted to the Community Development Director as set forth in Sec. 9.1.3 through 9.1.5.

Public Notification. Upon receipt of a complete application, public notices as noted below shall be issued in accordance with Section 9.1.7 of the LDC. Additional notice may also be provided to parties having specific interest in the matter in accordance with the provisions of Section 9.1.10 of the LDC. In addition, a public hearing before the City Council may also be required as specified in ARS 9-462.04.

- **Published Notice**. An advertisement (Public Hearing Notice) shall be placed by the Community Development director at least once in a local newspaper of general circulation within the City. The advertisement shall be published at least 15 calendar days prior to the meeting.
- **Mailed Notice**. A notice of public hearing shall generally be sent by U.S. first class mail to owners of record of real property within 300 feet of the parcel under consideration or farther at the Community Development Director's discretion. Alternatives to this standard may occur for administrative waivers, historic preservation actions, or as otherwise permitted by state statutes.
- **Posted Notice**. A notice of public hearing shall be posted where legible from at least 2 rights-of-way adjoining the subject property. Such notice shall be composed of weatherproof materials.

Area/Neighborhood Meeting. At the discretion of the Community Development Director, an area/neighborhood meeting may be scheduled and held prior to the Planning and Zoning Commission public hearing.

The purpose of the Area/Neighborhood Meeting is to gather input from surrounding property owners regarding the proposed project or use, identify issues that may be controversial prior to the public hearing and make modifications to the plan/project based on neighborhood input. If required, an Area/Neighborhood Meeting must be held in advance of a rezone application being taken to the Planning & Zoning Commission. The meeting location date and time is scheduled by the City Planner. Notices of the meeting are sent at a minimum in accordance with the Public Notification requirements set forth in the LDC Section 9.1.7.

Review by Community Development Director. The Community Development Director shall review the Rezone application and prepare a staff report.

Planning & Zoning Commission Study Session. The Planning & Zoning Commission will review the application in a public meeting which is normally scheduled for the last Thursday of each month. After being heard in work study the rezone request will then be scheduled for a voting session of the Planning & Zoning Commission.

Planning & Zoning Commission Voting Session. The Planning & Zoning Commission will review the application in a formal public hearing generally held on the second Thursday of each month. During the Public Hearing the Commission will consider the request and forward a recommendation to the City Council. The applicant or agent shall attend both the study session and the voting session of the Planning & Zoning Commission meetings.

City Council Study Session. The City Council will consider the Rezone request during a study session meeting. Study sessions are held on the 1st and 3rd Tuesdays of the month. At the conclusion of the Study Session the Council will either leave the item on the consent agenda for the next regular meeting of the Council or remove the item from the consent agenda and schedule a public hearing to review the item at the next available voting session.

City Council Voting Session. The City Council shall review the application in a public hearing, if required, and may vote to approve, approve with modifications, or deny the application and rezoning ordinance. An approved rezoning ordinance may be "conditional" upon a specific site plan and may contain a reversionary zoning condition and such other conditions as may be appropriate. Failure by the City Council to act on a rezoning matter within 60 days of initial consideration shall be deemed a denial.

If the request is approved the Council will either adopt an Ordinance to rezone the property. Ordinances become effective 30 days after they are adopted by the City Council during a voting session. Again, the applicant or his representative must be present for both the study session and voting session of the City Council.

Written Decision. The decision to approve or approve with conditions, or deny shall be communicated in writing to the applicant within 15 days from the decision.

Protest of Proposed Amendment. In the event a protest against the proposed amendment is made that meets the conditions of Arizona Revised Statutes, Section 9-462.04 (H), a public hearing shall be scheduled before the City Council. In the event such hearing is held, the amendment shall not become effective except by the favorable vote of ¾ of the City Council.

Issues for Consideration. In determining whether to approve, approve with modifications, or deny proposed Official Zoning Map amendments, issues for consideration shall include but not be limited to:

- Consistency (or lack thereof) with the Prescott General Plan, and other adopted Plans;
- Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood;
- Suitability of the subject property for uses permitted by the proposed zoning district;
- Suitability of the subject property for uses permitted by the existing district; and
- Availability of sewer, water and storm water facilities.

Limitation on Reapplication. In the event of a denial by the City Council, another petition for reclassification of the same property or any portion thereof shall not be filed within a period of 180 days from the date of final denial, unless the Applicant demonstrates:

- A substantial change in circumstances relevant to the issues and/or facts considered during review of the application that might reasonably affect the decision-making body's application of the relevant review standards to the development proposed in the application; or
- A new application is proposed to be submitted that is materially different (e.g., proposes new uses, or a substantial decrease in proposed densities and intensities) from the prior application; or
- The final decision on the application was based on a material mistake of fact; or
- The foregoing limitations shall not limit the City Council from reconsidering the application on its own initiative.