

Requirements of a Rezoning

- I. Application
 - A. Application submitted by first day of the month with:
 1. A location map showing the property to be rezoned
 2. Survey map showing existing and proposed zoning district boundary lines and classification/s
 3. Correct legal description of area to be rezoned
 4. Detailed description of the project creating a need for change in zoning
 5. Two reasons for rezoning recognized by courts:
 - a. Mistake in original zoning (1994)
 - b. Change in neighborhood character since 1994 and demonstrated public need
 6. Documentation justifying the reason for rezoning – examples of clear and convincing evidence:
 - a. Narrative identifying reasons and need for the proposed change
 - b. Pictures, sketches, market studies, etc.
 - c. Letters or testimony of support or evidence
 - d. Contracts for design or construction, or plans (documents) for design or construction
 - e. Additional or other forms of evidence is acceptable
 7. Application must be signed by owners of the property proposed to be rezoned
 - B. Application fee **(\$200)** must be submitted with application
- II. Notice public hearing held by the Meridian Planning Commission provided by City as follows:
 - A. Sign(s) to be posted on property at least two weeks prior to the public hearing
 - B. Notice published in local newspaper at least 15 days prior to the public hearing
- III. No rezoning will receive favorable recommendation unless it passes the following threshold standards, Zoning Ordinance Section 1500.3 (1):
 - A. Proposal must provide conclusive evidence of a mistake by clerical error or over-zoning
 - B. Proposal must provide clear and convincing evidence of a public need
 - C. Proposal must not be a small parcel singled out for special and privileged treatment, nor create an isolated district, unrelated and incompatible with adjacent districts
 - D. Proposal must be in the public interest and not only for the benefit of the landowner(s)
 - E. Proposal must be consistent with all elements of the Comprehensive Plan and with sound planning principles

**(*Passing threshold standards determines if the rezoning goes further.
If a request does not pass the threshold standards, it will be denied.)**
- IV. Additional Review Standards (ZO Section 1500.03 (2)) considered include but are not limited to: Whether the existing land use pattern will change such that it could possibly increase the load on public facilities such as schools, utilities, or streets; Whether existing zoning district boundaries are illogically drawn in relation to existing conditions on the property proposed for change; Whether changed or changing conditions made the passage of the proposed rezoning necessary; Whether the proposed change will adversely influence living conditions and/or property values in the neighborhood; Whether the proposed change will excessively increase traffic congestion or otherwise negatively affect public safety; Whether there are substantial reasons why the property cannot be used in accordance with its existing zoning; Whether the proposed change is speculative or has a valid and specific intent and purpose; and Whether there is convincing demonstration that **all** uses allowed under the proposed district classification would be appropriate in the neighborhood and that the character of the neighborhood will not be materially and adversely effected by the proposed change.
- V. A Public Hearing before the Planning Commission includes a presentation by the applicant, review of CDD staff analysis, and comments in support or opposition of those in attendance.
- VI. Following the Planning Commission's decision, there is a 10-day appeal period. Following this appeal period, the Planning Commission's recommendation and appeal information, if any, is placed on the next available City Council Meeting agenda.

