

CITY OF ROCKVILLE
SECTION 29: AMENDMENTS/REZONING CHECKLIST

This checklist must be completed by the Applicant and submitted with the “Application for Amendments/Rezoning”. The following items should be included as part of the application. Please contact the city offices with questions.

1. **Initiation of Process/Application.** An amendment to the Zoning Ordinance or Zoning Map may be initiated by the City Council, the Planning Commission or by a petition of affected property owners (as described below).

- a) **Petition.** The owner of the subject property or ten (10) or more owners of property in the City may propose a zoning amendment or change, including a rezoning, by submitting a copy of a verified petition to the Zoning Administrator.

2. **Application.** A person proposing a zoning amendment or change, including a rezoning, must fill out and submit to the Zoning Administrator a Zoning Application form, accompanied by the required fee and detailed materials fully explaining the proposal for an amendment to this Ordinance.

The application must include a site plan showing the following, as applicable:

- Site description (legal description).
- A Certificate of Survey.
- Site plan drawn to scale showing the parcel and building dimensions, area and setbacks.
- Location of all existing and proposed buildings and the square footage.
- Curb cuts, driveways, access roads, parking spaces, off street loading areas, sidewalks, vehicular circulation, and snow storage locations.
- Landscaping and screening plans.
- Waste facilities including enclosure and screening.
- Drainage and grading plan.
- Sanitary sewer and water plan with estimated use per day.
- Soil type.
- Any additional written or graphic information reasonably required by the Zoning Administrator or the Planning Commission.

3. **Fees.** A fee the City Council shall establish by resolution must accompany the application. An additional fee may be charged, for atypical projects, which in the opinion of the Zoning Administrator will require additional staff time and/or city expenditures. In such case, the applicant will be required to reimburse the City for administrative time, professional services and costs incurred by the City.

4. **Public Hearing.** The Zoning Administrator will set a date for the official public hearing.

- a) **Published notice.** The City will publish notice of the public hearing’s time, place and purpose at least once in the City’s official newspaper at least ten (10) days before the public hearing.

5. **Mailed Notice to Property Owners.** The City will also mail notice of the public hearing’s time, place and purpose not less than ten (10) days and not more than thirty (30) days before the hearing date to all individual property owners within three hundred fifty (350) feet, or the ten (10) closest property owners, whichever is greatest, of the parcel included in the request. The Zoning Administrator must attest and make a part of the proceeding’s records a copy of the notice and list of the owners and addresses to which the notice was sent. A property owner’s failure to receive notice or a defective notice shall not invalidate any proceedings.

6. **A Complete Application.**

Once City Hall has received the completed application:

Referral to Planning Commission. An amendment not initiated by the Planning Commission will be referred to the Planning Commission for study and report and may not be acted upon by the City Council prior to the recommendation of the Planning Commission, unless the Planning Commission fails to make a recommendation within sixty (60) days. The Zoning Administrator may review the proposed amendment and provide the Planning Commission with a staff report and staff recommendation.

Planning Commission Review. The Planning Commission shall consider the request at their next regularly scheduled meeting and shall make a recommendation and report to the City Council.

- a) **Appearance by applicant.** The applicant or the applicant's representative(s) **must appear** before the Planning Commission in order to answer questions concerning the zoning amendment application.

Recommendation by the Planning Commission. After reviewing the proposed zoning amendment or rezoning application the Planning Commission will make a written report and recommendation to the City Council.

City Council's Review. Upon receiving the Planning Commission's report and recommendation, the City Council may hold an additional public hearing, if deemed necessary, and make the final decision with regard to rezonings. In any event, the City Council will act on an amendment request by petition within sixty (60) days after the Zoning Administrator receives the petition or the City may extend the time for consideration under state law.

- a) **Appearance by applicant.** The applicant or the applicant's representative(s) **must appear** before the City Council in order to answer questions concerning the zoning amendment application.

Vote Required. Approval of any amendment to this Ordinance will require passage by a majority vote of the full City Council, except that the adoption or amendment of any portion of this Ordinance which changes all or part of the existing classification of a zoning district from residential to either commercial or industrial requires a majority vote of the full City Council.

Resubmission. No application of a property owner, which is substantially the same as an application of a denied rezoning request, shall be resubmitted for a period of one (1) year from the date of denial. The City Council may permit a new application if, in its opinion, new evidence or a change or circumstances warrant reconsideration.

Appeal. A petitioner may appeal the City Council's decision to the Stearns County District Court as provided by law.

Effective Date.

Unless the City Council provides otherwise, a zoning amendment will not become effective until after the City Council approves and publishes an Ordinance reflecting the amendment.

Recording.

A certified copy of all Ordinances amending the Zoning Ordinance or rezoning any property shall be filed with the Stearns County Recorder. The rezoning of any abstract or registered property shall include the legal description of the property involved.

Zoning Map.

The Zoning Administrator shall revise the City's Official Zoning Map each time property within the City is rezoned. The applicant shall pay all costs of changes to the Official Zoning Map.