



## Rezoning Application Packet

1. **Application Packet.** Be sure to complete and submit **all the required materials that are part of this Application Packet.** Failure to do so will result in a delay in processing your application.

The "Application Packet" for *Rezoning* includes the following:

- Application Form (This form must be completed for all applications.);
- Checklist (Use this checklist to assure that you have included all of the required information with your application materials); and,

2. **The Process.** The rezoning process involves the following steps:

The **City Council may**, on its own initiative, on petition by the property owner, or on recommendation of the Planning and Zoning Commission, or after 60 days written notice to the Commission, **amend, supplement, or change the regulations, districts, or the Official Zoning Map.**

Whenever **the owners of 50 percent or more of the area of the lots in any district** or part thereof desire amendment, supplement, or change in any of the provisions of the Zoning Ordinance applicable to such area, they **may file an application** with the **City Clerk** requesting City Council to make such amendment, supplement or change.

**Applicants are encouraged to meet with planning staff prior to submitting an application** for rezoning to determine conformance of the request with the Comprehensive Plan.

**Submit the completed application packet to the City Clerk on or before 9:00 a.m. at least 15 days prior to a regularly scheduled meeting of the Planning and Zoning Commission.**

**Notice of the proposed change** to the Zoning Map **will be mailed** by the Department of Planning and Zoning to **the owners of property located within 200 feet** of the boundaries of the area proposed for rezoning.

- **City staff will analyze the rezoning request** in relation to the City's Comprehensive Plan and other applicable plans, policies, ordinances, and resources.
  - **The Planning and Zoning Commission shall conduct a public hearing and file its recommendations** approving, disapproving, or modifying the proposed amendment, supplement, or change with the City Council **within 90 days** thereafter, unless time extensions are specifically requested by the applicant.
  - **Notice of a Zoning Map change shall be made by mail, publication, and posting and at least 7 days notice must be given.** In no case shall the public hearing be held earlier than the next regularly-scheduled City Council meeting following the notice.
  - The **City Council conducts a public hearing on the rezoning request.** In order for the rezoning to take effect, **the Council must approve the rezoning at three separate readings.** The first reading may be held at the same time as the public hearing. The second and third readings are held at subsequent City Council meetings.
  - The **City Council may impose reasonable conditions** on map amendments in accordance with Iowa Code Section 414.5.
3. **Commission and Council Meetings.** The Commission regularly meets on the **first Monday of the month** at 6:15 p.m. in the City Council Chambers.
- The City Council generally meets on the **second and fourth Mondays of the month** at 5:30 p.m. in the City Council Chambers.
4. **Filing Deadline.** The deadline to file an application for Rezoning is **Monday at 9:00 a.m., 15 days prior to the Planning and Zoning Commission meeting.** All required information and materials must be filed with the

**City Clerk,  
City Hall  
1209 6<sup>th</sup> Street  
Nevada, Iowa 50201**

- 5. Vote Required When the Amendment is Protested.** Written protest by the owners of 20% or more of the property by area **within the proposed zoning area** or by the owners of 20% or more of the property by area within 200 feet of the proposed rezoning area will require the favorable vote of at least three-quarters (3/4) of all members of the City Council.
- 6. Renewal of the Petition After Denial.** When a rezoning petition has been denied by the City Council, such petition cannot be renewed for one year thereafter unless it is signed by at least 50% of the property owners who previously objected to the change. This provision, however, shall not prevent City Council from acting on its own initiative in any case or at any time.

**IF YOU HAVE ANY QUESTIONS WHILE COMPLETING THIS APPLICATION,  
PLEASE CONTACT THE DEPARTMENT OF PLANNING AND ZONING.**

**City Hall  
1209 6<sup>th</sup> Street  
Phone: 515-382-5466  
FAX: 515-382-4502  
E-mail: [rhutton@cityofnevadaaiowa.org](mailto:rhutton@cityofnevadaaiowa.org)**



## **Rezoning Application Form**

(This form must be filled out completely before your application will be accepted.)

**1. Property Address** for this Rezoning Request: \_\_\_\_\_

**2. Legal Description** (attach, if lengthy): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**3. Applicant:** \_\_\_\_\_

Address: \_\_\_\_\_  
(Street) (City) (State) (Zip)

Telephone: \_\_\_\_\_  
(Home) (Business) (Fax)

**4. Property Owner:** \_\_\_\_\_

Address: \_\_\_\_\_  
(Street) (City) (State) (Zip)

Telephone: \_\_\_\_\_  
(Home) (Business) (Fax)

**5. Contact Person:** \_\_\_\_\_

Address: \_\_\_\_\_  
(Street) (City) (State) (Zip)

Telephone: \_\_\_\_\_  
(Home) (Business) (Fax)



Obtaining approval of this Rezoning does not absolve the applicant from obtaining all other applicable permits, such as Building Permits, IDOT access permits, et cetera.

**I (We) certify that I (we) am (are) familiar with applicable state and local codes and ordinances, the procedural requirements of the City of Nevada, and have submitted all the required information which is accurate, true and correct.**

**Signed by:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
**Applicant)**

**(Note: No other signature may be substituted for the Property Owner's Signature)**

**and:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
**(Property Owner)**

**and:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
**(Contact Person)**



## Rezoning Checklist

(This form must be filled out completely and the required information must be attached to this form before your application will be accepted.)

**The following information is required as part of a submittal for a request for to Rezone. Please attach your answers to each item.**

- A written explanation of the reasons for requesting rezoning. Please state facts, not conclusions.
- A **petition** signed by owners **of at least 50% of the area to be rezoned.**
- A written explanation showing the consistency of the proposed rezoning with the Comprehensive Plan.
- **Current zoning** of the subject property.
- **Proposed zoning** of the subject property.
- **Proposed use** of the property in sufficient detail to determine code compliance.
- A **Legal Description** of the property(ies) proposed for rezoning.
- The **land area** (measured in square feet and/or acres) for each property proposed for rezoning.

A drawn to scale **map** that includes the following:

- Drawn to scale
- Date of submittal
- North arrow; and
- Boundaries of the property proposed for rezoning

**A Site Plan may also be required if determined applicable by the Zoning Administrator**

**B. Property Owners' Statement**  
(must be owners of at least 50% of area to be rezoned)

To Whom It May Concern:

We, the undersigned, own property adjoining \_\_\_\_\_ Nevada,  
Iowa.

It is our understanding that \_\_\_\_\_ has requested a change in  
Zoning at \_\_\_\_\_.

As adjoining property owners, we would have no objections to the change in Zoning.

| NAME (SIGNATURE) | ADDRESS | DATE SIGNED |
|------------------|---------|-------------|
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## Planning & Zoning and Board of Adjustment Fees

|   |   |
|---|---|
| Major Subdivision Preliminary Plat*           | \$150.00 + \$10.00 per lot              |
| Major Subdivision Final Plat*                 | \$75.00                                 |
| Minor Subdivision*                            | \$75.00                                 |
| Administrative Subdivision*                   | \$75.00                                 |
| Site Plan*                                    | \$100.00                                |
| Special Use Permit*                           | \$100.00                                |
| Text Amendment of Code*                       | \$50.00                                 |
| Rezoning*                                     | \$100.00+ \$1.00 per mailing            |
| Board of Adjustment: Residential              | \$100.00                                |
| Board of Adjustment:<br>Commercial/Industrial | \$200.00                                |
| Construction Drawings                         | 100% of Costs for Outside<br>Consulting |

\* 100% of costs incurred by the City during review shall be charged to the developer

**No Plat shall be considered by the City Council until fees are paid**