



# City of Sheridan

## Procedural Guide and Checklist for Rezoning

This guide outlines the procedure for rezoning property in the City of Sheridan. Application requirements, timelines, notice requirements, and a plan checklist can be found in (or are attached to) this guide.

### ***Step 1: Pre-Submittal Conference and Sketch Plan***

The applicant must schedule and attend a pre-submittal conference with City Planning staff to discuss the rezoning process, prior to submitting the application for official review. The feasibility of the actual request will be discussed to confirm that the request follows the Comprehensive Plan and the Zoning Ordinance.

To schedule the pre-submittal conference, the applicant must:

1. Pay the pre-submittal conference fee of **\$100.00**.
2. Provide three (3) copies sketch plan, to scale, showing:
  - a. Property boundaries of the site.
  - b. Existing streets beside and/or within the site.
  - c. Major drainage channels (if any).
  - d. List the present and desired zoning districts.
  - e. List the existing and proposed use(s).
  - f. List acreage of the site.
  - g. Label adjacent land uses.
  - h. Show and label existing and proposed structures, parking areas, and access points.
3. Schedule a time to meet with staff.

### ***Step 2: Neighborhood Meeting***

After the pre-submittal conference, the applicant must conduct a neighborhood meeting.

1. Invite property owners within the area of the proposed rezoning, including but not limited to owners of parcels within 300' of the exterior lot lines of the property to be rezoned. This includes property owners across streets, alleys, highways, and bodies of water.
2. Mail formal notice of the neighborhood meeting to the property owners described above. The notice must be sent by first class mail at least 10 days prior to the neighborhood meeting. The property owners within 300' of the rezoning proposal must be notified, in order to meet regulations. Others outside this boundary can be notified as a courtesy. All mailings are at the applicant's expense.
3. Proof of the neighborhood meeting must be provided to City staff when the rezoning application is submitted. This includes a sign-in sheet of all meeting attendees, the notification letter sent to area properties, a list of property owners and mailing addresses of those properties within 300' of the rezoning property's boundaries, and a summary sheet of questions/concerns asked, along with applicant's responses given at the meeting.

### ***Step 3: Formal Submittal of a Rezoning Request***

A request for rezoning or initial zoning of property shall conform to the specific procedures outlined in Sec. 56-583. Additionally, fees are required with the submittal and are listed on the current City of Sheridan fee schedule:

- The City charges an **application fee** for rezoning applications.
- The consultant's cost sharing fee is **billed hourly** for staff/consultant review. There is an **initial consultant retaining fee** that will be drawn down as the process advances. This retaining fee is project-specific and depends on project complexity.

#### **Step 4: Conceptual Site Plan of Property to be Rezoned**

If the rezoning request is for COM-N, BUS-1, BUS-LI, COM-C, IND, or MH Districts, a Conceptual Site Plan is required. If the rezoning request is for any other zoning district, a Conceptual Site Plan is not required. Please see the checklist attached for all items required on a Conceptual Site Plan, also as stated in Sec. 56-583.c.

#### **Step 5: Staff Review**

After all steps above have been met, the “rezoning packet” (i.e. Step 3 & 4 items) will be reviewed by staff and sent to referral agencies, including water, sanitary sewer, fire, stormwater, and other departments and districts. The referral agencies will review the packet and provide comments to the City. The applicant must address all staff and referral agency comments satisfactorily for the rezoning request to proceed.

#### **Step 6: Planning Commission Public Hearing**

Once all comments have been addressed, the rezoning request can be scheduled for a Planning Commission public hearing. In order to do so, the following must occur:

1. Fourteen (14) days prior to the hearing, the applicant must post a sign on the property announcing the public hearing. The City will provide the sign with all required information on it, but the applicant must physically post the sign. It must remain posted on the property continuously for fourteen (14) days prior to the hearing, including the hearing day.
2. Fourteen (14) days prior to the hearing, City staff will mail the neighborhood notice letter to property owners within 300’ from the property. The applicant must provide the envelopes as described in Step 3, but City staff will write the notice letters.
3. A legal notice must be written by the City and published in one or more newspapers of local circulation, at applicant’s expense. The newspaper legal notice must be published at least seven (7) days prior to the hearing.
4. The Planning Commission will conduct the public hearing where the public may speak to support or oppose the rezoning. The applicant may also speak concerning the request. The Planning Commission will vote on the rezoning request and send its recommendations, via a Rezoning Resolution, to City Council.

#### **Step 7: City Council Public Hearing**

The City Council must hold a 1<sup>st</sup> reading and a 2<sup>nd</sup> reading of the rezoning resolution.

1. The 1<sup>st</sup> reading of the rezoning resolution will occur approximately 30 days after the Planning Commission hearing. It is an agenda item only, not a hearing, so no public notice is needed and no parties are allowed to speak on the case, other than staff.
2. The 2<sup>nd</sup> reading of the rezoning resolution will occur at a City Council public hearing. This hearing will occur a minimum of 14 days after the 1<sup>st</sup> reading. This is a public hearing, so the applicant and the public may speak concerning this rezoning request.
3. Because the 2<sup>nd</sup> reading is a public hearing, public notice is required.
  - a. Fourteen (14) days prior to the hearing, the applicant must post a sign on the property announcing the public hearing. The City will provide the sign with all required information on it, but the applicant must physically post the sign. It must remain posted on the property continuously for fourteen (14) days prior to the hearing, including the hearing day.
  - b. Fourteen (14) days prior to the hearing, City staff will mail the neighborhood notice letter to property owners within 300’ from the property. The applicant must provide the envelopes as described in Step 3, but City staff will write the notice letters.

- c. A legal notice must be written by the City and published in one or more newspapers of local circulation, at applicant's expense. The newspaper legal notice must be published at least seven (7) days prior to the hearing.
4. After the public hearing closes for the 2<sup>nd</sup> reading of the rezoning resolution, the City Council will vote to approve or deny the rezoning, completing the process of the rezoning request.



## City of Sheridan Rezoning Checklist

Included?			Item	Comments
Yes	No	Insufficient		
<b>Section 1. Pre-Submittal Conference and Review (Sec. 56-582)</b>				
			1. Pre-submittal conference has occurred.	
			2. Sketch plan comments from staff, per pre-submittal conference, have been addressed.	
			3. Neighborhood meeting has been held prior to submitting the rezoning application. Provide meeting notice with date and place of meeting, proof of meeting (i.e. sign in sheet, etc.), and meeting notes.	
<b>Section 2. Application Process (Sec. 56-583)</b>				
			1. Application form has been filled out and submitted.	
			2. Include <b>written description</b> of the proposed use and proposed zone, including any conditions or restrictions to be imposed by the City.	
			3. Sec. 56-586 <b>Standards for Zoning and Rezoning</b> must be addressed in a <b>written narrative</b> , answering the following criteria/questions:	
			a. That the proposed rezoning promotes the health, safety and welfare of the inhabitants of the city and the purposes of this article; <b>and</b>	
			b. At least <b>one of the three</b> following additional factors exist:	
			i. The proposed rezoning is consistent with the goals of the comprehensive plan; <b>or</b>	
			ii. There has been a material change in the character of the neighborhood or in the city generally, such that the proposed rezoning would be in the public interest and consistent with the change; <b>or</b>	
			iii. The property to be rezoned was previously zoned in error.	
			4. A list of names and current addresses of the owners of all properties within 300' of the exterior boundaries of the site (per records of the county assessor's office).	
			5. <b>Two (2)</b> sets of envelopes addressed to each of the property owners above, with postage included on (or with) the envelopes.	
			6. Fee has been paid (per current fee schedule).	
			7. Signed Cost Agreement has been submitted.	



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Included?			Item	Comments
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			8. Proof of ownership of the property (Sec. 56-581). Can be via deed, title commitment letter, or other legal instrument showing ownership. NOTE: All liens and taxes owed on this property must be paid in order for the City to process your application.	
			9. Letter of authorization from the property owner permitting a representative (applicant) to submit the rezoning application, when the property owner is not the applicant, as the owner of the property must initiate a rezoning. (Sec. 56-581)	
			10. <b>Four (4)</b> hard copies of all items listed above and the conceptual site plan (see below).	
			11. <b>One (1)</b> .PDF copy of each of the above items (and the conceptual site plan, see below) on a flashdrive or CD.	
<b>Section 3. CONCEPTUAL SITE PLAN REQUIRED FOR REZONINGS TO THE FOLLOWING DISTRICTS: COM-N, BUS-1, BUS-Li, COM-C, IND and MH Districts Rezoning (Sec. 56-583.c)</b>				
			1. Vicinity map (needed per staff requirement):	
			a. Show geographic relationship of the proposed rezoning area to the surrounding area.	
			b. Show streets adjacent to rezoning area.	
			2. Provide lot lines, lot dimensions, and acreage of the site to be rezoned, along with adjacent streets. (Needed per staff requirement.)	
			3. Show and dimension setbacks for the proposed zoning district. A table listing setbacks would be helpful, but is not required. (Needed per staff requirement.)	
			4. Provide the location of all existing and proposed structures (shade structures if needed to differentiate), and list the uses contained or to be contained therein.	
			5. Location and flow of all vehicular and pedestrian circulation systems, malls and parking area.	
			6. Location and size of signs, if known.	
			7. Barriers and screening designed to protect adjacent property and roads from encroachment by lights and noise, including note concerning how the areas will be screened.	
			8. Size and location of landscape areas.	
			9. Drainage patterns.	
			10. Other items required by City, if any.	