

PETITION TO AMEND ZONING DISTRICT BOUNDARIES: PROCESS

A ROUTINE RE-ZONING PROCESS TAKES APPROXIMATELY 60-75 CALENDAR DAYS TO COMPLETE (FOLLOWING RECEIPT OF ALL REQUIRED DOCUMENTATION AND MATERIALS).

Rezoning may occur if a petitioner can show that in rezoning a piece of property it:

1. Is compatible with surrounding areas
2. Suits the environment
3. Is in substantial compliance with the Comprehensive Plan AND
4. Does not pose any health, safety or welfare problems on the community

THE BURDEN OF PERSUASION LIES SOLELY WITH THE APPLICANT AS TO WHETHER THE PROPOSED COMPLETED PROJECT WILL COMPLY WITH THE REQUIREMENTS OF THE SIOUX COUNTY ZONING ORDINANCE

PROCESS:

1. The Planning and Development Department holds a pre-application conference with the petitioner to discuss the re-zoning proposal.
2. The petitioner completes and submits the application to the zoning office, along with all other required materials and information, including supporting documents.
3. Zoning reviews materials and distributes to other departments and cities for review.
4. Zoning develops a staff report to be presented to the Planning and Zoning Commission.
5. Zoning staff send notices to property owners in the area.
6. The item is scheduled for hearing at the next available Planning and Zoning Commission meeting.
7. Zoning staff request public notices be published in the appropriate newspapers.
8. The Planning & Zoning Commission meets to discuss the petition and make a recommendation for approval or denial to the Board of Supervisors.
9. Zoning staff schedules the item on the agenda for the next available Board of Supervisors meeting.
10. The Board of Supervisors holds a public hearing on the proposal to determine compatibility with Sioux County Land Use Plan.
 - a. The Board of Supervisors has the authority under Iowa law to attach conditions to the rezoning approval (Iowa Code 335.7).
 - b. If conditions are imposed AND the property owner agrees to the conditions in writing, pursuant to Iowa law, the Board of Supervisors must have a second public hearing to approve the amendment.
11. Once the rezoning petition is approved, the applicant is then able to submit the required zoning permit forms along with applicable permit fees related to the project.
12. Project construction may not begin until all applicable phases of the rezoning and permit processes are completed.