



APPLICATION FOR REZONING/TEXT AMENDMENT

\$285.00* APPLICATION FEE MUST ACCOMPANY THIS APPLICATION
(includes \$35 non-refundable processing fee)

Included are regulations for the filing of petitions, required public hearing notices, and powers of the City Plan Commission and Board of Aldermen in reviewing requested zoning changes.

INITIATION

A request for a change in the zoning district designation, as described by the official zoning map, or text amendment may be initiated by the Board of Aldermen, Plan Commission, City administration, and/or via an application from other interested parties with ownership interest in the subject property or authorized representatives of such interested parties.

APPLICATION

A petition (application) for a change in a zoning district designation as described by the official zoning map or text amendment shall be filed with the Director of Planning and Development Services. The application form is available through the Department of Planning and Development Services and on the City's website (www.claytonmo.gov). The application shall include a legal description of the property, the subject of the requested change, as well as a map or overlay on the existing map graphically describing said change. Applications for text amendments shall include details describing the reason for the request as well as the text proposed to be removed and the text proposed to be added.

The applicant must submit one original and 24 copies of the application and all required documentation to the Director of Planning and Development Services. At the time that an application is filed, the applicant shall pay a fee as required by the fee schedule approved by the Board of Aldermen. The fee shall be paid to the City of Clayton to the credit of the general revenue fund of the City. Applications for rezoning and some text amendments require public notification, including a notice of public hearing in a newspaper. Placement on an agenda is dependent on complying with publication requirements. Please contact staff for further details.

LIMITATIONS OF FILING

An application for a text amendment or rezoning shall not be accepted by the Director of Planning and Development Services if any of the following apply:

1. The requested change does not comply with all the applicable requirements and any regulation adopted pursuant thereto.
2. A previous application for rezoning the same property or text amendment was approved or denied within 12 months of this new application. The application shall be accepted, however, if the Director of Planning and Development Services verifies that substantial new facts which warrant reapplication have been established.

STAFF REVIEW

Upon receipt by the Director of Planning and Development Services, or his/her designee, of an application for rezoning or text amendment, the application and supporting documentation shall be reviewed at the next regularly scheduled site plan review meeting in conjunction with all other applicable applications and supporting documents/plans. At such meeting, joint review of the application and supporting documents by City staff shall occur. Such meetings shall be held regularly at a time agreed upon by the Departments concerned. Within seven calendar days of the meeting date, a letter shall be forwarded to the person or firm submitting the application stating any deficiencies with the application or supporting documentation. Thirty days from the date on the comment letter, all deficiencies must be addressed and submitted for further review. If the deficiencies are not addressed within the said time limit, review of the application will be terminated. If there are no comments, then within seven calendar days of the meeting, a letter shall be forwarded to the person or firm submitting the plan requesting that plans be submitted as herein described.

PLAN COMMISSION

The Commission shall hold a public hearing on each application for amendments, modifications, or revisions of the zoning ordinance, and shall forward such application to the Board of Aldermen with its recommendations thereon.

For at least seven days immediately prior to the date of the public hearing on any proposed amendment, modification, or revision, the Commission shall cause public notices to be maintained in at least five public places, two of which shall be upon the property which would be affected by the proposed change in the zoning ordinance. At least 10 days prior to such hearing, the Commission shall mail a written notice to the last known place of abode of the owners of all property, according to current city tax records, adjacent to or lying within 200-feet of all boundaries of the property under consideration. In addition, the Commission shall cause notice of the hearing to be published at least two times in a newspaper printed or published in the City, or if there be no newspaper printed or published in the City, then in any daily newspaper of general circulation in the City. The first publication shall be at least fifteen days prior to the date of the hearing. All such notices shall describe briefly the proposed amendment, modification, or revision and indicate the time and place of the hearing. In the event of a general revision of the zoning ordinance, such notices shall not be

required.

The Plan Commission shall consider the application and decide whether or not to recommend approval. The Plan Commission shall render a decision on an application within 60 days from the date the Plan Commission first considers the application. The application shall be deemed to have received a positive recommendation if the Plan Commission fails to render a decision within the said 60-day period. The 60-day period may be extended through mutual written agreement between the applicant and the City Plan Commission Chairperson.

PUBLIC HEARING

Once the public hearing date has been established, the City Clerk shall cause notice of the public hearing to be published at least twice in a newspaper of general circulation, the first of which notice shall be published at least 15 days prior to the hearing date.

The City Clerk shall cause written notification to be sent by first class mail at least ten (10) days prior to the hearing date to the last known abode of the owners (according to city tax records) of properties within 200-feet of the boundaries of the amendment under consideration.

The City Clerk shall cause the posting of a public hearing notice in five public places, including the property or properties to be considered for rezoning at least seven days prior to the hearing date.

BOARD OF ALDERMEN CONSIDERATION

After receipt of the Plan Commission's recommendation and report, the Board of Aldermen shall consider the proposed Rezoning at a public hearing. The Board of Aldermen may, at its discretion, add to or delete conditions recommended by the City Plan Commission. The Board of Aldermen may refer the application back to the Plan Commission for further study before making its final decision. The decision rendered by the Board of Aldermen shall require a simple majority vote except in the following circumstances:

1. A vote of at least five members of the Board of Aldermen will be required to approve a decision contrary to the City Plan Commission recommendation.
2. The affirmative vote of at least five members of the Board of Aldermen shall be required to authorize a Rezoning, when a protest against said Rezoning is presented to the city clerk in writing at least five full days (including weekends and holidays) in advance of the Board of Aldermen meeting at which the matter is to be considered.

PROTEST PETITION

The affirmative vote of at least five members of the Board of Aldermen shall be required to authorize a Rezoning, when a protest against said Rezoning is presented to the city clerk in writing at least five full days (including weekends and holidays) in advance of the Board of Aldermen meeting at which the matter is to be considered. Therefore,

protest petitions must be received by 5:00 p.m. Central Standard Time (CST) the day preceding the required five days. The protest petition shall be duly signed and acknowledged by the owners of 30-percent or more, either of the areas of the land (exclusive of streets and alleys) included in such proposed change or within an area determined by lines drawn parallel to and 185-feet distant from the boundaries of the district proposed to be changed. The provisions relative to public hearing and official notice shall apply equally to all changes and amendments.



City of Clayton
10 North Bemiston Avenue
Clayton, Missouri 63105
(314) 290-8453 FAX: (314) 863-0296

**APPLICATION FOR
REZONING/
TEXT AMENDMENT**

(please type or print)

- ALL APPLICABLE SECTIONS OF APPLICATION MUST BE COMPLETE.
- \$285.00 APPLICATION FEE* MUST ACCOMPANY THIS APPLICATION

PART A: PARTIES OF INTEREST

Name of Applicant: _____

Address: _____

Phone Number & e-mail address: _____

Interest in Property: _____

Owner information (if request is to rezone specific property)

Name: _____

Address: _____

Phone Number & e-mail address: _____

PART B: SITE DESCRIPTION (rezoning)

Address(es): _____

Legal Description (required): _____

Reason for Requested Rezoning: _____

Current Use of Property: _____ Proposed Use of Property: _____

Current Zoning: _____ Proposed Zoning: _____

PART C: TEXT AMENDMENT

Chapter/Article/Section that is the subject of the proposed amendment: _____

Specify amendment being requested (specify existing *and* proposed text): _____

Please describe why the proposed amendment is being sought: _____

PART D: SIGNATURES

Signature of Applicant (Required): _____ *Date:* _____

Relation to the Owner: _____

Signature of Property Owner (Required): _____ *Date:* _____

*PLUS COST OF ADVERTISING