



REZONING PETITION **PROCEDURES**

- 1.) Petitioner files petition, including all necessary attachments and evidence. The Petition fee of \$120.00 is due at the time of application. Checks should be made payable to "City of Lincoln" and indicate on them that they are in payment for a rezoning petition.
- 2.) A rezoning constitutes an amendment to the Zoning Ordinance and requires an amendatory ordinance to be adopted. Petitioner should file the draft ordinance with the Zoning Office soon after the rezoning petition is filed, in order to allow time for review and comment by the City Attorney.
- 3.) Petitioner files copy of petition with the Logan County Soil & Water Conservation District for a Section 22.02a review, if the property to be rezoned lies within the district boundaries. All properties unincorporated in 1952 would so qualify. The District office is located at 1650 5th Street in Lincoln.
- 4.) The Zoning Office reviews the rezoning petition to ensure all necessary information is included. The Zoning Office then determines hearing date for the rezoning petition and prepares a Public Notice and causes it to be published in the Lincoln Courier at least fifteen (15) days, but not more than thirty (30) days prior to the hearing.
- 5.) Simultaneously, the petitioner must serve written notice by registered mail at least 15 days prior to the hearing to all owners, as recorded in the office of County Collector, of all property within 150 feet of the tract, excluding, however, streets and alleys. The notice will be prepared by the Zoning Enforcement officer and shall state the nature of the petitioner's request. The receipts of the registered letters must be filed with the Zoning Enforcement Officer.
- 6.) Objections to the rezoning petition may be filed up to and including the day of the public hearing. Support petitions and letters may also be filed. All must be filed with the City Clerk.
- 7.) A Public Hearing is held by the Plan Commission, in the City Council Chambers in City Hall, at the time and night indicated in the Public Notice, usually the third Thursday of each month. The Plan Commission reviews all testimony and evidence and recommends approval or denial of the rezoning petition to the City Council. A vote of seven members of the Plan Commission is required to pass this recommendation. The Public Hearing may however be continued if additional evidence or consideration is needed to make a recommendation.

- 8.) The City Council reviews the petition at its next committee meeting, held the second and fourth Tuesday at 7:00 p.m. The Amendatory Ordinance should also be completed by the City Attorney for its first reading at this meeting. The petitioner should attend this and following City Council meetings. Final action on the petition will take place at the next regular City Council meeting, held the first and third Mondays at 7:00 p.m. Note that the final disposition can only be taken after the second reading of the Ordinance and at a regular meeting. In the case of formal filed objections, a 2/3rds vote of the City Council is required to adopt the Amendatory Ordinance. In case of a Plan Commission recommendation of denial, a City Council vote of nine (9) yes votes would be needed to adopt.
- 9.) Following approval of the City Council the petitioner may then apply for building permits to proceed with plans in accordance with the new zoning classification.



REZONING PETITION

Date: _____

Applicant Name: _____

Address: _____

State: _____ Zip Code: _____ Telephone No.: _____

Legal Description of Property to be Rezoned: _____

Property Tax ID (PIN) Number: _____ - _____ - _____

Current Zoning Classification: _____ Proposed Zoning Classification: _____

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

Common Address: _____

State: _____ Zip Code: _____

Names and Addresses of Property Owners to be Notified: (Whenever owners of fifty percent (50%) or more of the street frontage in any block shall present to the City Council a petition, duly signed and acknowledged, requesting such amendment or reclassification, it shall be the duty of the City Council to refer the petition to the Planning Commission to hold a hearing thereon, as provided by statute.)

Brief Summary of Request: Specify existing and proposed classification and purpose for rezoning.

Relationship of Petitioner to Property: (Sole owner; owner of 50% of street frontage in the block; contract purchaser; etc.)

Clearly Explain the Nature and Purpose of this Rezoning Request: (Provide quantitative details, when applicable. Discuss adjacent uses, trend of development in the area, lot dimensions, parking resources, impact upon public facilities, and other appropriate information. Sketches, photos, and visual evidence may be attached. Attach additional pages of data as necessary.)

Explain how the Proposed Classification and Use Relates to the City's Comprehensive Plan.

I (We) certify that all the above statements and the statements contained in any papers or plans submitted herewith are true to the best of my (our) knowledge and belief.

Signature of Applicant: _____ Date: _____
_____ Date: _____

Signature of Owner: _____ Date: _____
_____ Date: _____