

INFORMATION & PROCEDURES
FOR CHANGE OF ZONING REQUESTS
AND CONDITIONAL USE PERMITS

The applicant is strongly encouraged to attend a pre-application meeting for the project prior to submittal of a zoning application.

COMPLETE APPLICATION REQUIRED — CONDITIONS FOR PROCESSING

The applicant shall submit the following information to begin the rezoning or conditional use permit process. Each and every item is considered an essential part of the application and is necessary to ensure a proper review. Once submitted, the Case Manager will review the application for completeness. ***If the application is incomplete, the applicant will be notified. Applications that remain incomplete 45 days after the date of submittal shall expire.*** Incomplete applications will not be reviewed.

All Applications: The following items must be submitted for a zoning application to be considered complete.

- A completed “Zoning Application” form, including a clear description of the requested action and a valid E-mail address.
- The property owner’s signature on the application form, or the owner must otherwise indicate his or her consent in writing
- A planimetric map, boundary survey, or other map, adequate to accurately identify and locate the property in question
- Field notes submitted electronically to the Case Manager in MS Word(.doc) or PDF format.
- For a conditional use permits: A plan of development for the tract (not a site plan) when requested by the Case Manager. Plans of development and other information describing the proposed project are encouraged and may be submitted with all zoning applications.
- An application fee, as noted below:

Change of Zoning:	\$800.00 plus \$15.00 per acre
Conditional Use Permit:	\$800.00 (all acreages)

Applications for Planned Development Districts: A complete application must also include the following items:

- A concept plan showing a preliminary layout of proposed uses, access, buildings, parking, open space, existing natural features, and the relationship to adjacent properties. If concept plans are on sheets larger than 11 x 17 inches, 20 copies of the site plan must be submitted.
- The applicant’s proposed conditions and stipulations, if any, for the Planned Development District. This submission should include a table, listing or other description of proposed uses and development standards, including but not limited to, density, lot size, unit sizes, setbacks, building heights, lot coverage, parking ratio, screening, etc.

Note: If a Planned Development classification is approved, then a detailed Planned Development site plan must be submitted for approval before any permits are issued. This procedure normally takes an additional 45 to 60 days.

CONCURRENT SUBMITTALS NOT PERMITTED

Unless authorized by the Case Manager, the applicant may not submit site plans, engineering plans, or plats concurrent with a Zoning Application. Please see the current “Development Review Process” publication for more information.

PROCEDURES FOR ZONING CHANGES & CONDITIONAL USE PERMITS

Public Hearings/Notification: Public hearings are meetings which are open to all interested parties, and at which such parties may present testimony in favor or in opposition to a requested action. Once an application is accepted and the dates of the public hearings are established, notice of the action, hearing date and place will be publicized by the following methods: 1) Publication in *The Mesquite News* (published on Thursdays), and 2) Written notice mailed to property owners within 200 feet of the subject property (the statutory notification area). Where appropriate, the notice may be distributed beyond 200 feet to increase public participation. Property owners are also furnished with response forms, which they can return to the Planning Office to indicate their support or opposition to a requested change.

Staff Comments and Recommendations: The Planning staff will review the proposals and prepare a staff report to the Planning and Zoning Commission, including comments regarding the request and a recommendation for action. This report is available to the applicant by the Thursday before the meeting and may be distributed to other interested parties at that time.

Planning and Zoning Commission: The Planning and Zoning Commission (the Commission) will hold a hearing and make a recommendation to the City Council. Requests that are recommended for approval are automatically forwarded to the City Council for a second public hearing. If the Commission recommends denial of the request, it will be scheduled for a City Council hearing only if the applicant submits a written appeal within ten (10) days to the City Secretary.

City Council: The City Council (the Council) will hold a hearing and may sustain or reverse the Planning and Zoning Commission's recommendation by a simple majority vote. A $\frac{3}{4}$ vote of the Council is required if the owners representing 20% of the property within the statutory notification area file *written* opposition to the proposed change. Council's action is final, and a request that has been denied may not be presented again for one year without extenuating circumstances.

Presentation/Postponement: The applicant or a representative must be present at all hearings to describe the proposed change and answer questions. Hearings will generally not be postponed once notice has been published. Hearings may be held, and action may be taken, whether or not the applicant is in attendance.

Ordinance Preparation/Adoption: A zoning change or conditional use permit is not approved until an ordinance is adopted. The Case Manager will prepare the ordinance and submit it to the Council for action concurrent with the public hearing.

Meeting Information: All public hearings will be held in the City Council chambers of City Hall, located at 711 North Galloway Avenue. Enter the building through the middle set of doors, turn left down the hallway and enter the chambers through the double, wooden doors.

City Hall is accessible by wheelchair through the Police Department entrance on the lower level. The elevator to access the second story is located down the hallway to the right from the entrance foyer.

Any requests for sign interpretive services must be made 48 hours in advance of the meeting by calling the City Secretary's Office at (972) 216-6244 or TDD 1-800-735-2989.

For further information, a Planning Division contact list is provided on the last page of this packet.

FIELD NOTES

MUST BE

SUBMITTED

WITH

APPLICATION.

Thank you.

2009
CITY OF MESQUITE
Deadlines for Submissions of Applications
and Scheduling of Public Hearings and Reviews
(Hearing dates are not guaranteed.)

Applications for: <ul style="list-style-type: none"> ▪ Zoning Changes ▪ Conditional Use Permits ▪ Residential Replats ▪ Site Plans 	Applications for: <ul style="list-style-type: none"> ▪ Preliminary Plats ▪ Replats (except residential) Plats go to P&Z only. 	Planning and Zoning Commission Meetings are held on the 2nd and 4th Mondays of each month at 7:00 p.m.	City Council Meetings are held on the 1st and 3rd Mondays of each month at 3:00 p.m.
15-Dec	22-Dec	12-Jan	2-Feb
29-Dec	5-Jan	26-Jan	16-Feb
12-Jan	22-Jan	9-Feb	2-Mar
26-Jan	2-Feb	23-Feb	16-Mar
9-Feb	16-Feb	9-Mar	6-Apr
23-Feb	2-Mar	23-Mar	20-Apr
16-Mar	23-Mar	13-Apr	4-May
30-Mar	6-Apr	27-Apr	18-May
13-Apr	20-Apr	11-May	1-Jun
28-Apr	5-May	26-May	15-Jun
11-May	18-May	8-Jun	6-Jul
26-May	1-Jun	22-Jun	20-Jul
15-Jun	22-Jun	13-Jul	3-Aug
29-Jun	6-Jul	27-Jul	17-Aug
13-Jul	20-Jul	10-Aug	8-Sep
27-Jul	3-Aug	24-Aug	21-Sep
17-Aug	24-Aug	14-Sep	5-Oct
31-Aug	2-Sep	28-Sep	19-Oct
14-Sep	21-Sep	12-Oct	2-Nov
28-Sep	5-Oct	26-Oct	19-Nov
12-Oct	19-Oct	9-Nov	7-Dec
26-Oct	2-Nov	23-Nov	21-Dec
16-Nov	23-Nov	14-Dec	4-Jan-10
14-Dec	21-Dec	11-Jan-10	1-Feb-10

Dates in italics indicate Tuesday meeting date.

CITY OF MESQUITE ZONING APPLICATION

Receipt
No.

Fee:

Case
Manager:

Date Stamp:

REQUESTED ACTION:

Change District Classification to:

Conditional Use Permit for:

Amend Special Conditions of

Ordinance # _____

(Explain Below)

Additional explanation of requested action:

SITE INFORMATION/GENERAL LOCATION:

LOCATION/LEGAL DESCRIPTION:

Current Zoning Classification: _____

Site Size: _____ (Acres or Square Feet)

Address (if available): _____

General Location Description: _____

Complete one of the following:

1. Platted Property

Addition: _____

Block: _____ Lot: _____

2. Unplatted Property:

Abstract: _____ Tract: _____

APPLICANT INFORMATION:

Contact: _____

Phone: (_____) _____ - _____

Company: _____

Fax: (_____) _____ - _____

Address: _____

E-mail: _____

(Required)

Signature: _____

Owner Representative Tenant Buyer

OWNER AUTHORIZATION AND ACKNOWLEDGEMENTS:

1. I hereby certify that I am the owner or duly authorized agent of the owner, of the subject property for the purposes of this application.
2. I hereby designate the person named above as applicant, if other than myself, to file this application and to act as the principal contact person with the City of Mesquite in the processing of this application.
3. I hereby authorize the City of Mesquite, its agents or employees, to enter the subject property at any reasonable time for the purpose of 1) Erecting, maintaining, or removing "Change of Zoning" signs, which indicate that a zoning amendment is under consideration and which indicate how further information may be obtained, and 2) Taking photographs documenting current use and current conditions of the property; and further, I release the City of Mesquite, its agents or employees from liability for any damages which may be incurred to the subject property in the erecting, maintaining, or removal of said signs or the taking of said photographs.

Owner: _____

Phone: (_____) _____ - _____

Address: _____

Fax: (_____) _____ - _____

E-mail: _____

Signature: _____



T E X A S

Real. Texas. Service.

City of Mesquite Planning Office

MAILING ADDRESS:
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KIM ATTEBERY
Administrative Secretary
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