

# **CITY OF DE SOTO, IOWA**

## **SUGGESTED PROCEDURES FOR REZONING OF PROPERTY**

These guidelines have been written to help you through the City of De Soto's zoning procedures. If you want to have your property rezoned, these guidelines should help you through the process. However, it does not guarantee that it will get your request approved. If you want to get your property rezoned:

- 1) **Look over the information in the packet. Feel free to consult with City staff at any time about the process and how your proposal fits in with the City's plans and needs.**
- 2) Review the City's Zoning Ordinance to ensure that you request the proper zoning to meet your needs. Consult with a City Administration official where the issue is unclear.
- 3) Compare the Zoning Classification you are requesting with how that parcel is intended to be developed according to the City's Comprehensive Plan. If there is a discrepancy (i.e., you want commercial in an area that is supposed to be low density residential), you should expect a more difficult time in having your request granted.
- 4) If you are requesting a significant zoning change either due to the nature of the type of use, or the amount of acreage to be rezoned, the City most likely will want to see a conceptual site plan – showing how the land is intended to be developed. Talk with staff about this conceptual plan and what it should contain.
- 5) If the development is expected to generate a significant amount of traffic, the City may request a traffic analysis to be performed showing the amount of traffic and the direction of travel.
- 6) You will need an exact legal description indicating metes and bounds with degrees (you may have to consult with an engineer).
- 7) At least three weeks prior to the Planning and Zoning Commission meeting (which occurs on the first Monday of each month as needed), you will need to send in a formal letter requesting the rezoning to the City of De Soto – addressed to the City Clerk. Include the following with the letter:
  - a. The legal description – metes and bounds (with degrees), or lot number;
  - b. The names and addresses of all adjoining property owners within 200 feet;
  - c. The conceptual site plan;
  - d. A traffic analysis (if requested by City staff);
  - e. A petition from the property owners regarding the rezoning;
  - f. A check made out to the City of De Soto equal to \$150, plus \$3.00 times the number of surrounding property owners within 200 feet.
- 8) Upon a decision by the Planning and Zoning Commission, it will be forwarded to the De Soto City Council (which normally meets on the third Tuesday of every month). If there is a protest from at least 20% of the property owners within 200 feet, or lots included in the rezoning, there needs to be approval from at least  $\frac{3}{4}$  of all the members of the City Council.

**IF THE REQUEST IS DENIED BY THE CITY COUNCIL, THEN NO NEW PETITION COVERING THE SAME PROPERTY OR THE SAME PROPERTY AND ADDITIONAL PROPERTY, SHALL BE CONSIDERED BY THE CITY COUNCIL FOR ONE (1) YEAR.**