

REZONING CRITERIA

UDO Section 4.250.B.

Criteria for considering rezoning applications. In considering any application for rezoning, the Commission and the Governing Body may give consideration to the criteria stated below, to the extent they are pertinent to the particular application. The Commission and Governing Body may also consider other factors that may be relevant to a particular application.

1. The character of the neighborhood;
2. The existing and any proposed zoning and uses of adjacent properties, and the extent to which the proposed use is compatible with the adjacent zoning and uses;
3. The extent to which the proposed use facilitates the adequate provision of transportation, water, sewerage, schools, parks and other public requirements;
4. The suitability of the property for the uses to which it has been restricted under the applicable zoning district regulations;
5. The length of time, if any, the property has remained vacant as zoned;
6. The extent to which the proposed use will negatively affect the aesthetics of the property and neighboring property;
7. The extent to which the proposed use will seriously injure the appropriate use of, or detrimentally affect, neighboring property;
8. The extent to which the proposed use will adversely affect the capacity or safety of the portions of the street network impacted by the use, or present parking problems in the vicinity of the property;
9. The extent to which the proposed use will create excessive storm water runoff, air pollution, water pollution, noise pollution or other environmental harm;
10. The extent to which the proposed use will negatively affect the values of the property or neighboring properties;
11. The extent to which there is a need for the use in the community;
12. The economic impact of the proposed use on the community;
13. The ability of the applicant to satisfy any requirements applicable to the specific use imposed pursuant to the UDO;
14. The extent to which public facilities and services are available and adequate to meet the demand for facilities and services generated by the proposed use;
15. The gain, if any, to the public health, safety and welfare due to approval of the application as compared to the hardship imposed upon the landowner, if any, as a result of denial of the application;
16. The conformance of the proposed use to the Comprehensive Plan, the Major Street Plan, the Capital Improvement Plan, and other adopted planning policies;
17. The recommendation of professional staff;
18. The consistency of the proposed use with the permitted uses and the uses subject to conditions in the district which the proposed rezoning or special use is located.