



City of Riverside RE-ZONING APPLICATION

**FOR A REZONING REQUEST, ALL REQUIRED DOCUMENTS MUST BE RECEIVED AT LEAST
30 DAYS PRIOR TO THE SCHEDULED PLANNING COMMISSION MEETING.**

Name of Applicant: _____
Date Filed: _____ Meeting Date: _____ Application Accepted by: _____

PROPERTY INFORMATION

Address: _____

General Location: _____

Parcel ID Number(s): _____

Acreage: _____

Requested Change REZONING

FROM ZONE: _____

TO ZONE: _____

PROPOSED USE OF PROPERTY

Density Proposed _____ Units/Acres

Re-Zoning Application Fees:

_____ \$300.00 fee
_____ \$10.00 per acre
_____ \$125.00 admin.
_____ \$5.00 per adjacent prop. owner
_____ Total

☐ PROPERTY OWNER ☐ OPTION HOLDER

PLEASE PRINT

Name: _____

Company: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____

Email: _____

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT

Name: _____

Company: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____

Email: _____

APPLICATION AUTHORIZATION

I hereby certify that I am the authorized applicant, representing ALL property owners involved in this request or holders of option on same, whose signatures are included on this form.

Signature: _____

PLEASE PRINT

Name: _____

Company: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____

Email: _____

NAMES OF ALL PROPERTY OWNERS INVOLVED (OR HOLDERS OF OPTION ON SAME) MUST BE LISTED BELOW:		
Please Print or Type in Black Ink:		(If more space is required attach additional sheet.)
Name	Address	City/State
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

DOCUMENTATION

Applicant must submit all documentation designed by an * with this application.

*	Application
*	Application Fees
*	Availability of required utilities, method of stormwater drainage and traffic control.
*	A vicinity map, drawn to scale, showing the size and location of the property.
*	A site plan, drawn to scale and dimensioned showing the property boundaries, public rights-of-way, and the proposed use and development layout.

Complete Rezoning Application sets including but are not limited to: application, legal description of the subject property, color rendering vicinity map, availability of all required utilities, site plan, etc.

Submit completed application and documentation to info@riverside-al.com

OWNER AFFIDAVIT

I do hereby declare the statements provided by me in this document are true and that I, the owner, and/or my duly appointed representative will be at the scheduled hearing. I, also, understand that I am asking for a variance based on the Zoning Code only and not on any or all covenants that are on the subject property.

Owner Signature/Date

Representing Agent (if any)/date

Given under my hand and seal
 this _____ day of _____, 20____.

 Notary Public

My commission expires _____ day of _____, 20____.

REZONING REQUEST PROCESS

EXCERPT FROM ZONING ORDINANCE for the CITY OF RIVERSIDE (2010-0601)

FOR A REZONING REQUEST, ALL REQUIRED DOCUMENTS MUST BE RECEIVED AT LEAST 30 DAYS PRIOR TO THE SCHEDULED PLANNING COMMISSION MEETING.

ARTICLE XVI. AMENDING THE ORDINANCE.

Section 160.00. AUTHORITY TO AMEND.

Whenever the public necessity, convenience, general welfare or good zoning practices warrants such action, the City Council, by favorable vote of a majority of the members, may amend the regulations or zoning district boundaries herein established.

Section 161.00. PETITION FOR CHANGE.

A proposed change of district boundaries or regulations of this Ordinance may be initiated by the City Council, the Planning Commission or by petition of property owners or agent of such owners of property within the area proposed to be changed, subject to this Ordinance.

§ 161.01. Petition by Property Owner.

A. A petition for amendment when initiated by the property owner or authorized agent of such owner shall meet the application requirements of this section.

B. The application for rezoning shall be made on a form available from the Building Inspector and be filed at least thirty (30) days prior to the Planning Commission hearing. The applicant shall provide the following information and materials:

1. Name, signature, and address of the property owner and agent of the property owner, if any.
2. Address and legal description of the property under consideration, accompanied by a copy of the applicable tax maps clearly identifying the property subject to rezoning.
3. Present and proposed zoning and land use of the property under consideration.
4. Reason for the rezoning request.
5. Availability of required utilities, method of stormwater drainage and traffic control.
6. A vicinity map, drawn to scale, showing the size and location of the property.
7. A site plan, drawn to scale and dimensioned showing the property boundaries, public rights-of-way, and the proposed use and development layout.
8. Public hearing notices on a form made available by the Building Inspector and stamped no. 10 envelopes (legal size) with the names and addresses of adjacent property owners (including those directly across a public right-of-way), as shown in the most recent records of the St. Clair County Tax Assessor.

§ 161.02. Planning Commission Action.

A. In the case of a petition by a property owner, at least fifteen (15) days prior to the scheduled Planning Commission hearing, the Building Inspector shall give written notice of the rezoning to all adjacent property owners. All notices mailed by the building inspector shall be sent by certified mail, return receipt requested and addressed to such property owners at their addresses as submitted with the rezoning application. The notice shall state the following information:

1. The name of the petitioner.
2. The location of the property.
3. The current and proposed zoning and land use of the property.
4. The time, date, and location of the Planning Commission hearing of the proposed zoning amendment.

B. The Planning Commission shall hold a public hearing at the first regularly scheduled meeting after compliance with the application and notice requirements of this Ordinance.

C. At least six days public notice of the hearing shall be given in accordance with the publication or posting requirement in Section 172.00. The Planning Commission, by majority vote, shall report its recommendations to the City Council. The Planning Commission report shall be transmitted to the City Council within thirty (30) days of the hearing, unless the City Council grants an extension of such period. Otherwise, the proposed amendment shall be considered to have been recommended by the Planning Commission.

§ 161.03. City Council Action.

A. Upon receipt of the recommendation of the Planning Commission in favor of a proposed zoning amendment, the City Council shall hold a public hearing on the proposed amendment at the next regularly scheduled City Council meeting.

B. The City Council shall give public notice of the hearing on the proposed amendment in accordance with Section 162.00.

C. Following notice and hearing, the City Council shall decide by majority vote to accept or reject the proposed amendment.

D. If the City Council takes no final action upon the proposed amendment within ninety (90) days after receipt of the recommendation of the Planning Commission the proposed amendment shall be deemed to have been approved by the Council.

Section 162.00. PUBLIC HEARINGS NOTICE.

A. At least fifteen (15) days in advance of the public hearing before the City Council, the Council shall publish the proposed zoning ordinance amendment in full for one insertion in a newspaper of general circulation published within the City, together with a notice stating the time and place that the ordinance is to be considered by the City Council and stating further that at such time and place all persons who desire

shall have an opportunity of being heard in opposition to or in favor of such ordinance. One (1) week after the first insertion, the City Council shall have published a synopsis of the proposed ordinance, which synopsis shall refer to the date of the newspaper in which the proposed ordinance was first published. If there is no newspaper of general circulation published within the City, then the City Council must cause the ordinance and notice to be posted in four (4) conspicuous places within the City. The Council may both publish and post the hearing notice.

B. At least (6) days in advance of the public hearing before the Planning Commission, the Commission shall publish notice of the proposed zoning ordinance amendment for one insertion in a newspaper of general circulation published within the City, stating the time, place, and object of the hearing and stating further that at such time and place all persons who desire shall have opportunity of being heard in opposition to or in favor of such ordinance. If there is no newspaper of general circulation published within the City, then the Planning Commission must cause the ordinance and notice to be posted in four conspicuous places within the City. The Commission may both publish and post the hearing notice.

C. The applicant for a rezoning shall be responsible for posting property with signs made available by the Building Inspector. Each placard shall note the proposed district change and the time and place of the Planning Commission hearing. Property shall be posted at least fifteen (15) days in advance of the public hearing before the Planning Commission and remain posted until the public hearing is completed. The applicant shall place the signs at reasonable intervals along the public Street abutting the property.

Section 163.00. CONDITIONAL REZONING.

A. In situations where more flexible and adaptable zoning methods are needed, rezoning amendments may be allowed subject to certain conditions that are not generally applicable to land similarly zoned. Proposed rezoning amendments may include the voluntary proffering in writing, signed by the property owner (and the authorized agent of the property owner, if any), of reasonable conditions in addition to the regulations provided for in the desired zoning district. Any such proffered conditions must be made prior to the public hearing held by the City Council and must adhere to the following criteria:

1. The rezoning itself must give rise for the need for the conditions.
2. Such conditions shall have a reasonable relation to the rezoning.
3. Such conditions shall not include a cash contribution to the City.
4. Such conditions shall not include dedication of property for public right-of-way or facilities, unless otherwise required by the St. Clair County Subdivision Regulations.
5. Such conditions shall not include payment for or construction of off-site improvements, unless otherwise required by the St. Clair County Subdivision Regulations.
6. No condition shall be proffered that is not related to the physical development or physical operation of the property.
7. No condition shall allow for the reversion of zoning held previous to the rezoning, unless a new application for rezoning is filed in accordance with this division.
8. All such conditions shall be in conformity with the purposes and consideration of this Ordinance.

B. The Building Inspector shall be vested with all necessary authority on behalf of the City Council to administer and enforce conditions attached to a rezoning amendment.

C. The official zoning map shall show by an appropriate symbol on the map the existence of conditions attaching to the zoning on the map. The Building Inspector shall keep in his office and make available for public inspection a Conditional Zoning Index. The Index shall provide ready access to the ordinance creating conditions in addition to the regulations provided for in a particular zoning district. The zoning designation of the property shall carry a C suffix in addition to the zoning district designation (for example, B-2C), and the zoning map shall reference the Conditional Zoning Index by ordinance number.

D. Any amendment, waiver, or variation of conditions created pursuant to the provisions of this section shall be subject to zoning amendment procedures.

Section 164.00. ACTION ON PETITION.

Any proposed amendment, modification or repeal shall first be submitted to the Planning Commission for its recommendation and report. The Planning Commission shall have sixty (60) days within which to submit its recommendations to the City Council. If the Planning Commission fails to submit a report within the sixty (60) day period, it shall be deemed to have approved the proposed amendment and the City Council shall proceed to hold a public hearing pursuant to Title 11, Chapter 52 of Code of Alabama. Any party or parties wishing to protest an amendment shall appear and speak at the public hearing.

Section 165.00 FEES.

Every petition for amendment by other than the City Council or Planning Commission shall be accompanied by a fee to partially defray the cost of processing the petition.

Section 166.00 LIMIT ON INITIATION FOR ORDINANCE AMENDMENT.

Should the City Council reject a rezoning amendment proposal by a property owner, the same kind of rezoning of the same tract land will not be considered by the Planning Commission until a period of one (1) year has elapsed from the date of such action by the City Council. Further, a withdrawal of the application for rezoning after the hearing held by the Planning Commission, but prior to the hearing held by the City Council shall also require a one (1) year time period before another application may be submitted. However, the Planning Commission may adjust this time period if in the opinion of a majority of the Commission, an unusual situation or circumstance exists which would warrant another hearing. Each time the zoning amendment application is made, the required administration fee must be paid. Under no condition shall the fee be refunded for failure of such proposed amendment to be enacted into law.

Section 143.00. SITE PLAN REVIEW.

New construction and substantial site development expansion of all multiplexes, patio homes, planned unit developments, townhouses, apartments, manufactured home and mobile home parks and subdivisions, institutional uses, commercial uses, and industrial uses shall require submission and approval of a site plan prepared by an architect, landscape architect or professional engineer licensed in the State of Alabama.

§ 143.01. Site Plan Requirements.

The following shall be the minimum information required for a site plan, five (5) copies of which shall be submitted for review and approval.

- A. Cover sheet with name and location of the development; name, address, and signature of the owner; name, address, and seal of the architect, landscape architect, or professional engineer; vicinity map; zoning and existing and proposed land use of the site; and date, scale, and north arrow.
- B. Site layout, including property dimensions, rights-of-way, easements, location and dimensions of all buildings (existing and proposed), setbacks, driveway access, off-street parking and loading, circulation, screening, buffer yards, and landscaping.
- C. Drainage, paving, grading and excavation, erosion and sedimentation control plan, storm water detention, floodplain management controls.
- D. Public and private utilities, including sewage disposal system and water system.
- E. Fire lanes and hydrants.