



Melissa Municipal Center
 3411 Barker Avenue
 Melissa, Texas 75454
 Phone: (972) 838-2036

Zoning Changes & Amendments Checklist

7/16/2010

Project Name: _____ Zoning Requesting: _____

Description: _____ Acres: _____

Requested by: _____

Reviewed by BWR: _____ BWR Project: _____

NOTE: All comments must be addressed prior to approval.

Zoning Changes and Amendments Section 33	Requirement	Complete		
		Yes	No	N/A
33.1	<p>Declaration of Policy: The City declares the enactment of these regulations governing the use and development of land, buildings, and structures to be a measure necessary to the orderly development of the community. Therefore, no change shall be made in these regulations or in the boundaries of the zoning districts except:</p> <ul style="list-style-type: none"> (a) to correct any error in the regulations or map. (b) To recognize changed or changing conditions or circumstances in a particular locality. (c) To recognize changes in technology, style of living, or manner of doing business. (d) As an official amendment of the zoning ordinance. 			
33.2	<p>Authority to Amend Ordinance: The City Council may from time to time, after receiving a final report thereon by the Planning and Zoning Commission and after public hearings required by law, amend, supplement, or change the regulations herein provided or the classification or boundaries of the zoning districts. Any amendment, supplement, or change to the text of the zoning ordinance and any change in the classification or boundaries of the zoning districts may be ordered for consideration by the City Council, may be initiated by the Planning and Zoning Commission, or may be requested by the owner of affected real property or the authorized representative of an owner of affected real property.</p>			
33.3	<p>Public Hearing and Notice: Prior to making a report to the City Council, the Planning and Zoning Commission shall hold at least one public hearing on each application. Written notice of all public hearings on proposed changes in district classification or boundaries shall be sent to all owners of property, or to the person rendering the same for city taxes, located within the area of application and within two hundred (200) feet of any property</p>			

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	affected thereby, within not less than (10) days before such hearing is held. Such notice shall be served by using the last known address as listed on the city tax roll and depositing the notice, postage paid, in the United States mail. Notice of hearings on proposed changes in the text of the Zoning Ordinance and on proposed changes in district classification or boundaries shall be published at least once not less than fifteen (15) days prior thereto in the official newspaper of the City.			
33.4	Commission Consideration and Report: The Planning and Zoning Commission, after the public hearing is closed, shall prepare its report and recommendations on the proposed change stating its findings, its evaluation of the request and of the relationship of the request to the Comprehensive Plan. The Planning and Zoning Commission may defer its report for not more than ninety (90) days until it has had opportunity to consider other proposed changes which may have a direct bearing thereon. In making the determination, the Planning and Zoning Commission shall consider the following factors:			
33.4	(a) Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned and their relationship to the general area and the City as a whole.			
33.4	(b) Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers and other utilities to the area and shall note the findings.			
33.4	(c) The amount of vacant land currently classified for similar development in the vicinity and elsewhere in the City, and any special circumstances which may make a substantial part of such vacant land unsuitable for development.			
33.4	(d) The recent rate at which land is being developed in the same zoning classification as the request, particularly in the vicinity of the proposed change.			
33.4	(e) The manner in which other areas designated for similar development will be, or are likely to be, affected if the proposed amendment is approved, and whether such designation for other areas should also be modified.			
33.4	(f) Any other factors which will substantially affect the public health, safety, morals, or general welfare.			
33.5	Council Consideration:			
33.5	(a) Proposal Recommended for Approval: Every proposal which is recommended for favorably by the Planning and Zoning Commission shall be forwarded to the Council for a public hearing thereon.			

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33.5	(a) No ordinance change shall become effective until after the adoption of the ordinance and its publication as required by law.			
33.5	(b) Proposal Recommended for Denial: when the Planning and Zoning Commission determines that a proposal should be denied, it shall so report and recommend to the City Council and notify the applicant. When a proposed zoning request is heard by the City Council that has been denied by the Planning and Zoning Commission, a three-fourths (3/4) majority vote by the City Council shall be required for approval. A request which has been denied by the Planning and Zoning Commission and/or City Council may be resubmitted at any time for reconsideration by the City along with a new filing fee which must accompany the request. The Planning and Zoning Commission and/or City Council may specifically deny any request with or without prejudice. If a request has been specifically denied with prejudice, the request may not be resubmitted to the City for six (6) months from the original date of denial.			
33.5	(c) Council Hearing and Notice: Required notice of City Council hearing shall be given by publication in the official newspaper of the City, stating the time and place of such hearing, which shall be at least fifteen (15) days after the date of the publication.			
33.5	(d) Three-fourths Vote: A favorable vote of three-fourths (3/4) of all members of the City Council shall be required to approve any change in zoning when written objections are received by owners of twenty (20) percent or more of the area of the lots or land covered by the proposed change or such area within two hundred (200) feet of the property which a zoning change is being contemplated. If a protest against such proposed amendment, supplement or change has been filed with the City Secretary, duly signed and acknowledged by the owners of twenty (20) percent or more of the area of the lots or land immediately adjoining the same and extending two hundred (200) feet therefrom (measured without regard to city streets or other public right of way), such zoning change or amendment shall not become effective except by a three-fourths (3/4) vote of the City Council.			
33.6	Final Approval and Ordinance Adoption: Following the hearing on the zoning request by the City Council, the applicant shall submit a metes and bounds description to the City within (30) days for the preparation of the amending ordinance. The amending ordinance shall be approved within six (6) months of the zoning request.			