

Sec. 117-50. - Conditional rezonings.

- (a) *Purpose.* The purpose of conditional rezoning is to formalize development standards to ensure consistency and compatibility with surrounding land uses and neighborhoods.
- (b) *Procedure.* The procedure for changing zoning district boundaries (rezoning) shall be as follows: Execution of a conditional rezoning agreement (CRA) recorded with the subject property shall be compulsory for all rezonings to multiple-family commercial, and/or industrial districts, including the following:
 - (1) R-2 Medium Density Residential District.
 - (2) R-3 High Density Residential District.
 - (3) B-1 General Business District.
 - (4) B-2 Highway Business District.
 - (5) E-1 Employment District.
 - (6) E-2 Employment District.
 - (7) P Public Facilities District.
 - (8) PUD Planned Unit Development District.
- (c) *Standards.* The following shall be included in the CRA:
 - (1) Agreement to lay out, develop and maintain the subject property as presented in the accompanying preliminary plat or site plan.
 - (2) Provision to allow the city council to commence rezoning of the subject property to the previous zoning district if the preliminary plat or site plan is not adhered to. Said zoning change shall not be contested by the subject property owner or parties to CRA.
 - (3) Additional standards may be included to protect the health, safety, and general welfare of surrounding land uses.
- (d) *Modifications.* Any modification or revision to the CRA or attached plan shall be prohibited without consent of the city council. Any substantial modification as determined by the city council shall be subject to a public hearing and notification of adjacent property owners pursuant to the public hearing requirements of this chapter.

(Code 1978, § 9.03.04; Ord. No. 73-05, 5-21-1973; Ord. No. 86-2, 8-25-1986; Ord. No. 95-02, 2-13-1995; Ord. No. 00-04, 5-22-2000; Ord. No. 03-20, 8-25-2003)