

REZONING PROCEDURAL GUIDELINE

A. PRE-APPLICATION MEETING:

1. Pre-application meeting with the Administrator required. May be held in person, virtually (video conference), or by phone to discuss the procedures for approval with the Administrator as well as the requirements and regulations for development.

B. REZONING APPLICATION

1. Application submitted with completed **Zoning Amendment Checklist** (found below).
 - If applying for zone map change to a PUD District, the following must also be submitted with application:
 - i. **PUD District Map**, defining overall area that is governed by PUD District Ordinance.
 - ii. **PUD District Ordinance (PUD Booklet)**

For the purpose of administration and continuity, the proposed PUD District Ordinance must follow a uniform format and contain the following sections that mirror and parallel the UDO.

 - 1) PUD Introductory Provisions and Administration. The enabling language for the PUD District Ordinance as well as purpose, intent, jurisdiction, administration, and effective date.
 - 2) PUD Districts. A list of each land use district within the PUD (if there is more than one) and its purpose as well as a list of permitted land uses, special exception land uses, and development standards for each district.
 - 3) PUD Use Development Standards. An alphabetical list of any uses that have additional standards above and beyond the minimums listed in Chapter 2.13: Planned Unit Development District (PUD) and/or any of the use development standards included in Chapter 3: Standards For Specific Uses that do not apply to the PUD. Note, all standards in Chapter 3: Standards for Specific Uses shall apply to the PUD unless the PUD Ordinance specifically states that they do not apply.
 - 4) PUD Site Development Standards. An alphabetical list of the site standards that apply to development, such as accessory structures, architectural features, bufferyards, lighting, parking, setbacks, signs, etc. Note, all standards in Chapter 4: Site Development Standards shall apply to the PUD unless the PUD Ordinance provides alternative standards or if it specifically states that a standard does not apply.
 - 5) PUD Procedures. The procedures for the PUD that vary from Chapter 7: UDO Procedures. Note that procedures for the subdivision of land within the PUD shall follow Chapter 7: UDO Procedures of this UDO and shall not be varied unless a waiver is granted by the PC.



6) PUD Definitions. Any terms that are specific to the PUD that are not included in and/or vary from Chapter 9.02: Definitions shall be listed to aid in the interpretation of the ordinance.

2. Fees Required: \$500 + \$25/acre
3. Once the Administrator confirms application is complete, file number and public file created.
4. Internal Review by Technical Advisory Committee (TAC), or Design Review Committee (DRC) if property is within CPOD.
5. Comments from internal review will be shared with the applicant to make necessary modifications to the application materials to satisfy the Administrator and resubmit the plans for review.

C. PUBLIC HEARING:

1. The PC shall consider the zone map change at a public hearing. Applicant or their representative shall be in attendance.
2. PC will give its recommendation and within ten (10) business days after will certify that recommendation to the Danville Town Council.

D. FINAL ACTION BY TOWN COUNCIL:

1. The Town Council shall vote on proposed zone map change within ninety (90) calendar days.



Rezoning Checklist

The following requirements of the Unified Development Ordinance must be met before your application can be considered by the Danville Advisory Plan Commission. It is important that all requirements are met prior to applying for rezoning approval. An incomplete application will not be scheduled for hearing. If you have any questions about these requirements, please consult Plan Commission staff at 317-745-4180 Ext. 1101.

This checklist is to help you organize and complete your application. It is also to assist the Plan Commission staff in reviewing your submission.

COMPLETED CHECKLIST MUST BE SUBMITTED WITH APPLICATION.

The application for Zone Map Change shall include the following documents and information:

- ☐ (a) Application form.
- ☐ (b) Present use.
- ☐ (c) Present zoning classification.
- ☐ (d) Proposed use.
- ☐ (e) Proposed zoning classification.
- ☐ (f) Signature of property owners(s) or agent.
- ☐ (g) Authorization letter from property owner (if there is an agent).
- ☐ (h) A vicinity map showing property lines, thoroughfares, existing and proposed zoning, and such other items as may be required.
- ☐ (i) Letter of Intent.
- ☐ (j) A statement on how the proposed amendment relates to the comprehensive plan.
- ☐ (k) Separate written legal description.
- ☐ (l) Property inspection release.
- ☐ (m) A fee as established by the Town of Danville.
- ☐ (n) A parcel map and list identifying all property owners and their mailing addresses.
- ☐ (o) Sample notification letter.
- ☐ (p) Affidavit of written notification adjoining landowners filed before scheduled meeting.
- ☐ (q) Proof that the applicant has notified all interested parties deemed by State Statute and Plan Commission in the same manner as prescribed in the Rules of Procedure of the Town of Danville Advisory Plan Commission. Proof of notification shall be Certificate of Mailing.
- ☐ (r) Traffic Impact Study (if applicable).
- ☐ (s) Fiscal Impact Study (if applicable).
- ☐ (t) Before any zoning amendment is approved affecting any land within three hundred (300) feet of the centerline of a proposed new highway or highway for which changes are proposed, or within a radius of five hundred (500) feet from the point of intersection of the centerline with any public road or highway, the Plan Commission may require the applicant give notice by mail to the Indiana Department of Transportation.



Date of Hearing: _____ App No. _____ Fee: _____
Plan Commission Action: _____ Received by: _____

APPLICATION FOR APPROVAL (Check all that apply)

- ☐ Plat ☐ Replat ☐ Revision ☐ Amendment ☐ Minor Plat ☐ PUD
☐ SPR ☐ Rezone ☐ Exempt Subdivision

** Please fill out the form in its entirety*

Name (s) of Owner (s) _____

Address (s) _____

Phone (s) _____ Email (s) _____

Owners' Representative (Subdivider, if any) and /or Registered Engineer or Land Surveyor:

Address (s) _____

Phone (s) _____ Email (s) _____

I (We) do hereby apply for approval of the following described plat of a subdivision in accordance with the Subdivision Control Ordinance. I (We) am (are) the owner (s) of the real estate included in said subdivision.

Name of Subdivision: _____

Address of Subject Property: _____

Generally described as follows:

Area (in acres): _____ Number of Lots: _____

Existing Zoning District (if applicable to rezone): _____

Proposed Zoning District (if applicable to rezone): _____

Parcel ID#: _____ Current Zoning District _____

Feet of new streets to be dedicated to the public:

Feet of sanitary sewers to be dedicated to the public:

Feet of water main to be dedicated to the public:

Feet of storm sewer to be dedicated to the public:

The undersigned certifies that the above information is true and correct to the best of his (her) knowledge.

Signature of Owner/Applicant (s)

Title of Applicant

SAMPLE LEGAL NOTICE FOR PUBLICATION

Notice is hereby given that the Danville Board of Zoning Appeals will meet in the Council Chambers of the Danville Town Hall, 49 N. Wayne Street, Danville, Indiana at 6:00 PM on _____ to consider petition of _____ for a variance to allow _____ located at _____ Danville, Indiana.

The petition may be examined at the Danville Town Hall, 49 N. Wayne Street, Danville, Indiana 46122, between the hours of 8:00 AM and 4:00 PM, Monday through Friday. Written comments to a proposal may be filed with the Board of Zoning Appeals within ten (10) days at the above address and such comments will be considered.

At the above stated time and place you may appear and be heard.

THE DANVILLE BOARD OF ZONING APPEALS

SAMPLE LETTER FOR ADJACENT PROPERTY OWNERS

Must be sent to all property owners within a radius of 660 feet OR two properties deep, whichever is less.

[Date]

Dear Property Owner:

Please be advised that _____ has petitioned the Danville Plan Commission for approval to _____.
This property is located at _____, Danville, Indiana.

The petition may be examined at the Danville Plan Commission Office located at the Danville Town Hall, 49 North Wayne Street, Danville, Indiana, 46122, between the hours of 8:00 AM and 4:00 PM, Monday through Friday. Written comments regarding a petition may be filed with the Secretary of the Plan Commission within ten (10) days at the above address and such comments will be considered.

A public hearing shall be held by the Danville Plan Commission at 7:00 PM on _____ in the Town Hall located at 49 North Wayne Street, Danville, Indiana, at which time this petition shall be considered.

Sincerely,

Petitioner's Name

Address

Phone

SAMPLE AREA MAP



All owners of land to a depth of six hundred and sixty (660) feet or to a depth of two (2) ownerships of the property subject to this application, must be noticed.



Subject Property



660' Buffer around subject property/properties that may be notified

Creating Area Map for Notices

1. Go to: <https://beacon.schneidercorp.com>
2. Select "Indiana", then "Town of Danville" and the search property page will appear.
3. Search property as follows:
 - a. Searching by Name (Last First): Smith John
 - b. Searching by Address: 123 E Main St or 123 E County Road 75 S
 - c. Searching by state parcel: 32-11-03-123-0001-123
4. Select "Map" tab at the top of report page (Parcel should be highlighted)
5. Above picture should appear a row of tools
6. Select "Spatial selection tool) from tool bar
7. Select "Parcels" from dropdown menu
8. Replace "100" with "660", then click "Buffer"
9. Map will re-adjust and select all parcels within the set parameters
10. Print the map by selecting "Print" from the tool bar
11. Select "Results" tab at top of page
12. At bottom of results page, download Excel (.xlsx) sheet
13. Submit a copy of this report and map at the time of application submittal