



Department of Planning & Development
 200 3rd Street North
 Fargo, ND 58102
 Office: (701) 241-1474
 Fax: (701) 241-1526

**APPLICATION FOR ZONING MAP AMENDMENT
 (CHANGE IN ZONING)**

To: Board of City Commissioners
 Fargo, North Dakota

We, whose signatures appear on this petition, certify that we own the lots or parcels of land described following the names subscribed hereto, and;

We respectfully petition the Board of City Commissioners to take such action as may be required by law to amend the Zoning District Map of the City of Fargo, as follows:

To change the zoning of the following legally described property:

From _____

To _____

Property Address: _____

We understand that if this change in zoning is approved and made as petitioned, there can be no restrictions placed upon the use of the property above described, except such restrictions as are contained in the Land Development Code of the City of Fargo, which defines the legal uses of property located within the particular zoning to which we now petition the above described property be changed, and that any representations made to secure signatures to this petition which infer or promise to limit the use of such property contrary to the provisions contained in the Land Development Code of the City of Fargo are, and can be, of no binding force or effect.

Applicant (signature): X

Applicant (printed): _____

Applicant Address: _____

Applicant Phone: _____

FOR PLANNING OFFICE USE ONLY	
Date Filed:	_____
\$300.00 Filing Fee	_____
Planning Office Contact	_____
Accelerated	<input type="checkbox"/> Yes <input type="checkbox"/> No

CHECKLIST FOR ZONING MAP AMENDMENT

§20-0906 Zoning Map Amendments

1. Any application for development review or approval must be filed by the person having legal authority to take action in accordance with the approval sought. Unless otherwise expressly stated, that person is presumed to be the record owner, purchaser under a sale from the record owner, or the duly authorized agent of the record owner in the absence of satisfactory proof to the contrary. City officials are authorized to require proof of legal authority to take the action sought. §20-0901-A.
2. No zoning map amendment application may be accepted for land that is not covered by an approved Area Plan. If the subject property is not included in an approved Area Plan, an Area Plan must be submitted for review and approval before or concurrently with the zoning map amendment application. §20-0905-A.
3. NOTICES: All notices required under the LDC must (1) indicate the time and place of all scheduled public hearings: (2) describe the property involved in the application by street address and legal description: (3) describe the nature, scope, and purpose of the proposal: and (4) indicate the location and source of additional information on the proposal.
 - a. Written Notice. When the LDC requires written notice to be provided, the City Planner shall provide written notice by first class mail to all owners of the subject property and all property owners within 300 feet of the subject property. The notice shall be deposited in the U.S. mail at least 15 days before the first scheduled public hearing.
 - b. Published Notice. When the LDC requires published notice, the City Planner shall ensure that notice is published in the newspaper at least once each week for 2 successive weeks preceding the date of the first scheduled public hearing. §20-0901-F.
4. PROTEST PETITIONS:
 - a. Valid Protest Petition: In order to be “valid”, a protest petition must be signed by the owners of 20% or more: (a) of the area of the lots included in the area proposed to be changed or (b) of the area adjacent and extending 300 feet from the land area proposed to be changed, excluding the width of streets. “Valid” protest petitions must contain the signature and address of each protesting property owner, and the location of property owned by each protestor shall be shown on a map attached to the written petition.
 - b. Super-majority vote required. If a valid protest petition is submitted to the City Planner before the scheduled public hearing of the Board of City Commissioners, approval of a zoning map amendment shall require a favorable vote of $\frac{3}{4}$ of all the members of the Board of City Commissioners. §20-0906-G.
5. Planning Commission will hold a public hearing on the application and make a recommendation to the City Commission.
6. The City Commission will hold a public hearing on the application and shall act to approve or deny the zoning map amendment.
7. REVIEW CRITERIA: Proposed zoning map amendments that satisfy all of the review criteria may be approved: §20-0906 (1-4).
 - 1) The requested zoning change is justified by a change in conditions since the previous zoning classification was established or by an error in the zoning map;
 - 2) The City and other agencies will be able to provide necessary public services, facilities, and programs to serve the development allowed by the new zoning classification at the time the property is developed;
 - 3) The approval will not adversely affect the condition of value of property in the vicinity; and;
 - 4) The proposed amendment is consistent with the purpose of this Land Development Code, the applicable Area Plan, and other adopted policies of the City.