



CITY OF SEDALIA

Planning and Zoning Commission

The following policy is adopted by the City of Sedalia Planning and Zoning Commission in order to alert the public to the tests which will be applied to rezoning applications and in an effort to minimize time spent by the Commission in consideration of such zoning changes. It is based on clear and unequivocal court guidance as to what is and is not legal.

No proposed zoning amendment will receive favorable recommendation unless;

- 1) The proposal will place all property similarly situated in the area in the same category, or in appropriate complementary categories.
- 2) There is convincing demonstration that all uses permitted under the proposed district classification would be in the general public interest and not merely in the interest of an individual or small group.
- 3) There is convincing demonstration that all uses permitted under the proposed district classification would be appropriate in the area included in the proposed change. (When a new district designation is assigned, any use permitted in the district is allowable, so long as it meets district requirements, and not merely uses which applicants state they intend to make of the property involved.)
- 4) There is convincing demonstration that the character of the neighborhood will not be materially and adversely affected by any use permitted in the proposed change.
- 5) The proposed change is in accord with the comprehensive plan and sound planning principles.

The purpose of Zoning is to promote the health, safety, morals and the general welfare of the community. The Planning and Zoning Commission must bear in mind that the issue before them is "What is best for the people in the community" and never the loss to a particular individual.

Zoning regulations are made in accordance with a comprehensive plan. Such regulations are uniform for each class or kind of buildings throughout each district but may differ from district to district. The regulations are designed to:

- a) Lessen congestion in the streets;
- b) Secure safety-from fire, panic, and. other dangers;
- c) Promote health and the general welfare;
- d) Provide adequate light and air;
- e) Avoid undue concentration of population;
- f) Preserve features of historical significance
- g) Facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements;
- h) Conserve the value of buildings;
- i) Encourage the most appropriate use of land throughout the municipality.

The following "check list for zoning" will be used when considering each application for zoning change:

- 1) Is the rezoning request in line with the City Plan and its land use recommendations?
- 2) Would approval of the rezoning request conform to present and future traffic considerations?

- 3) If there is a need for additional land space-to be zoned as requested, should the rezoning be done only in the areas requested or would the public interest be better served if the rezoning were done-in other areas of the city?
- 4) Would granting of the rezoning request adversely affect property values of adjacent land owners to an unreasonable degree?
- 5) Could adequate parking space be provided in accordance with the requirements of the zoning district classification into which this rezoning request would be placed?
- 6) Would this rezoning request place undue hardships on adjacent land owners, such as noise, odor, dust, lighted display signs, or other nuisances?
- 7) Would this rezoning request raise legal questions such as spot zoning, violation of precedents, or rule of "reasonableness?"
- 8) Does this rezoning request appear to be "speculative" in nature?
- 9) If the rezoning request were granted, would the necessary utilities, such as transportation, rail, truck, air, water, sewer, electricity, telephone, or gas be available to serve the purpose intended?
- 10) Could the Commission suggest other areas for this use which would eliminate the proposed necessity for this rezoning?

The Planning and Zoning Commission is established under Sections 2-583 through 2-593 of the Sedalia City Code. Chapter 64 of the Code covers definitions and implementation of Zoning regulations.

## REQUESTS FOR REZONING

### CITY OF SEDALIA

For the betterment of the community, the City of Sedalia has planning and zoning of all property within the city limits. Planning is provided according to a comprehensive plan for the city as adopted by the City Council, while zoning is according to districts.

In general terms, all zoning is residential, commercial, or industrial. A specified use for a parcel of land would fall into a specific district within these broad categories. Besides use of land, districts also regulate the height and size of buildings, the size of unoccupied adjoining space to a building, parking, noise level, and placement of signs. "Planned District" also consider such things as topography, drainage, and placement of streets.

Within the different districts of the city, single-family residential is generally considered the highest, as it is the most restricted. At present, most of the land may be put to a use of any higher district than the district in which it lies.

The zoning of all land within the city is contained in the "Zoning District Map," which is kept by the city and is available to anyone who wishes to see it. Any request for a change in the zoning of land is begun by filling out an "Application for an Amendment to the Zoning District Map."

The following is a list of steps to be followed in requesting a change in zoning.

1. After consulting the City Community Development Department, an application packet is obtained from the department.
2. The owner of the property for which rezoning is being request, or his agent, completes the application.
3. The completely and correctly filled out application is turned in to the Community Development Department with \$300.00 remittance to cover advertising, certified letters and clerical costs, 30 days prior to the hearing date.
4. After verification of the application, the applicant is then notified by the Community Development Department of a hearing date before the Planning & Zoning Commission. Meeting dates are specially called - the first Wednesday of each month.
5. At least fifteen days prior to the hearing, notice of its time and place is published in the newspaper.
6. The city will be responsible for mailing notices of public hearing by Certified Mail Return Receipt requested to all owners of land within 185 feet of proposed property. The notice may be sent anytime in advance of the 10 day minimum.
7. After the final Commission hearing on a rezoning request, the Commission approves or denies the request and recommends one of these actions to the City Council. The recommendations are then sent to the Mayor's Office to be placed on the council agenda for council action at the next regular meeting.

If the owners of at least thirty (30) percent of the land within 185 feet parallel to the boundaries of the land to be rezoned, sign and notarize a protest against such rezoning, then Council approval shall consist of a favorable 2/3 percent majority of the City Council.

CITY OF SEDALIA

Planning and Zoning Commission  
*Application for an Amendment to the Zoning District Map*

The following procedure must be followed by applicants for rezoning or special use permit:

1. Applicant must properly complete the attached form.
2. Applicant must attach a letter of justification explaining how this zoning change will benefit the City and the surrounding area.
3. A fee of \$300.00 must be paid when the application is submitted. This fee is used to defray the costs of placing the public notice in the local newspaper, mailing of certified letters, as well as clerical work involved.
4. When the applicant is an agent, rather than owner, he shall submit with the application a letter from the owner acknowledging him as agent and setting forth any restrictions upon that agency, such as time limitations and authority to agree to alternate zonings.
5. The application must be returned a minimum of 30 days prior to hearing date for proper verification. Meeting dates are specially called - the first Wednesday of each month.

**APPLICATION FOR AN  
AMENDMENT TO THE ZONING DISTRICT MAP**

Sedalia City Planning & Zoning Commission  
200 S. Osage Avenue  
Sedalia, Missouri 65301

<b>DO NOT WRITE IN THIS SPACE</b>	
Date of Public Hearing	_____
Date Submitted	_____
Date Advertised	_____
Date of Mailing	_____
Checked By	_____
Receipt No.	_____
Commission Action	_____
Council Action	_____

1. Applicant's Name \_\_\_\_\_
2. Applicant's Address \_\_\_\_\_
3. Telephone Number (Home) \_\_\_\_\_ (Business) \_\_\_\_\_
4. Present Zoning \_\_\_\_\_ Requested Zoning \_\_\_\_\_
5. Legal Description of property requested to be rezoned, with street address or location:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
6. Area of subject property, square feet and/or acres \_\_\_\_\_
7. Present Use of subject property \_\_\_\_\_
8. Desired use of subject property \_\_\_\_\_
9. What is the present use of the adjoining properties? North \_\_\_\_\_  
South \_\_\_\_\_ East \_\_\_\_\_ West \_\_\_\_\_
10. How can you justify the proposed zoning change? (To answer this question, see Page 1, Item 2)
11. Time schedule for development \_\_\_\_\_
12. Is property in a flood plain district? If yes, please indicate applicable FEMA Map applicable zone \_\_\_\_\_ Has base flood elevation been established? \_\_\_\_\_  
If yes, please explain how such elevation was determined. \_\_\_\_\_  
\_\_\_\_\_
13. Public Utilities available at site: Sewer \_\_\_\_\_ " at \_\_\_\_\_  
\_\_\_\_\_ Water \_\_\_\_\_  
at \_\_\_\_\_  
Natural Gas \_\_\_\_\_ " at \_\_\_\_\_  
\_\_\_\_\_ Electric \_\_\_\_\_  
at \_\_\_\_\_
14. Exhibits furnished \_\_\_\_\_
15. \_\_\_\_\_  
Signature of Applicant \_\_\_\_\_ Address of Applicant \_\_\_\_\_
16. Relationship of applicant to property: Owner \_\_\_\_\_ Agent \_\_\_\_\_
17. Other \_\_\_\_\_  
(Explain)