



# Town of Bartonville

## Application for Zoning Text Amendment

All applications must be submitted in accordance with the Submission Schedule attached hereto.

Applicant: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

Email: \_\_\_\_\_

Zoning Text Amendment: \_\_\_\_\_

I hereby certify that the information concerning this proposed zoning text change is true and correct.

Signature of Applicant/Owner

Date

**STAFF USE ONLY:**

Date Submitted: \_\_\_\_\_ Fee Paid: \_\_\_\_\_

Accepted By: \_\_\_\_\_ Check No. : \_\_\_\_\_

P & Z Public Hearing: \_\_\_\_\_

Council Public Hearing: \_\_\_\_\_

C. Classification of New/Unlisted Uses - It is recognized that new types of land use will arise in the future, and forms of land use not presently anticipated may seek to locate in the Town of Bartonville. In order to provide for such changes and contingencies, a determination as to the appropriate classification of any new or unlisted form of land use in the Land Use Charts (Appendix C) shall be made as follows:

1. Initiation:

a. A person, Town department, the Planning and Zoning Commission, or the Town Council may propose zoning amendments to regulate new and previously unlisted uses.

b. A person requesting the addition of a new or unlisted use shall submit to the Town Secretary, or his/her designee, all information necessary for the classification of the use, including but not limited to:

1. The nature of the use and whether the use involves dwelling activity, sales, services, or processing;
2. The type of product sold or produced under the use;
3. Whether the use has enclosed or open storage and the amount and nature of the storage;

4. Anticipated employment typically anticipated with the use;
5. Transportation requirements;
6. The nature and time of occupancy and operation of the premises;
7. The off-street parking and loading requirements;
8. The amount of noise, odor, fumes, dust, toxic materials and vibration likely to be generated;
9. The requirements for public utilities such as sanitary sewer and water and any special public services that may be required; and
10. Impervious surface coverage.

2. The Town Secretary, or his/her designee, shall refer the question concerning any new or unlisted use to the Planning and Zoning Commission requesting a recommendation as to the zoning classification into which such use should be placed. The referral of the use interpretation question shall be accompanied by the statement of facts in Subsection b. above. An amendment to this Ordinance shall be required as prescribed by Appendix A.

3. The Planning and Zoning Commission shall consider the nature and described performance of the proposed use and its compatibility with the uses permitted in the various districts and determine the zoning district or districts within which such use is most similar and should be permitted (by right or by CUP).

4. The Planning and Zoning Commission shall transmit its findings and recommendations to the Town Council as to the classification proposed for any new or unlisted use. The Town Council shall approve or disapprove the recommendation of the Planning and Zoning Commission or make such determination concerning the classification of such use as is determined appropriate based upon its findings. If approved, the new or unlisted use shall be amended in the use charts of the Zoning Ordinance according to Appendix A.

5. Standards for new and unlisted uses may be interpreted by the Town Secretary, or his/her designee, as those of a similar use. When a determination of the appropriate zoning district cannot be readily ascertained, the same criteria outlined in Subsection b. above shall be followed for determination of the appropriate district. The decision of the Town Secretary, or his/her designee, may be appealed according to the process outlined in Subsections 2. through 4. above.