



City of Thorne Bay

120 Freeman Drive
Thorne Bay, AK 999109

PHONE: (907) 828-3380 FAX: (907) 828-3374 E-MAIL: cityclerk@thornebay-ak.gov

REZONING PETITION INSTRUCTIONS

| | |
|--------|--|
| STEP 1 | Petition. Forms are available to pick up in the Clerks Office at City Hall, 120 Freeman Drive, or on our website at www.thornebay-ak.gov/forms . |
| STEP 2 | Submit a letter of intent to the City Planning Official. The letter shall include the proposed rezone, and purpose for request. The City Planning Official may request a pre-conference with the applicant to discuss the intent of the rezoning. |
| STEP 4 | Complete Petition. A. Verify the following: Legal description and current zoning. B. Obtain a printout of the legal description and attach to the petition. C. Petitions shall be signed by 60 percent of the property owners within the area of the proposed rezone; D. Complete the Petition in its entirety; <i>incomplete or illegible petitions will be refused.</i> |
| STEP 5 | Following the pre-petition conference, submit the Petition to the City Clerk's Office at City hall along with a check payable to the City of Thorne Bay in the amount of \$50.00. |

| Official/Committee/Council | Meeting Date/Time |
|---|-------------------|
| Meeting with City Planning Official | |
| Petition Submitted on: | |
| First Commission Hearing on Rezone: | |
| City Council (Public Hearing(Final Action)) | |



PETITION FOR AMENDMENT OF ZONING INCLUDING REZONE

REQUIREMENTS

All petitions must be completed in full and filed with the City Clerk's Office, at City Hall, 120 Freeman Drive, Thorne Bay, AK 99919. ***Petitions that are incomplete or illegible will not be accepted.***

FEES

All petitions shall be accompanied by a check made payable to the City of Thorne Bay in the amount of fifty-dollars (\$50.00).

AUTHORIZATION

All petitions shall be signed by sixty percent of the property owners within the area of the proposed rezone. In addition to the necessary signatures the petition shall contain:

- A legal description of the property involved,
- The reasons for the proposed change,
- A fee of \$50.00 to cover property owner notification

NOTICE

Notice of the hearing shall be made by first class mail to property owners within three hundred feet of the exterior property boundary (one thousand feet in the South Thorne Bay Subdivision) and shall be posted in five public places no less than ten calendar days prior to the hearing date.

Notice shall contain:

- Time, date and place of hearing, name of applicant;
- The legal description of the property and a descriptive location of the property;
- A description of the intent and nature of the proposed change;
- The location where further information about the proposed change can be examined;
- An explanation of the appeal process.

Notices shall be sent to the most recent address on the city's utility listing or city records, and if needed the most current property owner listed in the State Recording office. Failure of a property owner to receive a notice shall not void a planning commission or city council decision if a good faith attempt was made to contact the property owner.

Chapter 17.04.046 Amendments to the Zoning Title Including Rezoning. Thorne Bay Municipal Code (Rev. 11/2018)

Chapter 17.04.046 Amendments to the Zoning Title Including Rezoning. Thorne Bay Municipal Code (Rev. 11/2018)



**PETITION FOR CHANGE TO ZONING
CITY OF THORNE BAY
AMENDMENT OF ZONING
OR REZONING**

Petition Sponsor (name and address):

Property Subject to Zone Amendment or Rezone: _____

Legal Description: _____

Is the consistent with the policies of the Comprehensive Plan? Yes No

Zoning Classification: _____

Proposed Zoning Classification: _____

Is the Rezoning consistent with Future Land Use Map of the Comprehensive Plan? Yes No

Property is Presently Used For: _____

Property is Proposed to be Used For: _____

Proposed Rezoning is Necessary Because (Detailed Answer): _____

Proposed Rezoning will not be Detrimental to the Neighborhood or Public Welfare Because
(Detailed Answer):



**PETITION FOR CHANGE TO ZONING
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Proposed Rezoning will not be Detrimental to the City's Long Range Comprehensive Plan Goals, Objectives, Actions and Policies Because (Detailed Answer):

The undersigned depose and state that we are the owners of the properties involved in this petition.

STATE OF ALASKA)
CITY OF THORNE BAY) ss.)
(telephone) (date)
(email)

Personally appeared before me this ____ day of _____, 20__, the above named individual(s), to me known to be the person who is sponsoring this petition, and known to be the person who executed the foregoing instrument and acknowledged the same.

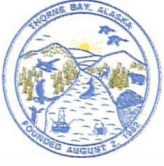
Notary Public
My Commission Expires: _____

PETITIONER SHALL, BEFORE FILING, HAVE PETITION REVIEWED AND INFORMATION VERIFIED BY THE CITY CLERK OR PLANNING OFFICIAL.

Review was made on the _____ day of _____, 20__.

Signed: _____

Planning Official or Designee



**PETITION FOR CHANGE TO ZONING
CITY OF THORNE BAY
AMENDMENT OF ZONING
OR REZONING**

17.04.046 AMENDMENTS TO THE ZONING TITLE INCLUDING REZONING.

A. Purpose.

At some point in time the city may want to amend this title or change the zoning of a particular area. to provide for changes as a result of changing economic arrangements and factors, and for changing public need, this title may need to be amended and/or a change of land use designation or rezone may be appropriate.

B. Procedure.

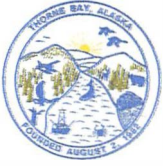
1. Initiation of Rezone or Title Amendment. Changes in the zoning may be initiated by:
 - a. The city council on its own motion with planning commission recommendation;
 - b. The planning commission on its own motion with city council approval;
 - c. By petition signed by sixty percent of the property owners within the area of the proposed rezone.

In addition to the necessary signatures the petition shall contain:

- i. A legal description of the property involved,
- ii. The reasons for the proposed change,
- iii. A fee to cover property owner notification.

C. Notification.

1. Notice of the hearing shall be made by first class mail to property owners within three hundred feet of the exterior property boundary (one thousand feet in the South Thorne Bay Subdivision) and shall be posted in five public places no less than ten calendar days prior to the hearing date.
2. **Notice shall contain:**
 - i. Time, date and place of hearing, name of applicant;
 - ii. The legal description of the property and a descriptive location of the property;
 - iii. A description of the intent and nature of the proposed change;
 - iv. The location where further information about the proposed change can be examined;
 - v. An explanation of the appeal process.
3. Notices shall be sent to the most recent address on the city's utility listing or city records, and if needed the most current property owner listed in the State Recording office. Failure of a property owner to receive a notice shall not void a planning commission or city council decision if a good faith attempt was made to contact the property owner.
 - i. A copy of the property owner notification list shall be kept in the file along with a notarized affidavit that notification letters were sent.
 - ii. A copy of the resolution approving or denying the application shall be sent to the applicant and to any other affected person who requests a resolution in writing.



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D. Planning Commission Recommendation.

1. The planning commission shall review the proposed change at a scheduled public hearing and make a formal recommendation to the city council.
2. All formal actions of the planning commission shall be made by a resolution conforming to Section 2.48.080.
3. The planning commission must ascertain the effect the rezone or title amendment will have on the comprehensive plan and property values in the surrounding area or neighborhood.
4. The planning commission must determine the necessity and justification for the title change or rezone.
5. The planning commission must decide whether the proposed change in title or rezone would be in the public interest that a change in zone would not rezone an area not included in the proposal, and the rezone shall not be less restrictive than the current zone.

E. City Council Action.

1. The planning commission shall submit their findings after a public hearing in the form of a resolution to the city council.
2. The city council will schedule a public hearing to consider the planning commission recommendation. The public hearing will be scheduled at the first regularly scheduled meeting of the city council that will allow for proper notification. Notification shall be as written in subsection (c)(2) of this section.
3. For the public hearing, the city clerk shall prepare an ordinance that will state the proposed amendment to the title. The proposed ordinance will be available for introduction at the public hearing.
4. Title changes that results in a zoning map change shall be identified by legal description. The change in the official zoning map or maps will be made by the city zoning official. (Ord. 17-06-06-01, prior Ordinances: (Ord. 93-23 § 6(part), 1993)