

# **CHANGE OF ZONING CLASSIFICATION**

## **WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING DEPARTMENT**

### **INSTRUCTIONS FOR FILING AN APPLICATION**

The Unified Zoning Code (UZO) lists specific uses that are permitted for each zoning district. If the intended use of a property is not permitted by the property's current zoning classification, the applicant may request a change of zoning classification for the property. The development proposed by a change of zoning classification should be consistent with the purposes of the Unified Zoning Code and the Comprehensive Plan. The development also should be appropriate to the neighborhood and conditions and safeguards should be provided to ensure that the development will minimize any diminution in value of surrounding property and to ensure the proposed development can be adequately served by public facilities. To provide information on the capacity of streets and other facilities serving a property, the Planning Director may require the applicant to conduct a traffic impact study or other infrastructure capacity analyses to provide information on the development's expected impact on existing or planned facilities. Other plans, drawings or information that are deemed necessary to enable proper consideration of the request also may be required. Failure to provide required information in a timely manner may result in deferral of the case and a deferral fee as outlined in Section 10 below.

1. All applicants desiring to submit a request for change of zoning classification should consult with the Metropolitan Area Planning Department (MAPD) prior to submitting a formal application. The purpose of the consultation is to determine the appropriate zoning classification for the proposed use and to advise the applicant of the rights and responsibilities of submitting such an application.
2. A change of zoning classification is referred to the Metropolitan Area Planning Commission (MAPC) for a public hearing. The MAPC may recommend approval, approval with conditions or modifications, or denial of the request. The MAPC typically meets twice a month on Thursdays in the 2<sup>nd</sup> Floor Conference Room at The Ronald Reagan Building, 271 W. 3<sup>rd</sup> Street. Refer to the MAPC calendar of public hearing dates to determine the application deadline by which an application must be submitted to be heard on a specific date. It is the policy of the MAPC to consider no more than nine (9) new applications at any regular meeting; therefore, processing of an application may be delayed if too many new applications are received for a specific public hearing date.
3. If the subject property is within the "Area of Influence" of a small city, the application may be scheduled for consideration by the small city Planning Commission. Applicants may contact a small city for a schedule of that city's Planning Commission hearing dates.
4. The application may be scheduled for consideration by the District Advisory Board (DAB) for the City Council district in which the property is located or the Citizen Advisory Board for the County Commission district in which the property is located. The applicant will be notified approximately three weeks after submitting the application of the date and time of the DAB/CAB meeting, if the request is to be considered by the DAB/CAB.
5. The MAPC, small city, and DAB/CAB action on a change of zoning classification request is a recommendation that is forwarded to the Governing Body for final action. The Governing Body typically considers change of zoning classification requests one month after the MAPC public hearing.
6. The applicant shall submit a completed application form for a change of zoning classification request. The application must be signed by all property owners and by the authorized agent(s) of such owner(s).
7. An application for approval of a change of zoning classification shall be accompanied by a current ownership list certified by a title company containing a legal description of the area in the application as well as the name and mailing address of the owner, and shall include the names and mailing addresses (with zip codes) of all property owners within the following prescribed distance measured from the perimeter of the application area:

For applications within unincorporated Sedgwick County:      1,000 feet

For applications within the City of Wichita, the notification distance is based on the size of the property as follows:

Up to and including 1 acre:	200 feet
Over 1 acre to 6 acres:	350 feet
Over 6 acres to 15 acres:	500 feet
Over 15 acres to 25 acres:	750 feet
Over 25 acres:	1000 feet

8. In accordance with local policy, the applicant shall post one or more development application signs on the application site for at least 13 days immediately prior to the scheduled public hearing of the application request. Signs shall be purchased from the MAPD when the application is filed. The fee for each sign is \$5, and one sign is required for each street frontage.
9. An application for change of zoning classification shall be accompanied by the appropriate filing fee. The fee is based on the zoning district being requested and the size of the application area and is determined as follows;

RR, SF-20, SF-10, SF-5, TF-3	\$600 + \$30/Acre + sign fee
MF-18, MF-29 B, MH, U, NO, GO, NR	\$900 + \$30/Acre + sign fee
LC, GC, CBD, OW, IP, LI, GI, AFB	\$1,200 + \$30/Acre + sign fee

All checks should be payable to the "City of Wichita", which acts as agent for the MAPD.

10. Request for a deferral of the hearing of any change of zoning classification shall be submitted to the MAPD at least 7 days prior to the scheduled hearing date. To cover the cost of preparing and mailing new notices, persons requesting a deferral will be charged a fee as follows:

Deferral	\$150
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11. All application materials and the filing fee are submitted at the MAPD, which is located on the 2<sup>nd</sup> floor of The Ronald Reagan Building, 271 W. 3<sup>rd</sup> Street and is open from 8 a.m. to 5 p.m. Monday thru Friday, excluding holidays. Applications should be submitted no later than 4 p.m. to allow time for application review and processing prior to the close of business. Incomplete applications will not be accepted. Refer to the MAPC calendar of public hearing dates to determine the application deadline by which a change of zoning classification application must be submitted to be heard on a specific date. Questions regarding the application process may be directed to the MAPD at (316) 268-4421.

## **CHANGE OF ZONING CLASSIFICATION CHECKLIST OF REQUIRED APPLICATION MATERIALS**

- Application form
- Other plans, drawings, or information required at pre-application consultation ( if not applicable)
- Certified ownership list (original document and electronic copy)
- Filing fee

Note: When applying, please have yourself or your representative present during the processing of the application in case planners have questions or to correct possible errors on the application.

# APPLICATION

This form MUST be completed and filed at the Planning Department located on the 2nd floor of The Ronald Reagan Building, 271 W. 3rd Street, Wichita, KS, 67202 in accordance with directions on the accompanying instruction sheet. AN INCOMPLETE APPLICATION CANNOT BE ACCEPTED. Check the appropriate box for type of application being submitted. A separate application form and filing fee is required for each application. A pre-application conference with the planning staff is recommended before filing this application.

## SECTION I

This property is located within:  Wichita  Sedgwick County (unincorporated)

### Metropolitan Area Planning Commission:

- Zone Change: From zoning district: \_\_\_\_\_ to \_\_\_\_\_
- Planned Unit Development:  Approval  Amendment to PUD \_\_\_\_\_  Adjustment to PUD \_\_\_\_\_
- Community Unit Plan:  Approval  Amendment to CUP \_\_\_\_\_  Adjustment to CUP \_\_\_\_\_
- Protective Overlay:  Approval  Amendment to PO \_\_\_\_\_  Adjustment to PO \_\_\_\_\_
- Conditional Use: To allow: \_\_\_\_\_ zone district: \_\_\_\_\_  
 Adjustment to CU/CON#: \_\_\_\_\_
- Vacation of: \_\_\_\_\_ zone district: \_\_\_\_\_  
*(Use a separate sheet for legal description, if necessary)*
- Administrative Permit: To allow: \_\_\_\_\_-foot high wireless communication facility. zone district: \_\_\_\_\_
- Off-Site Billboard Sign within \_\_\_\_\_ feet of a residential lot/structure. zone district: \_\_\_\_\_

### Board of Zoning Appeals:

- Variance: To allow: \_\_\_\_\_ zone district: \_\_\_\_\_
- Appeal of: \_\_\_\_\_ zone district: \_\_\_\_\_
- Zoning Adjustment: To allow: \_\_\_\_\_ zone district: \_\_\_\_\_
- Sign Code Adjustment: To allow: \_\_\_\_\_ zone district: \_\_\_\_\_

## SECTION II

1. The application area is legally described as Lot(s) \_\_\_\_\_; Block(s) \_\_\_\_\_, \_\_\_\_\_ Addition, (Wichita) Sedgwick County, KS. If appropriate, a metes and bounds description may be attached.
2. The application area contains \_\_\_\_\_ acres.
3. This property is located at (address) \_\_\_\_\_ which is generally located at (relation to nearest streets) \_\_\_\_\_
4. We are filing this request for the following reasons: \_\_\_\_\_
5. County control number: \_\_\_\_\_

6. The names of the owners of all property included in this application MUST be listed as applicants. Contract purchasers, lessees or others directly associated with the property may also be listed if they desire to be advised of the proceedings. (Use a separate sheet for additional applicants if needed.)

A. Applicant \_\_\_\_\_ Phone \_\_\_\_\_  
 Address \_\_\_\_\_ Zip Code \_\_\_\_\_  
 Email Address \_\_\_\_\_

Agent \_\_\_\_\_ Phone \_\_\_\_\_  
 Address \_\_\_\_\_ Zip Code \_\_\_\_\_  
 Email Address \_\_\_\_\_

B. Applicant \_\_\_\_\_ Phone \_\_\_\_\_  
 Address \_\_\_\_\_ Zip Code \_\_\_\_\_  
 Email Address \_\_\_\_\_

Agent \_\_\_\_\_ Phone \_\_\_\_\_  
 Address \_\_\_\_\_ Zip Code \_\_\_\_\_  
 Email Address \_\_\_\_\_

C. Applicant \_\_\_\_\_ Phone \_\_\_\_\_  
 Address \_\_\_\_\_ Zip Code \_\_\_\_\_  
 Email Address \_\_\_\_\_

Agent \_\_\_\_\_ Phone \_\_\_\_\_  
 Address \_\_\_\_\_ Zip Code \_\_\_\_\_  
 Email Address \_\_\_\_\_

7. We acknowledge receipt of the instruction sheet explaining the method of submitting this application. We realize that this application cannot be processed unless it is completely filled in; is accompanied by a current abstractor's certificate as required in the instruction sheet; and is accompanied by the appropriate fee. We further certify that the foregoing information is true and correct to the best of our knowledge. We authorize unannounced inspections of the subject property by City and/or County staff for the purpose of collecting information to review and analyze this request. We acknowledge that the MAPC, Governing Body, or Board of Zoning Appeals shall have authority to impose such conditions as it deems necessary in order to serve the public interest and welfare.

\_\_\_\_\_ By \_\_\_\_\_  
 Applicant's signature Authorized Agent (if any)

\_\_\_\_\_ By \_\_\_\_\_  
 Applicant's signature Authorized Agent (if any)

\_\_\_\_\_ By \_\_\_\_\_  
 Applicant's signature Authorized Agent (if any)

The Petition must bear the signature(s) of the property owner(s). If an authorized agent signs on the owner's behalf, the agent shall sign his own name and attach the owner's written notarized authorization to this application.

**FOR OFFICE USE ONLY**

Map \_\_\_\_\_ Zoning (N) \_\_\_\_\_ (S) \_\_\_\_\_ (E) \_\_\_\_\_ (W) \_\_\_\_\_ MAPC/BZA \_\_\_\_\_ Township \_\_\_\_\_  
 Council/Commission District \_\_\_\_\_ DAB \_\_\_\_\_ Sm. City PC \_\_\_\_\_  
 NA/HOA \_\_\_\_\_  
 Date \_\_\_\_\_ Fee \_\_\_\_\_ Received By \_\_\_\_\_

Required Documents:

- Ownership List  BZA Justification  Legal Description  Vacation Petition  Site Plan  Signs

**WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING COMMISSION  
and BOARD OF ZONING APPEALS  
2022 CALENDAR**

**The Ronald Reagan Building, 271 West 3<sup>rd</sup> Street, Second Floor, Ste. 203, Wichita, Kansas**

<b>CLOSING DATE (By 4:00 p.m.)</b>	<b>NOTICE TO OFFICIAL NEWSPAPER (By 9:00 a.m.)</b>	<b>ADVERTISING DATE (No Later Than Thursday)</b>	<b>SUBDIVISION COMMITTEE HEARING DATE (Thursday at 9:30 a.m.)</b>	<b>MAPC/BZA HEARING DATE (Thursday at 1:30 p.m.)</b>
November 29, 2021	December 13, 2021	December 16, 2021	December 22, 2021	January 6, 2022
December 13, 2021	December 27, 2021	December 30, 2021	January 13, 2022	January 20, 2022
December 27, 2021	January 10, 2022	January 13, 2022	January 27, 2022	February 3, 2022
January 10, 2022	January 24, 2022	January 27, 2022	February 10, 2022	February 17, 2022
January 24, 2022	February 7, 2022	February 10, 2022	February 24, 2022	March 3, 2022
February 7, 2022	February 21, 2022	February 24, 2022	March 10, 2022	March 17, 2022
February 28, 2022	March 14, 2022	March 17, 2022	March 24, 2022	April 7, 2022
March 14, 2022	March 28, 2022	March 31, 2022	April 14, 2022	April 21, 2022
March 28, 2022	April 11, 2022	April 14, 2022	April 28, 2022	May 5, 2022
April 11, 2022	April 25, 2022	April 28, 2022	May 12, 2022	May 19, 2022
April 25, 2021	May 9, 2022	May 12, 2022	May 26, 2022	June 2, 2022
May 9, 2022	May 23, 2022	May 26, 2022	June 09, 2022	June 16, 2022
May 23, 2022	June 13, 2022	June 16, 2022	June 23, 2022	July 7, 2022
June 13, 2022	June 27, 2022	June 30, 2022	July 14, 2022	July 21, 2022
June 27, 2022	July 11, 2022	July 14, 2022	July 28, 2022	August 4, 2022
July 11, 2022	July 25, 2022	July 28, 2022	August 11, 2022	August 18, 2022
July 25, 2022	August 8, 2022	August 11, 2022	August 25, 2022	September 1, 2022
August 8, 2022	August 22, 2022	August 25, 2022	September 8, 2022	September 15, 2022
August 29, 2022	September 12, 2022	September 15, 2022	September 22, 2022	October 6, 2022
September 12, 2022	September 26, 2022	September 29, 2022	October 13, 2022	October 20, 2022
September 26, 2022	October 10, 2022	October 13, 2022	October 27, 2022	November 3, 2022
October 10, 2022	October 24, 2022	October 27, 2022	November 10, 2022	November 17, 2022
October 24, 2022	November 7, 2022	November 10, 2022	November 23, 2022	December 1, 2022
November 7, 2022	November 18, 2022	November 23, 2022	December 8, 2022	December 15, 2022
November 28, 2022	December 12, 2022	December 15, 2022	December 21, 2022	January 5, 2023
December 19, 2022	December 30, 2022	January 5, 2023	January 12, 2023	January 19, 2023
December 30, 2022	January 13, 2023	January 19, 2023	January 26, 2023	February 9, 2023
January 13, 2023	January 30, 2023	February 2, 2023	February 16, 2023	February 23, 2023
January 30, 2023	February 13, 2023	February 16, 2023	March 2, 2023	March 9, 2023
February 13, 2023	February 24, 2023	March 2, 2023	March 16, 2023	March 23, 2023

The MAPC and the BZA meet at 1:30 p.m. on the dates indicated above. If you have questions contact the Metropolitan Area Planning Department at (316) 268-4421.

Red = date adjustment due to holiday