



*A desirable place to live, work and play; rich in history and small town values!*

Dear Applicant,

Thank you for taking the time to consult the Community Development Department in regards to an application for a Zone Change.

If you decide to proceed with the application, we need you to schedule a meeting with the Community Development Director prior to submitting your application. We have prepared an overview of the application process to assist you.

Planning and Zoning Board meetings are held on the third Thursday of each month in the City Commission Room at 2:00 p.m.

City Commission meetings are held on the second and fourth Tuesday of each month in the City Commission Room at 6:00 p.m.

By City of Aztec Code we are required to issue notifications to all landowners within 100 feet of your property boundary and place a legal advertisement prior to your request going before the Planning and Zoning Board.

Your request will also go through a review process within City of Aztec departments prior to notifications being sent out. We will then place this request on the Planning and Zoning Board agenda once the time for review and notifications have been identified.

If you have any questions, please do not hesitate to call. We look forward to hearing from you.

Sincerely,  
Community Development Office  
(505) 334-7604



## CITY OF AZTEC ZONE CHANGE PROCESS

---

- Step 1** Schedule a meeting with the Community Development Director to review your zone change request (505) 334-7604.
- Step 2** Turn in completed application and items on the attached *Zone Change Application Checklist* to the Community Development Department.
- Step 3** The Community Development Department will send out land notifications to property owners within 100 feet of your property boundary.
- Step 4** Once all fees and documentation has been received, the Zone Change Application will be placed on the next Planning and Zoning Board agenda as a Land Use Hearing item.
- Step 5** Planning and Zoning Board meetings are held the third Thursday of the month at City Hall Commission Room at 2:00 p.m. The City Commission meetings are the second and fourth Tuesday of the month and will meet at City Hall Commission Room at 6:00 p.m.
- Attendance is required by the applicant or by an authorized representative; applicants wishing to be represented by another party must submit this authorization to the Community Development Department in writing.
  - Failure to appear at the meeting may cause the Zone Change Application to be postponed until the next regularly scheduled Planning and Zoning Board meeting.
  - The Planning and Zoning Board will make a ruling upon the Findings of Fact and Conclusions of Law and will issue a Land Use Hearing Order recommendation to the City Commission to approve or deny the Zone Change request.
  - Recommendation from the Planning and Zoning Board will be placed on the Commission Consent Agenda for final approval from the Commission.



## CITY OF AZTEC ZONE CHANGE REQUIREMENTS

The requirements of a Zone Change are defined in Chapter 26 Land Use Regulations, Article IV., Division 2. An excerpt from Aztec Municipal Code which identifies the requirements of a Zone Change is included below for your reference. If you need assistance identifying the zone district of your property please consult the Community Development Office at (505) 334-7604.

### **Sec. 26-4-521. Process.**

1. Application. Application for the amendment of the Official Land Development Map or text of this Chapter shall be to the Municipality (Community Development Department, Planning Board, and City Commission). Required documents or information will include:
  - (1) A completed "Application For District Change" form;
  - (2) A recent survey;
  - (3) Legal description or proper street address of the subject property;
  - (4) Reason for the request to change the current district.
2. Publication and Notification. Public notification will be conducted by the Planning Department. Such notification will include all property owners within one hundred (100) feet of the exterior boundaries (excluding public right-of-way).
3. Fees. A non-refundable fee of the following will be charged (regardless of whether the application is approved or denied):

One acre or less:	\$250. <sup>00</sup>
One acre or more:	\$250. <sup>00</sup> plus \$5. <sup>00</sup> for each additional acre.
4. Approval or Denial. A request for change in any district can be denied by the City Commission based upon, but not limited to, the following circumstances:
  - (1) Failure to provide the proper documentation;
  - (2) Failure to meet the required deadline for public notification;
  - (3) Failure to demonstrate notification through certified mail of adjoining property owners within one hundred (100) feet of the area of proposed change;
  - (4) Presentation of written protest signed by the majority of owners that are within the proposed change or within one hundred (100) feet of the area proposed for change.
  - (5) The City Commission determines that the change could be detrimental to the surrounding area, or may have significant impact on the general health, safety, and/or welfare of property owners in the general area.
  - (6) That the request for change in type of district was not approved by the majority vote of the City Commission.
  - (7) Failure to pay the proper fee.
5. Duration. Once approved, the application of change of district will become part of the Official District Map and Regulation.



---

# CITY OF AZTEC

## ZONE CHANGE CHECKLIST

---

### Applicable Fees

Administrative Fee	\$10
Zone Change	\$250 (first acre)
	\$5 (for each additional acre)

### Detailed site map which includes the following:

- \_\_\_\_\_ Address of property and adjacent properties
- \_\_\_\_\_ Property boundary (all sides)
- \_\_\_\_\_ Existing or proposed street(s) adjoining property (labeled)
- \_\_\_\_\_ North arrow and scale
- \_\_\_\_\_ All utility easements
- \_\_\_\_\_ All utility lines
- \_\_\_\_\_ All utility meters
- \_\_\_\_\_ Existing and/or proposed structures
- \_\_\_\_\_ Location of improvement(s)
- \_\_\_\_\_ Setbacks for front, side and rear yards
- \_\_\_\_\_ Driveway location (required for new addresses)
- \_\_\_\_\_ Proposed parking area (if different than driveway)
- \_\_\_\_\_ Location of all drainages

### Ownership

\_\_\_\_\_ A document that verifies ownership or legal interest in the property (copy of abstract, title certificate, insurance, or contract).

### Legal Description

\_\_\_\_\_ Includes the legal description or physical address of the property.

### Proposed Use

\_\_\_\_\_ Statement describing the proposed use of the buildings, structures, premises, etc.



# CITY OF AZTEC ZONE CHANGE EVALUATION

Permit #: \_\_\_\_\_

1. Is the Zone Change detrimental to the property?  No  Yes
2. Is the Zone Change detrimental to surrounding properties or the neighborhood?  No  Yes
3. Does the Zone Change alter the character of the surrounding neighborhood?  No  Yes
4. Will the Zone Change set a precedent which may alter the intent of the Land Use regulations?  No  Yes
5. Does the Zone Change impose a health issue on the public?  No  Yes
6. Does the Zone Change impose a safety issue on the public?  No  Yes
7. Does the Zone Change have the approval of surrounding neighbors?  No  Yes
8. Will the Zone Change be consistent with the Aztec Comprehensive Plan and Master Zone District Map?  No  Yes
9. Is there an alternate Land Use Action that might be considered to accomplish the applicant's intent without altering the Zone District Map?  No  Yes



# CITY OF AZTEC ZONE CHANGE APPLICATION

Permit #: \_\_\_\_\_ Date Started: \_\_\_\_\_ Date Approved: \_\_\_\_\_ Fees Paid: \_\_\_\_\_

### PROPERTY OWNER CONTACT INFORMATION

Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Email: \_\_\_\_\_

### PROPERTY INFORMATION / DEVELOPMENT SITE

Address: \_\_\_\_\_  
Tax ID: \_\_\_\_\_ Parcel Size (ac): \_\_\_\_\_  
Current Zone District: \_\_\_\_\_  
Current Use: \_\_\_\_\_  
Proposed Zone District: \_\_\_\_\_  
Proposed Use: \_\_\_\_\_  
Flood Zone Designation: \_\_\_\_\_

### REASON FOR REQUESTING A ZONE CHANGE

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### APPLICANT SIGNATURE

I, \_\_\_\_\_ representing \_\_\_\_\_ hereby certify that I have read this application and hereby dispose and state under penalty of perjury that all statements, proposals, and documents submitted with this application are true and correct and that I shall adhere to the Municipal Regulations of the City of Aztec.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

### CITY of AZTEC USE ONLY

City Commission Meeting Date: \_\_\_\_\_

City Commission Action: \_\_\_\_\_ APPROVED \_\_\_\_\_ DENIED

### FEES ARE DUE PRIOR TO COMMISSION MEETING

Fees are: \$10 Administration Fee + \$250 first acre and \$5 each additional acre. **Total**  
\$ \_\_\_\_\_