

Information on Rezoning Protest Petitions

Who May Object to a Rezoning?

Anyone may attend any public hearing held by the Planning and Zoning Commission and the City Council on rezoning a piece of property. Everyone may hear the information presented, ask questions and speak for or against the rezoning proposal. Anyone may object to any rezoning of any property. This may be done either in person at the public hearings held by either the Planning and Zoning Commission or the City Council on that rezoning, or by sending a letter or a petition to the Commission or to the Council. All objections to a rezoning carry the weight of public opinion unless the objection is in the form of a legally binding protest petition as explained below.

What is a Legally Binding Protest Petition?

A legally binding protest petition is a petition that requires that six of the nine City Council members vote in favor of the rezoning in order for it to be approved. In order for the petition to be binding upon City Council, it must be signed by the owners of at least thirty percent (30%) of the property (total square footage) within 185 feet of the rezoning.

Who Should Sign a Legally Binding Protest Petition?

If you oppose the rezoning and if you own property that is all or partly within 185 feet of the rezoning, you may sign a legally binding protest petition. You will know that you own property within 185 feet if you have received a letter from the Planning and Development Department notifying you of the public hearings at the Planning and Zoning Commission and later at City Council. Petition forms are available in the City Clerk's Office or the Planning and Development Department, both located in the Busch Municipal Building. When the petition is completed, return it to the City Clerk's Office in the Busch Municipal Building prior to City Council's vote on the rezoning request.

What to Remember When Signing the Petition:

1. The petition must be signed exactly the way the property owner's name(s) appear on the deed. For example: if John D. Doe and Mary S. Dow appear on the deed, that is the way the signatures must read.
2. Each property owner must sign his or her name personally. Spouses cannot sign for each other.
3. A notary public must witness each signature.

If you have any questions about this procedure, call either the City Clerk's Office at 864-1653 or the Department of Planning and Development at 864-1611.