

Criteria Approval for Initial Zonings and Rezoning Section 146-401(c)(1-4)

When considering initial zoning or rezoning applications, the planning and zoning commission and city council, at their respective proceedings, shall use the following criteria to determine whether the rezoning shall be approved:

- 1. The applicant has demonstrated that the proposed initial zoning or rezoning is consistent with the spirit and intent of the city's comprehensive plan and with other policies and plans adopted by the city council; or**
- 2. The applicant has demonstrated that the proposed initial zoning or rezoning is compatible with surrounding development or that, through utilization of appropriate planning controls and techniques, the initial zoning or rezoning can be made compatible with surrounding development; or**
- 3. A need exists to correct an error.**
- 4. The city council and the planning commission are authorized to consider the past performance of an applicant in their consideration of any rezoning. The city council may deny any rezoning if the applicant or developer thereof is determined to be in violation of any requirements, conditions, or representations on a prior development.**