



## General Information and Application Instructions

Property owners requesting a plan amendment and/or change in zoning for their property must complete and submit this application to the Zoning Section office. Planners in the Zoning Section will perform a completeness review to ensure the submitted application is complete and all additional required documents are provided. **Any inaccurate or incomplete information provided by the applicant or agent may cause the application to be returned to the applicant and/or delay the scheduled hearing dates.**

Additionally, we encourage applicants to submit applications in-person. Applications submitted by mail or courier that subsequently are deemed incomplete, shall be returned to the applicant along with all accompanying payments, in accordance with the City of Von Ormy's cash-handling policy. Applications will not be accepted via fax or email.

**We encourage ALL applicants to speak with a Planner in the Zoning Section prior to completing and submitting this application. Such conversations can aid the applicant in determining Comprehensive Plan information, the zoning required for a proposed use, associated fees, possible timelines and other additional requirements that may arise during the application process.**

### THE PLAN AMENDMENT and REZONING PROCESS

The plan amendment and rezoning processes takes approximately 2 months each, but can be completed concurrently. Cases that require additional review from other organizations or city departments can require additional processing time.

- All applications for property located within a neighborhood, community, perimeter or sector plan shall be reviewed by a Planner in the Zoning Section. If the proposed zoning request is inconsistent with the land use element of a plan, a Plan Amendment shall be required before the zoning case may be heard by the City of Von Ormy Board of Commissioners.
- Adopted land use designations and current zoning can be viewed by the City Clerk.

Once an application is deemed complete and all fees have been paid, Zoning Section staff will assemble the plan amendment and rezoning cases. The case manager will visit the subject property to take pictures; post a "Rezoning" sign (for zoning cases only); and document surrounding land uses, neighborhood character, and existing infrastructure. Staff will utilize this information to develop a recommendation that will be presented at the public hearings. Plan amendment cases are heard by the Zoning Commission; zoning cases are heard by the Zoning Commission. Both types of cases are then heard by the Board of Commissioners.

Upon final decision by the Board of Commissioners, the applicant is responsible for removing "Rezoning" signs from the property. Ordinances will be posted at the City Municipal Building by the City Clerk and retrieved by the City Clerk.

# THE PLAN AMENDMENT and REZONING PROCESS

(continued)

For all zoning and plan amendment cases, the State of Texas Local Government Code requires 1) public advertisement of the hearing in a newspaper of general circulation, and 2) mailed notification of the zoning change request to all owners of property within 200 feet of the subject property. The City of Von Ormy advertises and sends notification prior to the Zoning Commission and Planning Commission hearings, and again prior to the Board of Commissioners hearing.

## BOARD OF COMMISSIONERS and ZONING COMMISSION PUBLIC HEARINGS

The property owner, applicant, or authorized representative must be present at all public hearings to explain the purpose for the requested change, and to answer any questions from the Zoning Commission and City Board of Commissioners. The public hearings also provide an opportunity for proponents and opponents of a request to voice their concerns and opinions on the proposed zoning or plan amendment change.

The Zoning Commission hearings include presentation of the staff recommendations, explanation of the requested change by the property owner, applicant, or authorized representative, and public comments in support of and in opposition to the requested change. Then, the Commissioners vote to determine their recommendation, which will be presented to the City Board of Commissioners.

Board of Commissioners meets every 1st and 3rd Thursdays of the month. The Zoning Commission must make a recommendation on the plan amendment request before to the related zoning change request can be heard by the City Board of Commissioners.

## CITY BOARD OF COMMISSIONERS PUBLIC HEARING

Board of Commissioners makes the final decision on all plan amendment and zoning change requests. The City Board of Commissioners hearing process is similar to that of the Commissions. City Board of Commissioners may approve or deny, in total or in part, the requested zoning change. If a change is approved, an ordinance is passed amending the Comprehensive Plan document and official zoning map. Ordinances become effective ten days after approval. If the requested zoning change is denied, no application for rezoning any portion of the subject property may be submitted for consideration within one year of City Board of Commissioners's denial. Notices received in support and opposition to the request submitted for Commission hearings will be maintained through the City Board of Commissioners public hearing process. In computing the percentage of land area within 200 feet, the area of streets and alleys shall be included (per LGC 211.006(e)).

## CITY BOARD OF COMMISSIONERS Time Limits

Plan amendments and their related zoning requests will be heard by the City Board of Commissioners at the same time, unless otherwise requested by the applicant. After the Commission public hearings, cases are not automatically scheduled for a City Board of Commissioners hearing. The case manager will contact the applicant to discuss and confirm a City Board of Commissioners hearing date. The Zoning Commission and Planning Commission recommendations must be presented to the City Board of Commissioners within 6 months of the Commissions' final consideration. If the cases is not scheduled for and heard by the City Board of Commissioners within 6 months of the Commissions' recommendation, the applications expire and all paid fees are forfeited.

## POSTPONED CASES

An applicant may postpone a case by submitting a written request to Zoning Section staff prior to the scheduled Commission or City Board of Commissioners public hearing. When the applicant is ready to move forward with a postponed case, they must first pay the postponement fee. Once the fee has been paid, the case will be scheduled for the next available public hearing. If a postponed case is not reactivated within 6 months of the postponement request, the application expires and all paid fees are forfeited.

## CONTINUED CASES

At any public hearing, the property owner, applicant, or authorized representative may request a continuance, which allows the case to be heard at a specified later date. An applicant's request for continuation may be approved or denied by the Zoning Commission or City Board of Commissioners. If the continuance request is denied, the case will be heard as originally scheduled. Additionally, the Zoning Commission and/or City Board of Commissioners may continue a case based on other factors. There is an additional fee for a continuance of a case beyond 60 days or after the 2nd continuance so that staff may send a courtesy notice.

## APPLICATION WITHDRAWAL

An applicant may withdraw a plan amendment or zoning application at any time during the process, prior to the case being called forward for consideration at a public hearing. However, if an application is withdrawn, future applications may be subject to restrictions.

***\*\*\*City clerk will contact you regarding your hearing dates/meetings.***

*The list of Board of Directors & Officers is as follows:*

Sally Martinez, Mayor of the City of Von Ormy  
Deborah Mailahn, Commissioner PL. 1 of the City of Von Ormy  
Alejandro Quintanilla, Commissioner PL. 2 of the City of Von Ormy

*Contact Information:*

*The City of Von Ormy, Texas*

*Juanita De Anda, City Clerk*

*14729 Quarter Horse*

*Mailing-P.O. Box 10*

*Von Ormy, Texas 78073*

*Phone: 210-622-9935*

*Fax: 210-622-9940*

*cityclerk@vonormytx.gov*





## Application for Change of Zoning / Plan Amendment

**PROPERTY DESCRIPTION** \*\*If the zoning request includes multiple zoning districts, please provide legal descriptions and acreage totals for each zoning district (attach additional pages, if necessary).\*\*

Address: _____	
Legal Description	Total Acreage(s): _____
Lot: _____	
Block: _____	
NCB: _____	
Current Zoning: _____	Requested Zoning: _____
<input type="checkbox"/> Field Notes Attached (required when property is not part of a legally recorded plat or if a portion of a lot or parcel)	Council District: _____

Is there a Conservation Easement on the property?  Yes  No \*\*\*If yes, provide a copy of the recorded easement\*\*\*

**PLAN AMENDMENT** \*\*If the zoning request is inconsistent with the land use element of the plan, a Plan Amendment, considered by the Zoning Commission, shall be required before the zoning case may be heard by Board of Commissioners. If the Zoning Request requires a Plan Amendment, fill in the information below (attach additional pages, if necessary).

<input type="checkbox"/> YES, Plan Amendment Required	<input type="checkbox"/> NO, Plan Amendment not required
Name of Plan: _____	
Total Acreage(s)	Legal Description
Lot: _____	
Block: _____	
NCB: _____	<input type="checkbox"/> Field Notes attached (required when property is not part of a legally recorded plat or if a portion of a lot or parcel)
Current Land Use Designation: _____	
Requested Future Land Use Designation: (please attach map designating tracts to be changed)	
Requested Change to Plan Text (i.e. adding zoning district(s) to land use category):	
Item and Page Number(s) of Master Plan Document to be changed:	

**THE PLAN AMENDMENT PROCESS:** The plan amendment process takes approximately 2 months. If the plan amendment includes a zoning change request, this process may add an additional 2 weeks, due to the consideration by Zoning Commission for the plan amendment.

Dates, times and/or locations of meetings and hearings are subject to change. Also, supplemental meetings and hearings may be scheduled. Proper notice will be given of special, rescheduled and supplemental meetings and hearings.



## Application for Change of Zoning / Plan Amendment

PROPERTY OWNER(S) **\*\*This application MUST include the names, contact information, and signatures of ALL property owners listed on all current Warranty Deeds applicable to the subject property. Attach additional pages as needed.\*\***

Individual(s)                       Partnership                       Corporation                       Trust

Name(s): \_\_\_\_\_

Address: \_\_\_\_\_

City, St. Zip: \_\_\_\_\_

Phone(s) **\*\* Please mark your preferred contact number. This number may be included on public notices.\*\***

home:                       work:                       mobile:                      fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

**APPLICANT (Party responsible for all information submitted for the zoning request)**

Agent                                       Prospective Buyer                                       Tenant

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, St. Zip: \_\_\_\_\_

Phone(s) **\*\* Please mark your preferred contact number. This number may be included on public notices.\*\***

home:                       work:                       mobile:                      fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

**\*\*Your Receipt will be emailed or mailed to you. Indicate here email or address:**

**REPRESENTATIVE (Person authorized to speak on behalf of the property owner/applicant at the public hearings)**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, St. Zip: \_\_\_\_\_

Phone(s) **\*\* Please mark your preferred contact number. This number may be included on public notices.\*\***

home:                       work:                       mobile:                      fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

**STATEMENTS OF ACKNOWLEDGEMENT (Initial before each statement. To be completed by Applicant.)**

I understand that I must secure the appropriate zoning for the subject property prior to issuance of a Certificate of Occupancy.

I understand that a Certificate of Occupancy is required before the subject property is occupied. (Exceptions to the requirement of a Certificate of Occupancy are single family dwellings and legal home occupation (per Section 35.401(d)(2)).

I understand that the subject property must be properly zoned before any permits are approved for the property.

---

## Statement of Purpose for Zoning Change Request and/or Plan Amendment

---

The Statement of Purpose shall include the following minimum information. Statements of Purpose that do not contain the required minimum information may be returned to the applicant, possibly delaying the zoning case.

- Reason for requesting the change, including a description of all existing and proposed activities or continuing uses.
- Explanation of how the request is consistent and compatible with the City's Master Plan or specific Neighborhood/Community/Sector Plan; or explanation of intent to pursue a plan amendment if the request is inconsistent with the applicable plan.

Is this rezoning application the result of a code enforcement violation? If yes, indicate Code Case Number here \_\_\_\_\_.

Will this proposed project result in the demolition of buildings? (All demolition applications will be reviewed by the Office of Historic Preservation. Please be sure to coordinate appropriately.)

---

**\*This application MUST include the signatures of ALL property owners listed on all current Warranty Deeds applicable to the subject property. Attach additional pages as needed.\***

**AUTHORIZATION BY PROPERTY OWNER(S)**

(Required if Applicant and/or Authorized Representative is not the sole owner of the subject property.)

I, \_\_\_\_\_, swear and affirm that I am the  
(property owner's printed name; include signatory name and title if signing for an organization)

owner of the property at \_\_\_\_\_, as shown in the records of  
(property address or legal description)

Bexar County, Texas, which is the subject of this application.

I authorize \_\_\_\_\_ to submit this application.  
(applicant's printed name)

I authorize \_\_\_\_\_ to serve as my representative for this request.  
(authorized representative's printed name)

\_\_\_\_\_  
Property Owner Signature (and title, if signing for an organization)

\_\_\_\_\_  
Date

I have read, examined, and completed this application; and know the information I have provided to be true and correct. All provisions of laws and ordinances governing this application will be complied with, whether specified herein or not. The granting of a zoning or plan amendment change does not presume to give authority to violate or cancel the provisions of any other state or local law regulating the use of the subject property. I understand that City staff will visit and photograph the subject property; that a Rezoning Case Sign will be placed on the property; and that this application, including all submitted documents and staff photos relating to this zoning and/or plan amendment case are public information and can be made available through an Open Records Request per the Texas Public Information Act (Texas Government Code, Chapter 552).

\_\_\_\_\_  
Applicant Signature (and title, if signing for an organization)

\_\_\_\_\_  
Date

Sworn to and subscribed before me by \_\_\_\_\_, on this \_\_\_\_\_ day  
of \_\_\_\_\_ in the year \_\_\_\_\_, given under my hand and seal of office.

\_\_\_\_\_  
Notary Public in and for the State of Texas

\*This acknowledgement MUST include the initials of ALL property owners listed on all current Warranty Deeds applicable to the subject property (attach additional pages as needed), as well as the initials of the applicant (if applicable).\*

## NOTICE

On June 25, 2009, the City Council amended the Municipal Campaign Finance Regulations to expand prohibitions on campaign and officeholder contributions.

**EFFECTIVE** July 5, 2009, the following individuals

- \* any individual applying for a zoning change;
- \* any owner or officer of an entity seeking a zoning change; or
- \* the spouse of any of these individuals

are prohibited from making campaign or officeholder contributions to any city councilmember, any candidate for City Board of Commissioners, or to any political action committee that supports or opposes a city board member or candidate from the time the zoning application is submitted to the city until the 30th calendar day after final action on the application.

If any individual listed in this application has made a contribution in violation of this regulation, the city may not approve the requested change in the zoning district boundary. Any zoning change granted in violation of this provision shall be voidable at the discretion of the City Board of Commissioners.

**Initial the following statements, acknowledging the above notice.**

\_\_\_\_\_ Initials of Property Owner(s) and Applicant acknowledging Municipal Campaign Finance Regulations.

\_\_\_\_\_ I have read, and understand the above notice regarding the Municipal Campaign Finance Regulations.



## TRAFFIC IMPACT ANALYSIS (TIA) THRESHOLD WORKSHEET

All applications for zoning change require a completed Traffic Impact Analysis (TIA) Worksheet. No application will be processed until the Engineering Section determines whether a Traffic Impact Analysis is required. If it is determined that a TIA is required, the applicant is required to have an engineer present at the public hearings.

**\*\*\*Site plans shall include the minimum information as listed below. Site plans which do not indicate the following information will be considered incomplete and may delay the application process.\*\*\***

### **SITE PLAN REQUIREMENTS FOR FORM BASED ZONING SPECIALIZED DISTRICTS (FBZ SD), CONDITIONAL USES, and SPECIFIC USE AUTHORIZATIONS**

Zoning change requests for "FBZ SD" Form Based Zoning Specialized Districts, a Conditional Use, or a Specific Use Authorization require the applicant to submit a site plan of the subject property and proposed development. All site plans shall be drawn to scale, using a scale that creates a legible final document. The site plan scale must be drawn numerically and a graphic scale must be provided. The applicant shall provide at least 3 versions of the site plan: 1) one full-size copy, 2) one 8-inch by 11.5-inch copy, and 3) one digital (PDF) copy.

**PLEASE CONTACT CITY CLERK FOR THE CITY'S ZONING RULES AND REGULATIONS AND CITY ORDINANCES.**



## Traffic Impact Analysis (TIA) Threshold Worksheet

Complete this form as an aid to determine if your project requires a Traffic Impact Analysis Study. Unified Development Code, Article V, Section 35-502.

Project Name:		Threshold Worksheet Prepared by:	
Project Location:		Company:	<input type="checkbox"/> Owner or <input type="checkbox"/> Owner's Agent
Is this? <input type="checkbox"/> C.O.S.A <input type="checkbox"/> Von Ormy ETJ <input type="checkbox"/> Bexar County <input type="checkbox"/> Other Municipality		Address:	
Date:		Email:	
Permit Type or Reason for TIA Study/Worksheet (Check one and indicate the number, if known)		Phone:	
Zoning #:	MDP # or POADP#:	Plat #:	Bldg Permit #:
			Other:

**Proposed Type of Development** (Multi building development or multi-occupancies may require additional tabulation sheets to determine total peak hour trips)

Land/Building Use/Zoning	Project Size		Critical Peak Hour	Peak Hour Trip Rate (PHT) Rate	Peak Hour Trips (PHT)	Trip Rate Source
	Acres	# of Units				
						ITE Code:

**Previous Development on Site** (Required for land with previous/current buildings occupied within 1 year of submittal or if Re-zoning property)

Land/Building Use/Zoning	Size		Critical Peak Hour	Peak Hour Trip Rate (PHT) Rate	Peak Hour Trips (PHT)	Trip Rate Source
	Acres	# of Units				
						ITE Code:

**Previous TIA Report** (If property has a TIA on file) TIA # \_\_\_\_\_

Peak Hour Trips Projected in TIA on File	Peak Hour Trips Projected in Updated Development Plan
--	---

**Difference in PHT** (Proposed PHT – Previous Development PHT or TIA PHT)  
 (if an increase of 76 PHT or an increase of 10% of the total PHT, a new TIA is required)

**Turn Lane Requirements for Developments with Less Than 76 PHT** (for developments with 76 or more PHT, this analysis will be included in the TIA)

Requirement	Right-turn lanes required at: (identify street/driveway name)	Left-turn lanes required at: (identify street/driveway name)
Median Openings	N/A	<input type="checkbox"/> None
Driveways or streets with a daily entering right- or left-turn traffic volume of 500 vehicle trips or 50 vehicle peak hour trips	<input type="checkbox"/> None	<input type="checkbox"/> None
Required by TxDOT	<input type="checkbox"/> None	<input type="checkbox"/> None
Where unsafe conditions may exist (limited sight distance, high speed, uneven grade, etc.)	<input type="checkbox"/> None	<input type="checkbox"/> None

**Comments**

**(For Official Use Only, Do Not Write in this Box)**

TIA report is required.  A TIA report is **not required**. The traffic generated by the proposed development does not exceed the threshold requirements.  
 The traffic impact analysis has been waived for the following reasons: \_\_\_\_\_

Reviewed by: \_\_\_\_\_ Date: \_\_\_\_\_



## Application Checklist

A complete application shall include the following minimum information and documents:

- Property Description:
  - Address and/or location
  - Total acreage and legal description (including Lot, Block, and NCB numbers for platted lots; or a metes-and-bounds description, via a set of field notes, for partial and irregular lots or lots that are not platted).
    - If the request includes multiple land use designations and/or zoning districts, please provide legal descriptions and acreage totals for each area.
    - Please note, all field notes must be signed and sealed by a licensed or registered surveyor or engineer.
    - Legal Descriptions for platted lots can be obtained from the Bexar County Appraisal District.

Current and Requested land use and zoning, as well as any requested text amendments related to adopted plans  
City Board District
- Name, address, telephone number, and email address (if applicable) of all Property Owners. If the Property Owner is a Partnership, Corporation, or other organization, please submit a list of Partners, current list of Directors or incorporating documents to show signature authority.
- Name, address, telephone number, and email address of the Applicant and Authorized Representative (if applicable).
- Authorization by Property Owner(s) (if Applicant or Authorized Representative is not the sole Property Owner).
- Statement of Purpose for Plan Amendment and/or Zoning Change Request.
- Signatures and Initials needed:
  - Property Owner(s)
    - Signatures of all Individuals listed on all current Warranty Deeds applicable to the subject property, or
    - Signature and title of the Owner of the Corporation listed on the current deed(s), or
    - Signature and title of a presiding officer, director, or other member who has signature authority for the Owner Organization listed on the current deed(s);
    - Documentation verifying signature authority may be required.
  - Applicant signature signifying that the application is correct and complete, and indicating acceptance of staff visit, photo, signage, public information relating to the rezoning case;
    - The applicant signature section must be notarized. Notary services are available for a fee at the Zoning Section office.
  - Initials of Property Owner(s) and Applicant acknowledging Municipal Campaign Finance Regulations.
- Completed Traffic Impact Analysis (TIA) Threshold Worksheet, reviewed and signed by the Engineering Division at the time of application submittal.
- Additional Required Documents:
  - A copy of all current Warranty Deeds applicable to the subject property, on file with the County Clerk; and
  - A copy of the current tax appraisal details and map, available from the Bexar County Appraisal District.
- Site Plan, if requesting "IDZ" Infill Development Zone District, "FBZ SD" Form Based Zoning Specialized District, a Conditional Use, or a Specific Use Authorization.  
do not meet the minimum requirements cannot be accepted, possibly delaying the rezoning case.
- Appropriate Fees - Please make checks payable to the City of Von Ormy.