

CONSERVATION DISTRICT PROCESS

STEP 1 -- INITIATION -- A CD feasibility study may be initiated by:

1. A complete application, including an application fee, from persons who collectively own more than 50 percent of the land and the building sites within the requested area, or
2. City plan commission, or
3. City council.

STEP 2 – FEASIBILITY STUDY/DETERMINATION OF ELIGIBILITY -- When a CD feasibility study is initiated, the director determines eligibility of the area for a CD classification based on four criteria. The area must:

1. contain at least one block face;
2. be either stable or stabilizing;
3. contain significant architectural or cultural attributes; and
4. have a distinctive atmosphere or character that may be conserved by protecting or enhancing its architectural or cultural attributes

STEP 3 – COMMUNITY MEETINGS -- Once an area is determined eligible for CD classification:

1. Initial meeting: A public meeting is scheduled to inform property owners in the proposed district of the nature of the pending conservation district request.

2. Community meetings: Following the initial meeting, a series of three to six community meetings are held to receive input from property owners to determine the characteristics of the neighborhood and what regulations are needed in the CD ordinance to preserve those characteristics. Staff works with the neighborhood to create standards. The neighborhood votes at least twice prior to the final community meeting on the standards and regulations proposed for the CD. A draft CD ordinance and conceptual plan is mailed to all property owners within the proposed district for review at the final community meeting.

STEP 4 – CD ORDINANCE AND CONCEPTUAL PLAN -- Based on the community meetings, two documents are prepared:

1. The CD ordinance, prepared by the city attorney, contains the conservation district regulations.
2. The conceptual plan, prepared by staff, explains how the regulations were determined and illustrates the regulations.

STEP 5 – PUBLIC HEARING -- After preparation of the CD ordinance and conceptual plan:

1. Ten days prior to the city plan commission public hearing, property owners within the proposed district and 200 feet surrounding the proposed district will be mailed an official ballot to vote in favor or in opposition to the proposed district
2. The city plan commission holds a public hearing to allow citizens to present their views (the CD ordinance and the conceptual plan may be heard on the same day). Anyone attend and speak at the hearing.
3. Fifteen days prior to the city council public hearing, property owners within the proposed district and 200 feet surrounding the proposed district will be mailed an official ballot to vote in favor or in opposition to the proposed district.
4. The city council holds a public hearing to allow citizens to present their views (the CD ordinance and the conceptual plan may be heard on the same day). Anyone may attend and speak at the hearing.
5. A CD ordinance must be approved by the affirmative vote of a majority of the city council members present; except, a favorable vote of three-fourths of all members of the city council is required if: (1) the city plan commission recommends against adoption of the ordinance; (2) 20 percent or more of the property owners in the proposed district file a written protest against the adoption of the ordinance; or (3) 20 percent or more of the property owners within 200 feet of the proposed district file a written protest against the adoption of the ordinance.