



2. The proffered conditions must adhere to the following conditions:
  - a. The rezoning itself must give rise to the need for the conditions.
  - b. Such conditions shall have a reasonable relation to the rezoning.
  - c. Such conditions shall not include a cash contribution to the city.
  - d. Such conditions shall not include dedication of property for public right-of-way or facilities, unless otherwise required by the Homewood Subdivision Regulations.
  - e. Such conditions shall not include payment for or construction of off-site improvements, unless otherwise required by the Homewood Subdivision Regulations.
  - f. No condition shall be proffered that is not related to the physical development or physical operation of the property.
  - g. No condition shall allow for the reversion of zoning held previous to the rezoning, unless a new application for rezoning is filed.
  - h. All such conditions shall be in conformity with the purposes and consideration of this ordinance.
3. The zoning administrator shall be vested with all necessary authority on behalf of the city council to administer and enforce conditions attached to a rezoning amendment.
4. The zoning map shall show by an appropriate symbol the existence of conditions attached to the zoning. The zoning administrator shall keep in his office and make available for public inspection a conditional zoning index. The index shall provide ready access to the ordinance creating conditions in addition to the regulations provided for in a particular zoning district. The zoning designation (for example, M-1C), and the zoning map shall reference the conditional zoning index by ordinance number. Any amendment, waiver, or variation of conditions created pursuant to the provisions of this section shall be subject to zoning amendment procedures.
5. The owner (and authorized agent) shall read and sign:

Limitations on rezoning amendments: Should the City Council reject a rezoning amendment proposal by a property owner, the same kind of rezoning of the same tract land will not be considered by the Planning Commission until a period of one (1) year has elapsed from the date of such action by the City Council. Further, a withdrawal of the application for rezoning after the hearing held by the planning commission, but prior to the hearing held by the city council shall also require a one-year time period before another application may be submitted. However, the Planning Commission may adjust this time period if in the opinion of a majority of the commission, an unusual situation or circumstance exists, which would warrant another hearing. Each time the zoning amendment application is made, the required administrative fees must be paid. Under no condition shall fees be refunded for failure of such proposed amendments to be enacted into law.

\_\_\_\_\_, 20\_\_\_\_  
 \_\_\_\_\_  
 Owner

Public hearing by planning commission: Any requested zoning amendment or change is to be heard by the planning commission at a public hearing.

The public hearing to be held before the planning commission and notice of the same as provided hereinabove shall be in addition to and is not to supplement or change requirements for public hearing and notice of same to be held before the city council of the City of Homewood as per the terms and conditions of Section 1, referred to hereinabove or contained in Section 1059(29), Volume 14(c) of the 1973 Supplement of the Code of Alabama 1940 as recompiled in 1958.

Public Hearing Held: \_\_\_\_\_, 20\_\_\_\_