

REZONING PROCESS AND CONSIDERATIONS

REVIEW PROCESS: REVIEW AND ACTION ON A REZONING REQUEST INVOLVES BOTH THE PLANNING COMMISSION AND THE TOWNSHIP BOARD. THE PROCESS IS AS FOLLOWS:

1. TO APPLY FOR A REZONING, SUBMIT THE FOLOWING TO THE ZONING ADMINISTRATOR AT THE TOWNSHIP OFFICE BY A DEADLINE DATE AT LEAST FOUR WEEKS BEFORE THE PLANNING COMMISSION MEETING WHEN THE APPLICATION WILL BE DISCUSSED (THE PLANNING COMMISSION NORMALLY MEETS THE FIRST AND THIRD WEDNESDAY OF THE MONTH): A COMPLETED APPLICATION, FILING FEE AND 10 COPIES OF A MAP OF THE AREA REQUESTED TO BE REZONED.
2. A PRE-APPLICATION MEETING MUST BE HELD WITH THE APPLICANT AND ZONING ADMINISTRATOR AT LEAST FIVE BUSINESS DAYS PRIOR TO THE APPLICATION DEADLINE.
3. A NOTICE OF THE PUBLIC HEARING FOR THE REQUEST WILL BE PUBLISHED ACCORDING TO STATUTORY REQUIREMENTS. PROPERTY NOTICES WILL BE SENT TO PROPERTY OWNERS WITHIN 300 FEET OF THE SUBJECT PROPERTY ACCORDING TO STATUTORY REQUIREMENTS.
4. NO OTHER APPLICATIONS (SITE PLAN REVIEW, SPECIAL LAND USE APPROVAL OR VARIANCE) WILL BE CONSIDERED SIMULTANEOUSLY WITH A REZONING. SUCH ACTIONS, IF NEEDED FOR A SPECIFIC DEVELOPMENT PROPOSAL, WILL BE PROCESSED AFTER THE TOWNSHIP BOARD HAS ACTED ON THE REZONING REQUEST. THE APPLICANT SHOULD NOT SUBMIT A SITE PLAN IN CONJUNCTION WITH A REZONING REQUEST. SUCH PLANS WILL NOT BE CONSIDERED BY THE PLANNING COMMISSION OR TOWNSHIP BOARD.
5. THE PLANNING COMMISSION WILL REVIEW THE APPLICATION AND ANY OTHER INFORMATION PROVIDED BY THE APPLICANT IN SUPPORT OF THE REQUEST AT THE MEETING AND DISCUSS THE REQUEST WITH THE APPLICANT AND TOWNSHIP STAFF. THE APPLICANT OR A REPRESENTATIVE MUST BE PRESENT AT THE MEETING OR THE MATTER WILL NOT BE CONSIDERED AND THE REVIEW WILL BE DELAYED UNTIL THE FOLLOWING MEETING.
6. AT THE PLANNING COMMISSION MEETING, A PUBLIC HEARING WILL BE HELD CONCERNING THE REQUEST. FOLLOWING DELIBERATIONS, THE PLANNING COMMISSION WILL EITHER RECOMMEND APPROVAL OR DENIAL OF THE REZONING APPLICATION, OR TABLE THE REQUEST IF MORE INFORMATION IS NEEDED. THERE CAN BE NO CONDITIONS ATTACHED TO THE RECOMMENDATION.
7. THE TOWNSHIP BOARD, AT THE NEXT REGULAR MEETING (THE TOWNSHIP BOARD NORMALLY MEETS THE SECOND AND FOURTH MONDAY OF THE MONTH) WILL CONSIDER THE REQUEST, ALONG WITH THE PLANNING COMMISSION RECOMMENDATION. THE BOARD WILL TAKE ACTION ON THE REQUEST OR THE TOWNSHIP BOARD MAY REFER IT BACK TO THE PLANNING COMMISSION FOR FURTHER REVIEW. AT ITS DISCRETION, THE TOWNSHIP BOARD MAY HOLD ANOTHER PUBLIC HEARING, BUT IS NOT REQUIRED TO DO SO.
8. A REQUEST WHICH HAS BEEN DENIED MAY NOT BE RESUBMITTED FOR ONE (1) YEAR FROM THE DATE OF DENIAL, UNLESS NEW AND SIGNIFICANT FACTS CAN BE PRESENTED THAT MIGHT RESULT IN A FAVORABLE DECISION.

REVIEW STANDARDS: REZONINGS GO WITH THE LAND, NOT THE PROPERTY OWNER OR USE. THEREFORE, ONCE A PARCEL IS ZONED TO A PARTICULULAR CLASSIFICATION, THE ZONING IS PERMANENT UNLESS CHANGED BY A SUBSEQUENT REZONING ACTION. ZONING CANNOT BE CONDITIONAL. THIS IS, A PACEL CANNOT BE REZONED FOR ONE SPECIFIC USE. ANY USE PERMITTED WITHIN THE ZONING DISTRICT IS PERMITTED ON THE PROPERTY, PROVIDED THE OTHER APPLICABLE REGULATIONS OF THE ZONING ORDINANCE (LOT SIZES, SETBACKS, ETC.) ARE MET.

THE FOLLOWING STANDARDS WILL BE CONSIDERED BY THE PLANNING COMMISSION AND TOWNSHIP BOARD IN THEIR REVIEW OF THE REZONING REQUEST.

1. CONSISTENCY: IS THE PROPOSED ZONING AND ALL OF ITS PERMITTED USES CONSISTENT WITH THE RECOMMENDATIONS OF THE TOWNSHIP LAND USE PLAN?
2. COMPATIBILITY: IS THE PROPOSED DISTRICT AND ALL OF ITS ALLOWED USES COMPATIBLE WITH THE SURROUNDING AREA?
3. CAPABILITY: IS THE PROPERTY CAPABLE OF BEING USED FOR A USE PERMITTED WITHIN THE EXISTING ZONING DISTRICT?
4. OTHER CONSIDERATIONS: WILL THE REZONING REQUIRE AN INORDINATE REPENDITURE OF PUBLIC FUNDS (ROAD IMPROVEMENTS, UTILITY EXTENSION, ETC.) TO MAKE THE DEVELOPMENT FEASIBLE?
5. WILL THE REZONING CAUSE DEVELOPMENT TO “LEAP FROG” OTHER UNDEVELOPED AREAS IN THE SAME ZONING DISTRICT AND NECESSITATE PREMATURE EXTENSIONS OF SERVICES TO RURAL AREAS OF THE TOWNSHIP?
6. IS THERE SUFFICIENT VACANT LAND ALREADY ZONED IN A SPECIFIC CATEGORY (E.G., INDUSTRIAL, MULTI-FAMILY, COMMERCIAL)?
7. IS THE REZONING MORE LIKELY TO BE GRANTED IF CONDITIONS COULD BE ATTACHED (NOTE: REZONINGS CANNOT BE CONDITIONAL)?