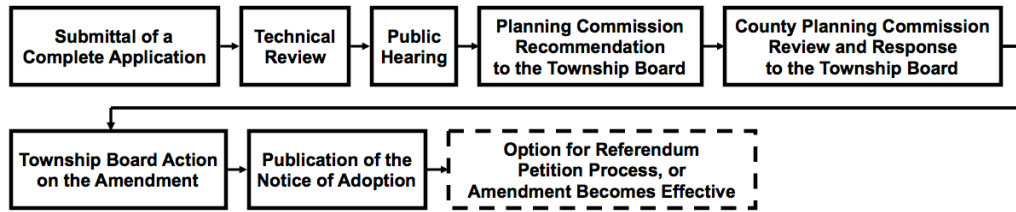


## Section 14.5 Amendments (excerpts)



### Amendment Review Process

**F. Application Information.** The following information shall be required with any application for amendment to this Ordinance or Official Zoning Map submitted by a Township property owner or person acting on behalf of and with authorization from the property owner:

1. **Zoning map amendment.** When the application involves an amendment to the Official Zoning Map, the applicant shall submit the following information:
  - a. The name, address, and contact information for the applicant, and the applicant's legal interest in the property. If the applicant is not the owner, the name, address, and contact information for the owner(s) and the signed consent of the owner(s) shall also be required.
  - b. Signature(s) of the applicant(s) and owner(s), certifying the accuracy of the information.
  - c. A legal description of the property, including street address(es) and tax code number(s).
  - d. A survey drawing or plan view of the subject property drawn to a standard engineer's scale and correlated with the legal description and clearly showing the property's location, lot boundaries, road rights-of-way, easements, existing structures, fences, and other improvements, regulated wetlands, watercourses, and all known physical, geological, hydrological, historical, and archeological features.
  - e. Identification of the existing and proposed zoning classifications for the subject property.
  - f. Vicinity map showing the property location, adjacent land uses, and existing zoning classifications for the subject property and surrounding area.
  - g. A letter stating the applicant's reasons for the requested change.
2. **Zoning Ordinance text amendment.** When an application involves a change in the text of the Zoning Ordinance, the applicant shall submit a detailed statement on the application, clearly and completely setting forth all proposed provisions and regulations, including all changes in the Zoning Ordinance necessary to accommodate the proposed amendment; the name and address of the applicant; and the reasons for the proposed amendment. For an application submitted by a Township property owner or resident, their name, address, and contact information and their reasons for the application shall also be required.

**G. Findings of Fact Required.** In reviewing any proposed zoning amendment, the Planning Commission shall identify and evaluate all relevant factors in preparing its report of findings of fact, conclusions, and recommendation to the Township Board. The following factors shall apply to Township review of any proposed amendment to the Official Zoning Map:

1. **Evaluation of existing and proposed zoning districts.** Consider the following factors:
  - a. Compatibility of existing zoning, proposed zoning, and all land uses allowed in each zoning district with site characteristics, Master Plan policies, the intent and purposes of the existing and proposed districts, and anticipated land use impacts on the surrounding area and anticipated future development.
  - b. Compatibility of the boundaries, size, and arrangement of the existing and proposed zoning districts with the surrounding area and anticipated future development.
  - c. Whether there are conditions or circumstances that warrant a change or reasonably prevent the site from being developed or used as currently zoned.

2. **Apparent demand.** Consider the following factors:
  - a. Apparent demand for the types of uses permitted in the existing and proposed zoning districts in relation to the amount of land currently zoned and available in the Township and surrounding communities to accommodate the demand.
  - b. Whether there is a demonstrated market demand for more land to be classified in the proposed district, and whether this is the appropriate location.
  - c. Availability of land already planned and/or zoned for the types of land uses and intensity of development possible under the proposed zoning district classification.
  - d. The amount of land in the Township or adjoining jurisdictions that is already prepared and/or ready for development consistent with the proposed zoning district's intent and list of permitted land uses.
3. **Availability of public services and infrastructure.** Rezoning of undeveloped land to a more intensive zoning district should only take place in conjunction with the availability of public services and infrastructure to serve all of the allowable land uses in the proposed district. Factors to consider include:
  - a. Capacity of available utilities and public services to accommodate the uses permitted in the district without compromising the health, safety, and welfare of Township residents or burdening public entities or the Township with unplanned capital improvement or operational costs.
  - b. Capacity of the existing road system to safely and efficiently accommodate the expected traffic generated by uses permitted in the zoning district.
  - c. Capacity of existing police, fire, ambulance, schools, and other public services to serve all potential land uses on the site.
4. **Consistency with the Master Plan.** Consider the following:
  - a. Determine whether the intent and all of the allowable uses within the requested zoning district are compatible with the goals, objectives, and policies of the Master Plan, including the future land use designation(s) for the site.
  - b. A rezoning inconsistent with the Master Plan should only be considered where specific findings are made that demonstrate conditions have changed significantly since the Plan was prepared, and/or new information supports a change. In such cases, the Township may first consider an amendment to the Plan.
  - c. The future land use recommendations of the Master Plan are based upon a ten- to twenty-year timeframe. Consider whether the timing of the proposed rezoning is appropriate, given trends in the area, infrastructure capacity, and other factors.
5. **Additional factors.** Additional factors to consider include, but shall not be limited to:
  - a. Are all allowable uses and development allowed in the proposed zoning district compatible with physical, geological, hydrological, historical, and archeological features of the site and area, and any applicable laws governing their protection or preservation?
  - b. Have conditions changed since the Zoning Ordinance was adopted or was there a mistake in the Zoning Ordinance that justifies the amendment?
  - c. Will the amendment correct an inequitable situation created by the Zoning Ordinance, rather than merely grant special privileges?
  - d. Will the amendment result in unlawful exclusionary zoning?
  - e. Will the amendment set an inappropriate precedent, resulting in the need to correct future planning mistakes?