

RE-ZONING CHECKLIST

ONTWA TOWNSHIP Cass County, Michigan

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Re-Zoning Checklist

The Township Master Plan provides overall guidance on how the community desires to grow and develop. The Zoning Ordinance and the procedures the Township uses to administer it form the regulatory framework that brings about that desired development. As time passes, it is appropriate for the community to review its Master Plan to assure that it is still appropriate for current conditions and the desires of the marketplace. In addition, there will certainly be times when property owners desire to use their properties in ways that depart from the Master Plan and/or Zoning Ordinance. In those instances, the Planning Commission may be asked to consider a re-zoning application. The following check list is intended to give the Planning Commission a consistent approach and procedure for reviewing re-zoning applications.

Some re-zoning applications may raise legitimate issues that call for a more comprehensive review of the Ordinance or even the Master Plan. Other requests may relate to unique situations that impact very few properties. And, in other cases, the request may make economic sense for the particular property owner, but would create inappropriate land use conflicts or establish a precedent that will lead to future conflicts. By using a consistent approach for addressing these requests, the Planning Commission will be able to offer relief and flexibility in those instances where it is called for and, at the same time, protect the larger public interest as it is expressed in the Master Plan.

There are seven major issues to consider in reviewing a re-zoning application:

- Land supply
- Effect on surrounding properties
- Effect on municipal services, facilities and costs
- Range of uses that could be authorized
- Precedent
- Justification
- Community Planning

Each of these is inter-related with the others to some extent. In addition, while each of the following items is structured as a “Yes or No” question, it should be understood that the issues related to re-zoning requests are seldom clear cut and this checklist is not intended to be a substitute for a careful weighing of each request. This check list merely provides an approach that will give the appropriate consideration to both the specific issues and the comprehensive needs of the Township.

Ontwa Township Re-Zoning Checklist

A. Land Supply.

1. Is there other land in the Township already zoned for the classification being sought by the petitioner?
☐ Yes; ☐ No
2. If there is other land in the Township zoned for this classification, has there been a change in conditions that necessitates more land in this classification?
☐ Yes; ☐ No
3. If there is insufficient land in the Township zoned for this classification, is the proposed change supported by, or consistent with the Master Plan?
☐ Yes; ☐ No
4. Is the proposed change out of scale with the needs of the community?
☐ Yes; ☐ No
5. Are the proposed boundaries appropriately drawn?
☐ Yes; ☐ No

B. Effect on surrounding properties.

1. Is the proposed change contrary to established land use patterns?
☐ Yes; ☐ No
2. Will the proposed change create adverse effects on surrounding properties?
☐ Yes; ☐ No
3. Will the proposed change create adverse living conditions in the area?
☐ Yes; ☐ No
4. Will the proposed change deter the improvement or development of surrounding properties?
☐ Yes; ☐ No

C. Effect on municipal services, facilities and costs.

1. Will the proposed change severely impact traffic in the area?
☐ Yes; ☐ No
2. Will the proposed change severely impact schools, police and fire protection and/or other public services?
☐ Yes; ☐ No
3. Are water, sewer, storm drainage and other facilities in the area adequate to meet the potential requirements resulting from the proposed change?
☐ Yes; ☐ No

D. Range of uses that could be authorized

1. Is the proposed use unique to this site and better handled through a special approval land use?
☐ Yes; ☐ No
2. Are there other potential uses permitted in the proposed classification that would be inappropriate at the proposed site?
☐ Yes; ☐ No
3. If other undesirable uses could materialize if the proposed re-zoning is approved, would a Planned Unit Development be a more appropriate approach?
☐ Yes; ☐ No
4. Could the proposed use be accomplished in a more restrictive zoning classification?
☐ Yes; ☐ No

E. Precedent

1. If the proposed change is approved, will it likely stimulate similar request?
☐ Yes; ☐ No
2. If such similar requests are likely, could they adversely impact other properties, municipal services and facilities and public costs?
☐ Yes; ☐ No

3. Are there other ways in which approving the proposed request would establish a precedent for local planning and zoning decisions?
☐ Yes; ☐ No
4. If so, is the precedent one that the Planning Commission desires to establish?
☐ Yes; ☐ No
5. Would granting the proposed request constitute a “spot zoning” granting a special privilege to one property owner which is not available to others?
☐ Yes; ☐ No

F. Justification

1. Are there substantial reasons the property cannot be reasonably used as currently zoned?
☐ Yes; ☐ No
2. Is there an objectively demonstrable market for the use proposed?
☐ Yes; ☐ No
3. Is there a market for other uses that may be permitted in the proposed classification?
☐ Yes; ☐ No
4. Is the proposed change reasonable?
☐ Yes; ☐ No

G. Community Planning

1. Was there a mistake in the original zoning?
☐ Yes; ☐ No
2. If there was a mistake in the original zoning, does the proposed change constitute the most appropriate correction?
☐ Yes; ☐ No
3. Are there likely to be adverse changes in the characteristics of the Township that will result from the proposed re-zoning?
☐ Yes; ☐ No

4. Will the proposed change weaken the structure of the Zoning Ordinance?
☐ Yes; ☐ No
5. Is the proposed change exclusionary?
☐ Yes; ☐ No
6. Is the proposed change consistent with the Township Zoning Act?
☐ Yes; ☐ No