



Applicant Checklist for Rezoning Requests

1. The rezoning request application package is available from the Building Department. The application shall be completed in full with the appropriate fee to this office. The office hours are 8:00 a.m. to 5:00 p.m., Monday through Friday
2. The application package consists of one (1) applicant checklist, one (1) application form, and one (1) review guidelines form.
3. Any public agency or interested person may make a written request to the Planning Commission for an amendment to the text or map of the Zoning Ordinance.
4. Applications for a zoning change shall be submitted to the Building Department. The application shall be accompanied by the payment of a fee.
5. It is the applicant's responsibility to ensure that the application is complete. An incomplete application may require additional review time.
6. The application will be forwarded to the Planning Commission for a public hearing.
7. Planning Commission meetings are held the second Tuesday of every month, beginning in the City Council Chambers at 4:15 p.m.
8. As a general rule, the application must be received by the Building Department **at least four (4) weeks prior** to the Planning Commission meeting.
9. A notice of the public hearing must be published not less than fifteen (15) days before the public hearing.
10. The applicant will receive a notice of the public hearing in the mail, and you are expected to attend the meeting.
11. The Planning Commission, as a fact finding body, will make a recommendation on the proposed rezoning to the City Council.
12. The City Council will have a first reading of the proposed rezoning at a regular City Council meeting.
13. At least fourteen (14) days after the first reading, the City Council will hold a public hearing on the request.
14. Based upon the Planning Commission's recommendation and the input received at the public hearing, the City Council will approve, deny, or modify the rezoning request.
15. It is the applicant's responsibility to review the appropriate sections of the Zoning Ordinance.
16. Questions on completing this application should be referred to the Building Department at (906) 863-3029.

PETITION FOR ZONING AMENDMENT

TO: CITY PLANNING COMMISSION
CITY COUNCIL

FOR OFFICE USE ONLY

BY:

Name of Petitioner

Address of Petitioner
(Street and Number)

(City, State and Zip Code)

Telephone Number(s)
(Home and Business)

Case No. _____

Date Received _____

Tax Parcel No. _____

Fee Received _____

(amount and date)

Receipt No. _____

Hearing Date _____

(Name of responsible body)

Action _____

Date _____

(Name of responsible body)

Action _____

Date _____

Please Note: All questions must be answered completely. If additional space is needed, number and attach additional sheets. The total number of attached sheets is _____.

I. ACTION REQUESTED.

I, (we), the undersigned do hereby request that the Planning Commission and City Council approve the following petition for zoning amendment:

- A. Text Amendment: Amend M.O.C. _____ to _____
(delete, supplement or clarify) the City Zoning Ordinance by making the following change(s): (attach additional sheets if necessary).
(state proposed ordinance language)

- B. Rezone from _____ to _____ the property(s) described in II. "Property Information" (below), for the following purpose:
(state proposed use of land)

A previous application for a variance, special use permit or rezoning on this land has/has not (choose one) been made with respect to these premises in the last _____ years. If a previous appeal, rezoning, or special use permit application was made, state the date, nature of action requested and the decision: _____, date _____, action requested _____, decision (approved/denied) _____.

II. PROPERTY INFORMATION

- A. Legal description of property(s) proposed to be rezoned; _____

Address of Property: _____

- B. List all deed restrictions (attach additional sheets if necessary)

- C. Name and addresses of all other persons, firms or corporations having a legal or equitable interest in the land.

- D. This area is _____ unplatted, _____ platted, _____ will be platted.
If platted, name of plat _____.
- E. Attach a site plan drawn to the scale of _____ and all other information required by _____ of the City Zoning Ordinance.
- F. Present use of the property is _____.

III. STATEMENT OF JUSTIFICATION FOR REQUESTED ACTION

- A. State specifically the reason for this amendment request at this time

- B. If the amendment is a proposed rezoning, please answer the following questions.
1. Will this rezoning be in conformance with all adopted development plans of the City of Menominee? (Yes or No) _____.
 2. If the proposed zone does not conform to the(se) plan(s), why should the change be made? Please be specific, brief and attach any supporting documentation which substantiates your claim. This could include an allegation that the existing zoning is in error which would be corrected by the proposed change, or that specific changes or changing conditions in the immediate area or in the city make the rezoning necessary to the promotion of public health, safety and general welfare.

3. What do you anticipate the impacts of the proposed zoning change on the adjacent property to be? What steps do you propose to take to mitigate any negative impacts associated with the proposed change?

IV. AFFIDAVIT

The undersigned affirms that he/she or they is(are) the _____ (specify: owner, lessee, or other type of interest) involved in the Petition and that the answers and statements herein contained and the information herewith submitted are in all respects true and correct to the best of his, her, or their knowledge and belief.

Applicant(s) Signature(s)

Date

Applicant(s) Signature(s)

Date

Review Guidelines for Zoning Map And Ordinance Text Changes

A. Zoning Map Changes

The overall consideration is whether the rezoning request is reasonable under the existing circumstances. When considering re-zonings, the Planning Commission will review such applications in terms of their meeting the following considerations:

1. That a mistake was made originally when the property was zoned to the present district;
2. That conditions have changed in the area generally, or the city as a whole, which would justify the rezoning;
3. There is convincing demonstration that all uses permitted under the proposed district would be in the general public's interest and not merely in the interest of an individual or small group;
4. There is convincing demonstration that all uses permitted under the proposed district would be appropriate in the area included in the proposed change;
5. There is convincing demonstration that the character of the area or neighborhood will not be adversely affected by any use permitted in the proposed district change;
6. The proposed change is in accord with city's Comprehensive Plan and sound planning principles;
7. The proposed zoning change is consistent with the zoning plans of adjacent governmental units;
8. Other reasons the Commission may find pertinent in considering the particular zone change.

B. Zoning Text Changes

Not all zoning changes involve map changes. In some instances, adding a permitted or special land use or revising the zoning district standards may be a better alternative. This is true particularly when the issue in question appears to reflect an oversight or technical deficiency in the construction or wording of the ordinance. When considering text changes, the Commission will review such applications in terms of their meeting the following considerations:

1. That a mistake was made originally when the ordinance was drafted;
 2. That conditions have changes which would justify the text changes;
 3. There is convincing evidence that the text change would be in the general public's interest and not merely in the interest of an individual or small group;
 4. The proposed change is in accord with the city's Comprehensive Plan and sound planning principles;
 5. Other reasons the Commission may find pertinent in considering the particular text change.
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ZONING AMENDMENT ACTION CHECKLIST - KEEP WITH FILE Proj. # _____

Application

- ☐ Application received on _____
- ☐ Fee paid, if not a governmental application _____
- ☐ Application complete and in compliance _____

Presentation to Planning Commission

- ☐ Presented to Planning Commission on _____
- ☐ Public hearing scheduled for _____

Public Hearing

- ☐ Affected parcels identified _____
- ☐ First publication date (20-30 days before hearing date) _____
- ☐ Second publication date (20 – 8 days before hearing date) _____
- ☐ Notice to railroad, if within area or zone affected _____
- ☐ Notice to surrounding property owners (20 – 30 days before hearing) _____
- ☐ Planning Commission Meeting Findings of Fact:
 - 1) General compliance with Master Plan ☐ Yes ☐ No
 - 2) Rezoning determined not to be Spot Zoning ☐ Yes ☐ No
 - 3) Rezoning will not create a precedent ☐ Yes ☐ No
 - 4) Impact on public services, environment, surrounding land ☐ Yes ☐ No
 - 5) Planning Commission recommendation ☐ Approve ☐ Deny
- ☐ Recommendations forwarded to City Council _____

City Council Action

- ☐ Consideration of report _____
- ☐ Public Hearing Notice published on (5 – 15 days prior to hearing date) _____
- ☐ Public Hearing date _____
- ☐ Council action taken:
 - 1) Item referred back to Planning Commission ☐ Yes ☐ No
 - 2) Protest petition entered by :
 - Owners of 20% of area included in change ☐ Yes ☐ No
 - Owners of 20% of area within 100 ft. ☐ Yes ☐ No
 - 3) Council vote ☐ Approve ☐ Deny

Rezoning Adopted

- ☐ Rezoning effective on (20 days after vote) _____
- ☐ Adoption published on (within 15 days of adoption) _____