



## ZONING MAP OR ZONING TEXT AMENDMENT INFORMATION

This information is intended to assist the applicant in the process to 1) amend the official zoning map and/or 2) change an existing or add a new Zoning Code Regulation contained in the municipal code (Article 4 of Chapter 42, Land Development Regulations) pursuant to Section 42-651. Questions regarding the amendment process should be directed to the Department of Community Development at (269) 329-4477.

### **Overview**

The official zoning map for the City of Portage delineates the location and boundaries of the zoning districts described in the Zoning Code. A Zoning Code regulation is a provision contained in the City of Portage Municipal Code that regulates development of land including principal and permitted uses, lot size and building setbacks, site plan review, off-street parking, site lighting, among other provisions.

Periodically, the Zoning Code regulations and/or zoning map require updating as a result of changes to community goals and objectives that govern land use development, modifications to business operations, changes in construction technologies, land use patterns, improved customer service, among several others. An amendment may be proposed in conjunction with a proposal to amend to the City of Portage Future Land Use Plan Map contained in the Comprehensive Plan if the proposed zoning map or text amendment is inconsistent with the Comprehensive Plan. Regardless of whether a Comprehensive Plan amendment is involved, all zoning code and/or zoning map amendments must be submitted consistent with application process requirements.

### **Who May Request a Zoning Amendment?**

Any person or entity (e.g., city resident, property owner, City Manager, Planning Commission, City Council) may initiate a Zoning Code text or zoning map amendment. If a zoning map amendment involves a larger area and several parcels of land, a petition signed by the effected property owners acknowledging and supporting the zoning change must accompany the application form.

### **Application Fee**

The application fee to process a Zoning Code regulation amendment remains at \$850. A Zoning Map amendment is \$1,130 for the first acre plus \$80 for each additional acre. The review fee is intended to recover costs associated with required legal notices, public hearings and a limited amount of staff/attorney time necessary to process each application.

### **Review procedure**

1. **Application.** Completion of the attached application form is the first step in the process to request an amendment to a Zoning Code regulation or Zoning Map. The application form and current Community Development Fee Schedule is available on-line at [www.portagemi.gov/Departments/Community-Development/PermitsInformationalForms.aspx](http://www.portagemi.gov/Departments/Community-Development/PermitsInformationalForms.aspx) and at City Hall in the Department of Community Development. In addition to the application form, other related application materials that explain the request and application fee must also be submitted. A pre-application meeting with city staff is encouraged prior to submittal of a rezoning application.
2. **Consistency with adopted Land Use Goals and Objectives.** An application for a Zoning Amendment will be evaluated based on adopted land use goals and objectives including those contained in the Comprehensive

Plan. The applicant should become familiar with the Comprehensive Plan and in particular Chapter 4, Land Use and the Development Guidelines contained in Chapter 7, Implementation for general guidance on the appropriateness of a zoning change. The Comprehensive Plan, including the Development Guidelines, is available on-line at [www.portagemi.gov](http://www.portagemi.gov). Department staff is also available to provide the applicant assistance in evaluating the proposed zoning amendment in relation to important community goals and objectives.

The Development Guidelines are intended to be used in the review of development proposals, including zoning changes. The guidelines provide direction and underpinning for regulations that affect land use, including zoning changes.

The following guidelines are intended to provide the applicant with a general indication that the proposed zoning change is (in)consistent with adopted community goals and objectives before the application is submitted:

- ✓ Have circumstances changed since establishment of the current zoning map or zoning district to warrant the proposed amendment?
- ✓ Is the request consistent with applicable policies, recommendations of the Plan and/or Future Land Use Plan Map?
- ✓ Are the uses allowed in the requested zoning district appropriate for the area given the size and character of the site and surrounding land uses?
- ✓ Can traffic associated with the project be accommodated by the existing transportation network?
- ✓ Will the effects of the proposed zoning change and/or land uses negatively impact adjacent or nearby residential neighborhoods or environmentally sensitive areas? If so, can the effects be adequately mitigated?
- ✓ Can the potential land uses allowed in the zoning district be accommodated by the existing utility infrastructure and services? Development should be in areas that are or are planned to be served by public utilities and services.
- ✓ Is there a lack of available land zoned the same or similar to the requested zoning district, including land that could be redeveloped?
- ✓ Refer to Chapter 7 for other applicable Development Guidelines related to a specific zoning request.

If the zoning change request is not consistent with the Comprehensive Plan, an amendment to the Plan can be considered

3. Public Hearing/Comment. The City of Portage will provide public notice and an opportunity for public comment. Once all required information has been received, the application will be scheduled for the next available Planning Commission meeting. The Planning Commission meets the first and third Thursday of every month and a complete application must be submitted at least 30 days in advance of the first hearing date. State law and local ordinance require 1) notification in a newspaper of general circulation and 2) notice to property owners/occupants at least 15 days before the date of the public hearing. The applicant or his/her representative must be present during the public hearing process.

4. Planning Commission and City Council Review. The Planning Commission policy regarding changes to a Zoning Code regulation or Zoning Map is to convene a public hearing over the course of two meeting dates. During this time, the Commission will evaluate the proposed amendment including public comment and the professional staff recommendation. At the conclusion of the second meeting date, the Commission will provide a formal recommendation to the City Council. Upon receipt of the Planning Commission recommendation and application materials, the City Council will set a date for a second public hearing. The entire review process will take approximately 3-4 months.

For further information regarding the zoning amendment process, please contact the Department of Community Development at (269) 329-4477.