

RAY TOWNSHIP  
REZONING PETITION FILING & PROCEDURE

I. Applicant

- A. Obtain the necessary copies of “Petition for Rezoning” from the Township Planning & Zoning Clerk.
- B. Return sixteen (16) copies of the completed application to the Township Planning & Zoning Clerk with the fee established by the Township Board; a minimum of twenty-one (21) days prior to the next Planning Commission meeting. The application must be complete and sixteen (16) copies of the feasibility sketch plan with all of the required information shall accompany the submission. The sketch plan is for the purpose of ascertaining rezoning feasibility and will not receive site plan review until after the parcel is rezoned.
- C. An application fee (see attached schedule) shall be made with the Township (check made payable to Ray Township), such fee to cover all administrative costs for a public hearing and all planner fees.

II. Township Planning & Zoning Clerk

- A. Verify the information presented and record date on all copies. The copies of the petition and supporting data shall, upon scheduling of a public hearing, be forwarded to:
  - 1. Planning Commission File;
  - 2. Township Planning Consultant (for review and recommendation at the direction of the Planning Commission or by collective decision of its three (3) officers for presentation at the succeeding meeting);
  - 3. Township Assessor (for preparation of a list of names and addresses of property within 300 feet of the land proposed for rezoning);
  - 4. Township Attorney;
  - 5. Township Building Inspector;
  - 6. Township Fire Chief;
- B. The Township Planning & Zoning Clerk shall report to the Township Board, at its next meeting, of the filing of the petition and its referral to the Township Planning Commission.

III. Planning Commission

- A. Petition to be placed on the next Planning Commission agenda if the petition and sketch plan has been received at least twenty-one (21) days prior to the meeting.

- B. Discuss petition at scheduled meeting with the applicant. (NOTE: At this meeting, the applicant informally presents his request. The Planner may be requested to submit a written opinion for reading at the Public Hearing). At the meeting, the Commission shall advise the applicant of the right to a public hearing by the Planning Commission and establish date for same. The Planning Commission may also table the petition for further study and defer action pending the furnishing of required data requested of the applicant.
- C. If a public hearing is scheduled by the Commission, the Planning and Zoning Clerk shall prepare a notice to comply with the requirements of the Zoning Ordinance and the State Enabling Act. The publication shall include the legal description of the land proposed for rezoning, the existing and proposed zoning and a graphic illustration of the location of the land. Such notice shall be published as follows:
1. First notice 20 to 30 days prior to date set for public hearing.
  2. Second notice not more than 8 days before date set for public hearing.
- D. Sufficient copies of reprints of the notice of public hearing shall be obtained from the newspaper to provide for distribution to the following prior to the hearing:
1. Each public utility company (Electric, Gas, Pipeline and Telephone) operating in the Township, by mail, and not less than twenty (20) days prior to the date of the hearing;
  2. All owners of land within 300 feet of the land proposed for rezoning as shown on the latest tax rolls by regular mail or delivered personally;
  3. All interested Township and County offices and agencies (where necessary);
    - a. Planning Commission file;
    - b. Planning Commission members;
    - c. Township Board Members;
    - d. Township Planning Consultant;
    - e. Township Attorney;
    - f. Township Building Department;
    - g. Superintendent of Schools (district affected);
    - h. Macomb County Drain Commission;
    - i. Macomb County Road Commission;
    - j. Macomb County Planning Commission;
  4. At least one (1) copy of the notice of public hearing shall be forwarded to the petitioner (or his representative). One (1) copy of the poster entitled "Legal Notice of Proposed Rezoning" to which a copy of the notice of public hearing shall be attached and conspicuously posted on the land to be rezoned at least eight (8) days prior to the public hearing.

- E. On or before the public hearing date, the Planning Commission shall have received affidavits or statements made at the public hearing, that publications of the hearing were made, residents within 300 feet notified by mail or personally and that the property was posted.
- F. Hold the public hearing. Presentation by the applicant or representatives. Hear and record comments from the public.
- G. Forward one (1) copy of the application with the recommendation of the Planning Commission to the Macomb County Planning Commission (includes comments from the public hearing and written reviews).
- H. Forward one (1) copy of the above to the Township Board.
- I. The Township Board shall not consider the proposed amendment unless it shall have received the recommendation of the Macomb County Planning Commission. If the case has been submitted to the County for 30 days or more and a recommendation has not been made it can be assumed to be approved and the Township Board may act.
- J. The Board, prior to the adoption of a zoning amendment, may refer amendments, changes, additions or departures as to proposed text or zoning to the Commission for report. After receiving such report, the Board shall grant a hearing to any property owner who by certified mail to the Township Clerk requests a hearing.
- K. If the zoning amendment is adopted by the Township Board, it shall be published in the newspaper within thirty (30) days after adoption.
- L. There is a statutory provision for a referendum on an adopted zoning ordinance, if within 30 days after passage, there is filed with the Township Clerk petitions bearing the signatures of qualified and registered voters not less than 8% of the total vote cast for Governor at the last preceding general election.