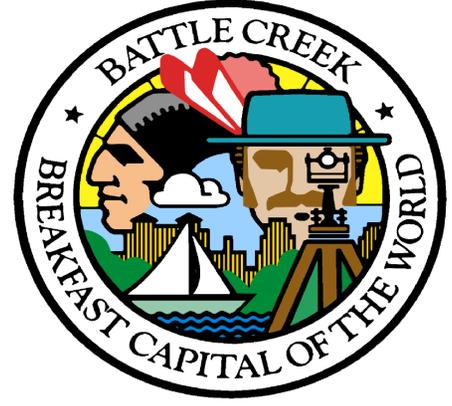
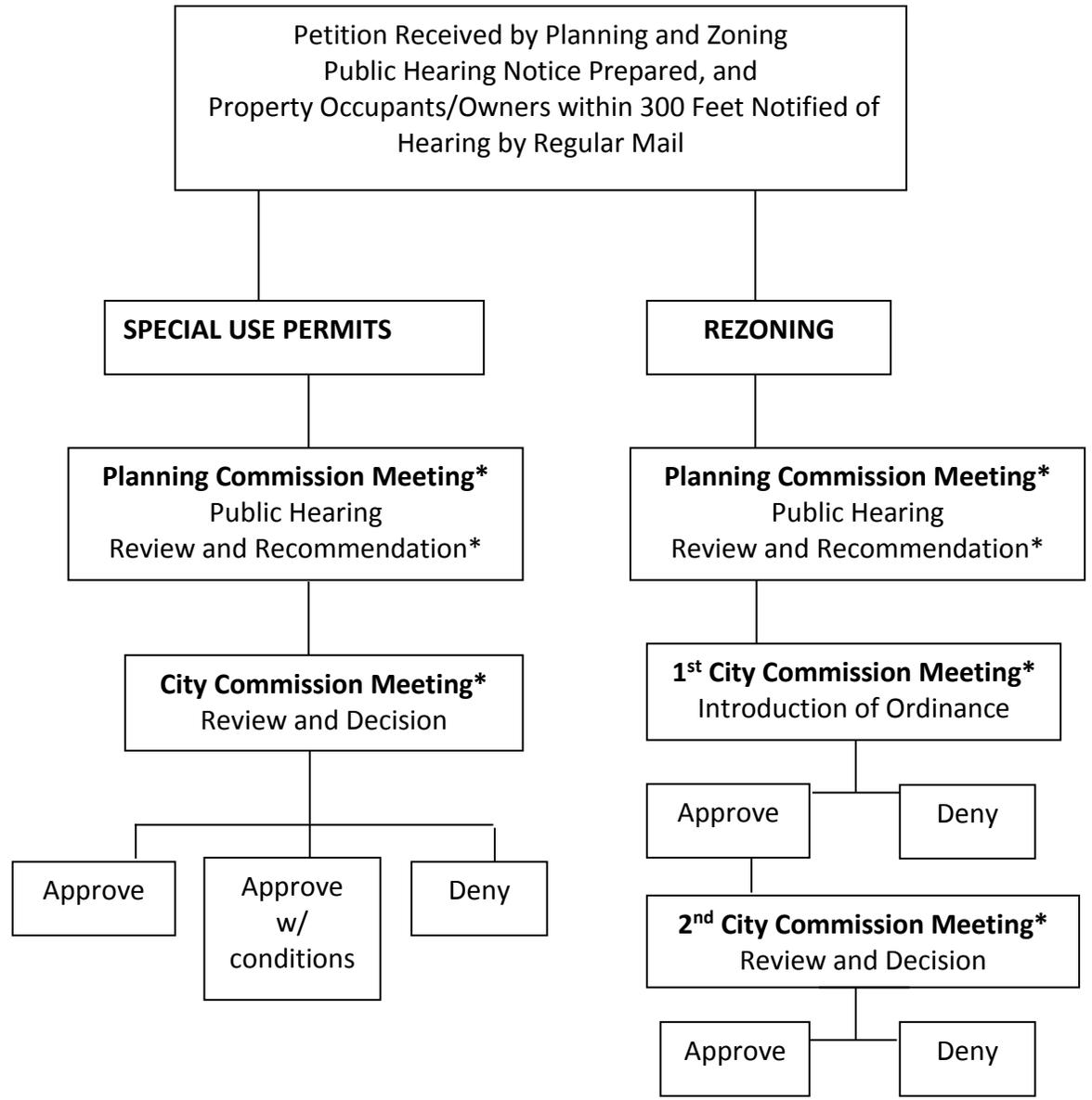


How to Request a Zoning Change or Special Use Permit



* The process for a Special Use Permit takes approximately 45-60 days from submittal of an application, and the rezoning process takes approximately 60 days from submittal of an application. The Planning Commission and/or the City Commission has the ability to postpone for more information, which would in turn delay the process.

Community Services –
Planning and Zoning Division
 10 N. Division Street, Ste. 117
 Battle Creek, Michigan, 49014
 Phone (269) 966-3320

What is the Planning Commission?

The Planning Commission is composed of nine members appointed by the City Commission (the Mayor and one City Commissioner are members of the Planning Commission). They are charged with the responsibility of holding public hearings when necessary and to make recommendations to the City Commission on all matters related to planning and zoning.

What is Zoning?

Zoning regulates land uses, population densities, lot coverage, building size and location, and thereby provides a means which to implement the City's Comprehensive Plan. The overall objectives of zoning are to protect public health, safety, and welfare; to promote compatibility among various land uses and developments; and to provide for an attractive and efficient community.

What is Rezoning?

When someone proposes to use property within the City of Battle Creek in a manner not allowed under the current zoning classification of that land, the property owner may petition the City for a change in the zoning. This is called a "rezoning" or a "zoning reclassification".

Are there Costs Involved?

Yes, there is a non-refundable petition fee of \$600 for any petition received for any rezoning or special use permit.

What is a Special Use Permit?

Generally, uses within a zoning district are either permitted "by right" under the zoning code or by "special use permit". A special use permit is required when certain land uses are allowed only with the approval of the City Commission due to their unique locational characteristics, or the services they provide to the public. The uses allowed by special use permit are listed in Chapter 1290 of the Planning and Zoning Code.

What is the Process for obtaining a Rezoning or Special Use Permit?

Step One: Preliminary discussions with Staff

Contact the Department of Planning at 269-966-3320 and make an appointment to meet with a member of the staff to discuss your plans and obtain pertinent facts about the land use, zoning, and adopted plans affecting your property and the surrounding area. Staff assistance is generally available between the hours of 8:00 a.m. and 5:00 p.m. each weekday at our offices located at 10 N. Division, Suite 117, City Hall.

A staff member will be able to advise you on the zone or zones that may be best suited to the neighborhood and type of development that you propose. Staff may also be able to let you know about any problems that you can expect and what you might do to minimize those problems.

Step Two: Filing the Petition

When a specific zoning request has been identified, a formal petition application should be completed and submitted to the Planning and Zoning Division (petition forms are available on the city's web site www.battlecreekmi.gov or will be provided by staff).

After a staff person has reviewed the form for completeness, a date will be set for a public hearing to be held before the Planning Commission. The Planning Commission meets on the fourth Wednesday of each month. It should be noted that 3-4 weeks may pass between the filing of the petition and the date scheduled for the public hearing. We are required by State law to publish the notice of the public hearing in the newspaper, and to mail notice to property owners within 300 feet of the petitioned property.

It is highly recommended that the petitioner use this time before the public hearing to informally meet with nearby residents and the Neighborhood Planning Council, providing information about your request and answering any questions that they might have about your project.

Step Three: The Planning Commission

At the Planning Commission public hearing the petitioner will be asked to explain their request and present the reasons why they feel it should be approved. Area property owners and residents, or any member of the public in attendance, may speak for or against the petition.

After the public hearing, and usually at the same meeting, the Planning Commission may vote to:

1. Recommend Approval or Approval w/ Conditions
2. Recommend Denial
3. Defer, or "table" the matter until a future meeting.

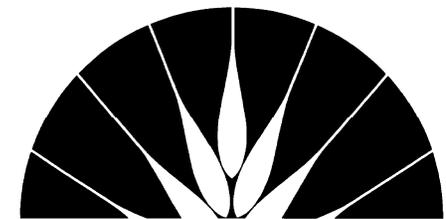
When the Planning Commission has made a final recommendation, a report of those proceedings and deliberations is prepared by staff and forwarded to the City Commission.

Step Four: The City Commission

Upon receipt of the Planning Commission's report and recommendation, the petition is scheduled for review and consideration by the City Commission. The City Commission consideration generally follows the Planning Commission's actions by 2-3 weeks. The City Commission may approve or deny the petition, or they may refer it back to the Planning Commission for further study.

If the City Commission denies the petition, the same petition request may not be re-submitted for a period of one year.

If approved by the City Commission, a zoning change becomes effective 7 days after adoption.



Battle Creek
