



# CITY OF MADISON HEIGHTS

## COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

### ZONING MAP AMENDMENT (REZONING)

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#### WHAT IS A ZONING MAP AMENDMENT (REZONING)?

Refer to **Section 15.07 (Zoning Ordinance Amendments)** for the full list of Zoning Ordinance standards pertaining to map amendments (rezonings).

A Zoning Map Amendment, or Rezoning, is a reclassification of property from one zoning designation to another, resulting in a formal change to the City's official Zoning Map. A rezoning may be requested if an intended use is not permitted under the current zoning designation. A rezoning is a legislative process that requires final approval through City Council, upon a recommendation from the Planning Commission.

A rezoning application may be initiated by the Planning Commission, Planning and Zoning Administrator, City Council, City staff, property owner, or any interested person or organization.

#### WHAT IS A REZONING WITH CONDITIONS?

A Rezoning with Conditions is a zoning map amendment where the applicant offers a list of voluntary conditions attached to the request. As part of a Rezoning with Conditions request, the applicant may **voluntarily** offer in writing, and the City Council may approve, certain use and development restrictions as a condition to approval of the rezoning. Requests for Rezoning with Conditions are subject to **Section 15.07.3.C** of the Madison Heights Zoning Ordinance and all applicable sections of the Michigan Zoning Enabling Act.

#### PRE-APPLICATION CONFERENCE (OPTIONAL)

At the option of the applicant, prior to the submittal of a Zoning Map Amendment application, the applicant may request a pre-application conference with the Planning and Zoning Administrator. The purpose of the pre-application conference is to discuss the review procedures, design elements, and ordinance requirements. At this conference, the Planning and Zoning Administrator may provide the applicant with an advisory opinion as to whether the application meets the substantive requirements for Zoning Map Amendment submittal. The City's comments during a pre-application conference shall be advisory in nature only and shall not constitute a recommendation of approval regarding the application. An applicant may request that a pre-application conference take place at a meeting of the Technical Review Committee, upon payment of a fee established by City Council.

## REZONING APPLICATION

### COMPLETE APPLICATION REQUIRED

The Zoning Map Amendment application will not be processed by staff until it has been verified that all required information has been provided with the application. Incomplete applications may be returned. Please carefully review the Checklist included within this application to see those items that must be included with a complete application submittal.

### REVIEW STANDARDS AND CRITERIA

Rezoning applications are subject to review and action by both the Planning Commission and City Council. Each body will review the Rezoning request to determine if it complies with the review standards and criteria contained in **Section 15.07 of the Zoning Ordinance**. Standard Rezoning applications are subject to the review standards contained in section **15.07.3.B** and Rezoning with Conditions applications are subject to the review standards contained in Section **15.07.3.C**. Refer to the Standard Rezoning and Rezoning with Conditions Response Forms, attached to this application, for the full list of review standards and criteria.

### NOTICE OF PUBLIC HEARING AND PLANNING COMMISSION MEETING

Public hearing notices are required for all Rezoning applications. Staff will prepare the public hearing notice for publication in a local newspaper and mailers for surrounding property owners, in accordance with the Zoning Ordinance and the Michigan Zoning Enabling Act.

The Planning Commission will hold a public hearing at a regularly-scheduled meeting, unless a Special Meeting is scheduled. After the Public Hearing, the Planning Commission may make a recommendation to City Council or postpone action for additional information. Final action from City Council is required for all Rezoning applications.

The Planning Commission Meeting Schedule and Submittal Calendar is attached to this application packet.

### REZONING WITH CONDITIONS AGREEMENT

An application for a Rezoning with Conditions shall include a Rezoning with Conditions Agreement ("the Agreement"). The Agreement shall set forth the **voluntary** rezoning conditions and may incorporate a Rezoning with Conditions Plan.

### APPEALS

An appeal of a Rezoning decision shall be taken to Circuit Court. No decision or condition related to a Rezoning application may be appealed to the Zoning Board of Appeals

**REZONING REVIEW PROCESS**

**REFER TO SECTION 15.07 OF THE ZONING ORDINANCE FOR FULL PROCESS, STANDARDS, AND REQUIREMENTS FOR REZONING REVIEW**

1. Pre-Application Conference (optional).
2. Applicant initiates rezoning process by submitting the required application, fees, and documents to the Community and Economic Development Department (see below).
3. **Department Review:** The Community and Economic Development Department processes the request and schedules a public hearing for a Planning Commission meeting.
4. **Technical Review Committee:** The proposed Rezoning will be placed on a Technical Review Committee agenda, with comments forwarded to the Planning Commission.
5. **Planning Commission Public Hearing:** The Planning Commission reviews the proposed Rezoning/Rezoning with Conditions, together with any reports and recommendations from staff, and shall report its findings and make a recommendation of action to City Council.
6. **City Council Action:** The City Council shall make a final determination to approve or deny the Rezoning/Rezoning with Conditions. Two ordinance readings are required at two separate City Council meetings. If necessary, City Council may refer the proposed amendment back to the Planning Commission for further consideration.
7. **Notice of Adoption:** If approved, a notice of map amendment is published in the local newspaper and City zoning maps are updated accordingly.

**SUBMITTAL REQUIREMENTS**

- (a) One (1) copy of the completed Zoning Map Amendment (Rezoning) application.
- (b) One (1) copy of the Review Standards Response Form (Standard Rezoning form OR Rezoning with Conditions form).
- (c) Two (2) 8" x 11" copies of the plot plan/survey which specifies the boundaries and legal description(s) of the property or properties.
- (d) One (1) copy of the plot plan/survey and legal descriptions in digital (PDF) format.
- (e) **For Rezoning with Conditions applications:** Rezoning with Conditions Agreement and, if proposed, associated conceptual site plan.
- (f) All applicable fees as established by City Council

**Submit complete application to Community and Economic Development Department:  
300 W. Thirteen Mile Road, Madison Heights, MI 48071**

*REZONING APPLICATION*

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**CITY OF MADISON HEIGHTS**  
**COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT**  
**ZONING MAP AMENDMENT (REZONING) APPLICATION**

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**I. APPLICANT INFORMATION**

Applicant \_\_\_\_\_

Applicant Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_

Interest in Property (owner, tenant, option, etc.) \_\_\_\_\_

Contact Person \_\_\_\_\_

Telephone Number \_\_\_\_\_ Email Address \_\_\_\_\_

**II. PROPERTY INFORMATION**

Property Address(es) \_\_\_\_\_

Tax ID(s) \_\_\_\_\_ Zoning District \_\_\_\_\_

[PROVIDE SURVEYS AND LEGAL DESCRIPTIONS OF ALL PROPERTIES ON SEPARATE SHEETS]

Owner Name (if different than applicant) \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Telephone Number \_\_\_\_\_ Email Address \_\_\_\_\_

**III. CONSULTANT INFORMATION (IF APPLICABLE)**

Name \_\_\_\_\_ Company \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Telephone Number \_\_\_\_\_ Email Address \_\_\_\_\_

## REZONING APPLICATION

### IV. NATURE OF REQUEST

Standard Rezoning       Rezoning with Conditions

Current Zoning Designation \_\_\_\_\_ Proposed Zoning Designation \_\_\_\_\_

### V. PROJECT DESCRIPTION AND SCOPE OF WORK

Brief description explaining need for proposed map amendment:

Required Attachments:

- Plot Plan/Survey** specifying the boundaries of the site, with legal descriptions of all properties subject to the request.
- Review Standards Response Form** (Standard Rezoning or Rezoning with Conditions Form)
- For Rezoning with Conditions Only:** Rezoning with Conditions Agreement and, if proposed, Rezoning with Conditions Site Plan

### VI. APPLICANT CERTIFICATION

I (we) the undersigned do hereby apply to the City of Madison Heights for review and approval of the above-described Map Amendment application. Applicant(s) and the property owner(s) do hereby consent to city staff to assess the property for purposes of evaluating the site for requested action(s).

Printed Name \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_

### VII. PROPERTY OWNER CERTIFICATION

IF YOU ARE NOT THE PROPERTY OWNER, YOU MUST HAVE THE PROPERTY OWNER PROVIDE A NOTARIZED SIGNATURE, BELOW, OR PROVIDE A NOTARIZED LETTER OF AUTHORIZATION OR NOTARIZED POWER OF ATTORNEY AUTHORIZING YOU TO ACT ON THEIR BEHALF.

Printed Name \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_

**Notary for Property Owner:**

**Notary Stamp**

Subscribed and sworn before me, this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

A Notary Public in and for \_\_\_\_\_ County, Michigan.

Notary Name (Print): \_\_\_\_\_

Notary Signature: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

### STAFF USE ONLY [DO NOT ACCEPT INCOMPLETE APPLICATIONS]

FILING FEE (\$1,500): \_\_\_\_\_ REZONING NO.: PRZN # \_\_\_\_\_  
DATE APPLICATION RECEIVED: \_\_\_\_\_ RECEIVED BY: \_\_\_\_\_

## STANDARD REZONING: RESPONSE FORM

**Section 15.07.3.B** of the Zoning Ordinance contains review standards/ criteria for standard map amendments. Please provide responses to the following review standards for consideration by staff, the Planning Commission, and City Council. (Provide additional sheets, if necessary).

**A.** Describe how the site's physical, geological, hydrological and other environmental features are compatible with the uses permitted in the proposed zoning district.

**B.** Describe how the uses permitted in the proposed zoning district are compatible with surrounding uses and zoning districts in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure, and potential influence on property values.

**C.** Describe how the proposed zoning district is compatible with the goals, policies and objectives of the Madison Heights Master Plan (including the Future Land Use Plan) and any sub-area or corridor plans. If conditions have changed since such plans were adopted, describe how the proposed rezoning is consistent with recent development trends.

**D.** Describe how the boundaries of the requested zoning district will be reasonable in relationship to surrounding districts and explain how construction on the site will be able to meet the dimensional regulations of the proposed district.

**REZONING APPLICATION**

**E.** Describe how the requested zoning district is considered to be more appropriate for the site than the existing zoning district.

**F.** If a rezoning is requested to allow for a specific use, explain why rezoning the land is considered to be a more appropriate mechanism than amending the list of permitted or special land uses in the current zoning district to allow the use.

**G.** Describe how the requested rezoning will not create an isolated or incompatible zone in the neighborhood. Explain how the map amendment will not result in exclusionary zoning.

**H.** Explain how the capacity of the street system will be able to safely and efficiently accommodate the expected traffic generated by the uses permitted in the requested zoning district.

## REZONING WITH CONDITIONS: RESPONSE FORM

**Section 15.07.3.C** of the Zoning Ordinance contains review standards/ criteria for rezonings with conditions. Please provide responses to the following review standards for consideration by staff, the Planning Commission, and City Council. (Provide additional sheets, if necessary).

**A.** Describe how the proposed rezoning with conditions will further the goals and objectives of the Madison Heights Master Plan.

**B.** Do you acknowledge the following?

*Voluntary rezoning conditions shall not authorize uses or development not permitted in the requested district and shall not permit uses or developments expressly or implicitly prohibited in the Rezoning with Conditions Agreement.*

YES     NO

**C.** Do you acknowledge the following?

*The use of the property in question shall be in complete conformity with all regulations governing development and use within the zoning district to which the property is proposed to be rezoned including, without limitation, permitted uses, lot area and width, setbacks, height limits, required facilities, buffers, open space areas, and land use density; provided, however, the following shall apply: Development and use of the property shall be subject to the more restrictive requirements shown or specified in the Rezoning with Conditions Agreement, and/or in other conditions and provisions set forth in the Rezoning with Conditions Agreement required as part of approval. Such Rezoning with Conditions agreement shall supersede all inconsistent regulations otherwise applicable under the Zoning Ordinance.*

YES     NO

**D.** Explain how the proposed Rezoning with Conditions will result in integration of the proposed land development project with the characteristics of the project area, and will result in an enhancement of the project area as compared to the existing zoning. Explain how such enhancement would be unlikely to be achieved or would not be assured in the absence of a Rezoning with Conditions.

**REZONING APPLICATION**

**E.** As compared to the existing zoning, and considering the site-specific conditions or proposed land uses, explain why it would be in the public interest to grant the Rezoning with Conditions.

**F.** Explain how the proposed conditions will not preclude future zoning and planning actions by or on behalf of the municipality.

**G.** Are existing and available public services and utilities (including roads, sewers, water mains, etc.) capable of serving proposed or potential development that will occur as a result of the Rezoning with Conditions?

## STANDARD REZONING: SUBMITTAL CHECKLIST

The following items are required for a complete Standard Rezoning application. Incomplete applications will not be processed.

- One (1) copy of the completed Zoning Map Amendment application.
- One (1) copy of the Standard Rezoning Response Form.
- Two (2) 8" x 11" copies of the plot plan/survey which specifies the boundaries and legal description(s) of the property.
- One (1) copy of the plot plan/survey in digital (PDF) format.
- All applicable fees as established by City Council

## REZONING WITH CONDITIONS: SUBMITTAL CHECKLIST

The following items are required for a complete Rezoning with Conditions application. Incomplete applications will not be processed.

- One (1) copy of the completed Rezoning Application.
- One (1) copy of the Rezoning with Conditions Response Form.
- Two (2) 8" x 11" copies of the plot plan/survey which specifies the boundaries and legal description(s) of the property.
- One (1) copy of the plot plan/survey in digital (PDF) format.
- All applicable fees as established by City Council.
- Rezoning with Conditions Agreement containing, at minimum, the following information in a recordable format:
  - Identification of the requested zoning district and a listing of the conditions offered by the applicant.
  - A statement acknowledging that the Rezoning with Conditions was proposed by the applicant, and further agreement and acknowledgment that the conditions and Rezoning with Conditions Agreement are authorized by all applicable state and federal laws, and that the Agreement is valid as was entered into on a voluntary basis and represents a permissible exercise of authority by the City.
  - Agreement and understanding that the property in question shall not be developed or used in a manner inconsistent with the Rezoning with Conditions Agreement.
  - Acknowledgment that if the City Council grants an extension of approval, a new Rezoning with Conditions Agreement with the new expiration date shall be recorded.

## REZONING APPLICATION

- Agreement and understanding that, if a Rezoning with Conditions becomes void, no development shall be undertaken or permits for development issued until a new zoning district classification of the property has been established.
- Agreement and understanding that each of the requirements and conditions in the Rezoning with Conditions Agreement represents a necessary and reasonable measure which, when considered with all other conditions and requirements, is roughly proportional to the increased impact created by the use represented in the approved Rezoning with Conditions, taking into consideration the changed zoning district classification and the specified use authorization granted.
- A legal description of the property affected by the Rezoning with Conditions.
- Development regulations affected by the conditions of rezoning, including but not limited to density, setbacks, height, site coverage, signs, parking, architecture, etc.
- Revocation of approval provisions returning the property to its original zoning designation if the developer violates the terms of the Agreement.
- OPTIONAL: A Rezoning with Conditions conceptual site plan may be included as an exhibit to the Agreement, which shows the conceptual layout of the proposed development or use, along with any other information deemed relevant by the applicant. Inclusion of a Rezoning with Conditions site plan as an exhibit to the Agreement shall not replace the requirement for preliminary and final site plan, subdivision, condominium, special land use, or variance review and approval.

**MADISON HEIGHTS PLANNING COMMISSION**  
**2026 MEETING SCHEDULE**

**Third Tuesday of each month at 5:30 p.m. (unless otherwise noted or canceled)**

Council Chambers – 300 W. 13 Mile Road (unless otherwise noted)  
Madison Heights, MI 48071

MEETING DATE	APPLICATION DEADLINE (By close of business)	NOTICES PUBLISHED
<b>January 20<sup>th</sup></b>	December 8 <sup>th</sup> , 2025	December 17 <sup>th</sup> , 2025
<b>February 17<sup>th</sup></b>	January 16 <sup>th</sup> , 2026	January 28 <sup>th</sup> , 2026
<b>March 17<sup>th</sup></b>	February 13 <sup>th</sup>	February 25 <sup>th</sup>
<b>April 21<sup>st</sup></b>	March 16 <sup>th</sup>	March 25 <sup>th</sup>
<b>May 19<sup>th</sup></b>	April 13 <sup>th</sup>	April 22 <sup>nd</sup>
<b>June 16<sup>th</sup></b>	May 11 <sup>th</sup>	May 20 <sup>th</sup>
<b>July 21<sup>st</sup></b>	June 22 <sup>nd</sup>	July 1 <sup>st</sup>
<b>August 18<sup>th</sup></b>	July 20 <sup>th</sup>	July 29 <sup>th</sup>
<b>September 15<sup>th</sup></b>	August 17 <sup>th</sup>	August 26 <sup>th</sup>
<b>October 20<sup>th</sup></b>	September 14 <sup>th</sup>	September 23 <sup>rd</sup>
<b>November 17<sup>th</sup></b>	October 12 <sup>th</sup>	October 21 <sup>st</sup>
<b>DECEMBER – NO MEETING</b>	...	...

Adopted: November 18<sup>th</sup>, 2025