

ARTICLE TWENTY-EIGHT (28)

TABLES

Sec. 28.01

TOWNSHIP PUBLIC HEARING AND NOTICE REQUIREMENTS MICHIGAN ZONING ENABLING ACT OF 2006

| MICHIGAN ZONING ENABLING ACT: NOTICE REQUIREMENTS AND PROCEDURES | |
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| A. | PUBLIC HEARING NOTICES – GENERAL |
| 1. | Publish notice of the request in a newspaper of general circulation in the local unit of government |
| 2. | Send by mail or personal delivery to the owners of the property for which approval is being considered. The notice shall also be sent to all persons to whom real property is assessed within 300 feet of the property, and to the occupants of all structures within 300 feet of the property regardless of whether the property or occupant is located in the zoning jurisdiction |
| 3. | The notice shall be given not less than 15 days before the date the application will be considered for approval. If the name of the occupant is not known, the term "occupant" may be used in making notification under this subsection. The notice shall do all of the following: (a) Describe the nature of the request. (b) Indicate the property that is the subject of the request. The notice shall include a listing of all existing street addresses within the property. Street addresses do not need to be created and listed if no such addresses currently exist within the property. If there are no street addresses, other means of identification may be used. (c) State when and where the request will be considered. (d) Indicate when and where written comments will be received concerning the request. |
| B. | PUBLIC HEARING NOTICES – ALL ZO AMENDMENTS (TEXT AMENDMENTS, AND REZONINGS) Also applicable to legislative body when holding their own public hearings |
| 1. | Notice of the time and place of the public hearing shall also be given by mail to each electric, gas, and pipeline public utility company, each telecommunication service provider, each railroad operating within the district or zone affected, and the airport manager of each airport that registers its name and mailing address with the clerk of the legislative body for the purpose of receiving the notice of public hearing. |
| 2. | The notice shall include the places and times at which the proposed text and any maps of the zoning ordinance may be examined. |
| C. | PUBLIC HEARING NOTICES – MULTIPLE REZONINGS Also applicable to legislative body when holding their own public hearings |
| 1. | If an individual property or 10 or fewer adjacent properties are proposed for rezoning, the planning commission shall give a notice of the proposed rezoning in the same manner as required under section A. |
| 2. | If 11 or more adjacent properties are proposed for rezoning, the planning commission shall give a notice of the proposed rezoning in the same manner as required under "A" above, except for the requirement of section A.2 and except that no individual addresses of properties are required to be listed under section A.2. (b). |
| D. | ZONING ORDINANCE AMENDMENTS (TEXT AND REZONING) – NOTICE OF ADOPTION |
| 1. | An amendment shall take effect upon the expiration of 7 days after publication as required by this section or at such later date after publication as may be specified by the legislative body, unless the amendment is the subject of a petition. |
| 2. | Following adoption of the amendment by the legislative body, the amendment shall be filed with the |

clerk of the legislative body, and a notice of ordinance adoption shall be published in a newspaper of general circulation in the local unit of government within 15 days after adoption.

3. A copy of the notice required under section D.2 shall be mailed to the airport manager of an airport entitled to notice under section B.1.
4. The notice required under this section shall include all of the following information:
 - (a) In the case of a newly adopted zoning ordinance, the following statement: "A zoning ordinance regulating the development and use of land has been adopted by the legislative body of the [county, township, city, or village] of _____."
 - (b) In the case of an amendment to an existing zoning ordinance, either a summary of the regulatory effect of the amendment, including the geographic area affected, or the text of the amendment.
 - (c) The effective date of the ordinance or amendment.
 - (d) The place where and time when a copy of the ordinance or amendment may be purchased or inspected.

E. PUBLIC HEARING NOTICES – SPECIAL LAND USES

1. For a special land uses, provide notice of the request as required under section A.
2. The notice shall indicate that a public hearing may be requested by any property owner or the occupant of any structure located within 300 feet of the property being considered for a special land use, regardless of whether the property or occupant is located in the zoning jurisdiction.
3. At the initiative of the body or official responsible for approving the special land use, or upon the request of the applicant, a real property owner whose real property is assessed within 300 feet of the property, or the occupant of a structure located within 300 feet of the property, a public hearing shall be held before a discretionary decision is made on the special land use request.

F. PUBLIC HEARING NOTICES – PLANNED UNIT DEVELOPMENTS

1. For a PUD request, the body or official responsible for the review and approval shall hold at least 1 public hearing on the request in the same manner as required under section A.
2. If amendment of a zoning ordinance is required by the PUD regulations, the requirements of sections A through D shall be followed, except that the hearing and notice required by section F.1 shall fulfill the public hearing and notice requirements of section B.

G. PUBLIC HEARING NOTICES – ZONING BOARD OF APPEALS (VARIANCES, INTERPRETATIONS, AND APPEALS)

1. For a variance, the zoning board of appeals shall give notice as provided in section A.
2. For an interpretation of the zoning ordinance or an appeal of an administrative decision, the notice shall:
 - (a) State the time, date, and place of the public hearing
 - (b) Be published in a newspaper of general circulation within the local unit of government not less than 15 days before the public hearing
 - (c) Be sent to the person requesting the interpretation not less than 15 days before the public hearing.
 - (d) If the request involves a specific parcel, written notice stating the nature of the interpretation request and the time, date, and place of the public hearing on the interpretation request shall be sent by first-class mail or personal delivery to all persons to whom real property is assessed within 300 feet of the boundary of the property in question and to the occupants of all structures within 300 feet of the boundary of the property in question. If a tenant's name is not known, the term "occupant" may be used.