

REZONING NOTICES

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Senate Bills 252–254

Sponsor: Sen. Raymond E. Basham

House Committee: Local Government and Urban Policy

Senate Committee: Local, Urban and State Affairs

Complete to 6-17-05

A SUMMARY OF SENATE BILLS 252-254 AS PASSED BY THE SENATE 5-31-05

The bills would amend various zoning acts to require that notices pertaining to proposed rezoning, amendments to county zoning ordinances, and notices of proposed rezoning and hearings also include a listing of the street addresses within the affected area. A description of each bill follows.

Senate Bill 252 would amend the Township Zoning Act (MCL 125.284) to require that notice of a proposed rezoning include a listing of all existing addresses within the property proposed for rezoning.

Under the act, if an individual property or several adjacent properties are proposed for rezoning, the township zoning board must give a notice of the proposed rezoning to the owner of the property in question, to all persons to whom any real property within 300 feet of the premises in question is assessed, and to the occupants of all single and two-family dwellings within 300 feet. The bill would retain this requirement, but refer to all people who owned any real property within 300 feet of the proposed rezoned property, rather than all people to whom real property within 300 feet is assessed.

The notice would have to include a listing of all existing street addresses within the proposed rezoned property. As currently required, the notice would have to be delivered personally or by mail to the respective owners and residents at the address given in the last assessment roll.

Senate Bill 253 would amend the County Zoning Act (MCL 125.209) to require that notice of a county zoning commission's public hearing on a recommended zoning ordinance amendment be mailed to all owners of property within the affected area and that the notice include a listing of each street address within the affected area.

Under the act, before submitting its recommendations of a tentative zoning plan to the county board of commissioners, a county zoning commission must hold at least one public hearing. In addition to the required notice by publication in a newspaper, at least 20 days' notice of the time and place of the hearing must be given by mail to each of the following:

- Each electric, gas, pipeline, and telephone public utility company, and the airport manager of each airport, that registers the name and mailing address of the company or airport with the county zoning commission for the purpose of receiving the notice of public hearing.
- Each railroad within the district or zone affected.

Under the bill, if the hearing involved an amendment to the zoning ordinance, notice also would have to be given all owners of property within the affected area. The notice would have to include a listing of each street address within the affected area.

Senate Bill 254 would amend the City and Village Zoning Act (MCL 125.584) to provide that notice of a proposed rezoning and hearing would have to include a list of all existing street addresses within the property proposed for rezoning.

The act prescribes procedures for the legislative body of a city or village to adopt zoning regulations. At least one public hearing must be held by the legislative body or by a commission appointed to recommend zoning regulations. In a city or village with a commission, the legislative body may not amend the adopted zoning ordinance or maps until the proposed amendment has been submitted to the commission and it has held at least one hearing and made a report on the amendment.

After the legislative body of a city or village has approved a zoning ordinance and maps, they may be amended as provided in the act. If an individual property or several adjacent properties are proposed for rezoning, notice of the proposed rezoning and hearing must be given to the owners of the property at least 15 days before the hearing.

Under the bill, notice of the proposed rezoning and hearing would have to include a list of all existing street addresses within the proposed rezoned property and be given to the owners of the property proposed for rezoning at least 15 days before the hearing.

FISCAL IMPACT:

The bills would have no fiscal impact on state or local government.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.