

July 21, 2015

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Check List # 4 For Adoption of a Zoning Ordinance Amendment (including some PUDs) in Michigan

This is a step-by-step procedure for planning, land use and zoning. This particular checklist (#4) is for adoption of a zoning ordinance amendment in Michigan. Some planned unit developments (PUD) are also handled as zoning amendments. This checklist is for PUD zoning amendments also. This checklist is designed to provide a list of steps -- in order -- which leads to a well planned and zoned community. This outline is based on Public Act 110 of 2006, as amended, (being the Michigan Zoning Enabling Act, M.C.L. 125.3101 *et seq.*), and recommendations of Kurt H. Schindler, MSU Extension land use team member. This version of the checklists includes to the Michigan Zoning Enabling Act through February 12, 2008 (P.A. 12 of 2008).

*"Thirty seven million
acres is all the Michigan
we will ever have."*

Former Governor
William G. Milliken

There are also separate procedural checklists for performing other zoning and planning functions. They are listed in the box on page 2.

The Michigan Zoning Enabling Act is a new statute, that changes how various zoning procedures are done. The entire purpose of this act was to create a single set of procedures to follow regardless if zoning is being done in a city, village, township, or county. After July 1, 2006 (the effective date of the act) only the procedures in the Michigan Zoning Enabling Act should be used (and the following statutes must not be used any more). Even if local zoning has a different procedure, the procedures in the Michigan Zoning Enabling Act have to be used starting July 1, 2006.

Within a year (July 1, 2007) local zoning has to be amended to reflect the procedures in the Michigan Zoning Enabling Act. This act replaces the following statutes. Only for matters that took place before July 1, 2006 should the old statutes be referenced:

Michigan State University
Extension Land Use Team

<http://ntweb11a.ais.msu.edu/luaoe/index.asp>

1. P.A. 183 of 1943, as amended, (being the County Zoning Act, M.C.L. 125.201 *et seq.*) See MSU Extension Land Use Team's *Land Use Series* "Checklist # C2; For Adoption of a County Zoning Ordinance in Michigan".
2. P.A. 184 of 1943, as amended, (being the Township Zoning Act, M.C.L. 125.271 *et seq.*) See MSU Extension Land Use Team's *Land Use Series* "Checklist # T2; For Adoption of a Township Zoning Ordinance in Michigan".
3. P.A. 207 of 1921, as amended, (being the City and Village Zoning Act, M.C.L. 125.581 *et seq.*) See MSU Extension Land Use Team's *Land Use Series* "Checklist # M2; For Adoption of a City and Village Zoning Ordinance in Michigan".

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Author:

Kurt H. Schindler, REGIONAL LAND USE
EDUCATOR, member MSU LAND USE TEAM

Phone: (231)779-9480

Fax: (231)779-9105

e-mail: schindl9@msu.edu

overland mail:

MSU Extension, Wexford County
401 N. Lake Street –Suite 400
Cadillac, Mich. 49601-1891

with review by:

■ Mark A. Wyckoff, DIRECTOR

PLANNING AND ZONING CENTER AT MSU

■ Jason Ball, MSU GRADUATE STUDENT

■ Lincoln Sweet, MSU GRADUATE STUDENT

For any step of this process, the Michigan State University Extension members of the MSU Land Use Team can assist with sample materials; coordinating efforts between the township, county, and the state; and providing guidelines.

This outline is not designed as a substitute for

reading and understanding the Michigan Zoning Enabling Act. This outline is not a substitute for legal advice. There is no substitute for hiring an attorney. **Do not** attempt to adopt or amend an ordinance without an attorney.

It is **important** to document each step of the process in planning and zoning a community. Keep detailed minutes, affidavits of publication and mailing, open meeting notices, letters of transmittal,

Related Publications

There are also separate procedural checklists for performing other planning and zoning functions. They are:

- *Land Use Series*: “Check List #1A; To Create a Planning Commission or Amend an Existing Planning Commission Ordinance.”
- *Land Use Series*: “#1B; Sample Ordinance to create a planning commission”
- *Land Use Series*: “#1C; Summary of changes between new Michigan Planning Enabling Act and the three old planning acts: Municipal Planning Act, County Planning Act, and Township Planning Act.”
- *Land Use Series*: “Checklist #1D; Steps to Transition an Existing Planning Commission to Comply with the Michigan Planning Enabling Act”
- *Land Use Series*: “#1E; Sample Bylaws for a planning commission.”
- *Land Use Series*: “Checklist #1F; What Should be in a Master Plan”
- *Land Use Series*: “Checklist #1G; For Adoption of a Plan in Michigan”
- *Land Use Series*: “Checklist #1H; The Five Year Plan Review.”
- *Land Use Series*: “Checklist #1I; For Adoption of an Amendment to a Plan”
- *Land Use Series*: “Checklist #1J; Adopting and Updating a Capital Improvement Program”
- *Land Use Series*: “Checklist #1K; Review of Infrastructure and Public Capital Expenditure”
- *Land Use Series*: “Checklist #1L; Adoption or Amendment of Subdivision Rules”
- *Land Use Series*: “#1M; How Governments Make Submissions on a Neighbor’s or County’s Proposed Plan”
- *Land Use Series*: “#1N; How a Planning Commission Should Respond to Submissions”
- *Land Use Series*, “Checklist #2; for Adoption of a Zoning Ordinance in Michigan.”
- *Land Use Series*, “Checklist #3; for Adoption of an Interim Zoning Ordinance in Michigan.”
- *Land Use Series*, “Checklist #4; for Adoption of a Zoning Ordinance Amendment (Including PUD) in Michigan”
- *Land Use Series*, “Checklist #5: for Processing a Special Use Permit (Including PUD) Application in Michigan.”
- *Land Use Series*, “Checklist #6: for Processing a Zoning Appeal and Variance in Michigan.”

All of these are available at www.msue.msu.edu/lu/.

Glossary

The following terms are used in this publication, and have the following specific meanings.

§ means the section number of Public Act 110 of 2006, as amended, (being the Michigan Zoning Enabling Act, M.C.L. 125.3101 *et. seq.*),

Chief administrative official means the manager or other highest nonelected administrative official of a city or village.

Chief elected official means the mayor of a city, president of a village, supervisor of a township, or chair of a county board of commissioners.

Ex officio member means a member of a planning commission, with full voting rights unless otherwise specified by city or village charter, by virtue of holding another office.

Legislative Body means the county board of commissioners of a county, the board of trustees of a township, the council of a city or village, or other similar duly elected representative body of a county, township, city, or village.

Local Unit of Government means a county, township, city, or village.

Municipality means a city, village or township.

Plan means any plan adopted under the Michigan Planning Enabling Act or one of the three former planning acts, regardless of what it is titled.

Planning Commission means the local unit of government planning commission created under the Michigan Planning Enabling Act or one of the three former planning acts, regardless of what it is titled. In a few communities it may still be a “zoning board” (townships) or “zoning commission” (city and villages). Has used here, the use of the term “planning commission” includes all of these terms.

Zoning jurisdiction means the area encompassed by one of the following:

- legal boundaries of a city or village for a city or village respectively;
- legal boundaries of a township outside the limits of a city(ies) and village(s) for a township;
- legal boundaries of a county outside the limits of a city(ies) and village(s); or the county including any city(ies) and village(s) which has adopted the county plan (See §209, M.C.L. 125.3209)..

and communications all on file, so years from now they are still available.

This checklist is divided into three columns. The first column has a place to check when the task is done, and a place to check when the documentation has been placed in a permanent file. The second column is the step, or task, to complete in order to adopt a proper plan/zoning ordinance, or amendment to either. The third column is what

should be included in a permanent file to document the work that has been done. Sometimes the middle column is further divided into two columns. The heading will indicate which **one** should be followed in your community’s case. It is always a matter of doing one or the other, never both.

This check list is intended to be linear, with each step being done in order, and most requiring the previous step to be done before starting the next.

Check when task is done	Step, or Task	Copy in the permanent file
<input type="checkbox"/> Task is done <input type="checkbox"/> In the file	Step 1. The proposal to amend the zoning ordinance (text, or map) is initiated. Such action can be taken by: <ol style="list-style-type: none"> 4. The planning commission, 5. The legislative body, 6. Any person with interest in property in the zoning jurisdiction. 	Copy of the request for the zoning amendment.
<input type="checkbox"/> Task is done	Step 2. The planning commission should cause preparation of a draft of (1) the text of a zoning amendment and (2) prepare an amendment to the zoning map including revised boundaries to zoning districts (rezoning), if applicable. In doing so the planning commission may use information, experts and assistance as is available.	Copies of the proposed zoning amendment.
<input type="checkbox"/> Task is done <input type="checkbox"/> In the file	Step 3. The planning commission should review existing procedure, policy for the administration and enforcement of the zoning ordinance to determine if the proposed amendments require any modification to those procedures and policies These should be contained in a zoning administrator’s manual including: <ul style="list-style-type: none"> • sample zoning permit applications; • special use permit applications; • occupancy permits; • form letters for handling violations and other situations; • policy for handling violation/enforcement problems and at what point an attorney becomes involved and prosecution is started; • where records are kept; • expectations for patrol and inspections in the township; and • permit fees, appeals fees, special meeting fees. Also, the planning commission should review its bylaws (or rules of procedure) for the same purpose.	Copy of office manual, application forms, etc.
<input type="checkbox"/> Task is done <input type="checkbox"/> In the file	Step 4. (Optional) Submit the proposed ordinance for an informal review to a third party, such as a County Planning Office (if they provide such service), MSU Extension Land Use Area of Expertise team member (if they provide such service), or a professional planner; and review by an attorney is strongly recommended.	Copy of the review (letters, minutes, other) by county planning, MSUE, or professional planner; and attorney.

Check when task is done	Step, or Task	Copy in the permanent file
<input type="checkbox"/> Task is done <input type="checkbox"/> In the file (notices, etc.) <input type="checkbox"/> In the file (minutes)	<p>Step 5. The planning commission shall hold at least one public hearing on the zoning ordinance (§306(1), M.C.L. 125.3306(1)). Notices for the public hearing are required. The notice shall include the following information:</p> <ul style="list-style-type: none"> • Describe the nature of the request, e.g., that this is a hearing on a proposed new zoning ordinance (§103(4)(a), M.C.L. 125.3103(4)(a)). • Indicate the property(ies) which is(are) subject of the proposed new zoning ordinance (§103(4)(b), M.C.L. 125.3103(4)(b)). • If the zoning amendment involves less than 11 adjacent properties (§202(3), M.C.L. 125.3202(3)), then a listing of all existing street addresses within the property(ies) which is(are) subject of the zoning amendment. (Street addresses do not need to be created and listed if no such addresses currently exist. If there are no street addresses another means of identification may be used (§103(4)(b), M.C.L. 125.3103(4)(b)). • A statement of when and where the issue will be considered (§103(4)(c), M.C.L. 125.3103(4)(c)). • An indication of when and where written comments will be received concerning the issue (§103(4)(d), M.C.L. 125.3103(4)(d)). <p>The notices shall be given not less than 15 days before the date of consideration for approval (§103(3), M.C.L. 125.3103(3)). Notices shall be:</p> <ul style="list-style-type: none"> • Published in a newspaper of general circulation in the local unit of government (§103(1), M.C.L. 125.3103(1)). (Note: “General circulation” means a newspaper which has a paid subscription, and does not mean a free-distribution advertiser or similar type publication.) • If the zoning amendment involves less than 11 adjacent properties (§202(3), M.C.L. 125.3202(3)) then the notice by mail or personal delivery to owners of property(ies) for the land which is the subject of the notice/hearing/amendment (§103(2), M.C.L. 125.3103(2) and §202(3), M.C.L. 125.3202(3)). RECOMMENDATION: Even if there are 11 or more parcels involved send notice to the owners and occupants of those parcels; but at a very minimum send the notice to the person/parcel owner initiating the request for the amendment. • If the zoning amendment involves less than 11 adjacent properties (§202(3), M.C.L. 125.3202(3)), then send the notice by mail or personal delivery to all persons to whom real property is assessed within 300 feet of the property(ies) which is the subject of the notice/hearing/amendment regardless of whether the owner and property are located in the zoning jurisdiction or not. (§103(2), M.C.L. 125.3103(2)) • If the zoning amendment involves less than 11 adjacent properties (§202(3), M.C.L. 125.3202(3)), then send the notice by mail or personal delivery to one person occupying each structure, unit or spatial area within 300 feet of the property(ies) which is the subject of the notice/hearing/amendment regardless of whether the structure and occupant are located in the zoning jurisdiction or not. If a structure contains more than four dwelling units, notice shall only be sent to the manager to be posted near the main entrance. (§103(2), M.C.L. 125.3103(2)) • Send the notice by mail to each electric, gas, and pipeline public utility company, each telecommunication service provider, each railroad operating within the district or zone affected. (§306(2), M.C.L. 125.3306(2)) <p>See also §202(2) and 202(3), M.C.L. 125.3202(2) and 125.3202(3).</p>	<p>Copy of notices of hearing,</p> <p>affidavit notices were delivered,</p> <p>affidavit of publication,</p> <p>list of who notices were sent to.</p> <p>Minutes of public hearing</p>
<input type="checkbox"/> Task is done <input type="checkbox"/> In the file	<p>Step 6. After the hearing, the planning commission should consider adoption of the zoning amendment. Action may be to recommend to the legislative body adoption, or not. Regardless of the recommendation, the process does not end until all steps in this checklist are completed.</p> <p>The determination as to if the zoning amendment should be recommended for adoption, or not, is based mainly on if the amendment complies with, or furthers, the plan upon which the zoning ordinance is based. There are additional factors which should also be considered, found in part II “Adoption/Amendment/Rezoning” of <i>Michigan Zoning Guidebook: for Citizens and Local Officials</i>.</p>	<p>Minutes of the commission meeting which contains this motion.</p>

Check when task is done	Step, or Task		Copy in the permanent file
<input type="checkbox"/> Task is done <input type="checkbox"/> In the file	<p>Step 7. For cities, villages, and counties.</p> <p>Go to step 8.</p>	<p>Step 7. For Townships</p> <p>After the hearing, the planning commission shall submit the proposed zoning amendment, with its tentative recommendation, to the County Planning Commission (§307, M.C.L. 125.3307). (One should check with the County Planning Department to find out the deadline prior to the County Planning Commission meeting for submittal.) The planning commission has 30 days for this review. The review is waived if not received by the township within the 30 days.</p> <p>It is recommended the following be provided with the submittal to the county: A letter from the township's lawyer stating:</p> <ol style="list-style-type: none"> a. He or she reviewed the proposed ordinance. b. It is written properly. c. It has been adopted properly to date. d. In his or her opinion he or she can uphold its provisions in court. 	<p>For townships:</p> <p>Letter of transmittal to the County Planning Commission</p> <p>Copy of attorney's letter to County Planning Commission.</p>
<input type="checkbox"/> Task is done <input type="checkbox"/> In the file	<p>Step 8. The planning commission should adopt a resolution recommending to the legislative body to adopt the zoning amendment, or to not adopt the zoning amendment, and file with the legislative body (§305, M.C.L. 125.3305):</p> <ul style="list-style-type: none"> • The text of a zoning amendment, with the necessary maps and zoning regulations to be adopted. • The manner of administering and enforcing the proposed zoning ordinance or a statement that this does not change. • A written summary of each comment made at the public hearing(s). (§308(1), M.C.L. 125.3308(1)) • If a township, a copy of County Planning Commission's recommendations on the proposed zoning. 		<p>Copy of zoning ordinance, zoning map, zoning manual and forms.</p> <p>Copy of County Planning Commission recommendation on zoning ordinance.</p>
<input type="checkbox"/> Task is done <input type="checkbox"/> In the file	<p>Step 9. The legislative body shall review the proposed zoning amendment.</p>		<p>Minutes of the legislative body meeting.</p>

Check when task is done	Step, or Task	Copy in the permanent file
<input type="checkbox"/> Task is done <input type="checkbox"/> In the file (notices, etc.) <input type="checkbox"/> In the file (minutes)	<p>Step 10. (Optional, which may or may not happen) The legislative body may hold an additional hearing on the proposed ordinance/amendment if it considers it necessary (or as may be required by city or village charter) (§401(1), M.C.L. 125.3401(1)). Notices for the public hearing are required (§401(2), M.C.L. 125.3401(2)). The notice shall include the following information:</p> <ul style="list-style-type: none"> • Describe the nature of the request (§103(4)(a), M.C.L. 125.3103(4)(a)). • Indicate the property(ies) which is(are) subject of the hearing (§103(4)(b), M.C.L. 125.3103(4)(b)). • A statement of when and where the issue will be considered (§103(4)(c), M.C.L. 125.3103(4)(c)). • An indication of when and where written comments will be received concerning the issue (§103(4)(d), M.C.L. 125.3103(4)(d)). • If the zoning amendment involves less than 11 adjacent properties (§202(3), M.C.L. 125.3202(3)), then a listing of all existing street addresses within the property(ies) which is(are) subject of the hearing. (Street addresses do not need to be created and listed if no such addresses currently exist. If there are no street addresses another means of identification may be used (§103(3)(b), M.C.L. 125.3103(3)(b)). <p>If a hearing is held the notices shall be given not less than 15 days before the date of consideration for approval (§103(3), M.C.L. 125.3103(3)).</p> <p>Notices shall be:</p> <ul style="list-style-type: none"> • Published in a newspaper of general circulation in the local unit of government (§103(1), M.C.L. 125.3103(1)). (Note: “General circulation” means a newspaper which has a paid subscription, and does not mean a free-distribution advertiser or similar type publication.) • If the zoning amendment involves less than 11 adjacent properties (§202(3), M.C.L. 125.3202(3)), then send the notice by mail or personal delivery to owners of property(ies) for the land which is the subject of the notice/hearing/amendment (§103(2), M.C.L. 125.3103(2)). • If the zoning amendment involves less than 11 adjacent properties (§202(3), M.C.L. 125.3202(3)), then send the notice by mail or personal delivery to all persons to whom real property is assessed within 300 feet of the property(ies) which is the subject of the notice/hearing/amendment regardless of whether the owner and property is located in the zoning jurisdiction or not. (§103(2), M.C.L. 125.3103(2)) • If the zoning amendment involves less than 11 adjacent properties (§202(3), M.C.L. 125.3202(3)), then send the notice by mail or personal delivery to one person occupying each structure, unit or spatial area within 300 feet of the property(ies) which is the subject of the notice/hearing/amendment regardless of whether the structure and occupant are located in the zoning jurisdiction or not. If a structure contains more than four dwelling units, notice shall only be sent to the manager to be posted near the main entrance. (§103(2), M.C.L. 125.3103(2)) • Send the notice by mail to each electric, gas, and pipeline public utility company, each telecommunication service provider, each railroad operating within the district or zone affected. (§306(2), M.C.L. 125.3306(2)) <p>See also §202(2) and 202(3), M.C.L. 125.3202(2) and 125.3202(3).</p> <p>The legislative body shall hold a hearing on a zoning ordinance if a interested property owner requests a hearing by certified mail, addressed to the clerk of the legislative body. A hearing under this subsection is not subject to the above requirements. The notice for this requested hearing shall include the following information:</p> <ul style="list-style-type: none"> • Description the nature of the request. • Indicate the property(ies) which is(are) subject of the request. • A statement of when and where the request will be considered. • An indication of when and where written comments will be received concerning the request <p>If a requested hearing is held, the notices shall be given not less than 15 days before the date of the requested hearing (§401(4)), M.C.L. 125.3401(4)). Notices shall be:</p> <ul style="list-style-type: none"> • Sent to the interested property owner. 	<p>Copy of notices of hearing,</p> <p>affidavit notices were delivered,</p> <p>affidavit of publication,</p> <p>list of who notices were sent to,</p> <p>Copy of landowner’s request,</p> <p>Minutes of public hearing.</p>

Check when task is done	Step, or Task	Copy in the permanent file	
<input type="checkbox"/> Task is done <input type="checkbox"/> In the file	Step 11. If the legislative body considers changes, additions or amendments to the proposed zoning amendment; the changes, etc., may be referred back to the planning commission for consideration and comment within the legislative body's specified period of time. (§401(3), M.C.L. 125.3401(3))	Copy of legislative body's request.	
<input type="checkbox"/> Task is done <input type="checkbox"/> In the file	Step 11a. (Which may, or may not happen). For cities and villages. Protest petition (abutter's challenge) concerning the proposed zoning amendment may be filed with the city or village. The protest petition shall be signed by one or more of the following: <ul style="list-style-type: none"> • Be signed by owners of at least 20% of the area of land included in the proposed zoning amendment. • Be signed by owners of at least 20% of the area of land included within an area extending outward 100 feet from any point on the boundary of the land included in the proposed change (not including publicly owned land). (§202(4), M.C.L. 125.3202(4) and §403, M.C.L. 125.3403).	Step 11a. For Townships and counties. Go to step 12.	Copy of the protest petition. Copy of the clerk's finding the petition has enough/not enough signatures.
<input type="checkbox"/> Task is done	Step 11b. (Which may, or may not happen). For cities and villages. If a protest petition is received and found valid, the legislative body shall require $\frac{2}{3}$ vote of the legislative body to adopt the zoning amendment (step 12). Some villages and cities may have a charter requirement, or an ordinance requirement which requires an even larger super-majority (but not more than $\frac{3}{4}$ vote of the legislative body to adopt the zoning amendment (step 12). (§202(4), M.C.L. 125.3202(4) and §403, M.C.L. 125.3403).	Step 11b. For Townships and counties. Go to step 12.	

Check when task is done	Step, or Task		Copy in the permanent file
<input type="checkbox"/> Task is done <input type="checkbox"/> In the file	Step 12. The legislative body shall vote on the adoption of the proposed zoning amendment, with or without amendments. The vote to adopt is done with a majority vote of the members of the legislative body (unless subject to a protest petition in a village or city, see step 11b) (§401(5), M.C.L. 125.3401(5)).		Copy of minutes (including motion and vote) to adopt the zoning ordinance. Most recent copy of the appeals board appointments.
	Step 12a. For a city or village. The zoning amendment shall take effect (§401(6), M.C.L. 125.3401(6)): <ul style="list-style-type: none"> • seven days after a "notice of adoption" has been published, step 14, or • a later date specified by the legislative body. 	Step 12a. For a township or county. The zoning amendment shall take effect: <ul style="list-style-type: none"> • seven days after a "notice of adoption" has been published, step 14, (§401(6), M.C.L. 125.3401(6)), or • If a petition was not filed: expiration of the 30 days after a "notice of adoption" was published, step 16, (§402(3)(a), M.C.L. 125.3402(3)(a)), or • If a petition was filed: when the legislative body's clerk has determined the petition is inadequate (e.g. not enough qualified signatures, drafted improperly) (§402(3)(b), M.C.L. 125.3402(3)(b)), or • If an adequate petition was filed: after the results of an election (step 15c) have been certified to have adopted the zoning ordinance/amendment (§402(3)(c), M.C.L. 125.3402(3)(c)), or • a later date specified by the legislative body (§401(6), M.C.L. 125.3401(6)). 	
<input type="checkbox"/> Task is done <input type="checkbox"/> In the file	Step 13. A copy of the zoning amendment, amendments, supplements, and maps shall be filed with the local unit of government's clerk (§401(7), M.C.L. 125.3401(7)) and if a township, also the county clerk. A copy of the notice of adoption, step 14, shall be mailed to an airport(s) manager (see §306, M.C.L. 125.3306). If the county planning commission had requested to be provided with a copy of the zoning ordinance, then a copy of the zoning amendment shall also be provided to the county planning commission. The copy may be sent electronically (M.C.L. 125.3869).		Copy of the adopted ordinance Copy of mailing to airport(s) manager. If a township, a copy of filing with the county clerk Copy of mailing to county planning commission.

Check when task is done	Step, or Task		Copy in the permanent file
<input type="checkbox"/> Task is done <input type="checkbox"/> In the file	<p>Step 14. One notice of “ordinance adoption”, within 15 days of adoption (step 12), shall be published in a local newspaper (§401(7), M.C.L. 125.3401(7). (Note: “General circulation” means a newspaper which has a paid subscription, and does not mean a free-distribution advertiser or similar type publication.)</p> <p>The notice shall include (§401(9), M.C.L. 125.3401(9)):</p> <ul style="list-style-type: none"> • Either: <ul style="list-style-type: none"> • a summary of the regulatory effect of the amendment, including the geographic area affected, or • the text of the amendment. • The effective date of the ordinance or amendment. • The place where and the time when a copy of the ordinance or amendment may be purchased or inspected. 		<p>Copy of the “notice of ordinance adoption” and affidavit of publication.</p> <p>Statement of effective date of the ordinance</p>
<input type="checkbox"/> Task is done <input type="checkbox"/> In the file	<p>Step 15. (Optional) A copy of the zoning amendment can be placed on file with the _____. The original ordinance should be updated, by incorporating the amendment into it. A copy of the updated zoning ordinance can be placed on file with _____.</p>		<p>The zoning amendment.</p> <p>The updated ordinance.</p>
<input type="checkbox"/> Task is done <input type="checkbox"/> In the file	<p>Step 15a. For villages and cities. (With no charter referendum options)</p> <p>Go to step 16.</p>	<p>Step 15a. (Which may, or may not happen). For townships and counties. (And a city or village where a charter provides for referendums, but according to the procedure specified in charter, not the procedure found here.)</p> <p>Within seven days after the “notice of adoption” has been published (step 12a) a registered elector in the zoning jurisdiction may file with the clerk of the legislative body a “notice of intent” to file a petition to bring all, or part of, the zoning amendment to a vote. (§402(1), M.C.L. 125.3402(1))</p>	<p>Copy of the “notice of intent.”</p>
<input type="checkbox"/> Task is done <input type="checkbox"/> In the file	<p>Step 15b. For villages and cities. (With no charter referendum options)</p> <p>Go to step 16.</p>	<p>Step 15b. (Which may, or may not happen). For townships and counties. (And a city or village where a charter provides for referendums, but according to the procedure specified in charter, not the procedure found here.)</p> <p>Within 30 days of the ordinance adoption (step 12a) that elector can file the petition with the clerk of the legislative body to have the zoning amendment adoption (or a specified portion of the zoning amendment) placed on the ballot. The petition needs to be signed by 15 percent of the qualified and registered voters in the zoning jurisdiction of the total vote cast for all candidates for governor at the last preceding general election. (§402(2), M.C.L. 125.3402(2))</p>	<p>Copy of petition, or documentation by the clerk saying the petition was not received within the 30 day period.</p>

Check when task is done	Step, or Task		Copy in the permanent file
<input type="checkbox"/> Task is done <input type="checkbox"/> In the file	<p>Step 15c. For villages and cities. (With no charter referendum options)</p> <p>Go to step 16.</p>	<p>Step 15c. (Which may, or may not happen). For townships and counties. (And a city or village where a charter provides for referendums, but according to the procedure specified in charter, not the procedure found here.)</p> <p>The clerk of the legislative body reviews the petition and determines that the petition is inadequate or is adequate (e.g. is/isn't enough qualified signatures, drafted properly/improperly).</p> <p>If the petition is adequate, the legislative body sets the date for that election. (§402(3), M.C.L. 125.3402(3))</p>	<p>A copy of clerk's determination on the petition.</p> <p>Copy of election results.</p>
<input type="checkbox"/> Task is done <input type="checkbox"/> In the file	<p>Step 16. Once the ordinance has taken effect, the legislative body should act to do the following things:</p> <ul style="list-style-type: none"> • Modify the policy or procedure for administration and enforcement of the ordinance, if required for the amendment (step 8). <p>(The zoning administrator should update the inventory of existing buildings which are now nonconforming uses as a result of the zoning amendment (easiest way is through use of tax roll, or tax map air photos, to establish uses at the start of a new ordinance or amendment).</p>		<p>Copy of the minutes for the meeting where action was taken.</p> <p>Copy of the updated policy or procedure.</p>

NOTE:

COURT ORDERS. A zoning amendment for the purpose of conforming to a court order may be

adopted by the legislative body and the notice of the adopted amendment published without referring the amendment to any other board or agency.

[July 21, 2015; Wexford MSUE CED: C:\Users\kschindler\Documents\wp\BullitensMSUE Wexford\pamphlet4zoneAmendmentChecklist.wpd]