

## **Section 17.3 Procedures**

**A. Application, Distribution and Data:** A petitioner shall submit fifteen (15) copies of a completed application to the Zoning Administrator on a form established for that purpose, which shall include a detailed description of the proposed amendment including the name, address and phone number of the applicant and the desired change(s) and reason(s) for such change(s), along with any application fees. The Zoning Administrator shall record the date of their receipt. Upon finding that the application materials are satisfactorily complete, the Zoning Administrator shall transmit copies to the Planning Commission, Township Board, and other agencies or individuals that may be selected to review such petitions such as Township departments and staff, consultants, and the County Road Commission.

1. When the petition involves a change in the Zoning Map, an application shall be submitted for each lot that is not contiguous to any adjacent lot of land being proposed for the same amendment, and the applicant shall also submit the following information:
  - a. A legal description of the property, and a scaled map of the property correlated with the legal description and clearly showing the property's location, right-of-ways and easements within and adjacent to the property, and north orientation.
  - b. The applicant's name, address and phone number and interest in the property, and if the applicant is not the owner, the name, address and phone number of the owner.
  - c. A description of the site's features including acreage and road frontage; adjacent road right-of-ways; easements including their location, purpose and width; utility services to or adjacent to the property and their location; existing structures and buildings; topographic conditions; and the presence of wetlands, water bodies, and drainage courses.
  - d. The desired change and reasons for such change.
  - e. Signature(s) of petitioner(s) and owner(s) certifying the accuracy of the required information.

### **B. Planning Commission Action**

1. Public Hearing: The Planning Commission shall review the application materials. Upon finding that the application materials are satisfactorily complete, the Planning Commission shall establish a date for a public hearing on the application and hold such hearing. Notice of the public hearing shall comply with Section 2.11. Any application not properly filed or complete may be returned to the applicant with a written notice of deficiencies.
2. Planning Commission Review for Text Amendments: If the petition involves an amendment to the text of the Ordinance, matters to be considered by the Planning Commission shall include, but need not be limited to, the following:
  - a. Is the amendment petition supported by documentation, such as from the Zoning Board of Appeals, that the proposed amendment would minimize problems or conflicts with specific sections of the Ordinance?
  - b. Is the amendment petition supported by reference materials, planning and zoning publications, information gained at seminars or experiences of other communities to more effectively address certain zoning issues?
  - c. Is the amendment petition supported by significant case law?
  - d. Will the amendment petition correct an inequitable situation created by this Ordinance rather than merely grant special privileges?
  - e. Is the amendment petition in accordance with the purpose of this Ordinance?
3. Planning Commission Review for Map Amendments: If the petition involves an amendment to the official zoning map, matters to be considered by the Planning Commission shall include, but need not be limited to the following:
  - a. What, if any, identifiable conditions related to the petition have changed which justify the proposed zoning district change including trends in land development in the vicinity?
  - b. What is the impact of the zoning district change on the ability of the Township and other governmental agencies to provide adequate public services and facilities that may be reasonably required in the future if the proposed zoning district change is adopted?
  - c. Will the petitioned District change adversely affect the value of the surrounding land?
  - d. Is the site's environmental features compatible with the host of uses permitted in the proposed District, and will development under the petitioned District change be likely to adversely affect environmental conditions?
  - e. Can the subject lot comply with all requirements of the proposed zoning district?

- f. Is the subject property able to be put to reasonable economic use in the zoning district in which it is presently located?
  - g. Is the proposed District consistent with the zoning classification of surrounding land?
  - h. Does the proposed District change generally comply with the Master Plan?
  - i. Is the proposed District change in accordance with the purpose of this Ordinance?
  - j. What are the precedents and the possible effects of such precedent which might result from the approval or denial of the petition?
4. Planning Commission Recommendation: Following the hearing during the same or a subsequent meeting, the Planning Commission shall transmit a summary of comments received at the hearing to the Township Board, along with its recommended action on the petition. The Planning Commission shall also transmit the proposed amendments and its recommended action on the petition to the Huron County Planning Commission.

### **C. Township Board Action**

- 1. After receiving the findings and recommendations of the Planning Commission, the Township Board at a regular meeting or at a special meeting called for that purpose, shall consider said findings and recommendations. The Township Board may refer any proposed amendment back to the Planning Commission for further consideration and comment within a time specified by the Township Board, and may direct the Planning Commission to hold a public hearing on any proposed changes identified by the Township Board. The Township Board may adopt the amendment, with or without changes. Such action shall be by Ordinance, requiring a majority vote of the Township Board.
  - a. The Township Board shall not take action on a petition prior to receiving the advisory comments of the Huron County Planning Commission, except that if the Township Board has not received the Huron County Planning Commission's comments within thirty (30) days of the submittal by the Township Planning Commission to the Huron County Planning Commission, the Township Board need not delay taking action on the petition.
  - b. The Township Board may hold additional public hearings if the Township Board considers it necessary. The Township Board shall grant a hearing on the proposed amendment to any interested property owner who has filed a written request to be heard. Such written request shall take the form of a certified mail letter from the property owner to the Township Clerk. A hearing under this subsection (b) is not subject to the notice requirements of Section 2.11, except that notice of the hearing shall be given to the interested property owner according to Section 2.11(A) and (C). The Township Board may require the property owner to justify the property owner's interest on which the additional hearing request is based.

**D. Publication of Notice of Ordinance Amendments:** Following adoption of amendments by ordinance by the Township Board, the amendment ordinance shall be filed with the Township Clerk and one (1) notice of adoption shall be published in a newspaper of general circulation in the Township within fifteen (15) days after adoption. Promptly following adoption of an amendment ordinance by the Township Board, a copy of the notice of adoption shall also be mailed to the airport manager of each airport that registers its name and mailing address with the Township Clerk for the purpose of receiving such notices. The adoption notice shall provide either a summary of the regulatory effect of the amendments including the geographic area affected, or the text of the amendment, and the effective date of the amendment ordinance and the place and time where a copy of the amendment ordinance may be purchased or inspected.

- 1. Effective Date: The effective date of an amendment ordinance shall be the expiration of eight (8) days after publication of the notice of adoption as provided in (D) above except where the Township Board expressly provides for a greater number of days.