
IOSCO TOWNSHIP ZONING

ARTICLE 15

AMENDMENTS

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ARTICLE 15
AMENDMENTS

Section 15.1 Initiating Amendments

The Township Board may, from time to time, amend, modify, supplement, or revise the district boundaries or the provisions and regulations of this ordinance. Amendments may be initiated by the Township Board, the Township Planning Commission, or by petition of one or more property owners of Iosco Township, or by one or more persons acting on behalf of a property owner(s) of Iosco Township. All proposed amendments shall be referred to the Township Planning Commission for review and recommendation before action may be taken thereon by the Township Board.

Section 15.2 Fees

The Township Board shall establish, by resolution, fees for zoning amendment petitions. The fee shall be paid in full at the time of filing of the petition, and no part of the fee shall be returnable to the petitioner. Fees shall not be required for amendments proposed or requested by any government agency or body.

Section 15.3 Amendment Procedures

15.3.1 The procedure for amending this ordinance shall be in accordance with Public Act 110 of 2006, as amended.

15.3.2 The original petition and eleven (11) copies thereof shall be filed with the Township Clerk. The Clerk shall transmit the petition and ten (10) copies thereof to the Township Planning Commission for review and report to the Township Board. The Planning Commission shall establish a date for a public hearing on the petition and shall give a notice thereof to the owner of the property in question, to all persons to whom any real property within three hundred (300) feet of the premises in question is assessed and to the occupants of all single- and two (2) family dwellings within three hundred (300) feet. The notice shall be delivered personally or by mail to the respective owners and tenants at the address given in the last assessment roll. If the tenant's name is not known, the term "occupant" may be used. If the notice is delivered by mail, an affidavit of mailing shall be filed with the Planning Commission prior to the hearing. The notice shall be made not less than fifteen (15) days prior to the hearing, stating the time, place, date and purpose of the hearing. The Planning Commission shall also give notice of the public hearing in a newspaper of general circulation in Iosco Township, at least fifteen (15) days before the date of such hearing. Not less than fifteen (15)

days notice of the time and place of such hearing shall also be given by mail to each electric, gas, pipeline and telephone public utility company that registers its name and mailing address with the Planning Commission for the purpose of receiving such notice, and to each railroad operating within the district or zone affected that registers its name and mailing address with the Township Planning Commission for the purpose of receiving notice. The notices shall include the places and times at which the tentative text and any maps of the proposed amendment may be examined. Public hearing requirements shall also apply to amendments initiated by the Township Board, the Township Planning Commission and by any other governmental agency or body.

15.3.3 Requirements of written notice to property owners shall not apply to comprehensive revisions to the zoning ordinance.

15.3.4 The Planning Commission shall, following the public hearing and action on the petition, transmit the petition and a summary of comments received at the public hearing to the County Planning Commission for review and recommendation to the Township Board.

15.3.5 The Planning Commission shall report its findings, a summary of comments from the public hearing, and its recommendations for disposition of the petition to the Township Board following the public hearing within a reasonable amount of time from the filing date. If the Township Board shall deem advisable any changes, additions, or departures as to the proposed amendment, it shall refer same to the Planning Commission for a report thereon within a time specified by the Board. Thereafter, the Board may act upon the petition.

Section 15.4 Information Required

15.4.1 When the petition involves an amendment to the official zoning map, the petitioner shall submit the following information:

- A. A legal description of the property, including a street address and the tax code number(s).
- B. A scaled map of the property, correlated with the legal description, and clearly showing the property's location.
- C. The name, address and phone number of the petitioner.
- D. The petitioner's interest in the property; if the petitioner is not the record owner, the name and address and phone number of the record owner(s), and that owner(s) signed notarized consent to the petition.
- E. Signature(s) of petitioner(s) and owner(s), certifying the accuracy of the information.

- F. Identification of zoning classification requested; existing zoning classification of subject property.
- G. Vicinity map showing location of property, and adjacent land uses and zoning classification.

15.4.2 When a petition involves a change in the text of the zoning ordinance, the petitioner shall submit the following information:

- A. A detailed statement of the petition, clearly and completely setting forth all proposed provisions and regulations, including, all changes in the zoning ordinance necessary to accommodate the proposed amendment. Additions shall be indicated by the use of all capital letters, deletions by slash thru (e.g. of the text to be eliminated or changed).
- B. Name, address and phone number of the petitioner.
- C. Reasons for the proposed amendment.

Section 15.5 Publication

15.5.1 Following Township Board approval of a petition to amend the zoning ordinance, notice of the amendment shall be published within fifteen (15) days after adoption in a newspaper of general circulation within Iosco Township. The notice of adoption shall include the following information:

- A. Either a summary of the regulatory effect of the amendment, including the geographic area affected, or the text of the amendment.
- B. The effective date of the amendment.
- C. The place and time where a copy of the ordinance may be purchased or inspected.

Section. 15.6 Referendum

Within seven (7) days following the adoption of an amendment to the zoning ordinance, a registered elector of the Township may file with the Township Clerk a notice of intent to file a petition for a referendum on an ordinance, part of an ordinance or amendment, requesting therein for the submission of the ordinance, part of the ordinance or amendment to the electors residing in the unincorporated portion of Iosco Township for their approval. If a note of intent is filed, then within 30 days following the publication of said amendment or ordinance, a petition signed by a number of registered electors residing in the portion of the Township outside the limits of cities and villages equal to not less than 10% of the total vote cast for all candidates for governor, at the last preceding general election at which a governor was elected, in the Township may be filed with the Township Clerk requesting the submission of an ordinance, part of an ordinance or amendment to the electors residing in the portion of the Township outside the limits of cities and villages for their approval. Upon the filing of the notice of intent, the ordinance, part of the ordinance or amendment adopted by the Township Board shall not take effect until one of the following occurs:

- A. The expiration of 30 days after publication of the ordinance, or part of the ordinance, if a petition is not filed within that time.

- B. If a petition is filed within 30 days after publication of the ordinance, or part of the ordinance, the Township Clerk determines that the petition is inadequate.

- C. If a petition is filed within 30 days after publication of the ordinance the Township Clerk determines that the petition is adequate and the ordinance, part of the ordinance or amendment is approved by a majority of the of the registered electors residing in the portion of the Township outside the limits of cities and villages voting thereon at the next regular election which supplies reasonable time for proper notices and printing of ballots, or at any special election called for that purpose. The Township Board shall provide the manner of submitting an ordinance, part of an ordinance, or amendment to the electors for their approval or rejection, and determining the result of the election.

Section 15.7 Conformance to Court Decree

Any amendment for the purpose of conforming to a provision of a decree of a court of competent jurisdiction as to any specific lands may be adopted by the Township Board and the notice of amendment published without referring same to any other board or agency.