

ARTICLE IX: AMENDMENTS

Section 9.1 THE CITY COUNCIL MAY AMEND

The regulations and provisions stated in the text of this Ordinance and the boundaries of zoning districts shown on the Zoning Districts Map of the City of Olivet may be amended, supplemented, or changed by the City Council in accordance with State of Michigan Act 207 of the Public Acts of 1921, as amended.

Section 9.2 INITIATION OF AMENDMENTS

Proposals for amendments, supplements or changes may be initiated by the City Council on its own motion, by the Planning Commission, or by petition of the one (1) or more owners of property to be affected by the proposed amendment.

Section 9.3 AMENDMENT PROCEDURE

9.3.1. PETITION TO CITY COUNCIL: Each petition by one (1) or more owners for an amendment shall be submitted by application to the City Clerk on a standard form provided. A fee as established by the City Council shall be paid at the time of application to cover costs of necessary advertising for public hearing, for the use of a standard amendment sign, the investigation of the amendment request. No part of such fee shall be returnable to a petitioner. No fee shall be charged if the City or any official body of the City is the moving party.

9.3.2. REFERAL TO PLANNING COMMISSION: The City Council shall refer every proposed amendment, supplement or change to the Planning Commission for the holding of a public hearing thereon and for review and recommend action.

9.3.3. PLANNING COMMISSION RECOMMENDATION: The Planning Commission shall consider each proposal for amendment in terms of its own judgment on particular factors related to the individual proposal and in terms of the likely effect of such proposal upon the Future Land Use Plan for the City of Olivet. The Planning Commission may recommend any additions or modifications to the original amendment proposal. The Planning Commission shall transmit a written recommendation within sixty (60) days to the City Council setting forth the

reasons for the acceptance, denial or modification of the amendment proposal.

9.3.4. ACTION BY CITY COUNCIL: The Planning Commission shall then transmit its recommendations concerning the proposed amendment to the City Council, and if the City Council shall deem any amendments, changes, additions or departures are advisable to the proposed text or district boundaries recommended by the Planning Commission, it shall refer the same back to the Planning Commission for a report thereon within a time specified by the City Council. After receiving the report and before any amendments shall become effective, the City Council shall conduct a public hearing on the proposed amendment. Thereafter, the City Council may adopt the amendment with or without any changes or may refer the same again to the Planning Commission for further report.

9.3.5. PUBLIC HEARING PROCEDURE AND NOTICE THEREOF:

For any public hearing conducted by the Planning Commission or the City Council on a proposed amendment to this Ordinance, the following procedure and notice requirements shall apply.

1.) Notice of the public hearing shall be given by publishing said notice at least once in a newspaper of general circulation in the City of Olivet stating the time and place of such hearing and the substance of the proposed amendment, and in the event of a proposed change in the Zoning Districts Map the district boundary lines affected shall also be stated. This notice shall appear in said newspaper at least fifteen (15) days prior to the date set for the public hearing.

Furthermore, not less than fifteen (15) days notice of the time and place of such public hearing shall first be given by mail to each public utility company and to each railroad company owning or operating any public utility or railroad within the districts or zones affected that registers its name and mailing address with the city's clerk for the purpose of receiving the notice. An affidavit of mailing shall be granted any person interested at the time and place specified on the notice.

2) Additionally, any parcel, regarding which a petition for change in zoning classification has been filed by any person,

shall be posted by the petitioner for at least fifteen (15) days prior to the public hearing. The posted notices shall be provided by the Zoning Administrator once the Planning Commission sets its date for a public hearing. The posted notices shall include the following messages: a) the present zoning classification, b) the proposed zoning classification, c) the time and place of the public hearing and d) the location where additional information may be obtained.

3) Notice of the proposed zoning change shall also be made by the City Clerk, mailing notification by first-class mail to the person or firm to whom the property is assessed, and to all persons or firms to whom property within three hundred (300) feet are assessed, PROVIDED, however, that failure to mail such notices in any particular instances shall not invalidate any zoning ordinance enacted.

9.3.6. EFFECT OF PROTEST TO PROPOSED AMENDMENT: In case a protest against any proposed amendment of this Ordinance be presented in writing to the city clerk prior to the public hearing thereon, duly signed by the owners of twenty percent (20%) of the area of land included in the proposed change, or by the owners of twenty percent (20%) of the area of land included within an area extending outward 100 feet from any point on the boundary of land included in the proposed change, such amendment shall not be passed except by a council except by a three-fourths (3/4) vote of all members of the City Council. Publicly owned land shall be excluded in calculating the twenty percent (20%) and area requirement.

9.3.7. RESUMITTAL: No application for a rezoning which has been denied by the city council shall be resubmitted for a period of one (1) year from the date of the last denial, except on grounds of newly-discovered evidence or proof of changed conditions found upon inspection by the City Council to be valid.

9.3.8. PUBLICATION OF NOTICE OF ORDINANCE AMENDMENTS: Following adoption of subsequent amendments to this ordinance by the City of Olivet, one (1) notice of adoption shall be published in a newspaper

of general circulation in the city or village within fifteen (15) days after adoption. The notice shall include the following information:

- 1.) Either a summary of the regulatory effect of the amendment including the geographic area affected, or the text of the amendment.
- 2.) The effective date of the amended Ordinance.
- 3.) The place and the time where a copy of the amended Ordinance may be purchased or inspected. The filing and publication requirements in this section relating to city and village zoning ordinances supercede character provisions relating to the filing and publication of city and village ordinances.

9.3.9. COMPREHENSIVE REVIEW OF ZONING ORDINANCE: The Planning Commission shall, from time to time at intervals of not more than five (5) years, examine the provisions of this Ordinance and the location of zoning district boundary lines and shall submit a report to the City Council recommending changes and amendments, if any, which are deemed to be desirable in the interest of public health, safety and general welfare.