

VILLAGE OF CARO ZONING ORDINANCE

ARTICLE 27 AMENDMENTS

Section 2700 INTENT:

Amendments to this Ordinance may be made from time to time in the same manner as provided under State Statute for enactment of the original ordinance.

Section 2701 PLANNING COMMISSION:

The Village Planning Commission is hereby designated as the Commission specified in Section 4, of Act 207 of the Public Acts of 1921, and shall perform the zoning duties of said Commission as provided in the statute in connection with the amendment of this Ordinance.

Section 2702 INITIATION OF ZONING ORDINANCE AMENDMENT:

1. Any proposal for an amendment to the zoning ordinance text or map may be initiated by any qualified voter residing in the village upon the filing with the village clerk of a petition containing the proposed text or map change and endorsed by a number of qualified and registered voters residing in the village equal to not less than eight percent (8%) of the total vote cast for all candidates for governor, at the last preceding general election at which a governor was elected. Text amendments may also be initiated by payment of the required fee.
2. Any proposal for an amendment to the zoning ordinance map may be initiated by any owner of an interest in the lot as to the zoning of such lot upon the filing with the village clerk and application on forms provided by the village proposing the zone change, accompanied by a map at an appropriate scale showing the subject parcel in relation to adjoining parcels of land, and the necessary fees for such zoning change.
3. Any proposal for an amendment to the zoning ordinance text or map may be initiated by the village council or the village planning commission, upon filing with the village clerk a resolution, duly adopted and proposing an amendment.

Section 2703 PROCEDURE:

The procedure for making amendments shall be as follows:

1. All zoning amendments, whether originating with the Planning Commission, or some other body or individual shall be reviewed by the Commission.

2. As provided by Section 4, Act 207 of Public Acts of 1921, as amended, notice (s) of a public hearing by the Planning Commission on a rezoning of a property shall be given by publication in a newspaper of general circulation in the Village. The first notice to appear not less than fifteen (15) days prior to the date of such hearing. In addition, not less than fifteen (15) days notice of time and place of the hearing shall 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. The Planning Commission shall also transmit a notice of the proposed rezoning personally or by mail to the owner of the property in question and to property owners and one and two family dwelling occupants within three hundred (300) feet not less than fifteen (15) days before the public hearing. An affidavit of mailing shall be maintained where relevant. Notices shall include the places and times at which text and tentative maps of the Ordinance may be examined and state the date, place, time and purpose of the public hearing. Any other public hearing held on an amendment proposal shall follow the notification procedure above.
3. Following its deliberations, the proposal, including any changes thereto which the Planning Commission deems advisable, shall be submitted to at least one public hearing as provided by Section 4, Act 207, Public Acts of 1921, as amended, and as specified in Section 2100.
4. Immediately after the proposal has been acted on as described in 1 and 2, the Planning Commission shall transmit a summary of comments received at the public hearing with the proposed amendment to the Village Council.
5. Adoption of the amendment must be a majority of the membership of the Village Council unless there is an abutter's challenge as outlined below, in which case a two-thirds (2/3) vote is required.
6. The amendment must be filed with the Village Clerk and one notice of its adoption with complete text or summary of regulatory effect must be published within fifteen (15) days after adoption.

Section 2704 ABUTTERS CHALLENGE:

As required under section 4, Act 207 of 1921, if a qualifying protest petition is submitted to the village council before the final vote on approval of an amendment, the amendment requires a vote of two-thirds (2/3) of the members of the village council to approve it. A qualifying petition must be signed by:

1. The owners of at least twenty (20) percent of the area of land included in the proposed change, or

2. The owners of at least twenty (20) percent of the area of land within an area extending outward one hundred (100) feet from any point on the boundary of the land included in the proposed change.

For the purposes of 1. and 2. above, publicly owned land is excluded from the calculations.