

## **SECTION 6 DISTRICT CHANGES AND ORDINANCE AMENDMENTS**

### **1. SUBMITTAL TO PLANNING COMMISSION**

In accordance with the provisions of the Michigan Zoning Enabling Act, P.A. 110 of 2006, as amended, the Village Council of the Village of Mayville may from time to time amend, or change by ordinance, the number, shape or area of districts established on the Zoning Map or the regulations set forth in the Ordinance; but no such amendment or change shall become effective unless the ordinance proposing such amendment or change shall first be submitted to the Village Planning Commission for approval, disapproval or suggestions and said Planning Commission shall have been allowed a reasonable time, not less than sixty (60) days, for consideration and report.

### **2. APPLICATION TO VILLAGE COUNCIL**

Any person or persons desiring a change in the Village Ordinance text or map shall make application to the Village Clerk. In case of a Zoning Ordinance text amendment, a letter shall be submitted which shall contain the requested change and the reason for such change; in case of a desired Zoning Map change a petition shall be submitted which shall describe the property involved, the zone change desired and the reason for such change, with either type of request there shall be an accompanying fee, based on a fee schedule to be established by resolution of the Village Council.

### **3. PUBLIC HEARING**

The public hearing shall be advertised by at least one (1) publication in a newspaper of general circulation in the village not less than fifteen (15) days before the date of the hearing. Notice shall be given to the owners of the property that is the subject of the request, to all persons to whom real property is assessed within 300 feet of the property that is the subject of the request, and to occupants of all structures within 300 feet of the subject property regardless of whether the property or structure is located in the zoning jurisdiction. Notice is considered to be given when personally delivered or when deposited during normal business hours for delivery with the United States postal service or other public or private delivery service not less than 15 days before the date the request will be considered. In the case of occupants of a structure where the identity of each occupant is unknown, it shall be sufficient to address the notice to "occupants" without specifically naming each occupant.

Said notice shall indicate the following:

- a. Describe the nature of the request.
- b. Indicate the property that is the subject of the request. The notice shall include a listing of all existing street addresses within the property. Street addresses do not need to be created and listed if no such addresses currently exist within the property. If there are no street addresses, other means of identification may be used.
- c. State when and where the request will be considered.
- d. Indicate when and where written comments will be received concerning the request.

#### **4. RESPONSE**

After receiving recommendation and report from the Village Planning Commission, the Village Council shall review the request after the public hearing. The Village Council may conduct additional public hearings on the matter, in which case they shall follow the notice requirements established. Following their review the council may deny the request or enact an amendment to the Zoning Ordinance. The Village Council shall have sixty (60) days to accept, deny, or modify the request from the time of the public hearing.

#### **5. PROTEST**

If a protest petition opposing a proposed zoning amendment is presented to the Village Council before final action on that request and is signed by the owners of twenty (20) percent or more of the land included in such change, or by the owners of twenty (20) percent or more of the land included within an area extending outward 100 feet from any point on the boundary of the land included in the change, such amendment shall not be passed except by the favorable vote of five (5) members of the Village Council of the Village of Mayville.