



**House
Legislative
Analysis
Section**

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CHANGE ZONING NOTICE LIMIT

House Bill 4700 as introduced
First Analysis (10-9-89)

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OCT 19 1989

Sponsor: Rep. Gary L. Randall
Committee: Towns and Counties

Mich. State Law Library

H.B. 4700 (10-9-89)

THE APPARENT PROBLEM:

The county zoning act allows counties to have ordinances permitting special land uses in zoning districts and specifies what must be included in such ordinances. Officials or boards responsible for reviewing requests for special land uses must give public notice that a request has been received and will be considered for approval. Notices must be published in local newspapers, as well as be sent by mail to affected property owners, not less than five days nor more than fifteen days before the hearing on the request.

Problems sometimes arise for residents of townships that do not have their own zoning ordinances. In these townships, residents must submit requests for special use permits to the county, which then mails and publishes the required notice and asks the township board for its input. However, since some township boards meet only once a month and since existing law requires that notice be given not more than fifteen days before the application is to be considered, the county's request to the township board for input may come too late for affected property owners to express their opinions to the township board. As a result, the input given by the township board to the county on special land use requests may not actually reflect the property owners' positions. Legislation has been proposed which would alleviate this problem.

THE CONTENT OF THE BILL:

The bill would amend the County Rural Zoning Act to change the maximum time limit for public notice of a request for a special land use from the present 15 days to 45 days.

MCL 15.216b

FISCAL IMPLICATIONS:

Fiscal information is not available. (10-5-89)

ARGUMENTS:

For:

Increasing the amount of time allowed between notices of special land use permit hearings and the hearings themselves would allow residents of certain rural townships (namely, those that do not have their own zoning ordinances) the time to contact their township boards about special land use requests. The township boards then would be able to accurately convey to the county the opinions of township property owners who would be affected by a proposed special land use permit. Since the bill does not require 45 day notification, but merely allows this longer notification time, it would give counties some flexibility in working cooperatively with townships.

POSITIONS:

The Michigan Association of Counties supports the bill.
(10-5-89)