

HOUSE BILL No. 6020

December 2, 2014, Introduced by Rep. Price and referred to the Committee on Local Government.

A bill to amend 1949 PA 208, entitled

"An act to authorize cities, villages and townships of this state to designate neighborhood areas for the purpose of planning and carrying out local public improvements for the prevention of blight within such areas; to authorize assistance in carrying out plans for local improvements by the acquisition and disposal of real property in such areas; to provide for the combining of neighborhood improvements that benefit the entire neighborhood into 1 improvement project; to provide for the establishment of local assessment districts coterminous with the neighborhood boundaries; to prescribe the methods of financing the exercise of these powers, and to declare the effect of this act,"

by amending sections 3 and 10 (MCL 125.943 and 125.950).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3. (1) The following plans, statements, and actions are
2 hereby made requisite for, and a condition of, the exercise of the
3 powers herein-granted **UNDER THIS ACT** for the acquisition, disposal,

1 or lease of real property for the carrying out of a neighborhood
2 betterment plan in a neighborhood area: †

3 (a) A master plan of the municipality approved by the planning
4 commission and adopted by the legislative body, or a master plan
5 sufficiently advanced to permit the designation of neighborhood
6 areas and so approved and adopted. †

7 (b) A plan of neighborhoods that sets forth precisely, the
8 location of neighborhood areas within the municipality, approved by
9 the planning commission, and which has been adopted by the
10 legislative body. ~~Such a~~ **THE plan DESCRIBED IN THIS SUBDIVISION**
11 must conform with the master plan of the municipality. †

12 (c) A neighborhood betterment plan approved by the planning
13 commission and adopted by the legislative body after **A** public
14 hearing ~~thereon as hereinafter provided of~~ **IN THIS ACT FOR** the
15 neighborhood area in which is located the land proposed to be
16 acquired for improvement purposes.

17 (2) ~~Such~~ **THE plan DESCRIBED IN SUBSECTION (1)** shall designate
18 the location, extent, character, and estimated cost of the
19 improvements contemplated for the area, †and may include ~~any or~~
20 ~~all~~ **1 OR MORE** of the following improvements:

21 (A) Partial or total vacation of plats. ~~†or replatting†~~

22 (B) **REPLATTING**, opening, widening, straightening, extending,
23 vacating, or closing streets, alleys, or walkways. ~~†locating~~

24 (C) **LOCATING** or relocating water mains, sewers, or other
25 public utilities. ~~†paving~~

26 (D) **PAVING** of streets, alleys, or sidewalks in special
27 situations. ~~†acquiring~~

1 (E) **ACQUIRING** parks, playgrounds, or other recreational areas
2 or facilities. ~~7-elimination~~

3 (F) **ELIMINATION** of nonconforming uses. ~~7-rehabilitation~~

4 (G) **REHABILITATION** of blighted areas. ~~7-street~~

5 (H) **STREET** tree planting. ~~7-green~~

6 (I) **GREEN** belts ~~7-or~~ buffer strips. ~~and other~~

7 (J) **OTHER** appropriate public improvements.

8 (3) The plan shall also include a feasible method for the
9 relocation of families who will be displaced from the area in
10 decent, safe and sanitary dwelling accommodations within their
11 means and without undue hardship to ~~such~~-**THOSE** families.

12 (4) The local legislative body, prior to adopting a
13 neighborhood betterment plan, shall hold a public hearing. ~~thereon.~~
14 ~~Notice~~-**THROUGH DECEMBER 31, 2014, NOTICE** of time and place of such
15 hearing shall be given by publication in a newspaper of general
16 circulation not less than 30 days prior to the date set for such
17 hearing. **BEGINNING JANUARY 1, 2015, THE LOCAL LEGISLATIVE BODY**
18 **SHALL PROVIDE TIER B PUBLIC NOTICE WITH A LINK AS PROVIDED IN THE**
19 **LOCAL GOVERNMENT PUBLIC NOTICE ACT NOT LESS THAN 30 DAYS PRIOR TO**
20 **THE DATE SET FOR THE HEARING.** Notice of ~~such~~-**THE** hearing shall be
21 mailed at least 15 days before ~~such~~-**THE** hearing to the last known
22 owner of each parcel of land in ~~such~~-**THE** area at the last known
23 address of ~~such~~-**THE** owner as shown by the records of the assessor.
24 ~~Such~~-**THE** notice shall contain a description of the neighborhood
25 area. For purposes of this notice it shall be sufficient to
26 describe the neighborhood area by its location in relation to
27 highways, streets, streams, or otherwise. ~~Such~~-**THE** notice shall

1 further contain a statement that maps, plats, and a particular
 2 description of the betterment plan are available for public
 3 inspection at a suitable place to be designated in ~~such~~**THE** notice.
 4 At the time set for hearing, the local legislative body shall
 5 provide an opportunity for all persons interested to be heard and
 6 shall receive and consider communications in writing. ~~with~~
 7 ~~reference thereto.~~

8 Sec. 10. On and after the date when a plan has been approved
 9 for the betterment of a neighborhood area by the legislative body,
 10 no permit shall be issued for building construction, sidewalks,
 11 drainage systems, or other major improvements done on properties
 12 indicated for public improvements which are not in accordance with
 13 the plans officially adopted and made effective by the legislative
 14 body. ~~± Provided, however, That~~ **HOWEVER**, the legislative body shall
 15 provide by ordinance that the zoning board of appeals, if the
 16 municipality has ~~such~~ a **ZONING board OF APPEALS**, or, if not, then a
 17 board of appeals created for ~~such~~**THAT** purpose, shall have the
 18 power on appeal filed with it by the owner of real property in the
 19 area to approve a minor deviation from the plan for the area in any
 20 case in which ~~such~~**THE** board finds upon the evidence presented to
 21 it that the application of the plan results in unnecessary hardship
 22 or practical difficulties and a minor deviation from the betterment
 23 plan is required by consideration of justice and equity. Before
 24 taking any such action, the board shall hold a public hearing
 25 ~~thereon,~~ **ON THAT ISSUE, AND, THROUGH DECEMBER 31, 2014, PROVIDE** at
 26 least 10 days' notice of time and place of ~~which shall be given~~**THE**
 27 **HEARING** by public notice in a newspaper published or circulated

1 generally in the municipality. ~~and by~~ BEGINNING JANUARY 1, 2015,
2 THE LEGISLATIVE BODY SHALL PROVIDE TIER B PUBLIC NOTICE WITH A LINK
3 AS PROVIDED IN THE LOCAL GOVERNMENT PUBLIC NOTICE ACT AT LEAST 10
4 DAYS PRIOR TO THE PUBLIC HEARING. IN ADDITION, THE LEGISLATIVE BODY
5 SHALL ALSO PROVIDE notice to all property owners within the
6 neighborhood area, such notice to be by mail addressed to the
7 respective owners at the address given in the last assessment roll.

8 Enacting section 1. This amendatory act does not take effect
9 unless Senate Bill No. ____ or House Bill No. 5560 (request no.
10 03796'13) of the 97th Legislature is enacted into law.