

ARTICLE 13

AMENDMENTS

SECTION 13.01 INITIATING AMENDMENTS

The City of Chelsea may, from time to time, amend, modify supplement, or revise the district boundaries or the provisions and regulations herein established whenever the public necessity and convenience and the general welfare require such amendment. Amendments may be initiated by resolution of the City of Chelsea, the Planning Commission, or by petition of one or more owners of property to be affected by the proposed amendment. All proposed amendments shall be referred to the City Planning Commission for review, public hearing and recommendation for action to the City Council.

SECTION 13.02 FEES

The City Council shall establish by resolution fees for zoning amendment petitions. Such fee shall be paid at the time of filing of the petition and no part of such fee shall be returnable to the petitioner. Fees shall not be required for amendment petitions filed by any government agency or body.

SECTION 13.03 AMENDMENT PROCEDURE

- A.** The procedure for amending this ordinance shall be in accordance with the Michigan Zoning Enabling Act 110 of 2006, as amended.
- B.** A petition shall be filed with the City Clerk. The Clerk shall transmit the petition to the City Planning Commission for public hearing, review and report to the City Council.
- C.** The Planning Commission shall report its findings and its recommendations for action on the petition to the City Council following the public hearing, but within 125 days of the filing date. This time limit may be extended by agreement between the petitioner and the Planning Commission.

SECTION 13.04 PUBLIC HEARING

The Planning Commission shall hold a public hearing on each petition. (See Section 3 of Appendix A)

SECTION 13.05 INFORMATION REQUIRED

- A.** If a petition involves an amendment to the official zoning map, the petitioner shall submit the following information:

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13.05 (A) Cont.

INFORMATION REQUIRED

1. A legal description of the property, including the street address and tax code number(s).
 2. A scaled map of the property, (correlated) with the legal description, clearly showing the property's location and adjacent land use and zoning districts, and all existing improvements on the property, such as buildings and driveways.
 3. The name, address, and telephone number of the petitioner(s).
 4. The nature of each petitioner's interest in the property. If the petitioner is not the owner, the name and address of the record and known owner(s), and the owner(s) signed consent to the petition.
 5. Identification of the zoning district requested and the existing zoning of the property.
 6. Signature(s) of the petitioner(s) and owner(s), certifying the accuracy of the information.
 7. The Planning Commission may require additional information that it deems necessary to make the findings required in Section 13.06, following.
- B.** A petition that is filed for an amendment to the text of the zoning ordinance shall provide the following information.
1. A detailed statement that, clearly and completely sets forth all proposed provisions and regulations, including all changes in the zoning ordinance necessary to accommodate the proposed amendment.
 2. Name and address of the petitioner.
 3. Reasons for the proposed amendment.

SECTION 13.06 FINDINGS REQUIRED FOR A ZONING MAP AMENDMENT

The Planning Commission shall identify and evaluate all factors relevant to the petition. The Planning Commission shall report its findings and recommendations in accordance with Section 13.03C herein. The facts to be considered by the Planning Commission shall include, but shall not be limited to, the following:

- A.** Whether the requested zoning change is justified by a change in conditions since the original ordinance.

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13.06 Cont. FINDINGS REQUIRED FOR A ZONING MAP AMENDMENT

- B.** The precedents, and the possible effects of such precedents, which might result from approval or denial of the petition.
- C.** The capacity of the City of Chelsea or other government agencies to provide any services, facilities, and/or programs that might be required if the petition were approved.
- D.** Effect of approval of the petition on the condition and/or value of property in the City of Chelsea or in adjacent municipalities.
- E.** Relationship of the petition to the adopted General Development Plan of the City of Chelsea and of other government units, where applicable.
- F.** The petition is consistent with the zoning classification of surrounding land.
- G.** The property in the petition complies with the regulations of the zoning district requested.
- H.** The property in the petition is suitable in terms of its physical features and its location for all uses that are permitted in the zoning district requested.

SECTION 13.07 FINDINGS REQUIRED FOR A TEXT AMENDMENT

The Planning Commission shall consider the following standards in preparing its report and recommendation to the City Council.

- A.** The proposed amendment is consistent with the intent and purpose of the Zoning Ordinance.
- B.** The proposed amendment will be consistent with the City's adopted Comprehensive Plan.
- C.** The petition is supported by a change in conditions since the Zoning Ordinance was adopted, or by a mistake in the Zoning Ordinance.
- D.** The proposed amendment is supported by problems or conflicts in implementation or interpretation of the Ordinance, as documented by City staff or the Zoning Board of Appeals.
- E.** The proposed amendment is needed to accommodate changes in State legislation, by recent case law, or opinions

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13.07 (F) Cont. FINDINGS REQUIRED FOR A TEXT AMENDMENT.

rendered by the Attorney General of the State of Michigan.

- F.** The proposed amendment will promote compliance with changes in other City Ordinances or County, State or Federal regulations.

SECTION 13.08 PUBLICATION

Following City Council adoption of an amendment to the zoning ordinance, notice of the amendment shall be published in accordance with the Michigan Zoning Enabling Act 110 of 2006, as amended.

SECTION 13.09 CONFORMANCE TO COURT DECREE

Any amendment for the purpose of conforming a provision to the decree of a court of competent jurisdiction shall be adopted by the City of Chelsea and the amendments published without referring the same to any other board or agency.

SECTION 13.10 REHEARING ON AMENDMENTS

Whenever a proposed amendment, supplement or change has not been approved by the City Council, such amendment, supplement or change shall not be resubmitted to the City of Chelsea for at least one year from the effective date of final action unless it is established that there has been a material change in circumstances and attested thereto.