

**ARTICLE XXVIII
ORDINANCE AMENDMENTS**

SECTION 2800 INITIATION OF AMENDMENTS

The City Council may, from time to time, amend, modify, supplement or revise the zoning district boundaries shown on the Official Zoning Map or the provisions of this Ordinance. Amendments to the provisions of this Ordinance may be initiated by the City Council, the Planning Commission, the Board of Zoning Appeals, the Building and Zoning Administrator or by petition of one or more residents or land owners. Amendments to the Official Zoning Map may be initiated by the City Council, the Planning Commission, or by the owner or owners of the subject site. All proposed amendments to the provisions of this Ordinance or the Official Zoning Map shall be referred to the Planning Commission for public hearing and recommendation to the City Council prior to action by the City Council.

SECTION 2801 APPLICATION PROCEDURE

An amendment to this Ordinance or the Official Zoning Map, except those initiated by the City, shall be initiated by submission of a completed application form and fee. The following information shall accompany the application form:

- a. A legal description and street address of the subject property, together with a map identifying the subject property in relation to surrounding properties.
- b. The name and address of the owner of the subject site, and a statement of the applicant's interest in the subject site if not the owner in fee simple title.
- c. The existing and proposed zoning district designation of the subject property.
- d. The land use classification for the subject site as illustrated on the City's Master Plan.
- e. In the case of an amendment to this Ordinance, other than an amendment to the Official Zoning Map, a general description of the proposed amendment and rationale for the change shall accompany the application form.
- f. A written description of how the requested rezoning meets Sec. 2804 "Criteria for Amendment of the Official Zoning Map", or Sec. 2805 "Criteria for Amendments to the Zoning Ordinance Text".

SECTION 2802 AMENDMENT PROCEDURE; PUBLIC HEARING AND NOTICE

- a. Upon initiation of an amendment, a work session and public hearing to consider the proposed amendment shall be scheduled before the Planning Commission. Notice of the hearing shall be given as required by the City or Village Zoning Act (Public Act 207 of 1921, as amended).
- b. Following the public hearing, the Planning Commission shall identify and evaluate all factors relevant to the petition and shall report its findings and recommendation to the City Council. The Planning Commission shall consider the criteria listed in Section 2804 for a requested amendment to the Official Zoning Map, and the criteria listed in Section 2805 for requested amendments to the standards and regulations in the text.
- c. Following receipt of the findings and recommendation of the Planning Commission, the City Council shall act on the proposed amendment. In the case of an amendment to the text of this Ordinance, the City Council may modify or revise the proposed amendment recommended by the Planning Commission prior to enactment. In the case of an amendment to the Official Zoning Map, the City Council shall approve or deny the amendment, based on its consideration of the criteria in Section 2804.

SECTION 2803 AMENDMENTS REQUIRED TO CONFORM TO COURT DECREE

Any amendment for the purpose of conforming to a decree of a court of competent jurisdiction shall be adopted by the City Council and published, without necessity of a public hearing or referral thereof to any other board or agency.

SECTION 2804 CRITERIA FOR AMENDMENT OF THE OFFICIAL ZONING MAP

In considering any petition for an amendment to the Official Zoning Map, the Planning Commission and City Council shall consider the following criteria in making its findings, recommendations and decision:

- a. Consistency with the goals, policies and future land use map of the Grand Blanc Master Plan. If conditions upon which the Master Plan was developed (such as market factors, demographics, infrastructure, traffic and environmental issues) have changed significantly since the Master Plan was adopted, as determined by the City, the Planning Commission and Council shall consider the consistency with recent development trends in the area.
- b. Compatibility of the site's physical, geological, hydrological and other environmental features with the host of uses permitted in the proposed zoning district.
- c. Evidence the applicant cannot receive a reasonable return on investment through developing the property with at least one (1) of the uses permitted under the current zoning.
- d. The compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values.
- e. The capacity of the City's infrastructure and services sufficient to accommodate the uses permitted in the requested district without compromising the "health, safety and welfare". (amended 2/14/96)
- f. The apparent demand for the types of uses permitted in the requested zoning district in the Grand Blanc area in relation to the amount of land currently zoned and available to accommodate the demand.
- g. The request has not previously been submitted within the past one (1) year, unless conditions have changed or new information has been provided.
- h. Other factors deemed appropriate by the Planning Commission and City Council.

SECTION 2805 CRITERIA FOR AMENDMENT TO THE ZONING ORDINANCE TEXT

The Planning Commission and City Council shall consider the following criteria to determine the appropriateness of amending the text, standards and regulations of the Zoning Ordinance.

- a. Documentation has been provided from City Staff or the Board of Zoning Appeals indicating problems and conflicts in implementation of specific sections of the Ordinance.
- b. Reference materials, planning and zoning publications, information gained at seminars or experiences of other communities demonstrate improved techniques to deal with certain zoning issues, or that the City's standards are outdated.
- c. The City Attorney recommends an amendment to respond to significant case law.
- d. The amendment would promote implementation of the goals and objectives of the City's Master Plan.
- e. Other factors deemed appropriate by the Planning Commission and City Council.

SECTION 2806 RESTRICTIONS ON RESUBMITTAL OF A REZONING REQUEST

An application for an amendment to the Official Zoning Map (i.e. a rezoning request) that has been denied, shall not be reconsidered for one (1) year, unless the applicant demonstrates that conditions have changed.