



City Hall
208 North First Avenue
Alpena, Michigan 49707
www.alpena.mi.us

Planning, Development, & Zoning

City of Alpena Planning Commission

Regular Meeting

Tuesday, July 11th, 2023 @ 6:00 p.m.

This meeting will be held in Council Chambers as well as virtually.

Please join my meeting from your computer, tablet or smartphone.

<https://www.gotomeet.me/CityofAlpena/planning-commission>

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Access Code: 178-564-461

AGENDA

CALL TO ORDER;

ROLL CALL;

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

APPROVAL OF MINUTES – Regular meeting June 13, 2023

PUBLIC HEARING AND COMMISSION ACTION:

BUSINESS

a) **UNFINISHED:**

b) **NEW:**

a. Managing Order in Public Hearings

b. Articles 8 (Zoning Board of Appeals) and Article 10 (Adoptions & Amendments)

c) **COMMUNICATIONS OR REPORTS:**

d) **CONTINUING EDUCATION:** MSU Exchange Article: Zoning Petitions

PUBLIC COMMENT

MEMBER COMMENTS

ADJOURNMENT



MINUTES
City of Alpena Planning Commission
Regular Meeting (Council Chambers and Virtual)
June 13, 2023 Alpena, Michigan

CALL TO ORDER:

The regular meeting of the Planning Commission was called to order at 6:00 p.m. by Randy Boboltz, Planning Commission Chairman.

ROLL CALL: PLANNING COMMISSION

PRESENT: Peterson, Boboltz, Moses, Sundin, Wojda (appeared at 6:08 pm)

ABSENT: VanWagoner, Gilmore, Kostelic

STAFF: Rachel Smolinski (City Manager) appeared virtually, Montiel Birmingham (Planning, Development, and Zoning Director), Kathleen Sauve (Recording Secretary)

PLEDGE OF ALLEGIANCE: Pledge of Allegiance was recited.

APPROVAL OF AGENDA: Agenda was approved as printed.

APPROVAL OF MINUTES: Meeting May 9, 2023, minutes were approved as printed.

PUBLIC HEARING AND COMMISSION ACTION: Boboltz explained the order of procedures for the public hearing.

Case # MAP 23-04 –Jeremy Johnson, property owner, has requested to conditionally rezone 412 South Eighth Avenue from R-2 to R-T to convert the property from single family to a duplex consisting of two one-bedroom apartments.

Birmingham presented the Finding of Fact report (see Appendix A) and Rezoning Standards (see Appendix B).

FAVOR: Jeremy Johnson, applicant, explained that the home is about 1100 square feet, and he would divide it in half to make two one-bedroom apartments; everything would be brand new including drywall, flooring, kitchens and bathrooms. He said the parking situation currently is off of the alley and it is a four-bedroom house, so if he left it a four-bedroom house the parking would not be ideal, but his intention is to get a curb cut so that each tenant would be on either side. Johnson then showed the Commission some pictures of the last home that he fixed up on

Crapo Street that was in worse condition and could have been demolished but has been restored.

OPPOSITION: Joan Peltz, neighboring property owner, said that the house was vacant for 12 years, and in 12 years' time they have only seen someone at the house twice and all the windows have been broken. She said she is concerned about the rodents entering the house along with bats, and she felt it is a major health concern with animal waste. She said that one of her cats got locked in there and lived in the house for a month before they found her and she survived. Another concern was that the home must be full of mold. She recommended that the health department go to the house to inspect it because the last person she saw in the house was wearing a HazMat suit. She said that an added curb cut and driveway is not desirable to the other neighbor, and she thinks that the house should just be knocked down and made into green space. She does not feel it is suitable for people to live in, but if he does revamp it, she wished that he would not rent it out because there are already a lot of rental homes in their neighborhood.

Eve Burcar, neighboring property owner, said that the property has been an issue since it was in foreclosure many years ago. She said parking would be an issue because the alleyway needs to be kept clear for emergency vehicles. She said that she has caught teenagers entering the house and is worried someone is going to get hurt. She is concerned that another rental home will bring more drugs into the neighborhood, because of previous experience with other rentals in the area. She said she was concerned about the safety of children in the neighborhood. She felt the condition of the home is bringing down the values of other homes in the neighborhood. Burcar thought that [Johnson] should have been doing improvements sooner.

Dave Helinski, neighboring property owner, said that there is a parking problem because it is only a half lot, and you cannot do much with the place. He said it is really run down and it is a shack. He said at one point someone wanted to build a garage on the property but the City would not let them because it is only a half lot.

Boboltz closed the public hearing at 6:32 pm.

Peterson asked Birmingham details of the open blight enforcement on the property. Birmingham stated that it refers to the exterior of the house with the various colors and the general condition of the house, broken windows specifically; there was junk and debris in the yard that needed to be taken care of and [Johnson] did make significant progress on cleaning all of that up. The building issues would need to be addressed through the permit process to get those rectified.

Moses asked what the next step is if the blight is not addressed. Birmingham said that [the City] would work with the property owner to make continual progress. If continual progress is not seen, first it starts with a door hanger or a conversation. Deadlines are given, but if there is no improvement, then a ticket would be a potential next step. Moses asked about

condemnation and if that is an option. Birmingham said that it would have to be an extreme case but yes, in theory, that could happen.

Moses asked about the parking situation, for either the rental approval or the building inspection approval. Birmingham stated that the alley had to have been where they were parking previously. She said that the proposed curb cut would have to be approved by engineering. Boboltz said that the public open alleyway should not be obstructed. Birmingham said that they could be ticketed if tenants block the alley.

Sundin asked about the health aspect mentioned earlier, what the protocol is for getting that type of inspection done before the work begins for the building permit. He said what if it is full of black mold, if they are going to rehab it, how do they address that it is remedied properly and would it be part of any building permit. Birmingham said that she would have to speak with the Building Official or Building Inspector, but she thought it would be part of what they would be inspecting, but she did not know what the Building Code specifically states. Sundin stated that he did want the previous home torn down that Johnson had purchased because it was ongoing, nothing was happening; it just sat in a very deteriorated condition, and he needed to either do something or tear it down. He asked if this request is approved, will it sit for another year or two years, and can they put a stipulation on the approval that he has to make progress within a reasonable amount of time. Boboltz said he would like to see the exterior of the home done very quickly and asked Johnson what his timeline was. Johnson said the big thing is that he has to get power there first. If he is allowed to have a duplex, he will have the power installed accordingly, but he can't do much until he knows what kind of power to put there.

Under the circumstances and concerns, Boboltz asked if they felt comfortable with the determination that the house can be repaired. Boboltz stated that if it were approved today, it would need to be registered and inspected every three years at a minimum. He said that if it finally is converted to something no where near an eyesore, hard surfaced driveways, all refurbished siding, windows, roof, etcetera; at least from the standpoint of the building, it could be an asset to the neighborhood. Johnson said he has fixed up a lot worse. He said that he is familiar with the rental program because he and his brother have 13 houses, six of which they have totally gutted and renovated with all new water and sewer lines, roof, siding, and windows. Sundin asked Johnson what his timeline is. Johnson said that he would like to have the roof on, the soffit, fascia, windows, and doors on by fall and then do the siding in the winter. He said either way the meeting goes, he is going to get the electrician there to get the power on so he can start doing stuff. He also said the home has a galvanized water line which he thinks the city will replace. Sundin asked if he would be open to the idea of a single-family rental. Johnson said he would like to lean towards the duplex – with two one-bedroom apartments, he feels there would be fewer people around. Moses asked if there is a certain correction date for open blight enforcements. Birmingham said this one was opened August 2021, but there have been various inspections since, but there is no set date as there was a lot

more in play with this one; as long as progress is seen, [City staff] are willing to work with the property owner on various issues. She informed them that there were many more violations prior to Johnson owning it; because of the nature of the violations, it is not something that they could give a 30, 60, or 90 days [compliance date] for.

Discussion continued between members.

Boboltz addressed the public in attendance about the shortage of housing in Alpena. He said part of the solution is the ability to rezone or conditionally rezone and allow duplexes or owner occupied houses with the option to rent out a portion of that home in order to generate more housing needed. He said it bothered him to hear people's fears about having rentals in their areas and causing situations where either they are not being good neighbors or there is deterioration in a home for whatever reason; sometimes those issues are real. Part of the job of the inspectors is to try to help mitigate that and keep interacting well with owners and tenants so that rental units are kept in decent condition. He said he wanted everyone to know that we are looking for ways to help generate more housing opportunities for people. Moses said that had the house been sealed up already, he may have gotten a lot more leeway from the neighbors so he didn't have problems with transients and animals. Johnson said it is sealed up currently. Moses said the neighbors may feel better if the inspector went there and made sure everything is sealed up and ready to approve.

Peterson asked Johnson if he had any other projects he was working on that would deter him from working on this home to get it out of the blight conditions. Johnson said that he and his brother own Denny's Painting so they do a lot of work, and this would just be another job.

Chairman Boboltz allowed another public comment from Peltz who stated that their alley is used all the time because there are two houses that do not have [a driveway] in front so they have to use the alley for access. She feels that if a big truck was parked there, other vehicles would not be able to use the alley. She asked how many vehicles would be allowed to be parked at this duplex. Boboltz said two vehicles per unit. Boboltz stated that they as a Commission, rely on the Ordinances and the expertise of the Building Official in terms of what the Ordinance allows and how parking can be accommodated, and they are telling us that it can be. Peltz said that she doesn't understand how the City could allow this house to get to the condition it is in. She said Johnson has had it for two years and has only removed the junk pile from the side of the house and it continues to deteriorate. She went on to suggest that he make it into a home, not a duplex, because it is not always about the money. Boboltz said that it is about finding living space for people and he thanked Peltz for her input.

Boboltz asked Johnson when he wanted to get started on the project. Johnson said it all depends on the type of power [restoration]. Boboltz suggested a motion from one of the Commissioners to table the request and have a brief meeting before the next scheduled meeting to possibly make a decision, or they can approve it or deny it. Moses asked if there is such a thing as a conditional approval based upon satisfying the Blight Ordinance. Birmingham

said flexibility has been given in previous ones for things such as paving and parking. Sundin said it is more of *when* it gets started. Boboltz stated it would be another reason for tabling it, pending more answers. Wojda said he has some conflicting thoughts on this. He said they have given grace time to other applicants when it comes to parking issues in particular knowing that there is a cost associated with making them compliant; on the other hand, this property has been blighted for so many years, it needs to get fixed, but do they extend additional grace time on something like this where there has already been time either with the previous owner or the current owner. He said at the base of it all, he is convinced that the standards are met for a Conditional Rezoning, but the question is what requirements they can make, to which he did not have an answer for. Birmingham said that [conditions] cannot be imposed upon the applicant, but if they agree to it, then it is acceptable. Wojda asked Johnson how long it would take him to have the windows, roof and siding completed so as to remediate the blight. Johnson said by Fall. Wojda asked for a set date. Johnson said September or October. Wojda asked Johnson to voluntarily agree to have the blight remediated by a certain date. Johnson said that yes, he could make the neighbor happy by this Fall. Johnson said he could have it done by January 1, 2024. Birmingham read the language in the Ordinance specific to putting a condition on a Conditional Rezone. It read, "The offer of conditions may be amended during a process of rezoning consideration provided that any amended or additional conditions are entered voluntarily by the owner and owner may withdrawal all or part of his offer of conditions any time before the final rezoning action of the City Council provided that the withdrawal occurs subsequent to the Planning Commission's public hearing on the rezoning request. Then the rezoning application shall be referred to the Planning Commission for a new public hearing with appropriate notice and a new recommendation."

Wojda ***motioned*** to adopt the findings with regard to the rezoning standards and additional notes, and add a condition that the minutes should reflect Mr. Johnson is voluntarily entering into, that the blighted conditions on the windows, roof and siding will be remediated on or before January 1, 2024.

Moses ***seconded*** the motion to approve

Motion ***approved*** by 3-2 vote

Yea – Peterson, Wojda, Moses

Nay – Boboltz, Sundin

Case # SU23-01 – Applicant, Sherry Garlanger, requests to operate a group childcare out of her home, located at 213 Tawas Street. Applicant also requests to rent a bedroom out of the home, which is currently defined as a Rooming & Boarding House within the ordinance.

Birmingham reviewed the Finding of Fact report (see Appendix C), the Site Plan review Standards (see Appendix D) and included Supplemental Regulations 7.9 and 7.30 (see Appendix E).

FAVOR: Sherry Garlanger, applicant, in attendance but had nothing further to add aside from Birmingham's report.

OPPOSITION: None.

Chairman Boboltz closed the Public hearing at 7:22 pm for deliberation.

Sundin asked Garlanger about the rooming house rental. Garlanger stated that the room would be rented by a family member or family friend. Sundin asked what kind of approval that would require. Birmingham said it goes through the supplemental regulations, and the rental registration program. She said it is currently registered, but they would have to change the registration from a whole house to a room. Sundin asked if the two requests are compatible, with having a childcare and then renting out a room. Garlanger said that the State of Michigan requires anybody within the home older than 14 are required to have TB tests and background checks. Moses asked about the parking space near the alley. Garlanger said they only park one vehicle there but there is room for two. Sundin asked if the homeowner sells the house, would the right still be there with the house. Birmingham said that it is a Special Land Use so there are some abandonment clauses that could make it go away, or [Garlanger] could ask staff to remove it from the program. Sundin asked if the childcare use would go with the property if it sold. Wojda said that it would because they could sell it to another licensed childcare provider. Moses said he was concerned about parking on such a short street, with one of their parking spaces being utilized by whomever they are renting a room to. Birmingham said that the Ordinance requires one additional spot for the room that they would rent out and up to two spots for staff or people coming and going. She said currently they have five spaces, and it meets the requirement.

Wojda ***motioned*** to adopt the findings regarding the Special Land Use approval standards and Supplemental Regulations findings and to approve the Special Land Use permit as it relates to group daycare.

Peterson ***seconded*** the motion.

Motion ***approved*** by unanimous vote.

Wojda ***motioned*** to adopt the Special Land Use standards and Supplemental Regulations findings and to approve the Special Land Use application as it relates to the room rental.

Peterson ***seconded*** the motion.

Motion ***approved*** by unanimous vote.

Case #SU23-02 – Property owner, Gary Sanderson, requests to add living space within his new garage with the intent of living in it temporarily while his current home is demolished and his new home is being built; timeline is 2-3 years away; however, adding necessary plumbing, etc. to the space now requires special land use approval because it could be utilized for secondary dwelling purposes while he is still living in his current home.

Birmingham reviewed the Finding of Fact report (See appendix F) along with the Supplemental Regulations Section 7.32 (See appendix G).

FAVOR: Gary Sanderson, applicant, said that it will be a toilet, sink, shower and workspace, and a washer and dryer. He said the main house will not be bulldozed for another three or four years and it will never be rented out.

OPPOSITION: None.

Public Hearing closed for deliberation at 7:40 p.m.

Sundin ***motioned*** to approve the Special Land Use and the Findings of Fact and Supplemental Regulations that have been outlined for this property.

Moses ***seconded*** the motion to approve

Motion ***approved*** by unanimous vote.

UNFINISHED BUSINESS: Article 3 – General Provisions – Birmingham provided the updated proposed changes to the Ordinance for their review and no action was required at this meeting.

NEW BUSINESS: None.

COMMUNICATIONS OR REPORTS: Birmingham explained that Articles 6, 8, 9 and 10 are currently under review and will be brought for Planning Commission review when they finish them. She informed them that the changes made to Article 3 are still under review by the Building Official and Building Inspector. Boboltz explained to the public that were present why and how the Zoning Ordinance changes are made.

CONTINUING EDUCATION: Birmingham supplied the board with an MSU Exchange Article – Administrative Decisions.

PUBLIC COMMENT: None.

MEMBERS' COMMENTS: Moses asked if it was okay to still accept input from the public after the public hearing is closed. Boboltz said that his feeling is that when they have people there being pretty reasonable and are so passionate about something and wanting to be heard, he is inclined to let them speak a little bit more and be a little more lenient. All members of the Commission were in agreeance that public comments during public hearings need to be directed at the Chairman only.

ADJOURNMENT: There being no further business, the meeting was adjourned at 7:47 p.m., by Boboltz, Planning Commission Chairman.

Clayton C. VanWagoner, Secretary



Article 8

Zoning Board of Appeals

Sec	Name	Pg
8.0	Creation & Membership	
8.1	Meetings	
8.2	Jurisdiction	
8.3	Procedure & Decisions	
8.4	Stay	
8.5	Variance Standards	
8.6	Appeal To Circuit Court	

Section 8.0 Creation & Membership

The Zoning Board of Appeals (ZBA) shall perform its duties and exercise its powers as provided in Article 6 of **2006 PA 110**, as amended, and in such a way that the objectives of this Ordinance shall be observed, public safety secured, and justice done. The Board shall consist of seven (7) members, appointed by the City Council by a vote of a majority of its membership.

A. Regular Members.

1. The first member shall be a member of the Alpena City Planning Commission for the terms of his/her office.
2. The remaining members must be selected from the electors of the City of Alpena and shall be representative of the population distribution and of the various interests present in the City.
3. An employee or contractor of the City Council may not serve as a member of the Board of Appeals.

B. Alternate Members.

The City Council may appoint not more than two (2) alternate members for the same term as regular members to the Zoning Board of Appeals. An alternate member may be called to sit as a

regular member of the Zoning Board of Appeals in the absence of a regular member if a regular member is absent from or unable to attend one (1) or more meetings of the Zoning Board of Appeals. An alternate member may also be called to serve in the place of a regular member for the purpose of reaching a decision on a case in which the regular member has abstained for reasons of conflict of interest. The alternate member having been appointed shall serve in the case until a final decision has been made. The alternate member shall have the same voting rights as a regular member of the Zoning Board of Appeals.

C. Terms of Office.

The terms of office for members of the Zoning Board of Appeals shall be for three (3) years, except for members serving because of their membership on the Planning Commission, whose terms shall be limited to the time they are members of the Planning Commission. When members are first appointed, the appointments may be for less than three (3) years to provide for staggered terms. A successor shall be appointed not more than one (1) month after the term of the preceding member has expired. Vacancies for unexpired terms shall be filled for the remainder of the term in the same manner as the original appointment.

D. Officers.

The Zoning Board of Appeals shall annually elect a Chairperson, Vice-Chairperson and Secretary. The compensation of the appointed members of the Zoning Board of Appeals may be fixed by the City Council.

E. Removal of Member.

A member of the Zoning Board of Appeals may be removed by the City Council for misfeasance, malfeasance, or nonfeasance in office upon written charges and after a public hearing. A member shall disqualify himself or herself from a vote in which the member has a conflict of interest. Failure of a member to disqualify himself or herself from a vote in which the member has a conflict of interest constitutes malfeasance in office.

F. ZBA Member who is also Planning Commission Member.

A member of the Zoning Board of Appeals who is also a voting member of the Planning Commission shall not participate in a public hearing on or vote on the same matter that the member voted on as a member of the Planning Commission. However, the member may consider and vote on other unrelated matters involving the same property.

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Section 8.1 Meetings

- A. Meetings of the Zoning Board of Appeals shall be held ~~at the call of the Chairman~~ **monthly** and at such other times as the Zoning Board of Appeals may determine or specify in its rules of procedure. *If there is no business on the agenda for the Zoning Board of Appeals, the monthly meeting may be cancelled.*
- B. All hearings conducted by said Board shall be open to the public **in compliance with the Open Meetings Act, 1976 PA 267, as amended.**
- C. The **Zoning** Board of Appeals shall adopt its own rules of procedure and keep a record of its proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating said fact; and shall file a record of its proceedings in the office of the City Clerk, which shall be a public record.
- D. Four (4) members of the ZBA shall constitute a quorum for the conduct of its business. The **Zoning** Board of Appeals shall not conduct business unless a majority of those Zoning Board of Appeals members qualified to sit for a particular matter are present to constitute a quorum, regardless of whether the members are regular members or alternate members.
- E. The **Zoning** Board of Appeals shall have the power to subpoena and require the attendance of witnesses, administer oaths, compel testimony and the production of books, papers, files and other evidence pertinent to the matters before it.

Section 8.2 Jurisdiction

A. Appeals from a Decision.

The ZBA shall hear and decide appeals from and review any administrative order, requirement, decision, or determination made by an administrative official or body charged with enforcement of this Ordinance.

B. Interpretation.

The ZBA may interpret the location of zoning district boundaries and may interpret the provisions of this Ordinance.

C. Dimensional Variances.

Upon the finding of practical difficulty, the ZBA shall have the authority to grant nonuse variances

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related to dimensional requirements of the Zoning Ordinance as provided for in §8.5.

D. Use Variances.

Upon the finding of unnecessary hardship, the ZBA shall have the authority to grant variances from uses of land as provided for in §8.5.

E. Exercise Of Powers.

In exercising the above powers, the Board may reverse or affirm wholly or partly, or may modify the order, requirement, decision or determination appealed from and may make such order, requirements, decision or determination as ought to be made, and to that end shall have all the powers of the official or body from whom the appeal is taken.

F. ~~Special Land Use and PUD~~ Powers Not Granted.

The ZBA has no jurisdiction to hear appeals from Planning Commission decisions concerning Special Land Use approvals or Planned Unit Developments. **Decisions regarding Special Land Use Decisions shall be addressed in Circuit Court.**

G. Nothing herein contained shall be construed to give or grant to the ZBA the power or authority to alter or change this Ordinance or the Zoning Map, such power and authority being reserved to the City Council of the City of Alpena in the manner provided by law.

Section 8.3 Procedure & Decisions

- A. An appeal to the Zoning Board of Appeals may be taken by a person aggrieved or by an officer, department, board or bureau of Michigan or the City of Alpena.
- B. An appeal concerning the administration of the provisions of this Ordinance may be taken to the **Zoning** Board of Appeals within the timeframe defined in the general rules and procedures adopted by the Zoning Board of Appeals. If such a timeframe is not specified, appeals shall be filed within thirty (30) days of the decision of the Zoning Administrator **or Planning Commission** from which the appellant seeks relief
- C. A variance in the Zoning Ordinance may be applied for and granted under Section 4 of the **Uniform Condemnation Procedures Act, 1980 PA 87**, MCL 213.54, and as provided under the **Michigan Zoning Enabling Act, PA 110 of 2006**, as amended.

~~The Zoning Board of Appeals shall state the grounds of any determination made.~~ This is already

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stated in M below.

- D. The appellant shall file with the **Zoning** Board of Appeals on ~~blanks or forms to be an application~~ furnished by the Zoning Administrator a notice of appeal specifying the grounds for the appeal.
- E. The Zoning Administrator shall ~~forthwith~~ transmit to the Zoning Board of Appeals all the papers constituting the record upon which the action appealed from was taken.
- F. **Materials Required.** The applicant is required to submit ~~nine (9) copies of~~ surveys, plans and data or other information deemed reasonably necessary for making any informed decision on his or her appeal. *If the plans, surveys, or data are 11"x17" or less, then the applicant may submit either paper copies or digital copies. If the plans, survey, or data are greater than 11"x17", then the applicant shall submit at least eight (8) paper copies.*
- G. **Public Notice.** Following receipt of a written request for a variance, an interpretation of the Zoning Ordinance, or an appeal of an administrative decision, the Zoning Board of Appeals shall ~~fix a reasonable time for the hearing of the request and~~ give notice pursuant to **§9.6**.
- H. **Representation.** Any person may appear and testify at the hearing either in person or by duly authorized agent or attorney.

~~A member of the Zoning Board of Appeals who is also a member of the Planning Commission shall not participate in a public hearing on or vote on the same matter that the member voted on as a member of the Planning Commission. However, the member may consider and vote on other unrelated matters involving the same property.~~

- I. The Zoning Board of Appeals may reverse or affirm, wholly or partly, or modify the order, requirement, decision, or determination and may issue or direct the issuance of a permit. The final decision of such appeal shall be in the form of a resolution reversing, modifying or affirming, wholly or partly, the decision or determination appealed from. Written findings of fact supporting the decision reached by the ZBA must become part of the public record.
- J. **Voting.** The concurring vote of a majority of the members of the Zoning Board of Appeals is necessary to reverse an order, requirement, decision, or determination of the administrative official or body, to decide in favor of the applicant on a matter upon which the zoning board of appeals is required to pass under the zoning ordinance, or to grant a dimensional variance in the zoning ordinance. A two-thirds (2/3) majority **of the members of the Zoning Board of Appeals** is required to grant a use variance. A majority vote of a quorum present may deny a requested variance.

- K. **Conditions.** The ZBA may impose such conditions or limitations in granting a variance as deemed necessary to protect the character of the area, as provided for in §9.9.
- L. **Findings of Fact.** In granting or denying a variance, the Board shall state in a written statement of findings of fact the grounds upon which it justifies the granting of a variance.
- M. **Time Limit.** No order of the Board of Appeals permitting the erection or alteration of a building shall be valid for a period longer than ninety (90) days unless a building permit for such erection or alteration is obtained within such period and such erection or alteration is started and proceeds to completion in accordance with the terms of such permit. If a variance which is granted is not utilized within twelve (12) months of its granting, the variance shall be considered null and void and an application must be re-filed if it is desired at a future date. A variance which is legally utilized and maintained runs with the property and any subsequent owners who legally continue the variance under its original or amended terms. The Zoning Board of Appeals may require such conditions and the posting of necessary bonds or other financial guarantees acceptable to the City Council to control compliance with specified conditions.
- N. The decision of the Zoning Board of Appeals shall be final. A party aggrieved by the decision may appeal to the circuit court of Alpena County.
- ~~O. Copies of the written statement of findings of fact shall be furnished to the City Council and Planning Commission.~~

Section 8.4 Stay

An appeal to the Zoning Board of Appeals stays all proceedings in furtherance of the action appealed. However, if the body or officer from whom the appeal is taken certifies to the Zoning Board of Appeals after the notice of appeal is filed that, by reason of facts stated in the certificate, a stay would in the opinion of the body or officer cause imminent peril to life or property, proceedings may be stayed only by a restraining order issued by the Zoning Board of Appeals or a circuit court.

Section 8.5 Variance Standards

A. Dimensional Variance Standards.

The ZBA may grant dimensional variances when the applicant demonstrates in the official record

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of the hearing that the strict enforcement of this Ordinance would result in practical difficulty. To establish practical difficulty, the applicant must establish all of the following:

1. The need for the requested variance is due to unique circumstances or physical conditions of the property involved that do not apply generally to other properties in the surrounding area, such as narrowness, shallowness, shape, water, or topography and is not due to the applicant’s personal or economic hardship;
2. Strict compliance with the regulations governing area, setbacks, frontage, height, bulk or density would unreasonably prevent the owner from using the property for a permitted purpose, or would render conformity unnecessarily burdensome;
3. Whether granting the requested variance would do substantial justice to the applicant as well as to other property owners in the district, or whether granting a lesser variance than requested would give substantial relief to the property owner and be more consistent with justice to other property owners;
4. The need for the requested variance is not the result of action of the property owner or previous property owners (self-created).
5. That the requested variance will not cause an adverse impact on surrounding property, property values, or the use and enjoyment of property in the neighborhood or zoning district and will not impair an adequate supply of light and air to adjacent property, unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, or in any other respect impair the public health, safety, comfort, morals or welfare of the inhabitants of the City of Alpena

B. Use Variance Standards.

To obtain a variance from the use regulations of this Ordinance the applicant must demonstrate that unnecessary hardship exists by showing all of the following:

1. The building, structure, or land cannot be reasonably used for any of the uses permitted by right or by Special Land Use permit in the zoning district in which it is located.
2. The need for the requested variance is due to unique circumstances or physical conditions of the property involved such as narrowness, shallowness, shape, water, or topography and is not due to the applicant's personal or economic hardship.
3. The proposed use will not alter the essential character of the neighborhood.

4. The immediate hardship causing the need for the use variance was not created by the property owner or previous property owners (self-created).

C. Sign Variance Standards.

The Zoning Board of Appeals may approve a fifteen (15) percent or more increase to the allowable sign sizes and heights listed in this Ordinance. The following factors shall be considered by the Zoning Board of Appeals when determining allowable increases:

1. Relationship of the sign to surrounding properties and rights-of-way
 - a. Compatibility with adjacent land uses and signs.
 - b. Visibility of neighboring signs or buildings.
 - c. Visibility and legibility of the sign for pedestrian and vehicular traffic.
 - d. Lighting trespass impacts.
2. Relationship of the sign to features on the site of the sign installation:
 - a. Suitability of the sign and its location relative to particular site characteristics such as yard areas, vegetation, topography, and the like.
 - b. Compatibility of the sign with the size, location, and character of the principal building(s) on-site.
 - c. Impact of the sign upon on-site vehicular and pedestrian circulation.
3. Impact of the sign upon parks and historic properties:
 - a. Impact of the sign upon views of prominent natural features
 - b. Impact of the sign upon parks and public spaces.
 - c. Impact of the sign upon historic buildings or properties.
4. Impacts of the sign upon public safety:
 - a. Visibility of traffic safety devices.
 - b. Visibility of pedestrians and vehicles entering or exiting the site or on adjacent rights-of-way.
 - c. Impacts of sign lighting upon vehicular traffic.
 - d. The safety of the placement of the sign.

Section 8.6 Appeal to Circuit Court

- A. Any party aggrieved by a decision of the Zoning Board of Appeals may appeal to the Circuit Court for Alpena County. The circuit court shall review the record and decision to ensure that the decision meets all of the following requirements:
1. Complies with the constitution and laws of the state.
 2. Is based upon proper procedure.
 3. Is supported by competent, material, and substantial evidence on the record.
 4. Represents the reasonable exercise of discretion granted by law to the Zoning Board of Appeals.

If the court finds the record inadequate to make the review required by this section or finds that additional material evidence exists that with good reason was not presented, the court shall order further proceedings on conditions that the court considers proper. The Zoning Board of Appeals may modify its findings and decision as a result of the new proceedings or may affirm the original decision. The supplementary record and decision shall be filed with the court. The court may affirm, reverse, or modify the decision.

- B. An appeal from a decision of a Zoning Board of Appeals shall be filed within thirty (30) days after the Zoning Board of Appeals issues its decision in writing signed by the chairperson, if there is a chairperson, or signed by the members of the Zoning Board of Appeals, if there is no chairperson, or within twenty-one (21) days after the Zoning Board of Appeals approves the minutes of its decision. The court may affirm, reverse, or modify the decision of the Zoning Board of Appeals. The court may make other orders as justice requires.

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Article 10

Adoption & Amendment

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10.1	Amendment Procedure	
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Section 10.0 Amendment To This Ordinance

The City Council is authorized and empowered to cause this Ordinance to be amended, supplemented, or changed, pursuant to the authority and according to the procedures set forth in **2006 PA 110**, as amended.

- A. The regulations and provisions stated in the text of this Ordinance and the boundaries of zoning districts shown on the City of Alpena Zoning Map may be amended, supplemented or changed by action of the City Council following a recommendation from the Planning Commission.
- B. Proposals for amendments, supplements or changes may be initiated by the City Council on its own motion, by the City Planning Commission or by petition of one (1) or more owners of property to be affected by the proposed amendment.

Section 10.1 Amendment Procedure

The procedure to be followed for initiating and processing an amendment shall be as follows:

A. Filing of Amendment Application.

- 1. Each ~~petition~~ **application** by one (1) or more persons for an amendment shall be submitted ~~by application to planning staff~~ **the Zoning Administrator** on a standard form

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provided and shall be accompanied by the fee as prescribed by the City Council. No part of such fee shall be returnable to a petitioner if the public hearing is held.

2. In the case of a Zoning Ordinance text amendment, ~~a letter shall be submitted which~~ **the completed zoning application** shall contain the requested change and the reason for such change.
3. In the case of a desired Zoning Map change, ~~a petition shall be submitted which~~ **the completed zoning application** shall describe the property involved, the zone change desired, and the reason for such change.
4. ~~Planning staff~~ **The Zoning Administrator** shall transmit the amendment application and all related materials to the ~~Chair of the Planning Commission at or before the time he/she transmits the amendment request to the Planning Commission.~~

B. Public Hearing.

Before making a recommendation on an amendment, the Planning Commission shall conduct at least one (1) public hearing, notice of the time and place of which shall be given pursuant to **Section 9.6.**

~~The public notice procedure shall be the same as that contained in §9.6.~~

C. Planning Commission Action.

1. The Planning Commission shall consider each proposal for amendment on particular factors related to the individual proposal and in terms of the likely effect on the community's physical development. The Planning Commission may recommend any additions or modifications to the original proposal.
2. The Planning Commission shall submit a final report/recommendation to the City Council along with a summary of the comments received at the public hearing.

D. City Council Action.

1. The City Council may hold a public hearing if it considers it necessary or if otherwise required. Notice of such hearing shall be published using the procedures in **§9.6.**

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2. The City Council shall grant a hearing on a proposed Ordinance amendment to a property owner who requests a hearing by certified mail, addressed to the City Clerk. Notice of such hearing shall be published using the procedures in **§9.6**.
3. The City Council may refer any proposed amendments to the Planning Commission for consideration and comment. The Planning Commission shall have a reasonable time, not less than sixty (60) days for consideration and report.
4. After any such public hearing as allowed under **this subsection D**, the City Council shall consider and vote upon the adoption of a Zoning Ordinance amendment. A Zoning Ordinance amendment shall be approved by a majority vote of the members of the City Council.
5. Once adopted by the City Council, amendments to this Ordinance shall be filed with the City Clerk, and one (1) notice of adoption shall be published in a newspaper of general circulation in the City within fifteen (15) days after adoption. Any amendments to this Ordinance shall take effect ~~eight (8) business days~~ **on the 8th day** after publication or at a later date as may be specified by the City Council at the time of adoption.

E. Resubmittal of Application for Rezoning.

An owner of property, his/her authorized agent, or other person, shall not initiate action for rezoning affecting the same parcel more often than once every twelve (12) months. An exception to this rule may be made in those cases where the Planning Commission determines that conditions affecting the property have changed substantially, thereby justifying a repetition before twelve (12) months have elapsed from the date of the previous petition.

Section 10.2 Rezoning Standards Factors

The Planning Commission shall review and apply the following ~~standards and~~ factors in the consideration of any rezoning request:

- A. Is the proposed rezoning consistent with goals and objectives of the current Comprehensive Plan?
- B. Are all of the allowable uses in the proposed district reasonably consistent with surrounding uses?
- C. Will there be an adverse physical impact on surrounding properties?

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- D. Have there been changes in land use or other conditions in the immediate area or in the community in general which justify rezoning?
- E. Will rezoning create a deterrent to the improvement or development of adjacent property in accord with existing regulations?
- F. Will rezoning grant a special privilege to an individual property owner when contrasted with other property owners in the area or the general public (i.e. will rezoning result in spot zoning)?
- G. Is the site served by adequate public facilities or is the petitioner able to provide them?
- H. Are there size or environmental constraints on the site which would make it difficult to use in the district?

Section 10.3 Conditional Rezoning

A. Intent.

It is recognized that there are certain instances where it would be in the best interests of the City, as well as advantageous to property owners seeking a change in zoning boundaries, if certain conditions could be proposed by property owners as part of a request for a rezoning. It is the intent of this Section to provide a process consistent with Section 405 of the **Michigan Zoning Enabling Act, 2006 PA 110**, as amended, by which an owner seeking a rezoning may voluntarily propose conditions regarding the use and/or development of land as part of the rezoning request.

B. Application and Offer of Conditions.

1. An owner of land may voluntarily offer, in writing, conditions relating to the use and/or development of land for which a rezoning is requested. This offer may be made either at the time the application for rezoning is filed or may be made at a later time during the rezoning process.
2. The required application and process for considering a rezoning request with conditions shall be the same as that for considering rezoning requests made without any offer of conditions, except as modified by the requirements of this Section.
3. The owner’s offer of conditions may not authorize uses or developments not permitted in the requested new zoning district.

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4. The owner’s offer of conditions shall bear a reasonable and rational relationship to the property for which rezoning is requested.
5. Any use or development proposed as part of an offer of conditions that would require a special land use permit, variance, or site plan approval under the terms of this Ordinance may only be commenced if the special land use permit, variance, or site plan approval for such use or development is ultimately granted in accordance with the provisions of this Ordinance.
6. The offer of conditions may be amended during the process of rezoning consideration provided that any amended or additional conditions are entered voluntarily by the owner. An owner may withdraw all or part of its offer of conditions any time prior to final rezoning action of the City Council provided that, if such withdrawal occurs subsequent to the Planning Commission’s public hearing on the original rezoning request, then the rezoning application shall be referred to the Planning Commission for a new public hearing with appropriate notice and a new recommendation.

C. Planning Commission Review.

The Planning Commission, after a public hearing as set forth pursuant to **Section 9.6** of this Ordinance and consideration of the factors set forth in **Section 10.2** (except **10.2.F**) of this Ordinance, may recommend approval, approval with recommended changes, or denial of rezoning; provided, however, that any recommended changes to the offer of conditions are acceptable to and thereafter offered by the owner.

D. City Council Review.

After receipt of the Planning Commission’s recommendation, the City Council shall deliberate upon the requested conditional rezoning and may approve or deny the request. Should the City Council consider amendments to the proposed conditional rezoning advisable and if such contemplated amendments to the offer of conditions are acceptable to and thereafter offered by the owner, then the City Council shall, in accordance with Section 401 of **2006 PA 110**, refer such amendments to the Planning Commission for a report thereon within a time specified by the City Council, and proceed thereafter in accordance with said statute to deny or approve the conditional rezoning with or without amendments.

E. Approval.

1. If the City Council finds the rezoning request and offer of conditions acceptable, the

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offered conditions shall be incorporated into a formal written Statement of Conditions acceptable to the owner and conforming in form to the provisions of this Section. The Statement of Conditions shall be incorporated by attachment or otherwise as an inseparable part of the Ordinance adopted by the City Council to accomplish the requested rezoning.

2. The Statement of Conditions shall:
 - a. Be in a form recordable with the County Register of Deeds, or as an alternative, be accompanied by a recordable Affidavit or Memorandum prepared and signed by the owner giving notice of the Statement of Conditions in a manner acceptable to the City Council.
 - b. Contain the legal description and tax identification number of the land to which it pertains.
 - c. Contain a statement acknowledging that the Statement of Conditions runs with the land and is binding upon successor owners of the land.
 - d. Incorporate by attachment or reference any diagram, plans, or other documents submitted or approved by the owner that are necessary to illustrate the implementation of the Statement of Conditions. If any such documents are incorporated by reference, the reference shall specify where the document may be examined.
 - e. Contain a statement acknowledging that the Statement of Conditions or an Affidavit or Memorandum giving notice thereof may be recorded by the City with the County Register of Deeds.
 - f. Contain the notarized signatures of ~~all~~ **at least one (1)** owners of the subject land preceded by a statement attesting to the fact that they voluntarily offer and consent to the provisions contained within the Statement of Conditions.
3. Upon the rezoning taking effect, the Zoning Map shall be amended to reflect the new zoning classification along with a designation the land was rezoned with a Statement of Conditions. The City Clerk shall maintain a listing of all lands rezoned with a Statement of Conditions.
4. The approved Statement of Conditions or an Affidavit or Memorandum giving notice thereof shall be filed by the City with the County Register of Deeds. The City Council shall

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have authority to waive this requirement if it determines that, given the nature of the conditions and/or the timeframe within which the conditions are to be satisfied, the recording of such a document would be of no material benefit to the City or to any subsequent owner of the land.

5. Upon the rezoning taking effect, the use of the land so rezoned shall conform thereafter to all the requirements regulating use and development within the new zoning district as modified by any more restrictive provisions contained in the Statement of Conditions.

F. Compliance with Conditions.

1. Any person who establishes a development or commences a use upon land that has been rezoned with conditions shall continuously operate and maintain the development or use in compliance with all the conditions set forth in the Statement of Conditions. Any failure to comply with a condition contained within the Statement of Conditions shall constitute a violation of this Ordinance and be punishable accordingly.
2. No permit or approval shall be granted under this Ordinance for any use or development that is contrary to an applicable Statement of Conditions.

G. Time Period for Establishing Development or Use.

Unless another time period is specified in the Ordinance, the approved development and/or use of the land pursuant to building or other required permits must be commenced upon the land within ~~one (1) year~~ **two (2) years** after the rezoning took effect and thereafter proceeded diligently to completion. **Upon the expiration of two (2) years, if the approved development and/or use has not commenced or is not proceeding diligently to completion, the applicant may request a one (1) year extension, and the Zoning Administrator may grant the one (1) year extension if he/she finds just cause for such extension.** This time limitation may upon written request be extended by the City Council if:

1. it is demonstrated to City Council’s reasonable satisfaction that there is a strong likelihood that the development and/or use will commence within the period of extension and proceed diligently thereafter to completion, and
2. the City Council finds that there has not been a change in circumstances that would render the current zoning with Statement of Conditions incompatible with other zones and uses in the surrounding area or otherwise inconsistent with sound zoning policy.

H. Reversion of Zoning.

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If the approved development and/or use of the rezoned land does not occur within the timeframe specified under **subsection G** above, then the land shall revert to its former zoning classification. The reversion process shall be initiated by the City Council requesting that the Planning Commission proceed with consideration of rezoning of the land to its former zoning classification. The procedure for considering and making this reversionary rezoning shall be the same as applies to all other rezoning requests.

I. Subsequent Rezoning of Land.

When land that is rezoned with a Statement of Conditions is thereafter rezoned to a different zoning classification or to the same zoning classification, but with a different or no Statement of Conditions, whether as a result of a reversion of zoning pursuant to **subsection H** above or otherwise, the Statement of Conditions imposed under the former zoning classification shall cease to be in effect. The City Clerk shall record with the County Register of Deeds that the Statement of Conditions is no longer in effect.

J. Amendment of Conditions.

1. During the time period for commencement of an approved development and/or use specified pursuant to **subsection G** above or during any extension thereof granted by the City Council, the City shall not add to or alter the conditions in the Statement of Conditions.
2. The Statement of Conditions may be amended thereafter in the same manner as was prescribed for the original rezoning and Statement of Conditions.

K. City Right to Rezone.

Nothing in the Statement of Conditions or in the provisions of this Section shall be deemed to prohibit the City from rezoning all or any portion of land that is subject to a Statement of Conditions to another zoning classification. Any rezoning shall be conducted in compliance with this Ordinance and the **Michigan Zoning Enabling Act (Act 110 of the Public Acts of 2006, as amended)**.

L. Failure to Offer Conditions.

The City shall not require any owner to offer conditions as a requirement for rezoning. The lack of an offer of conditions shall not affect an owner’s rights under this Ordinance.

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Section 10.4 Protest Petition

- A. An amendment to this Zoning Ordinance is subject to a protest petition. If a protest petition is filed, approval of the amendment to the Zoning Ordinance shall require a 2/3 vote of the **City Council** ~~legislative body, unless a larger vote, not to exceed a ¾ vote, is required by ordinance or charter.~~ The protest petition shall be presented to the City Council before final legislative action on the amendment and shall be signed by one (1) or more of the following: *Should make sure that the ¾ vote isn't required by charter before we strike.*
 - 1. The owners of at least twenty (20) percent of the area of land included in the proposed change.
 - 2. The owners of at least twenty (20) percent of the area of land included within an area extending outward one hundred (100) feet from any point on the boundary of the land included in the proposed change.
- B. Publicly owned land shall be excluded in calculating the twenty (20) percent land area requirement under subsection (A).

Section 10.5 Severability

This Ordinance and various parts, sections, subsections, sentences, phrases and clauses thereof are hereby declared to be severable. If any part, sentence, paragraph, section, subsection, phrase or clause is adjudged unconstitutional or invalid, it is hereby provided that the remainder of this Ordinance shall not be affected thereby. The City Council hereby declared that it would have passed this Ordinance and each part, section, subsection, phrase, sentence and clause thereof irrespective of the fact that any one or more parts, sections, subsections, phrases, sentences or clauses be declared invalid.

Interpretation

Moving this section to Article 9

~~In the interpretation and application, the provisions of this Ordinance shall be held to be minimum requirements adopted for the promotion of the public health, morals, safety, comfort, convenience or general welfare. It is not intended by this Ordinance to repeal, abrogate, annul or in any way to impair or interfere with any existing provision of law or ordinance other than the above described Zoning Ordinance, or with any rules, regulations or permits previously adopted or issued or which shall be adopted or issued or which shall be adopted or issued pursuant to the law relating to the use of buildings or premises; provided, however, that where this Ordinance~~

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~~imposes a greater restriction than is required by existing ordinance or by rules, regulations or permits, the provisions of this Ordinance shall control.~~

Section 10.6 Repeal & Savings Clause

- A. This Ordinance repeals and replaces any previous City of Alpena Zoning Ordinance in its entirety.
- B. The repeal of any previous City of Alpena Zoning Ordinance, as provided, shall not affect or impair any act done, offense committed or right accruing, accrued, or acquired or liability, penalty, forfeiture or punishment incurred prior to the time enforced, prosecuted or inflicted. Said Ordinance or Ordinance sections repealed is hereby continued in force and effect after the passage, approval and publication of this Ordinance for the purpose of such rights, fines, penalties, forfeitures, liabilities, and actions therefore.

Section 10.7 Enactment & Effective Date

- A. This Ordinance was adopted on _____ by the Alpena City Council and will be effective _____. The foregoing Zoning Ordinance and Map of Zoning Districts were presented at a public hearing before the City of Alpena Planning Commission on _____.
- B. Amendments or revision to this Ordinance or Map of Zoning Districts shall become effective on the ~~expiration of seven (7) days~~ **8th day** or at a later date specified by the Alpena City Council after publication of a notice of adoption of said amendments or revisions within fifteen (15) days of adoption in accordance with Section 401 of PA 110 of 2006, as amended.

I hereby certify that the above Ordinance was adopted by the Municipal Council of the City of Alpena, Michigan at a regular meeting held on _____.

Anna Soik
City Clerk

First Reading: _____ Second Reading: _____

Published: _____ Effective Date: _____

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NOTICE OF ADOPTION OF ZONING ORDINANCE

A Zoning Ordinance (Ordinance No. _____) regulating the development and use of land has been adopted by the Municipal Council of the City of Alpena.

The Zoning Ordinance may be purchased or inspected at the City Clerk's Office, City Hall, Alpena, Michigan 49707, during regular business hours.

Affidavit of Publication Required.

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Zoning petitions: What are citizens' options?

Brad Neumann, [Michigan State University Extension](#) - April 19, 2023

Zoning ordinances or zoning amendments are approved by local bodies of elected officials; however, citizens of municipalities in Michigan can submit petitions to challenge new zoning laws.



Photo via iStock.com.

Zoning ordinances are local laws that place standards on the use and development of private property. With private property rights being subject to such regulation, state laws require that certain processes are followed, and notices are given to ensure constitutionally protected due process. Two statutes underlying due process in Michigan are the Michigan Zoning Enabling Act and the Michigan Open Meetings Act.

A newly adopted zoning ordinance or a zoning amendment is adopted by the local legislative body after following a specific set of planning, public notice, and advisory review steps (see “For Adoption of a Zoning Ordinance Amendment”). Generally, a new zoning ordinance or amendment goes into effect seven days after a notice of adoption is published in a newspaper of general circulation in the community. However, citizens of municipalities in Michigan can submit petitions to challenge new zoning laws.

For a township or county zoning ordinance, citizens have seven days after publication of a notice of ordinance adoption is published in a newspaper of general circulation to file a notice of intent for a petition challenging the new zoning ordinance or zoning amendment. With the notice of intent filed and the effective date of the ordinance or amendment on hold, citizens have 30 days to submit a petition to the clerk with signatures amounting to no less than 15 percent of the total vote cast for governor within the jurisdiction at the preceding general election (see MCL 125.3402).

If a petition is filed within 30 days and the clerk determines that the petition is adequate, the ordinance or ordinance amendment will be put to a vote by registered electors in the jurisdiction at the next regular election or special election called for that purpose. The petition and election are subject to Michigan Election Law (general reference), and petition forms are available from county and local election officials. A zoning related petition requires the Michigan Local Proposal Petition.

The legislative body shall provide the manner of submitting the zoning ordinance or part of the zoning ordinance to the electors for their approval or rejection and determining the result of the election. A majority of electors voting in favor enacts the ordinance or amendment as initially adopted by the legislative body. Failure to reach a majority of ‘yes’ votes means the ordinance or amendment is denied by electors and does not become law.

In a city or a village, a zoning amendment can be challenged by property owners within the jurisdiction before the legislative body of the city or village takes final action on the amendment. This is called a protest petition and has been a part of city and village

zoning since 1921. In this case, a petition must be signed by owners of at least 20 percent of the land included in the proposed change, or by owners of at least 20 percent of the area of land within an area extending 100 feet outward from the boundary of land included in the proposed change (called *abutter's challenge*). If a protest petition is received and found valid, the legislative body must vote with a 2/3 majority, unless a larger vote – not to exceed 3/4 – is required, in favor of the zoning amendment for it to become law (see [MCL 125.3403](#)).

Both above processes provide opportunities for citizens to have a more direct say in the passage of a zoning law. It is important to note that citizen action through the submission of a petition must happen before the proposed zoning law takes effect. There is no statutory authority for citizens in Michigan to petition for the repeal of zoning after it has been adopted and has become law. After zoning has become law, the only avenue for citizens is to elect new legislative officials whom they think will amend the ordinance again to remove the unfavorable standards or repeal the ordinance altogether. Read the [Michigan State University Extension](#) article “[Amending a zoning ordinance requires adopting an ordinance](#)” for more information.

Readers might also be interested in the [MSU Extension](#) article, “[How does a ballot proposal get on the ballot?](#)” [Subscribe](#) to MSU Extension’s Government and Public Policy newsletters to stay up to date on these and other related issues.

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