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## ZONING AMENDMENTS

House Bills 4576 and 4577  
Sponsor: Rep. Walter DeLange  
Committee: Local Government

Complete to 2-19-96

### A SUMMARY OF HOUSE BILLS 4577 AND 4578 AS INTRODUCED 3-14-95

House Bill 4576 would amend the County Rural Zoning Act (MCL 125.214) and House Bill 4577 would amend the Township Rural Zoning Act (MCL 125.284) to establish a new procedure for protesting the adoption of an amendment to a zoning ordinance. An amendment under either act would not be subject to the current provision that requires the filing of petitions after the effective date of the amendment in order to submit the amendment to the voters. Instead, under the bills, if a petition protesting a proposed amendment to a zoning ordinance was presented to the county clerk, passage of the proposed amendment would require a two-thirds vote of the county board of commissioners or township board, unless a larger vote, not to exceed a three-quarters vote, was required by ordinance. The protest petition would have to be filed before final legislative action on the amendment and be signed by either 1) the owners of at least 20 percent of the area of privately owned land included in the proposed change or 2) the owners of at least 20 percent of the area of privately owned land included within an area extending outward 100 feet from any point on the boundary of the land included in the proposed change.

House Bill 4577 also would specify that an amendment to a zoning ordinance for the purpose of conforming a provision to the decree of a court of competent jurisdiction as to any specific lands would not be subject to the existing petition and referendum requirement or to the new protest petition requirement being created by the bill. Such an amendment would also not be subject to rezoning notice requirements unless the amendment was to rezone an individual property or several adjacent properties and the township board refers the amendment to the township zoning board.

(Under current law, forcing a referendum on a zoning ordinance or part of an ordinance requires petitions bearing 8 percent, for townships, or 15 percent, for counties, of the total vote cast for all candidates for governor in the most recent election within the jurisdiction. The acts refer to residents of the portion of a county outside the limits of cities and villages and residents of the portion of a township outside the limits of cities and villages. The ordinance or portion of the ordinance in question remains in effect unless overturned by a majority vote of electors.)

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.