



Village of Decatur
114 N Phelps Street
Decatur, MI 49045

MEMORANDUM

TO: Village Council
FROM: Shantel Pentland, Admin Assistant
REVIEWED BY: Christopher Tapper, Village Manager
DATE: April 1, 2024

SUBJECT: Request to adopt the Village of Decatur Internal Zoning Application Processing & Review Procedures Policy

Action Requested:

It is requested that the Village Council adopt the Village of Decatur Internal Zoning Application Processing & Review Procedures Policy

Background:

To obtain Redevelopment Ready Community (RRC) certified status, we must meet or exceed task 3.4, which requires the Village to have a documented Internal Review Policy.

Clearly documenting the internal review process provides predictability and consistency in the development review process. It also ensures that processes can continue in the event of staff turnover. They can be considered standard operating procedures (SOPs) and should be updated annually.

Attachment(s):

Internal Zoning Application Processing & Review Procedures Policy

Village of Decatur

Internal Zoning Application Processing & Review Procedures

March 2024



**MICHIGAN ECONOMIC
DEVELOPMENT CORPORATION**



*Prepared in association with the Michigan Economic Development Corporation's
Redevelopment Ready Communities® Program*

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Application Processing

Completeness Review

- ❖ The applicant meets with the Zoning Administrator (Village Manager) to confirm the applicable review process.
- ❖ The applicant submits the following material to the Zoning Administrator to initiate the review process:
 - Complete and signed copy of the application.
 - A complete plot plan or site plan.
 - Required application fee.
- ❖ The Zoning Administrator reviews the application submittal for completeness. If the application submittal is not complete, the applicant is notified. If the application submittal is complete, the Zoning Administrator creates a file and routes the application.

File Creation

- ❖ Create a file for the application and label it with the property identification number and the associated zoning permit number. The zoning permit number will reflect the year and application number for the year. For example, #24-001 (24 indicates the year, 2024, and 001 indicates that it is the first file received).
- ❖ Scan all application documents and save to an electronic file, located in *Common Drive-Documents > Building Department (Permits) > 2024*
- ❖ Electronic files are organized by zoning permit number for a particular year.

Processing of Application Fee

Collect the application fee and attach the receipt of payment to the file.

Application Routing

- ❖ Plot Plan – required for less complex developments, including single-family homes and residential structures: Zoning Administrator
- ❖ Site Plans for Administrative Review – required for uses permitted ‘by right’ that require fewer than 3 parking spaces: Staff (Village Planner and/or Village Manager); Administrative Review Committee.
- ❖ Site Plans for Planning Commission Review – Staff (Village Planner and/or Village Manager); Planning Commission.
- ❖ All Other Zoning Applications – Staff (Village Planner and/or Village Manager); Planning Commission; Zoning Board of Appeals.

Public Hearing Notices

Applications for special land use permits, rezonings, zoning ordinance amendments, and zoning board of appeals requests require a public hearing. A notice of the public hearing must be published in a newspaper of general circulation and mailed to all owners and occupants of properties located within 300 feet of the subject parcel(s), if applicable, no less than 15 days prior to the public hearing.

***NOTE: Site Plan Reviews do not require a public hearing.

Preparing Public Hearing Notice

- ❖ Open template located in *Common- Documents > Templates > Public Hearing Notice*
- ❖ Update the public hearing notice with the appropriate meeting date and time, zoning permit number (example: #24-001), applicant, request, property legal description, and publication date.
- ❖ Review the public hearing notice for accuracy and completeness.
- ❖ Save the public hearing notice in the correct Board/Commissions folder on *Common- Documents*, under the appropriate year.
- ❖ Attach the public hearing notice to the minutes of the meeting for the public hearing. Copy the public hearing notice to the application file.

Preparing Mailing List

- ❖ Use the GIS Interactive Map from [Van Buren County MI - Map and Data Portal](https://gis.vanburencountymi.gov/van-buren-county-mi/maps) (<https://gis.vanburencountymi.gov/van-buren-county-mi/maps>) to determine those properties within 300 ft of the parcels under consideration. Use the Proximity Tool:
 - Set FIND to "Parcel Info"
 - set THAT to "Closer Than"
 - set a radius distance to search
 - set SELECTED to "Parcels"
 - use the provided tools to select a single or multiple parcels that you wish to search around (hint: selected parcels will turn RED)
 - select GET RESULTS
 - view or download information from the selected parcels.
- ❖ If a parcel has tenants, the tenants shall be sent the public hearing notice. If there are more than four (4) leased units on a parcel, the owner or manager of the property can be sent the public hearing notice with instructions for them to post the notice at a primary entrance to the structure.
- ❖ Create mailing labels or hand-write addresses on envelopes.
- ❖ Mail the public hearing notice to owners and occupants on the same day as sending the notice to the Decatur Republican.
- ❖ Prepare an affidavit of notice:
 - Open the template located in *Common- Documents > Templates > Affidavit of Mailing*
 - Update the template with the correct zoning permit number and date.
 - Have the affidavit notarized.

- Attach a copy of the notice map and mailing addresses to the affidavit.
- Attach the affidavit of mailing to the minutes of the meeting for the public hearing. Copy to the application file.

Submitting Public Hearing Notice for Publishing

- ❖ A public hearing notice must be published in the newspaper at least 15 days prior to the public hearing date.
- ❖ Submit the public hearing notice by noon on the Monday before the publishing date. Request a “read e-mail receipt” to confirm the entry has been received.
- ❖ Email editor@decaturrepublican.org AND assteditor@decaturrepublican.org, and CC the Village Clerk/Treasurer, with the following message and attach a copy of the public hearing notice (PDF or GIF is preferred):

SUBJECT: Notice of Public Hearing

DATE: [date sent]

Please publish the attached Notice of Public Hearing in the [INSERT DATE(S) YOU WANT IT PUBLISHED] edition, and please furnish an affidavit of publication.

Please send the affidavit to my attention at Village of Decatur, 114 N. Phelps St., Decatur, MI 49045.

Thank you! If you have any questions, please call me as soon as possible at 269-423-6114.

- ❖ Request the Decatur Republican provide an affidavit of publication for the public hearing notice. An e-mail will be received with a proof copy of the notice, or it may be a paper hand-delivered copy. Review for accuracy.
- ❖ Clip the public hearing notice out of the Decatur Republican and affix it in the Newspaper Clippings binder located in the Utility Billing Office cabinet. Note the publishing date, the paper name, and whether it was paid for/requested by the Village.
- ❖ Attach the affidavit of publication to the minutes of the meeting for the public hearing. Copy to the application file.

Placing Public Hearing Notice on Village Website

Log in to www.decaturmi.org using your specific credentials. Add the public hearing notice in the “News & Announcements” and “Calendar” sections of the website. Include all details, including the public hearing notice itself, in both sections. Confirm the sequencing is correct so the notice will be displayed on the home page.

Additional Public Notification Outlets

Copies of Notices can be placed on the following Community Boards:

First State Bank, Village Market Food Center, Van Buren District Library- Webster Memorial Branch, Honor Credit Union, The Wash Tub Laundromat.

Application Review

- ❖ Plot Plan – Reviewed by the Zoning Administrator for compliance with the Zoning Ordinance. A compliant plot plan shall be approved, and the applicant issued a Zoning Permit.
- ❖ Site Plans for Administrative Review – Reviewed by staff for compliance with the Zoning Ordinance; approved by the Administrative Review Committee. The Administrative Review Committee shall consist of the Zoning Administrator, the Chairman of the Planning Commission or his/her designee, and a Planning Commissioner. Other departments will be contacted on an “as-needed basis”.
- ❖ Site Plans for Planning Commission Review – Reviewed by staff for compliance with the Zoning Ordinance; approved by the Planning Commission.
- ❖ All Other Zoning Applications – Reviewed by staff; approved by the Planning Commission or Zoning Board of Appeals.

Staff Review

- ❖ Review the application submittal for conformance with the applicable Zoning Ordinance standards.
- ❖ Visit the site under consideration
 - If the proposal involves a public hearing, this visit should occur at least 15 days prior to the public hearing and a “NOTICE OF PUBLIC HEARING” sign(s) shall be posted on-site in accordance with the guidelines adopted by the Planning Commission.
 - Take photographs of the site for use in the staff report and presentations to the Planning Commission.
- ❖ Identify any missing, incomplete, or inaccurate information.
- ❖ Identify any issues with conformity to Village standards.

Initial Feedback to Applicant

Any missing, incomplete, or inaccurate information; questions of clarification; or issues of conformance with the zoning ordinance are shared with the applicant, typically one week prior to the finalization of the staff report and typically in writing via email. The applicant may decide at this time to submit additional information or postpone consideration of the application until a later date. Continual verbal or electronic communication should be maintained with the applicant.

Staff Reports

A staff report is prepared for each case that goes before the Administrative Review Committee, Planning Commission, and Zoning Board of Appeals. The staff report is prepared by the Village Planner or Village Manager. The staff report template is available in *Common- Documents > Templates > Staff Report- Memo Template*. Attachments to the staff report typically include a copy of the application, a copy of the site plan (if

required), a copy of any building plans or elevations, and a copy of comments from other applicable departments.

Copy all staff report documents to both the electronic and paper application files.

Commission/Board Meeting Packets

- ❖ Meeting packets for the Administrative Review Committee, Planning Commission and Zoning Board of Appeals are prepared by Village staff and will include the following:
 - Application (and other related documents)
 - Plot plan or site plan, applicable
 - Staff Report, with additional pertinent information
 - Other Department Reviews, if applicable

- ❖ Electronic copies of the meeting packet are sent via email to the following groups and individuals:
 - Administrative Review Committee, Planning Commission, or Zoning Board of Appeals
 - Village Manager
 - Village Planner
 - Zoning Administrator(s)

- ❖ Copy the packet to *Common- Documents > Planning Commission > Meetings > Year* and post on the website *www.decatrmi.org > Government > Agendas & Minutes*. Copy the packet to the paper application file.

Application Finalization

Following consideration of the application by the Zoning Administrator, Administrative Review Committee, Planning Commission, or Zoning Board of Appeals, a letter is sent to the applicant with the determination of the application review. Copy letters and all attachments to both the electronic and paper application files. Below are the typical scenarios for these letters:

- ❖ **Approved.** The application is approved without conditions. If a site plan is connected to the application, a stamped and signed copy of the site plan is attached to the letter.
- ❖ **Conditionally Approved.** The application is approved with conditions, which are listed in and/or attached to the letter.
 - If a site plan is connected to the application, a stamped and signed copy of the site plan is attached to the letter ONLY if the conditions of approval do not include modifications to the site plan.
 - If site plan modifications are needed, the first letter will indicate that the applicant must submit an updated site plan meeting the conditions of approval. Upon receipt of an updated site plan meeting the conditions of approval, a second letter indicating the application is approved is sent with a stamped and signed copy of the final site plan.
- ❖ **Postponed.** Action on the application is postponed. The basis for the postponement and an explanation of the next steps are included in the letter.
- ❖ **Denied.** The application is denied. Reasons for denial are outlined in the letter.

Rezoning/Zoning Ordinance Amendment Recommendations

The following items are provided to the Village Manager via email for inclusion in the packet for the next Village Council meeting:

- A memo prepared by staff indicating the Planning Commission's recommendation regarding the application.
- A copy of the application submittal.
- A copy of the Planning Commission staff report and any related documents.
- An excerpt of the draft Planning Commission minutes related to the application.