

**VILLAGE OF LAKE ODESSA
PLANNING COMMISSION**

AGENDA

**SPECIAL MEETING
MONDAY, AUGUST 22, 2022 - 7:00 P.M.**

1. Call to Order / Roll Call
2. Public Comment
Under the Open Meetings Act, any citizen may come forward at this time and make comment on items that appear on the agenda. Comments will be limited to five minutes per person. Anyone who would like to speak shall state his/her name and address for the record. Remarks should be confined to the question at hand and addressed to the chair in a courteous tone. No person shall have the right to speak more than once on any particular subject until all other persons wishing to be heard on that subject have had the opportunity to speak.
3. Minutes
 - a. None
4. Public Hearing
 - a. None
5. Action and Discussion items:
 - a. Discussion and Action: Proposed Amendments to the Village of Lake Odessa Zoning Ordinance: Mobile Homes
6. Commission Member Comments
7. Public Comment
8. Adjournment



VILLAGE OF LAKE ODESSA
IONIA COUNTY, MICHIGAN

Trustee _____, supported by Trustee _____, moved the adoption of the following ordinance:

ORDINANCE NO. 2022-_____

AN ORDINANCE TO AMEND CHAPTER 36 OF THE
CODE OF ORDINANCES OF THE VILLAGE OF LAKE
ODESSA

THE VILLAGE OF LAKE ODESSA ORDAINS:

Section 1. That Chapter 36, Article I, Article II and Article IV, of the Code of Ordinances, Village of Lake Odessa, Michigan, is hereby amended to replace all definitions, references and language sections related to Mobile Home Park to read as follows:

Chapter 36 –ZONING

ARTICLE I – DEFINITIONS

Sec. 36-5. - Definitions

(13) "M"

Manufactured home means a structure, transportable in 1 or more sections, which is built on a chassis and designed to be used as a dwelling with or without permanent foundation, when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained in the structure.

Manufactured home development means a parcel or tract of land under the control of a person upon which 3 or more mobile homes are located on a continual, non-recreational basis and which is offered to the public for that purpose regardless of whether a charge is made therefore, together with any building, structure, enclosure, street, equipment, or facility used or intended for use incident to the occupancy of a mobile home.

Seasonal Manufactured Home Development means a parcel or tract of land under the control of a person upon which three or more manufactured homes are located on a continual or temporary basis but occupied on a temporary basis only, and which is offered to the public for that purpose regardless of whether a charge is made therefore, together with any building, enclosure, street, equipment, or facility used or intended for a use incident to the occupancy of a manufactured home. A seasonal manufactured home development does not include a campground licensed pursuant to sections 12501 to 12516 of the Public Health Code, Act No. 368 of the Public Acts of 1978, being sections 333.12501 to 333.12516 of the Michigan Compiled Laws, as amended.

ARTICLE II – ESTABLISHMENT OF DISTRICTS

Sec. 36-35. - Zoning district regulations.

(e) *MH, manufactured home development (medium/high density residential district).* Zoning district regulations for the MH, manufactured home development (*medium/high density residential district*) shall be as follows:

- (1) *Intent and purpose.* The manufactured home development zoning district is where existing manufactured home developments are located in the Village and are designed for those who prefer mobile home living. A new approved manufactured home development will be rezoned to this district designation. Although a single-family unit, the manufactured home development has essentially a higher density impact than the conventional single-family development. In order not to adversely affect other areas, of the village, certain land areas are hereby recognized as appropriate for continued or new manufactured home development use, provided that the proper site design standards and requirements are met.
- (2) The application procedures, review process, uses, screening, utilities, public health and safety, site development and bulk regulations are listed in section 36-93.

Sec. 36-93. - Manufactured Home Development

- (1.) *Purpose and Intent.* To provide for manufactured home development, of long-term duration of stay in areas which are developed in a manner which takes into account such special characteristics as locational needs, site layout and design, demand upon community services, and the relationship to and effect upon surrounding uses of land, and conformance to the Comprehensive Land Use Plan. All manufactured home developments shall comply with the applicable requirements of Public Act 96 of 1987, as amended. The controlling standards in this Section 36-93 are not designed to generally exclude mobile manufactured homes of persons who engage in any aspect pertaining to the business of manufactured mobile homes or manufactured mobile home developments.
- (2.) *Permitted Uses.* Within a manufactured home development, the following uses shall be permitted, subject to the terms of this Section:
 - a. Manufactured homes
 - b. Recreational facilities and open space land for the residents of a manufactured home development
 - c. Community Centers
 - d. Buildings such as administration office, stores, storage, laundry or other similar buildings
 - e. Family day care homes consisting of 6 children or less
 - f. Adult foster care family homes consisting of 6 residents or less
- (3.) *Application Procedures.* Pursuant to Section 11 of Act 96 of the Public Acts of 1987, as amended, and the rules promulgated thereunder, an application for the extension, alteration, or construction of a manufactured home development shall be accompanied by a preliminary plan of the proposed development and all permanent buildings indicating the proposed methods of compliance with these requirements. Said application, fees and preliminary plan shall meet the following requirements:
 - a. An application form shall be completed, and fees paid in accordance with the fee schedule (as amended from time to time by resolution of the Village Council) and ten copies of the preliminary plan shall be submitted to the Village Office for distribution to the Planning Commission, the Village's Engineer, the Lakewood Wastewater Authority, the Village's Street Administrator, County Drain Commission, County Health Dept and County Road Commission, if applicable.
 - b. The preliminary plan need not include detailed construction plans, but shall include the following materials:
 1. The applicant's name, address and telephone number and the property owner's name, address and telephone number, if different than that of the applicant.
 2. Notation of all federal, state and local permits required.

3. The location of the project including the permanent parcel number(s) of the property upon which the project is proposed to be located.
 4. The layout of the project including an illustration of the internal roadway system proposed and typical homesite layout.
 5. The general design of the proposed project including the proposed location and design of signs, trash receptacles, light fixtures and any accessory structures, open lands and recreation areas and accessory uses.
 6. The location, spacing, type and size of proposed plant materials.
 7. A general description of the proposed project including the number of homesites proposed, the anticipated phasing of project development and an indication of the number of homesites to be rented and the number to be sold, if any.
- (4.) *Review Process.* The Planning Commission shall review the submitted preliminary plan and approve, approve with conditions or modifications, or denial of the preliminary plan. The Planning Commission shall approve a preliminary plan upon a finding that the proposed use will not, upon the facts known at the time of the submission of the site plan, cause undue hardship, or create unsafe or hazardous health or safety conditions to the general public. Not more than sixty (60) days following the receipt by the Village of a complete application for preliminary plan approval, the Planning Commission shall approve, approve with conditions or modifications, or deny an application and preliminary plan pursuant to the Mobile Home Commission Act, the rules promulgated thereunder and this ordinance.
- Upon approval of the preliminary plan, the Village Clerk shall sign three (3) copies thereof. One (1) signed copy shall be made a part of the Village's files, one (1) copy shall be forwarded to the Zoning Administrator for issuance of a Zoning Permit, and one (1) copy shall be returned to the applicant. Construction shall commence within five (5) years after the date of issuance of a construction permit by the Michigan Department of Consumer and Industry Services unless an extension has been granted by said Department. Amendments to the approved preliminary plan must be submitted to the Planning Commission for review and approval.
- (5.) *Noncompliance.* Any substantial noncompliance with the approved preliminary plan shall be reported to the Manufactured Housing Division of the Department of Consumer and Industry Services for remedy along with all pertaining evidence.
- (6.) *Site Development Requirements.* The following requirements for site development, together with any other applicable requirements of the State of Michigan, Act 96 of 1987, as amended, shall be complied with. If any of the requirements of this subsection are less than those in the State Act, the State requirements shall prevail. No manufactured housing community shall be maintained, operated, or conducted without an annual license from the Michigan Department of Consumer and Industry Services. An inspection of construction may be performed at any appropriate time, pursuant to 1987 PA 96, as amended (the Mobile Home Commission Act).
- a. *Site Size:* A minimum site size shall be three (3) acres.
 - b. *Site Location:* The proposed site location shall be governed by the requirements of Section 11 of the Mobile Home Commission Act and rule 920(1)(b) of the Manufactured Housing Commission Rules.
 - c. *Side Yard Dimensions:* All buildings and manufactured houses within the manufactured housing community site shall be no closer than fifteen (15) feet from any public street right of way line, and not closer than ten (10) feet from any side or rear lot line of the manufactured housing community site.
 - d. *Space Requirements:* The manufactured home development shall be developed with sites averaging 5,500 square feet per manufactured home unit. This 5,500 square feet

average per site may be reduced by 20 percent provided that all individual sites shall be equal to at least 4,400 square feet. For each square foot of land gained through the reduction of a site below 5,500 square feet, an equal amount of land shall be dedicated as open space. This open space shall in addition to that required under R125.1946, rule 946 and Rule 125.1941 and R125.1944, Rules 941 and 944 of the Michigan Administrative Code.

- e. *Yard Requirements:* The required distances between manufactured home units and other structures and the required distances from property boundary lines shall meet the requirements of Rule 125.1941 and Rule 125.1944, and Rules 941 and 944 of the Michigan Administrative Code.
- f. *Development Roads:* Two-way streets within a manufactured home development shall have a minimum width of 21 feet where no parallel parking is permitted, 31 feet where parallel parking is permitted along one side of the street, and 41 feet where parallel parking is permitted along both sides of the street. The minimum width of a one-way street shall be 13 feet where no parallel parking is permitted, 23 feet where parallel parking is permitted along one side and 33 feet where parallel parking is permitted along both sides.
- g. *Paving:* All internal roads and parking facilities shall be provided with a paved surface in compliance with the standards of the AASHTO Specifications referenced in Rule 922 of the Michigan Manufactured Housing Commission Rules. Off-street parking areas shall be drained so as to dispose of all surface water accumulated in the parking area in such a way as to prevent the drainage of water onto adjacent property or toward buildings. No portion of any off-street parking area shall be considered part of the sidewalk system.
- h. *Sidewalks:* Sidewalks, which meet the standards established in Rule 928 of the Michigan Manufactured Housing Commission Rules, and AASHTO Standards shall be installed along one (1) side of all internal collector roads within the park and to the public right-of-way and to all service facilities including, but not limited to, central laundry, central parking, and central recreation/park areas. Sidewalks shall also be required along that portion of a site fronting along public thoroughfares. Walks connecting the entrance of each manufactured housing unit to the balance of the development walk system shall be designed per Manufactured Housing Commission Rules.
- i. *Utilities:* The installation of utilities within a manufactured housing community shall be in accordance with the following requirements:
 - 1. All electrical, telephone, and utility service shall be underground and specifically designed in conformance with the standard established in rule 932(a), 934(a), 935(a), 937(2)(a), and 940 of the Manufactured Housing Commission.
 - 2. All gas distribution lines shall be located underground. Each manufactured housing lot so served shall have the service line located underground to a connection point and the manufactured housing unit shall be supported so it cannot be abraded by the pad surface. If fuel oil is used, it shall be supplied from a central storage tank, with underground distribution and service lines to the individual manufactured home sites and shall be subject to the same requirements given herein for gas lines. The use of independent bottled gas service for individual manufactured housing units is prohibited. All heating systems shall be designed and installed in accordance with Rules 934 and 940 of the Manufactured Housing Commission.
 - 3. Minimum housing standard for the home or installation of the home plumbing, heating, and electrical systems shall be those either set forth by the United States Department of Housing and Urban Development (HUD) Manufactured Home Construction and Safety Standards or by ANSI (American National Standards

Institute) for manufactured housing units predating HUD.

4. All manufactured housing sites and all other buildings within the development shall be connected to the water system of the governmental jurisdiction, if it is available to the development, or to another state approved system. The development water system shall conform to parts 2-4 of the Michigan Department of Environmental Quality (MDEQ) Manufactured Housing Community Standards.
 5. All manufactured housing sites and all other buildings within the development shall be connected to the sanitary sewerage system of the governmental jurisdiction if it is available to the development, or to other state approved systems. The development sanitary sewerage system shall conform to MDEQ Manufactured Housing Community Standards.
 6. All storm sewers shall be constructed in accordance with parts 2-4 of the MDEQ Manufactured Housing Community Standards by the developer.
- j. *Skirting:* Skirting shall be installed around all manufactured housing units. Such skirting shall be compatible aesthetically with the appearance and construction of the manufactured housing unit. All skirting shall be installed prior to the issuance of a Certificate of Occupancy. In the event that such installation is delayed due to weather, or for other similar reasons, a temporary certificate of occupancy may be issued for a period not to exceed ninety (90) days. All skirting shall meet the specifications established by the Michigan Manufactured Housing Commission Rules.
- Individual manufactured housing units shall be skirted around the perimeter of the manufactured housing unit to conceal the underbody from view. Skirting shall be vented in accordance with the requirements of Rule 604 of the Manufactured Housing Commission Rules. All skirting shall be manufactured of fire-resistant material and certified as such by the manufacturer. Skirting shall be installed in a manner so as to resist damage under normal weather conditions and shall be properly maintained.
- k. *Installation:* Each manufactured housing site shall conform with the Manufactured Housing Commission requirements of Rule 602 for installation of manufactured housing units.
- l. *Screening, Buffering and Landscaping:* Manufactured housing communities shall provide the following screening, buffering and landscaping:
1. If a manufactured home development abuts an existing residential or non-residential development, the development shall provide screening along the boundary line abutting the adjacent development, if not in conflict with existing utilities.
 2. The landscaping shall consist of evergreen trees or shrubs, which are spaced so they provide a continuous screen at maturity.
 3. Landscape material shall consist of evergreen trees a minimum of four (4) feet in height at installation and evergreen shrubs a minimum of three (3) feet in height at maturity.
 4. Alternative screening techniques (earth berms, fences, etc.) may be approved by the Planning Commission based upon a landscape plan for the site if they conceal the manufactured home development as effectively as the required landscaping described above.
 5. *Homesite:* Landscaping within the Manufactured Housing Community shall consist of not less than one (1) deciduous or evergreen tree for every two (2) homesites.
- m. *Public Health and Safety:*
1. Fire hydrants shall be installed in all manufactured housing developments and

shall be in compliance with the requirements and provisions of the current local fire code, including the requirement that there be no more than five hundred (500) feet between hydrants as measured along adjacent roadways within the manufactured housing community. Such provision may be waived if required by the Michigan Department of Environment, Great Lakes and Energy pursuant to Rule 1105(2) of the EGLE Administrative Rules. If the central water system cannot support fire hydrants, “dry” fire hydrants shall be installed.

2. For the protection of the public safety, an orderly street name system and numbering system that is not the same or similar to any other street name or numbers in Ionia County shall be proposed by the manufactured housing development owner and a plan of this system of street names and addresses shall be approved by the Ionia County Equalization Department. Manufactured housing space numbers shall be located uniformly on each space, manufactured housing unit or identification marker, throughout the manufactured housing park and street names shall be adequately marked.
 3. Cooking shelters, barbecue pits, fireplaces, and wood burning stoves shall be so located, constructed, maintained and used as to minimize fire hazards and smoke nuisance both on the site and on neighborhood property. Open fires shall not be allowed except in facilities proved and all such fires must be attended. No fuel shall be used, or items burned which emit dense smoke or objectionable odors.
 4. Every home shall be equipped at all times with fire extinguishing equipment in good working order, or a type, size, and number and so located within the home as to be in compliance with the applicable regulations of Rule 702a of the Manufactured Housing Commission.
 5. Emergency access points shall be in compliance with Paragraph 6, b of this Section.
 6. Each manufactured housing unit shall have a safe and unobstructed primary exit and an emergency exit located away from the primary exit.
 7. No open fire shall be permitted at any place which may endanger life or property.
 8. No fire shall be left unattended at any time.
- n. *Building Height:* No building or structure shall exceed thirty-five (35) feet in height.
- o. *Lighting:* Street lighting shall be provided and paid for by the owner of the community and shall be approved by the Manufactured Housing Commission as to the adequacy of illumination. No spot or flood lights shall be used for lighting or advertising purposes. No other lighting for identification or advertising purposes shall have a visible source of illumination. No lighting shall shine on adjacent properties. Lighting shall, if possible, be designed to point downward. All other lighting shall be in accordance with the State of Michigan, Act 96 of 1987 as amended.
- p. *Storage Areas:* All storage structures within a manufactured home development shall meet the requirements of Rules 941 and 944 of the Manufactured Housing Commission.
- q. *Open Space:* A manufactured home community that contains 50 or more home sites shall have not less than two (2) percent of the gross acreage of the total site dedicated to designated open space, but not less than 25,000 square feet.
- r. *Telephone, Television, or Other Communication Technologies:* Central television antenna systems, cable television, telephone, or other similar communication services shall have their distribution systems installed underground in compliance with local and state regulations.
- s. *Solid Waste and Resource Recovery:* The garbage and rubbish storage and disposal

procedures in manufactured housing communities shall comply with Michigan Department of Environment, Great Lakes and Energy Rules R325.3351-R325.3354.

- t. *Severe Weather Warning and Storm-fallout Shelter:* A manufactured housing developer shall comply with Manufactured Housing Commission Rule 706.
- u. *Signs.* Any and all signs provided within the manufactured home community shall not exceed a height of five (5) feet measured from the average grade and shall be set back at least six (6) feet from the front property line and at least ten (10) feet from the side lot line.
 - 1. Primary entrance: One (1) sign not to exceed an area of twenty (20) square feet, shall be permitted at the primary access of the manufactured housing community, in accord with the sign section 36-63 (i) of this Ordinance.
 - 2. Identification: One (1) identification sign not to exceed an area of six (6) square feet shall be permitted for management offices and community buildings.
- v. *School Bus Stops:* School bus stops, if provided, shall be located within the manufactured housing community in an area that is acceptable to the school district.
- w. *Mailbox Clusters:* The United States Postal Service may require that manufactured home communities be served by clusters of mailboxes serving several homesites rather than individual mailboxes. If mailbox clusters are required, they shall be located at least two hundred (200) feet from any intersection of a manufactured housing community internal road and a public road.
- x. *Miscellaneous Provisions:*
 - 1. Occupancy: A manufactured housing community development shall be ready for occupancy when it has complied with rule 214k and 214n of the Manufactured Housing Commission.
 - 2. Removal of Towing Mechanisms: Towing mechanisms shall be removed from the manufactured housing dwelling at the time of dwelling installations and stored so as not to be visible from the exterior of the manufactured housing community.
 - 3. The grounds of a manufactured housing community shall be graded to drain properly.
 - 4. New or used manufactured homes in manufactured home developments, which are to remain on-site, may be sold by resident, development owner, licensed retailer or broker, provided the manufactured housing development management permits the sale.
 - 5. All requirements of Act 96 of the Public Acts of 1987, as amended, shall apply.
 - 6. The owner or operator of any manufactured housing community shall be responsible for all street construction and street maintenance within the confines of the manufactured housing community.
 - 7. Fences on individual home sites, if provided, shall be so constructed as to provide firefighters and emergency response equipment reasonable access to manufactured housing units and site-built structures.

Section 2. Conflict and Repeal. All ordinances or parts of ordinances in conflict with this ordinance are repealed which include definitions of mobile home and mobile home park section 36-5 and mobile home park district section 36-35 (e) and mobile home park section 36-93.

Section 3. Effective Date. This ordinance shall take effect seven days following its publication in a newspaper circulated within the Village.

Section 4. Publication. After its adoption, this ordinance or a summary thereof, as permitted by law, shall be published by the Village Clerk in a newspaper of general circulation in the Village.

Ayes:
Nays:
Abstain:
Absent:

ORDINANCE DECLARED ADOPTED.

Dated: _____, 2022

Karen L. Banks, Village President

Patrick Reagan, Village Clerk

CERTIFICATION

I, the undersigned duly appointed Village Clerk of the Village of Lake Odessa, Ionia County, Michigan, do hereby certify that the above ordinance, or a summary thereof, was published in the Lakewood News, a newspaper of general circulation in the Village, on _____, 2022, and that such ordinance was entered into the Ordinance Book of the Village on _____, 2022.



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

August 8, 2022

Ms. Jeanne Vandersloot, Zoning Administrator
Village of Lake Odessa
839 Fourth Avenue
Lake Odessa, MI 48849
zoningadmin@msn.com

RE: Manufactured Housing Community Ordinance Request - Village of Lake Odessa

Dear Ms. Vandersloot:

The Village of Lake Odessa's manufactured housing community ordinance request was scheduled to be reviewed and determined at the Manufactured Housing Commission's (MHC) March 2, 2022 meeting. However, that meeting was cancelled. In accordance with MCL 125.2307, "The commission shall review and approve the proposed standard unless the standard is unreasonable, arbitrary, or not in the public interest. If the commission does not approve or disapprove the proposed standard within 60 days after it is filed with the commission, the standard shall be considered approved unless the local government grants the commission additional time to consider the standard. After the proposed standard is approved, the local government may adopt the standard by ordinance. The ordinance shall relate to a specific section of the code."

Therefore, as no additional time was granted for the Commission to consider the standard, and no decision was made within 60 days of the Village's filing of their ordinance request, the Village's standard is considered approved.

If you have any questions, please contact the Administration Section by emailing LARA-BCC-Boards-Commissions@michigan.gov or calling 517-241-9303.

Sincerely,

A handwritten signature in cursive script that reads "Tracie Pack".

Tracie Pack, Departmental Analyst
Bureau of Construction Codes

cc: BCC Licensing and Compliance Section

ARTICLE VII. AMENDMENTS¹

Sec. 36-171. Village council may amend.

The regulations and provisions stated in the tables and text of this chapter and the boundaries of zoning districts shown on the Zoning Map of Lake Odessa may be amended, supplemented, or changed by the village council in accordance with Public Act No. 207 of 1921 (MCL 125.581 et seq.).

(Ord. No. 119, § 7.0, 8-1993)

Sec. 36-172. Initiation of amendments.

Proposals for amendments, supplements or changes may be initiated by the village council on its own motion, by the planning commission, or by written request of (or petition of) one or more owners of property to be affected by the proposed amendment.

(Ord. No. 119, § 7.1, 8-1993)

Sec. 36-173. Amendment procedure.

- (a) *Written request or petition to village council.* Except for those initiated by planning commission or village council, all written requests by one or more owners for an amendment shall be submitted to the village council.
- (b) *Referral to planning commission/public hearing.* The village council shall refer every proposed amendment, supplement or change to the planning commission for the holding of a required public hearing thereon and for review and recommended action.
- (c) *Planning commission recommendation.* The planning commission shall consider each proposal for amendment in terms of its own judgment on particular factors related to the individual proposal and in terms of the likely effect of such proposal upon the village land use plan. The planning commission may recommend any additions or modifications to the original amendment proposal. The planning commission shall transmit a written report with recommendation within 60 working days to the village council setting forth the reasons for the acceptance, denial or modification of the amendment proposal.
- (d) *Action by village council.* If the village council deems any amendment, changes, additions or departures are advisable to the proposed text or district boundaries recommended by the planning commission, it shall refer the same back to the planning commission for a further report thereon within a time specified by the village council. Before any amendments shall become effective, the village council may on its own, conduct a public hearing on the proposed amendment. Thereafter, the village council may adopt the amendment with or without any changes or may refer the same again to the planning commission for further report.

¹State law reference(s)—Zoning ordinance adoption, MCL 125.584.

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- (e) *Public hearing procedure and notification.* For any required public hearing conducted by the planning commission or any additional public hearings by the village council on a proposed amendment to this chapter, the following procedure and notice requirements shall apply:
- (1) Notice of the public hearing shall be given by publishing said notice at least once in a newspaper of general circulation in the village, stating the time and place of such hearing and the substance of the proposed amendment, and in the event of a proposed change in the amendment, and in the event of a proposed change in the zoning map, the district boundary lines affected shall also be stated. This shall appear in said newspaper at least 15 days prior to the date set for the public hearing. Furthermore, not less than 15 days notice of the time and place of such public hearing shall first be given by United States mail to each public utility or railroad within the districts or zones affected, and a hearing be granted any person interested at the time and place specified. An affidavit of mailing shall be maintained.
 - (2) Notice of the proposed zoning change shall also be made by the village clerk, with notification by first-class mail to the person or firm to whom the property is assessed, and to all persons or firms to whom property within 300 feet are assessed. An affidavit of mailing shall be maintained.
- (f) *Effect of protest to proposed amendment.* Upon presentation of a protest petition meeting the requirements of this subsection, an amendment to a zoning ordinance which is the object of the petition shall be passed only by a three-fourths vote of the village council. The protest petition shall be presented to the village council before final legislative action on the amendment and shall be signed by one of the following:
- (1) The owners of at least 20 percent of the area of land included in the proposed change.
 - (2) The owners of at least 20 percent of the area of land included within an area extending outward 100 feet from any point on the boundary of the land included in the proposed change.
- (g) *Exclusion of publicly owned land from calculation of land area requirement.* For purposes of subsection (f) of this section, publicly owned land shall be excluded in calculating the 20 percent land area requirement.
- (h) *Publication of notice of adoption.* Following adoption of a zoning ordinance and subsequent amendments by the village council, one notice of adoption shall be published in a newspaper of general circulation in the village within 15 days after adoption.
- (i) *Contents of notice of adoption.* The notice of adoption under subsection (h) of this section shall include the following information:
- (1) In the case of a newly adopted zoning ordinance, the following statement: "A zoning ordinance regulating the development and use of land has been adopted by the village council of the village of Lake Odessa."
 - (2) In the case of an amendment to an existing ordinance, either a summary or the regulatory effect or the amendment, including the geographic area affected, or the text of the amendment.
 - (3) The effective date of the ordinance.
 - (4) The place and time where a copy of the ordinance may be purchased or inspected.
- (j) *Resubmittal of application for rezoning.* No application for a rezoning which has been denied by the village council shall be resubmitted for a period of one year from the date of the last denial, except on grounds of newly-discovered evidence or proof of changed conditions found upon inspection by the village council to be valid.
- (k) *Comprehensive review of zoning ordinance.* The planning commission shall, from time to time at intervals of not more than five years, examine the provisions of this chapter and the location of zoning district boundary lines and shall submit a report to the village council recommending changes and amendments, if any, which are deemed to be desirable in the interest of public health, safety, and general welfare.

(Ord. No. 119, § 7.2, 8-1993)

Created: 2021-10-25 10:07:22 [EST]

(Supp. No. 28)