

ZONING AMENDMENT PROTEST PETITIONS

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 6098 as reported from committee
Sponsor: Rep. Kristian Grant
Committee: Economic Development and Small Business
Complete to 12-7-24

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 6098 would amend the Michigan Zoning Enabling Act to revise signature requirements for certain protest petitions submitted in response to proposed zoning ordinance amendments.

Under the act, an amendment to a zoning ordinance by a city or village is subject to a protest petition. If a protest petition is submitted, then approval of the amendment requires a 2/3 vote of the legislative body (unless a larger vote of up to 3/4 is required by ordinance or charter).

A protest petition has to be signed by either or both of the following:

- The owners of at least 20% of the area of land (excluding publicly owned land) included in the proposed change.
- The owners of at least 20% of the area of land (excluding publicly owned land) included in an area extending outward 100 feet from any point on the boundary of the land included in the proposed change.

The bill would change the boundary extension distance from 100 feet to 200 feet in determining the second area described above.

In addition, if the zoning ordinance amendment increases the authorized intensity of development, the bill would require a protest petition to be signed by either or both of the following:

- The owners and any tenants of at least 50% of the area of land (excluding publicly owned land) included in the proposed change.
- The owners and any tenants of at least 50% of the area of land (excluding publicly owned land) included within an area extending outward 200 feet from any point on the boundary of the land included in the proposed change.

MCL 15.3403

BRIEF DISCUSSION:

According to committee testimony, new housing developments are sometimes blocked by residents who sign a protest petition in opposition to the development. Supporters of House Bill 6098 argue that residents of a neighborhood far away from the proposed development should not be able to prevent it from being built, and state-level protections are necessary to reduce barriers to increasing the housing supply.

FISCAL IMPACT:

The bill would have no fiscal impact on the state or local units of government.

POSITIONS:

Representatives of the following entities testified in support of the bill (12-3-24):

- Abundant Housing Michigan
- Climate Cabinet
- Communities First Inc.
- Home Builders Association of Michigan
- Housing North
- Michigan Association of Planners
- Michigan Realtors

The following entities indicated support for the bill (12-3-24):

- Apartment Association of Michigan
- Community Economic Development Association of Michigan
- Grand Rapids Chamber
- Mackinac Center for Public Policy
- Michigan Environmental Council
- Michigan League of Conservation Voters
- Natural Resources Defense Council
- Rental Property Owners Association of Michigan

The Michigan Townships Association indicated a neutral position on the bill. (12-3-24)

Representatives of the following entities testified in opposition to the bill (12-3-24):

- City of Dexter
- Michigan Municipal League
- Michigan Townships Association

The City of Wyoming indicated opposition to the bill. (12-3-24)

Legislative Analyst: Holly Kuhn
Fiscal Analyst: Michael Clossen

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