

STATE OF MICHIGAN
VILLAGE OF STOCKBRIDGE
ORDINANCE NO. 2022-11-____
(Enacted November 7, 2022)

**AN ORDINANCE APPROVING
TEXT AMENDMENTS TO THE ZONING ORDINANCE TO
AMEND SECTIONS 6-5, 6-43, 6-45, 6-70 AND 6-262 OF THE
EXISTING ZONING ORDINANCE**

recitals

WHEREAS, the Village of Stockbridge (hereinafter, the “Village”) has adopted the Village of Stockbridge Zoning and Land Use Ordinance (hereinafter the Zoning Ordinance) on October 1, 2019, which was adopted under the *Zoning Enabling Act of 2006*; and

WHEREAS the Planning Commission had received numerous complaints from Village Residents, Prospective New Business inquiring about requirements for Site Plan Review being very expensive, time consuming and not practical to apply to all situations except for new construction; and

WHEREAS, the Villages Zoning Administrator (employed by AGS), Planning Commission Attorney and the Villages Planning Commissioners have all encounter significant difficulty in interpreting and practical difficulties in applying said ordinances; and

WHEREAS, the Planning Commission, therefore, determined text amendments were warranted to said ordinances in order to interpret, apply the site plan review process and make it more user friendly, while still maintain the historic quality of the village, which initially involved Sections 6-5, 6-43, and 6-45; and

WHEREAS, the Planning Commission met for over a year developing revisions to the Zoning Ordinance; and

WHEREAS, during this process the Village Zoning Administrator reviewed the drafts and attended a Planning Commission meeting where his comments and concerns were considered and the draft text amendments were adjusted based on same; and

WHEREAS, during this process additional concerns zoning were raised about issues that involved Sections 6-70, and 6-262 and the Planning Commission opted to address these issues with additional text amendments; and

WHEREAS, the Planning Commission is therefore charged with coming up with the proposed language of the amendment and then scheduling a public hearing to take public comment on the proposed amendment, pursuant to Section 6-329 (a) of the Zoning Ordinance; and

WHEREAS, the Planning Commission has determined, via this Amendment, proposed text amendments to Sections 6-5, 6-43, 6-45, 6-70 and 6-262 of the Zoning Ordinance, as set forth below; and

WHEREAS, the Planning Commission proposed to consider the language of proposed Amendments and set a public hearings and took public comment as follows:

- a. For 6:30 p.m. on Thursday, September 15, 2022 for Sections 6-5, 6-43, and 6-45 and the Village Clerk issued the required notices in the methods proscribed by MCL 125.3103 and MCL 125.3202;
- b. For 6:30 p.m. on Thursday, September 15, 2022 for Section 6-70 and 6-262 and the Village Clerk issued the required notices in the methods proscribed by MCL 125.3103 and MCL 125.3202;

WHEREAS, after taking into consideration the public's comments, Section 6-329 (b) of the Zoning Ordinance required the Planning Commission to identify and evaluate all factors relevant to the petition and report its findings and recommendation to the Village Council, taking into consideration the criteria for amendments of the official Zoning Ordinance set forth in Section 6-331 of the Zoning Ordinance.

WHEREAS, all costs the Village incurs in developing these amendments shall be charged to the Applicant, Village of Stockbridge, in accordance with Article III, Section 6.47, including the actual costs incurred by the Village, the Planning Commission, and/or the Zoning Administrator for:

- A. Any publication or mailing costs required by this Ordinance and/or state law;
- B. Any traffic reports deemed necessary to complete the processing of the request;
- C. Any legal services deemed necessary to complete the processing of the request;
- D. Any planner fees deemed necessary to complete the processing of the request;
- E. Any zoning administrator fees deemed necessary to complete the processing of the request;
- F. Any topographic studies deemed necessary to complete the processing of the request;
- G. Any engineering services deemed necessary to complete the processing of the request;
- H. Any other fees incurred by any other consultants deemed necessary by the above named governmental officials and/or entities to complete the processing of the request.

WHEREAS, the Planning Commission, after taking into account the input from the public hearings set forth above, in accordance the Zoning Ordinance and the Zoning Enabling Act, considering the criteria of Section 6-331 (a) - (h), recommended adoption of the proposed text amendments to Sections 6-5, 6-43, 6-45, 6-70, and 6-262 to the Village Council.

Ordinance

SECTION 1: Chapter 6, Article 1, Section 6.5 is amended in its entirety to read as follows:

Sec. 6-5 – Definitions.

Alterations: Limited construction retrofit, modification, renovation or replacement to an existing building or structure.

Addition - An additional to something, is a thing which is added to it. Most would agree that this particular use of technology is a worthy addition to the game. [+ to] This plywood addition helps to strengthen the structure.

Expansion - The action of becoming larger or more extensive. For the purposes of this chapter refers to an expansion of 500 square feet, or ten percent, whichever is less.

Change – An increase or reduction of the permitted or special use area of a property or use of more than 500 square feet or ten percent, whichever is less.

Change of use - A change of use or just the word change shall refer to change from the previous use to a different type of use either permitted by right or special use in the applicable zoning district.

Example: CBD district previous use is a permitted use of right of an Office building for the use of any of the following occupations: executive, administrative, professional, accounting, writing, clerical, stenographic, drafting, or sales. The owner also decides to utilize excess space as a Retail Office Supply, Computer, and Business Machine Sales. Which is also a permitted use. Although both are permitted uses it is still a change from what the existing use was, thus creating a change triggering the need for a Site Plan review.

Conversion - The act or an instance of converting or the process of being converted. For the purposes of this chapter conversion refers to a change from an approved use to a different approved or special use regardless of size.

Increase - To become progressively greater, as in size, amount, number, or intensity. For the purposes of this chapter increase refers to (i) interior usable floor area (ii) expansion of exterior dimensions of an existing structure or use of more than 500 square feet or ten percent, whichever is less, or change in the size, number, or intensity of parking use.

Structural alteration - An Alteration that (i) will result in a change in the footprint of the Improvements, (ii) involves the addition of one or more floors to the Improvements, (iii) materially adversely affects the structural elements or any exterior walls of the Improvements or involves the removal or relocation of any interior or exterior walls of the Improvements, (iv) decreases the usable square footage required by this Ordinance. Sec. 6-71. - Schedule of area, height, width, and setback regulations.

Proposed use – A use proposed by the Applicant for a New Development. Where the Applicant proposes several different uses (mixed use) for the New Development then, for purposes of this Chapter, all of the specific use categories shall be considered. Where the proposed use is composed of a primary use with one or more ancillary uses that support the primary proposed use and are owned and operated in common, that primary use shall be deemed to be the sole proposed use of the property for purposes of this chapter.

Previous use – The most recent use conducted at a particular property. Where the site was used simultaneously for several different uses (mixed uses) for the purposes of this chapter all of the specific use categories shall be considered. Where one use of the site accounted for 70 percent or more of the total area used, then that dominate use will be deemed to be the sole previous use of the site, where the previous use is composed of a primary use with one or more ancillary uses that support the primary use and are owned and operated in common, that primary use shall be deemed to be the sole use of the property for purposes of this chapter.

Certain – Various specific uses but not explicitly named or stated.

Existing use – A use that is presently on the property.

Permitted use – A use that is permitted by right only if specifically listed as principal permitted uses in the various zoning district or are similar to such listed uses, if approved by the Zoning Administrator or Planning Commission, as applicable.

Accessory uses - Accessory uses are permitted only if such uses are customarily incidental and subordinate to the permitted principal uses in each district.

Accessory Buildings or Structures – Any building or structure that is incidental or subordinate to the principle building or structure on the same lot or parcel.

Special uses - Special uses are permitted in each district as listed or if similar to the listed special uses if approved by Planning Commission.

Floor area - The sum of the gross horizontal areas of the building measured from the exterior faces of the exterior walls or from the center line of walls separating two buildings.

Floor area ratio - Refers to the relationship between the total amount of usable floor area that a building has, or has been permitted to have, and the total area of the lot on which the building stands. This shall determine the ratio by dividing the total or gross floor area of the building by the gross area of the lot.

The way of determining gross floor area of the building. Measure distance from exterior wall to exterior wall and multiply the two distances resulting in interior square footage includes inclusive of all interior rooms, corridors, elevators, shafts etc.

The Difference Between the Floor Area Ratio and Lot Coverage: Though the floor area ratio calculates the size of the building relative to the lot, the lot coverage takes into

account the size of all buildings and structures. The lot coverage ratio includes structures such as garages, swimming pools, and sheds—including nonconforming buildings.

Floor Area - Means the sum of the areas of all floors of a building measured from the outside of all exterior walls exclusive of any unusable attic, unfinished basement, unfinished cellar, garage, verandah, porch or sunroom unless such enclosed porch or sunroom is an integral part of the building and habitable in all seasons and excluding any floor area with a ceiling height of less than six (6.0) feet.

Ground floor area - Means gross floor area or the total area of the first floor of a building above grade within the outside surface of exterior walls or within the glass line of exterior walls and the centerline of fire walls, including covered porches and verandas, but excluding open decks, patios, steps, cornices, eaves, and similar projections. Ground floor area shall include air wells, and all other space within structure.

Existing Uses - The Zoning Enabling Act and this Ordinance provide for the continuation of lawful existing uses within certain parameters when there is a change in the Village Zoning Ordinance. An existing use right does not prevail over statutory duties, such as the duty to avoid, remedy or mitigate any adverse effects on the environment of an activity.

Definition of structure – Anything constructed, assembled, or erected, the use of which requires location on the ground or attachment to something having placement on the ground.

Variance – The granting to a Petitioner, by the Zoning Board of Appeals, permission to vary from the strict application of this Ordinance, as provided in Article VIII.

Re-occupancy of a vacant building- Re- occupancy of a structure that has been vacant for less than 12 months with no change of previous use does not constitute a change in use.

Rooming house - A dwelling in which more than three persons either individually or as families are housed or lodged for hire without meals.

(ASPR) Administrative Site Plan Review - ASPR process allows significant latitude for the Zoning Administrator working with the Chair of the Planning Commission to determine the type of Site Plan required, independently review and approve specific types of Site Plan applications and drawings, authorize minor changes, authorize specific change of permitted use, emergency changes, that prevent a hazard, issue certificates of zoning compliance, in addition to any other Ordinance required duties.

Minor Changes for the Purpose of Determining Site Plan Type shall be defined as follows:

- a) Minor modification, Changes or Alterations to grounds and or structure that do not substantially affect the character or intensity of the use, vehicle traffic, or pedestrian circulation, drainage patterns, the demand for public services or create a potentially dangers condition or hazard.

- b) Minor alteration to entrances in order to comply with Barrier Free requirements. Change or conversion that increases or results in reduction of the interior space of an existing structure or use of less than 500 square feet, or ten percent, whichever is less or would not require a variance from the provisions of this chapter. Nothing in this Ordinance supersedes the necessity to comply with construction requirements of Michigan construction codes.
- c) The internal rearrangement of parking lot and or parking spaces that do not affect the total number of parking spaces, alter access locations or design, or effect lot drainage is considered minor.
- d) Relocation of an accessory building or structure- Relocation of an accessory building or structure less than 10 ft. from its present location, where all setback and yard locations requirements are met.

Major Changes for the Purpose of Determining Site Plan Type shall be defined as follows:

- a) An alteration, addition, expansion, change or conversion to the grounds or structure constitutes either an increase or reduction to the existing structure use of more than 500 square feet or ten percent whichever is less, or would require a variance from the provisions of this chapter.
- b) *Addition of parking spaces-* altering total number of parking spaces, alter access locations or design, or effect lot storm drainage.
- c) *Relocation of a accessory building or structure-* Relocation of an accessory building or structure by greater than 10 ft. from its existing location, where all setback and yard locations requirements are met.
- d). *Similar changes of a major nature-* Similar changes of a major nature exceeding 500 square feet or ten percent, whichever is less; or would require a variance from the provisions of this chapter, regardless of its size or change configuration, design, layout, or topography of the site which the Zoning Administrator upon consultation with the Planning Commission Chairperson determines requires a Site Plan review because the determined change or new structure will materially affect the character or intensity of use, vehicular or pedestrian circulation, drainage patterns, or the demand for public services will have an adverse effect on adjacent or nearby property or the use there of; and will have adverse effect on the health, safety, or welfare of the general public or changes in building height.

Minor Changes to an Approved Site Plan.

- a) Minor modification, Changes or Alterations to grounds and or structure that do not substantially affect the character or intensity of the use, vehicle traffic, or pedestrian circulation, drainage patterns, the demand for public services or create a potentially dangers condition or hazard.
- b) Minor alteration to entrances in order to comply with Barrier Free requirements. Change or conversion that increases or results in reduction of the interior space of

an existing structure or use of less than 500 square feet, or ten percent, whichever is less or would not require a variance from the provisions of this chapter. Nothing in this Ordinance supersedes the necessity to comply with construction requirements of Michigan construction codes.

- c) The internal rearrangement of parking lot and or parking spaces that do not affect the total number of parking spaces, alter access locations or design, or effect lot drainage is considered minor.
- d) Relocation of an accessory building or structure- Relocation of an accessory building or structure less than 10 ft. from its present location, where all setback and yard locations requirements are met.

Major Changes to an Approved Site Plan.

- a) An alteration, addition, expansion, change or conversion to the grounds or structure constitutes either an increase or reduction to the existing structure-use of more than 500 square feet or ten percent whichever is less or would require a variance from the provisions of this chapter.
- b) *Addition of parking spaces-* altering total number of parking spaces, alter access locations or design, or effect lot storm drainage.
- c) *Relocation of an accessory building or structure-* Relocation of an accessory building or structure by greater than 10 ft. from its current location, even where all setback and yard locations requirements are met.
- d). *Similar changes of a major nature-* Similar changes of a major nature exceeding 500 square feet or ten percent, whichever is less; or would require a variance from the provisions of this chapter, regardless of its size or change configuration , design, layout, or topography of the site which the Zoning Administrator upon consultation with the Planning Commission Chairperson determines requires a Site Plan review because the determined change or new structure will materially affect the character or intensity of use, vehicular or pedestrian circulation, drainage patterns, or the demand for public services will have an adverse effect on adjacent or nearby property or the use there of; and will have adverse effect on the health, safety , or welfare of the general public or Changes in building height.

Residential Equivalent Units (REU) - are the number of sewer or water units required to operate for any particular use, as defined in the applicable water and sewer Ordinances of the Village

Screen - A structure providing enclosure, such as a fence, and/or visual barrier between the area enclosed and the adjacent property. A screen may also consist of living materials such as trees and shrubs.

SECTION 2: Chapter 6, Article III, Section 6-43 is amended to read as follows:

Sec. 6-43 - Duties.

The Zoning Administrator shall:

- (a) Review and rule upon the meaning and interpretation of all sections of the Zoning Ordinance.
- (b) Receive and review for completeness all applications for Site Plan review and special use permits which the Planning Commission are required to decide under this chapter and refer such applications to the Planning Commission and Village Council for determination.
- (c) Receive and review for completeness all applications for appeals, variances, or other matters which the Zoning Board of Appeals is required to decide under this chapter and refer such applications to the Zoning Board of Appeals for determination.
- (d) Receive and review for completeness all applications for amendments to this chapter and refer such applications to the Planning Commission and Village Council for determination.
- (e) Make periodic site inspections of the village to determine chapter compliance, and answer complaints on Zoning Ordinance violations.
- (f) Implement the decisions of the Planning Commission and Village Council.
- (g) Utilize the ASPR process wherever possible: To review and approve specific types of Site Plan applications and drawings, authorize minor changes, authorize specific change of permitted use, emergency changes, that prevent a hazard, issue certificates of zoning compliance, as is listed in sec. 6-45 in addition to any other Ordinance required duties.

SECTION 3: Chapter 6, Article III, Section 6-45 is amended in its entirety to read as follows:

Sec. 6-45 - Site Plan Review

1. A request to perform a Site Plan review.

- 1.1. All new business, commercial uses and/or industrial uses or an existing business, commercial use, or industrial use contemplating changing or adding a permitted use or special use shall complete the appropriate Site Plan Review Application (and any Special Use Application if required by Section 6-44), as determined by this Ordinance and submit that application for review and subsequently zoning

approval before the use being contemplated: 1) occupancy of the structure for said use or 2) continued occupancy of the structure during said use.

- 1.2. All new proposed uses in R-1 - Single family, R-2- Single family, R-3 - multi-Family zoning districts shall complete the appropriate Site Plan Review Application, as determined by this Ordinance, and submit that application for review and subsequently zoning approval before the use being contemplated: 1) occupancy of the structure for said use, 2) continued occupancy of the structure during said use or 3) construction of the structure being contemplated, whichever comes first.
- 1.3 All proposed additions to a structure or modification of a use in any zoning district must complete an appropriate Site Plan review application, as determined by this Ordinance, and subsequently receive zoning approval for the activity being contemplated prior to starting any construction or site preparation.
- 1.4. All Zoning districts listed below (permitted uses and special use) shall comply with the requirements imposed by the Village of Stockbridge Zoning Ordinance District Regulations in Section 6-66, 6-70, and 6-71 and Site Plan Review Process in Section 6-45. No grading, removal of trees or other vegetation, landfilling or construction or improvements shall commence for any activity which requires Site Plan approval until a final Site Plan is approved and is in effect, except as otherwise provided in this article.

R-1 - Single Family residential district

R-2- Single Family suburban district

R-3 - Multi-Family district

CBD – Central Business district

C-2 – General Commercial district

C-3 – Highway Commercial district

M-1 – Light Commercial district

PUD – Public Districts

OSC – Open Space Conservation

2. Applicable to all zoning districts

- 2.1. An applicant must submit the appropriate below listed Site Plan application and receive all necessary approvals prior to moving into a structure, the issuance of building permits, commencement of construction of a) a new structure, b) an addition, alteration, expansion, c) any change of use authorized by right, d) any change of use authorized by a special use permit, e) expansion or reduction of floor area, f) demolition, or g) change of height to an existing structure.

2.1.1. Type 1 Site Plan Application is required for: Occupancy of a structure with a permitted use requiring no structural changes or used for application to construct a new single-family dwelling and any building or structure accessory thereto.

- 2.1.2. Type 2 Site Plan Application is required for: Occupancy of a structure with a permitted use requiring minor changes to an existing structure, as defined by this Ordinance.
- 2.1.3. Type 3: Site Plan Application is required for: Occupancy of a structure with a permitted use by right requiring major changes to an existing structure, as defined by this Ordinance.
- 2.1.4. Type 4: Site Plan Application is required for: Occupancy of a structure with a permitted use requiring construction of a new commercial structure.

Note #1: Permitted use of single-family dwelling and any building or structure accessory thereto is to be reviewed by the Zoning Administrator for compliance with all zoning requirements. The Zoning Administrator will approve or not approve the Applications.

Note #2: R-1. Residential District - A single-family home in the R-1 zoning district, that is not located in a new subdivision that has already completed a Site Plan review must complete a Type 1 Site Plan Review Application.

Note #3: Applicant must complete the Type 1 form that documents applicant having reviewed the Villages Zoning Ordinance assuring compliance with other code requirements applicable to R-1: driveway requirements, setbacks, connection of utilities to village provided services as required by section 6-69, section 6-70, Section 6-71, Section 6-141, Section 6-262, Article VII., Section 6-261, Appendix A - Rates and Charges and any other applicable section of the Zoning Ordinance, Water Ordinance or Sewer Ordinance.

3. Applicant Site Plan Review Process

3.1. Type 1 ASPR Site Plan Review Process

- 3.1.1. Type 1 ASPR Site Plan Review shall be applied to all purposes and permitted uses within all zoning districts and is applicable existing to all structures provided changes will not be made to: exterior walls; interior walls / rooms; accessory and/or subordinate buildings; and grounds, and does not require adding height to structure, additional means of access thereto from adjoining public roads or highways, storm sewer work or detention ponds, parking, REU's, change in use and complies with all other applicable zoning Ordinances requirements.
- 3.1.2. The Zoning Administrator reviews the application for Site Plan review for compliance with 6-45 filing requirements and confers with the Planning Commission Chair as required.
- 3.1.3. The Zoning Administrator reviews application to assure compliance with requirements of 6-45 and any other applicable Ordinance and issues a certificate of zoning compliance or if not satisfied:
 - 3.1.3.1. The Zoning Administrator determines the application does not qualify as a Type 1 ASPR Site Plan and issues a written

opinion as to either 1) what type of Site Plan is required and why or 2) what deficiencies exist with the existing Site Plan submission that must be corrected before approval can be considered.

- 3.1.4. The applicant may appeal the Zoning Administrator decision of 3.1.3.1 to the Zoning Board of Appeals.
- 3.1.5. The applicant may resubmit or amend application in accordance with the Zoning Administrator decision of 3.1.3.1 and pay any additional filling fees, if required.
- 3.1.6. If an amended Site Plan is resubmitted in accordance with this Ordinance that purports to correct issues in a report submitted under 3.1.3.1, the Zoning Administrator shall review for compliance and issues a certificate of zoning compliance in compliance with Ordinance, if appropriate, or issue a new report under 3.1.3.1.
- 3.1.7. An application approved by the Zoning Administrator, pursuant to the ASPR process, shall be considered to have Site Plan approval, subject to penalties and actions that may be taken as described elsewhere in this Ordinance for a modification requests, failure to complete the project in accordance with the approved Site Plan, or exceed the expiration limits of the Site Plan approval.
- 3.1.8. Approval of a Type I ASPR Site Plan by the Zoning Administrator shall expire and be of no effect one year following the date of approval, unless: 1) the use approved is in effect or a 2) an extension is authorized by Planning Commission in writing before the one-year deadline expires.

3.2. Type 2 ASPR Site Plan Review

- 3.2.1. Type 2 ASPR Site Plan Review is applicable to all permitted uses within zoning districts and is intended for existing Structures provided only minor (see definitions in of minor change in Section 6-5) changes will be made to: exterior walls, interior walls / rooms; accessory and/or subordinate buildings; and grounds, and do not require adding height to structures, additional means of ingress/egress, or addition of Barrier free required ramps to the structures, adjoining public roads or highways, storm sewer work or detention ponds, require additional parking, additional REU's, results change in use and complies with all other applicable zoning Ordinances requirements.
- 3.2.2. The Zoning Administrator reviews the application and Site Plan for compliance with section 6-45 filing requirements and confers with the Planning Commission Chair as required.
- 3.2.3. The Zoning Administrator reviews the application to assure compliance with requirements of 6-45 and any other applicable Ordinance or:

3.2.3.1. The Zoning Administrator determines the application does not qualify as a Type 2 ASPR Site Plan and issues a written opinion as to either 1) what type of Site Plan is required and why or 2) what deficiencies exist with the existing Site Plan submission that must be corrected before approval can be considered.

- 3.2.4. The applicant may appeal the Zoning Administrator decision to the Zoning Board of Appeals.
- 3.2.5. The applicant may resubmit and amended application in accordance with the Zoning Administrator decision under 3.2.3.1. and pays any additional Site Plan fees, if required.
- 3.2.6. If an amended Site Plan is resubmitted in accordance with this Ordinance that purports to correct issues in a report submitted under 3.2.3.1, the Zoning Administrator shall review for compliance and issues a certificate of zoning compliance in compliance with Ordinance, if appropriate, or issue a new report under 3.2.3.1.
- 3.2.7. A project approved by the Zoning Administrator pursuant to the ASPR process shall be considered to have Site Plan approval, subject to penalties and actions that may be taken as described elsewhere in this Ordinance for a modification requests, failure to complete the project in accordance with the approved Site Plan or exceed the expiration limits of approval.
- 3.2.8. Approval of a Type 2 ASPR Site Plan by the Zoning Administrator shall expire and be of no effect on the earlier of 1) one year following the date of approval unless substantial construction has begun on the property in conformance with the approved Site Plan or 2) 180 days following the date of approval unless a building permit shall have been issued by the appropriate building official, if required.
- 3.2.9. Four (4) sets of plans and drawing on 11" X 17" paper shall be submitted with application. However, if authorized by Zoning Administrator, in writing, electronic copies of plans and drawings maybe submitted.

3.3. Type 3 Site Plan Review

- 3.3.1. Type 3 Site Plan Review is applicable to existing Structures where major changes are required (see definitions of major change in Section 6-5) to permitted authorized use of right within all zoning districts, Permitted Major changes allowed for Type 3 Site Plan review are changes made to: exterior walls; interior wall / rooms; accessory and/or subordinate buildings; adding additional height to structure, requiring the purchase of additional REU's, providing said major changes result in a permitted approved authorized use in the applicable zoning district and complies with all other applicable zoning Ordinances requirements. Major changes that are not permitted are providing additional access to adjoining public roads or highways, providing additional access to building/ structure, additional

parking, or additional access to parking lot changes to building site / grounds.

- 3.3.2. The Zoning Administrator reviews the application and Site Plan for compliance with section 6-45 and confers with the Planning Commission Chair as required.
- 3.3.3. The Zoning Administrator determines application complies with Type 3 Site Plan review requirements use and any other applicable Ordinance or:
 - 3.3.3.1. The Zoning Administrator determines the application does not qualify as a Type 3 Site Plan and issues a written opinion as to either 1) what type of Site Plan is required and why or 2) what deficiencies exist with the existing Site Plan submission that must be corrected before approval can be considered.
 - 3.3.3.2. The Zoning Administrator forwards complete application to Planning Commission for review and approval or non-approval.
- 3.3.4. Planning Commission may schedule a public hearing in conformance with both the Open Meeting Act and the Zoning Enabling Act anytime there is a change to the exterior of the building or grounds. The Planning Commission holds public hearing reviews both applications and submittals for Major Alteration / Modifications for conformance with applicable zoning Ordinance requirements.
 - 3.3.4.1. Planning Commission approves or denies application in whole or in part with conditions or denies application.
 - 3.3.4.2. If the Planning Commission denies the application the applicant may appeal the Planning Commission decision to the Circuit Court.
- 3.3.5. No application which has been denied wholly or in part shall be resubmitted until the expiration of one year or more from the date of such denial, except on grounds of newly discovered evidence or change of conditions found to be sufficient to justify reconsideration by the Planning Commission.
- 3.3.6. The applicant may resubmit an amended application in accordance with the Zoning Administrator or Planning Commission direction and pay any additional filling fees, if required.
- 3.3.7. An applicant approved by the Planning Commission pursuant to the Type 3 process shall be considered to have Site Plan approval, subject to penalties and actions that may be taken as described elsewhere in this Ordinance for a modification request, failure to complete the project in accordance with the approved Site Plan or exceed the expiration limits of approval.

- 3.3.8. The Zoning Administrator will issue zoning compliance certificate if Site Plan was approved by Planning Commission.
 - 3.3.9. Type 3 Site Plan approval by the Planning Commission shall expire and be of no effect on the earlier of 1) one year following the date of approval unless substantial construction has begun on the property in conformance with the approved Site Plan or 2) 180 days following the date of approval unless a building permit shall have been taken issued by the appropriate building official, if required.
 - 3.3.10. Applicant shall provide 6 copy sets of folded sealed drawings, sealed drawings in electronic pdf format, along with one original sealed drawing to the Village Clerk. The sheet size of drawings shall be at least 24 inches x 36 inches with the plans drawn to a scale of no greater than one inch = 50 feet for property less than three acres, or no greater than one inch = 100 feet for property three acres or more.
- 3.4. Type 4 Site Plan Review Process
- 3.4.1. Type 4 Site Plan Review is intended for:
 - 3.4.1.1. all new construction of a Facility, Structure or Development.
 - 3.4.1.2. all proposed change of use of right.
 - 3.4.1.3. Facilitate occupancy requirements by performing a full Site Plan review in conjunction with fulfilling the requirements imposed by Section 6-45 and ensure compliance with all other applicable zoning Ordinances requirements.
 - 3.4.1.4. the applicant may, at his or her discretion, divide the proposed development into two or more phases. In such case, the Site Plan shall cover the entire property involved and shall clearly indicate the location, the size, and character of each phase.
 - 3.4.1.5 all proposed changes of use that require a special use approval.
 - 3.4.2. It is strongly recommended that applicant submit only three sets of non-sealed prints for an informal preliminary review by Planning Commission and Zoning Administrator prior to submittal of a Complete Type 4 Site Plan Application.
 - 3.4.3. The Zoning Administrator reviews the application and Site Plan for compliance with section 6-45 and confers with the Planning Commission Chair as required and:
 - 3.4.3.1. The Zoning Administrator determines the application does not qualify as a Type 4 Site Plan and issues a written opinion as to either 1) what type of Site Plan is required and why or 2) what deficiencies exist with the existing Site Plan submission that must be corrected before approval can be considered.

- 3.4.3.2. The Zoning Administrator determines the Application follows Site Plan review requirement of Section 6-45 and Section 6-44 regarding special land use and any other applicable Ordinance and the Zoning Administrator forwards complete application to Planning Commission for review and approval or non-approval.
- 3.4.4. After the review process spelled out in paragraph 3.4.3, the applicant may resubmit an amended application in accordance with the Zoning Administrator or Planning Commission's direction and pay any additional filing fees, if required. However, resubmission of any accompanying Special Land Use Permit Applications are governed by Section 6-44 (j).
- 3.4.5. No application which has been denied wholly or in part shall be resubmitted until the expiration of one year or more from the date of such denial, except on grounds of newly discovered evidence or change of conditions found to be sufficient to justify reconsideration by the Planning Commission.
- 3.4.6. A Site Plan project approved by the Planning Commission pursuant to the Type 4 process shall be considered to have Site Plan approval, subject to penalties and actions that may be taken as described elsewhere in this Ordinance for a modification request, failure to complete the project in accordance with the approved Site Plan, or exceed the expiration limits of approval, per 3.4.8.
- 3.4.6.1. If the Planning Commission denies the application the applicant may appeal the Planning Commission decision to the Circuit Court.
- 3.4.7. The applicant may resubmit an amended application in accordance with the Zoning Administrator or Planning Commission direction and pay any additional filing fees, if required.
- 3.4.8. Approval of a Type 4 Site Plan approval by the Planning Commission shall expire and be of no effect on the earlier of 1) one year following the date of approval unless substantial construction has begun on the property in conformance with the approved Site Plan or 2) 180 days following the date of approval unless a building permit shall have been taken issued by the appropriate building official, if required.
- 3.4.9. Applicant shall provide 6 copy sets of folded sealed drawings, sealed drawings in electronic pdf format,, along with one original sealed drawing to the Village Clerk. The sheet size of drawings shall be at least 24 inches x 36 inches with the plans drawn to a scale of no greater than one inch = 50 feet for property less than three acres, or no greater than one inch = 100 feet for property three acres or more.
- 3.4.10. Type 4 Site Plan Approval is not a replacement for the Special Use Permit Approval Process under Section 6-44. The Applicant is required to also apply for and receive a Special Land Use Permit, but the Type 4 Site Plan Review Process and the Special Land Use Review Process may proceed

simultaneously before the Planning Commission and the Village Council, as necessary.

4. Planning Commission duties under the Site Plan review process for Type 3 & 4 Site Plans:

4.1. Planning Commission review:

- 4.1.1 Planning Commission review and approval of Site Plans shall be required for all Site Plans, that involve a request for a Major Alteration, Variance, a Special Land Use, or New Construction a proposal that involves a discretionary decision or a proposal that involves a nonconforming use or structure, which are generally Type 3 and Type 4 Site Plans.
- 4.1.2. Planning Commission shall schedule a public hearing in conformance with Open Meeting Act and the Zoning Enabling Act, plus the requirements of Section 6-44, if the applicable Special Land Use Permit Application has also been filed. The Planning Commission may hold a joint public hearing to reviews both a Site Plan Applications with submittals for Major Alteration / Modifications along with any Special Land Use Applications for conformance with applicable zoning Ordinance requirements.
 - 4.1.2.1. Planning Commission approves or denies Site Plan application in whole or in part with conditions or denies application.
 - 4.1.2.2 The Special Land Use Approval or Denial process is contained in Section 6-44.
 - 4.1.2.3. If the Planning Commission denies the application the applicant may appeal the Planning Commission decision to the Circuit Court.
- 4.1.3. The Planning Commission shall approve with conditions or deny the Site Plan within 60 days of the date of the Planning Commission's public hearing meeting at which the Site Plan is first presented for approval. The time limit may be extended upon a written request by the applicant and approved by the Planning Commission. The Planning Commission may suggest and/or require modifications in the proposed Site Plan as are needed to gain approval. All engineering drawings and plans shall be reviewed by the Village Engineer, DPW, and Fire Chief, Attorney, and any other professionals deemed necessary before a Site Plan may be approved by the Planning Commission. Failure of the Planning Commission to affirmatively approve a Site Plan within the above 60-day deadline is deemed a rejection.
- 4.1.4. A project approved by the Planning Commission pursuant to the Site Plan review process shall be considered to have Site Plan approval, subject to penalties and actions that may be taken as described elsewhere in this Ordinance for a modification request, failure to complete the project or exceed the expiration limits of approval.

4.2.4.1. Approval of a Site Plan authorizes issuance of a building permit or, in the case of uses without buildings or structures, issuance of a certificate of zoning compliance.

4.1.5. Approval of a Site Plan by the Planning Commission shall expire and be of no effect on the earlier of 1) One year following the date of approval unless substantial construction has begun on the property in conformance with the approved Site Plan or 2) 180 days following the date of approval unless a building permit shall have been taken issued by the appropriate building official, if required.

5. Zoning Administrator duties under the Site Plan Review Process:

5.1. The Zoning Administrator utilizing the ASPR process shall have the authority to make final determinations and issue land use certificates for Type 1 and Type 2 ASPR Site Plans, without having to forward application to Planning Commission.

5.2. The Zoning Administrator reviews the Application and Site Plan for compliance with section 6-45 and confers with the Planning Commission Chair as required.

5.2.1. The Zoning Administrator determines application follows requirements of section 6-45 and any other applicable Village Ordinance for Type 1 or Type 2 ASPR Site Plan being requested and if so, issues a certificate of zoning compliance, without Planning Commission overview.

5.2.2. The Zoning Administrator determines the application does not qualify for a Type 1 or Type 2 ASPR Site Plan and issues a written opinion as to either 1) what type of Site Plan is required and why or 2) what deficiencies exist with the existing Site Plan submission that must be corrected before approval can be considered.

5.3. The Zoning Administrator Reviews Type 3 and Type 4 Site Plans that have been reviewed and found in conformance with Section 6-44 and 6-45 and other Ordinances or State Law to Planning Commission for review and appropriate action.

5.4. A Type 1 or Type 2 ASPR Site Plan approved by the Zoning Administrator shall be considered to have Site Plan approval, subject to penalties and actions that may be taken as described elsewhere in this Ordinance for a modification request, failure to complete the project in accordance with the approved Site Plan or exceed the expiration limits of approval.

5.5. The applicant may resubmit and amended application for Site Plan approval in accordance with the Zoning Administrator or Planning Commission direction and pay any additional fees if required.

- 5.6. Approval of a Type 1 or Type 2 ASRP Site Plan by the Zoning Administrator shall expire and be of no effect on the earlier of 1) one year following the date of approval unless substantial construction has begun on the property in conformance with the approved Site Plan or 2) 180 days following the date of approval unless a building permit shall have been taken issued by the appropriate building official, if required.
- 5.7. Applicant shall provide drawing as specified or requested by Zoning Administrator or Planning Commission in applicable type of Site Plan.
- 5.8. Property which is subject to Site Plan approval must be developed in strict conformity with the approved Site Plan for that property. Any Site Plan modifications approved by the Planning Commission or Zoning Administrator and variances granted by the Zoning Board of Appeals must also conform in accordance with this Ordinance.
- 5.9. The certificate of land use approval shall regulate development of the property and any violation of this article, including any improvement not in conformance with the approved certification shall be deemed a violation of this chapter as provided in article 26, and shall be subject to all penalties therein.

6. **Building Inspector duties under Site Plan Review Process:**

- 6.1. The Building Inspector shall notify the Zoning Administrator, in writing, when a development for which a Site Plan is approved has passed building inspection, so that the Zoning Administrator can confirm compliance with the approved final Site Plan. The Building Inspector shall notify the Zoning Administrator, in writing, of any development for which a final Site Plan was approved, which does not pass building inspection and shall advise the Zoning Administrator of steps taken to achieve compliance. In such case, the Building Inspector shall periodically notify the Zoning Administrator of progress towards compliance with the approved building permit and when compliance is achieved.
- 6.2. Inspection.
 - 6.2.1 In addition to the Zoning Administrator inspection, the building inspector shall be responsible for inspecting all improvements for conformance with the approved Site Plan. All subgrade improvements such as utilities, sub-base installations for drives and parking lots, and similar improvements shall be inspected and approved prior to covering. The applicant shall be responsible for requesting the necessary installation.
 - 6.2.2 Building inspector shall notify the Zoning Administrator, in writing, when a development for which a Site Plan is approved has passed inspection with respect to the approved final Site Plan. The Building Inspector shall notify the Zoning Administrator, in writing, of any development for which a final Site Plan was approved, which does not pass inspection with respect to the approved final Site Plan and shall advise the Zoning Administrator of steps taken to achieve compliance. In such case, the Building Inspector shall

periodically notify the Zoning Administrator of progress towards compliance with the approved final Site Plan and when compliance is achieved.

7. Requirements for reviewing Site Plan application generally:

- 7.1 In reviewing the Site Plans the Planning Commission Chair, Planning Commission, Zoning Administrator, the Village Engineer, the Village Attorney, and other interested professionals shall determine whether the applicable Site Plan application meets the following specifications and standards:
 - 7.1.1. The plan conforms to all zoning Ordinance regulations and other applicable Village Ordinances and regulations.
 - 7.1.2. All required information is provided.
 - 7.1.3. The proposed use will not be injurious to the surrounding neighborhood and protects the general health, safety, welfare, and character of the village.
 - 7.1.4. There is a proper relationship between major thoroughfares and proposed service drives, driveways, and parking areas. Proper access to all portions of the site and all sides of any structure is provided. All structures or groups of structures shall be so arranged as to permit emergency vehicle access by some practical means to all sides.
 - 7.1.5. The location of buildings is such that the adverse effects of such uses will be minimized for the occupants of that use and surrounding areas.
 - 7.1.6. Natural resources will be preserved to the maximum extent possible in the site design by developing in a manner which will not detrimentally affect or destroy natural features such as lakes, ponds, streams, wetlands, steep slopes, soils, groundwater, and woodlands.
 - 7.1.7. Stormwater management systems and facilities will preserve the natural drainage characteristics and enhance the aesthetics of the site to the maximum extent possible and will not substantially reduce or increase the natural retention or storage capacity of any wetland, water body or water course, or cause alterations which could increase flooding or water pollution on or off site.
 - 7.1.8. Wastewater treatment systems, including on-site septic systems, will be located to minimize any potential degradation of surface water or groundwater quality and meet county and state standards.
 - 7.1.9. Sites which include storage of hazardous materials or waste, fuels, salt, or chemicals will be designed to prevent spills and discharges of polluting materials to the surface of the ground, groundwater, or nearby water bodies in accordance with county and state standards.
 - 7.1.10. Landscaping, including grass, trees, shrubs, and other vegetation is provided to maintain the aesthetic quality of the site and area.

- 7.1.11. The proposed use complies with all village Ordinances and any other applicable laws.
- 7.1.12. There are adequate service to site for potable water and sanitary sewer and site has the appropriate number of REU's.
- 7.1.13 Ingham County Drain Commissioner approves any storm water management.

8. **Required information on a Site Plan Application.**

8.1. List of Information required. On All application for Certification:

- Project name / Business name
- Address of Property / Structure
- Existing zoning of property.
- Description of what type of Business or Function property will be used for example: R-1 Single Family residence, golf course, farmers market etc. (Provide sufficient detail to allow determination of proper zoning use and district.)
- Hours of operation
- Name of legal owner of property, address, and phone number
- Name of Developer/Owner Business address and phone number
- Property legal description required for Type 3 and Type 4 Site Plan review applications.
- Tax id number of properties.
- Gross Sq. Footage
- Usable Square footage
- Number of employees, number of shifts, and working hours of each shift.
- Engineer / Contractor or Architect Name and Phone number:
- Numbers of residential equivalent units. (REU's). Except for R-1 Single family Residence
- Number of existing parking spaces
- Number of required parking spaces
- Signs Size Width & Height and location(s)
- Other information that may be required by Zoning Administrator.
- Application fees.
- Total fees collected.
- Applicants: signature.
- Date.
- Official Action taken
- Village office date received.
- Date sent to Zoning Administrator date.
- Date application received.
- Zoning Administrator approval / rejection Date
- Planning Commission approval / rejection
- Date sent to Planning Commission if applicable.
- Date public hearing set if applicable
- Planning Commission approval / rejection

Village Clerk certifies all fees paid.

9. Table 8 list information that is required on respective Site Plan drawings as required.

- 9.1. Corresponding check sheets that will assist applicant in assuring all information required on site plan drawings are in section 6-45 Site Plan compliance manual.
- 9.2. Manual will be provided to applicant with receipt of application fee.
- 9.3. Number of and size of Site Plan drawings that must be provided with application and completed are provided within Site Plan manual for each type of Site Plan review.

Table 8 (the below Check sheet provides list of information required on respective type of Site Plan drawings)

Topic	Type 1	Type 2	Type 3	Type 4
Scale: (not greater than 1" =20ft, not less than 1"-200')			X	X
North Arrow			X	X
Name of Business	X	X	X	X
Name of business owner	X	X	X	X
Name of Developer			X	X
Name of Designer			X	X
Date (on EACH sheet)	X	X	X	X
Seal first sheet only			X	X
Boundary Dimensions (Include bearings if description is meters & bounds)				X
Lot area			X	X
Existing Topography taller than 2 foot)				X
Existing natural features				X
A grading plan showing finished contours at a maximum of 2 feet correlated with existing contours.				X
Concerning Adjacent Properties				X
Identify				X
Proposed use group	X	X	X	X
Existing zoning classification	X	X	X	X
Vicinity Map			X	X
Location of Open / recreation areas				X
Location of Landscaped areas				X

Existing deed Restrictions				X
Numbers of residential equivalent units. (REUs)			X	X
Current Use	X	X	X	X
Intended use	X	X	X	X
Hours of operation	X	X	X	X
Number of Off- street Parking spaces existing and required		X	X	X
Lot width				X
Front yard setback				X

Table 8 (Continued)

Topic	Type 1	Type 2	Type 3	Type 4
Off street Loading			X	X
Side yard set back				X
Rear yard setback				X
Height of existing structures if second story is to be added			XX	X
Transition strip				X
Adjacent streets			X	X
Signage	X	X	X	X
Surface type and width				X
Easements – location/size, purpose				X
Existing Improvements to be removed				X
Type of Electrical service serving site, including location of poles				X
Size of service 3 phase or single phase and voltage 120/220, 230/460 etc. 208/480 Location of transformer / generator				X
Adjacent streets Names				X
Right of way location				X

Building / Structures New				
Locations new or existing address			X	X
Dimensions				X
Distance between				X
Height				X
STREET/ DRIVES				
Right of Way				X
Surface width				X
Elevations, grades				X
Paving				X
Curbing				X

Table 8 (Continued)

Topic	Type 1	Type 2	Type 3	Type4
Adjacent streets				
Surface type and width				X
Easements – location/size, purpose				X
Existing Improvements to be removed				X
PARKING AREAS				
Number of spaces				X
Parking calculations				
Dimensions				X
Location				X
Method of surfacing i.e. Pavement				X
Wheel stops				X
Curbing				X
LOADING AREAS				
Locations				X
Size				X

Paving				X
ENTRIES / EXITS				
Location of proposed				X
Location and size of any easements or right ways ect.				X
Width				X
Designation of fire lanes				X
Elevations				X
Dedicated roads or service drive locations				X
Grades				X
Signs Size Width & Height				X
Location of signs: Attached, Free standing, Projecting signs, or Digital		X	X	X
Outside Lighting Photo Metric Plan			X	X
Showing Location				X

Table 8 (Continued)

Topic	Type 1	Type 2	Type 3	Type 4
ENTRIES / EXITS (CONTINUED)				
Showing Intensity				X
Showing type of fixture & Detail				X
Typical Pavement Cross sections				X
Curve Radii of Streets / Drives				X
Sidewalks/Pedestrian ways				X
Screening around property / structure				X
Fences around property and type				X
Trash Storage Location			X	X
Trash Enclosure Details			X	X
Control & Maintenance Provisions				X

Open space conservation				X
Landscaping – Plant Materials				
Location				X
Type				X
Size or age				X
Erosion control				
Retaining walls:				
Location				X
Dimensions				X
Materials of Walls				X
Fill Materials				X
Typical cross section				X
Utilities: water				
Location				X
Type				X
Size of Each line				X
Well				X

Table 8 (Continued)

Topic	Type 1	Type 2	Type 3	Type4
Utilities: water (Continued)				
Location and size of well				X
Fire Hydrants with 5-inch Storz Adaptors				X
Profiles				X
Utilities – Sanitary Sewer				X
Location of Monitoring manhole for Commercial / Industrial DEV.				
Location lines				X
Size of lines				X
Inverts				X
Profiles				X

Location and detail of Sewage lift Station				X
Utilities Natural Gas				
Location				X
Size of Lines				X
Inverts				X
Valves				X
STORM DRAINAGE UTILITIES				
Location				X
Size of lines				X
Inverts				X
Direction of Flow				X
Drainage Pattern				X
Detention / Retention area calculations				X
Ditches – size elevation, slope				X
Culverts, Bridges				X
Profiles				X
Utilities – Phone, electricity				
Location of poles				X
Underground Wires				X
Surface mounted equipment				X
Emergency Generator				X
Location and size of generator and type of fuel source				X

Table 8 (Continued)

Topic	Type 1	Type 2	Type 3	Type 4
Commercial Building structures				
Total floor area				X
Ground floor area				X
Lot Coverage				X
Floor Area ratio				X
Dimensions			X	X
Distance between buildings				X

Natural features. tree, etc.				
To be removed				X
To be retained				X
Required setback lines				X
Development Phase Lines				X
For residential developments				
Density calculations by type of unit by bedroom counts;				X
Designation of units by type and number of units in each building;				X
Carport locations and details where proposed;				X
Specific amount, and location of recreation space.				X
For commercial and industrial developments:				
Loading/unloading areas;				X
Gross and useable floor areas;			X	X
Number of employees in peak usage			X	X

10. Amendments to an approved Site Plans:

- 10.1. It shall be the responsibility of the applicant to notify the Zoning Administrator of any changes to an approved Site Plan, prior to such change being made by the Applicant. Any proposed changes which would result in a material alteration of the approved Site Plan are subject to the ASPR process and may require resubmittal to the Planning Commission or the Zoning Administrator. The Planning Commission or Zoning Administrator may require the applicant to correct the changes made without authorization to conform to the approved Site Plan.
- 10.2. The Zoning Administrator has the authority to approve a minor amendment to Site Plan to Type 1, Type 2, Type 3, or Type 4 Site Plans. However, the Zoning Administrator may determine (even though proposed amendment to Site Plan is minor) to send the proposed amendment to Planning Commission for final approval or rejection, as deemed necessary.
- 10.3 The Zoning Administrator may approve major or minor amendments to approved Type 1 or Type 2 ASPR Site Plans without Planning Commission oversight, provided the amendments do not alter the initial determination by the Zoning Administrator as to the appropriateness of the original Site Plan type. However, the Zoning Administrator shall immediately report said decision to the Planning Commission Chair, the project manager, and the Building Inspector.

- 10.4. All request for major modifications to and approved Type 3 or Type 4 ASPR Site Plan shall be referred to the Planning Commission for resolution. The Zoning Administrator may approve a major or minor change to a Type 1 or Type 2 ASPR Site Plan, provide the change does not modify the initial classification of the Site Plan Type, as determined by the sole discretion of the Zoning Administrator.
- 10.5. The Zoning Administrator may approve a minor amendment to a Type 3 or Type 4 ASPR Site Plan, without Planning Commission approval. However, the Zoning Administrator shall immediately report said decision to the Planning Commission Chair, the project manager, and the Building Inspector.
- 10.6. The Planning Commission shall approve or deny requested amendment at the next regular scheduled Planning Commission meeting. The applicant can request the scheduling of a special Planning Commission meeting but shall be responsible for all cost associated with the request.
- 10.7. If a requested amendment to an approved Site Plan results in additional funding being required, no decision shall be issued by the Zoning Administrator or Planning Commission unless additional funds are approved in advance for said proposed change results in additional funding for the project.
- 10.8. For purposes of record. All amendments shall be shown in the approved final Site Plan by way of the Applicant submitting a revised final Site Plan drawing (s) showing such minor / major changes. This is required to establish an official record of the Amendment.

11. Significance of Final Site Plan Approval:

- 11.1. A project approved by the Zoning Administrator or Planning Commission authorizes issuance of a building permit subject to compliance with all applicable construction codes or issuance of zoning compliance certificate subject to penalties and actions that may be taken as described elsewhere in this Ordinance for a modification request, failure to complete the project exceeds the expiration limits of approval or acts outside of the approved Site Plan.

12. Expiration of Final Site Plan Approval:

- 12.1. Any Type 1, Type 2, Type 3 or Type 4 ASRP Site Plan approved by either the Planning Commission or the Zoning Administrator, as required above, shall expire and be of no effect on the earlier of 1) one year following the date of approval unless substantial construction has begun on the property in conformance with the approved Site Plan or 2) 180 days following the date of approval unless a building permit shall have been taken issued by the appropriate building official, if required.

13. Violations

- 13.1. The approved Site Plan shall regulate development of the property and any violation of this article, including any improvement not in conformance of the approved final Site Plan, shall be deemed a violation of this chapter as provided in article 26, and shall be subject to all penalties therein.

14. Variance Request and Site Plan Approval:

- 14.1. Request for Variance to Zoning Board of Appeals from the provisions of this chapter, shall be handled as outlined in Section 6-310 of this Zoning Ordinance.
15. Special Land Use Applications and Site Plan Approval:
 - 15.1. Where a Site Plan Approval is conditional upon approval of a Special Land Use application. The applicant shall apply for Special Land Use Permit as required by section 6-44 of this Ordinance.
 - 15.2. The Planning Commission may proceed with the 6-45 Site Plan approval process in conjunction with the completing of the 6-44 Special Use application review and approval process.
16. Site Plan Fees and Escrow Policy – the Village shall establish all site plan review fees and any fee escrow policy in the Rates Resolution.

SECTION 4: Chapter 4: Article IV, Section 6-70 is amended to add subsection

SEC. 6-70 Purpose and use within zoning districts.

(g) (2) (a) Outdoor Storage related to any permitted or special use in this district being conducted on a specific site shall be permitted, but shall only be located in the area provided in Section 6-262 (a) & (b) and pursuant to an approved site plan.

SECTION 5: Chapter 6, Article XI, Section 6-262 is amended to read as follows:

SEC. 6-262. OFF-STREET PARKING LOT DESIGN AND CONSTRUCTION, AND DRIVEWAY DESIGN AND CONSTRUCTION FOR RESIDENTIAL USES.

1. The construction of any parking lot shall be in accordance with the provisions of this article and such construction shall be completed and approved by the zoning administrator before use of the property as a parking lot, and before a certificate of occupancy is issued. Unless incorporated in a site plan prepared and approved in accordance with section 6-45, plans for the development of any parking lot must be submitted to the zoning administrator, prepared at a scale of not less than 50 feet equals one inch and indicating existing and proposed grades, drainage, pipe sizes, parking of all dimensions, type of curbing, drive and aisle dimensions, lighting, adjacent main buildings, sidewalks, landscaping, surfacing and base materials to be used and the layout of the proposed parking lot.
 - (a) Except for uses located in the OSC—Open Space Conservation District, all required parking lots, driveways, or loading areas required shall be hard-surfaced with asphalt or concrete pavement, shall be graded and drained to dispose of surface water which might accumulate within or upon such area, and shall be completed prior to a

certificate of occupancy being issued. Drainage for parking lots shall conform to the standards set forth in section 6-188.

- (1) Except in a M-1 Zoning District a parking lot strictly used for heavy equipment (including commercial vehicles like semis) related to the business on the property maybe constructed of a flat hard porous surface, such as asphalt millings or limestone, provided the parking lot is 1) located in the rear of the building, 2) an acceptable plan is proposed for dust control application to the parking area throughout the year, and 3) the parking area is not used for vehicular parking for employees or customers.
- (b) All illumination for all such parking lots shall meet the standards set forth in section 6-176(e).
- (c) Parking lot landscaping and buffering requirements shall meet the standards set forth in section 6-123(e).
- (d) Adequate ingress and egress to the parking lot, by means of limited and clearly defined drives, shall be provided for all vehicles.
- (e) Where necessary to prevent encroaching upon pedestrian walkway or damaging required landscaping, wheel stops shall be provided. No portion of a parking space and/or maneuvering aisle shall obstruct or encroach upon a public sidewalk.
- (f) Plans for the layout of off-street parking facilities shall be in accordance with the following minimum regulations:
- (g) A driveway permit shall be required from the Village of Stockbridge zoning administrator before any existing driveway is expanded or new driveway is constructed. The applicant shall complete an application and pay a fee set by resolution of the village council.
- (h) Recreational vehicles shall only be stored outdoors in the rear yard of any residential property under the following guidelines:
 - (1) The property owner may store one of the following in the rear yard: boat and boat trailer, motor home, pick-up truck and camper, or travel trailer.
 - (2) The property owner may store one of the following in the rear yard: up to two ATV's on one trailer, two snowmobiles on one trailer, or one snowmobile and one ATV on the ground.

Maneuvering Lane Width				
Parking Pattern	One-Way	Two-Way	Parking Space Width	Parking Space Length
0 Parallel	12 ft.	20 ft.	9 ft.	25 ft.
30—53	12 ft.	20 ft.	9 ft.	20 ft.
54—74	15 ft.	24 ft.	9 ft.	20 ft.
75—90	15 ft.	24 ft.	9 ft.	20 ft.

SECTION 6: If any section, subsection, sentence, clause, or phrase of this Ordinance is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Village of Stockbridge declares that it would have passed this Ordinance and each section, subsection, clause, or phrase hereof, irrespective of the fact that any one or more section, subsections, sentences, clauses, and phrases be declared unconstitutional.

SECTION 7: That this Ordinance and the related rules, regulations, provisions, requirements, orders, and matters established shall take effect immediately upon publication, except any penalty provisions which shall take effect twenty (20) days after publication, pursuant to MCL§66.1; MSA§5.1271.

SECTION 8: Repealer - All Ordinances or parts of Ordinances in conflict with this Ordinance are repealed only to the extent necessary to give all provisions of this Ordinance full effect.

Adopted at a Regular Meeting of the Village of Stockbridge held on November 7, 2022.

Moved by: _____

Seconded by: _____

YEAS: _____

NAYS: _____

ABSENT: _____

ABSTAIN: _____

Village of Stockbridge

By: Molly Howlett
Its: Village President

Certification of Clerk

I hereby certify that the foregoing is a true and complete copy of an Ordinance adopted by the Village Council of the Village of Stockbridge, County of Ingham, State of Michigan, at a regular meeting held on the 7th day of November, 2022, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the Minutes of said meeting were kept and will be or have been made available as required by said Act, and the foregoing Ordinance was published in a newspaper of local circulation on _____, 2022.

Village of Stockbridge

By: Debbie Nogle
Its: Village Clerk

Drafted by: John L. Gormley (P53539)
Attorney for the Village of Stockbridge and
It's Planning Commission
Gormley Law Offices, PLC
101 Grand River Ave.
Fowlerville, Michigan 48836
517.223.3758