

**STATE OF MICHIGAN**  
**VILLAGE OF STOCKBRIDGE**  
**Ordinance Number: 2023-08-008**  
**(ENACTED AUGUST 7, 2023)**

**AN ORDINANCE APPROVING**  
**TEXT AMENDMENTS TO THE VILLAGE OF STOCKBRIDGE CODE OF**  
**ORDINANCES TO AMEND CHAPTER 6, ARTICLE III, SECTION 6-45**  
**REGARDING SITE PLAN REVIEW TO AMEND TABLE 8 AND**  
**CHAPTER 6, ARTICLE XI, SECTION 6-262 (1) – (B) AND (C) REGARDING**  
**OFF – STREET PARKING LOT DESIGN AND CONSTRUCTION, AND DRIVEWAY**  
**DESIGN AND CONSTRUCTION FOR RESIDENTIAL USES AND FINALLY,**  
**CHAPTER 6, ARTICLE VIII, SECTION, 6-180 REGARDING SIDEWALK**  
**CONSTRUCTION AND MAINTENANCE 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 Villages Former Zoning Administrator (employed by AGS), and, Planning Commission and the Planning Commission Attorney have all encounter significant difficulty in interpreting and practical difficulties in applying said ordinances; and

WHEREAS, the Village President, the Planning Commission, therefore, determined text amendments were warranted to said ordinances in order to interpret, apply the site plan review changes to Section 6-45 - Table 8, process and to require sidewalks be installed whenever a new building / structure is constructed and be in compliance with the (ADA) American Disability Act and the Villages local ordinance and with State Law. In addition, The Planning Commission determined that all reference to section 6-176 (e) must be removed from the ordinance and replaced with a new Section 6-262 (b) which says: All illumination for all such parking lots shall meet the standards set forth in section 6-185. The Planning Commission also determined that Section 6-262 – (1), (c) must be removed from the ordinance to make the ordinance accurate and more user friendly, while still maintaining the historic quality of the village.

WHEREAS, the Planning Commission met for several months developing revisions to the Zoning Ordinance; and

WHEREAS, during this process the Village previous Zoning Administrator with AGS requested changes to zoning ordinance text specifically Section, 6-262 (b) and section 6-262 - (1), (c) amendments were adjusted based on same; and

WHEREAS, during this process the Village President and Planning Commission Chair requested changes to zoning ordinance text specifically Section, 6-45 table 8 and section 6-180 amendments were adjusted based on same; 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 Section 6-45, 6-176, Section 6-180, Section 6-185 and 6-262 and section 6-176 (e) 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 hearing and took public comment as follows:

- a. For 6:30 p.m. on Thursday, August 03, 2023, or sections 6-45, section 6-176, section 6-180, Section 6-185 and section 6-262 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 Section 6-45, Section6-176, Section 6-180, Section 6-185; and 6-262 to the Village Council.

***Ordinance***

THE VILLAGE OF STOCKBRIDGE ORDAINS THAT:

SECTION 1: Table 8 in Chapter 6, Article III, Section 6-45 be amended as set forth below in red:

**Table 8 (Continued)**

<b>Topic</b>	Type 1	Type 2	Type 3	Type 4
<b>ENTRIES / EXITS (CONTINUED)</b>				
Showing Intensity				X
Showing type of fixture & Detail				X
Typical Pavement Cross sections				X
Curve Radii of Streets / Drives				X
Location of existing sidewalks				X
Required New Sidewalks Pedestrian ways see section 6-180 sidewalk construction and maintenance.				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
<b>Landscaping – Plant Materials</b>				
Location				X
Type				X
Size or age				X
Erosion control				
<b>Retaining walls:</b>				
Location				X
Dimensions				X
Materials of Walls				X
Fill Materials				X
Typical cross section				X
<b>Utilities: water</b>				
Location				X
Type				X
Size of Each line				X
Well				X

**SECTION 2: Chapter 6, Article VIII, Sec. 6-180. -Sidewalk construction is amended in its entirety to read as follows:**

**Sidewalk Construction and Maintenance.**

- (a) *Purpose.* The purpose of this section is to Require new sidewalks to be installed during construction of new Residential or Commercial Buildings and to require repair and maintenance of existing public sidewalks and to keep them in proper and safe condition for public use.

1. A sidewalk that is in compliance with ADA Standards, Local Village Ordinances and State Law shall be installed during construction of any and all New Residential housing or Commercial buildings.
2. *Regulations.* The owner or owners of all lots and premises within the village are required to maintain, repair, and keep safe any sidewalk (s) adjacent to or upon their lots and premises.
  - (a) *Sidewalk repair standards.* The village manager, or his or her designee, shall determine that an unsafe Sidewalk hazard exists when one or more of the following conditions exist:
    - (1) Vertical cracks, upheaval, or settlement greater than one inch.
    - (2) Horizontal cracks or joint separation greater than one inch.
    - (3) Tilted sections, if tilted greater than two inches in any direction.
    - (4) More than 25 percent of a single concrete slab is damaged.
    - (5) A hole greater than three inches in diameter exists.
    - (6) Any other condition which, in the village managers, or his or her designee's discretion, causes the Sidewalk to be unsafe for use.
  - (b) *Notice to property owner.* A notice of an unsafe Sidewalk condition will be given or sent to the responsible property owner. Such notice shall indicate the location and nature of the unsafe condition and a time limit for repair or replacement. Thereafter, it shall be the duty of the owner to place the Sidewalk in safe condition. Such notice shall specify a reasonable time, not less than two weeks, within which such work shall be completed with due diligence.
  - (c) *Methods for serving notice.* Notice regarding Sidewalk repairs shall be served in the following manner:

- (1) By delivering the notice to the owner personally or by leaving such notice at the owner's residence, office or place of business with some person of suitable age and discretion.
  - (2) By mailing the notice by certified or registered mail to such owner at his last known address; or
  - (3) If the owner is unknown, by posting the notice in some conspicuous place on the premises. No person shall interfere with, obstruct, mutilate, conceal or tear down any official notice or placard posted by any village official, unless permission is given by such official to remove the notice.
- (d) *Recourse for noncompliance.* If the property owner does not repair the Sidewalk *within* the time limit specified in the notice, the village manager, or his or her designee, shall have the Sidewalk repaired. If the village manager determines that an emergency exists, and that immediate repair is necessary to protect the public, he or she may dispense with the notice and institute the repairs immediately. In any event, the cost of repairs under this section shall be charged against the property which adjoins the Sidewalk and shall be paid by the owner of the property. If not paid, the cost of repairs shall be collected as provided for in section 26-26 of chapter 26, article II of the Stockbridge Village Code, pertaining to special assessments.
- (e) *Obstructions.* Sidewalk shall be kept free of snow, ice, and other obstructions pursuant to the requirements of section 18-71 of chapter 18, article IV of the Stockbridge Village Code.
- (f) If the damage or required maintenance to the is the results from a tree or an operation of a village essential service located between the Sidewalk and the road (controlled by the village), then the village may participate in the cost of repair, at its sole discretion.

**SECTION 3: Chapter 6, Article XI, Sec. 6-262. - Off-street parking lot design and construction, and driveway design and construction for residential uses is amended to read as follows .**



**Sec. 6-262. - Off-street parking lot design and construction, and driveway design and construction for residential uses.**

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 6-185.
- (c) Adequate ingress and egress to the parking lot, by means of limited and clearly defined drives, shall be provided for all vehicles.
- (d) Where necessary to prevent encroaching upon pedestrian walkways 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.
- (e) Plans for the layout of off-street parking facilities shall be in accordance with the following minimum regulations:
- (f) A driveway permit shall be required from the Village of Stockbridge zoning administrator before any existing driveway is expanded or a new driveway is constructed. The applicant shall complete an application and pay a fee set by resolution of the village council.

(g) 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 f

**SECTION 4:** 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 5:** 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 6:** 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.

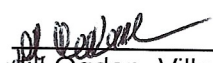
Moved by: Richard Mullins

Seconded by: Fred Catell




Yeas: All  
Nays: None  
Absent: None

Adopted at the regular Meeting of the Stockbridge Village Council on August 7, 2023.

  
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Jill Ogden, Village President

**CLERK'S CERTIFICATION**

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 7<sup>th</sup> day of August, 2023, 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 August 14, 2023.

  
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Heather Armstrong  
Village Clerk  
Village of Stockbridge  
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