

STATE OF MICHIGAN
VILLAGE OF STOCKBRIDGE
Ordinance Number: 2024-05-006.000
(ENACTED May 6, 2024)

AN ORDINANCE APPROVING TEXT AMENDMENTS TO THE CODE OF ORDINANCES FOR THE VILLAGE OF STOCKBRIDGE TO AMEND SECTION 6-70 REGARDING THE PURPOSES AND USES WITHIN (CBD) CENTRAL BUSINESS DISTRICT, PERMITTED USES AND C-3 DISTRICT, HIGHWAY COMMERCIAL, SPECIAL USES 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 Village President, the Planning Commission, determined text amendments were Warranted to said ordinances in order to amend text of Article IV, Zoning District Regulations, Chapter 6, Section 6-70: Purposes and Uses within Zoning Districts. Paragraph (CBD) Central Business District and in Paragraph (C-3) Highway Commercial. To make the ordinance accurate and more user friendly, while still maintaining the Historic quality of the village,

WHEREAS, the Planning Commission met on February 15, 2024, to develop a revision to the Zoning Ordinance; and

WHEREAS, during this process the Planning Commission Chair requested changes to zoning ordinance text specifically Section, 6-70, Paragraph titled: Central Business District, (CBD) permitted uses and to Paragraph titled: Highway Commercial (C-3) Special uses.

WHEREAS, the Planning Commission is therefore charged with coming up with the proposed language of the text 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 Located in Section 6-70-Purposes and uses within zoning districts Amend text of Article IV, Zoning District Regulations, Chapter 6, Section 6-70: Purposes and Uses within Zoning Districts. Paragraph (CBD) Central Business District and in Paragraph (C-3) Highway Commercial.

WHEREAS, the Planning Commission proposed to consider the language of proposed Amendments and set a public hearing for text Amendment to ordinance,

- a. For 6:30 p.m. on Thursday, March 07, 2024, for Section 6-70-Purposes and uses within zoning districts(f) : (C-3) Highway Commercial, (3) Permitted uses and (4) Special Uses. Notices were given 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 Planning Commission account, 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 6-70-Purposes and uses within zoning districts Amend text of Article IV, Zoning District Regulations, Chapter 6, Section 6-70: Purposes and Uses within Zoning Districts. Paragraph (CBD) Central Business District and in Paragraph (C-3) Highway Commercial.

Ordinance Text Amendment

SECTION 1: Amend text of Article IV, Zoning District Regulations, Chapter 6, Section 6-70: Purposes and Uses within Zoning Districts. Paragraph (CBD) Central Business District and in (C-3) Highway Commercial as listed below;

1. Paragraph: d - CBD: amend Paragraph 4: Permitted uses text by adding ; j - Pool Hall/Billiard Hall without alcohol being served or allowed on premises.
2. Paragraph: f - C-3 amend, Paragraph 4 - Special Uses (g) to read:
 - g. Recreation and amusement services, including theatres, bowling alleys, roller- and ice-skating rinks, billiard halls that serve alcohol and miniature golf.

SECTION 2: 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 3: 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 MCL66.1.

SECTION 4: 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: _____

Seconded by: _____

Yeas: _____

Nays: _____

Absent: _____

Adopted at the regular Meeting of the Stockbridge Village Council on May 6, 2024

Jill Ogden

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 6th day of May, 2024, 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 February 13., 2024.



Heather Armstrong
Village Clerk
Village of Stockbridge
305 W. Elizabeth Street, Room 107
Stockbridge, MI 49285
517.851.7435 (Office)
Email: clerk@vosmi.org

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