



Village of Stockbridge
PLANNING COMMISSION
MEETING AGENDA
118 N. Center Street ~ 517 - 851 - 7435
Thursday – June 06, 2024, at 6:30 P.M.

Call meeting to Order at:
Roll Call, P.C. Commissioners
Approval of Agenda – June 06, 2024
Approval of Minutes for May 02, 2024, meeting
Approval of Minutes for Special May 09, 2024 meeting

PUBLIC COMMENT

UNFINISHED BUSINESS

- Final review of 6-145- Home Occupation ordinance.
- Status from P.C. to Village Council to officially accept 2024 master plan.
- Status of Landscaping D.G. Market.

NEW BUSINESS

- Draft New 6-145.1 Ordinance for Cottage Industry
- Draft Ordinance allowing a Marihuana Provisioning Center / Marihuana Retailer in the Industrial Park
- Request for Compensation for providing Printing and Scanning services and for covering wear and tear to Daryl Anderson Personal Printer.
- Recommendation to Move the next regularly scheduled P.C. meeting from Thursday, July 04, 2024, to Thursday, July 11, 2024.
- Copy of Article XIV. Rezoning and Zoning Ordinance Text Amendments

PUBLIC COMMENT

Attachments:

- Agenda
- Draft Home Occupation 6-145
- A Resolution from village Council members and Village President to sign providing documentation that the Council formally approves and accepts the 2024 Master Plan .
- Draft New 6-145.1 Ordinance for Cottage Industry
- Draft Marihuana Provisioning Center ordinance.
- Copy of email regarding D.G. Market Landscaping

NEXT MEETING

July 11, 2024

ADJOURN



Village of Stockbridge
PLANNING COMMISSION
Unapproved Minutes

118 N. Center Street ~ 517 - 851 - 7435
Thursday – May 02, 2024, at 6:30 P.M.

Call meeting to Order at: 6:35
Roll Call, P.C. Commissioners Laura, James, and Kim
Absent were Daryl and Jennifer
Also Present was the P.C. Attorney
Also Present was Katrina

Motion to approve the Meeting Agenda for May 02, 2024, by Kim and seconded by James. Discussion, none. Voice vote all in favor signify by saying aye, those opposed by saying nay, Motion passes, no nays.

Motion to approve of the Minutes from April 04, 2024, , by James and seconded by Kim. Discussion, none. Voice vote all in favor signify by saying aye, those opposed by saying nay, Motion passes, no nays.

PUBLIC COMMENT

No Public comment

UNFINISHED BUSINESS

1. Draft Text amendment To Home Occupation 6-145 was discussed. Council talked about making 6-145 into one ordinance with two sections, 1 for Home Occupation and 1 for Cottage Industry. Gave the ordinance back to Katrina to work on and discuss at our next meeting on June 6, 2024.
2. Discussed within the ordinance to change the sign allowance: Home Occupation to be 1 sq ft. and Cottage Industry to be 2 sq ft.

NEW BUSINESS

We decided to table the discussion on gathering information on procedures and identifying available resources to start the process of generating a Village Capital outlay improvement 6-year plan. Village president was not in attendance. Kim discussed the possibility of another committee was gathering data for the same thing and we needed to find out more information, so we are not duplicating work.

PUBLIC COMMENT

No public comment

DIRECTORS COMMENTS, CONCERNS SUGGESTIONS

None

NEXT MEETING

Next Regular Meeting June 06, 2024

ADJOURN

Motion to adjourn by James, seconded by Kim at 7:31



Village of Stockbridge
PLANNING COMMISSION
UNAPPROVED SPECIAL MEETING MINUTES
118 N. Center Street ~ 517 - 851 - 7435
Thursday – May 09, 2024, at 6:30 P.M.

Meeting Called to Order at: 6:32 p.m.

Roll Call, Planning Commissioners: Laura, Jennifer, James, Daryl
Absent: Kim

Motion to approve agenda by Laura second by Jennifer. Voice Vote, all in favor signify by say aye, those opposed signify by saying nay, motion carried.

Also present is a guest: Maya Baker with Mckenna.

Public Comment

No Public Comment

Motion to approve the 2024 Master Plan by Jennifer second by Laura.

No discussion. Roll Call: Laura: aye , Jennifer: aye, James: aye, Daryl aye. Motion carried

PUBLIC COMMENT

No Public Comment

Motion to adjourn at 6:37 by Jennifer by second by Laura

No discussion. Voice Vote, all in favor signify by say aye, those opposed signify by saying nay, motion carried.

Next regular Scheduled meeting is June 06, 2024



Draft #7/14/24.
STATE OF MICHIGAN
VILLAGE OF STOCKBRIDGE
Ordinance Number: _____
(ENACTED _____)

AN ORDINANCE APPROVING TEXT AMENDMENTS TO THE CODE OF ORDINANCES FOR THE VILLAGE OF STOCKBRIDGE TO CHAPTER 6 - ZONING AND LAND USE, ARTICLE I. - TITLE, PURPOSE, RULES APPLYING TO TEXT, DEFINITIONS SECTION 6-5, ARTICLE IV. - ZONING DISTRICT REGULATIONS, 6-70 PURPOSES AND USES WITHIN ZONING DISTRICTS: R-1, SINGLE FAMILY RESIDENTIAL, R-2: SINGLE FAMILY RESIDENTIAL, R-3-: MULTI-FAMILY RESIDENTIAL, CBD-CENTRAL BUSINESS DISTRICT AND TO SECTION 6-145 - HOME OCCUPATION’S IN ITS ENTIRETY 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 Chair have, determined text amendments were warranted to said ordinances in order to amend, Section 6-5: Definitions, Section 6-70: Purposes and Uses Within Zoning District and to address concerns with the brevity of of Section 6-145: Home Occupations, intent, zoning requirements and to clarify of what activities are allowed as a home occupation, inorder to make the ordinance accurate and more user friendly, while still maintaining the Historic quality of the village,

WHEREAS, during this process the Planning Commission Chair requested changes to zoning ordinance text specifically Section, 6-5, Section 6-70 and Section 6-145; and

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 met on April 04,2024, May 02, 2024, and again on June 06, 2024 , to develop a revision to the Zoning Ordinance; and

WHEREAS, the Planning Commission has determined, via this proposed text amendment to Section 6-5, section 6-70 and Section 6-145 of the zoning ordinances, as set forth below, and

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, _____, 2024, for Section 6-5 – Definitions and Section 6-145- Home Occupations. 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 as 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 6-5-Definitions, Section 6-70-Purposes and Uses within Zonning Districts and Section 6-145 – Home Occupations to the Village Council.

Ordinance

AMEND TEXT: Section 6-5 Definitions to add:

Home Occupation – Any special use customarily conducted entirely within the primary residential zone on a residential property and carried on by the inhabitants thereof, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes, does not change the character thereof, and which does not endanger the health, safety, and welfare of any other persons residing in that area by reasons of noise, noxious odors, unsanitary or unsightly conditions, fire hazards and the like involved in or resulting from such occupation, profession or hobby. Such occupation shall not be permitted to make external alterations of construction features or have outdoor work areas, storage, or signs not customarily permitted in residential areas.

Incidental use for home occupation: Incidental use is a minor additional activity that does not impact on the primary use as a home.

Amend text of: Section 6-70 – (Purposes and uses within zoning districts) by inserting into below listed Districts, Special Use Category:

1. *R-1, single-family residential district. (4) Special uses.* Addition of (k). Home Occupation
2. (b) *R-2, single-family suburban. (4) Special uses.* Addition of (k). Home Occupation
3. (c) *(R-3) multi-family. (5) Special uses.* Addition of (f). Home Occupation
4. (e) (CBD) Central Business District (5) *Special uses.* Addition of (g). Home Occupation.

AMEND SECTION 1: Chapter 6, Section 6-145- Home Occupations in its entirety to read as follows:

It is the intent of this section to permit residents of the village a broad choice in the use of their residences as places of livelihood and the production or supplementation of personal and family income, while establishing criteria for the conduct of home occupations in dwellings units in residential districts to protect neighboring residential land uses from adverse impacts of activities associated with home occupations, to maintain and protect the character of residential neighborhoods and to ensure the compatibility of home occupations with other uses permitted in residential districts. The home occupation must satisfy all of the following conditions in the residential districts specifically: R-1: Single -Family Residential, R-2: Single – Family Suburban Residential, R-3: Multi – Family Residential.) and into (CBD) Central Business District.

AMEND SECTION 2: 6-145 – Home Occupations in its entirety as follows.

All home occupations shall be in single-family residences subject to the following requirements:

1. A permitted use authorization must be obtained (by approval of a special use of permit) to operate a Home Occupation in the Village.
 - 1a. Applicant must submit: 1). Attachment B: A Completed Special Land Use Permit Application: 2). **Attachment B:** 3) **Attachment C:** A completed affidavit (which can be filled out in the office) to the Village Clerk. 4). A floor plan of the dwelling with the area to be used in the commercial activity clearly marked 5). A survey/site plan drawing of the property with the dimensions of parking area (driveway) clearly marked.
2. Time of Establishment: No accessory use shall be established, and no accessory structures shall be allowed until approval of all required permits for the principal use or activity.
3. Accessory uses and activities shall be subject to the same regulations as apply to principal. uses in each district, unless otherwise expressly stated. Accessory uses and structures shall comply with the following.
 - a. A home occupation must be clearly incidental and secondary to the primary use of the dwelling unit for dwelling purposes.
 - b. No more than 25 percent of the floor area of dwelling shall be devoted to a home occupation.
 - c. Home occupation use shall not change the character of the residential nature of the premises, both in terms of use and appearance.
 - d. A home occupation use shall not create a nuisance or endanger the health, safety, welfare, or enjoyment of any other person in the area, by reason of noise, vibration, glare, from artificial illumination or from reflection of natural light, fumes, odor, unsanitary or unsightly conditions, fire hazards, or the like, involved in or resulting from such home occupation.
 - e. A home occupation shall not generate sewage or water use in excess of what is normally generated from a single-family dwelling in a residential area.
 - f. All activities shall be carried out within an enclosed structure. There shall be no outside display of any kind, or other external or visible evidence of the conduct of a home occupation. Except sign as permitted below
 - g. Display Area - A salesroom or display window is prohibited.
 - h. There shall be no external evidence of such occupations other than one non-illuminated sign or identification sign not exceeding two square feet in area as permitted in section 6-231- Permitted Wall signs. Said sign shall be attached to the building.
 - i. That no article or service is sold or offered for sale on the premises except such as is produced by the home occupation.

- j. That no mechanical equipment is used other than that which is permissible for purely domestic or household purpose. That complies with the noise ordinance.
- k. No repetitive servicing by truck of supplies, or products or materials shall be required by the home occupation.
- l. There is no exterior storage of materials or equipment.
- m. Only one home occupation shall be permitted per dwelling unit.
- n. Adequate parking: Enough parking for every resident of the of the dwelling. that owns a vehicle and for any patron / patrons of the home occupation.
- o. There shall be no vehicular traffic permitted for the home occupation, other than as is normally generated for a single-family dwelling unit in a residential area, both as to volume and type of vehicles.
- p. No animal grooming.
- q. The cottage industry shall not create or produce explosive, flammable, or otherwise hazardous waste
- r. The zoning office has the right to withhold the home occupation permit if our inspectors need to review your application.

Section 3: Examples of Approved Home Occupations

- 2.1 The following examples are not all encompassing of Home Occupations that will be considered for approval as a permitted Home Occupation.
 - 2.1a. Office/Studio - Accountant, planner, architect, surveyor, artist, attorney, author, ceramist, clergyman, engineer, interior designer, landscape architect, musician, photographer, teacher (not to exceed 4 pupils), or other practitioners in similar services.
 - 2.1b. **Services** - Dressmaking, home crafts, such as model making, rug weaving, lapidary work and cabinet making; sewing, knitting or crocheting, and shoe lacing, painting, sculpturing or writing, handicrafts, tailoring, millinery, nameplate making, home cooking, baking or preserving, telephone answering; Home crafts, mail services and other similar service-based businesses Tutoring, limited to four students at a time; Computer programming; Babysitting services for one to three non- resident children from one or more unrelated families.

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 MCL66.1.

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: _____

Seconded by: _____

Yeas: _____

Nays: _____

Absent: _____

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

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 _____ day of _____, 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:
Daryl Anderson
Chair Planning Commission

Katrina Griffith, MCP
Zoning Administrator
Stockbridge Township

Reviewed 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

Reviewed 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

ATTACHMENT: A



**VILLAGE OF STOCKBRIDGE
PERMIT APPLICATION FOR HOME OCCUPATION**

Name of Applicant: _____

Address at which Home Occupation is to be conducted: _____

PARCEL IDENTIFICATION NUMBER: _____

Please answer all questions completely (one-word answers are not sufficient). Use additional page if necessary.

1. State, in detail, the type of business and how it will be operated.

2. Will customers come to the home? If so, how many/often?

3. Will any products be sold in the home? If so, please explain.

4. Will materials used in the home occupation be delivered to the home or will products be picked up? If products are delivered to home, how frequently?

-
5. Will the home occupation result in any increase in glare, dust, electrical interference, smoke or odor? _____
 6. Will the home occupation be conducted entirely within the home? If not conducted in home only, please explain where.

 7. What percent of the floor area of the home will be used in the home occupation? (see attached page if you are unsure of how to figure the percentage)

 8. Will there be any external evidence of a home occupation such as vehicles, equipment, or materials parked or stored outside?

 9. How many people living outside the home will be employed in the home occupation? If YES how many _____
 10. How many off-street parking spaces can be provided?

 11. Will there be a sign advertising the home occupation? If so, how large? Note: Signs larger than 248 square inches (Two Square feet) are not allowed.

 12. Will the dwelling be occupied by the Applicant as their residence?

This information provided above is true to the best of my knowledge.

Signature

Date

TO WHOM IT MAY CONCERN:

I request permission to operate a

Type of Home Occupation

in my home located at

Street City State Zip

I agree to comply with the requirements for a Home Occupation as specified in the Village of Stockbridge Unified Code of Ordinances Section 6-145.

Signature : _____

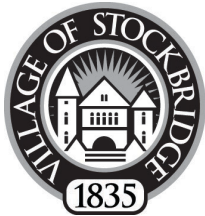
NAME: _____

ADDRESS: _____

PHONE #: _____

DATE: _____

Revision 7
May 14, 2024



Attachment: B

SPECIAL LAND USE PERMIT APPLICATION
VILLAGE OF STOCKBRIDGE

Village of Stockbridge Michigan (Modified) Code of Ordinance Chapter VI, Article IV,
Sec.6-44. - Special land use procedures.

In addition to submitting this Special Land Use Permit application, the applicant is required to submit a preliminary site plan prepared in accordance with [section 6-45](#), site plan review.

Instructions to applicant: Please complete the information below and mail this application with the applicable Fees and attached completed checklist to Village Clerk at P.O. Box 155 Stockbridge Mi. or Deliver in Person to 118 N. Center Street, Stockbridge, Mi. Questions call Village Office at: 517-851-7435.

PROJECT NAME:

LEGAL OWNER OF PROPERTY;

DEVELOPER/OWNER

ADDRESS: _____

EMAIL of the owner of property _____

E-Mail of business owner _____

PHONE NUMBER Business owner: _____

Estimated Completion Date (if applicable) _____

Property Legal Description: _____

Address of Property: _____

Parcel ID number of property _____ Existing Zoning of Property:

Number of residential equivalent units. (REUs) _____

Description of what type of business specifically will be occupying space:

Draw a Circle around the district the requested permitted use (by approval of a special use is permit) is allowed:

R-1- Single-Family Residential District. R-2- Single-Family Suburban. R-3- Multi-family District, CBD- Central Business District, C-2- General Commercial District, C-3 - Highway Commercial District, M-1- Light Industrial District., PUB- public district.

Note: The only permitted Marihuana use (by approval of a special use permit) allowed in the Village is One (1) Provisioning Center/ Marihuana Retailer. Expressly prohibited are (1) Marihuana grow operations. (2) Marihuana processing facilities. (3) Marihuana safety compliance facilities. (4) Marihuana secure transporters. The only location for the Provisioning Center is in the Industrial Park on one (1) of the following parcels number 33-42-16-26-352-014, 33-42-16-26-352-013, 33-42-16-26-352-004, 33-42-16-26-352-016, 33-42-16-26-352-017, 33-42-16-26-352-018.

PROPERTY INFORMATION

1. Property Description:

The following information shall be included on the (6) Six drawings submitted with application.

- a. Lot dimensions
- b. Location of proposed and existing structures on site.
- c. Proposed setbacks and yards
- d. Streets right-of-way, widths, and street names
- e. Provisions for water and sewer service.
- f. OTHER INFORMATION may be required by the provisions of the zoning ordinance. Additional information required by zoning administrator or planning commissioning shall be attached and made a part of this application.

All special use permits granted to the Marihuana users listed above shall be conditioned on the licensing of the facility by the State of Michigan. Facilities must meet all state requirements, including but not limited to those of LARA and the MDEQ. Facilities must maintain an active license from the State of Michigan under Public Act 281 of 2016 (commercial-scale medical Marihuana) and/or Initiated Law 1 of 2018 (adult use Marihuana) at all times in order to operate.

Of the various listed special uses in the selected district above, which one are you requesting become a permitted use?

Hours of operation _____

Number of Existing Parking spaces _____

If the application is for a Marihuana Provisioning Center/ Marihuana Retailer for a Medical or Recreational Marihuana Facility - Attach Village Marihuana Facility Application

NOTE: (The party or parties signing the above affidavit should remember that his or their right to the above permit is subject to annual review. The standards on which this permit is issued must be maintained to insure annual renewal).

Unless otherwise specified by the planning commission, any special land use permit granted by the Village Council under this section shall be null and void unless the development proposed shall have its first building inspection within one year from the date of the granting of the permit.

APPLICATION FEES: See Fee Schedule. Total fees Collected; _____

AFFIDAVIT: The undersigned affirms that he is (they are, the (specify owner, lessee, or other interest) involved in this petition, and that the foregoing answers, statements, and information are in all respects true and to the best of this (their) knowledge, correct.

Signed _____ Date: _____

Return Application and Fee to the above address in care Village Clerk.

OFFICIAL ACTION:

Village Office: Date Received: _____

Date Sent to Zoning Administrator: _____

Date application Received by Zoning Administrator: _____

Zoning administrator approval / rejection of completeness of application: Date: _____

Date Zoning administrator sends to Planning Commission: _____

Date notice of public hearing published in Newspaper of local circulation: _____

Date Public Hearing set _____

After the public hearing, the planning commission may deny, approve, or approve with conditions a request for a special land use. The decision of the planning commission shall be incorporated in a statement of conclusions relative to the special land use under consideration. The Planning Commission shall then forward their recommendation to Village Council for their decision.

Action taken by Planning Commission [] Approved [] Not Approved [] approved with conditions.

Planning Commission Chair Signature

Date: _____

ATTACHMENT: C



**VILLAGE OF STOCKBRIDGE *AFFIDAVIT* ASSURING
COMPLIANCE WITH SEC. 6-145 HOME OCCUPATION OF THE
VILLAGES MUNICIPAL CODE**

TO WHOM IT MAY CONCERN:

I request permission to operate a

Type of Home Occupation

in my home located at

Street City State Zip

I agree to comply with the requirements for a Home Occupation as specified in the Village of Stockbridge Unified Code of Ordinances Section 6-145.

Signature : _____

NAME: _____

ADDRESS: _____

PHONE #: _____

DATE: _____



RESOLUTION NO. 2024-05-09.0001

VILLAGE OF STOCKBRIDGE
PLANNING COMMISSION
(Enacted May 9, 2024)

**A RESOLUTION TO APPROVE THE 2024 MASTER PLAN
FOR THE VILLAGE OF STOCKBRIDGE BY THE
VILLAGE OF STOCKBRIDGE PLANNING COMMISSION**

WHEREAS, the Village of Stockbridge (hereinafter, the “Village”) has adopted a Zoning Ordinance (hereinafter the “Ordinance”) which now operates under the *Zoning Enabling Act of 2006*; and

WHEREAS, the Village appointed a Village Planning Commission pursuant to the Village of Stockbridge Municipal Code Chapter 2, Article VII and Adopted a Village Zoning Ordinance, pursuant to the Village of Stockbridge Municipal Code Chapter 6.

WHEREAS, the Village of Stockbridge has a duty to adopt, review, and revise a Master Plan under the Zoning Enabling Act of 2006.

WHEREAS, the Village, through the Village Planning Commission, adopted a Master Plan in 2008.

WHEREAS, the Village Master Plan was last updated in 2014 by the Planning Commission.

WHEREAS, the Village Planning Commission began working on an updated Master Plan in 2019, but soon realize that it needed the assistance of a Municipal Planner.

WHEREAS, the process was delayed by Covid, but the Village ultimately authorized the employment of McKenna and Associates, as a Municipal Planner, to assist the Village Planning Commission in updating the Master Plan in the early 2020s.

WHEREAS, the Village Planning Commission, with the assistance of McKenna and Associates, completed a Survey of local residents, which is attached hereto as Appendixes A & B and incorporated herein by reference. Additionally, all the data and all long answers from that Survey are also attached hereto and incorporated herein by reference as part of the planning process.

WHEREAS, the Village Planning Commission has conducted numerous hearings on the contents of the Master Plan, revised and revised several prior drafts of the Master Plan, and abased upon those surveys and contents, has approved a final draft of the 2024 Master Plan for the Village of Stockbridge at a meeting on January 19, 2024, attached hereto and incorporate herein by reference.

WHEREAS, MCL 125.3843 (1) requires the Planning Commission to hold a public hearing and give notice as described in the statute before approving the 2024 Master Plan.

WHEREAS, the Village Planning Commission has set a Public Hearing for May 9, 2024 at 6:30 pm to consider adoption of the draft 2024 Master Plan, as approved January 19, 2024, and has complied with all the notice requirements for said Master Plan Public Hearing, as set forth in MCL 125.3843 (1).

WHEREAS, the Village Planning Commission listened to the Public Comment at the Public Hearing on May 9, 2024, consider the recommendations of McKenna and Associates, and reviewed the **entire** draft 2024 Master Plan, including but not limited to: the Regional Location Map on Page 9, the Population and Age Distribution Charts on Page 11, the Housing Date on page 12, the Employment Date on page 13, the Education data on page 14, the Regional Trails map on page 18, the Park location map on page 20, the Storm and Sanitary Drainage Network Maps on pages 23 -24 and 27, the Potable Water Map on Page 26, the Wetlands Map on page 29, The Flood Plains Map on page 30, the Existing Land Use Category data on pages 32-33, the Existing Land Use Map on page 34, the Future Land Use Map on page 56, the Act 51 Road Classification Map on page 75, the Annual Average Daily Traffic Study on Page 76, the Zoning Map at time of Adoption of the Master Plan on page 86, and the Action Plan on pages 92-94.

WHEREAS, the Village Planning Commission is aware that it is required to approve the 2024 draft Master Plan by a 2/3 vote of the entire Planning Commission after the completion of the public hearing, per MCL 125.3843 (2).

IT IS RESOLVED that:

1. the Village of Stockbridge Planning Commission, pursuant to MCL 125.3843 (2), approves the adoption of the entire 2024 Master Plan, including all the maps and data referenced herein.
2. The Planning Commission Chairperson and/or Secretary shall forthwith sign this Resolution, which shall serve as the required statement recording the Planning Commission's approval of the 2024 Master Plan and a copy of same shall be included inside the front or back cover of the 2024 Master Plan.
3. The Planning Commission Secretary shall submit a copy of the 2024 Master Plan to the Village Council.
4. The Planning Commission Chair shall obtain a copy of the legislative bodies' approval of the 2024 Master Plan and the Future Land Use Map, both signed by the Clerk of the Village and shall included said signed statements inside the front or back cover of the 2024 Master Plan.

Adopted at a Regular Meeting of the Village of Stockbridge Planning Commission held on the 9th day of May, 2024.

Moved by vice Chair: Commissioner Laura Loomis

Seconded by: Commissioner Jennifer Conant

YEAS

Commissioner: Laura Loomis – Vice Chair.

Commissioner: Jennifer Conant

Commissioner: James Johnson

Commissioner: Daryl Anderson: Chair

NAYS: There were no Nays

ABSENT: Commissioner: Kim Morehouse

ABSTAIN: No one abstained

Village of Stockbridge Planning Commission

By: Daryl Anderson

Its: Chairperson

CERTIFICATION

I certify that the above is a true and complete copy of Resolution No. _____ adopted by the Village of Stockbridge Planning Commission at a Regular Meeting held on the 9th day of May 2024.

Village of Stockbridge

By: Jennifer Conant

Its: Secretary of the Planning Commission

Drafted by: John L. Gormley (P53539)
Attorney for the Village of Stockbridge and
its Planning Commission
Gormley Law Offices, PLC
Fowlerville, Michigan 48836
517.223.3758

Larry Ogrinc <logrinc@zarembagroup.com>

Mon, May 20, 11:39 AM (1 day ago)

to Mark, me

Good morning Daryl

The landscapers started on Friday and are back on site today continuing the work. As long as the weather holds they are expecting to complete the work by end of day tomorrow.

I will follow-up and let you know when all is completed.

Please let me know if you have any other questions or comments.

Larry Ogrinc

Construction Project Manager

Zaremba Group, LLC

14600 Detroit Ave., Suite 1500, Lakewood, OH 44107

O: (216) 221-2147 | C: (216) 272-8956

Draft #3 -May 15,2024



**STATE OF MICHIGAN
VILLAGE OF STOCKBRIDGE
Ordinance Number: _____
(ENACTED _____)**

AN ORDINANCE APPROVING TEXT AMENDMENTS TO THE CODE OF ORDINANCES FOR THE VILLAGE OF STOCKBRIDGE TO CHAPTER 6 - ZONNING AND LAND USE, ARTICLE I. - TITLE, PURPOSE, RULES APPLYING TO TEXT, DEFINITIONS SECTION 6-5, ARTICLE IV. - ZONING DISTRICT REGULATIONS, 6-70 PURPOSES AND USES WITHIN ZONING DISTRICTS: R-1, SINGLE FAMILY RESIDENTIAL, R-2: SINGLE FAMILY RESIDENTIAL, R-3-: MULTI-FAMILY RESIDENTIAL, CBD- CENTRAL BUSINESS DISTRICT AND NEW SECTION 6-145.1 – COTTAGE INDUSTRY CREATED IN ITS ENTIRETY.

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 Chair have, determined text amendments were warranted to said ordinances in order to amend, Section 6-5: Definitions, Section 6-70: Purposes and Uses Within Zoning District to address their concerns that the Villages of Stockbridge Municipal code fails to address zoning requirements for Cottage Industries. Furthermore, the Municipal code fails to provide information as to which zoning districts Cottage Industries should be allowed and if they are allowed should they be allowed as a permitted use or require special use approval by the Village Council. Also missing are descriptions of what type of business activities are allowed for Cottage Industries this action is required to improve the ordinance and, while still maintaining the Historic quality of the village,

WHEREAS, during this process the Planning Commission Chair requested changes to zoning ordinance text specifically Section, 6-5, Section 6-70 and to create a new Section 6-145.1- Titled: Cottage Industries, and:

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 met on April 04,2024, May 02, 2024, and again on June 06, 2024 , to develop a revision to the Village of Stockbridge, Municipal Code of Ordinances, Chapter 6: Zoning and Land Use, Article 1- Titled : Purposes, Rules Applying to Text, Definitions, Section 6-5, Article IV-Zoning District Regulations, 6-70: Purposes and Uses Within Districts; and.

WHEREAS, the Planning Commission has determined, via this proposed text amendment to Section 6-5, section 6-70 and create new Section 6-145.1 Titles Cottage Industries of the zoning ordinances, as set forth below, and

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, _____, 2024, for Section 6-5 – Definitions and Section 6-145- Home Occupations. 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 as 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 6-5: Definitions, Section 6-70: Purposes and Uses within Zoning Districts and to create a New Section 6-145.1 – Cottage Industry to the Village Council.

Ordinance

Amend Section-Section 6-5- Definitions to add:

Cottage Industry – Any special use customarily conducted entirely within the primary residential zone on a residential property and carried on by the inhabitants thereof, and no more than (2) Two Employees which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes, does not change the character thereof, and which does not endanger the health, safety, and welfare of any other persons residing in that area by reasons of noise, noxious odors, unsanitary or unsightly conditions, fire hazards and the like involved in or resulting from such occupation, profession or hobby. Such occupation shall not be permitted to make external alterations of construction features or have outdoor work areas, storage, or signs not customarily permitted in residential areas.

Amend Section 6-70 : Purposes and uses within zoning districts text is amended to insert into each District Special Use as listed below.

1. *R-1, single-family residential district.* (4) *Special uses.* Addition of (i). Cottage Industries.
2. (b) *R-2, single-family suburban.* (4) *Special uses.* Addition of (i). Cottage Industries.
3. (c) *(R-3), multi-family.* (5) *Special uses.* Addition of (g). Cottage Industries.
4. (d) *CBD, (5) Central Business District,* Addition of (h). Cottage Industries.

SECTION 1: Chapter 6, Creation of a new section titled: Section 6-145.1- Cottage Industries.

It is the intent of this section to permit residents of the village a broad choice in the use of their residences as places of livelihood and the production or supplementation of personal and family income, while establishing criteria for the conduct of home occupations in dwellings units in residential districts to protect neighboring residential land uses from adverse impacts of activities associated with home occupations, to maintain and protect the character of residential neighborhoods and to ensure the compatibility of Cottage Industry with other uses permitted in residential districts. The Cottage Industry must satisfy all the following conditions in the residential districts specifically: R-1: Single -Family Residential, R-2: Single – Family Suburban Residential, R-3: Multi – Family Residential and CBD: Central Business District.

New Section 6-145.1 – Cottage Industries

All Cottage Industries shall be in single-family residences subject to the following requirements:

1. A permitted use authorization must be obtained (by approval of a special use permit) to operate a Cottage Industries in the Village.
 - 1a. Applicant must submit: 1). **Attachment A:** A completed application for having Cottage Industry, 2). **Attachment B:** A Completed Special Land Use Permit application: 3). **Attachment C:** A completed affidavit (which can be filled out in the office) to the Village Clerk. 4). A floor plan of the dwelling with the area to be used in the commercial activity clearly marked 5). A survey/site plan drawing of the property with the dimensions of parking area (driveway) clearly marked.
2. A request for a Cottage industry shall be required to follow all regulations for a special use and this ordinance.
3. No accessory use shall be established ,and no accessory structures shall be allowed until approval of all required permits for the principal use of the structure.
4. Limited retail sales may be permitted on the premises provided that such sales do not result in violating traffic patterns. Retail sales and all visits by customers shall be limited to the hours of 7:00 a.m. to 8:00 p.m.
5. A cottage industry shall be incidental and subordinate to the use of the premises for residential purposes and shall not detract from the residential character of the premises and neighborhood.
6. The cottage industry shall occupy no more than one accessory building in addition to the residential dwelling unit on the same lot.
7. The cottage industry shall occupy no more than twenty five percent (25%) or 1,200 square feet (whichever is less) of the floor area of the dwelling and a maximum of 1,600 square feet of the accessory structure in which the cottage industry is located.

8. The cottage industry shall permit no more than two (2) on-site employees on the premises, other than members of the immediate family residing on the premises.
9. No traffic shall be generated by such cottage industry in greater volumes than would normally be expected in a residential neighborhood. Any need for parking generated by the conduct of such cottage industry shall be met off the street and other than in a required front, rear or side yard, although motor vehicles may be parked in an existing driveway if it is sufficient size. No additional off-street parking demand shall be created, and emergency access will be available.
10. The cottage industry shall not create or produce explosive, flammable, or otherwise hazardous waste.
11. Accessory uses and activities shall be subject to the same regulations as applied to principal uses in each district, unless otherwise expressly stated. Accessory uses and structures shall comply with the following.
 - a. A Cottage Industry must be clearly incidental and secondary to the primary use of the dwelling unit for dwelling purposes.
 - b. No more than 25 percent of the floor area of a dwelling shall be devoted to a Cottage Industry.
 - c. Cottage Industry use shall not change the character of the residential nature of the premises, both in terms of use and appearance.
 - d. A Cottage Industry use shall not create a nuisance or endanger the health, safety, welfare, or enjoyment of any other person in the area, by reason of noise, vibration, glare, from artificial illumination or from reflection of natural light, fumes, odor, unsanitary or unsightly conditions, fire hazards, or the like, involved in or resulting from such Cottage Industry.
 - e. It is operated by a resident of the building and has not more than two (2) employees, who shall not work at Cottage Industry more hours than the resident of the building.
 - f. All activities shall be conducted within an enclosed structure. There shall be no outside display of any kind, or other external or visible evidence of the conduct of a home occupation. Except sign as permitted below
 - g. There shall be no external evidence of such occupations other than one non-illuminated sign or identification sign not exceeding two square feet in area as permitted in section 6-231- Permitted Wall signs. Said sign shall be attached to the building.
 - h. That no article or service is sold or offered for sale on the premises except such as is produced by the Cottage Industry.
 - i. That no mechanical equipment is used other than that which is permissible for purely domestic or household purposes. That complies with the noise ordinance.
 - j. No repetitive servicing by truck of supplies, or products or materials shall be required by the Cottage Industry.
 - k. There is no exterior storage of materials or equipment.
 - l. Only one Cottage Industry shall be permitted per dwelling unit.
 - m. No animal grooming

- n. The zoning office has the right to withhold the Cottage Industry permit if our inspectors need to review your application.
- o. Adequate parking: 1). Enough parking for every resident of the of the dwelling. that owns a vehicle 2). for any employee 3). Any patron of the Cottage Industry.
- p. The special use permit may restrict the hours of Cottage industry depending on the home occupation use and proximity to other neighbors

Section 2: Examples of Approved Cottage Industries Home Occupations

2.1 The following examples are not all encompassing of Cottage Industries that will be considered for approval.

Section 3: 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 4: 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 5: 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 _____, 2024

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 _____ day of _____, 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:
Daryl Anderson
Chair Planning Commission

Katrina Griffith, MCP
Zoning Administrator
Stockbridge Township

Reviewed 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



ATTACHMENT: A

**VILLAGE OF STOCKBRIDGE
PERMIT APPLICATION FOR COTTAGE INDUSTRIES**

Name of Applicant: _____

Address at which Home Occupation is to be conducted: _____

PARCEL NUMBER: _____

Please answer all questions completely (one-word answers are not sufficient). Use additional page if necessary.

1. State, in detail, the type of business and how it will be operated.

2. Attach a drawing of the location, shape, area and dimension of the lot, height, and Dimensions of the existing and/or proposed structures to be erected, altered, or moved on the lot.

3. A description of proposed use of the building(s), land or Structures.

4. The proposed number of employees, customers, and other users.

5. Attach a sketch of the yard, open space, and parking lot and space dimensions, and number of spaces.

6. Provide a vicinity sketch showing the location of the site in relation to the surrounding street system, and adjacent land uses within three hundred (300) feet in every direction including on the opposite side of any public thoroughfare.

7. Provide a sketch showing existing public rights-of-way or easements.

8. Provide any other information requested and deemed necessary by the approving body to determine and provide for the enforcement of this Ordinance.

9. Will customers come to the home? If so, how many/often?

10. Will any products be sold in the home? If so, please explain.

11. Will materials used in the home occupation be delivered to the home or will products be picked up? If products are delivered to home, how frequently?

12. Will the home occupation result in any increase in glare, dust, electrical interference, smoke or odor?

13. Will the home occupation be conducted entirely within the home? If not conducted in home only, please explain where. _____

14. What percent of the floor area of the home will be used in the home occupation? (see attached page if you are unsure of how to figure the percentage)

15. Will there be any external evidence of a home occupation such as vehicles, equipment, or materials parked or stored outside?

9. How many people living outside the home will be employed in the home occupation?
If YES how many _____

10. How many off-street parking spaces can be provided?

11. Will there be a sign advertising the home occupation? If so, how large? Note: Signs larger than 248 square inches (Two Square feet) are not allowed.

12. Will the dwelling be occupied by the Applicant as their residence?

This information provided above is true to the best of my knowledge.

Signature _____

_____ Date

Revision 7
May 14, 2024

Attachment: B



SPECIAL LAND USE PERMIT APPLICATION
VILLAGE OF STOCKBRIDGE

Village of Stockbridge Michigan (Modified) Code of Ordinance Chapter VI, Article IV,
Sec.6-44. - Special land use procedures.

In addition to submitting this Special Land Use Permit application, the applicant is required to submit a preliminary site plan prepared in accordance with [section 6-45](#), site plan review.

Instructions to applicant: Please complete the information below and mail this application with the applicable Fees and attached completed checklist to Village Clerk at P.O. Box 155 Stockbridge Mi. or Deliver in Person to 118 N. Center Street, Stockbridge, Mi. Questions call Village Office at: 517-851-7435.

PROJECT NAME: _____

LEGAL OWNER OF PROPERTY; _____

DEVELOPER/OWNER _____

ADDRESS: _____

EMAIL of the owner of property _____

E-Mail of business owner _____

PHONE NUMBER Business owner: _____

Estimated Completion Date (if applicable) _____

Property Legal Description: _____

Address of Property: _____

Parcel ID number of property _____ Existing Zoning of Property: _____

Number of residential equivalent units. (REUs) _____

Description of what type of business specifically will be occupying space:

Draw a Circle around the district the requested permitted use (by approval of a special use is permit) is allowed:

R-1- Single-Family Residential District. R-2- Single-Family Suburban. R-3- Multi-family District, CBD- Central Business District, C-2- General Commercial District, C-3 - Highway Commercial District, M-1- Light Industrial District., PUB- public district.

Note: The only permitted Marihuana use (by approval of a special use permit) allowed in the Village is One (1) Provisioning Center/ Marihuana Retailer. Expressly prohibited are (1) Marihuana grow operations. (2) Marihuana processing facilities. (3) Marihuana safety compliance facilities. (4) Marihuana secure transporters. The only location for the Provisioning Center is in the Industrial Park on one (1) of the following parcels number 33-42-16-26-352-014, 33-42-16-26-352-013, 33-42-16-26-352-004, 33-42-16-26-352-016, 33-42-16-26-352-017, 33-42-16-26-352-018.

PROPERTY INFORMATION

1. Property Description:

The following information shall be included on the (6) Six drawings submitted with application.

- a. Lot dimensions
- b. Location of proposed and existing structures on site.
- c. Proposed setbacks and yards
- d. Streets right-of-way, widths, and street names
- e. Provisions for water and sewer service.
- f. OTHER INFORMATION may be required by the provisions of the zoning ordinance. Additional information required by zoning administrator or planning commissioning shall be attached and made a part of this application.

All special use permits granted to the Marihuana users listed above shall be conditioned on the licensing of the facility by the State of Michigan. Facilities must meet all state requirements, including but not limited to those of LARA and the MDEQ. Facilities must maintain an active license from the State of Michigan under Public Act 281 of 2016 (commercial-scale medical Marihuana) and/or Initiated Law 1 of 2018 (adult use Marihuana) at all times in order to operate.

Of the various listed special uses in the selected district above, which one are you requesting become a permitted use?

Hours of operation _____

Number of Existing Parking spaces _____

If the application is for a Marihuana Provisioning Center/ Marihuana Retailer for a Medical or Recreational Marihuana Facility - Attach Village Marihuana Facility Application

NOTE: (The party or parties signing the above affidavit should remember that his or their right to the above permit is subject to annual review. The standards on which this permit is issued must be maintained to insure annual renewal).

Unless otherwise specified by the planning commission, any special land use permit granted by the Village Council under this section shall be null and void unless the development proposed shall have its first building inspection within one year from the date of the granting of the permit.

APPLICATION FEES: See Fee Schedule. Total fees Collected; _____

AFFIDAVIT: The undersigned affirms that he is (they are, the (specify owner, lessee, or other interest) involved in this petition, and that the foregoing answers, statements, and information are in all respects true and to the best of this (their) knowledge, correct.

Signed _____ Date: _____

Return Application and Fee to the above address in care Village Clerk.

OFFICIAL ACTION:

Village Office: Date Received: _____

Date Sent to Zoning Administrator: _____

Date application Received by Zoning Administrator: _____

Zoning administrator approval / rejection of completeness of application: Date: _____

Date Zoning administrator sends to Planning Commission: _____

Date notice of public hearing published in Newspaper of local circulation: _____

Date Public Hearing set _____

After the public hearing, the planning commission may deny, approve, or approve with conditions a request for a special land use. The decision of the planning commission shall be incorporated in a statement of conclusions relative to the special land use under consideration.

The Planning Commission shall then forward their recommendation to Village Council for their decision.

Action taken by Planning Commission [] Approved [] Not Approved [] approved with conditions.

Planning Commission Chair Signature

Date: _____

Attachment: C



**VILLAGE OF STOCKBRIDGE AFFIDAVIT ASSURING
COMPLIANCE WITH SEC. 6-145.1 COTTAGE INDUSTRIES
OF THE VILLAGES OF STOCKBRIDGE MUNICIPAL CODE**

TO: WHOM IT MAY CONCERN:

I request permission to operate a _____
Type of Cottage Industry

in my home located at _____
Street City State Zip

I agree to comply with the requirements for a Home Occupation as specified in the Village of Stockbridge Unified Code of Ordinances Section 6-145.

Signature : _____

Printed Name: _____

Address: _____

County State Zip Code

Phone Number: _____

Date: _____

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

DRAFT NUMBER 5

Dated May 18, 2024



STATE OF MICHIGAN
VILLAGE OF STOCKBRIDGE

ORDINANCE NO. _____
(Enacted _____)

AN ORDINANCE APPROVING A TEXT AMENDMENTS TO CHAPTER 6, ARTICLE IV, SECTION 6-70, CHAPTER (G), M-1-LIGHT INDUSTRIAL DISTRICT, PARAGRAPH (5) SPECIAL USES, ADDING (I) – MARIHUANA PROVISIONING CENTER (J) MARIHUANA RETAILER, CHAPTER 6, ARTICLE 1, SECTION 6-5 DEFINITIONS AND RESOLUTION NO. 2023-8-012 SECTION 5. - BUILDING DEPARTMENT RATES AND CHARGES, SUB SECTION 5.1.

Recitals State of Michigan uses a h

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 a request by the Village President to Consider amending the Villages Zonning ordinance to allow by special use in the Village industrial center for one Marihuana Provisioning Center / Marihuana Retailer; and

WHEREAS: the Planning Commission Chair while researching the legal requirement for allowing a Marihuana provisioning center or Marihuana retailer were made aware of information that the Village Council allegedly passed an ordinance prohibiting marihuana within the Village limits as was required by Michigan Regulation of Marihuana and Taxation Act - Initiated Law 1 of 2018 ,333.27956 Adoption or enforcement of ordinances by municipality, marihuana establishment local license; annual fee; restrictions on transportation or other facilities prohibited. Sec. 6. 1. Except as provided in section 4, a municipality may completely prohibit or limit the number of marihuana establishments within its boundaries. And by Act No. 281 Public Acts of 2016 Sec. 205. (1) A marihuana facility shall not operate in a municipality unless the municipality has adopted an ordinance that authorizes that type of facility. A municipality may adopt an ordinance to authorize 1 or more types of marihuana facilities within its boundaries and to limit the number of each type of marihuana facility. A municipality may adopt other ordinances relating to marihuana facilities within its jurisdiction, including zoning regulations, but shall not impose regulations regarding the purity or pricing of marihuana or interfering or conflicting with statutory regulations for licensing marihuana facilities.

THEREFOR: The Planning Commission Chair contacted the Village President and together they were able to locate a file folder that contained (**Attachment A**) Approved minutes from a Village Council meeting dated January 07, 2019, Also, (**Attachment B**) within the file folder was an unsigned ordinance assigned ordinance number 2019-01.07 that prohibited marihuana establishments within the Village limits (Enacted December 01, 2018).

WHEREAS: The Village President and Planning Commission Chair performed an exhausted search for: A). Evidence if there existed a signed copy of the ordinance. B) For evidence that the ordinance was published in the local newspaper of local circulation, C). Evidence that the ordinance was forwarded to the Code of Ordinance Village of Stockbridge Michigan Municode. The search revealed no record of any of the above searched for evidence.

THEREFOR: On the advice of the Village Attorney after being informed of the issue recommended that this ordinance document the situation and the efforts that were undertaken to locate the ordinance prohibiting a marihuana facility within the Village limits.

WHEREAS: As a result of the failure to locate documentation that the ordinance prohibiting marihuana within the Village limits, referenced in the Village Council January 07, 2019, approved meeting minutes is here by Repealed.

WHEREAS the Planning Commission met on June 06, 2024, to develop revisions to the Zoning Ordinance; and

WHEREAS:the Planning Commission, therefore, determined text amendments were warranted to said ordinance to provide provisions in the Zoning ordinance to address by special use in the Village Industrial center one (1) Marihuana Provisioning Center / Marihuana Retailer, thus maintaining the Central Business Districts Historic quality of the Village; 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 Code of Ordinance for the Village of Stockbridge, Michigan, Municode, Zoning Ordinance; and

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

WHEREAS: the Planning Commission has determined that the Medical Marihuana Facilities Licencing Act. 281 of 2016,Sec. 205. (1) and the Michigan Regulation and Taxation of Marihuana Act initiated Law 1 of 2018 paragraph 333.27956, Sec. 6. 1 authorizes Zoning rules and regulation to be applied to Marihuana Provisioning Center / Marihuana Retailer within the Village limits.

THEREFOR: the Planning Commission proposes text amendments to Chapter 6 - Zoning and Land uses, Article IV- Zoning District Regulations, Section 6-70 - Purposes and Uses Within Zoning District Chapter (g) Titled M-1, Light Industrial District, (5) Special Uses by adding (i) Titled Marihuana Provisioning Center and (j) Marihuana Retailer. Also adding the following Definitions to Section 6-5: a. Marihuana Facility, b. Marihuana Provisioning Center. c. Marihuana Retailer.

WHEREAS the Planning Commission proposed to consider the language of the proposed text Amendments, set a public hearing, and took public comment at 6:30 p.m. on Thursday, _____, 2024, for Text amendment to Sections 6-5 and Section 6-70 and which the Village Clerk issued the required notices as prescribed by MCL 125.3103 and MCL 125.3202; and

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; and

WHEREAS all costs incurred by the Village 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;
- and

WHEREAS, the Planning Commission, after considering the input from the public hearing set forth above, in accordance with the Zoning Ordinance and the Zoning Enabling Act and considering the criteria of Section 6-331 (a) - (h), recommended adoption of the proposed text amendments to Chapter 6 - Zoning and Land uses, Article IV- Zoning District Regulations, Section 6-70 - Purposes and Uses Within Zonning District Chapter (g) Titled M-1, Light Industrial District, (5) Special Uses by adding (i) Titled Marihuana Provisioning Center and (j) Marihuana Retailer. Also adding the following Definitions to Section 6-5: a. Marihuana Facility, b. Marihuana Provisioning Center. c. Marihuana Retailer. Amend Resolution No. 2023-8-012 Resolution to designate the building code officials and zoning administrator for the Village of Stockbridge and modify the rates resolution regarding the building department and zoning charges to the Village Council.

Ordinance

SECTION 1: Chapter 6, Article 1, Section 6-5 definitions are added as follows:

Marihuana Provisioning Center – a licensed person or commercial entity that purchases marihuana from a grower or processor and sells, supplies, or provides marihuana to registered qualifying patients, directly or through the patients' registered primary caregivers.

Marihuana Retailer – a licensed person or commercial entity that purchases marihuana from a grower or processor and sells, supplies, or provides marihuana to individuals who are 21 years of age or older.

SECTION 2: Amend Resolution No. 2023-8-012- Enacted May 01, 2023. Titled: Resolution to designate the building code officials and zoning administrator for the Village of Stockbridge and modify the rates resolution regarding the building department and zoning charges.

Section 5. - Building Department Rates and Charges

Amend: Sub section 5.1. Village of Stockbridge building department fee worksheets. By inserting Marihuana Facility Annual Inspection and Permit Fee: \$5,000.00 as depicted in **Attachment C.**

SECTION 3: Amend Chapter 6 - Zoning and Land uses, Article IV- Zoning District Regulations, Section 6-70 - Purposes and Uses Within Zoning District, Chapter (g) Titled M-1, Light Industrial District,

(5) Special Uses by adding

(i) Marihuana Provisioning Center.

(j) Marihuana Retailer

SECTION 4: Amend Section 6-70 to insert new section 6-70.1-Titled Supplementary Regulations applicable to Marihuana Provisioning Center and to Marihuana Retailer.

Supplementary Regulations

Section 6-70.1 Marihuana Provisioning Center / Marihuana Retailer.

- A. A Marihuana Provisioning Center, Marihuana Retailer, in accordance with the provisions of state law, may be permitted through the issuance of a special use permit pursuant to Chapter 6, Article III, Section 6-44 Special land use provisions, in the specified zone(s), provided that:
1. The facility must be licensed by the state of Michigan and must be in compliance at all times with the applicable laws of the state of Michigan, including, but not limited to, the Michigan Medical Marihuana Act, MCL 333.26421 et seq.; the Medical Marihuana Facilities Licensing Act, MCL 333.27101 et seq.; the Marihuana Tracking Act, MCL 333.27901 et seq.; and the Michigan Regulation and Taxation of Marihuana Act, MCL 333.27951 et seq.; and all other applicable rules promulgated by LARA, MDEQ, and the State of Michigan. Every applicant must submit a photocopy of the applicant's valid and current property and liability insurance, and Marihuana Facility license issued by the state of Michigan.
 2. The Marihuana Facility must be in compliance at all times with all other applicable laws and ordinances of Village of Stockbridge.
 3. Marihuana Provisioning Center / Marihuana Retailer shall be limited to one (1), within the Village of Stockbridge.
 4. A Marihuana Facility, or activities associated with a licensed Marihuana Facility, may not be permitted in a home as a home occupation or accessory use, nor may they include accessory uses except as otherwise provided in this ordinance.
 5. A nonrefundable annual inspection and permit fee shall be paid by each Marihuana Facility that has been approved under this ordinance in an annual amount of not more than five thousand dollars (\$5,000.00). Said fee shall be to defray the costs incurred by the Village for inspection, administration, and enforcement of the

local regulations regarding a Marihuana Facility. A Marihuana Facility shall be available for inspection upon request by the Zoning Administrator, Building Official, Enforcement Officer, Emergency Services Official, or State and Local Law Enforcement Officials for compliance with all applicable laws and rules. An annual inspection and an updated photocopy of the applicant's valid and current property and liability insurance, and Marihuana Facility license shall be required for the renewal of a special use permit.

6. A bond shall be paid by each Marihuana Facility that has been approved under this ordinance in an amount of \$10,000.00. Said bond shall be required as proof that the conditions stipulated within the ordinance and special use permit will be fulfilled. Said bond may be used to defray any costs incurred by the Village for repair or demolition of a Marihuana Facility should the facility become abandoned, damaged by fire, or damaged by an act of nature.
7. The Village of Stockbridge reserves the right to approve or deny a special use permit application. The Village of Stockbridge further reserves the right to suspend or revoke a special use permit based on a finding that there was a misrepresentation of information contained in the application, the provisions of the special use standards in this section are not met, the terms of the special use permit and approved site plan are not met, there is a violation of this zoning ordinance which upon notice is not corrected, at the loss of property and liability insurance or a state of Michigan Marihuana Facility License, if operations cease for a period of six (6) months or more, or upon failure or refusal to pay the annual fee or bond.
8. No property shall be rezoned for the purpose of a Marihuana Facility.

B. Marihuana Facilities shall be subject to the following standards:

1. Residency: A Marihuana Facility must be operated by the property owner of record.
2. Buffer Zones: A Marihuana Facility may not be located within 500 feet of a property line of public or private elementary, junior, senior, vocational, or secondary school; a licensed childcare center or preschool; a public playground, or public or private youth activity facility; a public park, public outdoor recreation area, or public recreation facility; a public library; a church; or a religious institution.
3. Lot size and Setbacks: Lot sizes shall comply with Section 6-71 Schedule of Area, Height width and setback regulations Table for the M-1. Light Industrial District, assigned to the Industrial Park, which is located, on Bird Drive and Placement Regulations for their respective district, unless otherwise provided for elsewhere within this ordinance (**NOTE: Current language does not allow facilities to be placed on properties that are accessed by an easement**)
4. Structure: Marihuana activities shall be located entirely within one (1) or more fully enclosed, secure, indoor facilities with solid/rigid walls, a roof, and doors. If only a portion of a building is authorized for use in marihuana activities, a wall shall separate the marihuana activity space from the remainder of the building. A partition wall must include a door, capable of being closed and locked, for ingress and egress between the marihuana activity space and the remainder of the building. Windows shall not be permitted on the portion of a structure where marihuana is processed. All Marihuana Facilities shall be built or renovated to meet current State of Michigan building codes and all requirements set forth by LARA, MDEQ, and the state of Michigan.
5. Signage: Must comply with Village of Stockbridge Municode, Article X- signage of the Village Zoning ordinance. Neon signs and nonfunctional decorative lighting shall be prohibited.
6. Lighting: Light cast by light fixtures inside any building used for marihuana activities shall not be visible outside the building from 8:00 p.m. to 7:00 a.m. the following day and shall shield such operation from direct view from any point along the lot lines.
7. Odor: The building shall be equipped with an activated carbon filtration system for odor control to ensure that air leaving the building through an exhaust vent, ventilation system, or air escape valve first passes through an activated carbon filter. The filtration system shall consist of one (1) or more fans and activated carbon filters. At a minimum the fan(s) shall be sized for cubic feet per minute (CFM) equivalent to the volume of the building (length multiplied by width multiplied by height divided by three (3)). The filters shall be rated for the applicable CFM. The filtration system shall be maintained in working order and shall be in use. The filters shall be changed a minimum of the manufacturers recommended specifications or as deemed necessary by the Village. Negative air pressure shall be maintained inside the building. Doors and

windows shall remain closed, except for the minimum length of time needed to allow people to ingress or egress the building.

8. Waste: All Marihuana Facilities must comply with LARA, MDEQ, EPA, and any other applicable government agencies environmental waste disposal guidelines.
9. Security and Cameras: All Marihuana Facilities shall have live surveillance 24-hours, 7-days-a-week with a direct phone number supplied to S.A.E.S.A. (Stockbridge Area Emergency Services Authority) and local law enforcement. Security cameras shall be sufficient to cover all access areas and shall be installed and directed to record only the subject property and may not be directed to public rights-of-way, as applicable, except as required to comply with licensing requirements of the state of Michigan. The security cameras shall be in operation 24-hours a day, 7-days-a-week, and shall be set to maintain the record of the prior sixty (60) days of continuous operation. All recordings shall be available to any law enforcement officials upon request for inspection.
10. Activities: All activities, including all transfers of marihuana, shall be conducted within the structure and out of public view. No marihuana or tobacco products shall be smoked, ingested, or otherwise consumed at the facility.
11. Hours: Hours of operation for a Marihuana Provisioning Center or Marihuana Retailer shall be Monday – Friday 7:00 a.m. to 8:00 p.m., Saturday 7:00 a.m. to 5:00 p.m., Sunday 12:00 noon – to 5:00 p.m.
12. Appearance: The exterior appearance of the structure shall be maintained so as to prevent blight, deterioration, or diminishment or impairment of property values within the immediate area.
13. Marihuana products shall not be consumed or smoked on the Property / Parcel or Lot on which the Marihuana facility resides.
14. Vehicles: No vehicle owned or operated by a Marihuana Facility located within Village used for transportation or delivery of marihuana or marihuana-related products shall have markings using the word “marijuana”, “marihuana”, “cannabis”, or any other word, phrase, picture, or depiction commonly understood to refer to marihuana. Nor shall a vehicle advertise for the sale, transfer, cultivation, delivery, transportation, or manufacture of marihuana, or in any way indicate that it is transporting marihuana.
15. Environmental: All Marihuana Facilities must comply with Section 6-176- Landscaping, greenbelts and buffers and screening.
16. Site Plan Review: All Marihuana Facilities must comply with Section 6-45- Site Plan Review, and all Ingham County and State of Michigan requirements.
17. Submittal of Marihuana Facility Affidavit (**Attachment: F**)

SECTION 5: Marihuana Provisioning Center / Marihuana Retailer are only allowed by special use, in M-1: Zoning district. To apply for a special use, (by approval of a special use permit) applicant must submit a Village of Stockbridge application for Special Use Consideration. **Attachment D.**

SECTION 6: The Special use application for a Marihuana Provisioning Center / Marihuana Retailer Consideration must be accompanied by a completed Village of Stockbridge Marihuana Facility Application. **Attachment E.**

SECTION 7: 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 8: 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 9: 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.

ATTACHMENTS :

- A. Village Council January 07, 2019, Approved Minutes
- B. Unsigned Ordinance to Prohibit Marihuana within Village limits dated Dec. 03, 2018.
- C. Village of Stockbridge building department fee worksheets
- D. Special Land Use Permit Application

Adopted at a Regular Meeting of the Village of Stockbridge held on _____, 2024.

Moved by: _____

Seconded by: _____

YEAS: _____.

NAYS: _____.

ABSENT: _____.

ABSTAIN: _____.

Village of Stockbridge

By: Jill Ogden
Its: Village President

Certification of Clerk

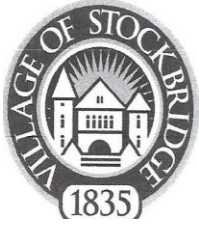
I hereby certify that the foregoing is a true and complete copy of an Ordinance adopted by the Village Council of the Village of Stockbridge, County of Ingham, State of Michigan, at a regular meeting held on the ____th day of _____, 2024, and that said meeting was conducted and public notice of said 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 _____, 2024.

Village of Stockbridge

By: Heather Armstrong
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

ATTACHMENT: A



VILLAGE OF STOCKBRIDGE
Council Meeting
305 W. Elizabeth Street, Room #112
January 7, 2019, at 7:00pm
APPROVED Minutes

1. Meeting called to order by President Howlett at 7:00 pm.

a. Roll Call:

PRESENT: President Molly Howlett
Pro-Tem Frederick Cattell
Trustee Chadwick Quintanilla
Trustee Greg Uihlein
Trustee Heath Corey
Trustee Richard Mullins
Trustee Patrick Harden

ABSENT: None

Others Present:

Debbie Nogle, Village Clerk
Police Chief Johnnie Torres
John Gormley, Village Attorney
Citizens were also present

b. Pledge of Allegiance

President Howlett led the pledge of allegiance.

c. Approval of Agenda

MOTION by Quintanilla, SUPPORTED by Corey to approve the January 7, 2019 agenda. Motion carried with unanimous ayes.

d. Approval of Minutes

MOTION by Cattell, SUPPORTED by Corey to approve the minutes of December 3, 2019 as presented by Clerk Nogle; amended to add Trustee Heath Corey to Roll Call. Motion carried with unanimous aye.

e. MOTION by Howlett, SUPPORTED by Corey, APPROVED; to appoint Frederick Cattell as President Pro-Tem of the Village Council.

AYES: Quintanilla, Cattell, Corey, Uihlein, Harden, Mullins, Howlett

NAYS: None

ABSENT: None

MOTION PASSED

2. Public Comment — There were comments made by the public.

3. FINANCIAL REPORT:

a. Accounts Payable

MOTION by Howlett, SUPPORTED by Quintanilla, APPROVED; the accounts payable as presented by Clerk Nogle.

AYES: Quintanilla, Corey, Cattell, Uihlein, Mullins, Harden, Howlett | Page



VILLAGE OF STOCKBRIDGE
Council Meeting
305 W. Elizabeth Street, Room #112
January 7, 2019, at 7:00pm
APPROVED Minutes

4. President Report

President Howlett gave her Presidents Report.

5. Police Report — Chief Torres gave his police report.

6. NEW BUSINESS

Marihuana Ordinance

MOTION by Cattell, SUPPORTED by Quintanilla, APPROVED, Ordinance 2019-01.07 to Prohibit Marihuana Establishments within the Village of Stockbridge.

AYES: Harden, Mullins, Quintanilla, Corey, Cattell, Howlett

NAYS: Uihlein

ABSENT: None

MOTION PASSED

Chamber of Commerce Request

MOTION by Harden, SUPPORTED by Cattell to approve the 2019 Stockbridge Area Chamber of Commerce Events Street Closure Request as presented by Erin Clifton. Motion carried with unanimous ayes.

7. UNFINISHED BUSINESS

Committee Appointments

Cemetery: Howlett requested Uihlein to be on the Cemetery Committee

Budget: Howlett requested Mullins and Cattell to be on the Finance Committee

8. Public Comment- There were comments made by the public.

9. Council Comments

10. ADJOURNMENT

MOTION by Cattell, SUPPORTED by Uihlein, APPROVED to adjourn the Council Meeting at 8:37pm.

Respectfully submitted: _____

Debbie Nogle, Village Clerk2 1 Page

ATTACHMENT: B

VILLAGE OF STOCKBRIDGE

ORDINANCE NO. 18

(Enacted December 3, 2018)

AN ORDINANCE TO PROHIBIT MARIHUANA ESTABLISHMENTS WITHIN THE VILLAGE OF STOCKBRIDGE

THE VILLAGE OF STOCKBRIDGE ORDAINS:

Section 1 :

(A) Pursuant to the Michigan Regulation and Taxation of Marihuana Act, enacted by a statewide ballot proposal in November 2018, under Section 6. 1, the Village of Stockbridge elects to prohibit marihuana establishments within its boundaries. This prohibition includes, but is not limited to, any marihuana growers, marihuana safety compliance facilities, marihuana processors, marihuana micro-businesses, marihuana retailers, marihuana secure transporters, or any other type of marihuana-related businesses licensed by the State of Michigan under the Michigan Regulation and Taxation of Marihuana Act.

(B) Under the Michigan Medical Marihuana Facilities Licensing Act, Section 205(1), being MCL 333.27205(1), the Village elects to prohibit all medical marihuana facilities within its boundaries. This prohibition includes, but is not limited to, any medical marihuana growers, medical marihuana processors, medical marihuana provisioning centers, medical marihuana transporters, medical marihuana safety compliance facilities, or any other type of medical marihuana-related businesses that are licensed by the State of Michigan pursuant to the Michigan Medical Marihuana Facilities Licensing Act.

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 MCL 66. I .

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: _____

Adopted at a Regular Meeting of the Village Council held on the _____ day of _____ 2018.

YEAS:

NAYS:

ABSENT:

Robert Hollenbeck, Village President

CLERK'S CERTIFICATION

I certify that the above is a true and complete copy of Ordinance No. 18- _____ adopted by the Village Council at a Regular Meeting held on the day of 2018 and published in the Newspaper on _____, 2018.

Debbie Nogle, Village Clerk

ATTACHMENT: C

Sub section 5.1. Village of Stockbridge building department fee worksheets

BUILDING PERMIT FEES	
Marihuana Facility Annual Inspection and Permit Fee:	\$5,000.00
RESIDENTIAL ONE- AND TWO-FAMILY	
Single Inspection Permit Fee	\$70.00
Determinant*	Fee
o — 1,000	\$70.00
1,001 — 10,000	\$70.00 + \$9.00 / 1,000 over 1,000
10,001 — 100,000	\$130.00 + \$2.50 / 1,000 over 10,000
100,001 — and up	\$355.00 + \$2.00 / 1,000 over 100,000
Michigan Approved Home	Per Construction Cost Table (CCT)
HUD Approved Home on basement	\$160.00 + CCT
HUD Approved Home on slab	\$160.00 (Private Property or In Park)
Demolition	\$70.00 per occurrence
For work not involving square foot computation, \$70.00 base fee plus \$70.00 per inspection, or the estimated cost of the project used as determinant, whichever yields the greater fee.	
COMMERCIAL FEE SCHEDULE	
Building Permit Fee Calculation (Based on determinant* value):	
Determinant*	Fee

0 — 1,000	\$70.00
1,001 — 10,000	\$70.00 + \$1.00/100 over 1,000
10,001 — and up	\$130.00 + \$2.50/1,000 over 10,000

Building Permit Plan Review Fee (Based on determinant* value):

Determinant*	Fee
0 — 500,00	\$1.20/1,000
500,001 — and up	\$600.00 + \$0.20/1,000 over 500,000

The determinant is calculated based on the "Bureau of Construction Codes Square Foot Construction Cost Table" (CCT), which became effective April 1, 2013. The CCT is hereby adopted by reference and will automatically update upon the effective date of a revised CCT, or other subsequent document establishing a construction costs or otherwise serving as a basis for calculation of building permit fees collected by the State of Michigan. Commercial demolition will be based on the State of Michigan fee schedule in effect at the time of application.

Reinspection Charge (per inspection)	\$70.00
Special Services (per hour)	\$70.00
Investigation Fee (per hour) (Charged for work started without a permit)	\$70.00

TRADE PERMIT FEES

Electrical/Mechanical/Plumbing Permits	██████████
--	------------



Attachment: D

SPECIAL LAND USE PERMIT APPLICATION
VILLAGE OF STOCKBRIDGE

Village of Stockbridge Michigan (Modified) Code of Ordinance Chapter VI, Article IV,
Sec.6-44. - Special land use procedures.

In addition to submitting this Special Land Use Permit application, the applicant is required to submit a preliminary site plan prepared in accordance with [section 6-45](#), site plan review.

Instructions to applicant: Please complete the information below and mail this application with the applicable Fees and attached completed checklist to Village Clerk at P.O. Box 155 Stockbridge Mi. or Deliver in Person to 118 N. Center Street, Stockbridge, Mi. Questions call Village Office at: 517-851-7435.

PROJECT NAME: _____

LEGAL OWNER OF PROPERTY; _____

DEVELOPER/OWNER _____

ADDRESS: _____

EMAIL of the owner of property _____

E-Mail of business owner _____

PHONE NUMBER Business owner: _____

Estimated Completion Date (if applicable) _____

Property Legal Description: _____

Address of Property: _____

Parcel ID number of property _____ Existing Zoning of Property: _____

Number of residential equivalent units. (REUs) _____

Description of what type of business specifically will be occupying space:

Draw a Circle around the district the requested permitted use (by approval of a special use is permit) is allowed:

R-1- Single-Family Residential District. R-2- Single-Family Suburban. R-3- Multi-family District, CBD- Central Business District, C-2- General Commercial District, C-3 - Highway Commercial District, M-1- Light Industrial District., PUB- public district.

Note: The only permitted Marijuana use (by approval of a special use permit) allowed in the Village is One (1) Provisioning Center/ Marijuana Retailer. Expressly prohibited are (1) Marijuana grow operations. (2) Marijuana processing

facilities. (3) Marihuana safety compliance facilities. (4) Marihuana secure transporters. The only location for the Provisioning Center is in the Industrial Park on one (1) of the following parcels number 33-42-16-26-352-014, 33-42-16-26-352-013, 33-42-16-26-352-004, 33-42-16-26-352-016, 33-42-16-26-352-017, 33-42-16-26-352-018.

PROPERTY INFORMATION

1. Property Description:

The following information shall be included on the (6) Six drawings submitted with application.

- a. Lot dimensions
- b. Location of proposed and existing structures on site.
- c. Proposed setbacks and yards
- d. Streets right-of-way, widths, and street names
- e. Provisions for water and sewer service.
- f. OTHER INFORMATION may be required by the provisions of the zoning ordinance. Additional information required by zoning administrator or planning commissioning shall be attached and made a part of this application.

All special use permits granted to the Marihuana users listed above shall be conditioned on the licensing of the facility by the State of Michigan. Facilities must meet all state requirements, including but not limited to those of LARA and the MDEQ. Facilities must maintain an active license from the State of Michigan under Public Act 281 of 2016 (commercial-scale medical Marihuana) and/or Initiated Law 1 of 2018 (adult use Marihuana) at all times in order to operate.

Of the various listed special uses in the selected district above, which one are you requesting become a permitted use?

Hours of operation _____

Number of Existing Parking spaces _____

If the application is for a Marihuana Provisioning Center/ Marihuana Retailer for a Medical or Recreational Marihuana Facility - Attach Village Marihuana Facility Application

NOTE: (The party or parties signing the above affidavit should remember that his or their right to the above permit is subject to annual review. The standards on which this permit is issued must be maintained to insure annual renewal).

Unless otherwise specified by the planning commission, any special land use permit granted by the Village Council under this section shall be null and void unless the development proposed shall have its first building inspection within one year from the date of the granting of the permit.

APPLICATION FEES: See Fee Schedule. Total fees Collected; _____

AFFIDAVIT: The undersigned affirms that he is (they are, the (specify owner, lessee, or other interest) involved in this petition, and that the foregoing answers, statements, and information are in all respects true and to the best of this (their) knowledge, correct.

Signed _____

Date: _____

Return Application and Fee to the above address in care Village Clerk.

OFFICIAL ACTION:

Village Office: Date Received: _____

Date Sent to Zoning Administrator: _____

Date application Received by Zoning Administrator: _____

Zoning administrator approval / rejection of completeness of application: Date: _____

Date Zoning administrator sends to Planning Commission: _____

Date notice of public hearing published in Newspaper of local circulation: _____

Date Public Hearing set _____

After the public hearing, the planning commission may deny, approve, or approve with conditions a request for a special land use. The decision of the planning commission shall be incorporated in a statement of conclusions relative to the special land use under consideration.

The Planning Commission shall then forward their recommendation to Village Council for their decision.

Action taken by Planning Commission [] Approved [] Not Approved [] approved with conditions.

Planning Commission Chair Signature

Date: _____

ATTACHMENT: E

VILLAGE OF STOCKBRIDGE

MARIHUANA FACILITY APPLICATION

DISCLAIMER: ALL MEDICAL OR RECREATIONAL MARIHUANA FACILITIES WILL REQUIRE THE APPROVAL OF A SPECIAL LAND USE PERMIT IN ADDITION TO THE APPROVAL OF THIS MARIHUANA FACILITY APPLICATION. THE APPROVAL OF THIS APPLICATION DOES NOT GUARANTEE THAT A SPECIAL LAND USE PERMIT WILL BE APPROVED. FOR INFORMATION ON SPECIAL LAND USE PERMITS PLEASE SEE THE VILLAGE ZONING ORDINANCE.

APPLICATION CHECKLIST

- Annual Inspection and Permit Fee: \$5,000.00
- Applicant Information (Including Copy of Photo Identification)

- Contact Information for any Managerial Employee or Employee of Marihuana Facility, if other than applicant
- Copy of State of Michigan Marihuana Facility License
- Affirmations (completed at Village Office)
- Copy of Criminal History Record Check
- Signed & Notarized Affidavit
- Business Plan
- Floor Plan of Marihuana Facility
- Proposed Text or Graphics to be Shown on Exterior of Facility
- Location Area Map
- Security Plan
- Crisis Response Plan
- Staffing Plan
- Facility Sanitation Plan
- Patient Education Plan (Where Applicable)
- List of Chemicals being Stored on Premises (Include MSDS Sheets for Any Chemicals Indicated)
- Certification Letter from Bank Showing Applicant Has Liquid Funds in Amount Needed to Complete Facility and Cover Cost of Permits and Bond
- Proof of Ownership of the Entire Premises
- Copy of Valid and Current Property and Liability Insurance
- Special Land Use Permit Application and Permit Fee

IF APPLYING AS A BUSINESS:

- Contact information for any and all Stakeholders
- Articles of Incorporation
- IRS EIN Confirmation Letter(s)
- Copy of Operating Agreement, if an LLC; Copy of Partnership Agreement, if Partnership; Copy of by-laws of Shareholder Agreement, if Corporation.

APPLICATION FOR: MARIHUANA PROVISIONG CENTER / MARIHUANA RETAILER

ANNUAL INSPECTION AND PERMIT FEE INCLUDED: \$5,000.00 YES NO

APPLICANT IS: INDIVIDUAL BUSINESS (Complete Business Applicant Information)

APPLICANT INFORMATION:

NAME: _____ DATE OF BIRTH: _____

SOCIAL SECURITY NUMBER: _____ RESIDENTIAL STREET ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE: _____

PHOTO IDENTIFICATION PROVIDED: YES NO

EMAIL ADDRESS: _____ PHONE NUMBER: (____) _____

EMERGENCY CONTACT:

NAME: _____ PHONE NUMBER: (____) _____

NAME OF PROPOSED FACILITY: _____

FACILITY ADDRESS: _____

BUSINESS APPLICANT INFORMATION (IF APPLICABLE, SKIP IF APPLYING AS INDIVIDUAL):

BUSINESS NAME: _____

HIGHEST RANKING STAKEHOLDER/PARTNER: _____

BUSINESS EMERGENCY CONTACT:

Name: _____ Title: _____ PHONE NUMBER: (____) _____

STAKEHOLDER #1

NAME: _____ DATE OF BIRTH: _____

SOCIAL SECURITY NUMBER: _____ RESIDENTIAL STREET ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE: _____

PHOTO IDENTIFICATION PROVIDED: YES NO

EMAIL ADDRESS: _____ PHONE NUMBER: (____) _____

STAKEHOLDER #2

NAME: _____ DATE OF BIRTH: _____

SOCIAL SECURITY NUMBER: _____ RESIDENTIAL STREET ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE: _____

PHOTO IDENTIFICATION PROVIDED: YES NO

EMAIL ADDRESS: _____ PHONE NUMBER: (____) _____

STAKEHOLDER #3 (IF APPLICABLE)

NAME: _____ DATE OF BIRTH: _____

SOCIAL SECURITY NUMBER: _____ RESIDENTIAL STREET ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE: _____

PHOTO IDENTIFICATION PROVIDED: YES NO

EMAIL ADDRESS: _____ PHONE NUMBER: (____) _____

STAKEHOLDER #4 (IF APPLICABLE)

NAME: _____ DATE OF BIRTH: _____

SOCIAL SECURITY NUMBER: _____ RESIDENTIAL STREET ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE: _____

PHOTO IDENTIFICATION PROVIDED: YES NO

EMAIL ADDRESS: _____ PHONE NUMBER: (____) _____

MANAGERIAL EMPLOYEE INFORMATION (IF DIFFERENT FROM APPLICANT):

NAME: _____ DATE OF BIRTH: _____

SOCIAL SECURITY NUMBER: _____ RESIDENTIAL STREET ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE: _____

PHOTO IDENTIFICATION PROVIDED: YES NO

EMAIL ADDRESS: _____ PHONE NUMBER: (____) _____

STATE LICENSURE:

HAVE YOU APPLIED FOR A LICENSE FROM THE STATE OF MICHIGAN?

YES NO

HAVE YOU RECEIVED A LICENSE FROM THE STATE OF MICHIGAN? (IF YES, ATTACH COPY OF LICENSE TO APPLICATION)

YES NO

DATE OF LICENSE APPROVAL FROM STATE: _____

TYPE OF LICENSE APPROVAL FROM STATE:

Affirmations Under Oath (For Each Applicant, Stakeholder, or General Partner of Applicant):

I, _____, do solemnly swear that I am at least 21 years of age and have never been indicted, charged with, arrested for, convicted of, pled guilty or nolo contendere to, forfeited bail concerning, or had expunged any criminal offense, under the laws of any jurisdiction, either felony or controlled-substance-related misdemeanor.

OR

CRIMINAL HISTORY DISCLOSURE (Include date, name and location of court, arresting agency, prosecuting agent, the case caption, the docket number, the offense, the disposition, and location and length of incarceration for any felony or controlled-substance-related misdemeanor):

I, _____, do solemnly swear that I have never applied for or have been granted any commercial license or certificate issued by a licensing authority in Michigan or any other jurisdiction that has been denied, restricted, suspended, revoked, or not renewed.

OR

COMMERCIAL LICENSE DISCLOSURE (Include statement describing the facts and circumstances concerning the application, denial, restriction, suspension, revocation, or nonrenewal, including the licensing authority, the date each action was taken, and the reason for each action):

Signature

CERTIFICATION (FOR OFFICE USE ONLY):

I certify that the foregoing oath(s) were taken and subscribed by _____ on

_____.

Signature

NAME: _____ **TITLE:** _____

ATTACHMENT F

MARIHUANA FACILITY AFFIDAVIT

BEFORE ME, the undersigned authority duly authorized to take acknowledgements and administer oaths, on this day personally appeared the applicant named below (whether one or more, "Applicant"), who after being duly sworn on oath states the following:

AFFIDAVIT OF FINANCIAL OBLIGATION SATISFACTION

Applicant has not failed to pay any property taxes, special assessments, fines, fees or other financial obligations to the **Village** of Stockbridge.

AFFIDAVIT OF MARIHUANA TRANSFER COMPLIANCE

Applicant affirms that any transfer of marihuana to and from Marihuana Facilities shall be in compliance with the Michigan Medical Marihuana Act, Medical Marihuana Facilities Licensing Act, Marihuana Tracking Act, Michigan Regulation and Taxation of Marihuana Act, or other applicable State laws, as amended.

AFFIDAVIT OF OPERATIONS COMPLIANCE

Applicant affirms that all operations will be conducted in conformance with the Michigan Medical Marihuana Act, Medical Marihuana Facilities Licensing Act, Marihuana Tracking Act, Michigan Regulation and Taxation of Marihuana Act, or other applicable State laws, as amended. A Grow operation shall be cultivated on the premises with, at any one time, not more than the permitted number of marihuana Plants per the Michigan Medical Marihuana Act, -Medical Marihuana Facilities Licensing Act, Michigan Regulation and Taxation of Marihuana Act, or other applicable State laws, as amended.

ACKNOWLEDGEMENT

Applicant understands that this Affidavit is given as a material inducement as part of the Applicant's application to obtain a Marihuana Facility Permit and that any false statements, misrepresentations or material omissions may result in the denial of the application and civil or criminal liabilities.

IN WITNESS WHEREOF, Applicant has executed this Affidavit on the _____ day of _____, _____.

Applicant

Co-Applicant #1 (If Applicable)

Co-Applicant #2 (If Applicable)

Co-Applicant #3 (If Applicable)

SWORN TO AND SUBSCRIBED before me by _____
Applicant/Applicants

_____ on _____, _____, to certify which witness
my hand and seal of office.

(SEAL)

Notary Public, State of Michigan

Business Plan (Attach):

Floor Plan of Proposed Facility (Attach):

Proposed Text or Graphics to be Shown on the Exterior of Facility (Attach):

Location Area Map (Attach):

Security Plan (Attach):

Crisis Response Plan (Attach):

Staffing Plan (Attach):

Facility Sanitation Plan (Attach):

Patient Education Plan (Where Applicable):

Chemicals to be Stored on Premises (Attach MSDS Sheets for Those Listed):

TO THE BEST OF THE UNDERSIGNED'S KNOWLEDGE, THE ABOVE STATEMENTS ARE TRUTHFUL AND CORRECT UNDER PENALTY OF PERJURY.

Applicant Signature: _____ **Date:** _____

Owner Signature: _____ **Date:** _____

THIS APPLICATION WILL NOT BE CONSIDERED IF ALL MATERIALS ARE NOT PROVIDED

**QUESTIONS: Please Contact Village of Stockbridge P.O. Box 155, Stockbridge, MI 49285
Office Located at 118 North Center Street Stockbridge Mich. 49285
Phone Number is 517 -851-7435.**

DATE RECEIVED: _____ **TIME:** _____

AMOUNT PAID: _____ **RECEIVED BY:** _____

TYPE OF PERMIT APPROVED: Marihuana Provisioning Center / Marihuana Retailer

APPENDIX I - Requirements and Procedure for Issuing Permits

- A. No person shall operate a Marihuana Facility in the Village of Stockbridge without a valid Marihuana Facility Permit issued by the Village Clerk pursuant to the provisions of this ordinance. Application for each Marihuana Facility required by this ordinance shall be made in writing to the Village Office, and must be approved by the Village Council after receiving recommendation submitted by the Planning Commission and approval by the State of Michigan, prior to commencing operation.

- B. Upon receipt of a completed Marihuana Facility Permit application meeting the requirements of this ordinance and confirmation that the number of existing permits (Only One Permit is allowed in the Village) does not exceed the maximum number established by this ordinance, the Village Clerk shall refer a copy of the application to each of the following for their review and approval: the Village Attorney or their designee, the Police Chief or his/her designee, the Fire Chief or his/her designee, the Building Inspector or his/her designee, the Zoning Administrator or his/her designee and the Village Treasurer or his/her designee. Once applications are verified by each department to be sufficiently complete, the reports shall be provided to the Zoning Administrator.

- C. No application shall be approved unless:
 - 1. The Fire Chief or designee and the Building Inspector have inspected the plans of the proposed location for compliance with all laws for which they are charged with enforcement.
 - 2. The applicant, each stakeholder of the applicant, and the managerial employees and employees of the applicant, have passed a criminal background check conducted by the Ingham County Sheriff's Department or State of Michigan as part of their permit process.
 - 3. The Zoning Administrator has confirmed that the proposed location complies with the Zoning Ordinance.
 - 4. The Village Treasurer or designee has confirmed that the applicant and each stakeholder of the applicant are not in default to the Village.

ARTICLE XIV. REZONING AND ZONING ORDINANCE TEXT AMENDMENTS

Sec. 6-327. Initiation of rezoning and zoning ordinance text amendments.

Zoning amendment initiation. An amendment to the zoning district boundaries contained on the official zoning district map (rezoning) and to the text of this chapter may be initiated by the village council or the planning commission. An amendment to the zoning district boundaries may also be initiated by the owner or owners of property that is the subject of the proposed rezoning. An amendment to the text of this chapter may also be initiated by petition of one or more residents or property owners of the village.

(Ord. No. 2018.10-1, 10-1-2018)

Sec. 6-328. Rezoning and zoning ordinance text amendment application procedure.

- (a) *Application information for amendments.* An amendment to the official zoning district map or this chapter, except those initiated by the village council or planning commission, shall be initiated by submission of a complete application on a form supplied by the village, including an application fee, which shall be established from time to time by resolution of the village council. Said application shall explicitly describe the proposed amendment and shall be signed by the applicant.
- (b) *Application information for zoning district map amendment.* In the case of an amendment to the official zoning district map (rezoning), the following information shall accompany the application.
 - (1) Information to indicate the dimensions, location and size of the subject property such as a sketch plan, property identification number, a legal description, street address of the subject property, a map identifying the subject property in relation to surrounding properties, or other method required by the planning commission.
 - (2) The name, signature and address of the owner of the subject property, a statement of the applicant's interest in the subject property if not the owner in fee simple title, or proof of consent from the property owner.
 - (3) The existing and proposed zoning district designation of the subject property.
 - (4) A written description of how the requested rezoning meets section 6-330, criteria for amendment of the official zoning district map (rezoning).
 - (5) At the planning commission's discretion, the following additional information may be required.
 - a. A site analysis site plan illustrating existing conditions on the site and adjacent properties; such as woodlands, wetlands, soil conditions, steep slopes, drainage patterns, views, existing buildings, any sight distance limitations and relationship to other developed sites and access points in the vicinity.
 - b. A conceptual plot plan to scale demonstrating that the site could be developed with representative uses permitted in the requested zoning district meeting requirements for setbacks, wetland buffers access spacing, any requested service drives and other site design factors.
 - c. A traffic impact analysis if any use permitted in the requested zoning district could generate 100 or more peak hour directional trips, or 1,000 or more vehicle trips per day; the traffic study should contrast the daily and peak hour trip generation rates for representative use in the

current and requested zoning district; the determination of representative uses shall be made by the planning commission with input from village staff and consultants.

- d. The site to be staked to clearly indicate the location of the requested amendment. Flagged stakes shall be placed at each parcel corner.

(Ord. No. 2018.10-1, 10-1-2018)

Sec. 6-329. Rezoning and zoning ordinance amendment process.

- (a) *Public hearing.* Upon initiation of a rezoning, zoning ordinance text amendment or master plan amendment, a public hearing on the proposed amendment shall be scheduled before the planning commission. Notice of the hearing shall be given by one publication in a newspaper of general circulation in the village, not less than 15 days before the date of the hearing, and in accordance with the provisions of Public Act 110 of 2006, the Michigan Zoning Enabling Act, as amended.
- (b) *Planning commission review and recommendation.* Following the public hearing, the planning commission shall identify and evaluate all factors relevant to the petition and shall report its findings and recommendation to the village council. In the case of an amendment to the official zoning district map (rezoning), the planning commission shall consider the criteria contained in section 6-330, Criteria for amendment of the official zoning district map (rezoning), below, in making its finding and recommendation.
- (c) *Village council review and action.* Following receipt of the findings and recommendation of the planning commission, the village council shall consider the proposed ordinance map or text amendment. In the case of an amendment to the text of this zoning ordinance, the village council may modify or revise the proposed amendment as recommended by the planning commission, prior to enactment. In the case of an amendment to the official zoning district map (rezoning), the village council shall approve or deny the amendment, which may be based on consideration of the criteria contained in section 6-330, Criteria for amendment of the official zoning district map (rezoning).
- (d) *Notice of adoption.* Following adoption of a zoning text or map amendment the village council, a notice will be published in accordance with Public Act 110 of 2006, the Michigan Zoning Enabling Act, as amended.
- (e) *Resubmittal.* No petition for rezoning or zoning ordinance text amendment that has been denied by the village council shall be resubmitted for a period of one year from the date of denial except on the grounds of new evidence or proof of changed conditions relating to all the reasons noted for the denial found to be valid by the planning commission.

(Ord. No. 2018.10-1, 10-1-2018)

Sec. 6-330. Criteria for amendment of the official zoning district map (rezoning).

In considering any petition for an amendment to the official zoning map (rezoning), the planning commission and the village council shall consider the following criteria in making its findings, recommendations and decision.

- (a) Consistency with the goals, policies and Future Land Use Map of the Village of Stockbridge Master Plan, including all applicable sub-area and corridor studies. If conditions have changed since the master plan was adopted, the consistency with recent development trends in the area.
- (b) Compatibility of the site's physical, geological, hydrological and other environmental features with the potential uses allowed in the proposed zoning district.
- (c) Evidence the applicant cannot receive a reasonable return on investment through developing the property with one of the uses permitted under the current zoning.

-
- (d) The compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values.
 - (e) The capacity of village infrastructure and services sufficient to accommodate the uses permitted in the requested district without compromising the "health, safety and welfare" of the village.
 - (f) The apparent demand for the types of uses permitted in the requested zoning district in the village in relation to the amount of land in the village currently zoned to accommodate the demand.
 - (g) Where a rezoning is reasonable given the above criteria, a determination shall be made that the requested zoning district is more appropriate than another district or amending the list of permitted or special land uses within a district.

(Ord. No. 2018.10-1, 10-1-2018)

Sec. 6-331. Criteria for amendment of the official zoning ordinance text.

The planning commission and village council shall, at minimum, consider the following before acting on any proposed amendment.

- (a) Compatibility with the basic intent and purpose of the zoning ordinance.
- (b) Consistency with the goals and objectives and future land use map of the Village of Stockbridge Master Plan, including any subarea or corridor studies.
- (c) The requested amendment will correct an error in current appropriate documentation.
- (d) The requested amendment will resolve an inequitable situation created by the zoning ordinance and does not grant special privileges.
- (e) The requested amendment will not result in unlawful exclusionary zoning.
- (f) There is documentation from village staff or the zoning board of appeals indicating problems and conflicts in implementation or interpretation of specific sections of the ordinance.
- (g) The requested amendment will address changes in state legislation, other village ordinances, or federal regulations.
- (h) The requested amendment will resolve potential legal issues or administrative problems with the zoning ordinance based on recent case law or opinions rendered by the Attorney General of the State of Michigan.

(Ord. No. 2018.10-1, 10-1-2018)

Sec. 6-332. Conditional rezoning of land.

As an alternative to a rezoning amendment as described in section 6-327, the village may allow conditional rezoning to help ensure the proper use of land and natural resources and to allow for a more flexible approach to the rezoning process in accordance with Public Act 110 of 2006, the Michigan Zoning Enabling Act, as amended. It is recognized that, in certain instances, it would be an advantage to both the village and petitioners seeking rezoning of land if a site plan, along with conditions and limitations that may be relied upon by the village, could be proposed as part of a petition for rezoning. Conditional rezoning of land must follow the standards and procedures as noted below.

-
- (a) The amendment procedure for a conditional rezoning shall follow the same procedure as a traditional rezoning amendment pursuant to section 6-324.
- (b) In addition to the procedures as noted in section 6-324, the following specific procedures, standards, and requirements apply to all proposed conditional rezoning requests.
- (1) A conditional rezoning request must be voluntarily offered by an owner of land within the village. All offers must be made in writing and must provide the specific conditions to be considered by the village as a part of the rezoning request. All offers shall be in the form of a written agreement approvable by the village and property owner, incorporating the conditional rezoning site plan and setting forth any conditions and terms mutually agreed upon by the parties relative to the land for which the conditional rezoning is sought.
 - (2) Conditional rezoning shall not allow a use or activity that would not otherwise be allowed in the proposed zoning district.
 - (3) Conditional rezoning shall not alter any of the various zoning requirements for the use(s) in question, i.e., parking, landscaping, lot area, lot width, building height, setbacks, lot area coverage, etc. Conditional rezoning shall not grant zoning variances of any kind. Any zoning variance must follow the provisions of article XIII.
 - (4) Conditional rezoning shall not grant conditional land use approval. The process for review and approval of conditional land uses must follow the provisions of article VIII.
 - (5) All conditions offered by a land owner in relation to a rezoning request must have a direct relationship to the rezoning itself. The provisions to allow conditional rezoning shall not be construed to allow rezoning by exaction.
 - (6) In addition to the informational requirements provided for in section 6-328(b) the applicant must provide a conditional rezoning site plan prepared by a licensed professional allowed to prepare such plans under this article, that may show the location, size, height or other measures for and/or of buildings, structures, improvements and features on, and in some cases adjacent to, the property that is the subject of the conditional rezoning of land. The details to be offered for inclusion in the conditional rezoning site plan shall be determined by the applicant, subject to approval of the village. A conditional rezoning site plan shall not replace the requirement under this article for site plan review and approval, or subdivision or site condominium approval.
- (c) *Time limits and reversion of land to previous district.*
- (1) If the proposed conditions of rezoning are acceptable to the village, the village may establish a time period during which the conditions apply to the property and must be met. If the conditions are not satisfied within the time specified under this section, the property shall revert to its former zoning classification unless an extension is granted as noted below. Reversion of a property back to its former classification must follow the rezoning amendment provisions as provided in section 6-328.
 - (2) Unless a reversion of the zoning takes place as described in the section above, the approved conditional rezoning shall be binding upon the subject property owner, their heirs, successors, assigns, and transferees.
 - (3) Upon approval of a conditional zoning, a copy of the written agreement between the property owner and village shall be filed with the Ingham County Register of Deeds, which shall act to provide notice to all subsequent owners of the property of the conditions approved and agreed to by the village.
 - (4) The village may not add to or alter any conditions approved as a part of a rezoning during the time period specified above.

-
- (5) The time limits specified and approved by the village may be extended upon the application of the landowner and approval of the village.
- (d) *Review procedures.* The factors found in section 6-330 must be considered in any conditional rezoning request.

(Ord. No. 2018.10-1, 10-1-2018)

Sec. 6-333. Amendments required to conform to court decree.

Any amendment for the purpose of conforming to a decree of a court of competent jurisdiction shall be adopted by the village council and published, without necessity of a public hearing.

(Ord. No. 2018.10-1, 10-1-2018)

From Village Municipal code

- **Sec. 2-249. - Powers and duties.**

(a) The commission shall have such powers and duties as are granted to village planning commissions by the statutes of the state and any ordinance of the village including but not restricted to those powers and duties provided for in Public Act No. 285 of 1931, as amended.

(b) As part of its powers and duties the planning commission shall make and adopt a master plan for the physical development of the village, including any areas outside of this boundaries which, in the commission's judgment, bear relation to the planning of the village. The plan, with the accompanying maps, plats, charts, and descriptive matter shall show the commission's recommendations for the development of the village, including, among other things, the general location, character, and extent of streets, viaducts, bridges, waterways, floodplains, waterfronts, boulevards, parkways, playgrounds and open spaces, the general location and extent of public utilities and terminals, whether public or privately owned or operated, for water, light, sanitation, transportation, communication, power, and other purposes; also the removal, relocation, widening, narrowing, vacating, abandonment, change of use or extension of any of the foregoing ways, grounds, open spaces, buildings, property, utilities or terminals; the general location, character, layout and extent of community centers and neighborhood units; and the general character, extent and layout of the replanning and redevelopment of blighted districts and slum areas; as well as a zoning plan for the control of the height, area, bulk, location, and use of buildings and premises. The planning commission may amend, extend, or add to the plan.

(c) The planning commission shall prepare and recommend for adoption, holding any required public hearings therefor, a zoning ordinance in whole or in part or repealers thereto, recommend the boundaries of districts, recommend appropriate regulations to be enforced therein, make a tentative report and/or a final report to the village council, and take such additional action as may be required by the council.

(d) The planning commission established pursuant to this article shall succeed to all duties and powers previously exercised by the village planning commission, except as otherwise provided by law.

(Ord. No. 05-09-05, § 2, 9-6-2005)

INVOICE

June 03, 2024

Daryl Anderson

214 N. Williams St

Stockbridge, Mi. 49285

Request for reimbursement for printer and scanner services.

For years I have been using my personal printer for making up meeting packets, responding to correspondence , drafting ordinance, resolution, Master Plan drafts, creating bidding documents, creating text amendments , agendas etc.

Yes, in some cases I could email or take the documents to the Village office and have them printed and copied but that takes more extra time that I don't have. I say more time because I'm in the Village office almost every day taking care of Planning Commission business .

The Village, with new management and new Village Clerk more the fulfill their clerical obligations for the Planning Commission

Recently the Village has been furnishing me printer paper.

This month alone I printed over 241 documents which is more than the printer plan I have allowed without creating extra charges at 10 cents a page. My plan cost \$7.00 a month for 100 pages so this month I'm looking at a \$20.00 bill.

So, I'm requesting an annual reimbursement of \$200.00 for providing printing and scanning service and to cover wear and tear on my printer/ scanner.

Sincerely

Daryl Andrson

Chair of Planning Commission

