



**VILLAGE OF STOCKBRIDGE
NOTICE OF PUBLIC HEARING
CONCERNING HOME OCCUPATION**

Notice of Public Hearing concerning the Village of Stockbridge allowing Home Occupations within the Village Limits of Stockbridge, MI. On July 11, 2024, at 6:30 p.m. is scheduled to hear comments and concerns concerning text amendments to Section 6-5: Definitions, Section 6-70: Purposes and Uses Within Zoning District, Section 6-237 - Signs for Home Occupations and to Section 6-145: Home Occupations, to address concerns with the brevity and intent of zoning requirements and to provide examples what activities are allowed.

Take notice: The proposed text amendments can be reviewed on the Village of Stockbridge internet site home page at vosmi.org. The home page provides a link to Proposed New Ordinances and Text Amendments. The proposed new ordinance and text amendments are also available for public inspection at the Village Office located at 118 N. Center St. Stockbridge, MI, during the hours of 9:00 a.m. to 12:30 p.m. Monday, Tuesday, Thursday and Friday and on Wednesday from 12:30 p.m. to 5:30 p.m. Interested parties are invited to send a letter and/or email stating your opinions, position, or questions to Village of Stockbridge, P.O. Box 155, Stockbridge, MI 49285, or email via clerk@vosmi.org up to the meeting time.

Take notice: At the public hearing all aspects of the proposed text are open for discussion. The hearing shall provide the fullest opportunity for expression of opinion, argument on the merits, and for introduction of documentary evidence pursuant to the revised text amendments.

Heather Armstrong
Village Clerk
Village of Stockbridge
118 N. Center Street
Stockbridge, MI 49285
517.851.7435 (Office)
Email: clerk@vosmi.org

June 06,2024



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

AN ORDINANCE APPROVING TEXT AMENDMENTS TO THE VILLAGE OF STOCKBRIDGE
MUNICODE CODE OF ORDINANCES, CHAPTER 6 - ZONNING AND LAND USE, ARTICLE I. - TITLE,
PURPOSE, RULES APPLYING TO TEXT, SECTION 6-5 - DEFINITIONS, ARTICLE IV. - ZONING
DISTRICT REGULATIONS, SECTION 6-70 - PURPOSES AND USES WITHIN THE ZONING DISTRICTS
SECTION 6-237 SIGNS FOR HOME OCCUPATIONS, DISTRICTS: R-1 - SINGLE FAMILY
RESIDENTIAL, R-2: SINGLE FAMILY RESIDENTIAL, R-3-: MULTI-FAMILY RESIDENTIAL, CBD-
CENTRAL BUSINESS AND TO SECTION 6-145 – HOME OCCUPATION WHICH IS AMENDED IS 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, Section 6-237 Signs for Home Occupations inorder to address concerns with the brevity of Section 6-145: Home Occupations, intent, zoning requirements and to clarify what activities are allowed as a home occupation, inorder to make the ordinance accurate and 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, Section 6-237 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 , Section 6-237 and Section 6-145 of the zoning ordinances, as set forth below, and

WHEREAS, the Planning Commission proposes to consider the language of the proposed amendments and has scheduled a public hearing for the proposed text amendment to the ordinance,

- a. For 6:30 p.m. on Thursday, July 11, 2024, for Section 6-5: Definitions, Section 6-70: Purposes and Uses Within Zoning District, Section 6-237 Signs for Home Occupations and to 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, Section 6-237 Signs for Home Occupations and to Section 6-145 – Home Occupations and Section 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 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: 6-237 – Signs for home occupations to read as follows

Sec. 6-237. – Signs for home occupations.

Signs not customarily found in residential areas shall be prohibited, provided however that one nonilluminated name plate, not more than one (1) square foot in area, may be attached to the building

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 (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). Permit application for Home occupation (**Attachment - A**), 2). A Completed Special Land Use Permit Application (**Attachment - B**), 3) A completed affidavit (which can be filled out in the office) to the Village Clerk. (**Attachment - C**). 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 One (1) square foot in area as permitted in Section 6-237 - Signs for Home Occupations. 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

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

June 06, 2024



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: _____

June 06, 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: _____

June 06, 2024

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: _____