

ORDINANCE NO. 2022 - 02

CITY OF ST. CLAIR

COUNTY OF ST. CLAIR, MICHIGAN

AN ORDINANCE OF THE CITY OF ST. CLAIR, ST. CLAIR COUNTY, MICHIGAN TO AMEND APPENDIX B OF THE CODE OF ORDINANCES, "ZONING," ARTICLE 8, "PLANNED UNIT DEVELOPMENT," SECTION 8.4, "PROCEDURE FOR REVIEW AND APPROVAL," SUBSECTION 4, TO DESIGNATE CITY COUNCIL AS THE FORUM FOR PUBLIC HEARINGS ON APPLICATIONS DULY SUBMITTED UNDER THE ORDINANCE CONSISTENT WITH THE REQUIREMENT OF MICHIGAN ZONING ENABLING ACT MCL SECTION 125.3505(5).

THE CITY OF ST. CLAIR ORDAINS:

SECTION 1. AMENDMENT.

Appendix B, Article 8, Section 8.4.4 is hereby amended in the following manner:

ARTICLE 8. – PLANNED UNIT DEVELOPMENT.

SECTION 8.4 – Procedure for review and approval.

- 8.4.4. Within six (6) months following receipt of the Planning Commission comments on the preliminary plan, the applicant shall submit to the Code Enforcement Officer, four (4) copies of a final plan conforming with Section 8.5 below. This plan shall constitute an application to amend this Ordinance, and shall be noticed for public hearing before the City Council as required by MCL Section 125.3503(5) of the Michigan Zoning Enabling Act. With and in addition to the regular report submitted by the Planning Commission in connection with a rezoning application, the Planning Commission shall, to the extent it deems appropriate, submit detailed recommendations relative to the planned unit development project, including, without limitation, recommendations with respect to matters on which the City Council must exercise discretion.

SECTION 2. SEVERABILITY.

This Ordinance and each of the various parts, sections, subsections, sentences, phrases, and clauses hereof are declared to be severable. If any part, section, subsection, sentence, phrase, or clause is determined to be invalid or unenforceable by a court of competent jurisdiction, it is hereby provided that the remainder of the Ordinance shall not be affected thereby and shall remain in full force and effect.

SECTION 3. REPEAL OF ORDINANCES IN CONFLICT HEREWITH.

Any and all Ordinances of the City of St. Clair or any parts or provisions thereof, to the extent that they are contrary to or inconsistent with the provisions of the within Ordinance, are hereby expressly repealed.

SECTION 4. RATIFICATION.

All other provisions of the code of Ordinances of the City of St. Clair, Michigan except as herein modified or amended are hereby expressly ratified and affirmed.

SECTION 5. PUBLICATION.

This Ordinance shall be published in accordance with the terms, provisions, and requirements of the City Charter of the city of St. Clair, Michigan, and in accordance with and to the extent required by the statutes of the State of Michigan.

SECITON 6. EFFECTIVE DATE.

This Ordinance shall take immediate effect upon publication in accordance with the provisions and requirements of the City Charter of the City of St. Clair.

ORDINANCE DECLARED ADOPTED.

William Cedar, Jr., Mayor
City of St. Clair, Michigan

CERTIFICATION

The foregoing is a true and complete copy of an Ordinance adopted by the City Council of the City of St. Clair, County of St. Clair, State of Michigan, at a regular meeting of the City Council held on the 6th day of September, 2022, and public notice of said meeting was given pursuant to and in accordance with the requirements of Act No. 267 of the Public Acts of 1976, as amended, being the Open Meetings Act, and the minutes of said meeting have been or will be made available as required by said Act.

Members Present: Cedar, Kindsvater, Klieman, Kuffa, LaPorte, Paul, Volz
Members Absent: None

It was moved by Member Kuffa and supported by Member Volz to adopt the Ordinance.

Members voting yes: Kindsvater, Klieman, Kuffa, LaPorte, Paul, Volz, Cedar
Members voting no: None

The Ordinance was declared adopted by the Mayor and has been recorded in the Ordinance Book of the City of St. Clair.

Annette Sturdy, City Clerk
City of St. Clair, Michigan

INTRODUCED: August 15, 2022
ADOPTED: September 6, 2022
PUBLISHED: September 11, 2022
EFFECTIVE: September 11, 2022