

**CITY OF NORTHVILLE
ZONING ORDINANCE
ORDINANCE NO. _____**

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF NORTHVILLE TO CLARIFY THAT SPECIAL LAND USE APPLICATIONS (INCLUDING MINERAL MINING/EXTRACTION) ARE SUBMITTED TO THE BUILDING DEPARTMENT.

Section 1. The City of Northville Ordains

Chapter 58-1 “Zoning” in the Code of Ordinances of the City of Northville is hereby amended by adding the following described text revisions:

Section 2. Modify the following articles (additions are underlined, deletions are ~~struck-thru~~).

[Modify Article 16 SPECIAL USES]

SECTION 16.01 SPECIAL USES

b. Application.

Applications for special use permits authorized in this Ordinance shall be submitted to the ~~City Clerk~~Building Department on a form provided by the City. In addition to a complete application form, the applicant is required to submit a preliminary site plan prepared in accordance with Article 19, Site Plan Review. The preliminary site plan shall be considered by the Planning Commission during deliberations regarding both the special use application and preliminary site plan review.

For a use or building that involves more than one activity classified as a special land use, a separate special land use permit may be required for each use. Special land use review shall be required for expansion of a use that is classified as a special use but has not received a prior special land use approval. *(Rev. 8/06)*

e. Voiding and Extensions of Permit.

Unless otherwise specified by the Planning Commission, any special use permit granted under this section shall be null and void unless the property owner shall have made application for a building permit within one (1) year from the date of the granting of the permit. The City Clerk shall give notice by certified mail to the holder of a permit that is liable for voiding action before voidance is actually declared. Said notice shall be mailed to the permit holder at the address indicated in said permit. Within thirty (30) days of receipt of notice of voiding of the permit, the applicant shall have the right to request an extension of the permit from the

Planning Commission. The Planning Commission may grant an extension thereof for good cause for a period not to exceed six (6) months.

~~The City Clerk may~~A special land use permit, issued under the provisions of this ordinance, will be suspended or revoked~~a permit issued under the provisions of this Ordinance~~-whenever the permit is issued erroneously on the basis of incorrect information supplied by the applicant or his agent and is in violation of any of the provisions of this Ordinance or of any other ordinances or regulations of the townshipcity. If suspended or revoked, the holder of the special land use permit must resubmit to the Planning Commission upon notification of such suspension/revocation, revised plans that are in compliance with all applicable ordinances or regulations. Review of such plans will follow the same sequence as described in Section 16.01 above.

(No other changes are proposed for this section.)

SECTION 16.14 MINERAL MINING AND EXTRACTION OPERATIONS

- a. Intent and Purpose. It is the intent and purpose of this section to promote the underlying spirit and intent of the entire Zoning Ordinance, but at the same time allow for the extraction of minerals in locations where they have been naturally deposited, and to insure that mineral mining activity shall be compatible with adjacent uses of land, the natural environment, and the capacities of public services and facilities affected by the land use, and, to insure that mineral mining activities are consistent with the public health, safety and welfare of the City.
- b. Use Restriction. Mineral mining and extractive operations may be considered as a special use in the PR-2 Zoning District. The extraction, removal, and/or processing of sand, gravel, stone and/or other mineral mining in the City shall be prohibited unless first authorized by the grant of a special approval use application by the Planning Commission in accordance with this section.
- c. Exemption. Usual and customary land balancing by cutting and filling, in preparation for immediately planned and approved development in accordance with this and all other applicable ordinances and law, shall be exempted from the provisions of this section.
- d. Application. An application shall be filed with the ~~City Clerk~~Building Department and shall include the following:
 - 1) Site plan prepared in accordance with Article 19.0.
 - 2) Duration of proposed operation, and location, timing, and any other relevant details with respect to the phasing and progression of work on the site;

- 3) Land use study/drawing showing the existing land uses with specification of type of use, e.g., single-family residential, multiple-family residential, retail, office, etc., and density of individual units in areas shown, including:
- 4) Geological/hydrological/engineering survey prepared by appropriate and qualified experts.
- 5) Description of the vehicles, machinery and equipment proposed for use on the property, specifying with respect to each, the anticipated noise and vibration levels.

(No other changes are proposed for this section.)

Section 3. Rights and Duties

Rights and duties which have matured, penalties which have incurred, proceedings which have begun and prosecution for violations of law occurring before the effective date of this ordinance are not affected or abated by this ordinance.

Section 4. Validity

Should any section, clause or paragraph of this ordinance be declared by a Court of competent jurisdiction to be invalid, the same will not affect the validity of the ordinance as a whole or part therefore, other than the part declared invalid.

Section 5. Ordinances Repealed

All other ordinances inconsistent with the provisions of this ordinance are to the extent of such inconsistencies hereby repealed

Section 6. Effective Date

This Ordinance shall become effective on the 8th day following publication.

The foregoing ordinance amendment was adopted at the regular meeting of the City Council of the City of Northville, Oakland and Wayne Counties, Michigan, held on _____ at 7:00 p.m. at the City of Northville Municipal Building, 215 W. Main Street, Northville, Michigan, 48167.

Ken Roth, Mayor
City of Northville

Dianne Massa, City Clerk
City of Northville

The undersigned certifies foregoing ordinance was:

Introduced: _____
Enacted: _____
Published: _____
Effective: _____

By a vote of _____

Dianne Massa, City Clerk