

# Village of Lake Isabella - Codified Ordinances

## Article XII – Planning & Zoning

### Chapter 1322 – Amendments & Moratoriums

Adopted August 4, 1998 – Ordinance 1988-01

Last Amended by Ordinance 2011-10; August 16, 2011

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Chapter 1322.01	Amendments
Chapter 1322.03	Moratoriums
Chapter 1322.05	Notice of Adoption

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#### **1322.01 AMENDMENTS**

The Village Council, may create, amend, supplement, delete, or change, by ordinance, the boundaries of districts or the regulations herein established, in accordance with the provisions of and in the manner provided by the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended.

Additionally, the owner of record of any parcel may petition for the rezoning of said parcel to that of any existing district contained in the zoning code. Such requests shall be limited to only map amendments, and not changes to the text of the zoning code. Such applications shall be accompanied by a fee established by the Village Council. Upon the receipt of the map amendment request and fee, the Planning Commission shall hold a public hearing and make a recommendation on the request to the Village Council. Among other factors, the Planning Commission shall consider the request in light of the adopted Master Plan, Future Land Use Map, and possible impact on existing nearby residential districts. Upon receipt of the Planning Commission's recommendation, the Village Council shall take action on the request in a manner required by law, including publication and public hearings, before approving or denying the request. The action of the Village Council shall not be appealable to the Zoning Board of Appeals.

#### **1322.03 MORATORIUMS**

The Village Council may, by adoption of a resolution, enact a moratorium regarding a particular use, activity, building or structure for a time period not to exceed one year. The moratorium may be utilized when the Village Council determines the likely need for new or updated zoning regulations regarding a particular use, activity, structure or building and the adoption of a moratorium will facilitate the preparation, review and possible adoption of an amendment to this ordinance regarding the particular use, activity, building or structure..

While a moratorium is in effect, no new use, activity, structure or building covered by the moratorium shall be commenced, initiated or occur (and no such existing lawful use, activity, building of structure covered by the moratorium could be expanded, intensified or extended). Furthermore, the Village shall not issue, effectuate or grant any permit, approval or license regarding any use, activity, structure or building covered by a moratorium while the moratorium is in effect.

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A violation of any moratorium shall constitute a violation of this Ordinance. Any use, activity, building or structure commenced, initiated or occurring in violation of a moratorium shall not gain any vested rights or lawful nonconforming use or structure rights or status.

### **1322.05 NOTICE OF ADOPTION**

Upon the adoption of any zoning ordinance, the Village Clerk shall caused to be published a notice of adoption that conforms to the requirements of the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended.