

HAMPTON CHARTER TOWNSHIP

NOTICE OF PUBLIC HEARING

AN AMENDMENT TO ORDINANCE 36A AND ALL AMENDMENTS THERETO BEING THE CHARTER TOWNSHIP OF HAMPTON ZONING ORDINANCE SPECIFICALLY AMENDING SECTION 5.02 OF SAID ORDINANCE BY REZONING A PORTION OF PROPERTY IMMEDIATELY NORTH OF HAMPTON ROAD AS PART OF PARCEL ID NO.: 09-070-013-100-020-00 FROM R5 SPECIAL DENSITY RESIDENTIAL TO CONDITIONAL B-3 HEAVY COMMERCIAL INDUSTRIAL TRANSITION DISTRICT

THE CHARTER TOWNSHIP OF HAMPTON HEREBY ORDAINS:

SECTION I

That Section 5.02 of the Township Zoning Ordinance is amended to reflect the following. That the zoning map of the Charter Township of Hampton is hereby amended consistent with the Master Plan to grant Conditional Heavy Commercial Industrial Transition District rezoning to be utilized only pursuant to Chapter 29 of the Zoning Ordinance to wit: being a solar energy production facility and continue with the electrical and fuel pipeline conveyances for the south 29.8 acres which is legally described as: the NE ¼ of the NW ¼ and the W 30 A of the SE ¼ of the NW ¼. S13, T14N R5E, all within the Charter Township of Hampton, Bay County, Michigan.

SECTION II

That the construction of the solar energy production facility will be restricted to the approved Special Use Permit if granted by the Planning Commission which will include berms, buffering and fencing as appropriate to facilitate the progression of animals through the property, but eliminate trespass, excessive noise pollution and visual discontinuity with surrounding property.

SECTION III

PENALTY

Any person who shall violate any provision of this Ordinance shall be subject to all of the allowable fines, costs and penalties which shall be applicable for such violation in accordance with Ordinance 36A, as amended.

SECTION IV

SEVERABILITY

If any provision or part of this ordinance is declared by any court of competent jurisdiction to be invalid or unenforceable, such declaration shall not affect the validity or enforceability of any other provision or part, which shall remain in full force and effect.

SECTION V

REPEAL

Ordinance 36A, and all amendments thereto, in their entirety, and all resolutions, ordinances, orders or parts thereof in conflict in whole or in part with any provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

SECTION VI

EFFECTIVE OF VIOLATION

If there is any violation by any property hereby rezoned subject to these conditions, the property subject to conditions would result in immediate succession of violation or the Planning Commission on its own initiative can commence to rezone the property.

SECTION VII

EFFECTIVE DATE

This Ordinance shall after its adoption, be published in a newspaper circulated within the Charter Township of Hampton, Bay County, Michigan and shall become effective upon the 31st day after publication.

THE CHARTER TOWNSHIP OF HAMPTON

BY: _____
Terri Close, Supervisor

BY: _____
Jordan Leyba, Clerk