

City of Hastings

COUNTY OF BARRY, STATE OF MICHIGAN

ORDINANCE NO. 554

AN ORDINANCE TO AMEND CHAPTER 90 OF THE HASTINGS CODE OF 1970, AS AMENDED, BY AMENDING ARTICLE 1, IN GENERAL, ARTICLE 6, DISTRICT REGULATIONS, ARTICLE 13, SPECIAL LAND USES

As recommended by the Planning Commission on May 7, 2018

THE CITY OF HASTINGS ORDAINS:

SECTION I.

Article 1; Article 6; Article 13 of Chapter 90 of the Hastings Code of 1970 are hereby amended to AMEND Sec. 90-1. – Definitions; Sec. 90-473. – B-1 District (Special uses); Sec. 90-515. – B-5 District (Special uses); and Sec 90-1082. – Churches, synagogues or other similar places of worship, to read as follows:

Section 90-1. - Definitions

Churches, synagogues or other similar places of worship means a building the primary use of which is regular assembly of persons for religious worship or services, together with accessory uses including, but not limited to, parsonages, convents and similar living arrangements; assembly halls; kitchens; food pantries and similar food preparation facilities; classrooms; gyms; and playgrounds.

Section 90-473 – Special uses. (B-1 Central Business District)

- (8) Churches, synagogues or similar places of worship and customary related uses.

Section 90-515 – Special uses. (B-5 Mixed Use District)

- (3) Churches, synagogues or similar places of worship and customary related uses.

Sec 90-1082 – Churches, synagogues or similar places of worship.

- (a) All church buildings shall be set back a minimum of 40 feet from all lot lines.

- (b) Parking lots shall be set back a minimum of 15 feet from any lot line that abuts existing residential uses or residential zoning districts. This setback area shall be landscaped according to the requirements of Article XII of this chapter for landscape buffer zone C. The planning commission may increase, decrease or otherwise modify the landscaping requirements in order to achieve the intent of providing a suitable buffer zone for adjacent properties.
- (c) Athletic fields, accessory buildings which exceed the requirements of [section 90-831](#) or other uses or buildings associated with the church use may be allowed only with approval of the planning commission, in accordance with the general standards for special land uses.

For accessory buildings which exceed the requirements of [section 90-831](#), the planning commission may modify the requirements of [section 90-831](#) as part of the conditions of the special land use. In determining whether to approve a modification of these requirements, the planning commission must find, based upon the facts presented by the applicant, that the modification satisfies the standards of approval for a special land use in this chapter and that the modification is justified due to the nature, size, density, location or design of the proposed special land use.

- (d) A child care center may be operated on church property only if approved by the planning commission as an additional special land use if it complies with the standards for child care centers as specified in this article.
- (e) The facility shall be connected to public water and sanitary sewer.
- (f) Churches with a seating capacity of over 300 in the main room of worship shall comply with the following standards:
 - (1) The church shall be located on a parcel that has frontage on a major street as illustrated in the city's master plan or on a state highway.
 - (2) The parcel shall have a minimum of two acres.
 - (3) The parcel shall have a minimum width of 200 feet along a major street or state highway.
- (g) Churches that existed before the adoption of the ordinance from which this chapter was derived (1-27-1997) or church-owned lands that were purchased before the adoption of the ordinance from which this chapter was derived (1-27-1997) shall be considered conforming. Such existing

churches may expand and such church-owned lands may be built upon provided a special land use is obtained from the planning commission. Expansions of existing churches shall comply with the requirements of this section.

- (h) Site development standards pertaining to walls, fences, driveways, sidewalks and other similar physical site improvements, excluding building setbacks and height and parking, may be modified by the planning commission as part of the conditions of the special land use. In determining whether to approve a modification of these requirements, the planning commission must find, based upon the facts presented by the applicant, that the modification satisfies the standards of approval for a special land use in this chapter and that the modification is justified due to the nature, size, density, location or design of the proposed special land use.
- (i) Churches may exceed the maximum height standard for the district in which they are located provided that the front, side and rear setbacks are increased by one (1) foot for every foot by which the building exceeds the maximum allowed height.

SECTION II.

If any article, section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

SECTION III.

This ordinance shall become effective upon its adoption and publication as provided by City Charter.

Moved by Member Resseguie , with support by Member Smith, that Ordinance No. 554 be adopted as read.

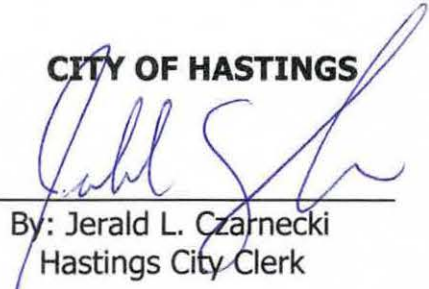
YEAS: Cusack, Jarvis, Maupin-Moore, Redman, Resseguie, Smith, and Tossava.

NAYS: McNabb-Stange.

ABSENT: Bowers.

Adoption Date: September 10, 2018
Effective Date: September 14, 2018
First Reading: May 14, 2018
Second Reading: September 10, 2018

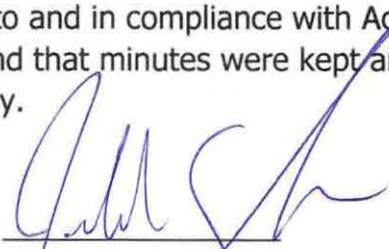
CITY OF HASTINGS



By: Jerald L. Czarnecki
Hastings City Clerk

CERTIFICATE

The undersigned, being the duly qualified and acting Clerk of the City of Hastings, Michigan, does hereby certify that the foregoing is a true and complete copy of an Ordinance adopted by the City Council of the City of Hastings, at a regular meeting of the City Council on the 10th day of September 2018 at which meeting a quorum was present and remained throughout, and that the original of said Ordinance is on file in the records of the City of Hastings. I further certify that the meeting was conducted and public notice was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan of 1976, as amended, and that minutes were kept and will be or have been made available as required thereby.



Jerald L. Czarnecki
Hastings City Clerk