

**CENTERVILLE TOWNSHIP BOARD OF TRUSTEES**

**RESOLUTION EXTENDING MORATORIUM  
ON SITE PLAN REVIEWS AND APPROVALS**

Adopted June 19, 2024

**RECITALS**

Centerville Township has in effect a zoning ordinance enacted under the authority of the Michigan Zoning Enabling Act; and also has a planning commission constituted under the Michigan Planning Enabling Act and re-established and continued under the Centerville Township Planning Commission Ordinance of 2010.

For the reasons stated in the Centerville Township Board's Resolution of the 6<sup>th</sup> day of December, 2023, entitled Resolution Establishing Moratorium on Site Plan Reviews and Approvals ("Resolution"), Centerville Township has begun the process of amending its zoning ordinance in order to modernize its substantive and procedural terms so as to better harmonize and synchronize the ordinance with the goals and objectives of the Township master plan. The Resolution is scheduled to expire on or about June 30, 2024. It is clear that the amendments will have substantial impact on numerous properties and property owners, and should not be passed without careful study and review. Thus, the Centerville Township Board finds that the process of amendment requires additional time for sufficient analysis and preparation, and for compliance with state law for zoning ordinance amendments.

Considering the complexity of the amendments being made, the involved preparation and review of zoning ordinance provisions, and the implications of the amendments on numerous interested parties, it has been determined that it is necessary and appropriate for the public health, safety, and welfare of Centerville Township and its residents to extend the temporary moratorium on site plan reviews for another two (2) months – through August 31, 2024 – and thereby concentrate on revising

and updating the zoning ordinance.

The Planning Commission has diligently pursued the process of amending the zoning ordinance thus far; however, Centerville Township cannot feasibly process and review applications for site plan review until such amendments have been completed, considered, and enacted.

**NOW, THEREFORE, IT IS RESOLVED** that the Centerville Township Board of Trustees hereby extends for two (2) months the moratorium adopted in the Resolution, applicable to all applications for site plan review, which shall end on August 31, 2024, unless the Centerville Township Board extends it by further resolution. This extended moratorium shall include all new applications and shall also include all pending applications, irrespective of their stage or steps underway or completed in the review process, unless they are otherwise exempted by the Resolution or by this extension.

**IT IS FURTHER RESOLVED** that the Centerville Township Board directs the Planning Commission to continue its expedited pursuit of the review and recommendation to the Centerville Township Board of zoning ordinance and other amendments found to be necessary and appropriate under the law to comply with, and best make provision for, Michigan law.

**IT IS FURTHER RESOLVED** that this extended moratorium does not amend, repeal, or suspend the zoning ordinance in whole or in part, but rather simply defers the ministerial function of considering certain types of applications for a defined and temporary period of time.

**IT IS FURTHER RESOLVED** that any applications for site plan review that are or become required by court order or litigation settlement are exempt from this extended moratorium.

**IT IS FURTHER RESOLVED** that, in the event any property owner in Centerville Township alleges to be aggrieved by this extended moratorium based on the Due Process Clause, Takings Clause, or other provision of state or federal constitution or law, the administrative remedy for such aggrieved party shall be as follows:

1. The aggrieved party shall present a petition seeking relief to the Township Board, which

- shall include all of the following: a detailed statement of all grounds on which the party alleges to be aggrieved; the facts giving rise to the aggrieved party's claim; and the opinion of one or more relevant experts, made under oath, verifying each and every conclusion that supports the aggrieved party's claim.
2. Upon receipt of such a petition, the Township Board shall seek such analysis of the claims by staff, consultants, and counsel as may be required to evaluate the petition, and shall thereafter notice and conduct an informal administrative hearing on the claims made in the petition.
  3. After the hearing, the Township Board will review the materials submitted; consider the evidence presented at the hearing; receive advice of staff, consultants, and counsel as appropriate; and then based on these materials, evidence, and advice the Township Board will either fashion a remedy which will obviate any violation of constitution or law found to exist, or will deny the petition.

The foregoing resolution was offered by Dan Hubbell and supported by Bon Schaub.

[Record of votes and certificate on next page.]

Roll call vote: (4,0)

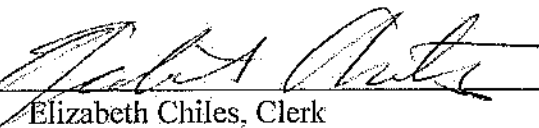
Ayes: Trina Pleva, Joe Mosher, Dan Hubbell, Ron Schaub

Nays: — none

Absent or abstain: Elizabeth Chiles

**CERTIFICATE**

The undersigned, Clerk of the Township of Centerville, certifies that this resolution was adopted by the Township Board on June 19, 2024 and is effective immediately and is on file in the records of the office.

By:  Date: 6.22.24  
Elizabeth Chiles, Clerk