

**MARION TOWNSHIP PLANNING COMMISSION
AGENDA**

REGULAR MEETING

July 25, 2023

7:30 PM

Virtual access instructions to participate in the meeting are posted on www.mariontownship.com

Call to Order:

Pledge of Allegiance:

Introduction of Members:

Approval of Agenda for: July 25, 2023 Regular Meeting

Approval of Minutes from: June 27, 2023 Regular Meeting

Call for Public Comment:

Public Hearing: None

New Business:

- 1) SPR#01-23 Review Site plan for the building remodel bump out and overhang

Unfinished Business:

- 1) GO#01-23 continue PDR (Purchase Development Rights) ordinance
- 2) Crypto Ordinance Data Processing Industrial District
- 3) TXT#02-19 Signs for HO Revised send to BOT

Special Orders:

Announcements:

Call for Public Comment:

Adjournment:

DRAFT

**MARION TOWNSHIP
PLANNING COMMISSION
REGULAR MEETING
JUNE 27, 2023 @ 7:30PM**

PC MEMBERS PRESENT: LARRY GRUNN – PC CHAIRPERSON
JIM ANDERSON – PC VICE CHAIRPERSON
BOB HANVEY – MARION TWP BOT REPRESENTATIVE

OTHERS PRESENT: DAVID HAMANN - MARION TWP. ZONING ADMINISTRATOR

MEMBERS ABSENT: CHERYL RANGE – PC SECRETARY
BRUCE POWELSON

CALL TO ORDER

Larry Grunn called the meeting to order at 7:30pm.

APPROVAL OF AGENDA

Jim Anderson made a motion to approve the June 27, 2023 agenda as presented. Bob Hanvey seconded. **MOTION CARRIED**

APPROVAL OF MINUTES

Jim Anderson made a motion to approve the amended May 23, 2023 Planning Commission meeting minutes with the changes. Bob Hanvey seconded. **MOTION CARRIED**

CALL TO THE PUBLIC

Dave spoke with John Enos about the current Planner situation and John said he will possibly send a new Planner to the next Planning Commission meeting in July.

Jim Anderson suggested that we look at other Consulting firms, just to explore our options.

Bob Hanvey suggested getting some feedback from the surrounding jurisdictions.

UNFINISHED BUSINESS

1) GO# 01-23 CONTINUE PDR (PURCHASE DEVELOPMENT RIGHTS) ORDINANCE UPDATE

The Commissioners discussed the changes listed below:

Page 7: 7.9 - #6

Page 7: 7.9 - #8

Page 1: LAST PARAGRAPH – replace “permanent” with “long term”

Page 8: 10.1 – 1st PARAGRAPH

Page 3: Change “parcel” to “land”

Page 3: “Value of Development Rights

Page 4: 5.2 - #2 Replace “That belongs” with “For”

Page 4: 5.2 - #10 “Reversionary Interest”

Page 9: 11.1 – OPTION 1 & 2 Jim Anderson will work on the wording for this section.

Page 3: 4.1 - #5 Who maintains the structure?

Dave will get the word document from John Enos so the Commissioners can make these changes.

Jim Anderson made a motion to table further discussion on this item until the next meeting. Bob Hanvey seconded.

MOTION CARRIED

DRAFT

2) CRYPTO ORDINANCE DATA PROCESSING INDUSTRIAL DISTRICT

Jim Anderson made a motion to table discussion on this item until the next meeting. Bob Harvey seconded. **MOTION CARRIED**

3) REVIEW ATTORNEY LETTER ON FIVE TEXT AMMENDMNETS

Gormley does not like certain sections of the Zoning Enabling Act. Gormley has no issues with the cargo containers or short-term rentals.

4) TXT #01-19 SHORT TERM RENTALS

Jim Anderson made a motion to remove this item from the agenda until an issue arises. Larry Grunn seconded. **MOTION CARRIED**

5) TXT #02-19 SIGNS FOR HOME OCCUPATION

Commissioners suggested the following changes:

PAGE 1/3: Remove "Home Occupation" and add "Only in RR and SR.

PAGE 2-3: 15.06 - #C Remove some of the language and re-word part of the text.

Dave Hamann will modify the language for this text amendment.

6) TXT #02-20 ACCESSORY STRUCTURES

Jim Anderson made a motion to recommend approval of TXT #02-20 Accessory Structures to the Marion Township Board of Trustees. Larry Grunn seconded. **MOTION CARRIED**

SPECIAL ORDERS

- Bob Harvey said there is a new Bill being introduced for the Michigan Zoning Enabling Act.
- The Planning Commission Budget for 2023 was approved by the Board of Trustees.

CALL TO THE PUBLIC

Les Andersen talked about a publication made by another jurisdiction about rescinding/voiding ordinances.

ADJOURNMENT

Larry Grunn made a motion to adjourn the meeting at 9:52pm. Jim Anderson seconded. **MOTION CARRIED**

REV #	DATE	ISSUES/COMMENTS
1	7-27-21	PERMIT SET
2		
3		
4		
5		
6		

	SHEET TITLE: OCCUPANCY CALCS. & EGRESS PLAN
	CHECKED BY: CSB
	DRAWING DATE: 7/27/21
	PROJECT NUMBER: 23038
SHEET NUMBER: G-001	

CODE COMPLIANCE CHART

APPLICABLE CODE REQUIREMENTS:
 THE BUILDING HAS ONLY BEEN DESIGNATED ACCORDANCE WITH THE FOLLOWING:
 - 2015 MICHIGAN BUILDING CODE (MBC)
 - 2015 MICHIGAN MECHANICAL CODE (MNC)
 - 2015 MICHIGAN ELECTRICAL CODE (MEC)
 - PART IV MICHIGAN ENERGY CODE
 - 2018 MICHIGAN FIRE CODE (MFC)
 - MICHIGAN BUILDING CODE WITH IBC/ANSI A 17.1, 2009
 - IBC WITH SUPPLEMENT 1, 2009
 - NFPA 1010 FIRE ALARM SYSTEM

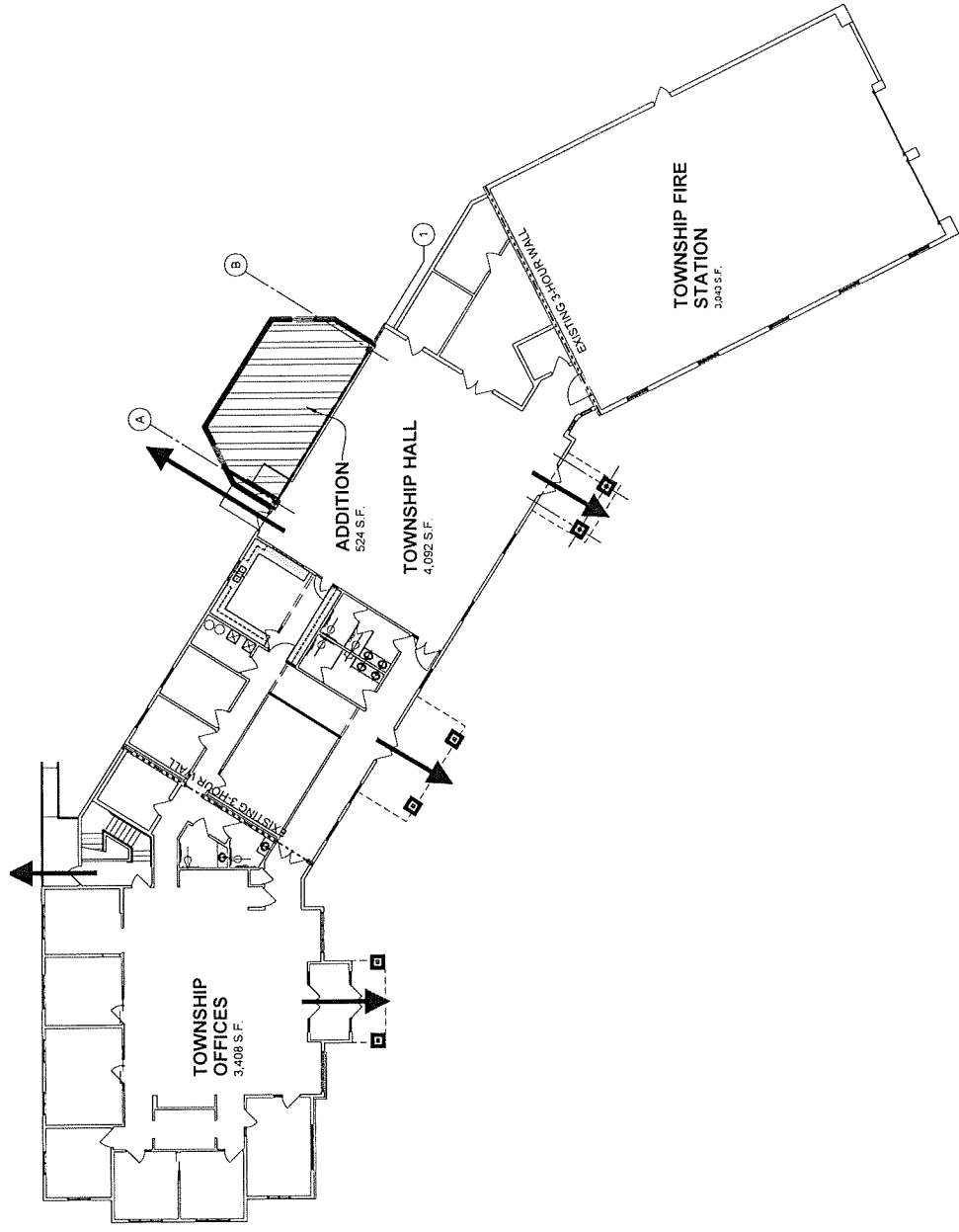
- OCCUPANCY CLASSIFICATION:**
 - WORK AREA COMMERCIAL (MBC 603.1.2)
- CLASSIFICATION OF WORK:**
 - ALTERATION - LEVEL 2 (MFC 504)
- OCCUPANCY CLASSIFICATION:**
 - BUSINESS (MFC 603)
 - NO CHANGES IN OCCUPANT CLASSIFICATION
- CONSTRUCTION CLASSIFICATION:**
 - TYPE IV (MFC 602.7)
- FIRE SUPPRESSION REQUIREMENTS:**
 - BUILDING IS NOT PROTECTED BY AN APPROVED AUTOMATIC FIRE SUPPRESSION SYSTEM (MFC 603.3)
- BUILDING AREA:**
 TOWNSHIP OFFICES 3,408 S.F.
 TOWNSHIP FIRE STATION 3,043 S.F.
 ADDITION 524 S.F.
- EXISTING BUILDINGS ARE SEPARATED BY 3 HOUR FIRE WALLS. EACH SEPARATED AREA CAN NOT BE SEPARATED FROM THE TOWNSHIP DATED 3-11-2009 ARCHITECT OF RECORD BRUCE MC CULLER ARCHITECTS
- TOWNSHIP WALL ADDITION:**
 324 S.F.
 4,092 S.F. + 324 S.F. = 4,416 S.F. WHICH IS LESS THAN 6,000 S.F. TOTAL FOR THAT PORTION OF THE BUILDING
- OCCUPANCY:**
 - PER MFC TABLE 1004.1.2) EXISTING BUILDING: 324 S.F. MINUS 75 S.F. PERMITS WALL THICKNESS = 449 S.F. OFFICE AREAS: 448 S.F. / 198 S.F. PER OCC. + 4 OCCUPANTS ADDITIONAL
- MINIMUM NUMBER OF EXITS:**
 - 5 EXITS ARE PROVIDED.
 - 20' MAX ALLOWED (MFC TABLE 1012.2). AN EXIT REQUIRED EXIST DOOR SEPARATION IS GREATER THAN 6' OF THE LENGTH OF MAINLINE OVERALL DIAGONAL DIMENSION OF THE AREAS SERVED (MFC 1001.1.1 EXCEPTION 2).

FIRE RESISTANCE RATINGS OF BUILDING ELEMENTS:
 - TYPE V/B CONSTRUCTION

STRUCTURAL FRAME: 0 HR (MFC TABLE 601)
 FLOOR CONSTRUCTION: 0 HR (MFC TABLE 601)
 BEARING WALLS - INTERIOR: 0 HR (MFC TABLE 601)
 NON-BEARING WALLS - EXTERIOR: 0 HR (MFC TABLE 601)
 FLOOR CONSTRUCTION - EXTERIOR: 0 HR (MFC TABLE 601)
 FLOOR CONSTRUCTION - INTERIOR: 0 HR (MFC TABLE 601)
 PARTITION WALLS: 0 HR (MFC TABLE 601)
 STAIRS: 1 HR (MFC TABLE 601)
 FIRE WALLS: 3 HOUR (MFC 703.1)

INTERIOR FINISH REQUIREMENTS:
 - WALL AND CEILING (MFC TABLE 603.1) CLASS C: PLANK APPLICABLE TO 200'; SMOKE DEVELOPMENT 0.45; MFC TABLE 603.1, NOTE B
 - FLOOR FINISHES (MFC TABLE 603.1) CLASS C: PLANK APPLICABLE TO 200'; SMOKE DEVELOPMENT 0.45; MFC TABLE 603.1, NOTE B
 - ROOMS AND ENCLOSED SPACES CLASS C: PLANK APPLICABLE TO 200'; SMOKE DEVELOPMENT 0.45; MFC TABLE 603.1, NOTE B
 - FLOORING (MFC 904.4.1) CLASS II OR TO COMPLY WITH MFC 914 - "FILL TEST"
 - INTERIOR FLOOR FINISHES CLASS II OR TO COMPLY WITH MFC 914 - "FILL TEST"
 NOTE: ALL INTERIOR WALL AND CEILING FINISHES (OTHER THAN TEXTILES) SHALL BE TESTED IN ACCORDANCE WITH NFPA 286 (PER MFC 703.1). ALL INTERIOR FLOOR FINISHES SHALL BE TESTED IN ACCORDANCE WITH NFPA 252.

PLUMBING FIXTURE REQUIREMENTS:
 - MFC TABLE 403.1
 - NO ADDITIONAL PLUMBING FIXTURES ARE PROPOSED AT THIS TIME.



SECTION 01 30 00 - ADMINISTRATIVE REQUIREMENTS

1. Section includes requirements for the following:
 - a. Bid opening procedures.
 - b. Bid opening procedures.
 - c. Bid opening procedures.
 - d. Bid opening procedures.
 - e. Bid opening procedures.
 - f. Bid opening procedures.
 - g. Bid opening procedures.
 - h. Bid opening procedures.
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 - v. Bid opening procedures.
 - w. Bid opening procedures.
 - x. Bid opening procedures.
 - y. Bid opening procedures.
 - z. Bid opening procedures.

SECTION 01 40 00 - QUALITY REQUIREMENT

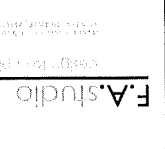
1. Section includes administrative and procedural requirements for quality assurance and quality control.
 - a. Quality assurance.
 - b. Quality control.
 - c. Quality assurance.
 - d. Quality control.
 - e. Quality assurance.
 - f. Quality control.
 - g. Quality assurance.
 - h. Quality control.
 - i. Quality assurance.
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 - y. Quality assurance.
 - z. Quality control.

SECTION 06 41 33 - CABINET AND DRAWER HARDWARE

1. Section includes cabinet and drawer hardware for architectural and manufactured cabinets.
 - a. Quality standard.
 - b. Quality standard.
 - c. Quality standard.
 - d. Quality standard.
 - e. Quality standard.
 - f. Quality standard.
 - g. Quality standard.
 - h. Quality standard.
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SECTION 08 43 13 - ALUMINUM-FRAMED STOREFRONTS

1. Section includes exterior storefront framing.
 - a. Material.
 - b. Material.
 - c. Material.
 - d. Material.
 - e. Material.
 - f. Material.
 - g. Material.
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PROJECT NAME
MARION TOWNSHIP LAND REDEV.
2897 COOLIDGE RD.
HOWELL, MI 48849

REV	DATE	DESCRIPTION
1	11-20	ISSUED FOR PERMITS

SHEET TITLE	SPECIFICATIONS
DRAWN DATE	11-20
CHECKED BY	CD
PROJECT NUMBER	23038
SHEET NUMBER	G-100

SECTION 01 88 19 - DELEGATED DESIGN REQUIREMENTS

1. Section includes requirements for delegated design.
 - a. Design requirements.
 - b. Design requirements.
 - c. Design requirements.
 - d. Design requirements.
 - e. Design requirements.
 - f. Design requirements.
 - g. Design requirements.
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SECTION 08 11 13 - HOLLOW METAL DOORS AND FRAMES

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SECTION 08 35 43 - POLISHED CONCRETE FINISHING

1. Section includes products and procedures for finished concrete floors.
 - a. Material.
 - b. Material.
 - c. Material.
 - d. Material.
 - e. Material.
 - f. Material.
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REV #	DATE	DESCRIPTION
6-20-23	12/08/2024	PROGRESS SET
7-5-23		PERMIT SET



PROJECT TITLE
FIRST FLOOR &
BASEMENT DEMO PLAN

CHECKED BY: JEL
DRAWING DATE: 7-5-23
ISSUED DATE: 12-08-24
PROJECT NUMBER
230338

SHEET NUMBER
D-101

DEMOLITION NOTES

- REMOVE STONE AND PROTECT FOR LATER REUSE OR ANY WALL TO BE RE-WALLED THROUGHOUT. ANY OF THE ABOVE NOT RE-WALLED ARE TO BE TAGGED PRIOR TO DEMOLITION AND RETURNED TO BUILDING DEPARTMENT OFFICE OF RECORDATION AND RETURNED TO BUILDING DEPARTMENT OFFICE OF RECORDATION.
- ALL MATERIALS TO BE REMOVED TEMPORARILY STORED OR INSTALLED SHALL BE REMOVED BY THE MATERIALS MANAGEMENT UNIT CONTRACTOR. MAINTAIN ACCESS TO ALL MATERIALS BY ALL TRADES THROUGHOUT PROJECT. MAINTAIN ACCESS TO ALL MATERIALS BY ALL TRADES THROUGHOUT PROJECT.
- TRAFFIC CONTRACTOR (T/C) SHALL MAINTAIN THROUGHOUT PROJECT. MAINTAIN ACCESS TO ALL MATERIALS BY ALL TRADES THROUGHOUT PROJECT.
- PROVIDE TEMPORARY SUPPORT FOR EXISTING CONSTRUCTION AS NECESSARY IN AREAS OF EXISTING CONSTRUCTION TO BE DEMOLISHED. PROVIDE TEMPORARY SUPPORT FOR EXISTING CONSTRUCTION AS NECESSARY IN AREAS OF EXISTING CONSTRUCTION TO BE DEMOLISHED.
- REMOVE ALL UNNECESSARY MATERIALS AND WASTE. REMOVE ALL UNNECESSARY MATERIALS AND WASTE.
- EXPLODE ON WORK SHALL ENABLE THE FINAL WORK TO BE COMPLETE. REMOVE ALL ITEMS & MATERIALS REQUIRED TO ACCOMPLISH THE FINAL WORK. GENERAL CONTRACTOR OR OWNER OF EXISTING CONDITIONS VARY FROM WHAT IS INDICATED ON THE DEMOLITION PLAN SHALL BE RESPONSIBLE FOR CORRECTING ANY ERRORS.
- SAVE ALL EXISTING LIGHT FIXTURES TO BE REUSED AND RELOCATED. REFER TO REFLECTED CEILING PLAN FOR LOCATION OF EXISTING LIGHT FIXTURES TO BE REUSED AND RELOCATED.
- REMOVE AND SALVAGE ALL EXISTING GARD RECEPTS TO BE REUSED AND RELOCATED TO MEET THE NEW CONSTRUCTION.
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WALL LEGEND

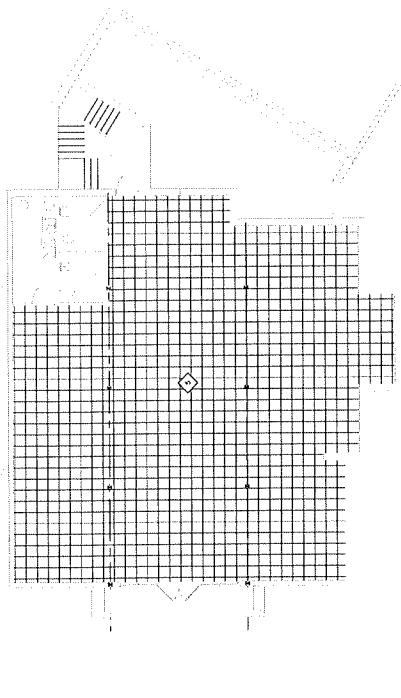
- DOTTED LINE WITH DIAGONAL SLASHES: EXISTING WALL, DOOR & FRAME TO REMAIN
- DOTTED LINE WITH HORIZONTAL SLASHES: EXISTING WALL, DOOR & FRAME TO BE REMOVED
- DOTTED LINE WITH VERTICAL SLASHES: EXISTING TO BE REMOVED

DEMOLITION KEYED LEGEND

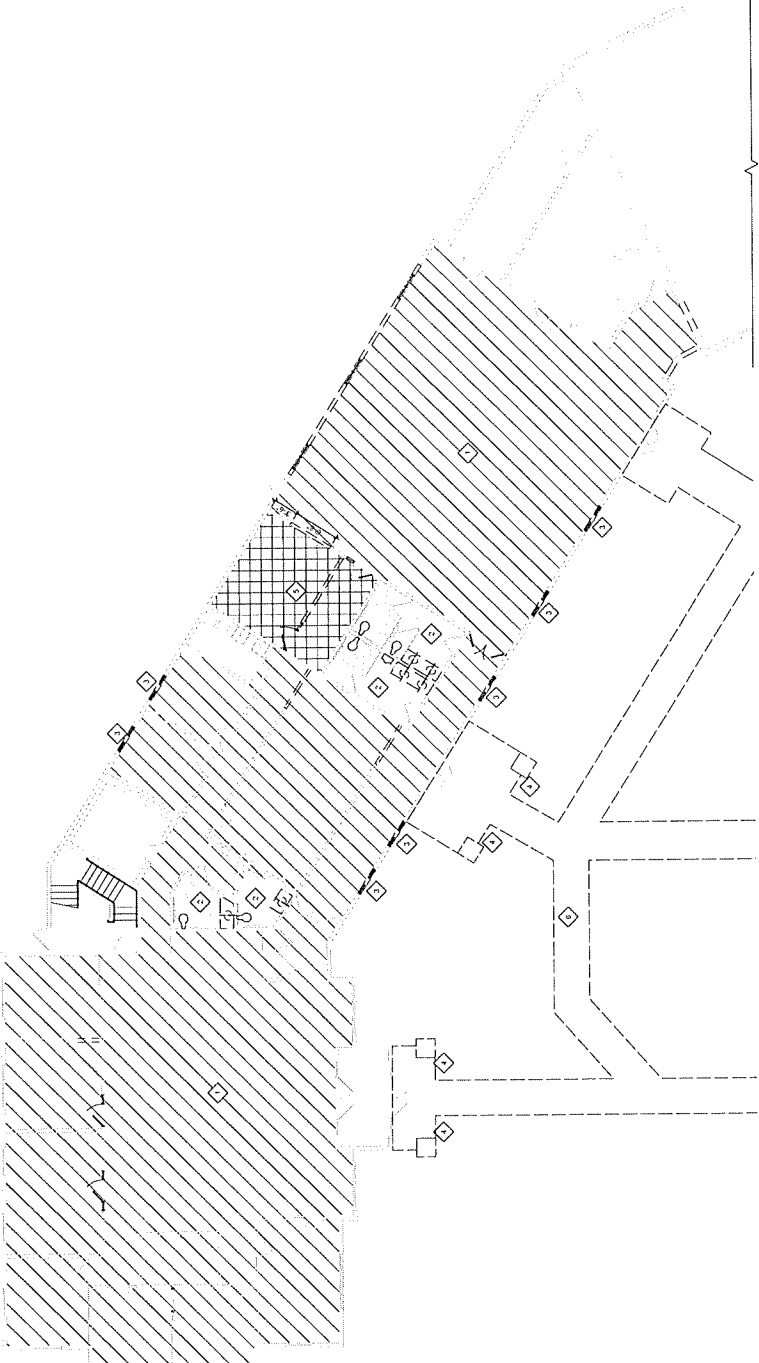
- ◇ MATCHED AREA DENOTES EXISTING FLOORING, BASE & WALL COVERING TO BE REMOVED THROUGHOUT
- ◇ MATCHED AREA DENOTES EXISTING FLOORING, BASE, WALL COVERING, MILLWORK, & PARTITIONS TO BE REMOVED THROUGHOUT
- ◇ EXISTING WINDOW & WINDOW TREATMENTS TO BE REMOVED
- ◇ EXISTING COLUMN ENCLOSURES TO BE REMOVED
- ◇ MATCHED AREA DENOTES EXISTING FLOORING, BASE, WALL COVERING, FINISH CEILING, & LIGHT FIXTURES TO BE REMOVED THROUGHOUT
- ◇ PATCH AND REPAIR EXISTING SIGNALS WHERE NOTES IN FIELD

GENERAL DEMOLITION NOTES

- VERIFY IN FIELD ALL DIMENSIONS & CONDITIONS PRIOR TO START OF WORK.
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BASEMENT DEMO PLAN
SCALE: 1/8" = 1'-0"



FIRST FLOOR DEMO PLAN
SCALE: 1/8" = 1'-0"

REV #	DATE	DESCRIPTION
6-023	6-023	PROJECT SET
7-5-23	7-5-23	PERMIT SET



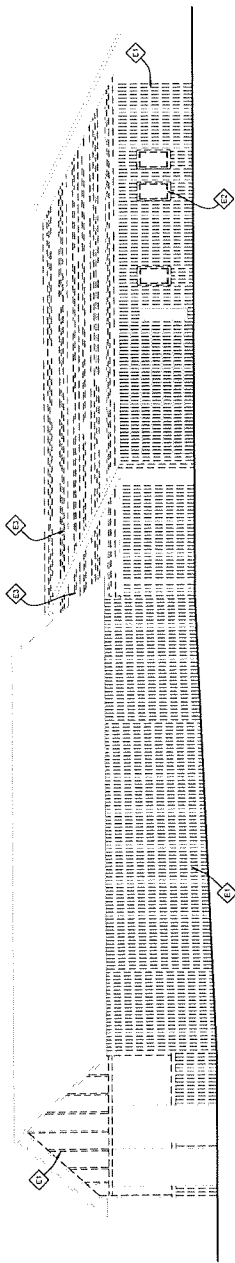
EXTERIOR DEMO
ELEVATIONS

SHEET TITLE
DRAWN BY: JMT
CHECKED BY: DSR
DRAWING DATE: 7-5-23
PROJECT NUMBER: 23038

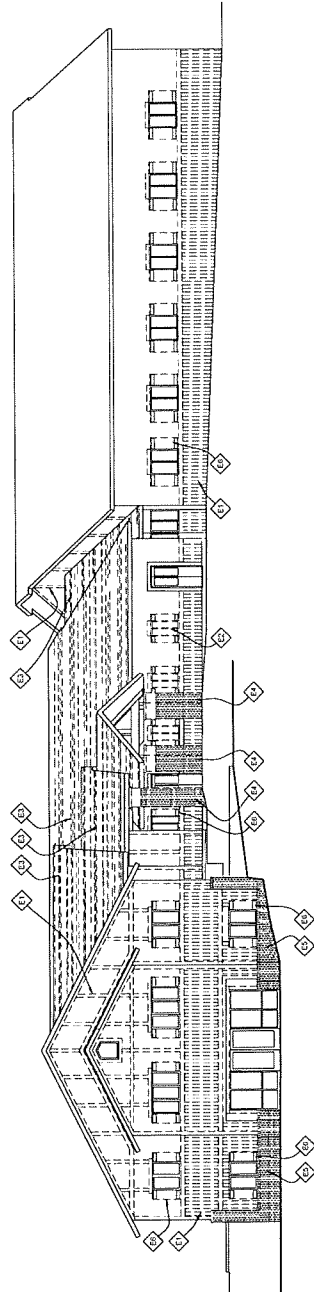
SHEET NUMBER
23038
D-201

DEMOLITION KEYED LEGEND

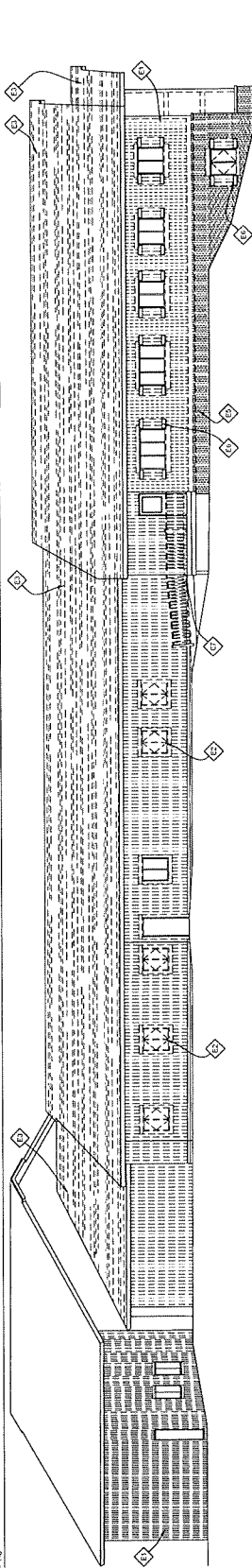
- ⓧ REMOVE EXISTING MATERIAL TO ALLOW FOR SOING INSTALLATION.
- ⓧ REMOVE EXISTING WINDOWS REFER TO FLOOR PLAN FOR SIZE REPLACEMENT
- ⓧ REMOVE EXISTING ROOFING TO ALLOW FOR NEW ROOFING MATERIAL REFER TO A-201
- ⓧ REMOVE BRICK ENTRY PIERS REFER TO EXTERIOR ELEVATIONS
- ⓧ REMOVE EXISTING BRICK VENEER TO ALLOW FOR CAST STONE INSTALLATION
- ⓧ REMOVE EXISTING SHUTTERS TO ALLOW FOR SOING.
- ⓧ REMOVE EXISTING SECOND AND MAINFLOOR REPLACE W/ NEW MATERIAL.



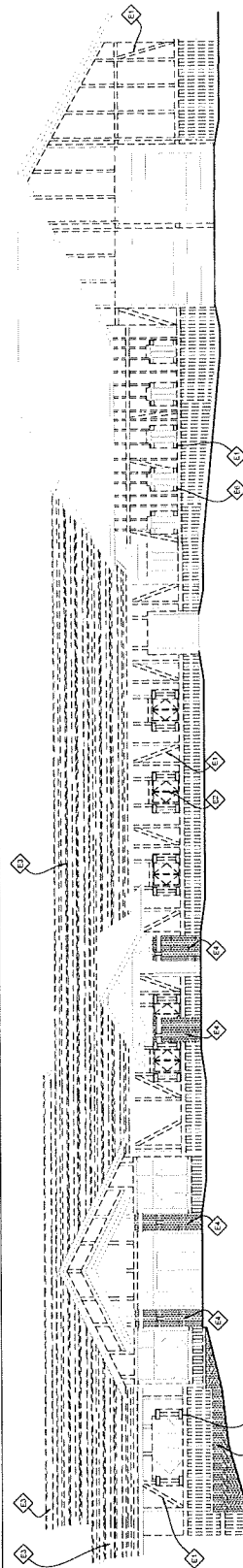
NORTH ELEVATION
SCALE: 1/8" = 1'-0"



NORTH ELEVATION
SCALE: 1/8" = 1'-0"



WEST ELEVATION
SCALE: 1/8" = 1'-0"



EAST ELEVATION
SCALE: 1/8" = 1'-0"

REV #	DATE	DESCRIPTION
1	1/25/10	ISSUED FOR PERMIT SET
2	6/20/12	PERMIT SET
3	7/5/13	PERMIT SET

PROJECT NUMBER
23038

SHEET NUMBER
A-101

SHEET TITLE
FIRST FLOOR & BASEMENT PLAN

DATE
1/25/10

CHECKED BY
D.D.B.

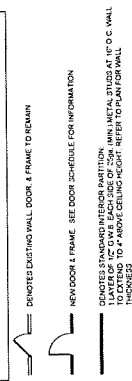
DRAWING DATE
7/5/13

PROJECT NUMBER
23038

SHEET NUMBER
A-101

- GENERAL NOTES**
1. CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS AND DIMENSIONS WITH REFERENCE TO THE WORK DESCRIBED IN THESE DOCUMENTS. REPORT ANY DISCREPANCIES TO THE ARCHITECT IMMEDIATELY.
 2. CONTRACTOR SHALL PROVIDE ALL NECESSARY LABOR MATERIALS AND EQUIPMENT FOR THE WORK DESCRIBED IN THESE DOCUMENTS. ALL WORK SHALL BE PROTECTED BY ALL SURFACE MEMBERS NECESSARY TO PREVENT DAMAGE TO EXISTING WORK.
 3. ALL EXISTING WORK SHALL BE PROTECTED FROM DAMAGE DURING CONSTRUCTION. EXISTING WORK SHALL BE PROTECTED FROM DAMAGE DURING CONSTRUCTION. EXISTING WORK SHALL BE PROTECTED FROM DAMAGE DURING CONSTRUCTION.
 4. ALL EXISTING WORK SHALL BE PROTECTED FROM DAMAGE DURING CONSTRUCTION. EXISTING WORK SHALL BE PROTECTED FROM DAMAGE DURING CONSTRUCTION.
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WALL LEGEND

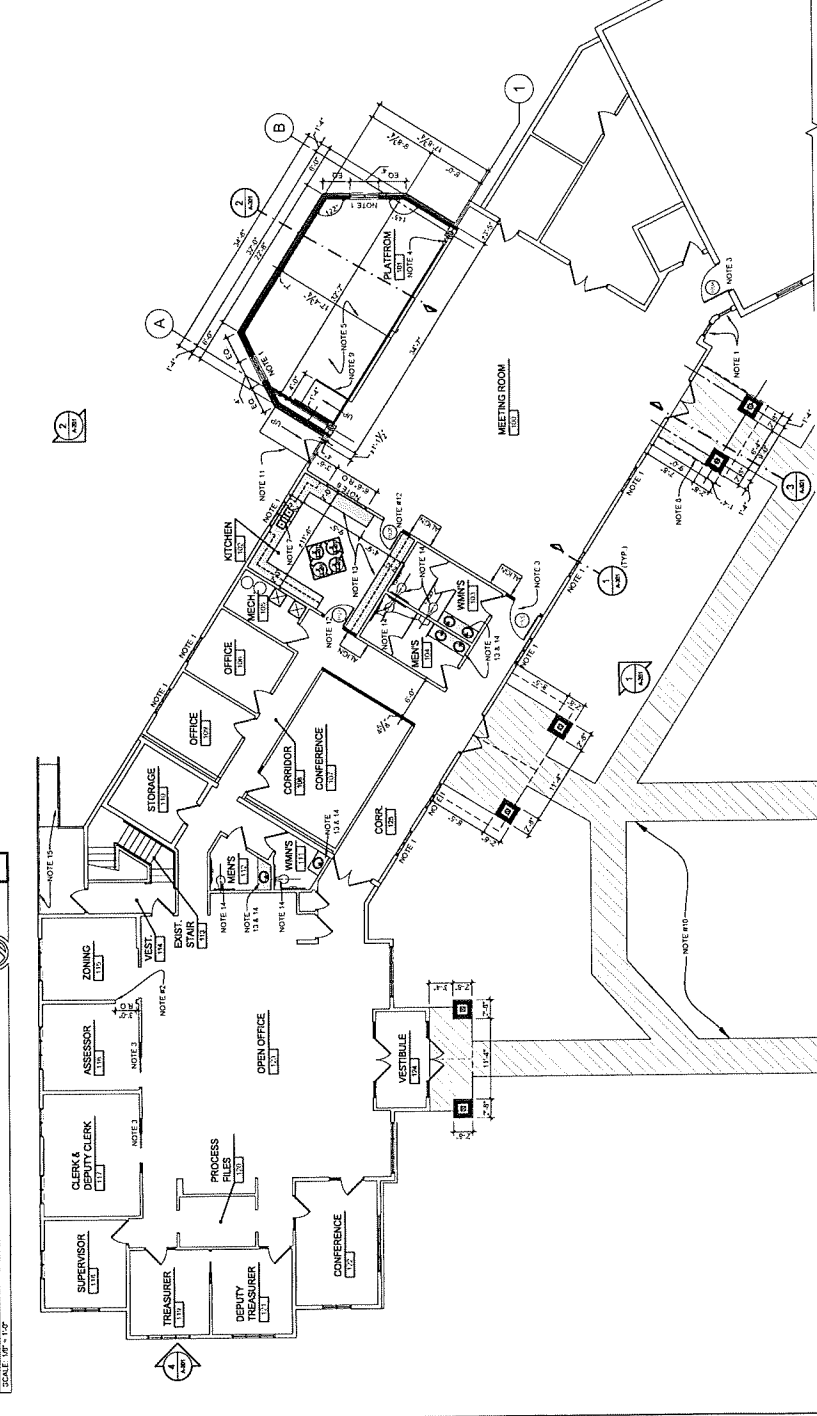
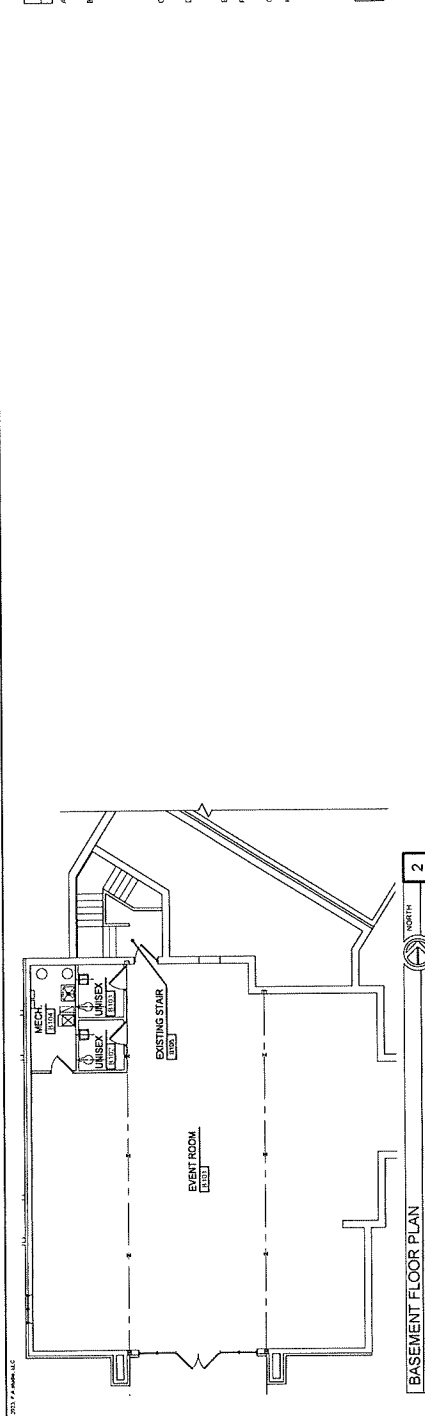


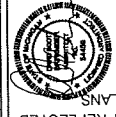
FLOOR PLAN KEYED NOTES

1. REMOVE EXISTING WORK. USE AMERICAN CASCADET STYLE WINDOWS TO MATCH EXIST.
2. REMOVE EXISTING WORK. USE AMERICAN CASCADET STYLE WINDOWS TO MATCH EXIST.
3. REMOVE EXISTING WORK. USE AMERICAN CASCADET STYLE WINDOWS TO MATCH EXIST.
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10. REMOVE EXISTING WORK. USE AMERICAN CASCADET STYLE WINDOWS TO MATCH EXIST.

FIRE EXTINGUISHER NOTES

- TYPE: ABC
- SIZE: 2.1 GAL
1. REMOVE EXISTING WORK. USE AMERICAN CASCADET STYLE WINDOWS TO MATCH EXIST.
- 2. REMOVE EXISTING WORK. USE AMERICAN CASCADET STYLE WINDOWS TO MATCH EXIST.
- 3. REMOVE EXISTING WORK. USE AMERICAN CASCADET STYLE WINDOWS TO MATCH EXIST.
- 4. REMOVE EXISTING WORK. USE AMERICAN CASCADET STYLE WINDOWS TO MATCH EXIST.
- 5. REMOVE EXISTING WORK. USE AMERICAN CASCADET STYLE WINDOWS TO MATCH EXIST.
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- 10. REMOVE EXISTING WORK. USE AMERICAN CASCADET STYLE WINDOWS TO MATCH EXIST.



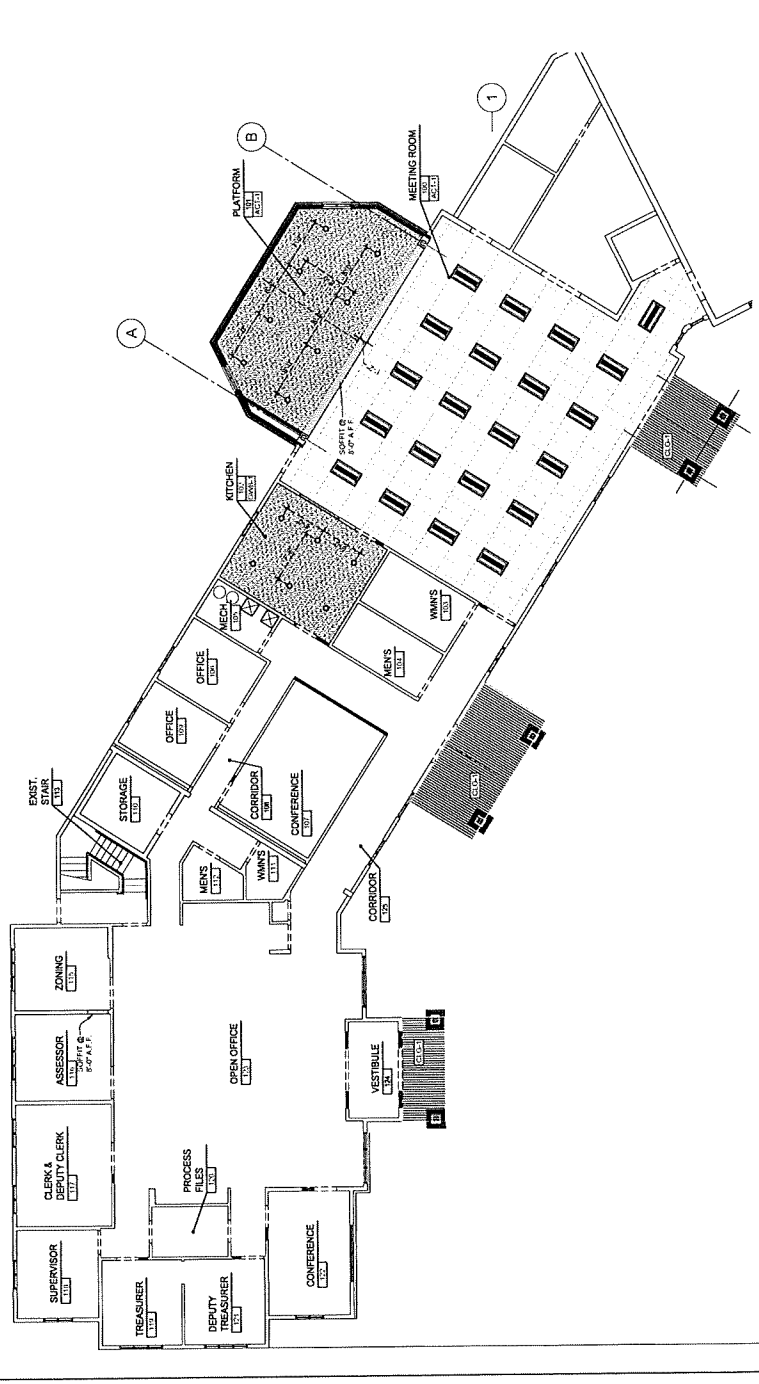
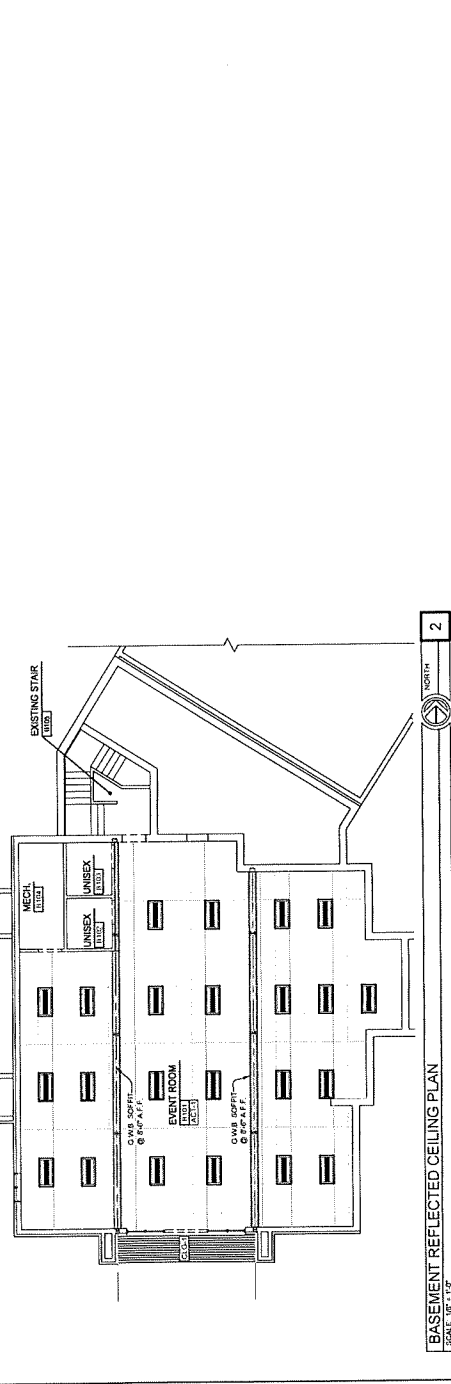


SHEET TITLE	FIRST FLOOR & BASEMENT REFLECTED CEILING PLANS
DESIGNED BY	RJ
CHECKED BY	ESB
DRAWING DATE	7-20-23
PERMIT SET	7-21-23
PROJECT NUMBER	230338
SHEET NUMBER	A-102

SYMBOL	TYPE	DESCRIPTION
	DRY WALL IN CEILING	REFERS TO ELECTRICAL DRAWINGS FOR MORE INFO
	DRY WALL IN CEILING WITH ELECTRICAL	REFER TO ELECTRICAL DRAWINGS FOR MORE INFO
	ACUSTICAL TILE	REFER TO FINISHES FOR MORE INFO
	ACUSTICAL TILE WITH GRID	REFER TO FINISHES FOR MORE INFO
	PAINTED OVER CEILING	REFER TO FINISHES FOR MORE INFO
	PANEL SYSTEM	INSTALL TWO WOOD CEILING OVER EXISTING WOOD JOISTS

GENERAL CEILING PLAN NOTES

- A. PROVIDE NEW TO MATCH OR DAMAGED CEILING TILE OR GRID DUE TO DEGRADATION FROM MOISTURE OR DISINTEGRATION OF THE ORIGINAL MATERIALS. INSTALL IN CORRECT DIRECTION TO MATCH EXISTING CEILING AND CORRELATION WITH LAYOUT AND
- B. VERIFY EXISTING CEILING AND CORRELATION WITH LAYOUT AND
- C. VERIFY EXISTING CEILING AND CORRELATION WITH LAYOUT AND
- D. VERIFY EXISTING CEILING AND CORRELATION WITH LAYOUT AND
- E. VERIFY EXISTING CEILING AND CORRELATION WITH LAYOUT AND
- F. VERIFY EXISTING CEILING AND CORRELATION WITH LAYOUT AND
- G. VERIFY EXISTING CEILING AND CORRELATION WITH LAYOUT AND
- H. VERIFY EXISTING CEILING AND CORRELATION WITH LAYOUT AND
- I. VERIFY EXISTING CEILING AND CORRELATION WITH LAYOUT AND
- J. VERIFY EXISTING CEILING AND CORRELATION WITH LAYOUT AND
- K. VERIFY EXISTING CEILING AND CORRELATION WITH LAYOUT AND
- L. VERIFY EXISTING CEILING AND CORRELATION WITH LAYOUT AND
- M. VERIFY EXISTING CEILING AND CORRELATION WITH LAYOUT AND
- N. VERIFY EXISTING CEILING AND CORRELATION WITH LAYOUT AND
- O. VERIFY EXISTING CEILING AND CORRELATION WITH LAYOUT AND



BASEMENT REFLECTED CEILING PLAN
 SCALE: 1/8" = 1'-0"

FIRST FLOOR REFLECTED CEILING PLAN
 SCALE: 1/8" = 1'-0"

REV #	DATE	ISSUED FOR	PROGRESS SET	PERMIT SET
1	6-20-23			
2	7-5-23			

EXTERIOR ELEVATIONS

SHEET TITLE

DRAWN BY: NBT
 CHECKED BY: DSB
 DRAWING DATE: 7-20-23
 PERMIT DATE: 7-20-23

PROJECT NUMBER: 230038

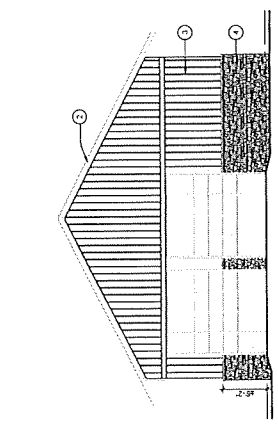
SHEET NUMBER: A-201

EXTERIOR HATCH KEY

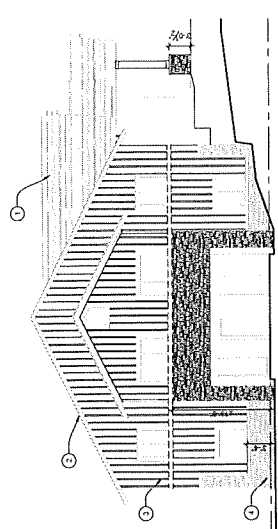
COLOR SYSTEM	DESCRIPTION	MINIMAL HATCH ID
[Hatched Box]	ASPHALT SHINGLE ROOF - COLOR TBD	1
[Hatched Box]	TRICK SIDING - COLOR TBD	2
[Hatched Box]	BOARD AND BATTEN VERTICAL SIDING - COLOR TBD	3

EXTERIOR MATERIAL SCHEDULE

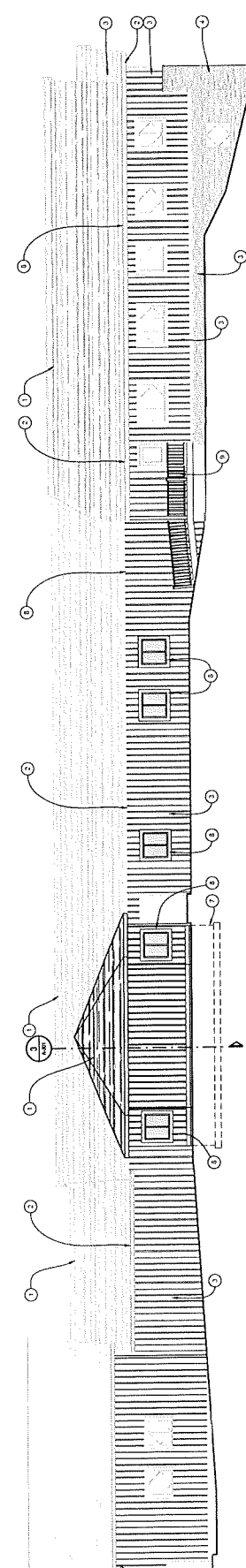
1	NEW ASPHALT SHINGLE ROOFING SYSTEM
2	REPLACE EXISTING FACIA W/ TRIM
3	NEW VERTICAL VINYL SIDING & BATTEN SIDING W/ TRIM
4	HANDHewn STONE SIDING W/ PRECAST CAP
5	ROOF TO REMAIN
6	NEW ALUM. PRE-FAB GUTTER SYSTEM W/ DOWN SPOUTS
7	TRENCH FOOTING BELOW
8	NEW WINDOW
9	REMOVE/REPAIR EXISTING DECK & GUARDRAIL



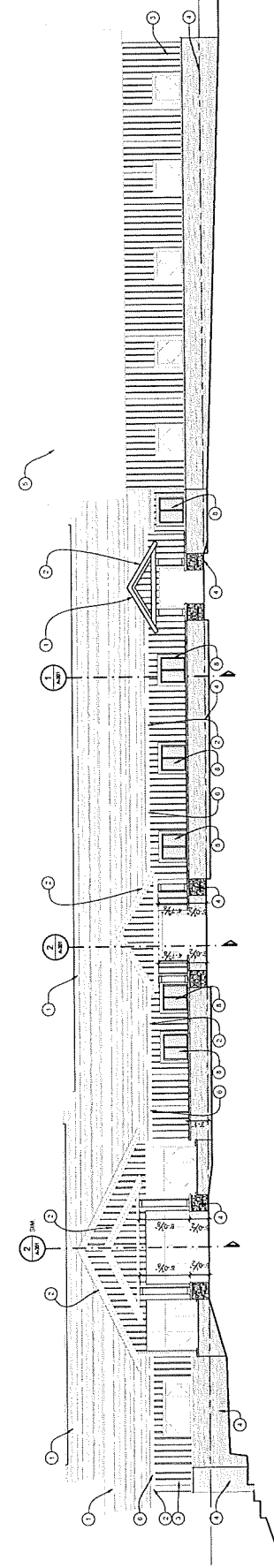
NORTH ELEVATION
 SCALE: 1/8" = 1'-0"



SOUTH ELEVATION
 SCALE: 1/8" = 1'-0"



WEST ELEVATION
 SCALE: 1/8" = 1'-0"

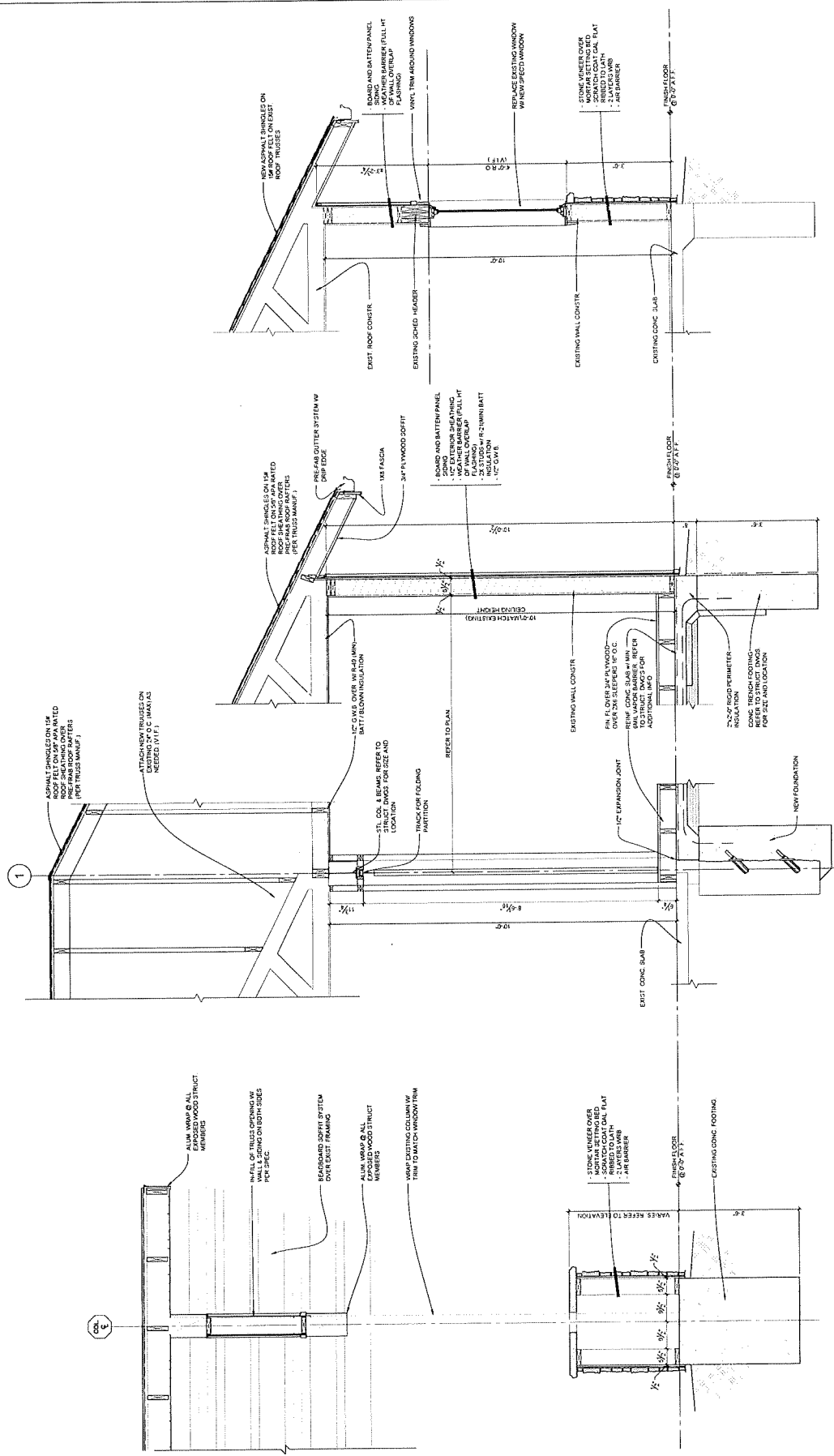


EAST ELEVATION
 SCALE: 1/8" = 1'-0"

REV #	DATE	DESCRIPTION
1	1/25/20	ISSUED FOR PERMIT SET
2	6-20-23	PERMIT SET
3	7-5-23	PERMIT SET

WALL SECTIONS

DATE: 7-5-23
 DRAWING DATE: 7-5-23
 DRAWN BY: J.A.
 CHECKED BY: D.B.
 PROJECT NUMBER: 23038



SECTION @ EXISTING WALL
 SCALE: 3/4" = 1'-0"

SECTION @ NEW WALL
 SCALE: 3/4" = 1'-0"

SECTION @ NEW WALL
 SCALE: 3/4" = 1'-0"

TOWNSHIP OF MARION LIVINGSTON COUNTY, MICHIGAN

PURCHASE OF DEVELOPMENT RIGHTS

ARTICLE I: INTENT, PURPOSE, AND SHORT TITLE

SECTION 1.1: INTENT AND PURPOSE.

The intent and purpose of the proposed Purchase of Development Rights (PDR) ordinance in Marion Township is to protect and preserve the valuable agricultural land, conserve natural resources, protect scenic and cultural heritage, provide landowner benefits, and promote community collaboration. The ordinance aims to create a framework that encourages voluntary land conservation, supports sustainable agriculture, and safeguards the rural character, environmental integrity, and quality of life in Marion Township for future generations.

1. **Preservation of Agricultural Land.** The primary objective of the PDR ordinance is to preserve productive agricultural land within Marion Township. By offering incentives to landowners, the ordinance seeks to encourage the permanent protection of farmland from non-agricultural development. This preservation ensures the long-term viability of the agricultural industry, promotes local food production, and maintains the rural landscape that is vital to the Township's identity and heritage.
2. **Conservation of Natural Resources.** Another crucial purpose of the PDR program is to conserve valuable natural resources and ecosystems. The ordinance aims to identify and protect environmentally sensitive areas, such as wetlands, forests, and wildlife habitats, by acquiring development rights from landowners. This conservation effort contributes to maintaining biodiversity, preserving water quality, and supporting the overall health and resilience of local ecosystems.
3. **Scenic and Cultural Preservation.** The PDR ordinance recognizes the importance of scenic beauty and cultural heritage in Marion Township. It aims to protect scenic vistas, historic sites, and cultural landscapes that contribute to the aesthetic appeal and tourism potential of the area.
4. **Voluntary Participation and Landowner Benefits.** The intent of the PDR program is to offer voluntary participation for landowners who wish to conserve their land. The ordinance provides landowners with financial compensation in exchange for the purchase of development rights, allowing them to retain ownership while restricting future non-agricultural development. This approach provides landowners with economic benefits, financial security, and the opportunity to maintain their agricultural operations or preserve the natural character of their property.
5. **Community Collaboration and Planning.** The PDR ordinance encourages community collaboration and engagement in land use planning. It aims to involve stakeholders, including landowners, residents, agricultural organizations, and environmental groups, in the development and implementation of the program. By fostering partnerships and leveraging local knowledge, the ordinance ensures that the PDR program aligns with community goals and values.

SECTION 1.2: SHORT TITLE.

This ordinance shall be known and may be cited and referred to as the "Marion Township XXXXXXXXX and shall hereinafter be referred to as "this ordinance.

ARTICLE II: SCOPE AND APPLICATION

SECTION 2.1. INTERPRETATION.

The terms and provisions of this ordinance shall be interpreted and applied as minimum standards and requirements for the promotion and protection of the public health, safety, and welfare, and for the public peace and preservation of natural resources and public and private property within the township.

SECTION 2.2. LOGIC

This article has been created to provide for the establishment, financing, and administration of a purchase of development rights program to protect farmland, open space, natural areas, and other areas of eligible land as defined herein, in accordance with Public Act 110 of 2006, as amended.

SECTION 2.3. ACQUISITION

The acquisition of interests in farmland as provided in this Ordinance is a public purpose of Marion Township as provided in this Ordinance and financing such acquisition requires that the Township enter purchases or installment purchases not to exceed statutory limits.

ARTICLE III: DEFINITIONS

SECTION 3.1. DEFINITIONS.

For construction and application of this ordinance, the following definitions shall apply:

Agricultural Rights: An interest in and the right to use and possess land for purposes and activities related to open space, natural habitat, horticultural and other agricultural uses.

Agricultural Use. Land substantially undeveloped and devoted to the production of plants and animals useful to humans, including fruits, nuts, vegetables, greenhouse plants, Christmas trees and lumber, forages and sod crops, grains and feed crops, dairy and dairy products, livestock (including breeding and grazing), poultry and other similar uses and activities.

Board of Trustees: The Marion Township Board of Trustees.

Conservation value: The agricultural, natural, open space, scientific, biological, and ecological values of a parcel of property that are found to be worthy of protection.

Development: An activity that materially alters or affects the existing conditions or use of any land.

Development Rghts: The right to develop land to the maximum intensity of development authorized by law.

Development rights easement: A grant, by a legal instrument, whereby an owner relinquishes to the public the right to develop the land except as expressly reserved in the instrument, and which contains a covenant running with the land describing the easement terms, conditions, and development rights.

Full ownership: Fee simple ownership, or outright ownership of real property, including the ownership of all aspects of title, including the ability to transfer the totality of the title.

Intensity of development: The height, bulk, area, density, setback, use and other similar characteristics of development.

Other eligible land: Land that has a common property line with agricultural land from which development rights have been purchased and that is not divided from that agricultural land.

Owner: The party or parties who has/have legal title to or an equitable interest in the property.

Land: A measured portion of land that is described and included in a proposed agreement to acquire or transfer the purchase of development rights between the Township and owner of the land, in accordance with the provisions of this Ordinance.

Permitted use: Any use reserved within a development rights easement essential to the farming operation thereon or which does not alter the open space character of the land.

Value of development rights: The purchase price of the development rights shall be equal to or less than the appraised potential value of the land if fully developed less the current appraised value of the agricultural or open space land.

Historical Structure: means any building or structure listed by the Michigan State Historical Society on the Michigan State and National register of historic places. Historical Structure can also include a building or structure that the Township has designated under an enactment as having historical or architectural significance to the Township and its residents.

ARTICLE IV: ELIGIBILITY

SECTION 4.1. ELIGIBILITY, APPLICATION, AND REQUIRED INFORMATION.

Lands that may be considered for purchase of development rights shall exhibit at least one of the following characteristics:

1. Are currently used for agricultural and farming or have been used for such uses in the past and may immediately be returned to active agricultural and farming use.
2. Contain woodland, trees, tree stands or wooded habitat.
3. Contain wetland.
4. Contain 100-year floodplain, natural watercourse, lake or pond, or shoreline of a lake or pond.
5. Are currently open and void of all manmade structures such as dwellings, barns, garages, sheds, buildings, paved or unpaved roads or drives, and debris. Lands which contained such structures in the past may be eligible but only if all such structures have been removed prior to consideration and the land is open and void at the time of consideration. A special exception can be made by the Township Board, upon the recommendation of the Supervisor and planner, and the Planning Commission, to consider land which contains historic structures that have significance to the township overall. A special exception can be made by the Township Board or the Planning Commission or the Township Planner, to consider the land which contains the historic structures that have

significance to the Township and its residents. Historic structures include but not limited to country school house, early government building, country church, a historical barn, a historical family farm house, Centennial Family Farm. The ongoing maintenance of these historic structures will be the responsibility of the Township and its residents per the executed purchase of development rights agreement between the Township and the owner of the land and historic structure.

ARTICLE V: APPLICATION

SECTION 5.1. APPLICATION.

Any person may apply to the township for purchase of the development rights of his/her/their land. A person may apply by providing a request in writing accompanied by the required information as set forth herein. Application forms may be provided by the township and shall be used if available. Any application and review fees as required by resolution by the Township Board shall be paid at the time of application. The act of filing an application provides no assurance of approval and subsequent purchase of development rights.

1. The township may initiate the purchase of development rights by directing the Township Supervisor and township planner to explore the possibility of purchasing the development rights from a specific parcel. Such exploration shall include identification of the property owner, determining the owner's willingness to work with the township, and conducting an informal evaluation as to whether the property could be eligible and could meet the standards herein. If the exploration work finds that purchase of the development rights is possible, the Township Supervisor shall prepare or make arrangements for the preparation of a complete application as set forth herein. The township is not obligated to further pursue a self-initiated application, nor is the township obligated to approve or subsequently purchase the development rights.

SECTION 5.2. REQUIRED APPLICATION INFORMATION SUBMITTED BY THE OWNER FOR CONSIDERATION.

The following information is necessary and shall be provided for review by an applicant when considering any land for purchase of development rights:

1. Parcel identification number, legal description, and parcel size.
2. Copy of the title and deed for to the property, along with a completed title search confirming rightful ownership of the property.
3. Identification of all rights-of-way or easements on the property, and any party with an interest in the property are disclosed
- 4.
5. Property value data including assessed value and estimated market value.
6. Existing land use on and adjacent to the parcel.
7. Identification of the significant natural features (wetlands, woodlands, trees, ponds, streams, rivers, habitat containing endangered or threatened species or species of special concern, etc.).

8. Identification of known environmental concerns on the property (e.g., evidence of buried waste, soil contamination, ground, or surface water contamination, etc.).
9. Survey of property by registered surveyor indicating parcel boundaries, location of buildings, walls, shelters, fences, bridges, trails, roads, and other built features.
10. **Proposed types** of development rights to be purchased (e.g., fee ownership, undivided interest, conservation restriction, retained life estate, reversionary interest).
11. Description of any rights the owner wishes to retain. Identification and explanation of mineral, oil and gas, or water rights that may exist.

SECTION 5.3. AUTHORIZATION.

The Township Board may purchase the development rights of land from willing **property** owners in Marion Township that is or was an active agricultural operation, open space, or natural areas as defined herein as intended by this article. The property interest acquired may be either the development rights, or any lesser interest, easement, covenant, or other contractual right. Purchase of development rights under this article may not be accomplished through condemnation. Participation in this program by a landowner shall be voluntary; the township shall have no authority to force a landowner to participate.

1. The Township Board is further authorized to participate, partner or contract with public, private, or nonprofit land conservation organizations or trusts to purchase, administer and enforce the rights obtained by the township under the PDR program.

ARTICLE VI: REVIEW PRODECURES

SECTION 6.1. THE BOARD OF TRUSTEES REVIEW AND RECOMMENDATION.

It shall be the responsibility of the Township Supervisor and township planner to determine **whether an application is complete**. For complete applications, the Township Supervisor and planner shall prepare a written report to the Planning Commission describing the case and **provide** a recommendation regarding the following:

1. Whether to purchase development rights.
2. **Description of the development rights to be purchase.**
3. **A description of any future property developments, improvements, and maintenance if any that will be permitted after the development rights have been purchased by the Township.**
4. The price at which development rights will be purchased and the method of payment.
5. **A detailed accounting of funds to be used for the purchase of the development rights indicating the source(s) of the funds for the purchase (millage, donation, general fund, grant, etc.) .**
6. The procedures **and legal documents to be used** for ensuring that the purchase or sale of the development rights is **designed**

to run with the land.

7. In preparing their report, the **Township Supervisor** and planner may consult with any other staff, consultants, agencies, and experts that may be necessary.
8. **A summary of all documents and correspondence that may pertain to said purchase.**
9. **A summary of all unique agreements or documents that were part of the negotiations of the sale.**
10. **Placeholder text**
11. **Placeholder text**

SECTION 6.2. ATTORNEY REVIEW, COMMENT, AND RECOMMENDATION

SECTION 6.3. PLANNING COMMISSION REVIEW AND RECOMMENDATION.

The Planning Commission shall review the **completed** application and written reports provided by the Township Supervisor and planner. Upon completing its review, the Planning Commission shall make a recommendation to the Township Board based upon its findings and the requirements and standards in this article as well as the goals, policies and objectives of the township expressed in the master plan and adopted ordinances. A public hearing **shall** be called by the Planning Commission, in which case the hearing shall be noticed in accordance with the procedures set forth in article 4.00 of this Ordinance. The Planning Commission's recommendation shall be made only after the public hearing has been held. The Planning Commission shall recommend that the Township Board purchase **or not purchase** the development rights. Comment regarding the financing mechanism to purchase the development rights if recommended **shall also be included**.

SECTION 6.4. TOWNSHIP BOARD OF TRUSTEES REVIEW AND ACTION.

The Township Board shall review the application (which may be provided to the board in summary), written reports (which may be provided to the board in summary), and Planning Commission recommendation. Upon completing its review, the Township Board shall decide whether to purchase the development rights of the property under consideration or not and shall decide on the financing mechanism in which to purchase the development rights if the decision is to purchase. The decision of the Township Board is discretionary; the findings and recommendations by the supervisor and planner, and the Planning Commission, shall not obligate the Township Board to purchase or not purchase development rights.

ARTICLE VII: APPROVAL AND CONDITIONS.

SECTION 7.1. STANDARDS FOR APPROVAL.

When considering the purchase of development rights under the procedures set forth in this article, the following standards shall be followed for approving, modifying, or rejecting an application to purchase development rights:

SECTION 7.2. ELIGIBLE LANDS.

Only those parcels of land that meet or exceed the eligibility criteria as set forth in this article may be considered for purchase of development rights.

SECTION 7.3. ELIGIBLE RIGHTS.

The township shall only purchase the rights **up** to develop the land to the maximum **opportunity** of development for the current zoning designation at the time this article was adopted.

SECTION 7.4. PURCHASE METHODOLOGY.

The purchase price of the development rights shall be equal to or less than the appraised potential value of the land if fully developed less the current appraised value of the agricultural or open space land. The method of payment shall be determined in advance of the purchase of development rights. **Any** approvals or procedural requirements related to the method of payment must be secured separately and prior to the purchase of the development rights or made a condition to the approval thereof.

SECTION 7.5. CONFORMANCE WITH PDR CONCEPT.

The purchase of the development rights being considered shall be consistent with and promote the intent of the purchase of development rights concept as stated in this ordinance. The purchase shall also be consistent with the specific standards and requirements set forth herein.

SECTION 7.6. COMPATIBILITY WITH TOWNSHIP MASTER PLAN.

The purchase of the development rights being considered shall be compatible with the general principals, goals, objectives, and policies set forth in the adopted master plan.

SECTION 7.7. FARMLAND PRESERVATION, OPEN SPACE, AND NATURAL RESOURCE PRESERVATION.

The purchase of the development rights shall accomplish one or more of the following:

1. Preservation of farmland from being developed with another use, enabling land to continue in agricultural or farm use.
2. Preservation of open space for the visual, scenic, active recreation, or passive recreation enjoyment of township residents.
3. Preservation of a natural area **to further** the possibility of **natural vegetative growth**, wildlife habitat, and restoration of that natural area in the future.

SECTION 7.8. PURCHASE AGREEMENT

All Applications Shall Abide by the following:

1. Purchase Agreement. The purchase of the development rights shall be accomplished by a purchase agreement, or other equivalent instrument, that fixes the transaction to run with the land and is recorded with the register of deeds.
2. Conformance to all applicable regulations. The application shall be made, and the purchase of development rights shall be carried out, in conformance with all applicable federal, state, and local laws and regulations.
3. Conditions of Approval. Any purchase of development rights made through this purchase of development rights program shall be set forth in a written agreement that is in recordable form suitable for recording. The purchase agreement shall specify the conditions of approval, including the following, at minimum:
 - a. Runs with the Land. The purchase agreement shall state that the conveyance of the development rights shall run with the land.
 - b. Rights Retained by Owner. The purchase agreement shall state the provisions by the owner to retain certain rights, including a detailed description of the retained rights, the right to convey the retained rights, and maintaining existing structures.

SECTION 7.9. PROHIBITED ACTIVITIES

Prohibited Activities. Any activity on or use of the property that is inconsistent with the purposes of this article or detrimental to the values being preserved is prohibited. By way of example, the following activities and uses are prohibited:

1. Any division or subdivision of the property.
2. Commercial or industrial use (for purposes of this provision, farming and agricultural use shall not be considered commercial or industrial).
3. Placement or construction of any buildings, structures, fences, walls, roads, parking lots or other improvements, unless expressly permitted.
4. Cutting down trees or vegetation, unless expressly permitted.
5. Mining or alteration of the land surface, except where mineral rights have been retained by another owner and where the other owner has explicit rights to mine on the property as previously disclosed in the application review process.
6. Dumping of hazardous, construction, household, equipment, mechanical waste or materials.
7. Alteration to natural watercourses, wetlands, or other natural water features.
8. Use of motorized off-road vehicles such as snowmobile, all-terrain vehicles, motorcycles, and the like are to be operated by the land owners only for the purpose of farming and/or maintaining the preserved property.
9. Construction of billboards and other advertising signs, and other signs as defined in Section 15.03.

ARTICLE VIII: ENFORCEMENT AND MONITORING.

SECTION 8.1. MONITORING AND ENFORCEMENT.

The purchase agreement shall provide the township or its agent with certain rights needed to monitor the protection of the rights purchased. These rights shall include:

1. The right to enter the property at **least annually providing 48 hour notice of such visit and at** reasonable times to monitor or enforce compliance with the conditions of approval and the purchase agreement. The township, however, shall not unreasonably interfere with the owner's retained rights on the property.
2. The right to prevent any activity or use of the property that is inconsistent with the conditions of approval and the purchase agreement.
3. The right to require restoration of the areas or features of the property that are damaged by activity inconsistent with the conditions of approval and the purchase agreement. The township or its agent shall also have the right to conduct studies on the property to determine appropriate types of restoration activities if necessary.
4. The right to place signs on the property to indicate that the property is being protected under the terms of this PDR program.

SECTION 8.2. FURTHER ACTION.

In addition to, or in lieu of, seeking to enforce this ordinance by proceeding under Section 8.1 above, the township may institute an appropriate action in a court of general jurisdiction seeking equitable relief.

ARTICLE IX: ENHANCEMENT.

SECTION 9.1. ENHANCEMENT

The purchase agreement may provide the township with the right to engage in activities that restore the biological and ecological integrity of the property. Such activities may include inventorying plant and animal species on the property, planting native vegetation, removal of undesirable vegetation, etc.

ARTICLE X: DURATION.

SECTION 10.1. DURATION OF ACQUIRED INTERESTS.

It is the intent that the development rights acquired pursuant to this Ordinance shall be held in trust by the Township for the benefit of its citizens in perpetuity. However, after

the first 50 years from the execution of the purchase of development agreement have passed, the owner on record of the preserved property may make an application to the Planning Commission that the farmland described in the purchase of development agreement per this Ordinance has (a) become land locked with non-agricultural uses, (b) why with document evidence that farming is no longer feasible and (c) reasons why the release is for the public good of the Township residents. The Planning Commission will evaluate the feasibility of the farming by determining whether the land is no longer and never will be suitable for any kind of agriculture, with wooded land left fallow not necessarily to be considered unsuitable.

1. Upon receiving the recommendations of the Planning Commission, the Board of Trustees shall take final action on such recommendations. The Board of Trustees must support the request by the owner to repurchase development rights by a five-member majority of the total seven Trustees.
2. For those properties for which the Board of Trustees approves the return of development rights as specified in Subsection (1), the Planning Commission shall **require** an appraisal of the applicant's property interest (**property rights**) at the owner's expense. Payment for this appraisal shall be made by the owner in advance. **After the appraisal is conducted**, the value of development rights **will be determined by two (2) follow up appraisals**. One appraisal shall determine the fair market value of full ownership of the land (excluding buildings thereon), and one shall determine the fair market value of the agricultural rights plus any specifically retained residential development rights. Appraisals shall be made by State certified appraisers selected by the Planning Commission. The selected appraiser shall not have a property interest, personal interest, or financial interest in eligible lands.
3. Appraisals shall be in writing and shall be furnished to the respective owners for review. Errors of fact in any appraisal may be called to the attention of the appraiser by the Planning Commission or by owners of the property appraised, but corrections of the appraisal may be made only by the appraiser.
4. At any time in this process, the owner may choose to withdraw the request for the return of development rights without penalty, while still being responsible for the Township's appraisal of the property as specified above in Subsection (2).
5. If the Board of Trustees approves the return of development rights, the Township shall have a right of first refusal to purchase the remaining rights at the fair market value of the agricultural rights plus any retained

development rights, as determined by a State certified appraiser. Upon receiving the recommendations of the Planning Commission, the Board of Trustees shall take final action on such recommendations. If the Board of Trustees chooses to exercise this right of first refusal, an offer to purchase the remaining rights at the appraised value shall be submitted. Acquisition of lands shall not be made with funds authorized for development rights acquisition pursuant to this Ordinance. The owner may at that time choose to not sell the remaining rights and instead retain ownership of the property.

6. If (a) a request to re-purchase development rights is denied by the Board of Trustees, or (b) the landowner chooses not to sell the remaining rights the Township chooses to exercise its right of first refusal or (c) more than a year passes from the Board of Trustees' authorization for the re-purchase of development rights, the landowner must wait five years before re- applying to re-purchase development rights.
7.
 - a. The Township may convey development rights acquired pursuant to this Ordinance to a conservation, open space preservation, historic preservation or similar organization under terms ensuring that the public benefits for which the Township purchased the development rights will be maintained.

ARTICLE XI: FINANCING

SECTION 11.1.

The Township Board of Trustees shall finance the PDR program through one or more of the sources identified in Section 509(1) of Public Act 110 of 2006, as amended, including: General appropriations by the Township; proceeds from the sale of development rights by the township subject to Section 508(3) of Public Act 110 of 2006, as amended; grants; donations; millage; bonds or notes issued under Sections 509(2)-(5); general fund revenue; special assessments under Section 509(6); and other sources approved by the legislative body and permitted by law.

The Township Board of Trustees shall create a Development Rights Acquisition Fund to be hereafter created in the office of the Treasurer of Marion Township. Any funds secured by the Township for purchasing development rights on farmland or open space shall be placed in the designated Development Rights Acquisition Fund. Money in such an acquisition fund may be temporarily deposited in such institutions or invested in such obligations as may be lawful for the investment of Township money. The funds and any interest received from the deposit or investment of such funds shall be applied and used solely for the purposes of purchasing development rights of land in the Township set forth in this Ordinance.

SECTION 11.2. RELATED COSTS.

The costs of appraisal, easement development, baseline documentation, legal and other services lawfully incurred incident to the acquisition of interests in eligible lands by the Township shall be paid by the Township. The Township shall not be responsible for expenses incurred by the owner incident to this transaction.

SECTION 11.3. SUPPLEMENTAL FUNDS.

Supplemental or matching funds from other governmental agencies or private sources may become available to pay a portion of the cost of acquiring development rights, or some lesser interest in eligible lands or to supplement or enlarge such acquisition. The Board of Trustees is hereby authorized to utilize such funds to purchase interests in eligible lands or to otherwise supplement Township funds in the manner provided by this Ordinance and in accordance with the applicable laws or terms governing such grant.

ARTICLE XII: SEVERABILITY

SECTION 12.1.

If any one or more sections, provisions, phrases, or words of this ordinance shall be found to be invalid by a court of competent jurisdiction, such holding shall not affect the validity nor the enforceability of the remaining sections, provisions, phrases, or words of this ordinance unless expressly so determined by the court.

ARTICLE XIII: NONEXCLUSIVITY

SECTION 13.1.

The prohibitions provided for in this ordinance shall be in addition to, and not exclusive of, other prohibitions and penalties provided for by other law, ordinance, rule and/or regulation.

ARTICLE XIV: ADOPTION

SECTION 14.1.

Provision of this ordinance shall take effect thirty (30) days from the date of publication in accordance with the statutes of the State of Michigan.

The ordinance was unanimously adopted by the Township Board on _____ 2023, as verified by Tammy Beal, Marion Township Clerk.

MARION TOWNSHIP

DATA PROCESSING FACILITY ZONING ORDINANCE AMENDMENT

An amendment to the Marion Township Zoning Ordinance to amend and add definitions related to data processing facilities.

Marion Township Ordains:

SECTION 1. DEFINITIONS

Section 3.02 Definitions of the Zoning Ordinance is hereby amended to add the following definition for a "Data Processing Facility" which shall read, in its entirety, as follows:

Data Processing Facility: A building, dedicated space within a building, or group of structures located on one or more acres of land used to house a large group of computer systems and associated components, such as telecommunications and data processing systems, to be used for the remote storage, processing, or distribution of large amounts of data. Examples of such data include, but are not limited to, computationally intensive applications such as blockchain technology, cryptocurrency mining, weather modeling, genome sequencing, etc. Such facilities may also include air handlers, power generators, water cooling and storage facilities, utility substations, and other associated utility infrastructure to support operations.

SECTION 2. AMENDMENT OF ARTICLE X: INDUSTRIAL

ARTICLE X: INDUSTRIAL DISTRICTS

Section 10.01 LI: Light Industrial District

- A. **Intent:** It is the intent of the Light Industrial District (LI) to provide for a variety of light industrial uses, including manufacturing, processing, assembling, packaging, or treatment of products from previously prepared materials, as well as commercial establishments not engaging primarily in retail sales. Such industrial areas should be free of incompatible uses, and designed to avoid negatively impacting adjacent conforming uses.

B. **Uses Permitted By Right:**

In the Light Industrial District, no building or land shall be used and no building or structure erected except for one or more of the following specified uses, unless otherwise provided for in this Ordinance. All uses permitted in this district are subject

to the requirements and standards of Article XVIII, Site Plan Requirements prior to initiation of the use or structure.

The following are uses permitted by right when conducted in a permanent fully enclosed building:

1. Light industrial establishments that perform assembly, fabrication, compounding, manufacture, or treatment of materials, goods, and products, including, but not limited to:
 - a. Jobbing and machine shops.
 - b. Fabricated metal products.
 - c. Plastic products, forming and molding.
 - d. Processing of machine parts.
 - e. Monument and art stone production.
 - f. Industrial laundry operations.
 - g. Wood products processing facility.
 - h. Printing and publishing.
2. Storage facilities for building materials, sand, gravel, stone, lumber, and contractor's equipment.
3. Grain and feed elevators, bulk blending plants and/or handling of liquid nitrogen fertilizer and anhydrous ammonia.
4. Commercial uses not primarily involved in retail sales as a primary use, including but not limited to building material suppliers (excluding concrete mixing), retail lumber yards including incidental millwork, farm implement dealers and repair.
5. The manufacturing, compounding, processing and packaging of perfumes, pharmaceuticals, toiletries, and condiments (except fish, meat, fowl, vegetables, vinegar, and yeast).
6. The manufacturing, compounding, assembling or treatment of articles or merchandise from the following previously prepared materials: bone, cellophane, fur, glass, hair, horn, leather, paper, plastics, precious or semi-precious metals or stones, zinc and aluminum pressure die casting, shell,

textiles, tobacco, wood (excluding planing mill), yarns and paint not requiring a boiling process.

7. Distribution plants, parcel delivery service, ice and cold storage plants.
8. Assembly of electrical appliances, electronic instruments and devices, radios and phonographs, including the manufacture of small parts, such as condensers, transformers, crystal holders, transistor and computer boards, and the like.
9. Laboratories, experimental or testing.
10. Public utility service yard or electrical receiving transforming station.
11. Coal yards.
12. Freighting or trucking terminals.
13. Freight yards.
14. Painting, upholstering, rebuilding, conditioning, body and fender work, repairing, tire recapping or retreading, and battery manufacture.
15. Industrial park, subject to the following conditions:
 - a. Permitted uses shall include all uses permitted by right within this district. Special uses identified in Section 10.01 D may be permitted, subject to the special use provisions of Article XVI.
 - b. The minimum required land area for an industrial park shall be twenty (20) contiguous acres.
 - c. The development of an industrial park shall be in accordance to an overall plan for development of the park, which plan shall be approved by the Township Planning Commission.
 - d. The developer shall provide within the industrial park a sanitary sewage system that shall be of sufficient size and design to collect all sewage from structures within the industrial park.
 - e. The developer shall provide within the industrial park a storm drainage system which shall be of sufficient size and design as will, in the opinion of the Township Engineer, collect, carry off and dispose of all predictable surface water runoff within and draining into the industrial park, and shall be so constructed as to conform with the statutes, ordinances and regulations of the

- State of Michigan, the Livingston County Drain Commissioner and the Township.
- f. If a public water system is not available, the developer shall provide within the industrial park a potable water system that shall be of sufficient size and design to supply potable water to each of the structures to be erected in the development.
 - i. The developer shall also provide a fire hydrant within four hundred (400) feet of each structure.
 - ii. Such water system shall conform to the statutes, ordinances, and regulations of the State of Michigan, the Livingston County Health Department, the Livingston County Drain Commissioner and the Township.
 - g. All industrial parks shall have direct access to a paved street or major thoroughfare.
 - h. Provision shall be made for safe and efficient ingress and egress to and from public streets and highways serving the industrial park without undue congestion or interference with normal traffic flow.
 - i. All points of vehicular access to and from public streets shall be located not less than seventy-five (75) feet from the intersection of any public street lines with each other.
 - ii. No part of any parking access and/or service area may be located closer than one hundred fifty (150) feet to any residential property line.
 - j. Parking, loading, or service areas used by motor vehicles shall be located entirely within the boundary lines of the industrial park.
 - k. Any industrial park adjoining any residential development shall be provided with a buffer zone of at least sixty (60) feet that shall be provided adjacent to the property line. Such buffer shall be planted with evergreen and other suitable plantings and used for no other purposes as provided in Section 6.13. A landscaped planting area shall also be provided along all street frontages that shall not be less than sixty (60) feet in width.
 - l. Lighting facilities shall be required where deemed necessary for the safety and convenience of employees and visitors. These

facilities will be arranged in such a manner so as to protect abutting streets and adjacent properties from unreasonable glare or hazardous interference of any kind.

- m. Maximum building coverage on any lot within the industrial park shall not exceed forty (40) percent.
- n. Minimum lot sizes within an industrial park shall be one (1) acre.
- o. Minimum lot width within an industrial park shall be one hundred twenty (120) feet.
- p. Minimum yard setbacks within an industrial park shall be:
 - 1) **Front yard:** Forty (40) feet.
 - 2) **Side yard:** Thirty (30) feet.
 - 3) **Rear yard:** Forty (40) feet.

Minimum yard setbacks for lots, which abut property outside an industrial park, shall be as required for other uses in the district.

- 16. Landscape contractor's building, offices and yards as a use permitted by right.

C. Permitted Accessory Uses:

- 1. Accessory uses clearly appurtenant to the main use of the lot and customary to and commonly associated with the main use, such as:
 - a. Incidental offices for management and materials control.
 - b. Restaurant or cafeteria facilities for employees working on the premises.

D. Uses Permitted By Special Use Permit:

- 1. Asphalt and concrete batching facilities.
- 2. Billboards.
- 3. Communication towers.
- 4. Junkyards.
- 5. Data Processing Facility

- E. **Site Development Requirements:** The following minimum and maximum standards shall apply to all uses and structures in the LI: Light Industrial District unless they are specifically modified by the provisions of Article VI: General Provisions or Article XVII: Standards for Specific Special Land Uses; or as varied pursuant to Article V: Zoning Board of Appeals.
1. **Minimum Lot Area:** No building or structure shall be established on any parcel less than four (4) acres except in an approved industrial park where minimum lot sizes shall be one (1) acre.
 2. **Minimum Frontage:** Each parcel of land shall have continuous frontage of not less than three hundred thirty (330) feet, except in an approved industrial park where each lot shall have continuous frontage of not less than one hundred twenty (120) feet.
 3. **Yard and Setback Requirements:**
 - a. **Front yard:** One hundred (100) feet.
 - b. **Side yard:** Eighty (80) feet, except in the case where a side yard abuts a residential zoning district, in which case the minimum required side yard shall be one hundred fifty (150) feet.
 - c. **Rear yard:** Eighty (80) feet, except in the case where a rear yard abuts a residential zoning district, in which case the minimum required rear yard shall be one hundred fifty (150) feet.
 - d. See Section 10.01 B 15 o for the minimum yard and setback requirements in a planned industrial park.
 4. **Maximum Lot Coverage:** Forty (40) percent.
 5. **Maximum Height:** Unless otherwise provided in this Ordinance, no principal building shall exceed a height of forty (40) feet measured from the finished grade.
 6. **Performance Standards:**
 - a. External areas for storage shall be screened on all sides by an opaque fence of not less than five (5) feet in height.
 - b. When a side or rear lot line abuts or is adjacent to property located within a residential district, a berm or buffer zone shall be required in addition to the minimum yard requirements,

specific driveways and plantings of which shall be determined through the site plan review process. (See Section 6.13.)

- c. **Sound:**
 - i. **Non-Residential.** The intensity level of sounds shall not exceed the following decibel levels when adjacent to the following types of non-residential uses:

Decibels	Adjacent Use	Where Measured
65	Commercial	Common Lot Line
70	Industrial and Other	Common Lot Line

- ii. **Residential.** The intensity level of sounds shall not exceed the following decibel levels when directly adjacent to residential uses, measured at the common lot line:

Residential Noise Level Limits		
Daytime (7 am–7 pm)	Evening (7-11 pm)	Night (11 pm-7 am)
45 dB(A)	35 dB(A)	30 dB(A)

The sound levels shall be measured with a type of audio output meter approved by the Bureau of Standards. Objectionable noises due to intermittence, beat frequency, or shrillness shall be muffled so as not to become a nuisance to adjacent uses.

- d. **Vibration:** All machinery shall be so mounted and operated as to prevent transmission of ground vibration exceeding a displacement of .003 of one inch measured at any lot line of its source.

- e. **Odor:** The emission of noxious, odorous matter in such quantities as to be readily detectable at any point along lot lines, when diluted in the ratio of one volume of odorous air to four or more volumes of clean air so as to produce a public nuisance or hazard beyond lot lines, is prohibited.

- f. **Gases:** The escape of or emission of any gas, which is injurious, destructive, or explosive, shall be unlawful and may be summarily caused to be abated.

- g. **Glare and Heat:** Any operation producing intense glare or heat shall be performed within an enclosure so as to completely obscure and shield such operation from direct view from any point along the lot line except during the period of construction of the facilities to be used and occupied.
- h. **Light:** Exterior lighting shall be so installed that the source of light shall not be visible and shall be so arranged as far as practical to reflect light away from any residential use, and in no case shall more than one (1) foot-candle power of light cross a lot line five (5) feet above the ground in a residential district.
- i. **Electromagnetic Radiation:** Applicable rules and regulations of the Federal Communications Commission, in regard to propagation of electromagnetic radiation, shall be used as standards for this Ordinance.
- j. **Smoke, Dust, Dirt and Fly Ash:** Any atmospheric discharge requiring a permit from the Michigan Department of Environmental Quality or federal government shall have said permit(s) as a condition of approval for any use in this District.
- k. **Drifted and Blown Material:** The drifting or airborne transmission beyond the lot line of dust, particles, or debris from any open stock pile shall be unlawful and may be summarily caused to be abated.
- l. **Radioactive Materials:** Radioactive materials shall not be emitted to exceed quantities established as safe by the U.S. Bureau of Standards, as amended from time to time.
- m. **Other Forms of Air Pollution:** It shall be unlawful to discharge into the atmosphere any substance not covered in parts C, D, and H and in excess of standards approved by the Michigan Department of Environmental Quality.
- n. **Liquid or Solid Wastes:** It shall be unlawful to discharge at any point any materials in such a way or of such nature or temperature as can contaminate any surface waters, land or aquifers, or otherwise cause the emission of dangerous or objectionable elements, except in accord with standards approved by the Michigan Department of Environmental Quality.

- o. **Hazardous Wastes:** Hazardous wastes as defined by the Michigan Department of Environmental Quality shall be disposed of by methods approved by the Michigan Department of Environmental Quality.
 - i. All storage of materials on any land shall be within the confines of the building or part thereof occupied by said establishment.
 - ii. Material which normally and reasonably is discarded from industrial uses of property may be stored outside of an enclosed building for a reasonable time provided that such storage areas are completely screened by an opaque fence of not less than five (5) feet in height.
 - p. Any complaint alleging a violation of any of the following performance standards shall be accompanied by evidence which supports that allegation.
- 7. **Provisions of Article XIV:** Parking and Loading Requirements.
 - 8. **Provisions of Article XV:** Signs.
 - 9. **Provisions of Article XVIII:** Site Plan Review.
 - 10. **Provisions of Section 6.16:** Environmental Protection Standards.

SECTION 3. SPECIAL USE STANDARDS

A new section entitled "Section 17.34 Data Processing Facility" is hereby added to the Zoning Ordinance which shall read, in its entirety, as follows:

The primary intent of the data mining ordinance is to establish guidelines and safeguards for the collection, storage, and use of data within our rural community. By implementing this ordinance, we aim to protect the privacy of our residents, ensure data security, and foster trust and transparency in data-driven practices.

Data Processing Facilities are considered special uses and are therefore are subject to the provisions of Article XVI, Special Use Permits, and other applicable provisions of the Ordinance. A Special Use Permit, and any conditions attached thereto, may be approved by the Township Board if all the criteria listed hereof are met.

A. Locational Requirements: Data Processing Facilities are permitted in the Light Industrial Districts with a minimum lot size of four (4) acres.

B. Performance Standards:

- a. Data Processing Facilities are considered a principal use and shall be the only principal use on a property at any one time.
- b. Shall not be located within an industrial park;
- c. At all times, sound levels at the property boundary may not exceed thirty (30) dB(A);
- d. A fence shall be installed around the perimeter with a minimum height of six (6) feet;
- e. Additional screening, such as a vegetative buffer, may be required at the discretion of the Planning Commission, per standards in Section 6.13.

DRAFT (MAY 2023)

ARTICLE XV: SIGNAGE**Section 15.05 Schedule of Sign Regulations**

The schedule provided below summarizes the quantity, maximum area, maximum height, and minimum setback from existing road rights-of-way permitted for signage requiring a permit under this Section. Detailed requirements for the signs listed below are provided under subsections 15.06 and 15.07. Wherever conflict exists between the following schedule and the standards of those subsections, those subsections shall prevail.

Sign	Number	Max. Area	Max. Height	Min. Setback
<i>Signs in Residential Districts (Sec. 15.06)</i>				
Agricultural Product Signs	1	20 s.f.	4 ft.	15 ft.
Farm Signs	1	32 s.f.	6 ft. ¹	15 ft.
Home Occupation & Home-Based Business Wall Sign, or	1	4 s.f.	4 ft.	n/a
Home-Based Business Freestanding Sign	1	6 s.f.	4 ft.	15 ft.
Non-Profit Organization Signs	1	32 s.f.	6 ft.	15 ft.
Residential Development Entranceway Signs	2/entrance	20 s.f.	6 ft.	15 ft.
Temporary Construction Signs	1/frontage	32 s.f.	6 ft.	15 ft.
<i>Signs in Non-residential Districts (Section 15.07)</i>				
Awning and Canopy Signs	N/A	25% of surface ²	n/a	per district
Free-Standing Signs	1/frontage	½ s.f. per foot of frontage ³	6 ft.	15 ft.
Gasoline Price Signs	1	20 s.f.	6 ft.	15 ft.
Marquee Signs	1/frontage	1½ s.f. per foot of building frontage	per district	per district
Menu Board Signs	2	60 s.f.	6 ft.	15 ft.
Office or Industrial Development Entranceway Signs	2/entrance	36 s.f.	6 ft.	15 ft.
Temporary Construction Signs	1/frontage	32 s.f.	6 ft.	15 ft.
Time/Temperature/Stock Market Signs	1/frontage	N/A ⁴	6 ft. ¹	15 ft. ¹
Wall Signs	1/frontage ⁵	1 s.f. per foot of building frontage ⁶	see below	n/a
Window Signs	N/A	25% of window area	n/a	n/a

1. If sign is free-standing.
2. Such signs shall be counted in determining compliance with maximum permitted area of wall signage.
3. Not to exceed 32 s.f., unless premises contain multiple tenants, in which case 4 s.f. may be added per additional tenant, up to a maximum of 64 s.f.
4. Such signs shall not be counted in determining compliance with wall or free-standing sign area requirements.
5. Or one per tenant having individual public access.
6. Not to exceed 60 s.f., unless such signs are set back at least 150 ft., in which case such signs shall not exceed 200 s.f.

- E. Residential Development Entranceway Signs: Permanent freestanding signs or signs affixed to decorative walls or fences identifying the entrances of residential developments such as subdivisions, apartment complexes, condominium communities, senior housing complexes, mobile home parks and similar residential uses, at a rate of two (2) per entranceway not to exceed a total of two (2), with a minimum setback from the street right-of-way of fifteen (15) feet, and not exceeding twenty (20) square feet in area and six (6) feet in height. Where such sign is placed upon a decorative wall or fence, the area of the sign shall be computed by measuring the area of the envelope required to enclose the lettering, graphics and border, if any, not the entire decorative wall or fence.
- F. Temporary Construction Signs: Temporary signs which advertise the construction of new residential subdivisions or similar permitted development, not to exceed thirty-two (32) square feet in area and six (6) feet in height. Such signs shall be removed immediately after the last available lot, home site or parcel is sold.