

MARION TOWNSHIP
BOARD OF TRUSTEES
REGULAR MEETING
Wednesday, March 8, 2023
7:30 p.m.

**THIS MEETING WILL BE HELD IN PERSON WITH
ONLINE PARTICIPATION OPTIONS**

Call to Order
Pledge of Allegiance
Members Present/Members Absent

- 1) Approval of Agenda
- 2) Consent Agenda
 - a. February 23, 2023 Regular Meeting Minutes
 - b. January 17, 2023 HAPRA Minutes and Participation Report
 - c. January 2023 Sherriff's Report
 - d. February 2023 Sheriff's Report
 - e. February 2023 DPW Report
 - f. February 2023 Financial Report
 - g. February 2023 Zoning Report
- 3) Final Review of TXT#01-21 Kennels and TXT#03-22 Off Street Parking
- 4) Lawn Maintenance Bids
- 5) Marion Township Website
- 6) Roads/ Road Clean up
- 7) Marion Township Maintenance/Addition/Sign/Gazebo

Correspondence and Updates

Call to the Public
Adjournment

Reminder: Next Board Packet will be ready after 3pm on Thursday, March 16, 2023.

**MARION TOWNSHIP
BOARD OF TRUSTEES
REGULAR MEETING
FEBRUARY 23, 2023**

MEMBERS PRESENT: Scott Lloyd, Bob Hanvey, Tammy Beal, Les Andersen, Dan Lowe, Sandy Donovan, and Greg Durbin

OTHERS PRESENT: Phil Westmoreland, Spicer

MEMBERS ABSENT: None

CALL TO ORDER

Bob Hanvey called the meeting to order at 7:30 pm. The meeting is also available to attend online.

PLEDGE OF ALLEGIANCE

BOARD MEMBERS PRESENT

The board members introduced themselves.

APPROVAL OF AGENDA

Item #9—Meeting Dates was added to the agenda. Les Andersen motioned to approve the agenda as amended. Sandy Donovan seconded. **Motion carried.**

CONSENT AGENDA

Les Andersen asked to have a correction made to the solar ordinance minutes. Greg Durbin motioned to approve the consent agenda as amended. Tammy Beal seconded. **Motion carried.**

ZBA APPOINTMENTS

Les Andersen motioned to appoint Larry Grunn to the Zoning Board of Appeals to run concurrent with his Planning Commission appointment. Dan Lowe seconded. **Motion carried.**

Les Andersen motioned to appoint Jean Root and Ed Galubensky as alternates to the Zoning Board of Appeals with a term beginning March 2023 through March 2026. Scott Lloyd seconded. **Motion carried.**

CAPITAL HOMES SEWER REFUND

Les Andersen motioned to refund Capital Homes \$701.88 in the form of a credit for an excess sewer usage charge that didn't enter the sewer system. Scott Lloyd seconded. Roll call vote: Lowe, Lloyd, Beal, Hanvey, Durbin, Andersen, Donovan—all yes. **Motion carried 7-0.**

EMPLOYEE HANDBOOK

Les Andersen motioned to approve the employee handbook revisions as presented. Scott Lloyd seconded. **Motion carried.**

ROADS

Les Andersen motioned to authorize the clerk and supervisor to sign the Project Agreement #489-12-5102BW from the Livingston County Road Commission (LCRC) for County Farm Road from Sexton Road to M-155, as presented. Scott Lloyd seconded. Roll call vote: Beal, Andersen, Donovan, Durbin, Lowe, Hanvey, Lloyd—all yes. **Motion carried 7-0.**

Dan Lowe motioned to get a price from the LCRC for a double chip-seal on Coon Lake Road from D-19 to the eastern township line. Tammy Beal seconded. **Motion carried.**

Les Andersen motioned to have the LCRC provide the cost for natural stone gravel (22A) for Keddle from D-19 to Peavy. Sandy Donovan seconded. **Motion carried.**

DINKEL DRIVE ENGINEERING REVIEW

Tammy Beal abstained from discussion on this agenda item. Les Andersen motioned to approve the private road construction on Dinkel Drive based on Spicer's evaluation. Scott Lloyd seconded. **Motion carried.**

MARION TOWNSHIP MAINTENANCE/ADDITION/SIGN/GAZEBO

Dan Lowe motioned to ask the construction managers if they would be interested in doing just the maintenance portion of the project. Bob Hanvey seconded. Roll call vote: Hanvey—yes; Lowe—yes; Durbin—yes; Beal—no; Lloyd—no; Donovan—no; Andersen—yes. **Motion carried 4-3.**

Les Andersen motioned to approve the gazebo repair work minus the painting. Tammy Beal seconded. Roll call vote: Donovan, Beal, Lowe, Lloyd, Andersen, Durbin, Hanvey—all yes. **Motion carried 7-0.**

MEETING DATES

Les Andersen motioned to schedule the next board meeting for Wednesday, March 8, 7:30 pm at the township hall; and to schedule the solar ordinance meeting for Thursday, March 9, 7:30 at Parker Middle School. Scott Lloyd seconded. **Motion carried.**

CORRESPONDENCE & UPDATES

The Livingston County Update from the county commissioners is included in the packet.

Greg Durbin said he talked with Dick Mundy about the sound system, and Mr. Mundy offered to help with this item.

CALL TO THE PUBLIC

Michael Peddie, 1184 N. Alston, said the building could be used for a variety of activities; the archery class has so many attendees that they've had to break it into two groups. He also said that Peavy & Keddle are a disaster and need to be maintained.

Jennifer Web, real estate agent for the Green family on Dinkel Drive, asked for clarification on approval of Dinkel Drive.

Catherine Dyer, 2715 High Meadows, had questions about the proposed building; she also suggested improving the website and using a service for texting.

Cathy Geanides, 5384 Stone Garden, has concerns about the moratorium deadline, and she would like to see the revisions Michael Homier has suggested for the solar ordinance.

ADJOURNMENT

Tammy Beal motioned to adjourn at 8:34 pm. Scott Lloyd seconded. **Motion carried.**

Submitted by: S. Longstreet

Tammy L. Beal, Township Clerk Date

Robert W. Hanvey, Township Supervisor Date

DRAFT

HOWELL recreation

Howell Area Parks & Recreation Authority
Oceola Community Center

Regular Board Meeting Minutes

January 17, 2023

Call to Order

Chair Sean Dunleavy called the meeting to order at 7:00 pm.

Attendance

Board Members: Chair Sean Dunleavy, Vice Chair Diana Lowe, Secretary Nikolas Hertrich, Treasurer Jean Graham, and Trustee Tammy Beal

HAPRA Staff: Director Tim Church, Jen Savage, Kyle Tokan, Kevin Troshak, Chris Techentin, Jordan Jones

Public: None

Call to the Public

None Present

Approval of Consent Agenda

Trustee Tammy Beal made a motion to approve the consent agenda, supported by Vice Chair Diana Lowe.

Motion carried 5 – 0.

Director Church reminded the Board that the financials are preliminary and will not be finalized until after the audit is completed. A brief summary of the preliminary financials was provided; highlights included the following:

- A Microsoft expense was paid twice and staff is working on the correction,
- If not for various unanticipated expenses the budget would have finished in the black,
- The fund balance is a little over \$80,000,
- A Deficit Elimination Plan will not need to be completed.

Approval of Regular Agenda

A motion to approve the regular agenda was made by Vice Chair Diana Lowe, supported by Trustee Tammy Beal. **Motion carried 5 – 0**

Discussion/Approval – 2022 Audit Agreement

A motion to approve the presented agreement with Smith & Klackczkiewicz, PC to conduct an audit of 2022 financials was made by Secretary Nikolas Hertrich and supported by Trustee Tammy Beal. **Motion carried 5-0.**

Discussion/Approval – 2023 Blue Cross Blue Shield Renewal

Director Church informed the Board that other than an increase in the price for health insurance the plan is not changing. A motion to Approve Renewal of the Blue Cross Blue Shield Health Insurance Plan was made by Vice Chair Diana Lowe and supported by Treasurer Jean Graham. **Motion carried 5-0.**

Discussion/Approval – Employee Health Contribution

Motion was made by Vice Chair Diana Lowe and supported by Trustee Tammy Beal to continue to have employees pay 20% of their health insurance premiums for 2023. **Motion carried 5-0.**

Discussion/Approval – ICMA 401 & ICMA 457(b) Plan Contributions for 2023

Motion was made by Secretary Nikolas Hertrich and supported by Trustee Tammy Beal to continue ICMA 401 & ICMA 457(b) Plan Contributions for 2023. **Motion carried 5 – 0.**

Discussion/Approval – 2023 In-Lieu of Insurance Payment

A motion was made by Trustee Tammy Beal and supported by Treasurer Jean Graham to approve the continuation of the policy for Payment in Lieu of Health Insurance. **Motion carried 5 – 0.**

Events and Programs Report

Upcoming event & Programs:

Special Events Manager Jordan Jones shared with the Board that the Yeti holiday event went very well and is looking to expand and upgrade the experience for next year. A very big thank you goes to sponsor Bob Maxey Ford for their support. On Friday February 3rd is the Mother/Son Dance, Saturday February 4th is the Daddy/Daughter Dance, and Sunday February 5th is the Family Dance. The Daddy Daughter Dance is sold out with limited tickets available for the Mother/Son and the Family Dance. This year's theme is 80's prom.

Sponsorship & Market Updates:

A sponsorship meeting will be held soon as preparations begin for the Melon Festival. This year's event will be on August 18th, 19th, and 20th and will once again include vendors. Bank of Ann Arbor is looking to be involved and wants to bring the Main Stage back. Other potential activities/shows include an RC track, a street hockey tournament, and a dog show.

Seasonal Program Guide Distribution:

Marketing Coordinator Chris Techentin presented to the Board the Winter/Spring 2023 Program Guide which runs from January to May. The guide is no longer printed due to the tripling of the cost but is

available online at the HAPRA webpage. In the week since its release it has been viewed 3,000 times. Staff is currently working on the Summer Guide which will cover May through September. Chris then provided an extensive list of 2022 accomplishments and informed the Board that two end of the year highlight videos were released the last week of December.

Preventative Maintenance Report:

Projects:

Operations Manager Kyle Tokan informed the Board that quotes for carpet cleaning have been requested and the gym floor will be undergoing minor repairs in the upcoming months. On May 26th, repairs to the courts related to expansion will be completed with refinishing occurring the week of the Memorial Day Holiday.

Directors Report

- a. Strategic Plan Update
 - I. Annual reviews have been completed by the leadership team and new goals that align with the Strategic Plan have been set. Director Church reviewed the Strategic Plan highlighting areas where work has been completed and where work is in progress.
 - II. A large graphic to track progress being made on the Strategic Plan is still be developed.
- b. April Board Meeting
 - I. The April HAPRA Board meeting conflicts with the Michigan Township Association meeting which many of the HAPRA Board Members are planning to attend. After a brief discussion it was recommend to change the April HAPRA Board Meeting to Tuesday April 11, at 7:00 at the Oceola Community Center. The recommendation was accepted.
- c. Student ID Promotion
 - I. Between December 27th and December 30th a discounted drop-in rate of \$5.00 was offered to anyone who produced a student ID between 12pm and 5pm. The promotion was a success with over 400 people participating. This promotion will be continued throughout the school year during days off, holiday breaks, and potentially on Tuesdays. Darren Deegan with Howell MI Happenings was thanked for the support provided on getting the message out.
- d. Stakeholders Meeting
 - I. This year's stakeholders meeting is scheduled for March 31st. It is anticipated that the meeting will run about three hours (9:00am – 12: 00pm) and will be held at the Oceola Community Center. The purpose of the meeting will be to discuss Strategic Plan updates and financial stability of HAPRA moving forward.
- e. Miscellaneous
 - I. HAPRA qualified for an after school program grant in the amount of \$80,000 for HIVE programming cost. Unfortunately after providing additional statistics the grant was reduced. Staff will be participating in a phone call follow-up to discuss further.

Board Member Reports

Secretary Nikolas Hertrich shared with the Board Agenda Items from the January 9, 2023, Howell City Council Meeting which included receipt of public comments on the Howell City Parks and Recreation Master Plan, approval of the Recreation Masterplan, discussion and approval of various grants and work associated with water line replacements, county drain repairs, and remodeling of City Hall.

Vice Chair Diana Lowe informed the Board that there was no update to provide, they have not met since the beginning of December 2022.

Trustee Tammy Beal shared with the Board that Marion Township will be having a special meeting to hear citizens comments on solar farms, approved repairs to County Farm, opted out of Health Insurance PA #152, and that a 1st Amendment Audit had been completed at their office.

Treasurer Jean Graham relayed to the Board that they are working on resolving a private road issue and appointments were made to the Board of Review and Zoning Board of Appeals.

Chair Sean Dunleavy informed the Board that the topographic survey for the pickle ball courts has been completed and that construction at the Oceola Township Hall is still ongoing.

Old Business

NA

New Business

NA

Next Meeting

Regularly Scheduled HAPRA Meeting - Tuesday, February 21, 2023, at 7:00 pm at Oceola Community Center

Adjournment

Motion to adjourn meeting at 8:00 pm by Vice Chair Diana Lowe and supported by Trustee Tammy Beal and supported by. **Motion carried 5-0**

Approved

Date

Respectfully Submitted by: Nikolas Hertrich, Secretary

JAN 2023 HAPRA PARTICIPATION REPORTS

2/1/2023

PARTICIPATION TOTALS

Row Labels	Count of Name
Brighton Township	316
City of Brighton	92
City of Howell	1655
Cohoctah Township	187
Conway Township	63
Deerfield Township	168
Genoa Township	1434
Green Oak Township	92
Hamburg Township	127
Handy Township/Fowlerville	263
Hartland Township	275
Howell Township	1268
Iosco Township	132
Marion Township	1538
Oceola Township	2870
Other Area	631
Pinckney Village	23
Putnam Township	58
Tyrone Township	36
Unadilla Township	23
(blank)	167
Grand Total	11418

SPECIAL EVENTS

Row Labels	Count of Name
Brighton Township	100
City of Brighton	23
City of Howell	418
Cohoctah Township	51
Conway Township	15
Deerfield Township	28
Genoa Township	323
Green Oak Township	25
Hamburg Township	42
Handy Township/Fowlerville	77
Hartland Township	52
Howell Township	320
Iosco Township	31
Marion Township	335
Oceola Township	531
Other Area	182
Pinckney Village	6
Putnam Township	22
Tyrone Township	9
Unadilla Township	5
(blank)	10
Grand Total	2605

50&BEYOND + TRAVEL

Row Labels	Count of Name
Brighton Township	11
City of Brighton	6
City of Howell	98
Cohoctah Township	6
Conway Township	1
Deerfield Township	10
Genoa Township	94
Hamburg Township	2
Handy Township/Fowlerville	3
Hartland Township	10
Howell Township	59
Iosco Township	2
Marion Township	82
Oceola Township	235
Other Area	23
Pinckney Village	1
Putnam Township	4
Grand Total	647

YOUTH SERVICES PROGRAMS

Row Labels	Count of Name
Brighton Township	10
City of Brighton	1
City of Howell	119
Cohoctah Township	8
Conway Township	3
Deerfield Township	6
Genoa Township	82
Green Oak Township	5
Hamburg Township	5
Handy Township/Fowlerville	11
Hartland Township	5
Howell Township	71
Iosco Township	3
Marion Township	94
Oceola Township	135
Other Area	24
Putnam Township	4
Unadilla Township	2
(blank)	6
Grand Total	594

SPORTS PROGRAMS

Row Labels	Count of Name
Brighton Township	30
City of Brighton	10
City of Howell	299
Cohoctah Township	39
Conway Township	8
Deerfield Township	39
Genoa Township	322
Green Oak Township	9
Hamburg Township	7
Handy Township/Fowlerville	49
Hartland Township	38
Howell Township	292
Iosco Township	38
Marion Township	409
Oceola Township	658
Other Area	46
Pinckney Village	2
Putnam Township	9
Tyrone Township	5
Unadilla Township	1
(blank)	28
Grand Total	2338

FITNESS MEMBERSHIPS & CLASSES

Row Labels	Count of Name
Brighton Township	25
City of Brighton	6
City of Howell	197
Cohoctah Township	11
Conway Township	5
Deerfield Township	19
Genoa Township	202
Green Oak Township	2
Hamburg Township	10
Handy Township/Fowlerville	4
Hartland Township	35
Howell Township	103
Iosco Township	7
Marion Township	128
Oceola Township	628
Other Area	44
Tyrone Township	3
Unadilla Township	1
(blank)	2
Grand Total	1432

Jan 2023 HAPRA PARTICIPATION REPORTS

2/1/2023

Facility Usage by Location

Row Labels	Count of User
Oceola Community Center Court 1	2
Oceola Community Center Court 2	2
Oceola Community Center Court 3	14
Oceola Community Center Main Meeting Room 1	28
Oceola Community Center Meeting Room 2	11
Oceola Community Center Meeting Room 3	2
Oceola Community Center Whole Gymnasium	6
Grand Total	65

Oceola Community Center Drop-In

City of Howell	175
Oceola Twp	183
Marion Twp	79
Genoa Twp	50
Howell Twp	67
Other	141
Unknown	0
TOTAL	695

Facility Usage by Municipality

Row Labels	Count of User
City of Howell	8
Genoa Township	2
Handy Township/Fowlerville	1
Howell Township	12
Marion Township	5
Oceola Township	29
Other Area	8
Grand Total	65

Oceola Community Center Tours

City of Howell	8
Oceola Twp	20
Marion Twp	14
Genoa Twp	5
Howell Twp	6
Other	5
Unknown	8
TOTAL	66

Point of Sale Reports

Row Labels	Sum of Total
POS Item: Community Center Drop-In Pass	6832
POS Item: Fitness Class/ Yoga Drop in	492
POS Item: Senior Fitness Class (NON-Senior member)	65
POS Item: Senior Fitness Class (Senior Center Member)	348
POS Item: STUDENT ID Special drop-in	290
Grand Total	8027

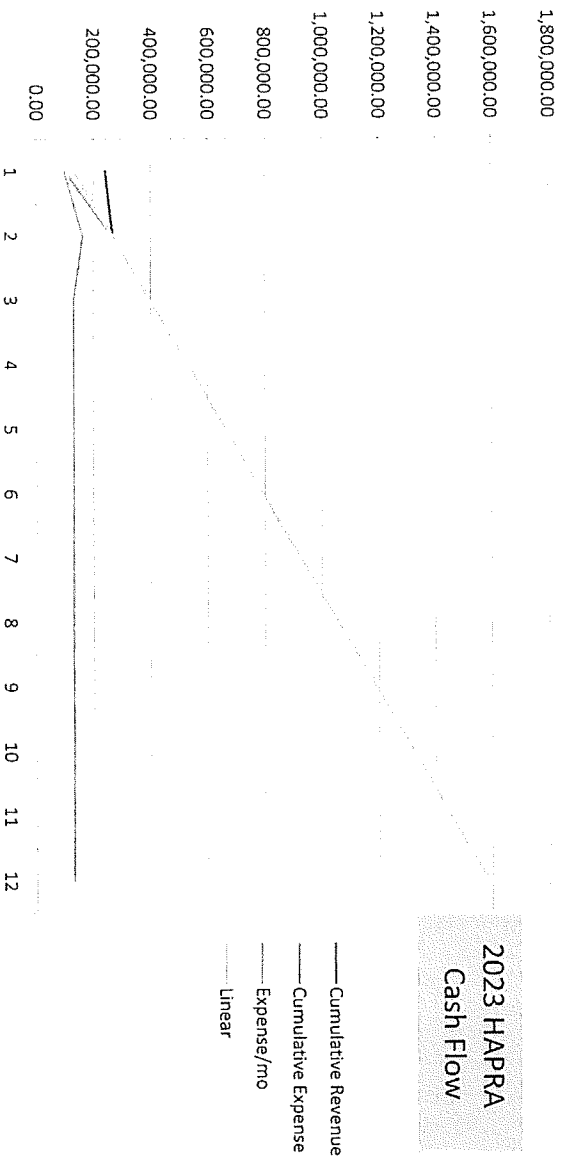
Sum of
Credit/

Row Labels	Sum of Qua	Sum of (Debit
Admin - Gymnasium Rental	568	1851
Sports - Drop-In Fees	344	1134
Wellness - Program Fees Fitness	170	177
Grand Total	1082	3162

Month	1	2	3	4	5	6	7	8	9	10	11	12
Jan-23	240,272.89	264,162.39	264,162.39	264,162.39	264,162.39	264,162.39	264,162.39	264,162.39	264,162.39	264,162.39	264,162.39	264,162.39
Feb-23	396,243.58	396,243.58	396,243.58	396,243.58	396,243.58	396,243.58	396,243.58	396,243.58	396,243.58	396,243.58	396,243.58	396,243.58
Mar-23	528,324.78	528,324.78	528,324.78	528,324.78	528,324.78	528,324.78	528,324.78	528,324.78	528,324.78	528,324.78	528,324.78	528,324.78
Apr-23	660,405.97	660,405.97	660,405.97	660,405.97	660,405.97	660,405.97	660,405.97	660,405.97	660,405.97	660,405.97	660,405.97	660,405.97
May-23	792,487.17	792,487.17	792,487.17	792,487.17	792,487.17	792,487.17	792,487.17	792,487.17	792,487.17	792,487.17	792,487.17	792,487.17
Jun-23	924,568.36	924,568.36	924,568.36	924,568.36	924,568.36	924,568.36	924,568.36	924,568.36	924,568.36	924,568.36	924,568.36	924,568.36
Jul-23	1,056,649.55	1,056,649.55	1,056,649.55	1,056,649.55	1,056,649.55	1,056,649.55	1,056,649.55	1,056,649.55	1,056,649.55	1,056,649.55	1,056,649.55	1,056,649.55
Aug-23	1,188,730.75	1,188,730.75	1,188,730.75	1,188,730.75	1,188,730.75	1,188,730.75	1,188,730.75	1,188,730.75	1,188,730.75	1,188,730.75	1,188,730.75	1,188,730.75
Sep-23	1,320,811.94	1,320,811.94	1,320,811.94	1,320,811.94	1,320,811.94	1,320,811.94	1,320,811.94	1,320,811.94	1,320,811.94	1,320,811.94	1,320,811.94	1,320,811.94
Oct-23	1,452,893.14	1,452,893.14	1,452,893.14	1,452,893.14	1,452,893.14	1,452,893.14	1,452,893.14	1,452,893.14	1,452,893.14	1,452,893.14	1,452,893.14	1,452,893.14
Nov-23	1,584,974.33	1,584,974.33	1,584,974.33	1,584,974.33	1,584,974.33	1,584,974.33	1,584,974.33	1,584,974.33	1,584,974.33	1,584,974.33	1,584,974.33	1,584,974.33
Dec-23	1,584,974.33	1,584,974.33	1,584,974.33	1,584,974.33	1,584,974.33	1,584,974.33	1,584,974.33	1,584,974.33	1,584,974.33	1,584,974.33	1,584,974.33	1,584,974.33
Budget	1,584,974.33	1,584,974.33	1,584,974.33	1,584,974.33	1,584,974.33	1,584,974.33	1,584,974.33	1,584,974.33	1,584,974.33	1,584,974.33	1,584,974.33	1,584,974.33

Months NOT yet reported so the financial numbers are theoretical based on annual budget

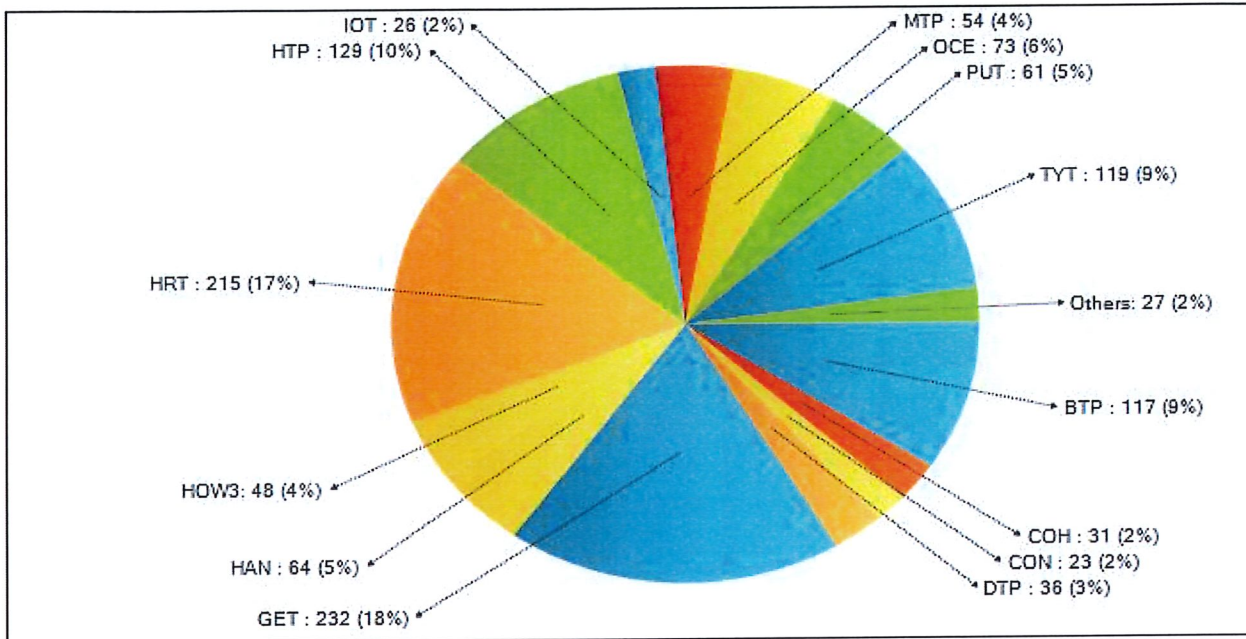
2023 HAPRA
Cash Flow



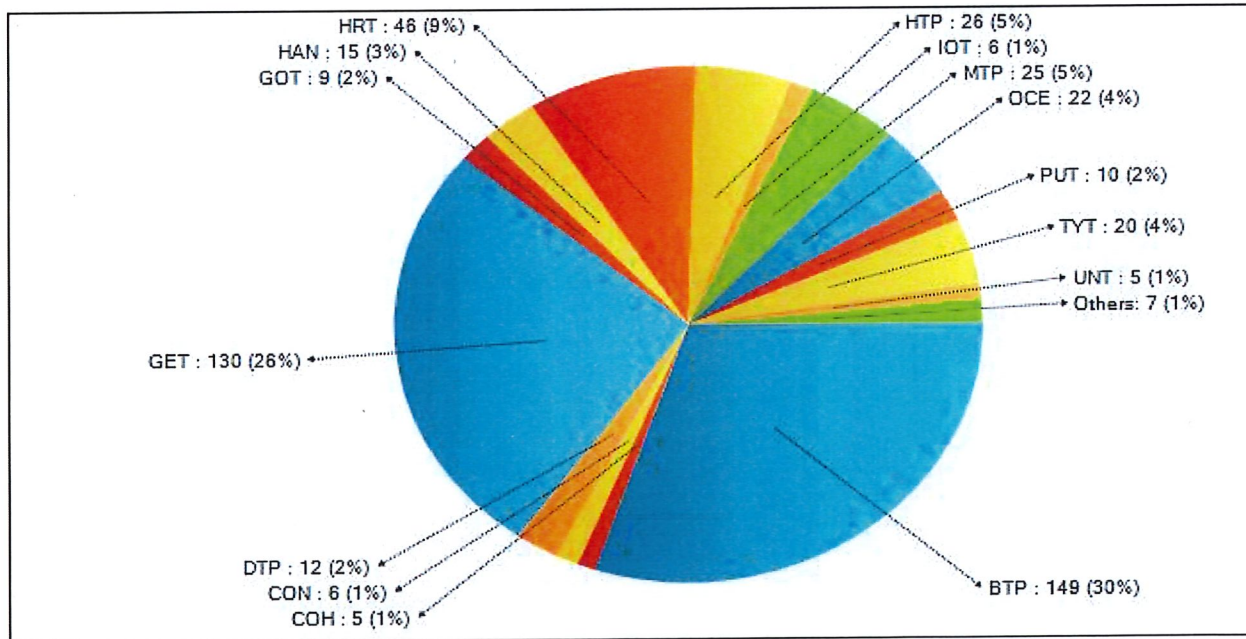
TOTAL PARTICIPATION BY MUNICIPALITY		Dec-22	Jan-23	Feb-23	Mar-23	Apr-23	May-23
City of Howell	% change per month	1554	1655	0.1	0.1	0.1	0.1
Genoa Township	% change per month	1358	1434	0.1	0.1	0.1	0.1
Howell Township	% change per month	1195	1268	0.1	0.1	0.1	0.1
Marion Township	% change per month	1438	1538	0.1	0.1	0.1	0.1
Oceola Township	% change per month	2711	2870	0.1	0.1	0.1	0.1

— Cumulative Revenue
- - - Cumulative Expense
... Linear

**LIVINGSTON COUNTY SHERIFF'S OFFICE
JANUARY 2023 CALLS FOR SERVICE**



**MICHIGAN STATE POLICE
JANUARY 2023 CALLS FOR SERVICE**



MARION TOWNSHIP

<u>MONTH</u>	<u>CALLS FOR SERVICE</u>	<u>TICKETS WRITTEN</u>	<u>ARRESTS</u>
JANUARY	54	13	2
FEBRUARY			
MARCH			
APRIL			
MAY			
JUNE			
JULY			
AUGUST			
SEPTEMBER			
OCTOBER			
NOVEMBER			
DECEMBER			
YTD TOTALS:	54	13	2

LIVINGSTON COUNTY SHERIFF'S OFFICE

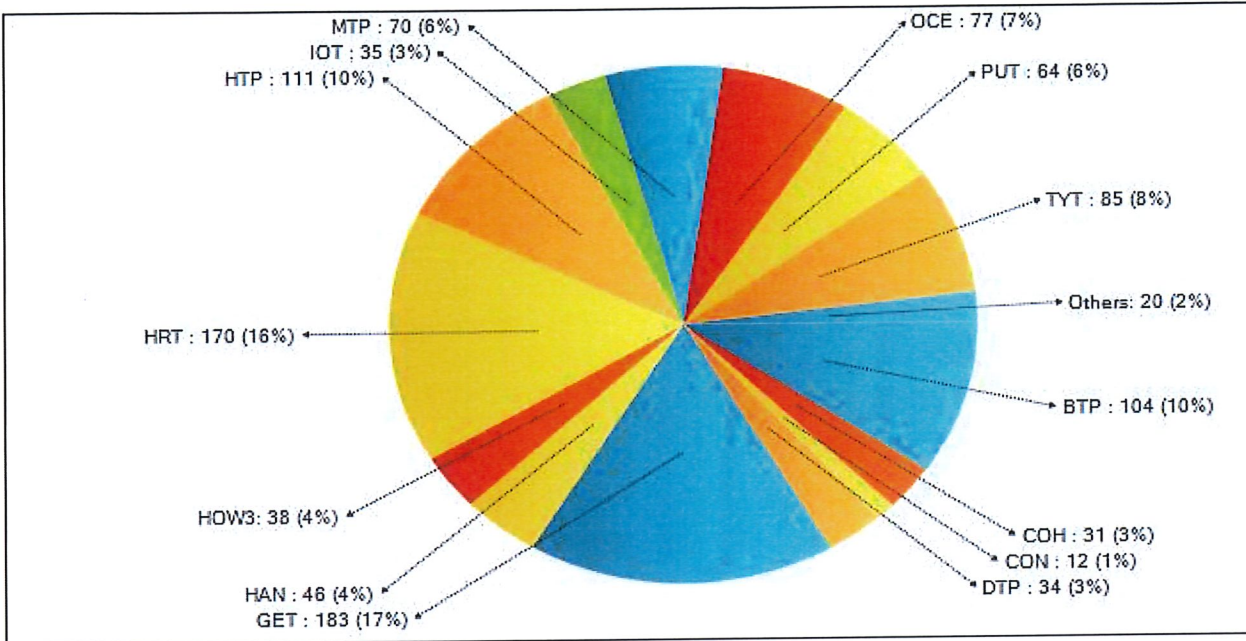
MARION TOWNSHIP JANUARY 2023

Nature	# Events
ABANDONED VEHICLE	1
ALARM	2
ANIMAL COMPLAINT	4
ASSIST OTHER AGENCY	2
CITIZEN ASSIST	4
DISTURBANCE/TROUBLE	1
DOMESTIC PHYSICAL IN PROGRESS	1
DOMESTIC VERBAL	1
HAZARD	1
INTIMIDATION THREATS HARASSMEN	2
JUVENILE COMPLAINT	1
LARC IN PROGRESS	1
LARCENY	1
MOTORIST ASSIST	2
OVERDOSE/INGESTION	1
PARK/TRAF COMP	1
PATROL INFORMATION	1
PDA	8
PIREF (REFUSE EMS)	1
SHOOTING	1
SHOTS FIRED	1
STALKING	2
SUICIDAL SUBJECT	1
SUSPICIOUS SITUATION	4
SUSPICIOUS VEHICLE	1
UNKNOWN ACCIDENT	3
VEH UDAA REPORT	1
VIN INSPECTION	1
WELFARE CHECK	3
TOTAL:	54

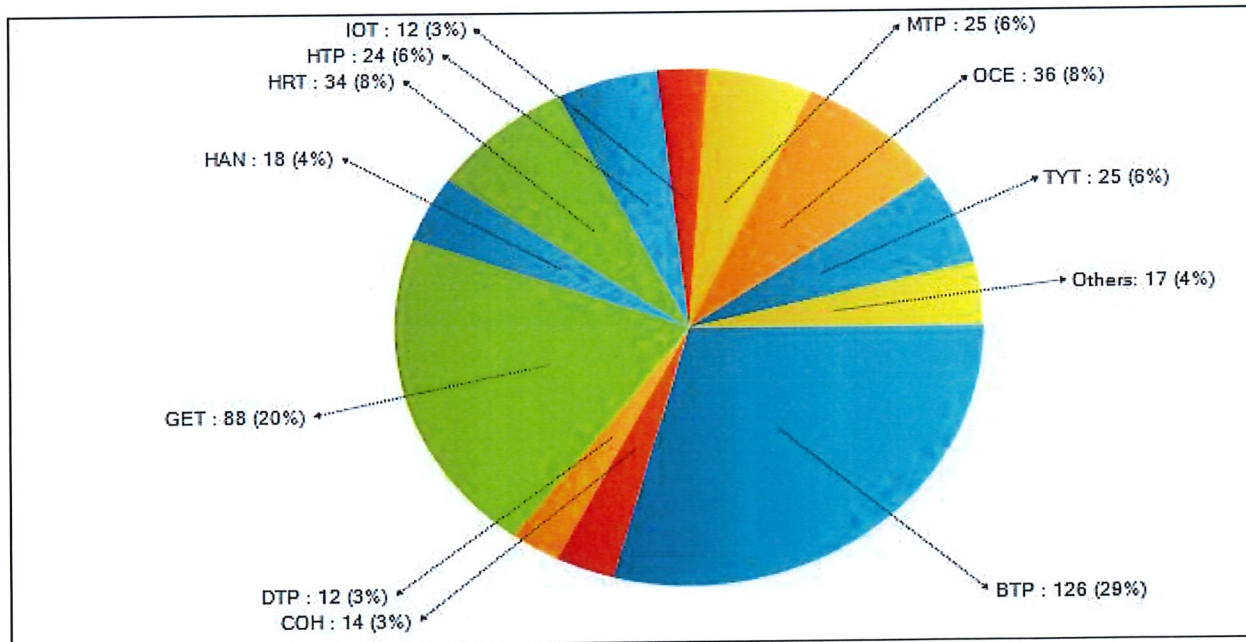
Response Times - January 2023

<u>TOWNSHIP</u>	<u>NUMBER OF CALLS</u>		<u>RESPONSE TIME</u>		<u>NUMBER OF CALLS</u>		<u>RESPONSE TIME</u>	
	<u>3:00PM - 11:00PM</u>	<u>11:00PM - 3:00PM</u>	<u>3:00PM - 11:00PM</u>	<u>11:00PM - 3:00PM</u>	<u>11:00PM - 3:00PM</u>	<u>11:00PM - 3:00PM</u>	<u>TOTAL</u>	
BRIGHTON	47	70	31:11	39:06	70	39:06	117	
COHOCTAH	20	31	31:17	32:13	31	32:13	51	
CONWAY	10	13	39:51	1:26:13	13	1:26:13	23	
DEERFIELD	14	22	52:06	43:39	22	43:39	36	
GENOA	88	144	27:28	22:14	144	22:14	232	
HANDY	28	36	22:04	31:50	36	31:50	64	
HARTLAND	79	136	27:53	24:53	136	24:53	215	
HOWELL	57	72	31:12	28:41	72	28:41	129	
IOSCO	9	17	59:47	34:27	17	34:27	26	
MARION	28	26	30:25	27:50	26	27:50	54	
OCEOLA	34	39	24:30	34:53	39	34:53	73	
PUTNAM	31	30	21:29	32:41	30	32:41	61	
TYRONE	68	50	14:25	1:02:13	50	1:02:13	118	

LIVINGSTON COUNTY SHERIFF'S OFFICE
 FEBRUARY 2023 CALLS FOR SERVICE



MICHIGAN STATE POLICE
 FEBRUARY 2023 CALLS FOR SERVICE



**LIVINGSTON COUNTY SHERIFF'S OFFICE
MARION TOWNSHIP FEBRUARY 2023**

Nature	# Events
911 HANG UP	1
ABANDONED VEHICLE	1
ALARM	4
ANIMAL COMPLAINT	6
ASSIST FIRE DEPARTMENT	1
BURGLARY IN PROGRESS	1
CARDIAC/RESPIRATORY ARREST	2
CHILD OR ADULT ABUSE/NEGLECT	1
CITIZEN ASSIST	4
DOMESTIC PHYSICAL IN PROGRESS	1
DOMESTIC VERBAL	2
EXPLOSION	1
FRAUD	2
HAZARD	5
INTIMIDATION THREATS HARASSMEN	2
LARC IN PROGRESS	1
LOST/FOUND ANIMAL INFORMATION	1
MENTAL/CMH/PSYCH	3
MISSING PERSON/RUN-A-WAY	1
PATROL INFORMATION	1
PDA	8
PIREF (REFUSE EMS)	1
ROAD RUNOFF	1
SHOTS FIRED	2
SUICIDAL SUBJECT	4
SUSPICIOUS SITUATION	1
UNKNOWN ACCIDENT	3
VEHICLE FIRE	1
WELFARE CHECK	8
TOTAL:	70

MARION TOWNSHIP

<u>MONTH</u>	<u>CALLS FOR SERVICE</u>	<u>TICKETS WRITTEN</u>	<u>ARRESTS</u>
JANUARY	54	13	2
FEBRUARY	70	14	4
MARCH			
APRIL			
MAY			
JUNE			
JULY			
AUGUST			
SEPTEMBER			
OCTOBER			
NOVEMBER			
DECEMBER			
YTD TOTALS:	124	27	6

February 2023

LCSD Response Times

<u>TOWNSHIP</u>	<u>NUMBER OF CALLS</u>		<u>RESPONSE TIME</u>		<u>NUMBER OF CALLS</u>		<u>RESPONSE TIME</u>	
	<u>3:00PM - 11:00PM</u>	<u>11:00PM - 3:00PM</u>	<u>3:00PM - 11:00PM</u>	<u>11:00PM - 3:00PM</u>	<u>11:00PM - 3:00PM</u>	<u>11:00PM - 3:00PM</u>	<u>11:00PM - 3:00PM</u>	<u>TOTAL</u>
BRIGHTON	43	61	25:58	22:48	61	22:48	22:48	104
COHOCTAH	21	10	53:21	17:23	10	17:23	17:23	31
CONWAY	6	6	33:56	38:28	6	38:28	38:28	12
DEERFIELD	13	20	27:32	59:169	20	59:169	59:169	33
GENOA	75	108	24:06	30:47	108	30:47	30:47	183
HANDY	20	26	29:16	43:56	26	43:56	43:56	46
HARTLAND	62	108	21:41	20:21	108	20:21	20:21	170
HOWELL	48	63	26:24	22:57	63	22:57	22:57	111
IOSCO	15	20	16:59	23:49	20	23:49	23:49	35
MARION	31	39	22:56	32:05	39	32:05	32:05	70
OCEOLA	31	46	34:20	22:39	46	22:39	22:39	77
PUTNAM	28	36	10:42	47:13	36	47:13	47:13	64
TYRONE	54	30	19:55	58:41	30	58:41	58:41	84

FISCAL YEAR 2022-23 MARION TOWNSHIP FINANCIAL REPORT

Feb-23

GENERAL FUND CHECKING

Previous Balance	\$	1,535,400.12
Receipts	\$	171,053.46
Interest	\$	-
	\$	<u>1,706,453.58</u>
Expenditures	\$	73,054.02
Balance	\$	<u>1,633,399.56</u>

CEMETERY FUND

Previous Balance	\$	62,589.94
Receipts	\$	-
Interest	\$	32.92
	\$	<u>62,622.86</u>
Expenditures	\$	-
Balance	\$	<u>62,622.86</u>

PARKS & RECREATION FUND

Previous Balance	\$	32,611.37
Receipts	\$	50.00
Interest	\$	17.16
	\$	<u>32,678.53</u>
Expenditures	\$	14.79
Balance	\$	<u>32,663.74</u>

WATER - NEW USER

Previous Balance	\$	768,649.92
Receipts	\$	-
Interest	\$	634.67
	\$	<u>769,284.59</u>
Expenditures	\$	15,200.00
Balance	\$	<u>754,084.59</u>

SEWER OPERATING & MANAGEMT

Previous Balance	\$	192,389.42
Receipts	\$	41,900.44
Interest	\$	117.84
		<hr/>
	\$	234,407.70
Expenditures	\$	31,768.55
		<hr/>
Balance	\$	202,639.15

SEWER - NEW USER

Previous Balance	\$	2,388,270.16
Receipts	\$	-
Interest	\$	2,025.57
		<hr/>
	\$	2,390,295.73
Expenditures	\$	5,834.90
		<hr/>
Balance	\$	2,384,460.83

SPEC ASSESS. FUND

Previous Balance	\$	199,929.76
Receipts	\$	36,994.97
Interest	\$	133.48
		<hr/>
	\$	237,058.21
Expenditures	\$	6,630.14
		<hr/>
Balance	\$	230,428.07

ESCROW FUND

Previous Balance	\$	75,848.40
Receipts	\$	3,000.00
Interest	\$	41.05
		<hr/>
	\$	78,889.45
Expenditures	\$	7.75
		<hr/>
Balance	\$	78,881.70

SUMMARY TOTALS

General Fund	\$	1,633,399.56
Cemetery Fund	\$	62,622.86
Parks & Rec Capital Chk	\$	32,663.74
Water - New User	\$	754,084.59
Sewer Operating & Mana	\$	202,639.15
Sewer - New User	\$	2,384,460.83
Special Assess. Fund	\$	230,428.07
Escrow Fund	\$	78,881.70
		<hr/>
TOTAL	\$	5,379,180.50

Ref: Financial Report JULY 2020

#101 General Fund
Transactions by Account

As of February 28, 2023

Date	Num	Name	Amount
001-001 · CASH - GENERAL - FNB			
02/02/2023	12271	ECONO-PRINT INC.	-2,315.12
02/06/2023	12272	Greg Durbin	-13.00
02/06/2023	12273	GORMLEY AND JOHNSON LAW (-1,364.25
02/06/2023	12274	PNC Bank	-2,306.66
02/06/2023	12275	DAVID HAMANN	-73.36
02/06/2023	12279	DTE ENERGY	-519.00
02/06/2023	12280	QUADIENT FINANCE USA, INC.-	-570.00
02/06/2023	12281	AT&T -General	-490.81
02/06/2023	12282	Culligan of Ann Arbor	-13.00
02/07/2023	12283	FOWLerville NEWS & VIEWS	-407.50
02/09/2023	12276	VOYA Institutional Trust	-300.00
02/09/2023	12277	Marion Township Flex Fund	-2,103.00
02/09/2023	12278	ALERUS PAYMENT SOLUTIONS	-4,678.50
02/09/2023	0020987	LESLIE D. ANDERSEN	-371.69
02/09/2023	0020988	JAMES L. ANDERSON JR.	-96.90
02/09/2023	0020989	BARB FILLINGER	-76.18
02/09/2023	0020990	SCOTT R. LLOYD	-150.78
02/09/2023	0020991	BRUCE V. POWELSON	-101.58
02/09/2023	0020992	CHERYL A. RANGE	-177.77
02/09/2023	E135341	CHARLES ABERASTURI	-72.67
02/09/2023	E135342	TAMMY L. BEAL	-2,861.66
02/09/2023	E135343	GAIL A. BURLINGAME	-3,214.41
02/09/2023	E135344	SANDY DONOVAN	-3,509.47
02/09/2023	E135345	GREGORY L. DURBIN	-1,213.90
02/09/2023	E135346	LAWRENCE W. GRUNN	-145.37
02/09/2023	E135347	DAVE HAMANN	-3,024.54
02/09/2023	E135348	ROBERT W. HANVEY	-4,160.80
02/09/2023	E135349	RICHARD HASLOCK	-499.53
02/09/2023	E135351	LOREEN B. JUDSON	-3,830.00
02/09/2023	E135352	SANDRA J. LONGSTREET	-2,780.04
02/09/2023	E135353	DANIEL F. LOWE	-535.00
02/09/2023	E135354	SARA MCCLEERY	-3,398.69
02/09/2023	E135356	KITSEY A. RENNELLS	-2,749.33
02/09/2023	E135358	JESSICA S. TIMBERLAKE	-2,502.89
02/13/2023	12284	JUDY OSLIN	-100.00
02/13/2023	12285	LIV CO TREASURER'S ASSOCIA	-10.00
02/13/2023	12286	Spicer Group Inc	-4,362.75
02/13/2023	12287	VERIZON WIRELESS	-87.72
02/13/2023	12288	JENNIFER TOMLIN	-20.00
02/16/2023	12289	LIV CO TREASURER	-43.81
02/16/2023	12290	Charter Communications	-142.67
02/16/2023	12291	CARLISLE/WORTMAN, Inc.	-1,217.50
02/21/2023	12292	Colonial Life	-647.56
02/27/2023	12293	DEAF AND HEARING IMPAIRED	-455.00

#101 General Fund
Transactions by Account

As of February 28, 2023

<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Amount</u>
02/27/2023	12294	Applied Imaging / Innovation	-143.00
02/27/2023	12295	Blue Cross Blue Shield of Michigan	-16,358.64
02/27/2023	12296	SHELBY DWYER	-430.50
02/28/2023	12297	CONSUMERS ENERGY	-528.12
02/28/2023	12298	STAPLES	-154.90
02/28/2023	12299	B&L Services	0.00
02/28/2023	12300	B&L Services	-1,570.00

MARION TOWNSHIP
2877 W. COON LAKE ROAD
HOWELL, MI 48843
Phone 517-546-1588
Fax 517-546-6622

TRANSMITTAL

TO: Board of Trustees

DATE March 8, 2023
PROJECT **FINAL REVIEW**
Changed Text Amendment
TXT# 01-21 Kennels
TXT#03-22 Off Street Parking

VIA Hand Delivery

WE ARE SENDING: Herewith Under Separate Cover

THE FOLLOWING:

- Proposed Changes text amendment -- TXT# 01-21 Kennels including Section 3 Definitions, Section 6.02 Keeping of Animals, Section 8 Zoning Districts, Section 17.19 Kennel special use.
- Proposed Changes text amendment – TXT#03-22 Off-Street Parking and Loading
- Livingston County Planning Commission review dated January 18, 2023
- Planning Commission minutes from February 28, 2023 meeting

FOR YOUR: approval/ denial as requested
 other review & comment

REMARKS:

This information is for a **Review and Adoption**. This provides changes to the Kennel special use and removes the Hobby Kennels and provides changes to the Off-Street Parking and Loading which did not allow any parking on any residential streets. Let me know if you have any questions.

FROM: Dave Hamann, Zoning Administrator

Copy: file

MARION TOWNSHIP KENNEL ZONING ORDINANCE AMENDMENT

An amendment the Marion Township Zoning Ordinance to amend and add definitions related kennels and amend kennel standards.

Marion Township Ordains:

SECTION 1. PURPOSE & INTENT

The purpose of this Ordinance is to establish the standards and maintenance of operating a kennel within the Township in order to protect the general health, safety, and welfare of residents and property owners and to preclude any harmful effects of such land use from occurring in any zoning district where such use may be permitted.

SECTION 2. AMENDMENT OF ARTICLE III: DEFINITIONS

Section 3.02 Definitions of the Zoning Ordinance is hereby amended by deleting the following definitions:

~~Kennel, Commercial: Any lot or premises used for breeding, commercial sale, boarding or keeping of 11 or more dogs over six months of age.~~

~~Kennel, Hobby: Any lot or premises used for breeding, commercial sale, or keeping of more than 3 but less than 11 dogs over six months of age.~~

SECTION 3. AMENDMENT OF ARTICLE III: DEFINITIONS

Section 3.02 Definitions of the Zoning Ordinance is hereby amended by adding the following definitions to read, in their entirety, as follows:

Kennels: The following definitions shall apply in the application of this Ordinance:

Dog Nuisance Barking: Barking that is unreasonably annoying, disturbing, offensive, or which unreasonably interferes with the comfortable enjoyment of one (1) or more person's occupying property next to or in reasonable proximity ~~to of~~ the ~~property where the dogs are kept~~ kennel. The barking must be continuously audible for ten (10) minutes or intermittently audible for thirty (30) minutes within a three (3) hour period.

Kennels

Zoning Ordinance Amendment (REDLINE)
Draft October 31, 2022

Dog Run: A locked and fenced-in outdoor area where dogs can run and exercise in a controlled manner.

Kennels: Any lot or premises on which five (5) or more dogs of more than ~~four~~ six (46) months ~~in-of~~ age are kept temporarily or permanently, as pets, or any lot or premises for the purpose of caring for, dog rescue, boarding, training or sporting purposes, breeding, for sale, or otherwise, excluding a facility that is exclusive to only grooming services. This definition shall not be deemed to apply to a litter of puppies with their mother and under six (6) months of age.

[COUNTY DEFINITION FOR COMPARISON: KENNEL means any establishment, except a pet shop, animal shelter or pound licensed pursuant to MCL 287.331 to 287.340, wherein or whereon three (3) or more dogs are confined and kept for sale, boarding, breeding or training purposes, for remuneration, constructed so as to prevent the public or stray dogs from obtaining entrance thereto and gaining contact with dogs lodged therein. This definition shall not be deemed to apply to a litter of puppies with their mother and under six (6) months of age.]

~~Note: This definition provides for five (5) or more dogs. For those residents that have between one (1) and four (4) dogs, each dog must be vaccinated and licensed as required in conformance to the Livingston County Animal Control Ordinance, Article IV Licensing and Vaccination, Sections 1-7.~~

Kennel Indoor Area: Any building that is fully enclosed with permanent walls, roof, and floor where dogs are housed either temporarily or permanently on any lot or premises.

Kennel Outdoor Area: Any area on any lot or premises outside of the Kennel Indoor Area used for any type of exercising of dogs. This area includes dog run enclosures that are attached to the Kennel Indoor Area by either a door or gate.

SECTION 4. AMENDMENT OF ARTICLE VI: GENERAL PROVISIONS

Section 6.02(C) Household Pets of the Township's Zoning Ordinance is hereby amended to read, in its entirety, as follows:

- C. Household pets: The keeping of household pets, such as dogs, cats, and other animals generally regarded as household pets is permitted as an accessory use in any residential zoning district provided that the number of pets, except as provided below for dogs, does not exceed eleven (11). If more than ~~three~~ five (35) dogs are kept as household pets, none of the dogs kept shall be counted as a household pet nor be considered a permitted accessory use but instead the owner must obtain ~~a hobby~~ special land use approval for a kennel permit as provided herein.

SECTION 5. AMENDMENT OF ARTICLE VI: GENERAL PROVISIONS

Section 6.02(D) Hobby Kennels and Section 6.02(E) Commercial Kennels of the Township's Zoning Ordinance are hereby amended to read, in their entirety, as follows:

- D. ~~Hobby kennels~~Kennels: The keeping of more than ~~three five (35)~~ dogs, ~~but less than eleven (11) shall only be allowed subject to the hobby kennel provisions of this ordinance and issuance of an appropriate permit by the Township.~~ Hobby kennels are permitted subject to the special conditions in the Rural Residential (Section 8.01) and Suburban Residential District (Section 8.02). ~~Hobby kennels are permitted only by special use permit in the Urban Residential District (Section 8.03) and are~~ is subject to the requirements of Section 17.19.~~B Kennels.~~
- E. ~~Commercial kennels: The keeping of eleven (11) or more dogs shall be subject to the commercial kennel provisions of this ordinance. Commercial kennels are only permitted by special use permit in the Rural Residential (Section 8.01.E) and Suburban Residential (Section 8.02.E) Districts and are subject to the requirements of Section 17.19A.~~

SECTION 6. AMENDMENT OF ARTICLE VIII: RESIDENTIAL DISTRICTS

Section 8.01(D)(2) of the Zoning Ordinance is hereby deleted.

~~2. Hobby kennels subject to the following conditions:~~

- a. ~~A hobby kennel shall be on a lot with a minimum size of 1 acre for the first three (3) animals and one third (1/3) acre shall be required for each additional dog with a limit of ten (10) dogs.~~
- b. ~~Hobby kennels shall only house dogs owned by the occupant of the dwelling unit.~~
- c. ~~All kennels shall be operated in conformance with all applicable county, state, and federal regulations.~~
- d. ~~Habitual barking or unusual noise from the kennel, which results in a nuisance to neighboring landowners or residents, is prohibited. The intensity of level of sounds shall not exceed seventy five (75) decibels at the lot line of industrial uses; sixty five (65) decibels at the lot line of commercial uses; and fifty five (55) decibels at the common lot line when adjacent to residential uses and residential districts. The sound levels shall be measured with a type of audio output meter approved by the United States Bureau of Standards.~~
- e. ~~All dogs must be licensed and maintained in a healthful manner.~~

- ~~f. Dogs shall be kept confined and not allowed to run at large on the property, except as part of supervised training.~~
- ~~g. Runs and/or exercise areas and buildings where the dogs are maintained shall be located in the side and/or rear yard only. Kennel runs shall be screened by a solid fence, evergreen screen or wall, which is at least six (6) feet in height. The wall of the principle building or an accessory structure may be submitted for the required screening wall if such wall screens the view of the kennel run from adjacent property.~~
- ~~h. Accessory buildings where dogs are kept, runs, and exercise areas shall not be located nearer than fifty (50) feet to any adjacent residential lot line.~~
- ~~i. The premises shall be kept in a clean and sanitary manner to prevent the accumulation of flies, the spread of disease, or offensive odor.~~
- ~~j. Dog odors shall not be detectable beyond the lot lines of the property in which the kennel is located.~~
- ~~k. Dust and drainage from the kennel enclosure shall not create a nuisance or hazard to adjoining property or uses.~~
- ~~l. Exercise yards, when provided for training or exercising, shall not be used between the hours of 10:00 p.m. and 7:00 a.m. During the hours between 7:00 a.m. and 10:00 p.m., dogs shall be permitted in outdoor runs or pens. Dogs shall be confined and not allowed to run at large on the property, except as part of supervised training~~

SECTION 7. AMENDMENT OF ARTICLE VIII: RESIDENTIAL DISTRICTS

Section 8.01(E)(9) of the Zoning Ordinance is amended to read, in its entirety, as follows:

9. Commercial Kennels.

SECTION 8. AMENDMENT OF ARTICLE VIII: RESIDENTIAL DISTRICTS

Section 8.02(D)(2) of the Zoning Ordinance is hereby deleted.

2. Hobby kennels subject to the following conditions:

- ~~a. A hobby kennel shall be on a lot with a minimum size of 1 acre for the first three (3) dogs and one third (1/3) acre shall be required for each additional dog with a limit of ten (10) dogs.~~
- ~~b. Hobby kennels shall only house dogs owned by the occupant of the dwelling unit.~~

Kennels

Zoning Ordinance Amendment (REDLINE)

Draft October 31, 2022

- ~~c. All kennels shall be operated in conformance with all applicable county, state, and federal regulations.~~
- ~~d. Habitual barking or unusual noises from the kennel, which results in a nuisance to neighboring landowners or residents, is prohibited. The intensity of level of sounds shall not exceed seventy five (75) decibels at the lot line of industrial uses; sixty five (65) decibels at the lot line of commercial uses; and fifty five (55) decibels at the common lot line when adjacent to residential uses and residential districts. The sound levels shall be measured with a type of audio output meter approved by the United States Bureau of Standards.~~
- ~~e. All dogs must be licensed and maintained in a healthful manner.~~
- ~~f. Dogs shall be kept confined and not allowed to run at large on the property, except as part of supervised training.~~
- ~~g. Runs and/or exercise areas and building, where the dogs are maintained shall be located in the side and/or rear yard only. Kennel runs shall be screened by a solid fence, evergreen screen or wall, which is at least six (6) feet in height. The wall of the principle building or an accessory structure may be submitted for the required screening wall if such wall screens the view of the kennel run from adjacent property.~~
- ~~h. Accessory buildings where dogs are kept, runs and exercise areas shall not be located nearer than fifty (50) feet to any adjacent residential lot line.~~
- ~~i. The premises shall be kept in a clean and sanitary manner to prevent the accumulation of flies, the spread of disease, or offensive odor.~~
- ~~j. Dog odors shall not be detectable beyond the lot lines of the property in which the kennel is located.~~
- ~~k. Dust and drainage from the kennel enclosure shall not create a nuisance or hazard to adjoining property or uses.~~
- ~~l. Exercise yards, when provided for training or exercising, shall not be used between the hours of 10:00 pm and 7:00 am. During the hours between 7:00 am and 10:00 pm, dogs shall be permitted in outdoor runs or pens. Dogs shall be confined and not allowed to run at large on the property, except as part of supervised training.~~

SECTION 9. AMENDMENT OF ARTICLE VIII: RESIDENTIAL DISTRICTS

Section 8.02(E)(10) of the Zoning Ordinance is amended to read in its entirety, as follows:

10. Commercial Kennels.

SECTION 10. AMENDMENT OF ARTICLE VIII: RESIDENTIAL DISTRICTS

Section 8.03(D) Uses Permitted By Special Right of the Zoning Ordinance is amended to read, in its entirety, as follows:

D. Uses Permitted By Special Use Permit:

1. Public facilities, including cemeteries, parks, schools, libraries, and recreational facilities, similar uses and activities.
2. Public, parochial, and private elementary, intermediate and/or high schools, and institutions of higher learning, offering courses in general education.
3. Adult foster care small group homes.
4. Adult foster care large group homes.
5. Bed and breakfast establishments.
6. Churches and religious buildings.
7. Child care centers.
8. Communication towers.
9. Golf courses and country clubs.
10. Group child care homes.
- ~~11. Hobby kennels.~~
- ~~12.11.~~ Hospitals.
- ~~13.12.~~ Multiple-family dwellings.
- ~~14.13.~~ Nursing or convalescent homes.
- ~~15.14.~~ Private recreational facilities.

SECTION 11. AMENDMENT OF ARTICLE XVII: SPECIAL USE SPECIFIC DESIGN STANDARDS

Article XVII Standards for Specific Land Uses of the Zoning Ordinance is hereby amended to merge Section 17.19(A) Commercial Kennels and 17.19(B) Hobby Kennels to 17.19 Kennels to read, in its entirety, as follows:

17.19 Kennels

- A. **Locational Requirements:** Kennels are permitted by special use permit in the Rural Residential and Suburban Residential Districts.

Kennels

Zoning Ordinance Amendment (REDLINE)

Draft October 31, 2022

- B. **Site Requirements:** A kennel shall be on a lot with a minimum lot size of two (2) acres for the first five (5) dogs and an additional one-third (1/3) acre for each additional animal thereafter.
- C. **Buffering Requirements:** Accessory buildings where dogs are kept, runs, exercise areas, and any other place where dogs are kept outside, shall be located at least fifty (50) feet from any lot lines.
- D. **Barrier Requirements:** The dog runs or enclosures, exercise yards, and any places where the dogs are kept either fulltime or part time must be enclosed with a view obstruction noise barrier, such as a sound fence, to prohibit the escape of dogs. The fence or barrier shall have a minimum height of six (6) feet, a maximum height of eight (8) feet ~~high~~, be at least three (3) feet from any of the runs, exercise areas, places where the dogs are kept, or any exterior property lines, wetlands, or ponds.
- E. **Performance Standards:**
1. All kennels shall be operated in conformance with all applicable county, state, and federal regulations.
 2. ~~The main kennel building~~ Kennel indoor areas and any building used to house the ~~animals-dogs~~ shall be insulated to minimize animal noises.
 3. Dog nuisance barking that results in a nuisance to neighboring landowners or residents is prohibited. ~~The intensity level of sounds shall not exceed seventy five (75) decibels at the lot line of industrial uses, sixty five (65) decibels at the lot line of commercial uses, and fifty five (55) decibels at the common lot line when adjacent to residential uses and residential districts. The sound levels shall be measured with a type of audio output meter. Sounds created by a kennel shall be subject to the Marion Township Nuisance Ordinance.~~
 4. Exercise yards, when provided for training or exercising, shall not be used between the hours of 10:00 p.m. and 8:00 a.m.
 5. Dog runs, exercise yards, and any places where the dogs are kept either fulltime or part time must be located in the rear yard only.
 6. ~~The kennel~~ Kennel outdoor areas shall be screened from view by appropriate screening as determined by the Planning Commission in conformance with Section 6.13 Landscaping, Fencing, Walls, and Screens.
 7. All dogs must be licensed, vaccinated, and maintained in a healthful and careful manner, in conformance with the Livingston County Animal Control Ordinance, Article LV, Sections 1-7, Licensing, and Vaccination.
 8. The building, heating, water supply, electricity and sanitary facilities shall meet the requirements of ~~the township~~ Township ordinances and the County Building Department. In addition, all kennels shall be regulated, inspected, and licensed by the Livingston County Animal Control Ordinance, Article IV, Sections 1-7, Licensing and Vaccination.

Kennels

Zoning Ordinance Amendment (REDLINE)

Draft October 31, 2022

9. The kennel shall be owned or operated by the owner of the property.
10. Kennel Indoor Area:
 - a. Indoor animal housing areas shall be provided with sufficient heating and cooling to protect animals from extreme temperatures and to provide for adequate care at all times. The ambient temperature shall be consistent with the needs of the canines and their life stage and medical condition. Adequate fresh drinking water must be present at times for each animal.
 - b. Housing, whelping, and husbandry areas must be of sufficient size to allow room for each animal to stand and walk around freely, and exercise normal postural movements as well as allowing adequate room for bedding, food/water bowls, and the birth and care of any offspring.
 - c. The minimum size of the indoor enclosures ~~within the required kennel building~~ shall be at least four (4) feet by four (4) feet square and four (4) feet high. There shall be a door or gate to each enclosure that allows easy access for inserting and removing the dogs. There shall be a minimum of one (1) enclosure per animal.
 - d. Each indoor enclosure shall have a door that allows access of the dog to an outdoor exercise area that is only accessible by a single indoor enclosure.
 - e. All floors within each enclosure shall be made of sealed or coated concrete to facilitate cleaning, drainage, and sanitation.
 - f. Indoor animal play areas shall be of sufficient size to allow for maintenance of sanitary conditions and to avoid overcrowding of animals.
 - g. Convenient toilet and hand washing facilities with hot and cold running water shall be available to maintain personal hygiene of kennel staff.
11. Kennel Outdoor Area:
 - a. Outdoor areas and exercise areas shall have enclosed walls or fences to keep animals secured and to restrict the entry of dangerous animals from the outside.
 - b. Outdoor areas and exercise areas shall have adequate drainage to prevent standing water.
 - c. Animals shall not be allowed in outside areas unless they are able, in the environmental conditions present at that time, to maintain the normal body temperature appropriate for that species.
 - d. The exterior run or enclosure for each indoor enclosure shall be a minimum of four (4) feet wide and twelve (12) feet long and have direct access to the kennel building. The opening into the ~~required~~ kennel building shall have a sliding or other type of closable door.

Kennels

Zoning Ordinance Amendment (REDLINE)

Draft October 31, 2022

- e. Outdoor areas and exercise areas shall be provided with areas of shade and adequate shelter to protect from rain, snow, and weather detrimental to the health of the animal. Adequate fresh drinking water must be present at all times for each animal while in the outdoor or exercise areas.
- f. Dogs shall be supervised at all times when outdoors.
- g. The premises shall be kept in a clean and sanitary manner to prevent the accumulation of flies, the spread of disease, or offensive odor.
- h. Dog odors shall not be detectable beyond the lot lines of the property in which the kennel is located.
- i. Dust and drainage from the kennel building, exterior runs or enclosures, or exercise areas shall not create a nuisance or hazard to adjoining properties or uses.
- j. All waste shall be disposed of according to state, county, and federal regulations.

DRAFT - DO NOT DISTRIBUTE

Article XIV: Off-Street Parking and Loading

ARTICLE XIV: OFF-STREET PARKING AND LOADING

Section 14.01 Intent of Parking Provisions

It is the intent of this Ordinance that parking spaces shall be provided and adequately maintained by each property owner in every zoning district for the off-street storage of motor vehicles for the use of occupants, employees and patrons of each building and premise constructed, altered or enlarged under the provisions of this Ordinance. **All Commercial vehicles shall be stored on the lot occupied by the principal building.**

- A. **Fractional Space:** When units of measurement determining the number of required parking spaces result in a fractional space, any fraction to and including one-half ($\frac{1}{2}$) shall be disregarded and fractions over one-half ($\frac{1}{2}$) shall require one (1) parking space.
- B. **Requirements for a Use Not Mentioned:** In the case of a use not specifically mentioned, the requirements of off-street parking for a use which is mentioned and which is most similar to the use not listed shall apply. The Planning Commission shall make this determination and a record of the rationale applied documented in a file established for that purpose. An appeal may be taken to the Zoning Board of Appeals.
- C. **Use of Parking Areas:** No commercial repair work, servicing or selling of any kind shall be conducted in any parking area or parking garage. Parking spaces shall be used only for the parking of vehicles used to service the establishment to which it is accessory and by its patrons.
 - 1. No sign shall be erected in parking areas other than not more than one (1) directional sign at each point of ingress or egress, which sign may also bear the name of the enterprise, the lot is intended to serve and signs identifying reserved parking spaces. Such signs shall not exceed twenty (20) square feet in area and shall not project beyond the property line of the premises.
- D. **Building Additions or Other Increases in Floor Area:** Whenever a use requiring off-street parking is increased in floor area, or when interior building modifications result in an increase in capacity for any premise use, additional parking shall be provided and maintained in the proper ratio to the increased floor area or capacity.
- E. **Joint Use of Parking Areas:** The joint use of parking facilities by two or more uses may be granted by the Planning Commission whenever such use is practical and satisfactory to each of the uses intended to be served, and when all requirements for location, design, and construction are met.
 - 1. **Computing Capacities:** In computing capacities of any joint use, the total space requirement is the sum of the individual requirements that will occur at the same time. If space requirements for individual uses occur at distinctly different times, the total of such off-street parking facilities required for joint or collective use may be reduced below the sum total of the individual space requirements.
 - 2. **Record of Agreement:** A copy of an agreement between joint users shall be filed with the application for a land use permit, the building permit, and recorded with the Register of Deeds of the County. The agreement shall include a guarantee for continued use of the parking facility by each party.

Section 14.02 Parking Space Requirements

The number of required off-street parking spaces in the RR, SR, UR, ERS, HS, LI, PL and PUD districts

Article XIV: Off-Street Parking and Loading

shall be provided with the following:

Type of Use	Required Number of Spaces
A. Single and Two-Family Dwellings	Two (2) spaces for each dwelling unit
B. Multiple-Family Dwellings	Two (2) spaces for each multiple-family dwelling unit, plus one space per five (5) units for guest parking.
C. Adult Foster Care Facilities	One (1) space per employee on the largest work shift, plus the spaces required for the dwelling unit.
D. Auditoriums (incidental to schools), Churches, Stadiums, Gyms, Theaters, and Buildings of Similar Use with Fixed Seats	One (1) space for each four (4) seats, plus one (1) space for each two (2) employees.
E. Automobile Service and Repair Stations	Two (2) spaces for each repair and service stall (a service stall is not considered a parking space), plus one space for each two (2) employees.
F. Barber Shops and Beauty Parlors	Two (2) spaces for each beauty and/or barber chair.
G. Boarding and Lodging Houses	One (1) space for each bedroom or each two (2) occupants of the structure, whichever is greater, plus one (1) additional space for the owner or operator.
H. Bowling Alleys	Two (2) spaces for each alley, plus one (1) space for each employee on the largest shift.
I. Clinics	Two (2) spaces for each examination or treatment room, plus one (1) space for each doctor or dentist and other employees.
J. Commercial and Institutional Recreational Facilities	One space per three (3) patrons to the maximum capacity of the facility.
K. Convalescent Homes or Similar Uses	One (1) space for each six (6) beds, plus one (1) space for each employee on the largest working shift.
L. Dance Halls, Pool and Billiard Rooms	One (1) space for each three (3) persons allowed within maximum capacity load.
M. Day care facilities	One (1) space for each employee, plus a paved, unobstructed stacking space for pick-up and drop-off, plus one (1) space per eight (8) children of licensed capacity.
N. Drive-In Banks, Cleaners, Car Laundries, and Similar Businesses	Stacking space for five (5) cars between the sidewalk area and the drive-up window and one (1) space for each employee on the largest shift.
O. Drive-in Restaurants or Fast-Food Restaurants	One (1) space for each four (4) seats, plus one (1) space for each employee on the largest shift; plus sufficient area for eight (8) stacking spaces for drive-in windows.

Article XIV: Off-Street Parking and Loading

Type of Use	Required Number of Spaces
P. Elementary and Middle Schools	One (1) space for each two (2) employees, plus one (1) space for each four (4) seats where the school contains an auditorium and/or stadium or gym.
Q. Funeral Homes and Mortuaries	One (1) space for each twenty-five (25) square feet of gross floor area of chapels and assembly rooms.
R. Golf Clubs, Swimming Pool Clubs, Tennis Clubs or Other similar Uses	Four (4) spaces for each green, plus one (1) space for every two (2) employees on the largest shift, plus fifty (50) percent of the spaces otherwise required for any accessory uses (e.g. restaurant, pro shop, etc.).
S. High Schools and Colleges	One (1) space for each employee, plus one (1) space for each five (5) students (based on the capacity of the facility as determined by the fire marshal), plus one (1) space for every four (4) seats where the school contains an auditorium and/or stadium or gym.
T. Hospitals, Sanitariums	One (1) space for each three (3) patient beds, plus one (1) space for each two (2) employees on the largest shift, plus one (1) space for each visiting doctor.
U. Industrial or Manufacturing Establishments	One (1) space for each employee in largest working shift.
V. Junk Yards	One (1) space for each two (2) employees.
W. Excavation Operations and Asphalt Batching Plants	One (1) space for each employee on the largest shift.
X. Laundromat	One (1) space for each three (3) washing or drying machines.
Y. Libraries, Museums, Post Offices	One (1) space for each eight hundred (800) square feet of floor area, plus one (1) space for every two (2) employees on the largest shift.
Z. Miniature or Par-3 Golf Courses	Three (3) spaces for each hole, plus one (1) space for each employee.
AA. Motels, Hotels, Bed and Breakfasts	One (1) space for each sleeping unit, plus two (2) spaces for each employee on the largest shift.
BB. Private Recreational Facilities	One (1) space for each six (6) potential members based on the capacity of the facility.
CC. Professional Offices and Banks	One (1) space for each three hundred (300) square feet of gross floor area.
DD. Standard Restaurants, Cafeterias, Taverns, Bars	One (1) space for each three (3) seats up to the capacity of the facility as determined by the fire marshal.
EE. Retail Stores, including furniture,	One (1) space for each three hundred (300) square feet of

Article XIV: Off-Street Parking and Loading

Type of Use	Required Number of Spaces
appliance, automobile sales, machinery sales, and personal services (other than beauty and barber shops), except as otherwise specified herein.	gross floor area.
FF. Supermarket, Self-Service Food Store	One (1) space for each one hundred (100) square feet of gross floor area.
GG. Warehouses, Wholesale Stores	One (1) space for each eight hundred (800) square feet of floor area.

Section 14.03 Location of Parking Areas

All Commercial off-street parking areas shall be located on the same lot, or on the adjacent premises in the same district as the use they are intended to serve.

Section 14.04 Site Development Requirements

All off-street parking areas shall be designed, constructed and maintained in accordance with the following standards and requirements.

- A. **Marking and Designation:** Parking areas shall be so designed and marked as to provide for orderly and safe movement and storage of vehicles.
- B. **Driveways:** Adequate ingress and egress to the parking area by means of clearly limited and defined drives shall be provided.
 - 1. **Except for parking spaces provided for single-family and two-family residential lots,** drives for ingress and egress to the parking area shall be not less than thirty (30) feet wide and so located as to secure the most appropriate development of the individual property.
 - 2. **Each entrance to and exit from a Commercial off-street parking area shall be at least twenty-five (25) feet from any adjacent lot within a residential district.**
- C. **Site Maneuverability:** Each parking space, within a Commercial off-street parking area, shall be provided with adequate access by means of maneuvering lanes. Backing directly onto a street shall be prohibited. The width of required maneuvering lanes may vary depending upon the proposed parking pattern, as follows. (See Figure 14-1.)

Parking Pattern	Maneuvering Lane Width	Parking Space Width	Parking Space Length
0 degrees (parallel parking)	12 feet	8 feet	23 feet
30 to 53 degrees	12 feet	8 feet 6 inches	20 feet
54 to 75 degrees	15 feet	8 feet 6 inches	20 feet
75 to 90 degrees	20 feet	9 feet	20 feet

All maneuvering lane widths shall permit one-way traffic movement, except for the 90 degree pattern, which may provide for two-way traffic movement.

Article XIV: Off-Street Parking and Loading

Figure 14-1 Parking Graphic

Article XIV: Off-Street Parking and Loading

- D. **Surface: Commercial** Parking areas with a capacity of four (4) or more vehicles shall be surfaced with a material that shall provide a durable, smooth, and dustless surface and shall be graded and provided with adequate drainage.
- E. **Lighting:** Except for single-family and two-family residential lots, adequate lighting shall be provided throughout the hours when the parking area is in operation.
1. Lighting shall be designed and constructed in such a manner to ensure that:
 - a. direct or directly reflected light is confined to the development site.
 - b. all light sources and light lenses are shielded and are not directly visible beyond the boundary of the site.
 2. Unless otherwise approved by the Planning Commission, light sources shall be high-pressure sodium. Approved exceptions shall use warm white or natural lamp colors.
 3. Specifications for lights, poles, fixtures, light sources, and lenses shall be reviewed and approved by the Planning Commission.
- F. **Buffering:** Where a parking area with a capacity of four (4) or more vehicles adjoins a residential district, a landscaped buffer zone shall be provided between the parking area and the adjoining property pursuant to the requirements of 6.13.C.

Section 14.05 Loading and Unloading Space Requirements

- A. **Intent:** In order to prevent undue interference with public use of streets and alleys, every manufacturing, storage, warehouse, department store, wholesale store, retail store, hotel, hospital, laundry, dairy, mortuary, and other uses similarly and customarily receiving or distributing goods by motor vehicle shall provide space on the premises for that number of vehicles that will be at the premises at the same time on an average day of full use.
- B. **Additional Parking Space:** Loading space required under this Section shall be provided as area additional to off-street parking space as required under Section 14.02 and shall not be considered as supplying off-street parking space.
- C. **Space Requirements:** There shall be provided adequate space for standing, loading, and unloading service not less than twelve (12) feet in width, twenty-five (25) feet in length, and fourteen (14) feet in height, open or enclosed, for uses listed in the following table, or for similar uses similarly involving the receipt or distribution by vehicles of material or merchandise.

Use	Space Required
Commercial uses, such as Retail Stores, Personal Services, Amusement, Automotive Service	First 2,000 square feet; none. Next 20,000 or fraction thereof; one (1) space. Each additional 20,000 or fraction thereof; one (1) space.
Hotels, Offices, Clinics	First 2,000 square feet; none. Next 50,000 or fraction thereof; one (1) space. Each additional 100,000 or fraction thereof; one (1) space.

Article XIV: Off-Street Parking and Loading

Use	Space Required
Wholesale and Storage Contractor's Yards	First 20,000 square feet; one (1) space. Each additional 20,000 or fraction thereof; one (1) space.
Manufacturing uses	First 20,000 square feet or fraction thereof; one (1) space. Each additional 20,000 or fraction thereof; one (1) space.
Funeral Homes and Mortuaries	First 5,000 square feet or fraction thereof; one (1) space. Each additional 10,000 or fraction thereof; one (1) space.
Hospitals	First 20,000 square feet; one (1) space. Next 100,000 or fraction thereof; one (1) space. Each additional 200,000 or fraction thereof; one (1) space.
Schools, Churches, Clubs, Public Assembly Buildings, Auditoriums, Boarding Houses, Convalescent Homes	For each building, one (1) space.
For similar uses not listed	For each building 5,000 square feet or over; one (1) space.

- D. **Access:** Access to a truck standing, loading, and unloading space shall be provided directly from a public street or alley and such space shall be so arranged to provide sufficient off-street maneuvering space as well as adequate ingress and egress to and from a street or alley.
- E. **Screening:** All loading and unloading areas and outside storage areas, including areas for the storage of trash which face or are visible from residential properties or public thoroughfares, shall be screened by a vertical screen consisting of structural or plant materials no less than five (5) feet in height. Where these standards are inadequate, the requirements of Section 6.13.B. shall apply.



Livingston County Department of Planning

LIVINGSTON COUNTY PLANNING COMMISSION MEETING

Wednesday, January 18, 2023 – 6:30 p.m.

Administration Building, Board of Commissioners Chambers
304 East Grand River, Howell, MI 48843

Please note that this is a hybrid meeting with County Planning Commissioners and staff meeting in-person. Audience participants are welcome to attend in-person or via Zoom by using the meeting link at the bottom of the agenda

Kathleen J. Kline-Hudson
AICP, PEM
Director

Robert A. Stanford
AICP, PEM
Principal Planner

Scott Barb
AICP, PEM
Principal Planner

Agenda

1. Call to Order
2. Pledge of Allegiance to the Flag
3. Roll and Introduction of Guests
4. Approval of Agenda – January 18, 2023
5. Approval of Meeting Minutes – December 21, 2022
6. Call to the Public
7. Zoning Reviews
 - A. Z-01-23 Green Oak Township, Text Amendment, Article IX Signs
 - B. Z-02-23 Putnam Township, Rezoning, PUD Planned Unit Development to A-O Agricultural/Open Space District in Section 14
 - C. Z-03-23 Marion Township, Text Amendment, Article XIV Off-Street Parking and Loading, Sections 14.01 - 14.04 Intent of Parking Provisions, Location, Site Development
 - D. Z-04-23 Marion Township, Text Amendment, Articles 3, 6, and 17 Kennels and Keeping of Animals
 - E. Z-05-23 Handy Township, Rezoning, AC Ancillary Commercial to AR Agricultural Residential in Section 22
 - F. Z-06-23 Cohoctah Township, Text Amendment, Various Sections, Solar Farms and Solar Energy Systems
8. Old Business
 - A. 2023-2027 Parks & Open Space Plan, Adopted December 27, 2022
9. New Business
 - A. Update on Planning Director position
10. Reports
11. Commissioners Heard and Call to the Public
12. Adjournment

Department Information

Administration Building
4 E. Grand River Avenue
Suite 206
Howell, MI 48843-2323

(517) 546-7555
Fax (517) 552-2347

Web Site
co.livingston.mi.us

Via Zoom (on-line meetings):

<https://zoom.us/j/3997000062?pwd=SUdLYVFFcmozWnFxbm0vcHRjWkVIZz09>

Via the Zoom app

Join a meeting, with meeting number: **399 700 0062**

Enter the password: **LCBOC** (ensure there are no spaces before or after the password)

Meeting ID: **399 700 0062**

Password: **886752**

Meeting recordings may be made using a personal computer or laptop, after requesting ability from the meeting host.



Livingston County Department of Planning

MEMORANDUM

TO: Livingston County Planning Commissioners and the
Marion Township Board of Trustees

FROM: Robert Stanford, Principal Planner

DATE: January 5, 2023

SUBJECT: Z-04-23 Amendments to Zoning Ordinance Articles -
Various Articles: Kennels

Kathleen J. Kline-Hudson
AICP, PEM
Director

Robert A. Stanford
AICP, PEM
Principal Planner

Scott Barb
PEM
Principal Planner

The Marion Township Planning Commission proposes to revise several current provisions in various section of the Township Zoning Ordinance related to kennels. Since the 2020 new Livingston County Animal Control ordinance was not coordinated with municipalities, the township has been working since then to get their ordinance in line with that of the county. The township is eliminating the hobby kennel special use, changing the commercial kennel special use, and updating some of the corresponding language. This change was needed to align with the Livingston County Animal Control Ordinance.

Proposed additions to existing text are noted in red underline, deletions in ~~strike through~~.

The Marion Township Planning Commission proposes to revise several current provisions in various section of the Township Zoning Ordinance related to kennels, in the following manner:

ITEM 1. AMENDMENT OF ARTICLE III: DEFINITIONS

Section 3.02 Definitions of the Zoning Ordinance is amended by deleting the following definitions:

~~**Kennel, Commercial:** Any lot or premises used for breeding, commercial sale, boarding or keeping of 11 or more dogs over six months of age.~~

~~**Kennel, Hobby:** Any lot or premises used for breeding, commercial sale, or keeping of more than 3 but less than 11 dogs over six months of age.~~

Department Information

Administration Building
304 E. Grand River Avenue
Suite 206
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Section 3.02 Definitions of the Zoning Ordinance is amended by adding the following definitions to read in their entirety, as follows:

Dog Nuisance Barking: Barking that is unreasonably annoying, disturbing, offensive, or which unreasonably interferes with the comfortable enjoyment of one (1) or more person's occupying property next to or in reasonable proximity of the kennel. The barking must be continuously audible for ten (10) minutes or intermittently audible for thirty (30) minutes within a three (3) hour period.

Dog Run: A locked and fenced-in outdoor area where dogs can run and exercise in a controlled manner.

Kennels: Any lot or premises on which five (5) or more dogs of more than four six (46) months in of age are kept temporarily or permanently, as pets, or any lot or premises for the purpose of caring for, dog rescue, boarding, training or sporting purposes, breeding, for sale, or otherwise, excluding a facility that is exclusive to only grooming services. This definition shall not be deemed to apply to a litter of puppies with their mother and under six (6) months of age.

STAFF COMMENT:

LIVINGSTON COUNTY DEFINITION FOR COMPARISON:

KENNEL means any establishment, except a pet shop, animal shelter or pound licensed pursuant to MCL 287.331 to 287.340, wherein or whereon three (3) or more dogs are confined and kept for sale, boarding, breeding or training purposes, for remuneration, constructed so as to prevent the public or stray dogs from obtaining entrance thereto and gaining contact with dogs lodged therein. This definition shall not be deemed to apply to a litter of puppies with their mother and under six (6) months of age.

Note: This definition provides for five (5) or more dogs. For those residents that have between one (1) and four (4) dogs, each dog must be vaccinated and licensed as required in conformance to the Livingston County Animal Control Ordinance, Article IV—Licensing and Vaccination, Sections 1-7.

Kennel Indoor Area: Any building that is fully enclosed with permanent walls, roof, and floor where dogs are housed either temporarily or permanently on any lot or premises.

Kennel Outdoor Area: Any area on any lot or premises outside of the Kennel Indoor Area used for any type of exercising of dogs. This area includes dog run enclosures that are attached to the Kennel Indoor Area by either a door or gate.

ITEM 2. AMENDMENT OF ARTICLE VI: GENERAL PROVISIONS

Section 6.02(C) Household Pets of the Township's Zoning Ordinance is amended to read, in its entirety, as follows:

- C. Household pets: The keeping of household pets, such as dogs, cats, and other animals generally regarded as household pets is permitted as an accessory use in any residential



zoning district provided that the number of pets, except as provided below for dogs, does not exceed eleven (11). If more than ~~three~~ **five (35)** dogs are kept as household pets, none of the dogs kept shall be counted as a household pet nor be considered a permitted accessory use but instead the owner must obtain a hobby **special land use approval** for a kennel permit as provided herein.

Section 6.02(D) Hobby Kennels and Section 6.02(E) Commercial Kennels of the Township's Zoning Ordinance are hereby amended to read, in their entirety, as follows:

D. ~~Hobby kennels~~ **Kennels**: The keeping of more than ~~three~~ **five (35)** dogs, but less than eleven (11) shall ~~only be allowed subject to the hobby kennel provisions of this ordinance and issuance of an appropriate permit by the Township. Hobby kennels are permitted subject to the special conditions in the Rural Residential (Section 8.01) and Suburban Residential District (Section 8.02). Hobby kennels are permitted only by special use permit in the Urban Residential District (Section 8.03) and are~~ **is** subject to the requirements of Section 17.19.B **Kennels**.

E. ~~Commercial kennels: The keeping of eleven (11) or more dogs shall be subject to the commercial kennel provisions of this ordinance. Commercial kennels are only permitted by special use permit in the Rural Residential (Section 8.01.E) and Suburban Residential (Section 8.02.E) Districts and are subject to the requirements of Section 17.19A.~~

ITEM 3. AMENDMENT OF ARTICLE VIII: RESIDENTIAL DISTRICTS

Section 8.01(D)(2) of the Zoning Ordinance is deleted.

Section 8.01 RR: Rural Residential District

D. Uses Permitted By Right Subject to Special Conditions

~~2. Hobby kennels subject to the following conditions:~~

~~a. A hobby kennel shall be on a lot with a minimum size of 1 acre for the first three (3) animals and one-third (1/3) acre shall be required for each additional dog with a limit of ten (10) dogs.~~

~~b. Hobby kennels shall only house dogs owned by the occupant of the dwelling unit.~~

~~c. All kennels shall be operated in conformance with all applicable county, state, and federal regulations.~~

~~d. Habitual barking or unusual noise from the kennel, which results in a nuisance to neighboring landowners or residents, is prohibited. The intensity of level of sounds shall not exceed seventy-five (75) decibels at the lot line of industrial uses; sixty-five (65) decibels at the lot line of commercial~~



~~uses; and fifty five (55) decibels at the common lot line when adjacent to residential uses and residential districts. The sound levels shall be measured with a type of audio output meter approved by the United States Bureau of Standards.~~

~~e. All dogs must be licensed and maintained in a healthful manner.~~

~~f. Dogs shall be kept confined and not allowed to run at large on the property, except as part of supervised training.~~

~~g. Runs and/or exercise areas and buildings where the dogs are maintained shall be located in the side and/or rear yard only. Kennel runs shall be screened by a solid fence, evergreen screen or wall, which is at least six (6) feet in height. The wall of the principle building or an accessory structure may be submitted for the required screening wall if such wall screens the view of the kennel run from adjacent property.~~

~~h. Accessory buildings where dogs are kept, runs, and exercise areas shall not be located nearer than fifty (50) feet to any adjacent residential lot line.~~

~~i. The premises shall be kept in a clean and sanitary manner to prevent the accumulation of flies, the spread of disease, or offensive odor.~~

~~j. Dog odors shall not be detectable beyond the lot lines of the property in which the kennel is located.~~

~~k. Dust and drainage from the kennel enclosure shall not create a nuisance or hazard to adjoining property or uses.~~

~~l. Exercise yards, when provided for training or exercising, shall not be used between the hours of 10:00 p.m. and 7:00 a.m. During the hours between 7:00 a.m. and 10:00 p.m., dogs shall be permitted in outdoor runs or pens. Dogs shall be confined and not allowed to run at large on the property, except as part of supervised training.~~

Section 8.01(E)(9) of the Zoning Ordinance is amended to read, in its entirety, as follows:

E. Uses Permitted By Special Use Permit: (See specific provisions in Article XVII)

9. Commercial kennels Kennels.



Section 8.02(D)(2) of the Zoning Ordinance is deleted in its entirety, as follows:

Section 8.02 SR: Suburban Residential District

D. Uses Permitted By Right Subject to Special Conditions:

2. Hobby kennels subject to the following conditions:

- a. ~~A hobby kennel shall be on a lot with a minimum size of 1 acre for the first three (3) dogs and one third (1/3) acre shall be required for each additional dog with a limit of ten (10) dogs.~~
- b. ~~Hobby kennels shall only house dogs owned by the occupant of the dwelling unit.~~
- c. ~~All kennels shall be operated in conformance with all applicable county, state, and federal regulations.~~
- d. ~~Habitual barking or unusual noises from the kennel, which results in a nuisance to neighboring landowners or residents, is prohibited. The intensity of level of sounds shall not exceed seventy five (75) decibels at the lot line of industrial uses; sixty five (65) decibels at the lot line of commercial uses; and fifty five (55) decibels at the common lot line when adjacent to residential uses and residential districts. The sound levels shall be measured with a type of audio output meter approved by the United States Bureau of Standards.~~
- e. ~~All dogs must be licensed and maintained in a healthful manner.~~
- f. ~~Dogs shall be kept confined and not allowed to run at large on the property, except as part of supervised training.~~
- g. ~~Runs and/or exercise areas and building where the dogs are maintained shall be located in the side and/or rear yard only. Kennel runs shall be screened by a solid fence, evergreen screen or wall, which is at least six (6) feet in height. The wall of the principle building or an accessory structure may be submitted for the required screening wall if such wall screens the view of the kennel run from adjacent property.~~
- h. ~~Accessory buildings where dogs are kept, runs and exercise areas shall not be located nearer than fifty (50) feet to any adjacent residential lot line.~~
- i. ~~The premises shall be kept in a clean and sanitary manner to prevent the accumulation of flies, the spread of disease, or offensive odor.~~
- j. ~~Dog odors shall not be detectable beyond the lot lines of the property in which the kennel is located.~~
- k. ~~Dust and drainage from the kennel enclosure shall not create a nuisance or hazard to adjoining property or uses.~~



~~1. Exercise yards, when provided for training or exercising, shall not be used between the hours of 10:00 pm and 7:00 am. During the hours between 7:00 am and 10:00 pm, dogs shall be permitted in outdoor runs or pens. Dogs shall be confined and not allowed to run at large on the property, except as part of supervised training.~~

Section 8.03(D) Uses Permitted By Special Right of the Zoning Ordinance is amended to read, in its entirety, as follows:

Section 8.03 UR: Urban Residential District

D. Uses Permitted By Special Use Permit:

1. Public facilities, including cemeteries, parks, schools, libraries, and recreational facilities, similar uses and activities.
2. Public, parochial, and private elementary, intermediate and/or high schools, and institutions of higher learning, offering courses in general education.
3. Adult foster care small group homes.
4. Adult foster care large group homes.
5. Bed and breakfast establishments.
6. Churches and religious buildings.
7. Child care centers.
8. Communication towers.
9. Golf courses and country clubs.
10. Group child care homes.
- ~~11. Hobby kennels.~~
- ~~12.~~11. Hospitals.
- ~~13.~~12. Multiple-family dwellings.
- ~~14.~~13. Nursing or convalescent homes.
- ~~15.~~14. Private recreational facilities.



ITEM 4. AMENDMENT OF ARTICLE XVII: SPECIAL USE SPECIFIC DESIGN STANDARDS

Article XVII Standards for Specific Land Uses of the Zoning Ordinance is proposed to be amended by merging Section 17.19(A) Commercial Kennels and 17.19(B) Hobby Kennels to 17.19 Kennels to read, in its entirety, as follows:

17.19 Kennels

- A. Locational Requirements: Kennels are permitted by special use permit in the Rural Residential and Suburban Residential Districts.**
- B. Site Requirements: A kennel shall be on a lot with a minimum lot size of two (2) acres for the first five (5) dogs and an additional one-third (1/3) acre for each additional animal thereafter.**
- C. Buffering Requirements: Accessory buildings where dogs are kept, runs, exercise areas, and any other place where dogs are kept outside, shall be located at least fifty (50) feet from any lot lines.**
- D. Barrier Requirements: The dog runs or enclosures, exercise yards, and any places where the dogs are kept either fulltime or part time must be enclosed with a view obstruction noise barrier, such as a sound fence, to prohibit the escape of dogs. The fence or barrier shall have a minimum height of six (6) feet, a maximum height of eight (8) feet high, be at least three (3) feet from any of the runs, exercise areas, places where the dogs are kept, or any exterior property lines, wetlands, or ponds.**
- E. Performance Standards:**
- 1. All kennels shall be operated in conformance with all applicable county, state, and federal regulations.**
 - 2. Kennel indoor areas and any building used to house the dogs shall be insulated to minimize animal noises.**
 - 3. Dog nuisance barking that results in a nuisance to neighboring landowners or residents is prohibited. Sounds created by a kennel shall be subject to the Marion Township Nuisance Ordinance.**
 - 4. Exercise yards, when provided for training or exercising, shall not be used between the hours of 10:00 p.m. and 8:00 a.m.**
 - 5. Dog runs, exercise yards, and any places where the dogs are kept either fulltime or part time must be located in the rear yard only.**
 - 6. Kennel outdoor areas shall be screened from view by appropriate screening as determined by the Planning Commission in conformance with Section 6.13 Landscaping, Fencing, Walls, and Screens.**



7. All dogs must be licensed, vaccinated, and maintained in a healthful and careful manner, in conformance with the Livingston County Animal Control Ordinance, Article LV, Sections 1-7, Licensing, and Vaccination.

8. The building, heating, water supply, electricity and sanitary facilities shall meet the requirements of the Township ordinances and the County Building Department. In addition, all kennels shall be regulated, inspected, and licensed by the Livingston County Animal Control Ordinance, Article IV, Sections 1-7, Licensing and Vaccination.

9. The kennel shall be owned or operated by the owner of the property.

10. Kennel Indoor Area:

a. Indoor animal housing areas shall be provided with sufficient heating and cooling to protect animals from extreme temperatures and to provide for adequate care at all times. The ambient temperature shall be consistent with the needs of the canines and their life stage and medical condition. Adequate fresh drinking water must be present at times for each animal.

b. Housing, whelping, and husbandry areas must be of sufficient size to allow room for each animal to stand and walk around freely, and exercise normal postural movements as well as allowing adequate room for bedding, food/water bowls, and the birth and care of any offspring.

c. The minimum size of the indoor enclosures shall be at least four (4) feet by four (4) feet square and four (4) feet high. There shall be a door or gate to each enclosure that allows easy access for inserting and removing the dogs. There shall be a minimum of one (1) enclosure per animal.

d. Each indoor enclosure shall have a door that allows access of the dog to an outdoor exercise area that is only accessible by a single indoor enclosure.

e. All floors within each enclosure shall be made of sealed or coated concrete to facilitate cleaning, drainage, and sanitation.

f. Indoor animal play areas shall be of sufficient size to allow for maintenance of sanitary conditions and to avoid overcrowding of animals.

g. Convenient toilet and hand washing facilities with hot and cold running water shall be available to maintain personal hygiene of kennel staff.

11. Kennel Outdoor Area:

a. Outdoor areas and exercise areas shall have enclosed walls or fences to keep animals secured and to restrict the entry of dangerous animals from the outside.

b. Outdoor areas and exercise areas shall have adequate drainage to prevent standing water.

c. Animals shall not be allowed in outside areas unless they are able, in the environmental conditions present at that time, to maintain the normal body temperature appropriate for that species.



d. The exterior run or enclosure for each indoor enclosure shall be a minimum of four (4) feet wide and twelve (12) feet long and have direct access to the kennel building. The opening into the kennel building shall have a sliding or other type of closable door.

e. Outdoor areas and exercise areas shall be provided with areas of shade and adequate shelter to protect from rain, snow, and weather detrimental to the health of the animal. Adequate fresh drinking water must be present at all times for each animal while in the outdoor or exercise areas.

f. Dogs shall be supervised at all times when outdoors.

g. The premises shall be kept in a clean and sanitary manner to prevent the accumulation of flies, the spread of disease, or offensive odor.

h. Dog odors shall not be detectable beyond the lot lines of the property in which the kennel is located.

i. Dust and drainage from the kennel building, exterior runs or enclosures, or exercise areas shall not create a nuisance or hazard to adjoining properties or uses.

j. All waste shall be disposed of according to state, county, and federal regulations.

Township Recommendation: Approval. The Marion Township Planning Commission recommended Approval of this zoning amendment at its December 20, 2022. There were no public comments noted in the minutes.

Staff Recommendation: Approval. The proposed amendments for both issues appear to be reasonable and appropriate. The regulations as proposed for kennels are consistent with those found in most other local county municipalities that regulate these uses, as well as it more importantly brings the township ordinance in much closer compliance with the new Livingston County Animal Control Ordinance of 2020.



Livingston County Department of Planning

January 19, 2023

Marion Township Board of Trustees
c/o Tammy Beal, Township Clerk
Marion Township Hall - 2877 West Coon Lake Road
Howell, MI 48843

Kathleen J. Kline-Hudson
AICP, PEM
Director

Robert A. Stanford
AICP, PEM
Principal Planner

Scott Barb
PEM
Principal Planner

Re: **County Planning Commission Review of Zoning Text Amendment Z-03-23 and Z-04-23: Amendments to Zoning Ordinance Articles -**

- **Off-Street Parking and Loading**
- **Kennels**

Dear Board Members:

The Livingston County Planning Commission met on Wednesday, January 18, 2023, and reviewed the zoning text amendments referenced above. The County Planning Commissioners made the following recommendations:

Z-03-23 – Approval. The proposed amendments appear to be reasonable and appropriate. They appear to pose no undue hardship on anyone involved. The regulations as proposed helps clarify the intent of the regulations and will hopefully rectify and eliminate an on-going undesirable issue taking place fairly quickly in the township going forward.

Z-04-23 – Approval. The proposed amendments for both issues appear to be reasonable and appropriate. The regulations as proposed for kennels are consistent with those found in most other local county municipalities that regulate these uses, as well as it more importantly brings the township ordinance in much closer compliance with the new Livingston County Animal Control Ordinance of 2020.

NOTE: It's recommended that the Township correct the typographical error found in the proposed definition of "Kennels" (i.e., "four six (46 months)", should be "four to six (4 to 6) months...").

Department Information

Administration Building
304 E. Grand River Avenue
Suite 206
Howell, MI 48843-2323

•
(517) 546-7555
Fax (517) 552-2347

•
Web Site
co.livingston.mi.us

Copies of the staff reviews as well as draft Livingston County Planning Commission meeting minutes are enclosed. Please do not hesitate to contact our office should you have any questions regarding county actions.

Sincerely,

Robert A. Stanford

Robert Stanford, Principal Planner

Enclosures

c: Larry Grunn, Chair, Marion Township Planning Commission
Dave Hamann, Zoning Administrator, Marion Township

Additional minutes and agendas are available at: <https://www.livgov.com/plan/Pages/meetings.asp>



Livingston County Department of Planning

MEMORANDUM

Kathleen J. Kline-Hudson
AICP, PEM
Director

TO: Livingston County Planning Commissioners and the
Marion Township Board of Trustees

FROM: Robert Stanford, Principal Planner

DATE: January 5, 2023

SUBJECT: Z-03-23 Amendments to Zoning Ordinance Articles -
Article 14: Off-Street Parking

Robert A. Stanford
AICP, PEM
Principal Planner

Scott Barb
PEM
Principal Planner

The Marion Township Planning Commission proposes to revise current provisions related to off-street parking and loading of commercial vehicles to better clarify the intent of the ordinance.

Proposed additions to existing text are noted in red underline, deletions in ~~strikethrough~~.

ARTICLE XIV: OFF-STREET PARKING AND LOADING

Section 14.01 Intent of Parking Provisions

It is the intent of this Ordinance that parking spaces shall be provided and adequately maintained by each property owner in every zoning district for the off-street storage of motor vehicles for the use of occupants, employees and patrons of each building and premise constructed, altered or enlarged under the provisions of this Ordinance. All Commercial vehicles shall be stored on the lot occupied by the principal building.

Department Information

Administration Building
304 E. Grand River Avenue
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●
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Section 14.03 Location of Parking Areas

All Commercial off-street parking areas shall be located on the same lot, or on the adjacent premises in the same district as the use they are intended to serve.

Section 14.04 Site Development Requirements

All off-street parking areas shall be designed, constructed and maintained in accordance with the following standards and requirements.

- A. **Marking and Designation:** Parking areas shall be so designed and marked as to provide for orderly and safe movement and storage of vehicles.
- B. **Driveways:** Adequate ingress and egress to the parking area by means of clearly limited and defined drives shall be provided.



1. **Except for parking spaces provided for single-family and two-family residential lots,** drives for ingress and egress to the parking area shall be not less than thirty (30) feet wide and so located as to secure the most appropriate development of the individual property.
 2. Each entrance to and exit from a **Commercial** off-street parking area shall be at least twenty-five (25) feet from any adjacent lot within a residential district.
- C. **Site Maneuverability:** Each parking space, within a **Commercial** off-street parking area, shall be provided with adequate access by means of maneuvering lanes. Backing directly onto a street shall be prohibited. The width of required maneuvering lanes may vary depending upon the proposed parking pattern, as follows. (See Figure 14-1.)

Parking Pattern	Maneuvering Lane Width	Parking Space Width	Parking Space Length
0 degrees (parallel parking)	12 feet	8 feet	23 feet
30 to 53 degrees	12 feet	8 feet 6 inches	20 feet
54 to 75 degrees	15 feet	8 feet 6 inches	20 feet
75 to 90 degrees	20 feet	9 feet	20 feet

All maneuvering lane widths shall permit one-way traffic movement, except for the 90 degree pattern, which may provide for two-way traffic movement.

- D. **Surface:** **Commercial** parking areas with a capacity of four (4) or more vehicles shall be surfaced with a material that shall provide a durable, smooth, and dustless surface and shall be graded and provided with adequate drainage.

Township Recommendation: Approval. The Marion Township Planning Commission recommended Approval of this zoning amendment at its December 20, 2022. There were no public comments noted in the minutes.

Staff Recommendation: Approval. The proposed amendments appear to be reasonable and appropriate. They appear to pose no undue hardship on anyone involved. The regulations, as proposed, help clarify the intent of the regulations and will hopefully rectify and totally eliminate an on-going undesirable issue taking place fairly quickly in the township going forward.

LIVINGSTON COUNTY PLANNING COMMISSION MEETING MINUTES

January 18, 2023

6:30 p.m.

Hybrid In-Person and Virtual Zoom Meeting

Zoom Virtual Meeting Room Meeting ID: 399-700-0062 / Password: LCBOC
<https://zoom.us/j/3997000062?pwd=SUdLYVFFcmozWnFxbm0vcHRjWkVIZz09>

PLANNING COMMISSION			
COMMISSIONERS PRESENT:	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"> BILL ANDERSON MATT IKLE DENNIS BOWDOIN </td> <td style="width: 50%; border: none;"> BRIAN PROKUDA PAUL FUNK JASON SCHROCK </td> </tr> </table>	BILL ANDERSON MATT IKLE DENNIS BOWDOIN	BRIAN PROKUDA PAUL FUNK JASON SCHROCK
BILL ANDERSON MATT IKLE DENNIS BOWDOIN	BRIAN PROKUDA PAUL FUNK JASON SCHROCK		
COMMISSIONERS ABSENT:	BILL CALL		
STAFF PRESENT:	ROB STANFORD SCOTT BARB		
OTHERS PRESENT:	BRUCE POWELLSON – MARION TWP SIGN IN SHEET (CONWAY AND COHOCTAH TOWNSHIP RESIDENTS) WAYNE PERRY - DESIGN, INC.,		

1. **CALL TO ORDER:** Meeting was called to order by Planning Commissioner Anderson at 6:30 PM.
2. **PLEDGE OF ALLEGIANCE TO THE FLAG**
3. **ROLL AND INTRODUCTION OF GUESTS:** None.
4. **APPROVAL OF AGENDA**

Commissioner Action: IT WAS MOVED BY COMMISSIONER PROKUDA TO APPROVE THE AGENDA, DATED JANUARY 18, 2023, SECONDED BY COMMISSIONER FUNK.

All in favor, motion passed

5. **APPROVAL OF PLANNING COMMISSION MEETING MINUTES**

Commissioner Action: IT WAS MOVED BY COMMISSIONER IKLE TO APPROVE THE MINUTES, DATED DECEMBER 21, 2022, SECONDED BY COMMISSIONER BOWDOIN.

All in favor, motion passed.

6. **CALL TO THE PUBLIC:** None.

7. ZONING REVIEWS:

A. Z-01-23. GREEN OAK CHARTER TOWNSHIP. AMENDMENTS TO THE ZONING ORDINANCE: ARTICLE IX SIGNS.

The Green Oak Township Planning Commission is proposing to amend the Township Ordinance by modifying Article IX Signs to ensure compliance with content neutrality standards that resulted from the *Reed v Gilbert* Supreme Court case.

Township Planning Commission Recommendation: Approval. The proposed amendments were **Approved** at the September 1, 2022, public hearing with no public comments noted in the minutes.

Staff Recommendation: Approval. The proposed amendments are a reasonable addition to the Township Ordinance.

Commission Discussion: None.

Public Comment: None.

Commission Action:

Commissioner Action: IT WAS MOVED BY COMMISSIONER FUNK TO RECOMMEND APPROVAL, SECONDED BY COMMISSIONER IKLE.

Motion passed: 6-0

B. Z-02-23 PUTNAM TOWNSHIP, REZONING PUD PLANNED UNIT DEVELOPMENT TO A-O AGRICULTURAL/OPEN SPACE DISTRICT IN SECTION 14.

Current Zoning: PUD Planned Unit Development
Proposed Zoning: A-O Agricultural/Open Space District
Section 14

Township Master Plan:

The Putnam Township Master Plan Future Land Use Map (DRAFT 2019) designates the subject parcels as Agricultural Preservation. The Township Master Plan states the following regarding the Agricultural Preservation future land use classification:

AP designated areas are characterized by large land parcels that accommodate agricultural uses, including farming and animal keeping, and in particular equestrian activities, both at larger scales and on smaller, individual sites. In addition, low density residential development is allowed that is compatible with agricultural and farming use. Farm fields, orchards and pastures, some of which are separated by hedgerows, dominate roadside views. Homes, barns, and stables are generally set back from roads, or they may assume a traditional farm setting with structures having a lesser setback. Individual homes that are not associated with agricultural activities have gracious setbacks with intervening fields, or woodlots to screen views.

A prominent component of this future land use description is the opportunity to allow more uses with generally larger lot requirements than the current PUD zoning. The anticipated lot divisions that would take place on the property would be significantly more in line with the preservation of natural features and agricultural lands in the township rather than a more intensely used PUD with potential commercial uses. The proposed density of the project will be a minimum of 10 acres per lot which is consistent with adjacent areas of the Township that are zoned Agricultural Preservation and Low Density Residential. We do believe that the proposed rezoning will offer recognizable benefits to the Township by remaining in compliance with the already well-established Agricultural Preservation designation as stated on the DRAFT 2019 Putnam Township Future Land Use Map and is compatible with both the Putnam Township Master Plan and the 2018 Livingston County Master Plan.

County Comprehensive Plan:

The 2018 Livingston County Master Plan does not direct future land use patterns, or development within Livingston County. Alternatively, it offers a county-wide land use perspective when reviewing potential rezoning amendments. The Land Use & Growth Management chapter of the plan includes decision-making recommendations regarding potential land use conflicts and promoting good land governance.

Township Planning Commission Recommendation: Approval. The proposed rezoning was **Approved** at the December 14, 2022, public hearing. There were no major comments indicated in the draft meeting minutes of the November 15, 2022, Putnam Township Planning Commission on the proposed rezoning.

Staff Recommendation: Approval. The proposed rezoning from PUD (Planned Unit Development) to A-O (Agricultural Residential) is compatible with both the Putnam Township Master Plan and the Livingston County Master Plan.

Commission Discussion: Commissioner Ikle asked if there are low areas on the site. Wayne Perry from Desine, Inc., stated that the parcels are impacted by a variety of lowlands and wetland areas – approximately 360 acres. Mr. Perry further explained the project and reasons for the zoning request change. Density of the project would remain the same. Commissioner Funk asked if EGLE is aware of the request to rezone to agricultural zoning. Mr. Perry explained that rezoning the property to AO does not require any EGLE permits.

Public Comment: None.

Commission Action:

Commissioner Action: IT WAS MOVED BY COMMISSIONER PROKUDA TO RECOMMEND APPROVAL, SECONDED BY COMMISSIONER IKLE.
Motion passed: 6-0

**C. Z-03-23. MARION TOWNSHIP. AMENDMENTS TO THE ZONING ORDINANCE:
ARTICLE XIV OFF-STREET PARKING AND LOADING, SECTIONS 14.01-14.04.**

The Marion Township Planning Commission proposes to revise current provisions related to off-street parking and loading of commercial vehicles to better clarify the intent of the ordinance.

Township Planning Commission Recommendation: Approval The Marion Township Planning Commission recommended **Approval** of this zoning amendment at its December 20, 2022. There were no public comments noted in the minutes.

Staff Recommendation: Approval. The proposed amendments appear to be reasonable and appropriate. They appear to pose no undue hardship on anyone involved. The regulations as proposed helps clarify the intent of the regulations and will hopefully rectify and totally eliminate an on-going undesirable issue taking place fairly quickly in the township going forward.

Commission Discussion: Commissioner Prokuda asked what the impetus was for the changes? Bob Hanvey, Supervisor, Marion Township, stated that the original intent of the ordinance was unclear, and it will only apply to commercial vehicles. The ordinance was perceived by residents in a different manner.

Public Comment: None

Commission Action:

Commissioner Action: IT WAS MOVED BY COMMISSIONER BOWDOIN TO RECOMMEND APPROVAL, SECONDED BY COMMISSIONER SCHROCK.
Motion passed: 6-0

**D. Z-04-23. MARION TOWNSHIP. AMENDMENTS TO THE ZONING ORDINANCE:
ARTICLE III DEFINITIONS, ARTICLE VI GENERAL PROVISIONS, ARTICLE XVII
STANDARDS FOR SPECIFIC LAND USES.**

The Marion Township Planning Commission proposes to revise several current provisions in various section of the Township Zoning Ordinance related to kennels. Since the 2020 new Livingston County Animal Control ordinance was not coordinated with municipalities, the township has been working since then to get their ordinance in line with that of the county. The township is eliminating the hobby kennel special use, changing the commercial kennel special use, and updating some of the corresponding language. This change was needed to align with the Livingston County Animal Control Ordinance.

Township Planning Commission Recommendation: Approval. The Marion Township Planning Commission recommended Approval of this zoning amendment at its December 20, 2022. There were no public comments noted in the minutes.

Staff Recommendation: Approval. The proposed amendments for both issues appear to be reasonable and appropriate. The regulations as proposed for kennels are consistent with those found in most other local county municipalities that regulate these uses, as well as it more importantly brings the township ordinance in much closer compliance with the new Livingston County Animal Control Ordinance of 2020.

Commission Discussion: Commissioner Prokuda asked if having more than five (5) dogs makes this a commercial venture. Bob Hanvey of Marion Twp stated that residents would need permits for more than five (5) dogs would need a kennel permit. **NOTE: The Township needs to correct the typographical error in the definition of "Kennels" (i.e., "four six (46 months)", should be "four to six (4 to 6) months..."**)

Public Comment: None.

Commission Action:

Commissioner Action: IT WAS MOVED BY COMMISSIONER IKLE TO RECOMMEND APPROVAL. SECONDED BY COMMISSIONER PROKUDA.

Motion passed: 6-0

**E. Z-05-23 HANDY TOWNSHIP, REZONING
AC-ANCILLARY COMMERCIAL TO AR-AGRICULTURAL RESIDENTIAL IN SECTION
22.**

**Current Zoning: AC Ancillary Commercial
Proposed Zoning: AR Agricultural Residential
Section 22**

Township Master Plan:

The Handy Township Master Plan (2018) designates the subject parcel as Mixed Use. The Township Master Plan states the following regarding the Mixed-Use future land use classification:

The mixed-use category is intended to allow a compatible mix of uses that rely on public services primarily in the form of water and sewer. Development within these areas should be primarily residential, commercial, and office uses that complement each other in regard to pedestrian activity, landscaping, and design. These areas are primarily planned along County Road corridors with an anticipated right-of-way one hundred (100) feet. Planned Unit developments are preferred in these areas allowing for a relaxation of standards to provide more innovative design and protection of natural features.

The proposed zoning designation AR (Agricultural Residential) is compatible with the proposed future land use plans for this area of the Township. As stated in the master plan description of the mixed-use category, development within this category is able to accommodate a variety of uses including residential.

While the petitioner is requesting a semi-residential zoning designation, the property offers potential for a variety of uses in the residential, commercial, and office land use category.

County Comprehensive Plan:

The 2018 Livingston County Master Plan does not direct future land use patterns, or development within Livingston County. Alternatively, it offers a county-wide land use perspective when reviewing potential rezoning amendments. The Land Use & Growth Management chapter of the plan includes decision-making recommendations regarding potential land use conflicts and promoting good land governance.

Township Planning Commission Recommendation: Approval. The proposed rezoning was **Approved** at the December 15, 2022, public hearing. There were no major comments indicated in the draft meeting minutes of the December 15, 2022, Handy Township Planning Commission on the proposed rezoning.

Staff Recommendation: Approval. The proposed rezoning from AC (Ancillary Commercial) to AR (Agricultural Residential) is compatible with both the Handy Township Master Plan and the 2018 Livingston County Master Plan.

Commission Discussion: Commissioner Ikle requested clarification on the future land use designation of the property and questioned if it went against the master plan classification of mixed use. Principal Planner Barb stated that the rezoning allowed the owner to utilize the property to their advantage while promoting a change if future owners desired.

Public Comment: None.

Commission Action:

Commissioner Action: IT WAS MOVED BY COMMISSIONER FUNK TO RECOMMEND APPROVAL, SECONDED BY COMMISSIONER BOWDOIN.

Motion passed: 6-0

F. Z-06-23. COHOCTAH TOWNSHIP. AMENDMENTS TO THE ZONING ORDINANCE: VARIOUS ARTICLES AND SECTIONS SOLAR FARMS AND SOLAR ENERGY SYSTEMS AND MORATORIUM.

During the November 16, 2022, Livingston County Planning Commission meeting, the Commission heard, reviewed and made recommendation on Livingston County Zoning Case #Z-37-22 (Recommendation: Take No Action, Encourage Further Review). With this set of amendments the township proposed to do the following:

- The township proposed to remove the definition of "Solar Farm" from Section 2.02.
- The township proposed to replace references to "Solar farms" to "Utility scale solar energy systems" in Sections 4.03(M), 5.03(L), 6.03(K), 7.03(H), 10.03(G), 11.03(X), and 16.58(C).
- The township proposed to delete Section 13.17 regarding Solar Buildings.
- The township proposed to replace existing section 13.27 in its entirety and revise it with new regulations throughout.

While it was felt by County Planning Staff that the proposed amendments were very comprehensive and many of them sufficiently addressed many of the elements related to proper planning and zoning related to the issue according to the current establish set of unofficial guidelines developed by the Michigan State University Extension and University of Michigan-Graham Institute of Sustainability entitled: "Planning & Zoning for Solar Energy Systems: A Guide for Michigan Local Governments"¹, there were many undefined, unclear and vague areas through the proposed amendments that the County Planning Commission recommended that the Township take back the amendments to reevaluate and continue to better clarify these areas of deficiencies in the proposal and perhaps repropose to the County Planning Commission at a near future date a cleaner more refined set of amendments.

¹(Source: available at:

<https://www.carr.msu.edu/planning/uploads/files/SES-Sample-Ordinance-final-20211011-single.pdf>)

Subsequent to this action, the Cohoctah Township Planning Commission received the recommendation of the County Planning Commission and has decided to take this current action. In addition, the township has decided to retain new legal counsel specifically to aid and assist in the further

development of the township's solar and wind energy ordinance. The proposed amendments as presented in this review are a result of advice provided by the township's new legal counsel.

In conversations and public meetings attended by Staff with township planning commissioners, board members and legal counsel, Staff has come to the understanding that the township had indeed implemented a similar moratorium over the past year or so previous, which concluded on or around November-December of 2022. Because of the uncertainty and level of necessary additional work that is required to revise the previously proposed set of amendments (see case #Z-37-22) as well as the new ground swell of concern and activity by the township residents, the Township Planning Commission has decided to initiate this new course of action under the proposed moratorium.

Township Planning Commission Recommendation: Approval. The Cohoctah Township Planning Commission recommended **Approval** of this zoning amendment at its January 6, 2023, public hearing. There were several public comments regarding this amendment noted in the minutes.

Staff Recommendation: Approval With Conditions. Following the November 2022 County Planning Commission meeting, the Planning Commission recommended "Take No Action, Encourage Further Review", on Livingston County Zoning Case #Z-37-22, as there were many areas of concern with the amendments as proposed and a great deal of increased effort was seen as needed by Cohoctah Township to properly address these concerns and greatly improve the set of regulations going forward.

This, coupled with the fact that the township has retained new legal counsel in its efforts to reassess the current situation and move forward in this planning process under their guidance may necessitate an additional previously unforeseen time commitment in order to effectively and efficiently develop a set of guidelines regulating utility-scale solar that best addresses the health, safety and well-being of the residents of the community and best serves the community as a whole.

Therefore, it is recommended that the township continue to remain diligent in finding a well-conceived and reasonable final resolution to this land use issue as expeditiously as possible, including repeal of regulations as proposed if the township feels this is necessary, relying on the advice of its legal counsel as it progresses through this new course of action. However, the recommendation would also be that these steps are taken without implementation of the moratorium as proposed by the amendments, which constitute the conditions of this Approval.

It is believed that undertaking a further continuation of a previous moratorium period is an unnecessary step and that the tasks necessary to improve the previously proposed set of regulations (as provided in the Staff review for the case) can be completed through the normal course of action utilized in the past by the township whenever any further revisions or refinements that are suggested or recommended to proposed amendments by the County Planning Commission are subsequently implemented by the township.

Commission Discussion: Commissioner Schrock asked about extension of moratoriums within the Township. Principal Planner Stanford stated the original moratorium was past due and hence the need to act at this time. Commissioner Prokuda asked if the repeal constitutes a void of ordinance regulations. Commissioner Anderson asked if they were using the moratorium as a new start to the regulations. Commissioner Bowdoin asked if a moratorium is challenged in court if it would leave no ordinance in effect. Principal Planner Stanford stated that the current proposal being done in conjunction with the repeal of all solar related language throughout the zoning ordinance essentially leaves the Township temporarily without a solar ordinance to regulate with. Commissioner Funk further explained his concerns about the moratorium at this time and believes they are dangerous, but not pursuing the moratorium is more dangerous.

Commissioner Prokuda clarified with Mark Fosdick, Cohoctah Township Supervisor, that a new ordinance will be forthcoming from the township and would encourage the Planning Commission to support the moratorium. Commissioner Schrock stated he will not support taking no action as the township needs direction on this issue at this time. Principal Planner Stanford clarified staff's position that there is support for the repeal if that is the path the township is choosing to take in response and

subsequent to the County Planning Commission's previous recommendation of Take No Action, Encourage Further Review (re: Z-37-22), but that there is no Staff support for continuing with additional moratoriums.

Public Comment: Joanne Hauss, Fleming Road, stated she will have a substation and panels all around her and is vehemently against the proposed development. Property values, MSDS sheets, pollution, water, and wildlife, radiation, noise from converters and substations, and drain issues were many of her concerns. Clint Beach, Cohoctah Road, stated his support for a moratorium. Susan Nichols, Fairways Drive, stated her concerns about how solar development will impact farms and farming and the potential fire and cadmium issues from the solar panels. Andrea Bedwell, Owosso Road, stated she would be facing solar panels daily and is concerned about how the proposed development will impact her home and future. Her concerns are noted as property values, her children's future, and her desire to stay in Livingston County and how difficult it is to see these impacts and how they may change due to the proposed solar development. Rhonda Beach, Owosso Road, is concerned about the placement of panels on prime farmland within the township. Mark Fosdick, Cohoctah Township Supervisor, stated that there will be an ordinance very soon that will be coming to the County Planning Commission that will address wind and solar and will also address the issues that have been brought out before during other reviews. Jenn (online) stated that solar power needs a vast amount of land and displaces wildlife and has concerns about what happens if this development is allowed to move forward.

Commission Action:

Commissioner Action: IT WAS MOVED BY COMMISSIONER BOWDOIN TO RECOMMEND NO ACTION, ENCO U R A G E F U R T H E R R E V I E W . S E C O N D E D B Y COMMISSIONER BOWDOIN.

Motion passed: 6-0

8. OLD BUSINESS:

A. 2023-2027 Parks & Open Space Plan: Plan was adopted December 27, 2022, by the Livingston County Board of Commissioners and has been filed with the Michigan Department of Natural Resources. The plan is good through 2027.

9. NEW BUSINESS:

A. Update on Planning Director position: No report at this time.

10. REPORTS: None.

11. COMMISSIONERS HEARD AND CALL TO THE PUBLIC: Commissioner Bowdoin informed the commission about alert from the State of Michigan regarding fishing and quantity recommended for consumption. Andrea Bedwell, Conway Township, spoke again regarding solar concerns and her available options for making changes and having her voice heard at the local level.

12. ADJOURNMENT:

Commissioner Action: IT WAS MOVED BY COMMISSIONER PROKUDA TO ADJOURN THE MEETING AT 8:34 P.M., SECONDED BY COMMISSIONER IKLE.

Motion passed: 6-0

DRAFT

PARTIAL MINUTES: FOR BOT

**MARION TOWNSHIP
PLANNING COMMISSION
REGULAR MEETING
FEBRUARY 28, 2023 - 7:30PM**

MEMBERS PRESENT: LARRY GRUNN- CHAIRPERSON
JIM ANDERSON - VICE CHAIRPERSON
CHERYL RANGE - SECRETARY
BOB HANVEY
BRUCE POWELSON

OTHERS PRESENT: DAVID HAMANN - MARION TWP. ZONING ADMINISTRATOR

MEMBERS ABSENT: ALISSA STARLING – CARLISLE WORTMAN ASSOCIATES INC.

CALL TO ORDER

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

APPROVAL OF AGENDA

Jim Anderson made a motion to approve the agenda as presented for the February 28, 2023 Planning Commission meeting. Bruce Powelson seconded. **MOTION CARRIED**

APPROVAL OF MINUTES

Bruce Powelson made a motion to approve the minutes as presented from the January 24, 2023 Planning Commission meeting. Cheryl Range seconded. **MOTION CARRIED**

UNFINISHED BUSINESS:

- 1) **TXT# 01-21 KENNELS - RETURNED COMMENTS FROM LIVINGSTON COUNTY PLANNING DEPARTMENT. MAKE RECOMMENDATION TO THE BOARD OF TRUSTEES**

Jim Anderson made a motion to recommend approval of TXT# 01-21 Kennels, to the Marion Township Board of Trustees. Bruce Powelson seconded. **MOTION CARRIED**

UNFINISHED BUSINESS:

- 2) **TXT# 03-22 OFF-STREET PARKING - RETURNED COMMENTS FROM LIVINGSTON COUNTY PLANNING DEPARTMENT. MAKE RECOMMENDATION TO THE BOARD OF TRUSTEES**

Jim Anderson made a motion to recommend approval of TXT# 03-22 Off-Street Parking, to the Marion Township Board of Trustees. Bruce Powelson seconded. **MOTION CARRIED**

MEMO

To: Marion Township Board
From: Bob Hanvey
Subject: Marion Township website: www.mariontownship.com
Date: March 8, 2023

We have had several suggestions that it is time to redesign our website. Our current website is very similar to what was installed over 20 years ago. At that time websites for townships were almost a novelty but lately, as demonstrated by the "Solar Issue," websites are much more important to our residents and neighbors.

The original website was created by Amazing Websites and maintained by one of our staff, Jan MacAinsh. When Jan left the Township, Cindy Hodge took over. She originally used a product called Microsoft Front Page. That product was discontinued by Microsoft and "replaced" by a free product called Expression Web that Cindy was able to learn.

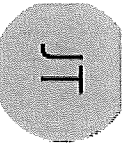
Around the time that Cindy left the Township, Expression Web was no longer available and I took over updating the website using Microsoft Word and by doing something called "editing the HTML code" on an interim basis.

During this same time period, our Internet Service Providers were "bought out" several times and we are currently using a company called nuqnet.com. We have had good support from them and they are one potential company that could redesign our website.

Our current website is not suitable for repairs and we should start a completely new website.

I think it would be a good idea if some staff members, other than me, would be the ones who would maintain the redesigned website. We would need to purchase some software that would be "user friendly."

Discussion.



Jodie Tedesco <jtedesco@livingstonroads.org>

RE: Marion Township Request

To: supervisor@mariontownship.com

Cc: Garrett Olson; Sandy Donovan; Tammy Bealy; Trevor Bennett

Hi Bob,

The estimate to double chip seal with a fog seal Coon Lake Rd from the D-19 to the east Twp Line is approximately \$70,000.

Trevor Bennett will provide an estimate for the gravel.

Thank you,

Jodie

Gorski Hauling
Owner: Rich Gorski
321 W Grand River
Apt. B
Williamston, MI 48895
(517) 388-2780

Township Roadside Clean-Up Proposal 2023

Proposal for 2023 Spring Clean Up:

Attn: Tammy Beal

tammybeal@marriontownship.com

Marion Township: Car and Truck Tires / \$6.50 each
 Semi Tires / \$60.00 each
 1 Full Dumpster @ \$450.00 if I need to prorate the second one I will
 Road time at \$67.00 per hour

Estimated cost:

\$3,425.00

Should you wish to contact me, please call at the number listed above.