MARION TOWNSHIP PLANNING COMMISSION **AGENDA**

REGULAR MEETING September 24, 2024 7:30 PM

Virtual access instructions to participate in the meeting are posted on www.mariontownship.com MEETING WILL BE HELD IN MAIN HALL

Call to Order:

Pledge of Allegiance:

Introduction of Members:

Approval of Agenda for:

September 24, 2024 Regular Meeting Approval of Minutes from: August 27, 2024 Regular Meeting

Call for Public Comment:

Public Hearing:

New Business:

1) SPR#03-24 SUP#02-24 Meadows North Preliminary Site Plan review & Special Use

Unfinished Business:

- 1) TXT#01-24 Signs (new info)
- 2) Lots new information (bring back)
- 3) Fee structure and escrow discussion (bring back)
- 4) TXT#02-24 LCPD review for action

Special Orders:

Announcements:

Call for Public Comment:

Adjournment:



	Larry Grunn – Chairperson
*	

Date:

*Approved by:

MARION TOWNSHIP PLANNING COMMISSION AUGUST 27, 2024 / 7:30PM

PC MEMBERS PRESENT:

LARRY GRUNN – CHAIRPERSON

CHERYL RANGE – SECRETARY

BOB HANVEY

BRUCE POWELSON

PC MEMBERS ABSENT:

JIM ANDERSON - VICE-CHAIRPERSON

OTHERS PRESENT:

DAVID HAMANN - MARION TWP. ZONING ADMINISTRATOR

ZACH MICHELS – TOWNSHIP PLANNER

CALL TO ORDER

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

APPROVAL OF AGENDA

Bruce Powelson made a motion to approve August 27, 2024 agenda as presented. Cheryl Range seconded. **4-0 MOTION CARRIED**

APPROVAL OF MINUTES

Bob Hanvey made a motion to approve the July 23, 2024 Planning Commission minutes as amended. Cheryl Range seconded. **4-0 MOTION CARRIED**

CALL TO PUBLIC FOR COMMENT

No comment.

NEW BUSINESS

SPR# 02-24 TAMARACK PLACE RE-APPROVE EXPIRED SITE PLAN

Mike West works for Westview Capital and is requesting reapproval of their expired site plan for Tamarack. Back in July of 2021 Capital decided to put a hold on all existing permits for Tamarack and hold off on construction. Since then, they have made some modifications to the drains due to the Livingston County Drain Commission's standards changing. The current plan is to start construction in the Spring of 2025.

Bruce Powelson recommends adding some lighting for the entrance sign.

Zach Michels recommended that the following items be updated:

- Remove the buildings that are no longer in existence.
- Update the zoning to "Suburban Residential".
- Include screening and buffering where needed. (Mike West plans to plant about 270 trees.)
- Indicate the location of the entrance sign and LED 2700k lighting.
- Show the new crosswalk between units 30-31 and 10-11.

Cheryl Range made a motion to recommend reapproval of the SPR# 02-24 Tamarack Place site plan to the Marion Township Board of Trustees with the above conditions. Bruce Powelson seconded. **4-0 MOTION CARRIED**



UNFINISHED BUSINESS SPR# 01-24 SIGNS

The Commissioners and Planner discussed the following changes to the Sign ordinance.

- Page 6, section A: Include description
- Page 7, section E: Include description
- Page 6-7: Remove sections I, K, O, W, Y
- Page 8: Set limitations in residential areas
- Page 9, section 15.06, section B: Zach will bring back some language samples
- Page 9, section 15.06, section C: If the sign is going to be posted for more than two weeks, applicant must obtain a permit
- Page 9, section 15.06, section F: Subdivisions should have two signs per entrance, unless they have a boulevard at their entrance
- Page 9, section 15.06, section I: Sign must be 15 feet from the right of way and must be at an access
- Page 9, section 15.06, section G & H: Zach will bring back some language samples
- Page 9, section 15.06, section L: Let the applicant decide on the size and quantity
- Page 9, section 15.06, section M: Let the applicant decide
- Page 9, section 15.08, section A #2: Allow political signs, garage sale/event signs and real estate signs
- Page 14: Remove section D

Cheryl Range made a motion to extend the Marion Township Planning Commission meeting past 9:30pm. Larry Grunn seconded. **4-0 MOTION CARRIED**

UNFINISHED BUSINESS LOTS NEW INFORMATION

The Commissioners decided to have Zach Michels work on ways of cleaning up our language regarding "Lots" at a lower priority.

SPECIAL ORDERS

1) FEE STRUCTURE AND ESCROW DISCUSSION

Bruce Powelson made a motion to postpone discussion on "Fee Structure and Escrow Acts" until the next Planning Commission meeting scheduled for September 24, 2024. Cheryl Range seconded. **4-0 MOTION CARRIED**

ANNOUNCEMENTS

No comments made.

CALL FOR PUBLIC COMMENT

Zach Michels made a comment on our Solar language.

Cheryl Range made a comment about losco Township's Solar language.

ADJOURNMENT:

Bruce Powelson made a motion to adjourn the Planning Commission meeting at 10:00pm. Bob Hanvey seconded. **4-0**

WINUTES TAKEN BY: Jessica S. Timberlake

MARION TOWNSHIP

APPLICATION FOR SITE PLAN REVIEW

	Date.				
	Parcel I.D. Number: 4710 -	610-00-616			
Property Owner(s) Name (Print or Type):		Applicant(s) Name (Print or Type):			
Mitch har	orstype):	Mitch Harris bldg. Co.			
Mailing Address (Print	or Type):	Maining Address (Finit of Type).			
Brighton Mr. 48116 City, State, ZIP (Print or Type):		City, State, ZIP (Print or Type):			
		(0110			
Phone (Print or Type):	1820	810 - 229 · 78 38 Phone (Print or Type):			
(,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,					
	Development: The Med				
	an	dRoads			
may provi until autho					
I hereby grant permission for members of the Planning Commission, Zoning Administrator or their appointed designee to enter the above-described property for the purpose of gathering information related to this application. Owner(s) of Record Signature:					
Applicant(s) Signature (if other than owner):					

DO NOT WRITE BELOW THIS LINE - TOWNSHIP USE ONLY

Date Received: 8-14-202 Received By: DH Application Fee: 1000 ESC Roce					
PRELIMINARY SITE PLAN REVIEW					
AGENCY REVIEWS AND COMMENTS FROM:					
County Road Commission: YesNo County Health Department: YesNo					
County Drain Commissioner: YesNo Fire Department: YesNo Other Agencies: YesNo					
Township Attorney: YesNo Township Engineer: YesNo Township Planner: YesNo					
APPROVED APPROVED WITH CONDITIONS DENIED					
Date: Date:					
Date Received: Received By: Application Fee:					
FINAL SITE PLAN REVIEW					
AGENCY REVIEWS AND COMMENTS FROM:					
County Road Commission: YesNo County Health Department: YesNo					
County Drain Commissioner: YesNo Fire Department: YesNo Other Agencies: YesNo					
Township Attorney: YesNo Township Engineer: YesNo Township Planner: YesNo					
APPROVED APPROVED WITH CONDITIONS DENIED					
Date: Date:					
Date Received: Received By: Application Fee:					
CONSTRUCTION PLAN REVIEW					
Township Engineer: YesNo					
Other reviewers:					
Pre-Construction Meeting:					
APPROVED Date:					
AS BUILTS Submitted for Township File Date: Reviewed by:					

email: acecivillc@gmail.com Office Phone: 517-545-4141 Cell Phone: 517-404-0786

LEGAL DESCRIPTION

Commencing at the Southeast corner of Section 2, Town 2 North, Range 4 East, Marion Township, Livingston County, Michigan; thence N 01°01'19" W 763.82 feet along the East line of said section 2; thence S 88'41'02" W 838.40 feet to the PLACE OF BEGINNING; thence continuing S 88'41'02" W, 442.83 feet; thence N 00°53'25" W 457.78 feet; thence S 88'40'58" W 984.10 feet; thence N 01'22'00" W 1036.00 feet along the East line of "Peavy Road Estates No.1" (Liber 13 of Plats, Pages 24 and 25, Livingston County Records); thence the following two courses along the South line of Outlot "C" of said "Peavy Road Estates No.1": S 88'38'00" W 210.00 feet, and Southwesterly 47.12 feet along the arc of a 30.00 foot radius curve to the left through a central angle of 90°00'35" and having a long chord bearing S 43°38'00" W 42.43 feet; thence N 01°22'00" W 126.00 feet along the West line of said Outlot "C", also being the East line of Peavy Road (100 foot wide Right-of-Way); thence the following two courses along the North line of said Outlot "C": Southeasterly 47.12 feet along the arc of a 30.00 foot radius curve to the left through a central angle of 90°00'35" and having a long chord bearing of S 46°22'00" E 42.43 feet, and N 88°38'00" E 210.00 feet; thence N 01°22'00" W 297.70 feet along said East line of "Peavy Road Estates No. 1"; thence N 88'46'51" E 800.33 feet along the East-West 1#4 line of Section 2; thence N 01°27'29" W 807.94 feet; thence S 88*50'54" W 231.79 feet; thence N 01*30'29" W 949.94 feet; thence along the Southerly Right-of-Way of I-96 Expressway off ramp (Limited Access Highway) the following six courses: (1) S 44°03'44" E 933.22 feet, (2)

Southeasterly, non-tangentially 28.20 feet along the arc of a 3199.04 foot radius curve to the right through a central angle of 00°30'18" and having a long chord bearing S 41°23'28" E 28.20 feet, (3) Southeasterly 633.32 feet along the arc of a 1070.92 foot radius compound curve to the right through a central angle of 33°53'00" and having a long chord bearing S 24*11'49" E 624.13 feet, (4) S 07*15'19" E 190.06 feet, (5) Southeasterly 386.81 feet along the arc of a 361.48 foot radius curve to the left through a cental angle of 6118'40" and having a long chord bearing S 37'54'39" E 368.62 feet and (6) S 68'33'59" E 60.47 feet; thence along the Westerly line of Pinckney Road (D-19) (103 foot wide 1#2 Right-of-Way Limited Access Highway): Southerly 156.08 feet along the arc of a 819.20 foot radius curve to the left through a central angle of 10°54'59" and having a long chord bearing S 10'43'21" W 155.84 feet; thence S 62°15'30" W 330.00 feet; thence S 01°18'58" E 1525.04 feet to the POINT OF BEGINNING. Being a part of the Northeast fractional 1/4 and a part of the Southeast 1/4 of Section 2, Town 2 North, Range 4 East, Marion Township, Livingston County, Michigan, and also Outlot "C" of "Peavy Road Estates No. 1" (Liber 13 of plats, pages 24 and 25, Livingston County Records). Containing 74.44 acres of land, more

THEE & BRUSH LIME

SITE DATA TABLE:

PRELIMINARY SITE PLAN

MARION TOWNSHIP SECTION 2, TZN-R4E MARION TOWNSHIP LIVINGSTON COUNTY, MICHIGAN

LEGAL DESCRIPTION

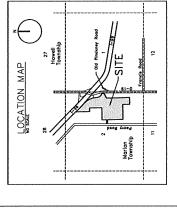
DRAWING INDEX

Commencing at the Southeast corner of Section 2, Town 2 North, Range 4 East, Marion Township, Lungston County, Narhay 4 East, Marion Township, Lungston County, Narhay 4 East, Marion Township, Lungston County, Aug. 142.51 East to the PLAC OF EGGINNING: therac continuing 5 894.10° W. 44.251 East; therac 8 984.10° W. 44.251 East; therac 8 984.10° W. 100.500 Feet of the PLAC OF EGGINNING: therac continuing 5 894.10° W. 100.500 Feet of the PLAC OF EGGINNING: therac continuing 5 894.10° W. 100.500 Feet of the PLAC SOUTH Into OF OUT OF

TWO & FOUR UNIT ELEVATIONS TWO & FOUR UNIT FLOOR PLANS

THREE UNIT FLOOR PLANS THREE UNIT ELEVATIONS DRAINAGE AREA PLANS

GRADING PLAN-2 GRADING PLAN-3 GRADING PLAN-1



EXISTING CONDITIONS

COVER SHEET

COMPOSITE PLAN

SITE PLAN-1 SITE PLAN-2 SITE PLAN-3

SITE PLAN-4

FDICL LHC
DOSSING STORY COLVERT
COSSING SAVITANT SERVE (GRAVITY)
COSSING WATER ANN
PROPOSED SAVITANT SERVE (GRAVITY)
PROPOSED SAVITANT SERVE (GRAVITY)
PROPOSED SAVITANT SERVE (GRAVITY)

TELEPHONE UNE VORICED ELECTRIC LINE

HALOR CONTOUR - 5 FT, INTERVA WHOR CONTOUR - 1 FT, INTERVA

MANHOLE GATE VALVE IN WELL HYDRAMT

EGEND

REQUIRED PERMITS/APPROVAL

AGENCY

MARION TOWNSHIP

UNMOSTON COUNTY DRAIN COMMISSION

UNMOSTON COUNTY BRULDING DEPARTIENT

UNMOSTON COUNTY BRULDING DEPARTIENT

RING

MORE

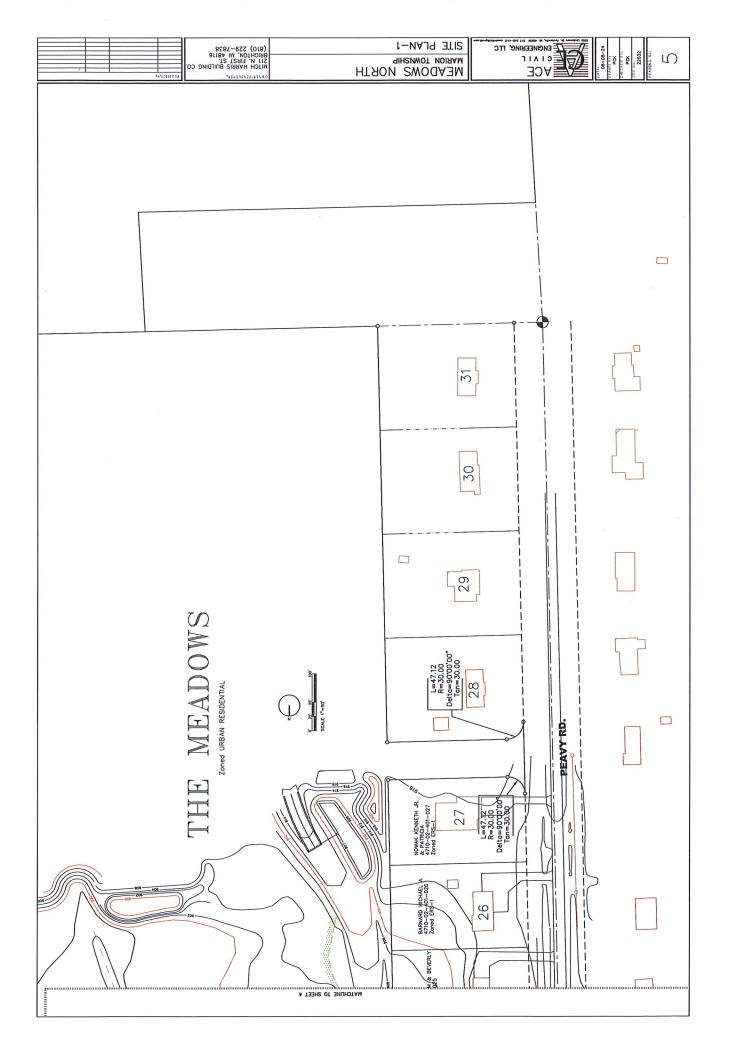
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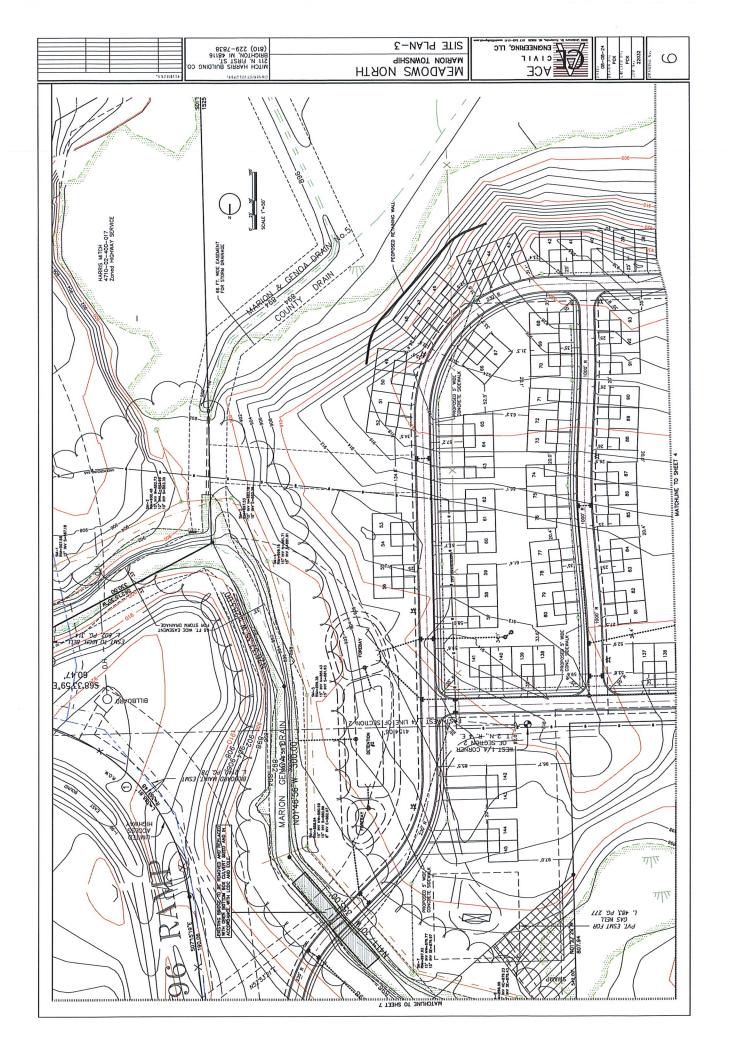
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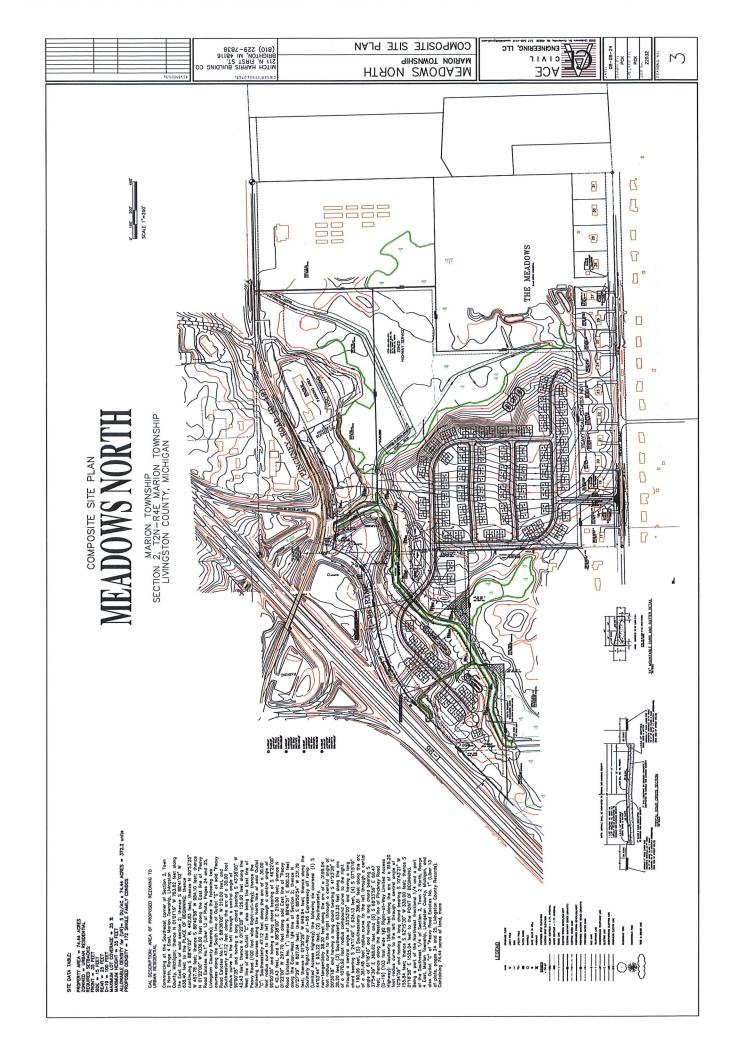
2009377 VRC 1 3444 AGRE 200918. URBN RESIDENTA.
200910 - 1814 AGRE 200918. RESIDENTA.
2007 - 15 FET 2007 - 170 SHOLF FAMILY CORDS - 375.2 mile proposo DOSET - 170 SHOLF FAMILY CORDS SITE PLAN SOIL EROSION CONTROL WORK WITHIN COUNTY DRAIN BULIDING PERMIT PEANY ROAD WORK SEWER AND WATER

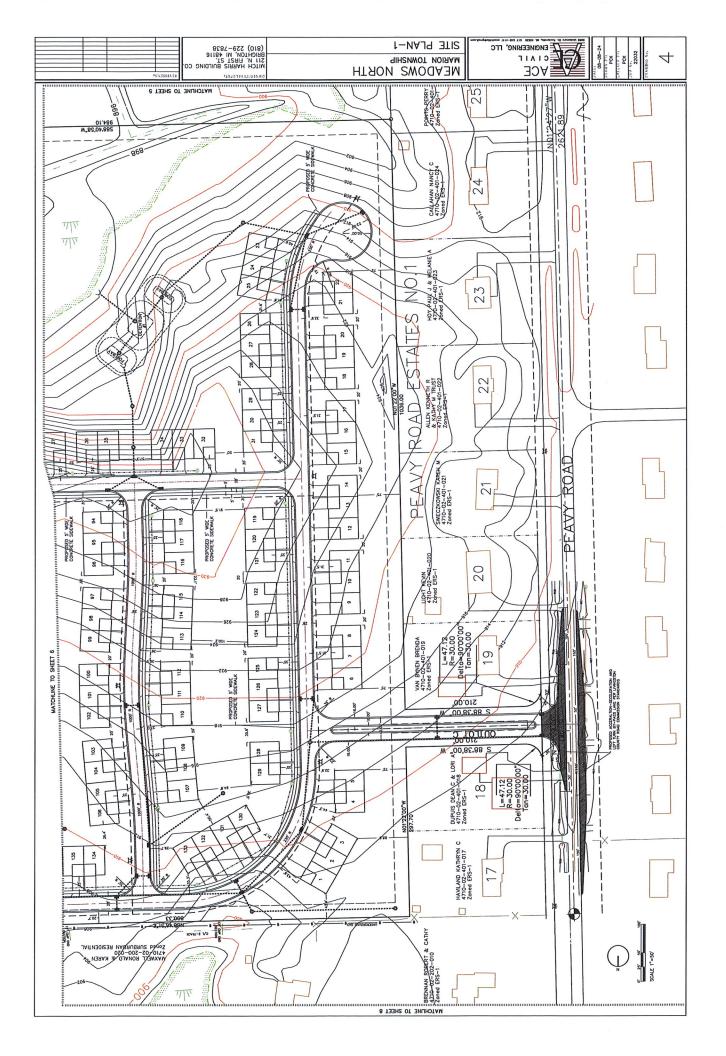


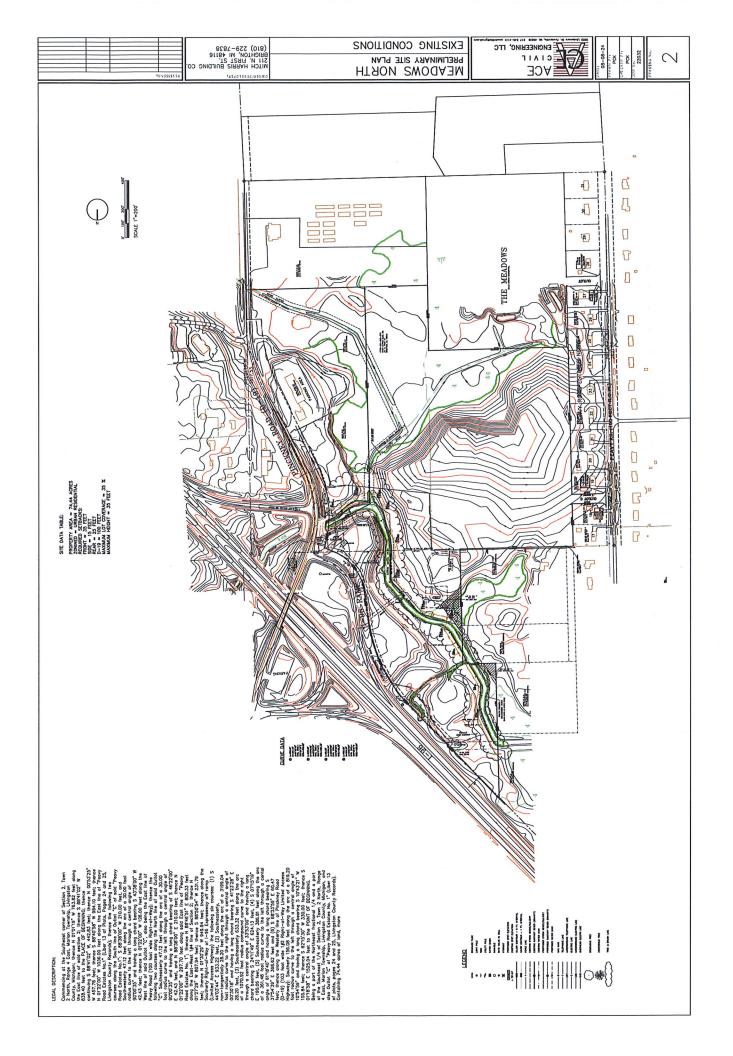


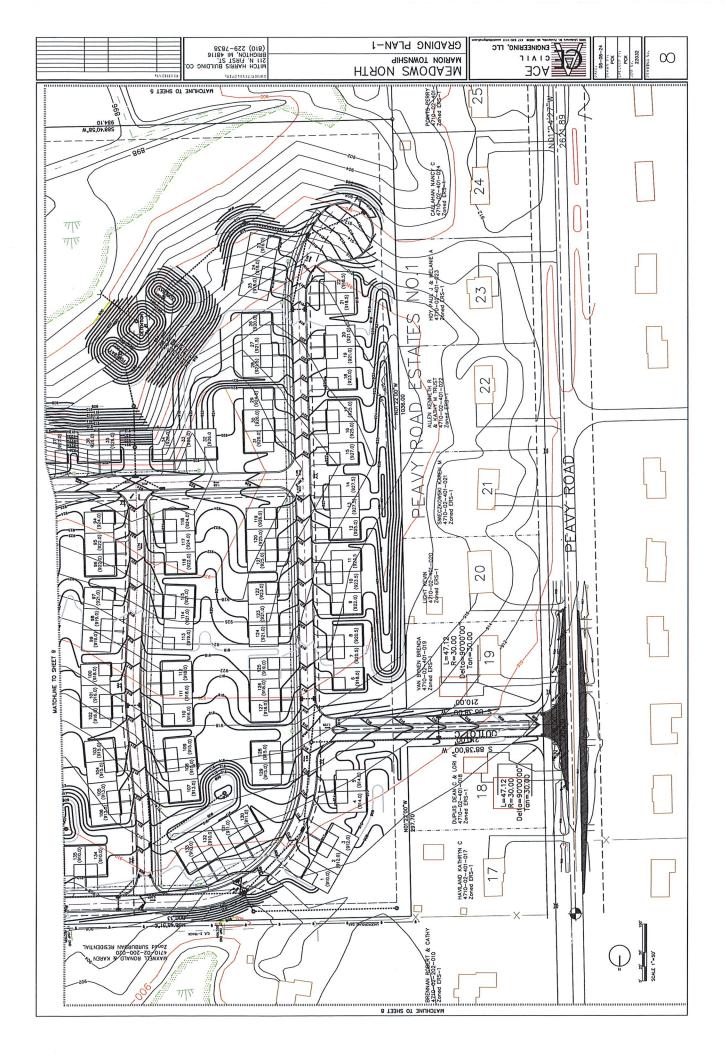


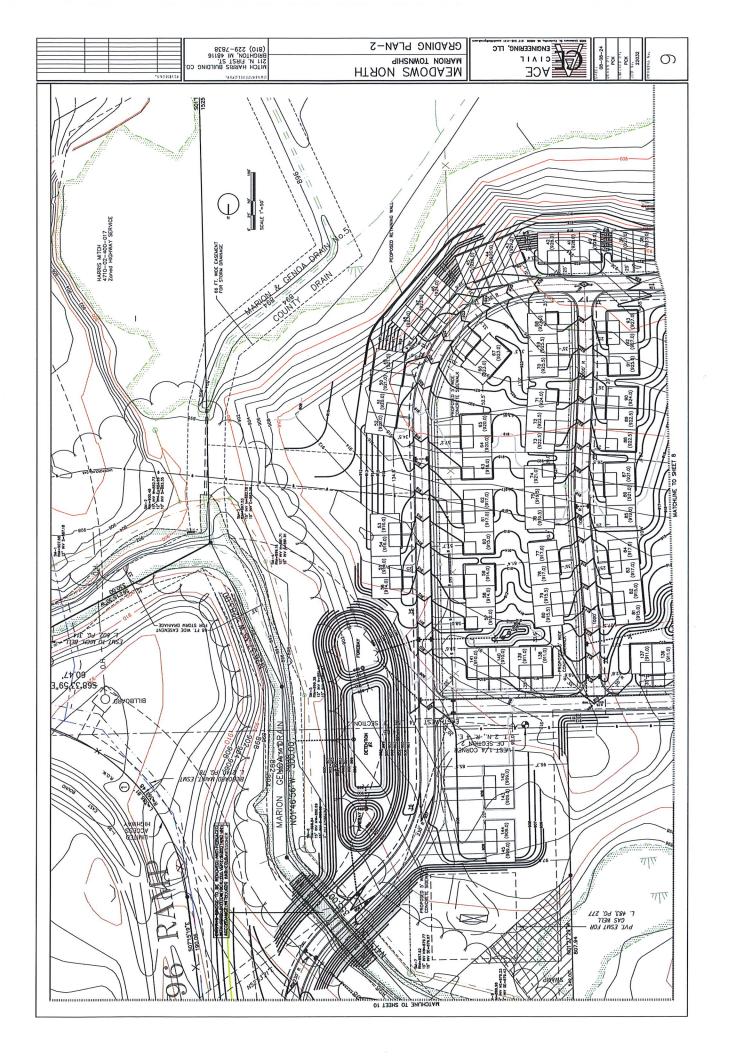


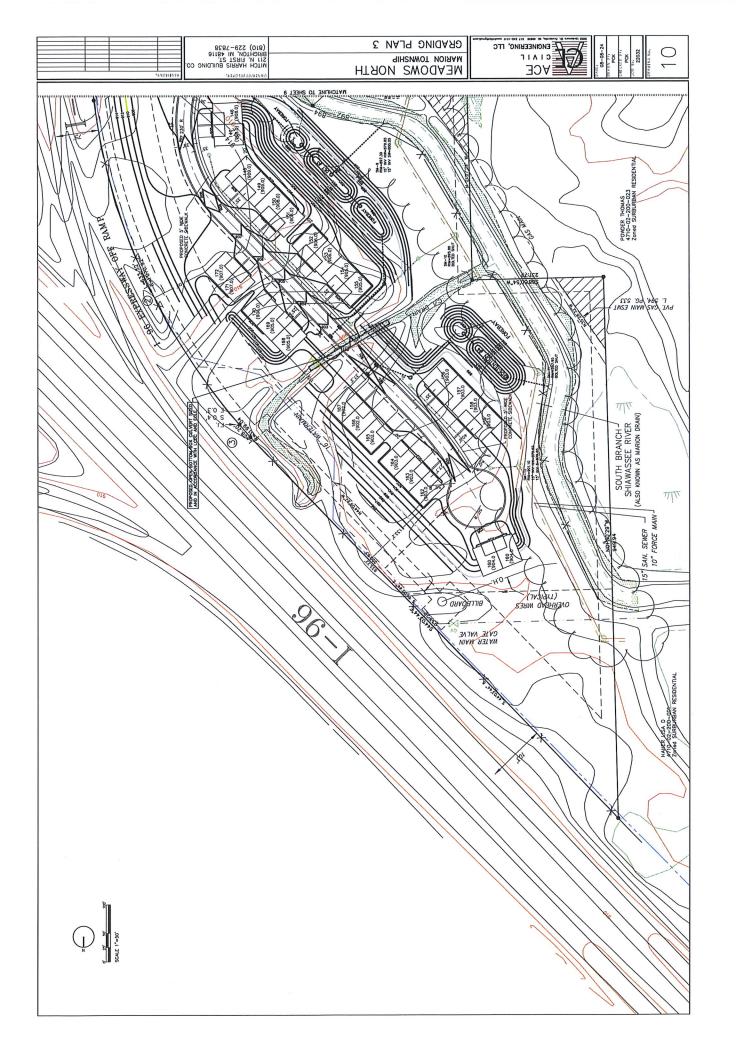


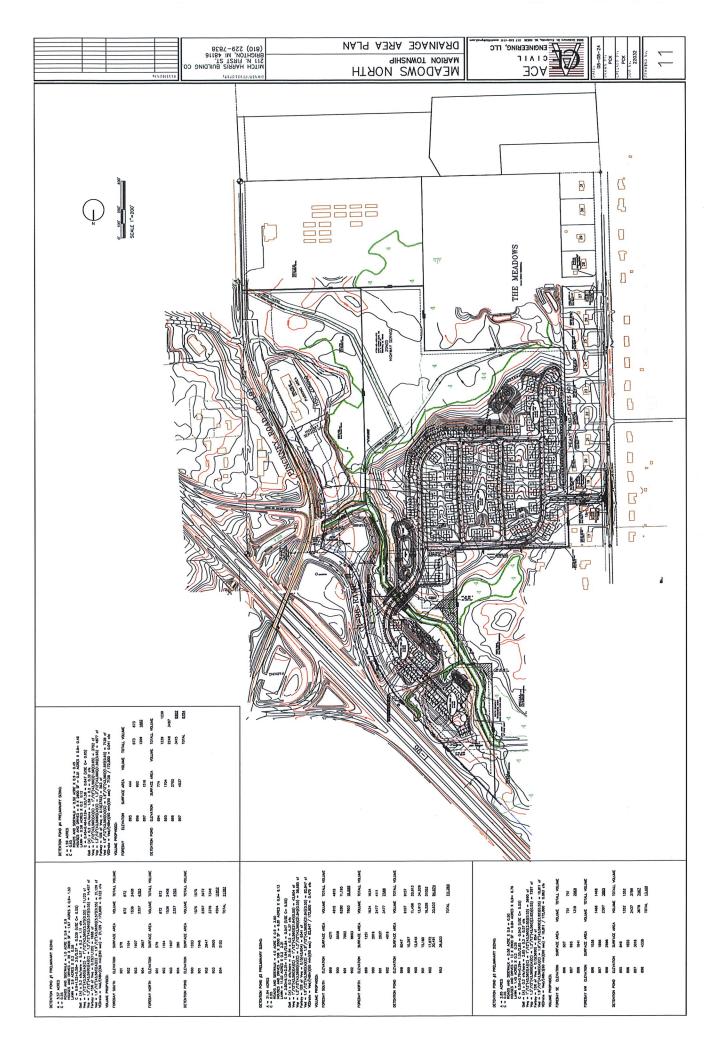


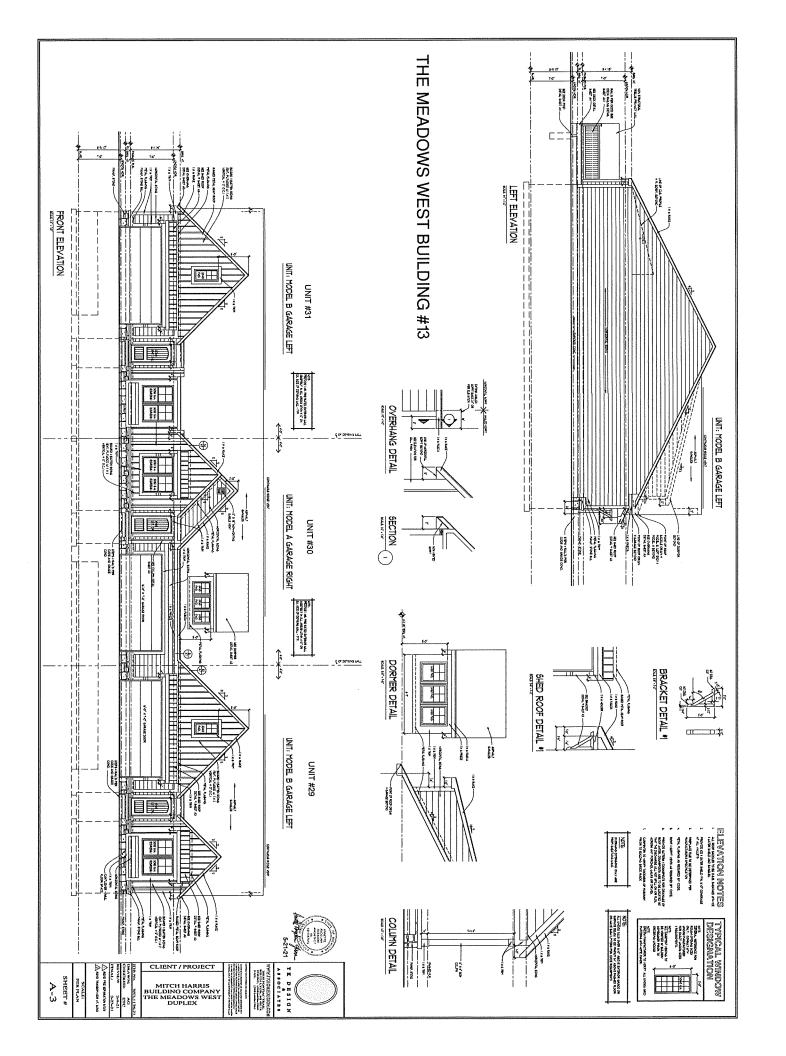


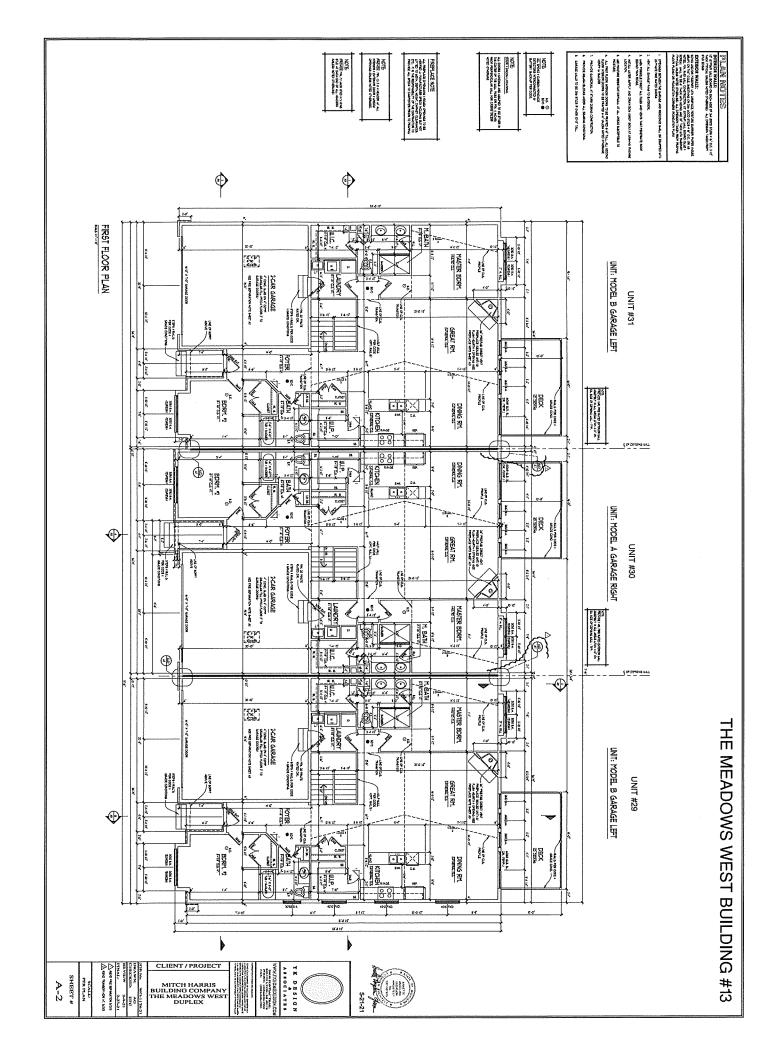


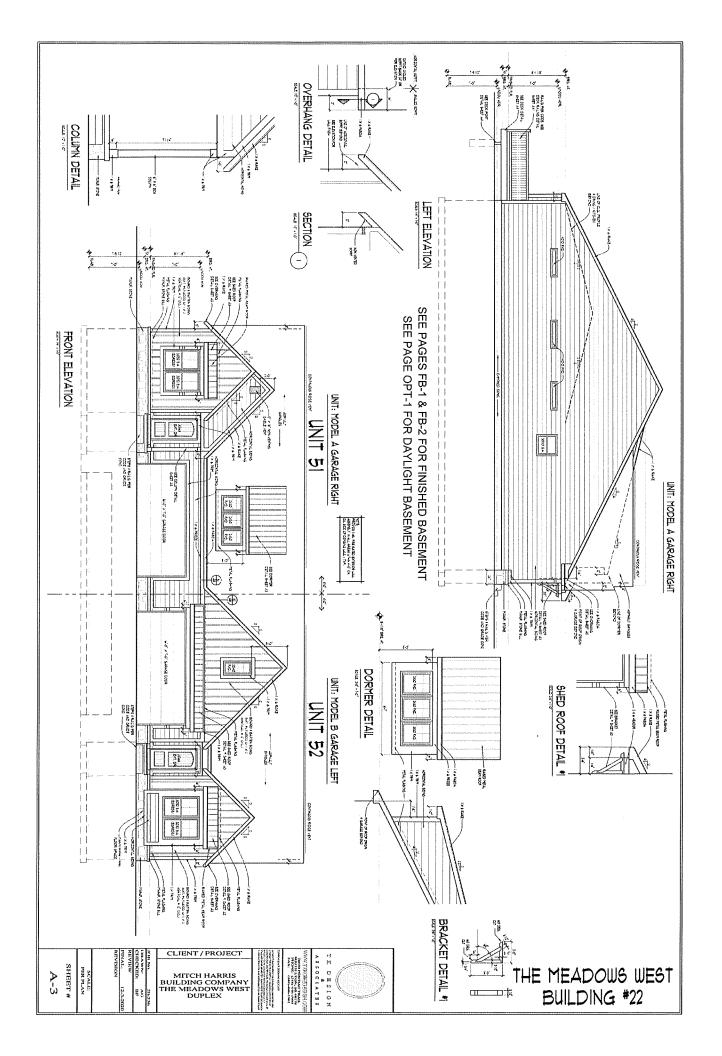


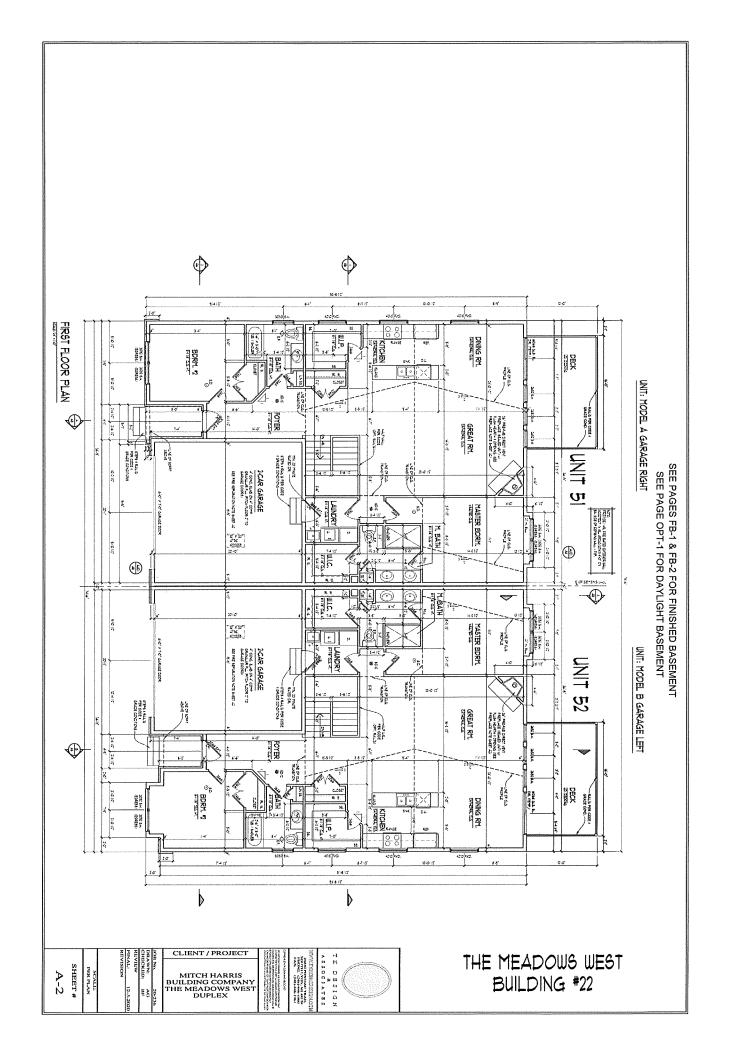












MARION TOWNSHIP

SPECIAL USE PERMIT

	Application No: Sur O2 - 2 -/				
	Date: 8 . 14 - 20 2 4				
l	•				
Name of Applicant: Mitch Dorris Bldy Co. Address of Applicant: 211 N. First St. Brighton 48116					
Phone Number:					
Parcel ID Numb					
Email:	harris @M, tchoris, get				
The above appl					
(Purchaser or re	epresentative will need a letter of permission from owner)				
Please include t administrative o	the following with your request. These items are needed to determine completeness:				
Ten (10) Ordinan Support	rent zoning of the property involved. copies of the required site plan (per Section 18.03 of the Marion Township Zoning ce.) ing documentation with regard to all provisions of the Marion Township Zoning ce pertaining to a Special Use Request.				
Further, the und in relation to thi fees, newspape	d agrees to comply with all of the ordinance requirements for Marion Township. dersigned acknowledges being responsible for all costs incurred by the township is request. Such costs include, but are not limited to, engineering reviews, legal r notices, postage, etc. The applicant understands final approval is subject to ent of all incurred fees and any outstanding escrow balances.				
Mitch Applican	tr's Name (print) Applicant's Signature				
	Soo Escrew 3000				
Pate Received: V Fee Paid: S					
Materials Received: Site Plans:					
Application acce	pted by:				



January 30, 2023

Marion Township Planning Commission 2877 W. Coon Lake Road Howell, Mi. 48843

Re: Proposed Special Use Request for The Meadows North Project

Dear Planning Commission Members:

The Mitch Harris Building Company is requesting special use approval for The Meadows North project located on 74.44 acres of land in Section 2 of Marion Township. The property was recently rezoned from Highway Service (HS) to Urban Residential (UR). The Meadows North project is a proposed 172 multiple-family condominium project that uses two-plex, three-plex and four-plex units. Special use approval is required for multiple-family homes in the Urban Residential district per Section 8.03-D-12 of the Marion Township Zoning Ordinance. It is the purpose of this letter to provide information to show the proposed project meets the requirements of section 16.05-A(1-11) of the Zoning Ordinance as follows:

1. Be harmonious with and in accordance with the general principles and objectives of the Comprehensive Plan of the Township.

The Master plan of the Township shows the designated property with a current land use of Suburban Residential and a future land use of Commercial. The property was recently rezoned to Urban Residential and should provide for a good middle ground between the existing residential uses and the proposed future commercial uses. As a result the proposed special use should be harmonious and in accordance with the general principles and objectives of the Comprehensive Plan.

2. Be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such a use will not change the essential character of the area in which it is proposed.

The project is an extension of the existing Meadows and Meadows West Projects. As a result the character of the general vicinity will remain similar in nature.

3. Not be hazardous or disturbing to existing or future uses in the same general vicinity and will substantially improve property in the immediate vicinity and in the community as a whole.

The project as proposed will be developed meeting all current development standards of the township and will not be hazardous or disturbing to uses in the general vicinity. The project will provide needed living units within the community that are similar in nature to the surrounding properties.

4. Be served adequately by essential public facilities and services, such as highways, streets, police, fire protection, drainage structures, refuse disposal, water and sewage facilities and schools.

The project will be accessed off of Peavy Road (100 feet wide R.O.W. Public road). In order to provide adequate access to the site, a double lane boulevard type road will be constructed up to the first intersection within the development. The boulevard type entrance road along with the looped internal road network within the development will then provide an adequate road network for the project.

The project will also be served using public sewer and water that is available to the site and a drainage system that will be designed in accordance with Livingston County Drain Commission standards. Although there will be a demand increase on other essential public services such as police, fire protection, disposal and schools, there will also be an increased tax revenue to fund the increased demand of such services.

5. Not involve uses, activities, processes, materials and equipment or conditions of operation that will be detrimental to any person, property or general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.

The project will involve general activities associated with residential type development and will be constructed in accordance with all current local, state and federal standards. As a result there should not be any operations that will be detrimental to the surrounding area.

6. Meet the intent and purpose of the zoning regulations; be related to the standards established in the Ordinance for the land use or activity under consideration; and will be in compliance with these standards.

The project has been designed in accordance with the current Urban Residential zoning regulations and will be in compliance with all such standards.

7. Ensure that landscaping shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal, and by topographic modifications, which result in maximum harmony with adjacent areas.

The project will be designed to minimize the disruption of natural vegetation as much as possible and will have a comprehensive replacement landscape plan that will be harmonious with the general area.

8. Ensure that special attention shall be given to proper site surface drainage so that removal of storm waters will not adversely affect neighboring properties.

The project utilizes curb and gutter, an underground storm drainage system and detention pond facilities designed in accordance with the current standards of the Livingston County Drain Commission. As a result neighboring properties will not be adversely affected.

 Ensure that all exterior lighting shall be so arranged that it is deflected away from adjacent properties and so that it does not impede the vision of traffic along adjacent streets. Flashing or intermittent lights shall not be permitted.

The project will utilize soft building lighting and strategically place intersection lighting so as to not cause any negative impacts on surrounding properties.

10. Meet the site plan review requirements of Article XVIII. If the applicant chooses to submit a preliminary site plan, the special use permit may also be considered preliminary.

When completed the Final site plan will meet all of the requirements of Article XVIII.

11. Conform to all applicable state and federal requirements for that use.

When completed the project will meet all applicable state and federal requirements of the intended use.

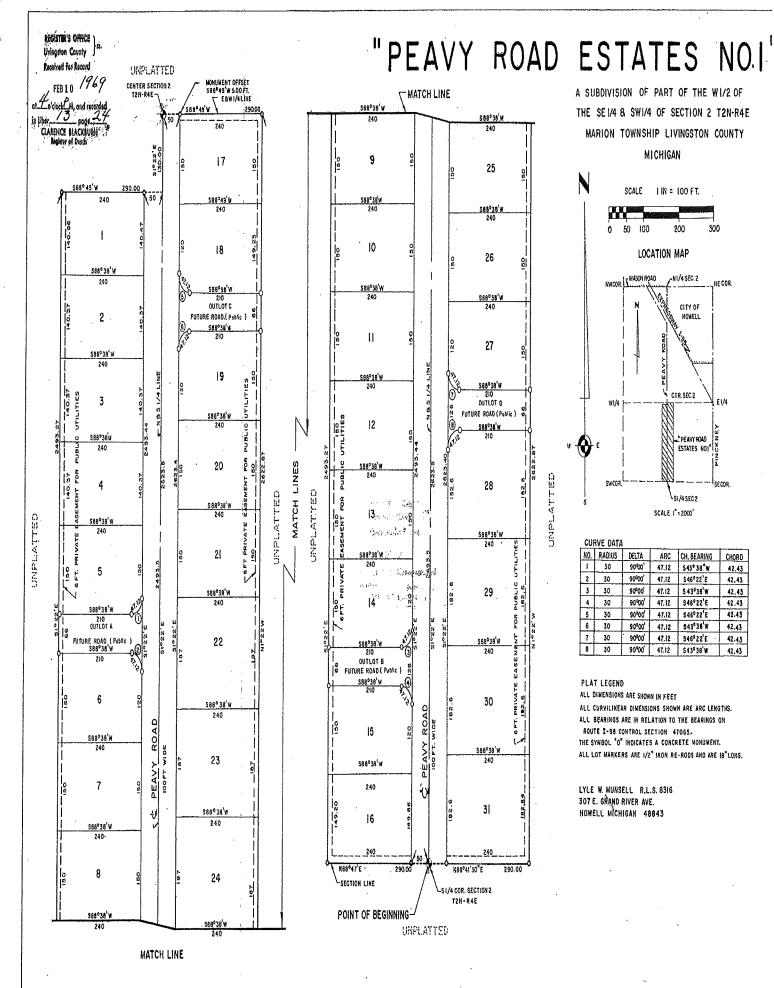
We look forward to discussing the information with you in detail at a future planning commission meeting.

Sincerely,

ACE CIVIL ENGINEERING, LLC

Patrick C. Keough, P.E.

President



Preliminary Site Plan and Special Land Use Review for Marion Township Planning Commission

Petition Number

Meadows North, SPR 03-24 and SUP 02-24

Applicant

Patrick Keough, on behalf of Mitch Harris Building Company

Request

Preliminary site plan and special land use for a multiple-family

building condominium

Location

Southern side of Interstate 96, between D-19/Pinckney and Peavy

Site Plan Date

August 8, 2024

1410 Pinckney

The applicant is requesting preliminary site plan and special land prepared approval for a multiple-family development, detached condominium project with 144 dwelling units. The dwelling units will be attached, with some two, three, and four-unit buildings.

172

It is our understanding that the dwelling units will be offered for sale, with the unit boundaries consistent with the building envelope. It is common for these types of developments to include limited common elements around the dwelling unit for driveways, hvac condensers, generators, decks, or patios.

Multiple-family developments are a special land use in the UR Urban Residential zoning district.

Multiple-family developments require site plan review and approval. The project is seeking preliminary site plan at this time. Preliminary site plan is intended to determine general compliance with the Township's ordinances. It does not guarantee final site plan approval.

Preliminary site plans are reviewed by the Planning Commission, which forwards them with a recommendation to the Township Board for a final decision. A completed final site plan application must be submitted within 1 year of preliminary site plan approval.

Address 1410 Pinckney

Location Southern side of Interstate 96, between D-19/Pinckney and Peavy

Parcel numbers on the map do not match those shown on the

Parcel Numbers Livingston County GIS. It appears property boundary adjustments/ divisions are not shown on the GIS system.

NATURAL RESOURCES

Topography

The site is undulating with complex slopes, but generally sloped downwards to the Marion Drain/South Branc of Shiawassee River.

Wetlands

Wetland areas run throughout the side adjacent to the Marion Drain/South Branch of Shiawassee River. Because these wetlands are connected with a waterbody, it is likely that they are considered state-regulated wetlands.

Woodlands

There are woodlands primarily on the eastern and northern portions of the site. There is also a significant tree line running east and west across the western portion of the site. The site plan does not identify the area of disturbed woodlands or trees to be removed.

Soils

The site plan does not include a soil map. The USDA Soil Viewer identifies several soil types on the site, including several types of loams, loamy sands, and muck. Loams and sandy loams are appropriate for development. Mucks present limitations for development.

Water

There is a county-regulated drain/river, Marion Drain/South Branch Shiawassee River, flowing across the northern portion of the site, which has a 66-foot-wide easement. A bridge will cross the drain/river.

Items to be Addressed: Because the project appears to impact state-regulated wetlands, an EGLE permit is likely to be required. This should be added to the required permits on the Cover Sheet. Additional comment is deferred to the Township Engineer.

Extent of woodlands shown on the site plan.

Natural features to be removed shown on the site plan.

Consideration for preservation of a portion of the east/west tree line.

DEVELOPMENTAL STANDARDS

General developmental standards for UR Urban Residential districts are defined in §8.03(E) Site Development Requirements. In some cases, the specific standards for multiple-family developments take precedent over the base zoning district standards.

	Required	Proposed	Complies
Lot Area	15,000 square feet	n/a	n/a
Frontage	75 feet	n/a	n/a
Front-yard Setback	30 feet	25 feet (curb or sidewalk)	No*

	between façades without openings		
Lot Coverage	30 percent maximum	Unknown	Likely
Public Sewer	Public sewer required	Public sewer shown	Likely
Drainage	Adequate drainage provided	Several detention ponds shown	Unknown
Open Space	10 percent of site or 2,000 square feet per unit minimum	Unknown	Unknown
Parking Lighting	Off-street parking areas adequately lit	Unknown	Unknown
Roadway and Driveway Width	One-way: 13 feet, Two-way: 24 feet, Driveways: 10 feet minimum	Roads: 28 feet, Unknown	Yes, Likely
Utility Location	Underground	Underground	Yes
Other Uses	Office space, Laundry, Auxiliary storage, Recreation areas	Unknown	Likely
Height	35 feet maximum, taller allowed based on firefighting capacity	Unknown	Likely

Items to be Addressed: Specific standards for multiple-family developments added to the site plan.

Confirmation from the Township Engineer and/or Livingston County Road Commission that Peavy is considered a major thoroughfare.

See Landscaping section of this report for additional details on buffering.

Confirmation from the Township Engineer and/or Livingston County Road Commission that the proposed development will not result in significant congestion or interference with normal traffic flow. A traffic study would identify impacts on surrounding roads and intersections and identify necessary improvements, such as turning lanes or passing flares.

Confirmation from the applicant that road and driveway surfaces will be all-weather materials, such as asphalt or concrete, with a noted added to the site plan.

Meadows North Preliminary Site Plan Special Land Use September 3, 2024

accessible. A trail to D-19/Pinckney could provide future access to Howell for pedestrians and bicyclists.

It is our understanding that the billboard and oil well will remain on the site as it is developed. The access for these is not shown on the site plan.

The proposed cul-de-sac is completely paved over. It should be possible to place a landscaped island within the center of the cul-de-sac to reduce the amount of paved surfaces.

Items to be Addressed: Confirmation from applicant that road access would not be permitted from D-19/Pinckney.

Consideration of reduced roadway width in certain locations.

Consideration of reduced turn radii.

Consideration of internal sidewalk and crosswalks.

Consideration of pedestrian connections in to/out of the site.

Billboard and oil well access shown on site plan.

Consideration of landscape island in cul-de-sac.

SigV.G.

The site plan does not show the location of any proposed development signs or traffic control signs.

Those details should be included on the final site plan.

Items to be Addressed: None at this time.

LANDSGADING

The preliminary site plan does not include any landscaping plans.

It appears possible to provide adequate buffering/screening along the exterior of the site.

The planting strip between the sidewalk and back of curb appears to be very narrow. Attention will be required to ensure that trees planted in this area will not damage the curbing or sidewalk.

Items to be Addressed: None at this time.

Meadows North Preliminary Site Plan Special Land Use September 3, 2024

PETITION TIMELINE

Conditional zoning map amendment approved in 2023.

The application was submitted on August 14, 2024.

The application will go before the Planning Commission at its September 24, 2024, meeting.

CONCLUSION

The application for the preliminary site plan and special land use of Meadows North is generally complete. This report notes recommendations for additional information and potential modifications and conditions.

Additional reviews by the Township Engineer, various Livingston County agencies, and state agencies should also be considered as part of review.

The Planning Commission is a recommending body.

We look forward to helping facilitate this process at the meeting.

Zach Michels

Quality Zoning

Dexter, MI

Dave Hamann

From:

Kim Hiller <khiller@livingstonroads.org>

Sent:

Monday, August 19, 2024 8:22 AM

To:

Dave Hamann

Subject:

RE: Preliminary Site Plan Submittal for The Meadows North Project

Attachments:

Meadows North - Peavy Road Access (4.73 KB)

Hi Dave,

Attached is an email regarding our approval for the location of the proposed private road approach. The applicant will need to apply for a private road approach permit during the construction plan design process.

Please let me know if you have any questions.

Thank you,

Kim Hiller, P.E.
Utilities and Permits Engineer
Livingston County Road Commission
3535 Grand Oaks Drive
Howell, MI 48843
Ph. (517) 546-4250
khiller@livingstonroads.org
Office Hours: M-F 7:00 AM 3:30 PM

----Original Message-----

From: Dave Hamann <za@mariontownship.com>

Sent: Thursday, August 15, 2024 4:22 PM

To: 'Aaron Aumock' <AAumock@livgov.com>; 'Jamil Czubenko' <jczubenkofire@gmail.com>; Kim Hiller

<khiller@livingstonroads.org>

Subject: FW: Preliminary Site Plan Submittal for The Meadows North Project

Attached please find for your review a Preliminary Site Plan for a new condo development called Meadows North. It is accessed off Peavy Road since MDOT would not allow any access off the D19 MDOT 100 foot easement. Again this is a Preliminary Site plan with Proposed 172 units. We would like to have any review letter back by August 29. Please let me know if you have any questions and let me know if you will be able to meet the date requested. Thanks you,

Dave Hamann
Zoning Administrator
Marion Township
2877 W. Coon Lake Road
Howell, MI 48843
Phone (517) 546-1588
za@mariontownship.com

Dave Hamann

From:

Kim Hiller < khiller@livingstonroads.org>

Sent:

Wednesday, February 1, 2023 2:17 PM

To:

'Mitch Harris'

Cc:

Mike Goryl; Garrett Olson; 'Patrick Keough'

Subject:

Meadows North - Peavy Road Access

Mitch,

Per your request, I performed a sight distance inspection for a private road approach at Outlot C of the Peavy Road Estates #1 subdivision, located between 1163 and 1175 Peavy Road.

At the center of the 66' wide outlot, the sight distance was measured at 725' both north and south, which meets our requirements for a private road approach.

Please let me know if you have any questions.

Thank you,

Kim Hiller, P.E.

Utilities and Permits Engineer Livingston County Road Commission 3535 Grand Oaks Drive Howell, MI 48843 Ph. (517) 546-4250 khiller@livingstonroads.org

Office Hours: M-F 7:00 AM - 3:30 PM



September 3, 2024

Dave Hamann, Zoning Administrator Marion Township 2877 W. Coon Lake Road Howell, MI 48843

RE:

Meadows North Site Plan

Preliminary Site Plan Review

Dear Mr. Hamann,

We have received and reviewed the site plan for the proposed single family condo development at the southwest corner of I-96 eastbound exit ramp and Pinckney Road. The plans were prepared by Ace Civil Engineering, LLC for Mitch Harris Building Co. and are dated August 8, 2024. Based on our review, we offer the following comments:

General

For many of the notes on the composite site plan, it is not possible to read the words of the note due to the type and size of the font. Therefore, information that may be critical to the review is not available. This occurs on both prints and electronic copies of the plan. This will need to be corrected on subsequent reviews.

The proposed site use is for a 172-unit condominium project that uses two-plex, three-plex and four-plex units. The site consists of four parcels that are zoned Urban Residential (UR). To the north and east is the City of Howell, to the west is Suburban Residential (SR), and to the south is Highway Service (HS). Multi-family residents are allowed in this UR as a special use.

There are several wetlands delineated within the development site. The Marion-Genoa Drain runs through the site as well. There are two wetland/drain crossings being proposed to construct the internal access roads. Both crossings will be accomplished using an open-bottom box culvert. The crossing will result in some level of wetland disturbance. The other wetlands on the site do not appear to be disturbed by the development. Permits from LCDC and EGLE will be required prior to beginning construction.

Several utilities exist on the site including gravity sanitary sewer, sanitary forcemain, and gas. The plans should show how access to the existing gas equipment will be provided in the future.

The front setback is 30' and should be correctly listed on the plans. All other setbacks are correct, however, these setbacks should be depicted and labeled on the site plan clearly.

The correct maximum lot coverage is listed on the plans, however, actual lot coverage should be listed as well to verify the site's compliance.

September 9, 2024 Page 2 of 5

Maximum building height for this zone is 35'. The plans should clearly show what the maximum height is for each building type to verify compliance.

Legal descriptions are provided for each of the three parcels and close within acceptable tolerances.

The plans have been signed and sealed by a Professional Engineer.

Water

An existing 16" water main runs along I-96 and an existing water main of unknown size runs along Peavy Road. The proposed water main is to be connected to these mains at the north and west sides of the site. The water main is looped within the site, as recommended, with several fire hydrants shown.

No water leads are shown on the plans. Each building should have its own lead. A separate fire suppression line may be required by the Fire Marshal. We defer further comment on the fire suppression requirement to the Fire Marshal.

The water main appears to maintain at least 10 feet of separation between other parallel storm or sanitary sewers as it required by EGLE. In addition, the water main is located in the greenbelt as recommended. The water main is proposed to cross the Marion-Genoa Drain at one location. Details should be provided for how this crossing will be constructed during construction plan reivew. All work within the drain ROW will require a permit from Livingston County Drain Commissioner.

The water main will require an easement for MHOG's access and maintenance. This is not required during the site plan review but should be noted.

We defer to MHOG for further comment on the water main.

Sanitary

Existing gravity sanitary sewer and a forcemain runs through the site. The forcemain transports all of Marion Township's sanitary system's waste to the treatment center, so care should be taken during construction to avoid disturbing or damaging the pipe.

The proposed sanitary sewer is to connect to the existing system at three different points as a gravity system. Based on simple slope and depth calculations, it appears the system will have sufficient depth to service the site. Detailed calculations and profiles will be reviewed during the construction plan review stage.

It is assumed that this development will require 172 REUs. If for any reason the developer believes this number should be different, detailed calculations and analysis will be required.

September 9, 2024 Page 3 of 5

No sanitary leads are shown on the plans. Each multi-unit building will be required to have its own lead. Leads for adjacent buildings cannot be combined. A note regarding this should be added to the plans.

The proposed sanitary sewer within the site will require a 20'-wide easement for the Township's access and maintenance. It is not required to show the easement on the plans during site plan review but a note should be added to the plans. It will be necessary to show the easement during construction plan review.

Grading and Drainage

The existing topography of the site indicated that the site drains to the Marion Genoa Drain. Proposed contours are depicted on the grading plan and show the site draining to various curb and yard basins and onto one of four detention basins. Three of the four detention basins are proposed to outlet to the Marion Genoa Drain. These outlets will need to be reviewed and approved by Livingston County Drain Commissioner. The fourth detention basin is proposed to outlet to an existing wetland onsite. Calculations showing detention provided for this basin have been shown but additional calculations will be needed demonstrating the ultimate outlet for this runoff and the areas in between will not be flooded due to the increased runoff volume.

A storm sewer system is proposed to migrate additional runoff caused by development of the site. Four detention basins are proposed on the site. Each of the basins provides the required storm water storage as indicated by the included drainage calculations. These calculations will be reviewed during construction plan review. It should be noted that errors exist in the drainage calculations it may lead to significant changes to the layout of the site. We defer to Livingston Country Drain Commissioner for further comment on the drainage and proposed storm system on the site.

Site Access and Paving

There is one main entrance proposed to the site off Peavy Drive. This entrance is divided two lane road with accelerate-decelerate and left turn lanes proposed to improve the existing road. A traffic study should be conducted to determine if the surrounding roads can handle the influx of traffic this development would bring. The traffic study should include information from previously approved but not yet constructed developments along Peavy Road. The study should include all major intersections along D-19 and Mason Road as well as the smaller intersections along Peavy Road.

Paving on the site consists of 28' wide asphalt roads with mountable curbs. One of the proposed roads crosses the Marion Genoa Drain. A new open bottom box culvert is proposed to replace the existing crossing. Responsibility for the maintenance of the culvert should be established as part of the road maintenance agreement, especially since this is the only access road to several of the proposed buildings. Another open bottom box culvert is proposed to cross a tributary to the

September 9, 2024 Page 4 of 5

drain at the north end of the project. Care must be taken when sizing this culvert to upstream drainage is not impeded for large rain events, as it appears to provide drainage for I-96. Calculations and details for the construction of these culverts should be provided during construction plan review.

There is potential for an emergency only access between the proposed development and the Meadows in the southwest corner of the proposed site. The need for this should be discussed with the Fire Marshal.

Landscaping and Lighting

A landscaping plan or lighting plan is not provided. Both should be provided so they may be reviewed for utility conflicts.

Recommendations

Should the Planning Commission decide to proceed with approval of this project, we recommend the following conditions be placed on the approval:

- 1. Plans should be reviewed and approved by:
 - a. Fire Marshal
 - b. Township Planner
 - c. Livingston County Drain Commissioner
 - d. Livingston County Road Commission
 - e. Michigan Department of Transportation
- 2. Please make the notes on the Composite Site Plan readable.
- 3. Update the listed setbacks on the plans and depict them clearly on the site plan.
- 4. Provide maximum height of buildings.
- 5. Show proposed drive approach to the existing gas equipment on the site.
- 6. Please confirm the proposed REUs for site.
- 7. Please add a note stating that a 20'-wide easement for sanitary sewer will be provided.
- 8. Provide approval from Livingston County Drain Commissioner regarding allowable discharge for each the detention basins to the Marion Genoa drain.
- 9. Provide traffic study indicating the additional impact the site will have on the surrounding road network.
- 10. Provide details on what entity will be responsible for maintenance of the culverts over the Marion Genoa Drain.
- 11. Provide a landscaping plan.
- 12. Provide a site lighting/electrical plan with details and a photogrammetric plan.

September 9, 2024 Page 5 of 5

If you have any questions or need anything further, please feel free to contact our office.

Sincerely,

Elsie Jorgensen, E.I.T.

Phone: (269) 252-6100

Mailto: elsie.jorgensen@spicergroup.com

Philip A. Westmoreland, P.E.

Phone: (517) 375-9449

Mailto: philaw@spicergroup.com

SPICER GROUP, INC.

125 Helle Dr, Suite 2 Dundee, MI 48131

CC:

SGI File

Livingston County Road Commission Ken Recker, Livingston County Chief Deputy Drain Commissioner

Dave Hamann

From:

Ken Recker < KRecker@livgov.com>

Sent:

Wednesday, September 11, 2024 5:53 PM

To:

Dave Hamann

Cc:

khiller@livingstonroads.org; Mitch Dempsey; supervisor@mariontownship.com; Patrick Keough; Phil Westmoreland (philaw@spicergroup.com); Paul Lewsley; Jorgensen, Elsie

h #

Subject:

Meadows North Preliminary Site Plan

Dave,

We are in receipt of a 15 sheet preliminary plan set for the aforementioned development, and a Spicer review letter dated 9/9/2024. We concur with the Grading and Drainage Items listed in Spicer's review letter.

In response to your request for preliminary comments, I would offer the following in addition to those items addressed in the Spicer review letter:

1. County Drains-

- a. The drain labeled as the Marion & Genoa Drain No. 5 County Drain on the plan sheets is known as the Marion No. 5 Drain. It is located within a twenty eight foot easement as granted by Frank Burt, Ella Burt, and Mary Burt on May 26, 1886. The labeling and easement width should be corrected.
- b. The drain labeled as the Marion & Genoa Drain should be shown in its existing 66 foot wide easement obtained by condemnation from Burt on August 28,1905.
- c. Due to the density of the development, additional easement in addition to the above-enumerated easements will be needed in order to provide for effective county drain maintenance after construction is complete. These easements will need to be agreed to in the construction plan review process, and can be granted either in the condominium documents or via separate conveyance.
- d. Details for the proposed bridge over the Marion & Genoa Drain will be reviewed with the construction plans.

2. Detention Basins

- a. Livingston County Drainage Standards prevent the siting of stormwater management systems in existing floodplains. Due to the close proximity of the basins to the county drains, floodplain information should be shown on the preliminary plan to confirm these basins are outside of the floodplain.
- b. All forebays associated with the stormwater basins need a 2 foot deep sump for the purposes of sediment containment.
- c. Generally the basin outlets are shown discharging to the Marion Genoa Drain at a 90 degree angle to the drain. In our experience this configuration will create turbulence in the county drain which will lead to instability on the existing steep banks. The outlets need to be positioned in more of a wye fashion to better direct flows downstream. Discharges to the drain shall be at an elevation and velocity that will minimize disturbance to the drain. Rip-rap and fabric will be required at these outlets to facilitate a stable flow transition.
- d. Further review of the basins will be performed during construction plan review.

3. Grading

a. Rear yard drainage (pipes or swales or a combination) shall be used to direct drainage into the stormwater management system or into basins to prevent sheet flow from building sites reaching the county drains undetained. This note is in relation to:

- i. Areas south of the proposed Peavy Road entrance to the development backing up to Peavy Road Estates No. 1 shown on Sheet 8. The close proximity of the buildings, berm, and swale to each other will lead to problems keeping surface drainage out of potential egress wells at the rear of the buildings. Storm sewer should be extended from the southerly culde sac and the entrance drive to provide additional capacity to pick up drainage in the swale shown.
- ii. Areas to the south of Detention Basin No. 2 (Units 51 through 56 shown on Sheet 9)

4. General Stormwater System

- a. No storm calculations for the conveyance system are shown. These will be reviewed in the construction plans for the project.
- b. The other two phases of the Meadows have private drainage, which we presume to be the case here. A note to this effect is needed on the plans
- c. Since the detention basins outlet to county drains, a maintenance agreement between the Drainage District and the developer is required to allow the Drainage District to make necessary repairs, in the event the condominium association does not complete necessary maintenance. It may be more expedient to simply dedicate the basins and outlets as branches to the county drain, though we are not recommending that at this time.
- d. The existing private drain between I-96 and the county drain, which crosses the proposed road between units 155 and 156 and units 167 & 168, exists primarily to convey MDOT runoff to the Marion & Genoa Drain. In the interest of avoiding conflict between the Homeowners Association, MDOT, the Township, and the Drain Commissioner, we recommend this drain be dedicated as a branch of the Marion & Genoa Drain under MCL 280.425 & 433.
- e. There is no proposed use shown for the existing culvert on the Marion No. 5 Drain to the east of Units 52 & 53. The condition of the culvert should be evaluated to determine if it should remain, or be removed as part of this project.

If you need anything further or have any questions in relation to the above items please call or email me at you convenience.

Sincerely,

Kenneth E. Recker, II, P.E. Chief Deputy Drain Commissioner

From: Dave Hamann <za@mariontownship.com>
Sent: Monday, September 9, 2024 4:41 PM
To: Ken Recker <KRecker@livgov.com>

Subject: [EXT] FW: Meadows North REVIEW?

"The e-mail below is from an external source. Please do not open attachments or click links from an unknown or suspicious origin."

Ken do you have anything to add to what Phil has in the attached review letter for Mr. Harris? Dave...

HOWELL AREA FIRE DEPARTMENT

FIRE MARSHAL DIVISION

1211 W. Grand River • Howell, MI 48843 • 517-546-0560 • firemarshal@howellfire.net

DATE: September 13, 2024

TO: Dave Hamann

Zoning Administrator Marion Township

2877 W. Coon Lake Road

Howell, MI 48843

FROM: Jamil Czubenko, Fire Marshal

PROJECT: Meadows North Site Plan, Marion Township **REF:** Site Plan Review-Approved w/exceptions noted

COMMENTS:

I have reviewed the above listed site plan and find that it is *satisfactory* as presented as long as the <u>following conditions</u> are met:

- 1. Multiple-Family Residential Development projects having more than 100 dwelling units shall be provided with two separate and approved fire apparatus access roads and shall be placed a distance apart equal to not less that one half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.
- 2. Where the road is 20' wide to 26' wide then I would require that no parking be allowed on both side of the street and be posted with "No Parking-Fire Lane" signs. Where the road is more than 26' wide to 32' wide then I would require that no parking be allowed on the hydrant side of the street and be posted with "No Parking this side of street" signs.
- 3. Fire Hydrants shall be installed at all street intersections and at intermediate locations so that in no case will the distance between hydrants exceeds 400' via dedicated right-of-away. Where near a street intersection, hydrants shall be located 15' in back of the intersecting street ROW. Hydrants shall generally be located between the edge of road and sidewalk, if applicable, minimum of 3 feet, maximum of 10 feet off pavement. A Fire hydrant shall be installed on the end of dead end mains.
- 4. Building(s) shall have approved building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall be at least 6" high and shall contrast with their background.
- 5. A final inspection of the building and site shall be performed by the fire department before Certificate of Occupancy is issued.

Any changes in this site plan shall be submitted to the Howell Fire Department for additional approval. If there is anything further that you need, please feel free to give me a call. Thank you for the opportunity to review this site plan.

Dave Hamann

From:

Aaron Aumock <AAumock@livgov.com>

Sent:

Tuesday, September 10, 2024 3:13 PM

To:

Dave Hamann

Subject:

RE: [EXT] RE: Preliminary Site Plan Submittal for The Meadows North Project

Hi Dave,

Considering the proposed development will be utilizing municipal water and sewer, the Health Department does not have any comments.

Take care,

Aaron Aumock, REHS, PEM Environmental Health Supervisor Livingston County Health Department 2300 E. Grand River, Suite 102 Howell, MI 48843-7578 P: 517.552.6873

F: 517.546.9853 aaumock@livgov.com

----Original Message----

From: Dave Hamann <za@mariontownship.com> Sent: Tuesday, September 10, 2024 10:49 AM

To: Aaron Aumock <AAumock@livgov.com>; 'Jamil Czubenko' <jczubenkofire@gmail.com>

Subject: [EXT] RE: Preliminary Site Plan Submittal for The Meadows North Project

"The e-mail below is from an external source. Please do not open attachments or click links from an unknown or suspicious origin."

Hi Aaron and Jamil, my cutoff for the Planning Commission Packet is next Tuesday September 17th at noon. If you can't provide a review by then, the meeting is September 24th and I can take your review to the meeting. Please let me know if you can't provide something by these dates as our commissioners are relying on input to even pass site plans along to the board. And this is only a preliminary so the more we can get correct the better the Final Site Plan review will be. Thank you both for you help with this review.

----Original Message----

From: Dave Hamann <za@mariontownship.com>

Sent: Thursday, August 15, 2024 4:22 PM

To: 'Aaron Aumock' <AAumock@livgov.com>; 'Jamil Czubenko' <jczubenkofire@gmail.com>; khiller@livingstonroads.org Subject: FW: Preliminary Site Plan Submittal for The Meadows North Project

Attached please find for your review a Preliminary Site Plan for a new condo development called Meadows North. It is accessed off Peavy Road since MDOT would not allow any access off the D19 MDOT 100 foot easement. Again this is a

I can get them out to the Planner and Engineer for review. Also to the county for review. When we get the ok from the planner and engineer we can schedule on the next Planning Commission meeting. > As soon as I get the PDF's and the applications I will get them out for review. Let me know if you have any questions. > We need separate checks for the escrow and fees. Escrow will go into your account and fee goes into the general fund. > Dave Hamann > Zoning Administrator > Marion Township > 2877 W. Coon Lake Road > Howell, MI 48843 > Phone (517) 546-1588 > za@mariontownship.com > > > ----Original Message-----> From: Patrick Keough <acecivilllc@gmail.com> > Sent: Friday, August 9, 2024 1:21 PM > To: Dave Hamann <za@mariontownship.com>; Mitch Harris > < mharris@mitchharris.net> > Subject: Preliminary Site Plan Submittal for The Meadows North Project > Hi Dave: > We have prepared a Preliminary Site Plan for The Meadows North Project for the Mitch Harris Building Company and would like to submit to the Planning Commission for Preliminary Site Plan Review. Can you provide us with the application form, number of copies required and fees required. > > Thanks! Pat > ACE CIVIL ENGINEERING,LLC > Patrick C. Keough, P.E. > President > email: acecivilllc@gmail.com > Office Phone: 517-545-4141 > Cell Phone: 517-404-0786

>

Zoning Text Amendment for Marion Township Planning Commission

INTRODUCTION

The Planning Commission has identified a desire to make revisions to the Zoning Ordinance related to signs/signage, currently regulated in Article XV Signage. Sign regulation requires close attention, as it can run into constitutional challenges.

This report builds on previous discussions and guidance from the Planning Commission.

DRAFT ORDINANCE TEXT

Please review the current draft below and be prepared to provide guidance for specific sign standards. Changes from the previous draft are highlighted with gray highlighting.

Direction received at this meeting will focus on standards for specific types of signs. Be prepared to provide guidance on standards (height, area, setback) for various sign types. These standards will be incorporated into the next revision.

Some of the draft standards are still in rough form, to be formalized following discussion. Whenever possible, tables will be used to more quickly share the information.

It is anticipated that the draft language will be stable and largely complete, expect for some minor revisions, following this meeting. The Planning Commission may wish to review the completed text before setting a public hearing or may be ready to set the public hearing.

MARION TOWNSHIP ZONING ORDINACE AMENDMENT SIGNS

An amendment to the Marion Township Zoning Ordinance to add definitions related to signs, establish use and developmental standards for signs, establish procedures for review of sign permits, and establish procedures for enforcement of sign standards.

1. AMENDMENT OF ARTICLE III: DEFINITIONS

Section 3.02 Definitions of the Zoning Ordinance is hereby amended to add the following sign definitions, which shall be placed in alphabetical order with existing definitions and shall read as:

Sign: See Article XV Signage Any visual device, identification, description, illustration, or structure that is intended to visually attract attention from offsite or a public or private right-of-way to identify or direct attention to a person, place, product, service, activity, institution, organization, business or opinion. The term shall not include official flags, official signs, the minimum signs required for compliance with MCL 324.73102 (PA451 of 1994), commemorative signs as outlined in MCL 125.3205d (PA 110 of 2006), or public notice signs. The following definitions shall apply in the application of this Ordinance:

- 1. Abandoned Sign: A sign that no longer directs a person to or advertises a business, owner, product available, or activities conducted on the site where the sign is located or any sign not repaired or maintained properly. [MOVED TO SECTION 15.04 PROHIBITED SIGNS.]
- 1. Accessory Sign: A sign that is accessory to the principal use of a lot.
- 2. A-frame Sign: A temporary sign that is hinged at the top, not attached to a building, a structure, or the ground, that is designed to be easily placed and removed.
- 3. Awning Sign: A sign located on or attached to an awning.
- 4. Back-to-back Sign: A sign with two (2) sign faces oriented in opposite directions.
- 5. Banner: A temporary sign on paper, cloth, fabric, or other flexible or combustible material that is attached to a wall or sign face or strung between poles or structures.
- 6. Canopy Sign: A sign located on or attached to a canopy.
- 7. Commercial Center: A group of three (3) or more commercial units, such as retail, office, or similar, that share a common vehicular access and off-street parking are on private property.
- 8. Commercial Message: Any message that advertises or promotes a commercial product, service, or activity.
- 9. Commercial Message Sign: A sign that conveys or displays a commercial message.
- 10. Electronic Message Sign: A sign that displays changing messages or graphics using light emitting diodes.
- 11. Entranceway Ground Sign: A freestanding sign located at a major entrance to a residential development with multiple dwelling units.
- 12. Flag Sign: A flag that conveys or is intended to convey a commercial message.

- 13. Freestanding Sign: A sign that is not attached to a principal or accessory structure, including center pole signs, posts and panels, or monument signs. Also known as a ground sign or monument sign.
- 14. Ground Sign: A base-mounted, freestanding sign placed on the ground and not attached to any building or other structure.
- 15. Moving Sign: A sign that moves, contains visible moving parts, or simulates movements, including spinners, streamers, balloons, spotlights, scrolling text, or moving images, but excluding official flags.
- 16. Multiple-tenant Sign: A sign that identifies four (4) or more tenants on a site.
- 17. Non-accessory Sign: A sign that is not accessory to the principal use of a lot.
- 18. Official Flag: The flag, pennant, or insignia of any nation, state, county, city, or other similar political entity.
- 19. Official Sign: A sign covered by the Manual on Uniform Traffic Control Devices and similar signs erected or maintained by a governmental body and noncommercial signs required by law.
- 20. Off-site Sign: A sign that identifies goods, services, facilities, events, or attractions that are not available or provided at the location where the sign is located.
- 21. Permanent Sign: Any sign that is displayed or intended to be displayed for an extended period of time of more than forty-five (45) days, unless otherwise noted in this Ordinance.
- 22. Pole Sign: A freestanding sign that is mounted to or on a pole. [MOVED TO SECTION 15.04.]
- 23. Portable Sign: A temporary, freestanding sign that is not permanently anchored or secured to a building, structure, or ground that is designed to be easily moved, such as sidewalk signs, sandwich signs, A-frame signs, T-shaped signs, and inverted T-shaped signs.
- 24. Projecting or Perpendicular Sign: A sign that is attached to and projects from a structure or building façade by more than eighteen (18) inches and does not project above the roof line or parapet wall.
- 25. Prohibited Sign: Any sign that is not permitted according to this Ordinance.
- 26. Public Notice Sign: A sign erected by a governmental body to provide notice of a public hearing, road or utility construction, or similar event of public interest.
- 27. Roof Sign: A sign attached to a building that is attached to the roof or projects above the wall or parapet.
- 28. Sign Area: The area within a rectangle, square, triangle, parallelogram, or circle enclosing the most protruding points of edges of the sign structure including the frame, regardless of the shape of the structure, unless otherwise noted in this Ordinance.

- 29. Sign Height: The vertical distance from the average grade adjacent to the sign to the highest point of the sign, including framing, unless otherwise noted in this Ordinance.
- 30. Sign Permit: A permit issued by the Township for installation of a sign signifying compliance with the provisions of this Ordinance, which may include and set forth any conditions that must be followed.
- 31. Sign Setback: The horizontal distance between any portion of a sign and lot lines, structures, and other features.
- 32. Temporary Sign: Any sign that is displayed or designed to be displayed for a limited period of time of forty-five (45) days or less, unless otherwise noted in this Ordinance. Also known as a portable sign.
- 2. Towed Sign: A temporary sign that is towed and usually has an area for a changeable message. [MOVED TO SECTION 15.04.]
- 3. Vehicle Sign: A sign that is painted on or attached to a motor vehicle, recreational vehicles, trailer, or watercraft that is placed, parked, or maintained at a particular location for the purpose or intent of conveying a message. [MOVED TO SECTION 15.04.]
- 33. Wall Sign: A sign that is attached to or painted directly on a building façade with the sign surface generally parallel to the building face, excluding window signs.
- 34. Window Sign: A sign that is applied or attached to a window or located in a manner within a building that it is visible from the exterior of a building through a window, excluding a window display.
- 4.35. Yard Sign: A small, temporary sign generally characterized by a post or wire frame, non-durable message surface, such as cardboard, plastic, or paper, and a lack of foundation.

2. AMENDMENT OF ARTICLE XV: SIGNAGE

Article XV Signage of the Zoning Ordinance is hereby amended by deletion of the current text and replacement with new text, which shall read as:

Section 15.01 Intent and Purpose

The intent and purpose of this Article is to promote the following Township and public interests:

A. Health, Safety, and Welfare: Ensure that signs are located, designed, constructed, and maintained in a manner that protects and preserves life, health, safety, property, and public welfare;

- B. Free Speech: Ensure that the constitutionally-guaranteed right of free speech is protected by allowing signs as a means of communication, subject to appropriate and legally-permissible time, place, and manner limitations;
- C. Vehicular and Pedestrian Safety: Reduce visual distractions and obstructions to motorists travelling along, entering, or leaving roads or driveways and to pedestrians;
- D. Character: Preserve the existing and desired residential and rural character of the Township, as identified in the Master Plan;
- E. **Light:** Limit the amount and type of light emitted by signs to preserve and enhance the Township's Desired residential and rural character, reduce distractions and hazards to motorists, and preserve and enhance quality of life;
- F. Blight and Nuisance: Prevent and limit visual blight and nuisance conditions by preventing visual clutter, protecting views, managing sign placement and size, and limiting intrusion of signs in certain areas;
- G. **Negative Impacts:** Minimize negative impacts of signs on surrounding properties and public spaces through reasonable time, place, and manner standards;
- H. Emergency Response: Preserve and enhance the effectiveness of address displays, directional signs, and warning signs to facilitate swift emergency response;
- I. Wayfinding: Preserve and enhance wayfinding by ensuring visibility, reducing clutter, and ensuring legibility;
- J. Message Comprehension: Provide for signs that are adequate and appropriate, but not excessive, to convey a message for quick and easy comprehension;
- K. Reasonable Scale: Keep signs within a reasonable scale relative to the building, use, or site they are accessory to and the surrounding area;
- L. Good Design: Encourage good design relative to size, spacing, illumination, type, and placement to enhance the Township's appearance;
- M. **Public Investment:** Protect the public investment in public structures, such as roads;
- N. Regulatory Signs: Maintain and enhance the effectiveness of necessary direction, warning, and regulatory signs;
- O. Compelling Governmental Purpose: Facilitate the advancement of the compelling governmental interests enumerated in this Ordinance and adopted Township plans;
- P. **Establish Standards:** Establish clear standards that are the least-restrictive necessary to achieve the compelling governmental purpose; and
- Q. Administration and Enforcement: Establish administrative standards and processes to facilitate the administration and enforcement of this Article; provide guidance for residents, businesses, and property owners; and ensure equal treatment.

Section 15.02 Scope of Application

Signs, as defined in this Ordinance, within the Township shall only be installed, constructed, reconstructed, altered, or maintained in compliance with this Article.

Section 15.03 Authority

Authority to administer, enforce, and interpret this Article is outlined below.

- A. Zoning Administrator: Authority to administer, interpret, and enforce this Article and to approve sign permits shall be with the Zoning Administrator and designees, except where otherwise specified.
- B. Ordinance Enforcement Officials: Authority to enforce this Article shall be with Ordinance Enforcement Officials, except where otherwise specified.
- C. Zoning Board of Appeals: Authority to hear appeals of the administration, interpretation, and enforcement of this Article and to hear and decide developmental standard variances from the provisions and standards of this Article shall be with the Zoning Board of Appeals.
- D. Township Board: Authority to adopt fees and fines related to this Article shall be with the Township Board.

Section 15.04 Prohibited Signs

The signs below are prohibited, unless otherwise specifically permitted in this Ordinance.

- A. Abandoned Signs: Signs that no longer direct a person to or advertises a business, owner, product available, or activities conducted on the site where the sign is located or any sign not repaired or maintained properly:
- B. Add-on Signs: Signs that are attached as an appendage to another sign or sign support structure;
- C. Air-activated Signs: Signs that are inflated by air or use airflow to induce movement;
- D. Animated or Moving Signs: Signs that move, contain visible moving parts, or simulate movement, including, but not limited to, spinners, streamers, balloons, scrolling text, or spotlights, but excluding flags and official signs.
- E. Banner Signs: [Include description here or in definition section.]
- F. Certain Types of Illumination: Signs with the following types of illumination:
 - 1. Temporary Signs: Illumination of any type of temporary sign;
 - 2. Traffic Hazards: Illumination that could distract motorists or otherwise create a traffic hazard; or

- 3. Glare and Unshielded Illumination: Use of glaring, undiffused luminaires, or visible bare bulbs, including neon or light emitting diodes;
- G. Clear-vision Zone: Signs taller than thirty (30) inches within the clear-vision zone;
- H. Confusing Signs: Signs that have the appearance of an official sign or use text or graphics used on an official sign that may confuse motorists;
- I. Feather Signs: Signs made of flexible material attached to a pole on one side with the intent of allowing the sign to move with the wind;
- Flashing Signs: Signs that contain flashing, blinking, or strobe lights or has the appearance of lighting associated with emergency vehicle lighting, traffic signals, or official signs;
- **Festoons:** [Include description here or in definition section.]
- Furniture Signs: Signs attached to or painted on a bench, table, or other outdoor furniture;
- M.L. Obstruction of Safe Access: Signs that obstruct free ingress or egress to or from a required door, window, fire escape, driveway, or other required access route;
- N.M. Obstruction of Safe Vision: Signs that obstruct or interfere with an official sign, signal, or device, or obstruct of interfere with a motorist's vision of approaching, merging, or intersecting vehicles even when consistent with setback or other location standards of this Ordinance;
- O.N. Pole Signs: Freestanding signs that are mounted to or on a pole;
- Portable Signs; [Include description here or in definition section.]
- —Projector-image Signs: Signs that are displayed by light from a projector or similar source;
- Right-of-way Signs: Signs, other than official signs, that are located in, encroach on, project into, or overhang a right-of-way, unless specifically permitted by the road agency;
- S.R. Roof Signs: Signs that are mounted on or project above or beyond the roof or parapet wall;
- T.S. Searchlights: Searchlights or spotlights used to draw attention to a location or event;
- U.T. Snipe Signs: Sign that are attached to utility poles, light poles, or trees within rights-of-way or other public spaces;
- V.U. State Highway: Signs subject to the Highway Advertising Act (MCL 252.301 et seq) with faces that are visible from an interstate highway, freeway, or primary highway that are in violation of that Act or do not have a valid annual permit;
- W.V. Towed Signs: Temporary signs that are towed and usually have an area for a changeable message;

- X.W. Unsafe Signs: Signs that are structurally unsafe or constructed in violation of the Building Code;
- Y.X. Vehicle Signs: Signs that are painted on or attached to a motor vehicle, recreational vehicles, trailer, or watercraft that is placed, parked, or maintained at a particular location for the purpose or intent of conveying a message.
- Z.Y. Other Signs: Any other signs not expressly permitted by this Ordinance.

Section 15.05 General Sign Provisions

All signs shall meet the general provisions below.

- A. **Dimensional Standards:** All signs shall comply with the dimensional standards outlined in §15.06 Specific Sign Standards.
- B. Accessory: Signs shall be accessory to a permitted use, special land use, accessory use, or temporary use of a site.
- C. Determination of Sign Area: Sign area shall be determined as outlined below.
 - 1. Single-face Signs: The sign area of a single-faced sign shall be the square footage of the sign face as measured by enclosing the most protruding points or edges of the sign face within a single parallelogram, rectangle, circle, or triangle, excluding the frame.
 - 2. Double-face Signs: The sign area for signs with multiple faces shall be the area of the largest sign face, as described above, if all of the faces are on part of the same structure, the sign faces are within eighteen (18) inches of each other, and only one side is visible from any direction, otherwise, the sign area shall be the sum of all the areas of the faces.
 - 3. Cylindrical Signs: The sign area of a cylindrical sign shall be computed by multiplying the circumference of the cylinder by its height.
 - 4. Individual Letters: The sign area for signs consisting of individual letters or logo attached directly to a wall or building shall be computed as the sum of the area required to enclose each of the individual letters or logo.
- D. Location: Signs shall only be placed or maintained as outlined below.
 - 1. Freestanding Signs: Freestanding signs shall be placed within a front yard or yard adjacent to Interstate 96 within a commercial zoning district.
 - 2. Wall-mounted Signs: Wall-mounted signs shall be attached to a building façade and face a front-yard, or onsite parking, or Interstate 96.
 - 3. Window Signs: Window signs shall be located on the interior of the window.
 - 4. Awning Signs: Awning signs shall be located on an awning attached to a building façade that faces a front yard or onsite parking.
 - 5. Canopy Signs: Canopy signs shall face a front yard or onsite parking.

- E. **Maintenance:** All signs, including frames and supports, shall be well-maintained in a condition similar to their condition at the time of installation.
 - 1. Plumb: Signs shall be maintained plumb upright.
 - 2. Clean: Signs shall be kept clean, free of missing parts, rust, or peeling or missing paint.
 - 3. Panels: Signs shall not have a missing sign face or panel or an obsolete sign panel.
 - 4. Correction of Defects: Signs that are not incompliance with this section shall be brought back into compliance or removed from the property in a timely manner.
- F. Illumination: Signs shall meet the illumination standards outlined below.
 - 1. Temporary Signs: Temporary signs shall not be illuminated.
 - 2. Permanent Signs: Permanent signs shall only be illuminated using approved electrical devices directed solely at the sign face or internal to the sign, according to the standards outlined below.
 - a. Steady and Shielded: Lighting shall be steady, stationary, and shielded downward with light directed away from adjacent properties and streets.
 - b. Non-glare: The use of glaring, undiffused lights or bulbs is prohibited.
 - c. Bare Bulbs: Illumination by bare bulbs or flame is prohibited.
 - d. Illumination Level: The illumination level shall be a maximum of fifteen (15) footcandles measured perpendicular to the sign face at a distance of four (4) feet.
 - e. Backlighting: Signs with internal illumination shall have the lettering and graphics in a lighter color than the background to the maximum extent practical.
 - f. Traffic Hazards: Illumination that could distract motorists or otherwise create a traffic hazard is prohibited.
 - g. Wiring: Electrical service to freestanding illuminated signs shall be located underground.
 - h. Illumination Type: Permanent signs may have the type of illumination listed in the table below, unless other illumination is allowed for a specific sign type.

Zoning District	Types of Illumination
RR, SR, UR,	Backlit Channel, Face Lit
ERS-1, ERS-2	Backlit Channel, Face Lit
<u>MHP</u>	Backlit Channel, Face Lit

HS, LI	Backlit Channel, Face Lit, Internally <u>Lit</u>
<u>PL</u>	Backlit Channel, Face Lit, Internally <u>Lit</u>

G. Substitution: Any sign with a commercial message may also be used for a noncommercial message.

Section 15.06 Specific Sign Standards

BE PREPARED TO DISCUSS SPECIFIC STANDARDS FOR THE FOLLOWING SIGN TYPES.

- A. A-Frame Signs: A-frame signs shall meet the specific standards outlined below.
 - 1. Number: There shall be a maximum of one (1) a-frame sign per unit.
 - 2. Sign Area: The maximum sign area shall be six (6) square feet per side.
 - 3. Sign Height: The maximum sign height shall be four (4) feet.
 - 4. Obstruction: A-frame signs shall not obstruct the opening of motor vehicle doors. An unobstructed width of at least five (5) feet shall be maintained on all sidewalks.
 - 5. Time: A-frame signs shall only be displayed with the associated use is open.
 - 1.6. Design: A-frame signs shall be professionally designed and constructed.
- B. Awning Signs: Awning signs shall meet the specific standards outlined below.
 - 1. Number: There shall be a maximum of one (1) awning sign per unit.
 - 2. Setbacks: STRUCTURE IT'S ATTACHED TO.
 - 3. Sign Area: Awning sign area shall count towards the sign area for the façade they are attached to. Awning signs shall cover a maximum of twenty-five (25) percent of the awning.
 - 4. Projection: Awnings with awning signs shall project at least twelve (12) inches but not more than thirty-six (36) inches from the façade. Awning signs shall project a maximum of one (1) inch from the awning surface.
 - 5. Residential Districts: Awning sign in residential districts shall be limited to non-residential uses and multiple-family uses.
 - 6. Materials: Ultraviolet-resistant architectural fabric, in matte finish, suitable for outdoor use must be used and shall cover the front and sides of the awning frame.
 - 7. Frame: The awning frame shall be constructed of steel or aluminum.
 - 8. Loading: Wind and snow load capacities shall be provided as part of the permit application. Applicants should obtain wind and snow load capacities from the product manufacturer.

- 1.9. Illumination: Awning signs shall not be backlit.
- C. Banners: Banners shall meet the specific standards outlined below.
 - 1. <u>Number: There shall be a maximum of one (1) per model home, non-residential use, or unit.</u>
 - 2. Sign Area: The maximum sign area shall be twenty-four (24) square feet.
 - 3. Sign Height: The maximum sign height shall be six (6) feet.
 - 2.4. Period: Banner signs shall be displayed a maximum of fourteen (14) days per six (6) month period. Banner signs accessory to an agricultural use may be displayed HERE.
- D. Canopy Signs: Canopy signs shall meet the specific standards outlined below.
 - 1. Number: There shall be a maximum of one (1) canopy sign per frontage.
 - 2. Setback: SAME AS STRUCTURE IT'S ATTACHED TO.
 - 3. Sign Area: The maximum sign area shall be six (6) square feet.
 - 1.4. Projection: Canopy signs shall project a maximum of six (6) inches beyond the edge of the canopy.
- E. Electronic Message Signs: Electronic message center signs shall meet the specific standards outlined below.
- F. Entranceway Ground Signs: Entranceway ground signs shall meet the specific standards outlined below.
 - 1. Number: There shall be a maximum of one (1) entrance ground sign per entrance.
 - 2. Setback: 15 FEET FROM RIGHT-OF-WAY. ADJACENT LOT LINES??
 - 3. Sign Area: The maximum sign area is twenty-four (24) square feet.
 - 4. Sign Height: The maximum sign height is six (6) feet. If year-round decorative landscaping is installed and maintained to screen the base of the sign from view from the adjacent street, the sign height shall be increased equal to the height of the landscaping up to a maximum sign height of eight (8) feet.
 - 5. Boulevard Island Option. An entranceway ground sign may be located on a landscaped boulevard island if all of the following are true:
 - a. Setbacks: The sign must be set back at least ten (10) feet from the rightof-way of the intersecting road and at least four (4) feet from adjacent curbs;
 - b. Unobstructed Site: Except as allowed here, signs must not be located within a clear-vision area; and
 - c. County Permit: If an entrance ground sign is within a County right-of-way, a copy of the permit from the Livingston County Road Commission must be provided.

- 1.6. Illumination: Entranceway ground signs shall be face lit or back channel lit.
- G. Feather Signs: Feather signs shall meet the specific standards outlined below.
 - 1. Number: There shall be a maximum of 1 feather sign. 1 FEATHER SIGN FOR EVERY 50 LINEAR FEET, NOT TO EXCEED 3 FEATHER SIGNS PER SITE.
 - 2. Sign Area: The maximum sign area shall be twenty-four (24) square feet.
 - 3. Sign Height: The maximum sign height shall be eight (8) feet.
 - 1.4. Time: Feather signs shall only be displayed when the associated use is open or the associated activity is occurring.
- H. Flag Signs: Flag signs shall meet the specific standards outlined below.
 - 1. Number: There shall be a maximum of one (1) flag sign per site.
 - 2. Dimensions: Flag signs shall have a maximum width of eight (8) feet and a maximum height of five (5) feet.
 - 3. Mounting: Flag signs shall be attached to a freestanding or building-mounted flagpole.
 - 4. Location: Flag signs are permitted accessory to nonresidential and multiplefamily residential uses in any zoning district.
 - 2.5. Illumination. Illumination for flag signs may be pointed upwards and must be focused on the flag sign.
- H.I. Ground Signs: Ground signs shall meet the specific standards outlined below.
 - 1. Number: 1 per frontage
 - 2. Setback: 15 feet from right-of-way 15 feet from side lot lines
 - 3. Sign Area: 32 square feet in commercial 24 in residential
 - 4. Sign Height: 6 feet. Can increase if year-round landscaping, up to 8 feet.
 - 5. Legibility: Primary letters on ground signs shall mee the legibility and lettering standards below.
 - a. Sans Serif Fonts: Block style or sans serif lettering shall be at least ten (10) inches tall.
 - b. Serif Fonts: Script or other serif lettering shall be at least twelve (12) inches tall.
 - c. Supplemental or Auxiliary Information. Supplemental or auxiliary information may use letter that is at least fifty (50) percent of the minimum font size required for the primary message and shall be limited to a maximum of twenty-five (25) percent of the sign area.
 - d. Minimum Letter Size. Minimum lettering size is based on capital or uppercase letters. Lower case letters used in combination with capital letters shall be proportional in size based on industry graphic standards.

- 4.6. Decorative Frame: A decorative frame may extend up to six (6) inches to each side and above the sign face.
- <u>J.</u> <u>Multiple Tenant Signs:</u> Multiple tenant signs shall meet the specific standards outlined below.
 - 1. Number: 1 per frontage with access
 - 2. Sign Area: 40 square feet
 - 3. Sign Height: 6 feet. Higher with landscaping up to 8 feet.
 - 4. Setback: 15 feet from right of way, 20 feet from adjacent properties
 - 5. No Additional Ground Sign. A site with a multiple tenant sign shall not have an additional ground sign unless explicitly permitted in this Ordinance.
 - 6. Boulevard Island Option. An entranceway ground sign may be located on a landscaped boulevard island if all of the following are true:
 - a. Setbacks: The sign must be set back at least ten (10) feet from the rightof-way of the intersecting road and at least four (4) feet from adjacent curbs;
 - b. Unobstructed Site: Except as allowed here, signs must not be located within a clear-vision area; and
 - a. County Permit: If an entrance ground sign is within a County right-of-way, a copy of the permit from the Livingston County Road Commission must be provided.
- Frojecting Signs: Projecting signs shall meet the specific standards outlined below.
 - 1. Number: 1 per commercial unit.
 - 2. Sign Area: 20 square feet. Does not count as wall sign area.
 - 1.3. Angle. Mounted 90 degrees to the facade to which they are attached.
- H.L. Wall Signs: Wall signs shall meet the specific standards outlined below.
 - 1. Number:
 - 2. Sign Area: 32 square feet per tenant
 - 3. Architectural Compatibility: Wall signs shall be architecturally compatible with the building it is attached to.
 - 4. Projection: Wall signs shall not project more than twelve (12) inches from the building façade.
 - 5. Rear Façade:
 - 1.6. Legibility: The primary letters on wall signs shall meet the legibility and lettering standards below.
- M. Window Signs: Window signs shall meet the specific standards outlined below.

- 1. Sign Area: Window signs shall cover a maximum of twenty-five (25) percent of the glazed area of the window it is attached to or visible through.
- 2. <u>Visibility: Window signs must be placed in a manner to ensure visibility into</u> the building for police officers and emergency responders.
- N. Yard Signs: Yard signs shall meet the specific standards outlined below.
 - 1. Number:
 - 2. Sign Area: 6 square feet each/24 square feet total. 24 square feet in commercial/industrial
 - 3. Sign Height: 4 feet. 6 feet in commercial/industrial
 - 4. Duration: 30 days per calendar year
 - 5. Additional Yard Signs. Additional yard signs, beyond the maximum sign area and maximum duration above shall be allowed as outlined below.
 - a. Sale or Lease: One additional yard sign shall be allowed when the lot or a unit on the site is actively offered for sale or lease. The maximum sign area shall be six square feet in all residential districts and 16 square feet in all non-residential districts.
 - b. Elections: Additional yard signs shall be allowed for the period XX days before through xx days following an election day. Thes additional signs shall have a maximum total sign area of twenty (20) square feet and shall be limited to noncommercial messages.
 - a.c. Commercial Service. One additional yard sign shall be allowed when a commercial service is being provided to the lot for a period of one (1) week before the scheduled service through one (1) week after the service is provided.

Section 15.07 Nonconforming or Abandoned Signs

The continued use of legally nonconforming or abandoned signs shall be permitted, subject to the standards below.

- A. Repairs and Maintenance: Normal maintenance, including, but not limited to, painting, repair of panels, or replacement of electrical wiring or devices shall be permitted.
- B. **Expansion:** Legally nonconforming signs shall not be expanded or enlarged in any manner.
- C. Structural Changes: The faces, supports, frame, or other parts of legally nonconforming signs shall not be structurally changed or enlarged unless the resulting change conforms with the standards of this Ordinance.
- D. Destruction: Legally nonconforming signs that have been destroyed or damaged by more than fifty (50) percent of the replacement value, excluding foundation,

- shall not be reconstructed except in compliance with the standards of this Ordinance.
- E. Site Plan Review: Legally nonconforming signs shall be removed when the site is modified in any manner that requires site plan approval.
- F. Abandonment of Use or Structure: Legally nonconforming signs associated with a use or structure that has been abandoned for a period of six (6) months shall be removed, whether or not there is an intent to reestablish the use or reuse the structure.
- G. Substitution: A legally nonconforming sign shall not be replaced with another nonconforming sign.
- H. Vacancy: Sign structures may remain once the associated unit or site is vacant unless there is an intent to abandon the use of the site. The sign face shall be replaced with a black sign face within thirty (30) days of the vacancy.
- I. Building Removed: Signs that are accessory to a use located within a building shall be removed if the building has been removed. Existing conforming signs may remain if a site plan has been approved for reuse of the site.

Section 15.08 Signs Not Requiring a Sign Permit

Certain signs and sign maintenance do not require a sign permit, as outlined below.

- A. Signs Not Requiring a Sign Permit: The following signs do not require a sign permit:
 - 1. Window Signs:
 - 2. Temporary Signs: Temporary signs that are displayed for forty-five (45) days or less. REQUIRED FOR COMMERCIAL-MESSAGE TEMPORARY SIGNS.
- B. Maintenance: Maintenance of an existing sign, including replacement of a sign face or regular maintenance, excluding enlargement, relocation, or replacement of the sign, shall not require a sign permit.
- C. Standards Still Apply: The standards of this Ordinance still apply to signs not requiring a sign permit.

Section 15.09 Sign Permit Process

A sign permit is required for all signs or modifications of existing signs, except as outlined $\S15.08$ Signs Not Requiring a Sign Permit.

- A. **Application:** Sign permit applications shall include the information described below.
 - 1. Sign Permit Application: The application shall include a completed sign permit application form, signed by the applicant and the property owner, if different.

- 2. Site or Sketch Plan: The application shall include a site plan or plot plan showing the location of the proposed sign, including proposed and required setbacks.
- 3. Sign Details: The application shall include sign details, such as the sign height, sign area, and illumination information.
- 4. Construction Details: The application shall include plans, specifications, and method of construction and attachment to the structure or ground, including copies of stress sheets and calculations, if determined necessary by the Zoning Administrator or Building Official
- 5. Illumination Details: The application shall include information concerning the illumination, such as the location, type of fixture, color of light, and method of shielding if the sign will be illuminated
- 6. Electrical Connections: The application shall include information concerning the required electrical connections if the sign will have electrical connections.
- 7. Building Elevations: The application shall include scaled building elevations.
- 8. Other Information: The application shall include other information determined necessary by the Zoning Administrator to determine compliance with this Ordinance and other applicable laws and regulations.
- B. Review: The Zoning Administrator shall review the sign permit application, upon receipt of a completed application, and take one of the actions below.
 - 1. Approval: The sign permit shall be approved or may be approved with conditions upon finding that the proposed sign complies with all applicable standards of this Ordinance.
 - 2. Postpone: The sign permit review shall be postponed upon finding that not enough information is available to determine if the sign complies with all applicable standards of this Ordinance. If review is postponed, the applicant shall be provided a written description of the deficiencies or additional required information.
 - 3. Denial: The sign permit shall be denied upon finding that the proposed sign does not comply with all of the applicable standards of this Ordinance. If an application is denied, the applicant shall be provided a written description of the reasons for denial.
- C. **Inspection:** Signs shall be inspected by the Zoning Administrator, as outlined below.
 - 1. Submission of Application: Submission of a sign permit application constitutes permission for the Township or its agents to access the property to conduct onsite investigations for the purpose of administering this Ordinance.
 - 2. New Signs: New signs requiring a sign permit shall be inspected in a timely manner. Final approval shall only be granted if the sign has been constructed in compliance with the approved plans and this Ordinance. Failure to receive

- approval constitutes a determination that the sign is in violation of this Ordinance.
- 3. Existing Signs: The Zoning Administrator shall have the authority to conduct periodic inspections of existing signs to ensure continued compliance with a sign permit approved under this Ordinance.
- D. Revocation: A sign permit may be revoked by the Zoning Administrator if the sign is installed in a manner inconsistent with this Ordinance or the approved sign permit or upon determination that inaccurate or false information was provided in the sign application.
- E. Expiration: A sign permit shall expire and be null and void if it has not received final approval after installation within one hundred eighty (180) days of the date of sign permit approval. A single, thirty (30) days extension may be granted by the Zoning Administrator upon request of the applicant with a demonstration that the sign will be installed during the extension period.

Section 15.10 Sign Removal

Signs may be removed as outlined below.

- A. **Permanent or Temporary Signs:** Permanent or temporary signs erected or maintained in violation of this Ordinance shall be removed.
 - 1. Notice: The Zoning Administrator shall order the removal by a written notice to the property owner. The notice shall order the removal of the sign or outline what action would bring the sign into compliance with this Ordinance and shall outline a reasonable period of time, at least fourteen (14) days, for removal.
 - 2. Removal: Upon failure to remove the sign or bring the sign into compliance, the Township may remove the sign immediately and without notice, at its discretion. Any cost incurred for removal may be assessed to the property owner.
- B. Dangerous Signs: Sign that pose an immediate threat to safety shall be removed immediately.
 - 1. Notice: The Zoning Administrator shall order the removal by delivery of a written notice to the property owner, except as provided in this Section. The notice shall order the removal of the sign or outline what action would bring the sign into compliance with this Ordinance and shall outline a reasonable period of time for removal or compliance
 - 2. Removal: Upon failure to remove or bring a dangerous sign into compliance, the Township may remove the sign immediately and without additional notice, at its discretion. Any cost incurred for removal may be assessed to the property owner
 - 3. Emergency Removal: The Township may remove a sign that poses an immediate threat to safety without delivery of a written notice to the property

owner if the Zoning Administrator certifies the nature of the immediate threat and that a delay resulting from noticing is likely to cause harm to individuals or property. Any cost incurred for removal may be assessed to the property owner

- C. Signs in Right-of-way: Signs erected within a right-of-way in violation of this Ordinance may be removed by the Township without notice. Any costs may be assessed to the owner of the sign.
- D. Signs in Public Places: Signs located on public property in violation of this Ordinance may be removed by the Township without notice.

Section 15.11 Violations and Enforcement

The installation, construction, reconstruction, alteration, or maintenance of a sign requiring a sign permit without an approved sign permit or the installation, construction, reconstruction, or alteration of any sign in any manner inconsistent with this Ordinance is a violation of this Ordinance.

- A. Party to Violation: Any person, agent, entity, or property owner who causes or allows a sign to be in violation of this Ordinance shall be a party to the violation.
- B. Separate Violation: Each sign in violation of this Ordinance shall be a separate violation. Each day a sign is in violation of this ordinance shall be a separate violation.
- C. **Nuisance Per Se:** Any sign in violation of this Ordinance shall be a nuisance per se.

D. Municipal Civil Infraction: ??

- E. Scope of Remedies: The Township may pursue any and all remedies available. Enforcement by one remedy does not preclude or waive enforcement by another remedy. The imposition of any fine or penalty shall not exempt a violator from compliance with this Ordinance.
- F. Other Remedies: The Zoning Administrator or ?? may institute injunction, mandamus, abatement, or other appropriate proceedings to prevent, enjoy, abate, or remove any unlawful erection, alteration, maintenance, or use. The rights and remedies provided above are civil in nature.

-Zach Michels

Quality Zoning

Dexter, MI

DRAFT LIVINGSTON COUNTY PLANNING COMMISSION MEETING MINUTES

AUGUST 21, 2024

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;	▶	
COMMISSIONERS ABSENT:	Margaret Burkholder	
STAFF PRESENT:	Scott Barb Rob Stanford Martha Haglund	
OTHERS PRESENT:	Tim Boal-Howell Township, Abby Carrigan-County Planning Intern (or Margaret Burkholder (online briefly)	ıline),

- 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 IKLE TO APPROVE THE AGENDA, DATED AUGUST 21, 2024, SECONDED BY COMMISSIONER FUNK.

All in favor, motion passed 5-0.

5. APPROVAL OF PLANNING COMMISSION MEETING MINUTES

Commissioner Action: IT WAS MOVED BY COMMISSIONER CALL TO APPROVE THE MINUTES, DATED JULY 17, 2024, SECONDED BY COMISSIONER ANDERSON

All in favor, motion fails 3-0-2

(COMMISSIONERS FUNK AND IKLE ABSTAINING)

- 6. CALL TO THE PUBLIC: None.
- 7. ZONING REVIEWS:

A. Z-22-24 HANDY TOWNSHIP, AMENDMENTS TO ZONING ORDINANCE ARTICLES – CHAPTER 16 SPECIAL USES, SECTION 16.6 (BBB) INDUSTRIAL SOLAR ENERGY FACILITIES

The Handy Township Planning Commission is proposing to amend Section 16.6 (BBB) to include language of compliance with PA 233 of 2023 (Renewable Energy and Energy Storage Siting).

Township Recommendation: Approval. The Handy Township Planning Commission recommended approval of the proposed amendments at their July 18, 2024, public hearing.

Staff Recommendation: Approval. The proposed amendments are appropriate additions to the Township's Industrial Solar Facilities Ordinance.

Commission Discussion: None.

Public Comment: None.

Commission Action:

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

Motion passed: 5-0

B. <u>Z-23-24, HANDY TOWNSHIP AMENDMENTS TO ZONING ORDINANCE ARTICLES – CHAPTER 16 SPECIAL USES, SECTION 16.6 (DDD) WIND ENERGY CONVERSION SYSTEMS.</u>

The Handy Township Planning Commission is proposing to amend Section 16.6 (DDD) to include language of compliance with PA 233 of 2023 (Renewable Energy and Energy Storage Siting).

Township Recommendation: Approval. The Handy Township Planning Commission is proposing to amend Section 16.6 (DDD) to include language of compliance with PA 233 of 2023 (Renewable Energy and Energy Storage Siting).

Staff Recommendation: Approval. The proposed amendments are appropriate additions to the Township's Wind Energy Systems Ordinance

Commission Discussion: None.

Public Comment: None.

Commission Action:

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

Motion passed: 5-0

C. <u>Z-24-24: HANDY TOWNSHIP, AMENDMENTS TO ZONING ORDINANCE ARTICLES – AMEND SECTION 38-191 & 38-196: INDUSTRIAL BUILDING CONSTRUCTION.</u>

The Handy Township Planning Commission is proposing to create a new Section 16.6 (FFF) to add language for Battery Energy Storage Systems and compliance with PA 233 of 2023 (Renewable Energy and Energy Storage Siting).

Township Recommendation: Approval. The Handy Township Planning Commission recommended approval of the proposed amendments at their July 18, 2024, public hearing.

Staff Recommendation: Approval. Staff would approve the proposed amendments with the condition that an emergency response plan be listed as a requirement in addition to the fire response plan detailed in PA 233 of 2023, Section (1) q.

Commission Discussion: None.

Public Comment: None.

Commission Action:

Commissioner Action: IT WAS MOVED BY COMMISSIONER FUNK TO RECOMMEND APPROVAL WITH CONDITIONS, SECONDED BY COMMISSIONER CALL.

Motion passed: 5-0

D. <u>Z-25-24: DEERFIELD TOWNSHIP, REZONING:</u> <u>A-1 GENERAL AGRICULTURE TO A-2 SMALL FARMS (10 ACRES) SECTION 34.</u>

Current Zoning: A-1 General Agriculture (20 acres) Proposed Zoning: A-2 Small Farms (10 acres)

Section: Section 34

Township Master Plan: The Deerfield Township Future Land Use Map (2017) designates the subject parcel as an Agricultural/Rural Residential area. The Township Master Plan states the following regarding the Agricultural/Rural Residential future land use classification:

The intent of the Agricultural/Rural Residential Area is to provide opportunities for farming and encourage the preservation of farmland resources and the long-term viability of local farming while also providing opportunities for rural residential home sites. Agriculture and single-family residences are intended to be the primary use of the acreage in this area.

The Township's Master Plan states that the primary use of land in these areas should be agriculture, resource conservation, and other open space areas including home sites. The applicant has indicated on the proposed rezoning application that it is the intent to divide the property into two parcels that will be 15 acres and 19 acres each and will result in an additional homesite. This is compatible with the Township Master Plan as both resulting parcels will continue to provide a setting for individual residences with densities from two to 20 acres as stipulated in the community master plan. The resulting rezoning to A-2 will still allow for the Township to maintain its focus on providing residential opportunities while providing for the continued agricultural preservation policies that are dominant throughout the Township Master Plan.

Township Planning Commission Recommendation: Approval. The proposed rezoning was approved at the July 18, 2024, public hearing. There were no major comments indicated in the draft meeting minutes of the July 18, 2024, public hearing on the proposed rezoning.

Staff Recommendation: Approval. The proposed rezoning from A-1 General Agriculture to A-2 Small Farms (10 acres) is compatible with the Deerfield Township Master Plan and the Livingston County Master Plan.

Commission Discussion: None.

Public Comment: None.

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

Motion passed: 5-0 eye iş karlışının diği bildin başıdındırılı iş irdənilik onk or

E. Z-26-24: GENOA CHARTER TOWNSHIP, AMENDMENTS TO ZONING ORDINANCE ARTICLE 10: PUD-QUALIFYING CONDITIONS - RESIDENTIAL PLANNED UNIT DEVELOPMENT (RPUD).

The Genoa Township Planning Commission is proposing to amend their Zoning Ordinance, Article 10, Qualifying Conditions for Residential Planned Unit Developments. They are proposing to add a Cluster Option. This allows developers who agree to preserve open space to build on smaller lot sizes. Sometimes called a density bonus, this is a common technique to preserve, unfragmented pieces of land for recreation, buffering, scenic views or other various benefits of open space.

Township Recommendation: Approval. The Genoa Charter Township Planning Commission recommended approval at the Township Public Hearing on July 8, 2024. There were no public comments.

Staff Recommendation: Approval. The proposed ordinance amendment has been thoroughly reviewed. The proposed amendments help to direct development to conserve open spaces and are appropriate and consistent with existing zoning ordinance language.

Commission Discussion: Commissioner Bowdoin asked questions about whether using wetlands in open space calculations is appropriate. Commissioner Ikle had concerns about lot size and sewer infrastructure requirements.

Public Comment: None.

Commission Action:

Commissioner Action: IT WAS MOVED BY COMMISSIONER FUNK TO RECOMMEND APPROVAL WITH CONDITIONS, WITH AMENDMENT TO THE MOTION BY COMMISSIONER IKLE, FOR TOWNSHIP TO CONSIDER ADDING A PROVISION FOR SEWER/SEPTIC INFRASTUCTURE REQUIREMENTS WITH LOTS UNDER ONE (1) ACRE IN SIZE AND WITHOUT PUBLIC WATER AND SEWER AVAILABLE, SECONDED BY COMMISSIONER IKLE.

Motion passed: 5-0

F. Z-27-24: GENOA CHARTER TOWNSHIP, AMENDMENTS TO ZONING ORDINANCE ARTICLE 16: SIGN STANDARDS.

The Genoa Charter Township Planning Commission is proposing to amend their Zoning Ordinance, Article 16 Sign Standards. The language seeks to regulate permanent, pole-signs that are incidental or informational within a site. Examples include trail markers, restroom signs, exit and entrance signs or education plaques. Pole signs are currently prohibited. Modifying the sign ordinance to include pole-signs would bring many existing signs into compliance.

Township Recommendation: Approval. The Genoa Charter Township Planning Commission recommended approval at their July 8, 2024, Public Hearing. There were no public comments.

Staff Recommendation: Approval. The proposed ordinance amendments have been thoroughly reviewed by Staff and the Township Attorney. The proposed amendments are appropriate and reinforce the existing zoning ordinance language.

Commission Discussion: Commissioner Ikle inquired about differences between billboards and the proposed amendments.

Public Comment: None.

Commission Action:

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

Motion passed: 5-0

G. Z-28-24: MARION TOWNSHIP, AMENDMENTS TO ZONING ORDINANCE ARTICLES – VARIOUS ZONING ORDINANCE ARTICLES PERTAINING TO MOTOR VEHICLE REPAIR FACILITIES

The Marion Township Planning Commission proposes amendments to various Township Zoning Ordinance articles pertaining to motor vehicle repair facilities.

Township Recommendation: Approval. The Marion Township Planning Commission recommended Approval of this zoning amendment at its July 23, 2024, public hearing.

Staff Recommendation: Approval With Conditions, Recommendation is Approval with Conditions, conditions being that the township permanently remove item 17.04A (D)(3) due to its ambiguous and arbitrary nature and consider all other Staff and Planning Commission recommendations prior to final approval.

Commission Discussion: Commissioner Ikle had concerns over the parking for holding areas and whether they should be paved or unpaved due to increasing impervious surfaces. Commissioner Bowdoin questioned the paving issue stating that a paved area would protect the ground from any potential contamination from leaking fuel and other motor vehicle fluids. Commissioner Bowdoin recommended that for consistency's sake, the Township should revise the definition for "Motor Vehicle Repair Facility" to add in the word "licensed" between the words "employing" and individuals" at the beginning of the definition. This also would make it consistent with 17.04A(D)(9), where it speaks about licenses and certifications.

Public Comment: None.

Commission Action:

Commissioner Action: IT WAS MOVED BY COMMISSIONER BOWDOIN TO RECOMMEND APPROVAL WITH CONDITIONS, CONDITION AS RECOMMENDED BY STAFF AND PLANNING COMMISSION DISCUSSION, SECONDED BY COMMISSIONER IKLE.

Motion passed: 5-0

H. Z-29-24: MARION TOWNSHIP, AMENDMENTS TO ZONING ORDINANCE ARTICLES – VARIOUS ZONING ORDINANCE ARTICLES PERTAINING TO FAMILY CHILD CARE HOMES AND GROUP CHILD CARE HOMES.

The Marion Township Planning Commission proposes amendments to various Township Zoning Ordinance articles pertaining to family child care homes and group child care homes.

Township Recommendation: Approval. The Marion Township Planning Commission recommended Approval of this zoning amendment at its July 23, 2024, public hearing.

Staff Recommendation: Approval. The proposed amendments are suitable, reasonable and appear to be consistent and compliant with PA 106 of 2022 and PA 110 of 2006.

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: 5-0

- 8. OLD BUSINESS: None.
- 9. NEW BUSINESS:
 - A. Commissioner terms expiring October 2024: Information received for renewals and applicants. These applicants are being forwarded to the next Personnel Committee meeting for approval and appointment.
 - B. 2025 Master Plan progress: ArcGIS story map brief presentation was presented to the Planning Commission for their input and feedback.
- 10. REPORTS: None.
- 11. COMMISSIONERS HEARD AND CALL TO THE PUBLIC:

Commissioner Action: DURING A DISCUSSION OF THE OPEN MEETINGS ACT, A COPY OF THE JULY 17, 2024, PC MEETING MINUTES WERE PROVIDED TO THE COMMISSIONERS FOR THEIR REVIEW DURING THE MEETING.

IT WAS MOVED BY COMMISSIONER CALL TO RECONSIDER APPROVAL OF THE MINUTES, DATED JULY 17, 2024, SECONDED BY COMISSIONER BOWDOIN.

All in favor, motion passed 5-0

Commissioner Action: IT WAS MOVED BY COMMISSIONER FUNK TO APPROVE THE MINUTES, DATED JULY 17, 2024, SECONDED BY COMISSIONER IKLE

All in favor, motion passed 5-0

12. ADJOURNMENT:

Commissioner Action: IT WAS MOVED BY COMMISSIONER BOWDOIN TO ADJOURN THE MEETING AT 7:57 PM, SECONDED BY COMMISSIONER CALL.

Motion passed: 5-0



Livingston County Department of Planning

MEMORANDUM

TO:

Livingston County Planning Commissioners and the

Marion Township Board of Trustees

FROM:

Robert Stanford, Principal Planner, AICP

SUBJECT:

Z-28-24 Amendments to Various Zoning Ordinance Articles

Pertaining to Motor Vehicle Repair Facilities

Robert A. Stanford AICP Principal Planner

Scott Barb AICP, PEM

Director

The Marion Township Planning Commission proposes amendments to various Township Zoning Ordinance articles pertaining to motor vehicle repair facilities.

Staff offers the following comments and recommendation for your review. Proposed additions to existing text are noted in <u>red underline</u>, deletions in <u>strikethrough</u>.

Martha Haglund AICP Candidate Principal Planner

BACKGROUND

The township intends to cleanup some inconsistencies in the township zoning ordinance regarding permitted and special uses for motor vehicle repair facilities.

The Marion Township Planning Commission proposes the following set of amendments to the Township Zoning Ordinance, pertaining to motor vehicle repair facilities, to read in their entirety as follows:

ITEM 1. REVISE THE FOLLOWING DEFINITIONS IN SECTION 3.02

Automobile Repair Garage: Any building, land area, other premises or portion thereof used for automotive servicing and repair. This does not include auto refinishing, body work, painting and dismantling of vehicles for reuse or resale.

Motor Vehicle Repair Facility: Any building, land area, other premises or portion thereof used for performing, or employing individuals who perform, maintenance, diagnosis, vehicle body work, repair service, or blood alcohol ignition interlock device (BAIID) service. This does not include dismantling of vehicles for reuse or resale. This term does not include: a person that engages only in the business of repairing the motor vehicles of a single commercial or industrial establishment or governmental agency; an individual who is repairing his or her own or a family member's motor vehicle' a business that does no diagnose the operation from a motor vehicle, does not remove parts from a motor vehicle to be remachined, and does not install finished machined or remachined parts on a motor vehicle; or a BAIID facility as defined in MCL 257.625k.

STAFF COMMENT: As a general observation, as proposed, the new definition appears to be much more restrictive on specific uses and detail-oriented then nearly all other definitions found in the Zoning Ordinance. In this context, County Staff questioned for the need to specifically highlight both

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Various Sections of the Township Zoning Ordinance Pertaining to Motor Vehicle Repair Facilities Page 2

remachining parts activities and BAIID device installations as part of this definition. As such, Staff conducted interviews with a few local auto repair shops and found that today's shops rarely deal with the removal and replacement of remachined parts, including brake parts (those typically are also replaced as new and not remachined as was the practice in years past). Also, all shops interviewed were in consensus that no conventional auto repair shop should be attempting to install BAIID devices, as those must be installed at state-controlled facilities under Public Act 300 of 1949, the Michigan Vehicle Code.

Staff would also recommend that the township consider the term: "Breathe Alcohol Ignition Interlock Device" either in place of or conjunction with the abbreviation "BAIID", as currently proposed.

Lastly, machining activities are permitted uses in the township's LI-Light Industrial zoning district.

ITEM 2. AMENDMENT OF ARTICLE IX: COMMERCIAL DISTRICTS.

Section 9.01(D)(2) of the Zoning Ordinance is hereby amended to read as follows:

ARTICLE IX: COMMERCIAL DISTRICTS

Section 9.01 HS: Highway Service District

- D. Uses Permitted By Special Use Permit:
 - 2. Automobile repair garage Motor vehicle repair facility

ITEM 3. AMENDMENT OF ARTICLE XVII: STANDARDS FOR SPECIFIC SPECIAL LAND USES.

Section 17.04A Automobile Repair Garage the Zoning Ordinance is hereby amended to read as follows:

ARTICLE XVII: STANDARDS FOR SPECIFIC SPECIAL LAND USES

The following standards apply to the uses of land permitted by special use permit. The regulations contained in this Article shall be applied in addition to any other applicable, standard or regulation contained elsewhere in this Ordinance unless specifically noted

Section 17.04 A Automobile Repair Garage Motor Vehicle Repair Facility

A. Locational Requirements: Automobile Repair Garages Motor Vehicle Repair Facilities are permitted by special use permit in the Highway Service (HS) District.



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B. Site Requirements:

- 1. The minimum lot size of the district shall be met.
- 2. The minimum lot width and frontage shall be two hundred (200) feet.
- 3. All gasoline pumps shall be located not less than thirty (30) feet from the edge of the road right-of-way and shall be arranged so that motor vehicles using them will not be parked on or overhanging any public sidewalk or road right-of-way.
- 4. The entire parking area shall be hard-surfaced with asphalt or concrete and adequately drained.
- 5. Ingress and egress to the facility shall be only from a major thoroughfare, or from a shared access drive to such roadway.
- 6. Curb cuts and driveways shall be reviewed and approved by the Livingston County Road Commission based on current standards.
- 7. Driveway approach width shall meet Livingston County Road Commission current standards.
- 8. There shall be no above-ground outdoor storage/dispensing tanks on the site without leak-proof secondary containment sufficient to accommodate one hundred twenty percent (120%) of the volume of the tank. Such containment measures shall be designed and approved by the appropriate federal, state, county, or local authority having jurisdiction prior to before installation.

C. Buffering Requirements:

- 1. Buffer zones shall comply with the requirements of Section 6.13.
- 2. Dumpsters shall be screened by vegetation, fencing or brick enclosure per requirements in Section 14.05 E.
- 3. All lighting shall be shielded per requirements in Section 14.04 E.

D. Performance Standards:

- 1. Hydraulic hoists, service pits, lubricating, greasing, washing/repair equipment and operations shall be located within a completely enclosed structure.
- 2. Storage of vehicles rendered inoperative for any reason, and vehicles without current license plates and registration, shall be limited to a period of not more than thirty sixty (30) (60) days and then only for the purpose of temporary storage pending transfer to a junkyard. Such storage shall not occur in front of the building.
- 3. Sales of new and used motorized vehicles shall not be permitted, <u>unless the Planning Commission recommends and the Township Board approves sales upon finding that sales will not create unreasonable negative impacts on the surrounding area.</u>

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Various Sections of the Township Zoning Ordinance Pertaining to Motor Vehicle Repair Facilities Page 4

STAFF COMMENT:

There are conflicting standards within the Zoning Ordinance dealing with the regulation of "Automobile Dealerships" and "Automotive Repair Garages".

In the only zoning district to allow these two uses, the HS-Highway Service district (ARTICLE IX: Commercial Districts, Section 9.01), an Automobile Dealership is a use permitted by right (§ B.3.), while an Automobile Repair Garage is allowed as a special use (§ D.2.).

Further, when examining the Special Use Performance Standards for "Automobile Repair Garages" (Section 17.04 A as is being referred to in the review), § D.3. states that "Sales of new and used motorized vehicles shall not be permitted."

In essence, as currently regulated, automobile businesses cannot both sell vehicles and repair vehicles together as a sole entity. The Planning Commission needs to decide if they wish to allow potential applicants to both sell and repair vehicles together as a sole entity.

As proposed, this provision, § D.3., is also ambiguous and allows both the Planning Commission and the Township Board a level of arbitrary discretion in the decision-making process that is neither encouraged nor advisable. Staff would recommend a couple of alternative options for the township to consider:

- (1) Entirely remove current § D.3. from the Performance Standards and revise the language to allow vehicle sales and repair together as a sole entity.
- (2) Eliminate this provision altogether, as this appears to be the initial intention of the township.

The additional text that has been proposed does not satisfy nor accomplish the apparent intention of the township and inserts too much arbitrary discretion and ambiguity when it comes to decision-making processes.

- 4. No public address system shall be audible from any abutting residential parcel.
- 5. All floor drains shall be designed <u>and maintained in accordance with state, county, and local requirements to current Township policy.</u>
- 6. All flammable liquids, solvents, cleaners, and other hazardous substances capable of contaminating groundwater shall be stored within the building and secondary containment measures shall be installed and utilized to prevent spilled materials from contacting the ground. Such containment measures shall be designed and approved by the appropriate federal, state, or county, or local authority having jurisdiction prior to before installation.
- 7. All handling of flammable or hazardous substances shall be in accordance with local, state and federal laws and all required local, state and federal permits shall be obtained prior to final Township approval and the establishment shall remain in conformance therewith.
- 8. A car wash may be established as part of the principal structure or as a separate structure, but shall conform to all setback requirements for a principal structure.
- 9. Motor vehicle repair facilities shall have all licenses or certifications required by the State and shall provide current copies to the Township.



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ITEM 4. AMENDMENT OF TABLE OF CONTENTS.

The Table of Contents of the Zoning Ordinance is proposed to be amended for consistency with the above revisions and to accommodate repagination.

Township Recommendation: Approval. The Marion Township Planning Commission recommended Approval of this zoning amendment at its July 23, 2024, public hearing.

Staff Recommendation: Approval With Conditions. Recommendation is approval with conditions, conditions being that the township permanently remove item 17.04A (D)(3) due to its ambiguous and arbitrary nature and consider all other Staff recommendations prior to final approval.

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Livingston County Department of Planning

<u>MEMORANDUM</u>

TO:

Livingston County Planning Commissioners and the

Marion Township Board of Trustees

FROM:

Robert Stanford, Principal Planner, AICP

SUBJECT:

Z-29-24 Amendments to Various Zoning Ordinance Articles

Pertaining to Family Child Care Homes and Group Child Care

Homes

Robert A. Stanford AICP Principal Planner

Scott Barb

Director

AICP, PEM

Martha Haglund AICP Candidate Principal Planner The Marion Township Planning Commission proposes amendments to various Township Zoning Ordinance articles pertaining to family child care homes and group child care homes.

Staff offers the following comments and recommendation for your review. Proposed additions to existing text are noted in <u>red underline</u>, deletions in <u>strikethrough</u>.

BACKGROUND

Public Act 106 of 2022 was approved by Governor Whitmer on June 23, 2022.

HB 5041 is the Michigan State House of Representatives legislative bill which serves as the legal basis for Public Act 106 of 2022. The law allows home-based child care providers that have a proven record of success to serve more children. A family home provider will be eligible to serve seven children, instead of six. A group home provider will be eligible to serve 14 children, instead of 12. The bills prioritize safety while increasing access to quality child care.

The Marion Township Planning Commission proposes the following set of amendments to the Township Zoning Ordinance pertaining to family child care homes and group child care homes to bring the zoning ordinance into compliance with PA 106 of 2022 and PA 110 of 2006. They read in their entirety as follows:

ITEM 1. REVISE THE FOLLOWING DEFINITIONS IN SECTION 3.02

Family Child Care Home: A private home in which one or more but less fewer than seven minor children are received for care and supervision for periods of less than 24 hours a day, unattended by a parent or legal guardian, except children related to an adult member of the family household by blood, marriage, or adoption. Family child care home includes a home in which care is given that gives eare to an unrelated minor child for more than four weeks during a calendar year. Family child care home does not include an individual providing babysitting services for another individual. Family child care home includes a family child care home with increased capacity.

Department Information

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Group Child Care Home: A private home in which more than six but not more than twelve minor children are given care and supervision for periods of less than 24 hours a day unattended by a parent or legal guardian, except children related to an adult member of the <u>family household</u> by blood, marriage, or adoption. Group child care home includes a home <u>that gives care in which care is given</u> to an unrelated minor child for more than four weeks during a calendar year. <u>Group child care home includes a group child care home with increased capacity.</u>

Increased Capacity: A family child care home that meets the eligibility criteria and has been approved by the State to provide care and supervision for one additional minor child, or a group child care home that meets the eligibility criteria and has been approved by the State to provide care to two additional minor children.

STAFF COMMENT: All three of the proposed revisions for these definitions are nearly identical to the definitions found in Public Act 106 of 2022, for items Section (1)(q)(iii) "Family child care home", Section (1)(q)(iv) "Group child care home", and Section (1)(i)(v)(p) "Increased capacity".

ITEM 2. AMENDMENT OF ARTICLE XVII: STANDARDS FOR SPECIFIC SPECIAL LAND USES, SECTION 17.16 GROUP CHILD CARE HOMES.

Section 17.16 Group Child Care Homes the Zoning Ordinance is hereby amended to read as follows:

ARTICLE XVII: STANDARDS FOR SPECIFIC SPECIAL LAND USES

The following standards apply to the uses of land permitted by special use permit. The regulations contained in this Article shall be applied in addition to any other applicable, standard or regulation contained elsewhere in this Ordinance unless specifically noted

Section 17.16 Group Child Care Homes

It is the intent of the Township to provide for the establishment of Group Child Care Homes as a special land use subject to the following conditions in accordance with the provisions of Public Act 110 of 2006, as amended, and Public Act 116 of 1973, as amended.

STAFF COMMENT: The Child Care Organizations Act, Public Act 116 of 1973, is an Act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts.

As is known, the Michigan Zoning Enabling Act, PA 110 of 2006, is an Act to codify the laws regarding local units of government regulating the development and use of land; to provide for the adoption of zoning ordinances; to provide for the establishment in counties, townships, cities, and villages of zoning districts; to prescribe the powers and duties of certain officials; to provide for the assessment and collection of fees; to authorize the issuance of bonds and notes; to prescribe penalties and provide remedies; and to repeal acts and parts of acts.



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Various Sections of the Township Zoning Ordinance Pertaining to Family Child Care Homes and Group
Child Care Homes
Page 3

A. Locational Requirements:

- 1. Group child care homes are permitted by special use permit in the Rural Residential (RR), Suburban Residential (SR), Existing Residential Subdivision (ERS), and Urban Residential (UR) districts.
- 2. Group child care homes shall not be located closer than one thousand five hundred (1,500) feet to another licensed group child care home, adult foster care small group home or adult foster care large group home licensed under the Adult Foster Care Facility Licensing Act PA 218 of 1979, MCL 400.701 et seq, a facility offering substance abuse treatment and rehabilitation service to seven (7) or more people licensed under article 6 of the Michigan Public Health Code PA 368 of 1978, or a community correction center, resident home, halfway house, or other similar facility that houses an inmate population under the jurisdiction of the Michigan Department of Corrections. The required 1,500-foot distance noted above shall be measured from the lot boundaries of the above listed facilities along a road, street, or place maintained by the State or a local unit of government and generally open to the public as a matter of right for the purpose of vehicular traffic, not including an alley.

B. Site Requirements

1. General

- a. An off-street drop-off area is to be provided with the capability to accommodate at least two automobiles in addition to the parking normally required for the residence. A driveway may be used for this purpose.
- b. One (1) on-site parking space shall be provided for any assistant provider or caregiver not a resident on the premises.
- c. Playground equipment shall be located within the outdoor play area.
- d. One <u>wall sign or ground mounted</u> sign <u>accessory to the group day care home</u> is permitted provided <u>the sign meets all applicable standards of Article XV Signage and the following specific standards:</u>
 - i. It is for identification purposes only.
 - <u>i.</u> ii. It is The sign shall not be internally illuminated.
 - ii. The sign area shall and does not exceed four (4) square feet.
 - iii. It A wall sign shall be mounted flush to the principal structure.
- e. The property shall be maintained in a manner so that its appearance is harmonious with the character of the neighborhood.
- 2. Additional Site Requirements for Group Child Care Homes in <u>Suburban Residential</u> (SR), <u>Existing Residential Subdivisions</u> (ERS), and <u>Urban Residential</u> (UR) districts.
 - a. There is a provision of an outdoor play area that is a minimum of six hundred (600) square feet in area. The outdoor play area shall be located within the required backyard and comply with the rear setback of the subject parcel. This requirement may be waived by the Planning Commission if a public open space is within five hundred (500) feet of the subject parcel.
 - b. The required outdoor play area shall be enclosed on its perimeter with a fence that is at least four (4) feet in height, but not higher than six (6) feet. Landscaping along the outside perimeter of the



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fenced outdoor play area for screening purposes and within the outdoor play area to provide shade is required.

Buffering Requirements: Adequate provisions shall be made to reduce noise, traffic, and related impacts on surrounding residential properties pursuant to the requirements of Section 6.13.

Performance Standards:

- 1. The gGroup child care facility homes shall not operate between the hours of 10:00 pm and 6:00 am more than one (1) day per week, unless specifically permitted by the Planning Commission recommendation and Township Board approval.
- 2. Operation and maintenance of all group child care facilities homes shall conform to existing applicable Livingston County and State regulations including, but not limited to, Public Act 116 of 1973, as amended.
- 3. Group child care homes shall be licensed by the State and provide current copies to the Township.

ITEM 3. AMENDMENT OF TABLE OF CONTENTS.

The Table of Contents of the Zoning Ordinance is hereby amended for consistency with the above revisions and to accommodate repagination.

Township Recommendation: Approval. The Marion Township Planning Commission recommended Approval of this zoning amendment at its July 23, 2024, public hearing.

Staff Recommendation: Approval. The proposed amendments are suitable, reasonable and appear to be consistent and compliant with PA 106 of 2022 and PA 110 of 2006.



Livingston County Department of Planning

LIVINGSTON COUNTY PLANNING COMMISSION MEETING Wednesday, August 21, 2024 - 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.

Agenda

Scott Barb AICP, PEM Director

Robert A. Stanford **AICP** Principal Planner

Martha Haglund AICP Candidate Principal Planner 1. Call to Order

2. Pledge of Allegiance to the Flag

3. Roll and Introduction of Guests

4. Approval of Agenda - August 21, 2024

5. Approval of Meeting Minutes - July 17, 2024

6. Call to the Public

7. Zoning Reviews

A. Z-22-24: Handy Township Text Amendments, Section 16.6 BBB Industrial Solar Energy Facilities.

Z-23-24: Handy Township Text Amendments, Section 16.6 DDD Wind Energy Conversion Systems.

Z-24-24: Handy Township Text Amendments, Section 16.6 FFF Utility Scale Battery Energy Storage Facilities.

D. Z-25-24: Deerfield Township Rezoning, Section 34, A-1 to A-2.

Z-26-24: Genoa Township Text Amendments, Section 10.2 PUD Qualifying Conditions.

Z-27-24 Genoa Township Text Amendments, Article 16 Sign Standards.

Z-28-24 Marion Township Text Amendments, Articles 3, 9, and 17 Highway Service Special Uses.

Z-29-24 Marion Township Text Amendments, Section 3.02 and 17.16 Specific Land Uses - Group Homes.

9. Old Business:

10. New Business:

A. Commissioner terms expiring October 2024: Information received for renewals and applicants.

(517) 546-7555

Department Information

Administration Building 304 E. Grand River Avenue

Suite 206

Howell, MI 48843-2323

B. 2025 Master Plan progress: ArcGIS story map brief presentation Reports

12. Commissioners Heard and Call to the Public

13. Adjournment

Fax (517) 552-2347

Web Site https://milivcounty.gov/planning/



Livingston County Department of Planning

August 22, 2024

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

Scott Barb AICP, PEM Director

Robert A. Stanford AICP Principal Planner

Martha Haglund Principal Planner Re:

County Planning Commission Review of Marion Township Zoning Ordinance Text Amendments

Case Z-28-24: Various Sections related to Motor Vehicle Repair Case Z-29-24: Various Sections related to Child Care Homes

Dear Board Members:

The Livingston County Planning Commission met on Wednesday, August 21, 2024, and reviewed the Marion Township Zoning Ordinance Text Amendment requests referenced above. The County Planning Commissioners made the following recommendation:

Z-28-24 – Approval with Conditions.

Recommendation is approval with conditions, conditions being that the township permanently remove item 17.04A (D)(3) due to its ambiguous and arbitrary nature and consider all other Staff recommendations and comments from Planning Commission minutes prior to final approval.

Z-29-24 - Approval

The proposed amendments are suitable, reasonable and appear to be consistent and compliant with PA 106 of 2022 and PA 110 of 2006.

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.

Department Information

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Sincerely,

Robert Stanford, Principal Planner, AICP

obsert Stanford

Web Site https://milivcounty.gov/planning/

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

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FAMILY AND GROUP CHILD CARE HOMES AND **MOTOR VEHICLE REPAIR FACILITIES**

Marion Township Zoning Ordinance Livingston County, Michigan

Per Planning Commission 07-23-2024

Per LCPC Comments 08-21-2024

MARION TOWNSHIP ZONING ORDINANCE TEXT AMENDMENT FAMILY CHILD CARE HOMES AND GROUP CHILD CARE HOMES MOTOR VEHICLE REPAIR FACILITIES

An amendment to the Marion Township Zoning Ordinance to amend and add definitions related to family child care homes, group child care homes, and motor vehicle repair facilities; amend uses permitted by special use permit for consistency with other amendments; amend standards for motor vehicle repair facilities; amend standards for group child care homes; and amend the table of contents accordingly.

1. AMENDMENT OF ARTICLE III: DEFINITIONS

Section 3.02 Definitions of the Zoning Ordinance is hereby amended to add the following family child care, group child care, and motor vehicle repair facility definitions, which shall be placed in alphabetical order with existing definitions, which shall read as follows:

[Red, underlined text to be added. Red, strikenthrough text to be deleted.]

Automobile Repair Garage: Any building, land area, other premises or portion thereof used for automotive servicing and repair. This does not include auto refinishing, body work, painting and dismantling of vehicles for reuse or resale.

Family Child Care Home: A private home in which one or more but less fewer than seven minor children are received for care and supervision for periods of less than 24 hours a day, unattended by a parent or legal guardian, except children related to an adult member of the family household by blood, marriage, or adoption. Family child care home includes a home in which care is given that gives care to an unrelated minor child for more than four weeks during a calendar year. Family child care home does not include an individual providing babysitting services for another individual. Family child care home includes a family child care home with increased capacity.

Group Child Care Home: A private home in which more than six but not more than twelve minor children are given care and supervision for periods of less than 24 hours a day unattended by a parent or legal quardian, except children related to an adult member of the family-household by blood, marriage, or adoption. Group child care home includes a home that gives carein which care is given to an unrelated minor child for more than four weeks during a

calendar year. Group child care home includes a group child care home with increased capacity.

Increased Capacity: A family child care home that meets the eligibility criteria and has been approved by the State to provide care and supervision for one additional minor child, or a group child care home that meets the eligibility criteria and has been approved by the State to provide care to two additional minor children.

Motor Vehicle Repair Facility: Any building, land area, other premises or portion thereof used for performing, or employing individuals who perform, maintenance, diagnosis, vehicle body work, repair service, or blood alcohol ignition interlock device (BAIID) service. automotive servicing and repair. This does not include auto refinishing, body work, painting and dismantling of vehicles for reuse or resale. This term does not include: a person that engages only in the business of repairing the motor vehicles of a single commercial or industrial establishment or governmental agency; an individual who is repairing his or her own or a family member's motor vehicle' a business that does no diagnose the operation from a motor vehicle, does not remove parts from a motor vehicle to be remachined, and does not install finished machined or remachined parts on a motor vehicle; or a BAIID facility as defined in MCL 257.625k.

2. AMENDMENT OF ARTICLE IX: COMMERCIAL DISTRICTS

§9.01(D)(2) of the Zoning Ordinance is hereby amended to read as follows:

[Red, underlined text to be added. Red, strikenthrough text to be deleted.]

Automobile repair garage Motor vehicle repair facility

3. AMENDMENT OF ARTICLE XVII: STANDARDS FOR SPECIFIC SPECIAL LAND USES

§17.04A Automobile Repair Garage the Zoning Ordinance is hereby amended to read as follows:

[Red, underlined text to be added. Red, strikenthrough text to be deleted.]

Section 17.04 A Automobile Repair Garage Motor Vehicle Repair Facility

- A. Locational Requirements: Automobile Repair Garages Motor Vehicle Repair Facilities are permitted by special use permit in the Highway Service (HS) District.
- B. Site Requirements:

- 1. The minimum lot size of the district shall be met.
- 2. The minimum lot width and frontage shall be two hundred (200) feet.
- 3. All gasoline pumps shall be located not less than thirty (30) feet from the edge of the road right-of-way and shall be arranged so that motor vehicles using them will not be parked on or overhanging any public sidewalk or road right-of-way.
- 4. The entire parking area shall be hard-surfaced with asphalt or concrete and adequately drained.
- Ingress and egress to the facility shall be only from a major thoroughfare, or from 5. a shared access drive to such roadway.
- Curb cuts and driveways shall be reviewed and approved by the Livingston 6. County Road Commission based on current standards.
- 7. Driveway approach width shall meet Livingston County Road Commission current standards.
- 8. There shall be no above-ground outdoor storage/dispensing tanks on the site without leak-proof secondary containment sufficient to accommodate one hundred twenty percent (120%) of the volume of the tank. Such containment measures shall be designed and approved by the appropriate federal, state, county, or local authority having jurisdiction prior tobefore installation.

C. Buffering Requirements:

- 1. Buffer zones shall comply with the requirements of Section 6.13.
- 2. Dumpsters shall be screened by vegetation, fencing, or brick enclosure per requirements in Section 14.05 E.
- 3. All lighting shall be shielded per requirements in Section 14.04 E.

D. Performance Standards:

- 1 Hydraulic hoists, service pits, lubricating, greasing, washing/repair equipment and operations shall be located within a completely enclosed structure.
- 2. Storage of vehicles rendered inoperative for any reason, and vehicles without current license plates and registration, shall be limited to a period of not more than thirty-sixty (3060) days and then only for the purpose of temporary storage pending transfer to a junkyard. Such storage shall not occur in front of the building.

3. Sales of new and or used motorized vehicles shall not be permitted, unless the Planning Commission recommends and the Township Board approves sales upon finding that sales will not create unreasonable negative impacts on the surrounding area.

POTENTIAL ALTERNATE:

Sales of new and used motorized vehicles shall not be permitted, unless the Planning Commission and the Township Board finds that all of the following are

There is adequate space on the site for both the motor vehicle repair facility and the sales of motor vehicles;

The sale of motorized vehicles is clearly incidental and accessory to the motor vehicle repair facility; and

The site has a single point of vehicular acces.

- No public address system shall be audible from any abutting residential parcel. 4.
- 5. All floor drains shall be designed and maintained in accordance with state, county, and local requirementsto current Township policy.
- 6. All flammable liquids, solvents, cleaners, and other hazardous substances capable of contaminating groundwater shall be stored within the building and secondary containment measures shall be installed and utilized to prevent spilled materials from contacting the ground. Such containment measures shall be designed and approved by the appropriate federal, state, or county, or local authority having jurisdiction prior tobefore installation.
- All handling of flammable or hazardous substances shall be in accordance with 7. local, state and federal laws and all required local, state and federal permits shall be obtained prior to final Township approval and the establishment shall remain in conformance therewith.
- A car wash may be established as part of the principal structure or as a separate structure, but shall conform to all setback requirements for a principal structure.
- Motor vehicle repair facilities shall have all licenses or certifications required by the State and shall provide current copies to the Township.

4. AMENDMENT OF ARTICLE XVII: STANDARDS FOR SPECIFIC SPECIAL LAND USES

§17.16 Group Child Care Homes the Zoning Ordinance is hereby amended to read as follows:

[Red. underlined text to be added. Red. strikenthrough text to be deleted.]

Section 17.16 Group Child Care Homes

It is the intent of the Township to provide for the establishment of Group Child Care Homes as a special land use subject to the following conditions in accordance with the provisions of Public Act 110 of 2006, as amended, and Public Act 116 of 1973, as amended.

A. Locational Requirements:

- Group child care homes are permitted by special use permit in the Rural 1. Residential (RR), Suburban Residential (SR), Existing Residential Subdivision (ERS), and Urban Residential (UR) districts.
- 2. Group child care homes shall not be located closer than one thousand five hundred (1,500) feet to another licensed group child care home, adult foster care small group home or adult foster care large group home licensed under the Adult Foster Care Facility Licensing Act PA 218 of 1979, MCL 400.701 et seq, a facility offering substance abuse treatment and rehabilitation service to seven (7) or more people licensed under article 6 of the Michigan Public Health Code PA 368 of 1978, or a community correction center, resident home, halfway house, or other similar facility that houses an inmate population under the jurisdiction of the Michigan Department of Corrections. The required 1,500-foot distance noted above shall be measured from the lot boundaries of the above listed facilities along a road, street, or place maintained by the State or a local unit of government and generally open to the public as a matter of right for the purpose of vehicular traffic, not including an alley.

B. Site Requirements

1. General

- a. An off-street drop-off area is to be provided with the capability to accommodate at least two automobiles in addition to the parking normally required for the residence. A driveway may be used for this purpose.
- b. One (1) on-site parking space shall be provided for any assistant provider or caregiver not a resident on the premises.
- c. Playground equipment shall be located within the outdoor play area.

- d. One wall sign or ground mounted sign accessory to the group day care home is permitted provided the sign meets all applicable standards of Article XV Signage and the following specific standards:
 - It is for identification purposes only.
 - <u>It isis the sign shall</u> not be internally illuminated.
 - The sign area shall and does not exceed four (4) square feet. ii.
 - It A wall sign shall be mounted flush to the principal structure. iii.
- e. The property shall be maintained in a manner so that its appearance is harmonious with the character of the neighborhood.
- 2. Additional Site Requirements for Group Child Care Homes in Suburban Residential (SR), Existing Residential Subdivisions (ERS), and Urban Residential (UR) districts.
 - a. There is a provision of an outdoor play area that is a minimum of six hundred (600) square feet in area. The outdoor play area shall be located within the required backyard and comply with the rear setback of the subject parcel. This requirement may be waived by the Planning Commission if a public open space is within five hundred (500) feet of the subject parcel.
 - b. The required outdoor play area shall be enclosed on its perimeter with a fence that is at least four (4) feet in height, but not higher than six (6) feet. Landscaping along the outside perimeter of the fenced outdoor play area for screening purposes and within the outdoor play area to provide shade is required.
- C. Buffering Requirements: Adequate provisions shall be made to reduce noise, traffic, and related impacts on surrounding residential properties pursuant to the requirements of Section 6.13.

D. Performance Standards:

- The gGroup child care facility homes shall not operate between the hours of 10:00 pm and 6:00 am more than one (1) day per week, unless specifically permitted by the Planning Commission recommendation and Township Board approval.
- Operation and maintenance of all group child care facilities homes shall conform to existing applicable Livingston County and State regulations including, but not limited to, Public Act 116 of 1973, as amended.
- 3. Group child care homes shall be licensed by the State and provide current copies to the Township.

5. AMENDMENT OF TABLE OF CONTENTS

The Table of Contents of the Zoning Ordinance is hereby amended for consistency with the above revisions and to accommodate repagination.