

**NORTHFIELD TOWNSHIP PLANNING COMMISSION
NOTICE OF REGULAR MEETING
June 20, 2018 at 7:00 p.m.
Second Floor, Public Safety Building
8350 Main Street, Whitmore Lake, MI 48189**

AGENDA

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. ADOPTION OF AGENDA**
- 5. CALL TO THE PUBLIC**
- 6. CLARIFICATIONS FROM COMMISSION**
- 7. CORRESPONDENCE**
- 8. PUBLIC HEARINGS**
- 9. REPORTS OF COMMITTEES**
 - A. Board of Trustees**
 - B. ZBA**
 - C. Staff**
 - D. Planning Consultant**
 - E. Parks and Recreation**
 - F. Downtown Planning Group**
- 10. UNFINISHED BUSINESS:**
 - A. Further Discussion Technical Review of Northfield Township Zoning Ordinance
 - B. Further Discussion Bark Park
- 11. NEW BUSINESS:**
- 12. APPROVAL OF PRECEDING MINUTES:** June 6, 2018 Regular Meeting
- 13. FINAL CALL TO THE PUBLIC**
- 14. COMMENTS FROM THE COMMISSIONERS**
- 15. ANNOUNCEMENT:** Next Regular Meeting – July 11, 2018
- 16. ADJOURNMENT**

This notice is posted in compliance with PA 267 Of 1976 as amended (open meetings act) MCLA 41.7 2A (2) (3) and the Americans with Disabilities Act. (ADA) Individuals with disabilities requiring auxiliary aids or services should contact the Northfield Township Office, (734) 449-5000 seven days in advance.

Technical Review of **Northfield Township Zoning Ordinance**

**Prepared for
Northfield Township, Washtenaw Co.
Michigan**

May 30, 2018



MCKENNA

235 E. Main Street, Suite 105
Northville, Michigan 48167

Table of Contents

Introduction3

Clarity and Simplicity of Use3

 Hyperlinks and Cross-References3

 Land Use Table*3

 Zoning District Summaries4

Definitions4

 General Definitions5

 Sign Definitions6

Administrative Procedures and Standards7

 Site Plan Review7

 Board of Zoning Appeals7

 Enforcement, Violations, and Penalties.....8

Development Standards for Specific Land Uses8

Supplemental Regulations And Standards 10

 Landscaping and natural features Preservation (New Chapter Heading) 11

 Fences and Lighting (New Chapter Heading) 11

 Temporary Uses and structures (New Chapter Heading) 11

 Vision clearance/visibility at intersections 12

 Open Space Development Option (New Chapter Heading)..... 12

 Site Condominiums (New Chapter Heading)..... 12

 Alternative Energy..... 12

Other Articles 12

 Off-Street Parking And Loading..... 12

 Nonconformiities 13

Zoning Districts..... 13

 Agriculture (AR) District 13

 Multiple-family residential (mr) distRict..... 13

 manufactured housing community (MHC) district..... 13

 whitmore lake (wld) district(s) 14

 Whitmore lake/north territorial overlay District (wlnt)..... 14

 Sample: Single Page Zoning District..... 15

 M-1, Light Industrial District..... 15

INTRODUCTION

We have reviewed the Northfield Township Zoning Ordinance to identify its general strengths and weaknesses, and to recommend areas for improvement. This Zoning Technical Review describes those features and recommendations – such as adding tables, charts, and graphics, fixing fragmented, inconsistent, or outdated language, and addressing irrelevant and incorrect cross-references, redundancy, contradictory language, conflicts, and changed laws. With the Technical Review as a basis, the Township can then address the planned update of the Zoning Ordinance in an organized, comprehensive manner.

This review is not intended to identify every item in the Zoning Ordinance that must be amended; rather, it is to highlight the major items/tasks to undertake during the amendment process and pertinent recommendations for those tasks.

Recommendations for the ordinance amendments that we described in our October 2017 and March 2018 communications to the Planning Commission and Township Board are reiterated in this review since they are still recommended updates for the Township Zoning Ordinance. Those recommended items are highlighted with an asterisk (*). The Planning Commission has made progress on several of these previously identified as “urgent” amendments; others remain to be completed in the context of the overall Zoning Ordinance update.

CLARITY AND SIMPLICITY OF USE

HYPERLINKS AND CROSS-REFERENCES

Because so many users of the Zoning Ordinance are doing so on-line, a significant feature that enhances usability is to add hyperlinks to the text. Also, as the Zoning Ordinance gets amended over time, some of the cross-referenced sections have become incorrect because cross-references are not always updated when sections are added or deleted from the Zoning Ordinance. To remedy this problem and allow users to electronically click on a link to get to a section, we will fix the cross-reference errors and hyperlink all cross-referenced sections of the Zoning Ordinance in the electronic document, including from the Table of Contents. By properly hyperlinking all sections and cross-references, the cross-references can be automatically updated whenever the Zoning Ordinance is amended.

LAND USE TABLE*

Each zoning district includes a list of permitted and conditional land uses, which makes for several pages of duplicated and unnecessary text. To simplify the list of permitted and conditional land uses, to make district comparisons easier, and to help resolve conflicts between similar uses in multiple districts, we recommend incorporating a master Table of Permitted and Conditional Land Uses by District into the Zoning Ordinance. This table will utilize the Non-Residential Use matrix that we prepared several years ago and will include similar information for the residential districts. A sample format of the master table of land uses by district is shown to the right.

Such a table would be an excellent organization tool for the Township and the public by including all of the uses regulated by the Zoning Ordinance and in what districts those uses are permitted. Also, the Zoning Ordinance defines some uses that are not listed in any zoning

district, and the table would help identify and resolve that problem. The table will also facilitate review/comparison of the various uses permitted in each district for appropriateness to that district, and the uses permitted will likely be modified during the review process. * Finally, any use that has specific development standards would have a clickable hyperlink to the relevant section of the Zoning Ordinance that contains the development standard.

This land use table could be placed in Schedule of District Regulations, General Provisions (Article IV, Sec. 36-98), or in a new/revised version of that article containing the “establishment of districts” provisions, land use table and schedule of regulations items. *

Table 1. Table of Permitted Uses by District

USE	Key: ■ Principal Permitted Use ● Special Land Use [blank] Use Not Permitted											DEVELOPMENT STANDARD
	RR (A)	R-1 (A)	R-2 (A)	R-3 (A)	PO-1 (E)	C-1 (E)	C-2 (E)	C-3 (E, G)	C-4 (E, H)	I-1 (I)	I-2	
RESIDENTIAL USES												
Mixed Use Dwelling Unit												Section 74-2.424
Low Intensity Multiple Family (3-4 units)			●	■								Section 74-2.425
High Intensity Multiple Family (5+ units)				●								Section 74-2.426
One Family Dwelling Unit	■	■	■	■					■			Section 74-2.427 Section 74-5.105
Townhouse				■					●			Section 74-2.428
Two Family Dwelling Unit				■								Section 74-5.105
Accessory Dwelling Unit	●	●	●						●			Section 74-2.402
LODGING USES												
Bed & Breakfast		●	●	●	●				■			Section 74-2.407
Boarding or Lodging House				■								
Inn							■	●	■	■		Section 74-2.420
Hotel							■	●	■	■		Section 74-2.420
OFFICE and SERVICE USES												
Bank or Financial Institution							■	■	■			
Health or Exercise Club or Spa (Small)							■	■	■			
Health or Exercise Club or Spa (Large)								●	●			
Office							■	■	■			
Personal Service Establishment							■	■	■			

ZONING DISTRICT SUMMARIES

In addition to the land use table, we recommend that the Planning Commission consider amending the Ordinance so that each zoning district is expressed with a 1-2-page zoning district summary. Each summary page(s) would state the district purpose, permitted and conditional land uses, dimensional standards, and clickable links to general standards sections of the Zoning Ordinance that apply (e.g., landscaping, lighting, signs, etc.). The zoning district summary page will work in tandem with the land use table; users who want to know in what district a particular land use is permitted will refer to the land use table, while users who want to know all of the relevant information about a particular zoning district will refer to the zoning district summary page of the district. A sample zoning district summary page is at the end of this report.

SCHEDULE OF REGULATIONS

- Alternately, or in addition to the zoning district summary pages, we recommend that the Planning Commission consider consolidating the dimensional requirements for uses in all districts into a table Schedule of Regulations. This is a common format in zoning ordinances that enables the user to quickly deduce and compare setback, minimum lot areas, height limits, and similar basic dimensional standards for all zoning districts.
- Clarify section 36-70. Storage buildings in residential districts to specify if storage containers are permitted (with or without foundations).
- Resolve ambiguity regarding permitted overhang encroachments (Sec. 36-98(f)). *

DEFINITIONS

Some definitions in the Zoning Ordinance need to be clarified, revised, updated or changed to be consistent with the various zoning districts, the Master Plan, changes in the law, common usage, and current application.

GENERAL DEFINITIONS

- **Adult Regulated Uses; Controlled Uses:** For clarity, provide new definition entries for Controlled Uses, and Sexually Oriented Businesses and cross reference them back to Adult Regulated Uses. Controlled Uses is the term used in Sec. 36-710. Also, the sub-uses (1) – (8) defined and included within this definition somewhat overlap with and differ from the definitions in Sec. 36-721. – Sexually Oriented Businesses. For example, Adult Motion Picture Theater is defined under both Definitions (Sec. 36-29) and Sec. 36-721 and those two definitions are different; further that use is regulated under both Controlled Uses (Sec. 36-710) and Sexually Oriented Businesses (Sec. 36-721). Overall, sexually oriented businesses, adult-regulated uses and controlled uses should be reviewed and distinguished for regulatory purposes.
- **Area Plan:** This term does not appear to be used in the Zoning Ordinance and should be deleted.
- **Automobile:** This definition includes all vehicles. Consider defining large vehicles, such as semi-tractors, buses, construction vehicles, etc. separately so they can be distinguished and regulated separately.
- **Automobile Car Wash Establishment:** Consider defining and regulating truck washes separately.
- **Automobile or Vehicle Dealership:** See the existing definitions of **Vehicle, New Dealer** and **Vehicle, Used Dealer**. Since the definition of Automobile currently includes all vehicles, the preferred term should be determined and overlapping/conflicting definitions removed or combined.
- **Automobile or Vehicle Repair Garage:** We recommend utilizing the vehicle repair definitions (**Vehicle Repair, Minor** and **Vehicle Repair, Major**) in this definition.
- **Automobile Service Station:** Update this definition to remove the regulations (like parking calculations), add Filling Station to the title, and reflect the vehicle repair definitions.
- **Building Line:** Review this definition which may be the same as a minimum required line, as shown on the accompanying illustration. An alternate use of the term “building line” is the established line to which a building is actually built and may be greater than the minimum setback.
- **Caretaker Living Quarters:** This term does not appear to be used in the Zoning Ordinance. It should be considered as a land use.
- **Church, Synagogue, Temple, Mosque or Similar Religious Facility:** Review this definition for compliance with recent court cases and RLUIPA.
- **Commercial Communications Apparatus:** This term is used throughout the Ordinance and the use is subject to the standards for wireless communications facilities. A definition should be added.
- **Day Care Facilities, Adult Foster Care, Foster Family Homes, Convalescent and Nursing Homes, Housing for the Elderly and related definitions:** We will review the definitions for these types of uses to ensure they are consistent with state law. We believe the definitions in this section are not as up-to-date as those under the definition heading **State-Licensed Residential Care Facility**, and in many instances are duplicates for the described use. We will recommend changes accordingly.
- **Domestic Help:** This term does not appear to be used in the Zoning Ordinance. Consider removing the definition.
- **Drive-Through Facilities:** Although there is a definition of “Drive-In”, there is currently no definition of “Drive-Through Facilities” which are the more common land use. A definition should be added. Also, review the Drive-in” definition, as it overlaps with the Drive-in Theater definition.
- **Dwelling – various definitions:** Review these definitions to improve clarity.

- **Dwelling unit, single-family detached:** This definition excludes mobile homes which are a form of single family detached dwelling unit. We will review to determine if this distinction can or should be made.
- **Equipment Services:** Add definition for this use. *
- **Farm Market:** We will review the Right to Farm Act and ensure that this definition is consistent.
- **Fence:** May wish to add a definition of “Wall”.
- **Floor Area:** The Ordinance often refers to the floor area of the principal building, thus the floor areas of all accessory buildings on a lot should not always be part of “floor area” as it is currently defined. Also, a definition of Usable Floor Area should be added and the accompanying illustrations should be updated and clarified.
- **Grade:** Add an illustration for how to measure grade, particularly when the ground is not level.
- **Housing for the Elderly:** Review for consistency with current state law and administrative rules.
- **Loading Space, Off-Street:** We recommend relocating the regulation that prevents required off-street parking from being counted as required loading space to Article XXV – Off-Street Parking and Loading/Unloading Requirements.
- **Lot Line:** We recommend including a graphic to make the definition easier to interpret and administer.
- **Parallel Plan:** We recommend updating this definition to remove the reference to OSPRD.
- **Secondhand and Consignment Stores:** These uses are currently not defined, but they should be defined and regulated so that they are separate from general retail establishments.
- **Setback:** Consider revising this definition to measure setback from any part of a building structure (excluding permitted projections), not just a supporting member of the structure. Revise to address setbacks for waterfront lots. *
- **Temporary Holiday Sales:** New definition. *
- **Truck Stop or Truck Plaza:** Currently this use is undefined. We recommend that a definition be added.
- **Variance:** This definition should also refer to the Michigan Zoning Enabling Act and relevant law.
- **Vehicle definitions:** This group of definitions should be reviewed to remove overlap with the definitions for Automobile or Vehicle Dealership, and Automobile or Vehicle Repair Garage. See our comments above.
- **Yard:** Revise definition to address waterfront lots. *

SIGN DEFINITIONS

- All the definitions related to signs are currently in Sec. 36-29. – Definitions. The Commission should consider relocating those definitions to Article XXVI. – Sign Regulations for ease of use. Since signs are frequently replaced or added without any other site changes or zoning impacts, it is helpful to have the related terms and regulations self-contained in a single location in the Ordinance.
- We also recommend incorporating graphics of the various sign types to make the sign definitions easier to interpret and administer.
- Additional sign definitions should be considered, such as window sign, incidental sign, animated sign, temporary sign and others.

ADMINISTRATIVE PROCEDURES AND STANDARDS

SITE PLAN REVIEW

- Consider implementing revisions that will make the site plan approval process less onerous in specific circumstances, while still protecting the public health, safety and welfare, and retaining the Township's current high-quality development, character and environmental protection standards.
- Revise and update Site Plan review procedures and requirements to encourage flexibility, including adding sketch plan options for development projects that don't require detailed architecture or engineering information (Article XXVIII). *
- To simplify identifying which type of plan review is applicable, we recommend a table that lists possible applicant activities in the left column (re-occupancy by same use; change of use; increase or decrease in floor area of a structure(s) or land area occupied by the use; expansion or reduction of an existing conforming structure or use by 2,000 sq. ft. or 5% of the floor area; provision of additional parking, loading/unloading or landscaping as required by the Ordinance; façade improvement; new building; etc.) and the applicable procedure in the top row (Sketch Plan Review, Project Concept Review, Administrative Review, Site Plan Review, and/or Conditional Use Review). This will allow Township staff and the applicant to quickly and easily determine the appropriate procedure for reviewing an activity.
- The Township's Site Plan Process Manual specifies the information required on a site plan. Sections 36-865(3) and 36-866(b) state that the Process Manual is explicitly incorporated and made part of the Zoning Ordinance. The Process Manual can't be changed unless the Ordinance is amended. Given that, we recommend the information requirements in the Manual be reviewed and revised if needed, as part of this update. Consideration must be given to including section or article that includes the site plan submission requirements. Applicants quite often do not understand what is required of them because the manual is a separate document.
- Currently full site plan review is required for any change of use. For greater flexibility and to facilitate development, particularly on already developed sites and in the downtown where not all changes of use will impact the neighbors, we recommend that the criteria for the type of use change that triggers site plan review be reconsidered. Those determination factors and procedures should be described in a matrix or table (Sec. 36-864 (c)2). * The matrix or table could be converted to a checklist at a later date.
- Refine the criteria and procedures for administrative review (Sec. 36-865). Administrative review is already permitted; the Zoning Administrator can waive Planning Commission review or require planner and/or engineering review as needed based on site conditions and the proposal. site plan items to permit a sketch plan for sites that do not require architectural or engineering details. Allow an administrative sign-off for properties that conform to current Zoning Ordinance requirements. Create an administrative review check list of required site plan items consistent with Sec. 36-865, that allows the reviewer to waive unnecessary information.
- Create minimum standards for submission of documents even for administrative approval. The site plan serves as an official record for the Township and must be in a formal format and cannot be a crude or unscaled drawing.
- Add minimum improvement requirements for sites that do not conform to site design, access, and safety standards (Sec. 36-864 (c)2). *

BOARD OF ZONING APPEALS

- Correct the section reference in 36-940. It should be 36-55.
- Add a statement that use variances may not be granted.

- Add requirement specifying submission of staked survey for any request before the BZA.

ENFORCEMENT, VIOLATIONS, AND PENALTIES

- Several sections of the Zoning Ordinance address enforcement, violations, and penalties. We recommend consolidating all of these sections into a single section. This will eliminate redundancy, and it will be easier to articulate the standards to the public and, if necessary, in court.
- The Ordinance cites several different administrative officials: The Director of Building and Zoning, the Zoning Administrator, and the Building Inspector. We will review the roles of each and revise the text as may be needed for sound administrative practices and the reality in the Township.
- *There is no position called “Director of Building and Zoning”. Delete such references.

TITLE, PURPOSES AND LEGAL CLAUSES

- Sec. 36-2. – Purposes. The purpose statement in the Zoning Ordinance is quite lengthy. It should be reviewed to ensure that it is compliant with the Michigan Zoning Enabling Act, as amended (MZEAA), in addition to reflecting the goals of the Township Master Plan.
- We recommend adding Repealer, Enactment and Effective Date clauses to this article, subject to consultation with the Township attorney.

DEVELOPMENT STANDARDS FOR SPECIFIC LAND USES

The development standards for specific uses currently are scattered throughout several areas of the Zoning Ordinance; many are under Supplementary Regulations and Standards, others are in General Provisions and/or under the use listing in each zoning district. We recommend consolidating all of the development standards for specific land uses into one article, Development Standards for Specific Land Uses with a section for each use. By putting all the use standards in one place in the Ordinance and hyperlinking them to the zoning article(s), it will be much easier to maintain consistency and avoid duplication/overlaps and conflicts between uses. The following are land uses with specific development standards, with their current section noted in parentheses. Other uses to include will become apparent during the Ordinance update process.

- Agricultural Commercial/Tourism Business (currently 36-730)
- Automobile Service and Repair Stations (currently 36-712)
- Bed and Breakfast Operation (currently 36-711)
- Campgrounds (currently 36-157(3))
- Child Care Facilities (currently 36-732)
- Club (currently 36-157(3))
- Commercial and Service Establishments in Manufactured Housing Communities (currently 36-308(a))
- Commercial, Office and Service Uses in RTM District (currently 36-637)
- Controlled Uses (currently 36.710). Consider new term Regulated Uses to encompass Adult Regulated Uses, Sexually Oriented Businesses and Controlled Uses (see our comments under Definitions, above)
- Commercial Communications Apparatus (currently 36-127, 36-157, 36-187, 36-217, 36-247, 36-277, 36-308, 36-364, 36-391, 36-415, 36-448, 36-510, 36-533, 36-638)
- Drive-in Facilities (currently 36-737)

- Dwelling, Single-Family Residential, All Dwellings (NEW) – Add standards for all such dwellings, including minimum width (currently 36-68), eaves, attachment to the ground, minimum floor area (currently 36-69), etc.
- Dwellings in Non-Residential Districts (NEW)
- Extraction Operations (currently 36-700) - Add a reference to Sec. 36-907, Nonconforming extraction operations
- Food Cart Vending (currently 36-731)
- Foster Care Facilities, Adult (currently 36-733)
- Foster Family Homes (currently 36-733)
- Golf Courses (currently 36-157(3))
- Golf Driving Range (currently 36-157(3))
- Greenhouses and Landscape Nurseries (currently 36-175(3) and 36-157(16))
- Growing of Plants Trees, Shrubs and Nursery Stock, Non-retail (currently 36-156(5))
- Gun Clubs (currently 36-157(17))
- Home Occupation (currently in definition in 36-64)
- Hunting Lodge (currently 36-157(3))
- Junkyards (currently 36-713)
- Kennels (currently 36-714)
- Landscaping Business (currently 36-157(16))
- Large Scale Retail Establishment (currently 36-727)
- Livestock Auction (currently 36-157(3))
- Medical Marijuana Cultivation, Use and Distribution (currently 36-729)
- Mini-Warehouse (currently 36-736)
- Mobile Home Parks (currently 36-309)
- Non-Farm Keeping of Animals (currently 36-126(7), 36-156(4), 36-186(6))
- Outdoor Display (NEW)
- Outdoor Seating and/or Service (currently 36-735)
- Park, Public or Private (currently 36-157(3))
- Sexually Oriented Businesses (currently 36-721) – Consider new term Regulated Uses to encompass Adult Regulated Uses, Sexually Oriented Businesses and Controlled Uses (see our comments under Definitions, above)
- Secondhand and Consignment Stores (NEW)
- State-Licensed Residential Care Facilities (currently 36-732, 36-733)
- Temporary Holiday Sales (currently 36-724) - Revise to include fireworks sales and other holidays*
- Temporary Outdoor Sales (currently 36-734)
- Transient and amusement enterprises (currently 36-71)
- Wireless Communications Structures (currently 36-720)

We will review the development standards for each use and make recommendations for amendments based on better planning and zoning practices or changes in state or federal law.

GENERAL PROVISIONS

- We recommend dividing this article into several chapters: Chapter 1: Zoning Map and Districts, Chapter 2: General, and possibly Chapter 3: Accessory Uses and Structures.
- Update the name of the MHC district in section 36-49 to match the district Manufactured Housing Community
- Review and make the language for signatures in 36-52 and 36-54 consistent with that used on the current Zoning Map

- Section 36-59 references compliance with Chapter 14. What ordinance is it referring to? A definition should be added for the cross-reference.
- Revise and expand 36-52 Temporary Structures to include regulations for all temporary structures and uses.
- Create new section for “Single Family Residential Dwelling, All” that includes standards applying to all single family dwellings, including minimum width (36-68), minimum floor area (36-69), and design standards (36-73). All single-family dwelling structures must be treated uniformly so as to not exclude mobile homes from being used as residential structures.
- Address issue of using storage container units as dwellings.
- Currently some accessory building regulations are in General Provisions and some are in Schedule of Regulations. Consider consolidating all accessory uses and structures regulations in Article III as Chapter 3: Accessory Uses and Structures, including 36-70 and 36-98(d)
- Sec. 36-98 (d)(2)(b) General Provisions (Schedule of Regulations), Accessory uses and buildings - Clarify the discrepancy in side yard setback measurements to resolve ambiguity in SR-1, SR-2 and MR districts (Sec. 36-218 (4), 36-248 (4) and 36-278 (4)) *

SUPPLEMENTAL REGULATIONS AND STANDARDS

This article currently covers a lot of topics and would benefit from having chapter headings to facilitate finding the various provisions.

OUTDOOR STORAGE AND DISPLAY (New Chapter Heading)

- Add text to distinguish between outdoor display and outdoor storage. Revisions will be needed in Sec. 36-701 Storage of Materials and Sec. 36-702 Parking and Storage of Vehicles. *
- The outdoor parking of travel trailers and boats is a contentious issue. Several such operations which are commercial in nature are taking place on Agriculture zoned parcels with no approvals under the guise of farmland storage within pole barns. The Commission should consult with the Zoning Administrator to identify any major issues they may be having and where those issues are taking place in the Township.

ENVIRONMENTAL REGULATIONS (New Chapter Heading)

- Consider putting 36-699, 704, 705, 706, 708, 716 and 717 into this chapter.
- Review performance standards to be sure they are up-to-date and effective.
- Section 36-704(3) appears to prohibit the removal of any living tree unless a full site plan is submitted and approved. Diseased, weak, wind-blown or disfigured, or trees that “are within an area designated specifically for buildings, structures streets and driveways” are exempt. Is this regulation feasible to administer? At a minimum, we recommend the language in quotes be reviewed and clarified for applicability to single family residential properties.
- Review the 20% slope limitation in light of Natural Features Preservation Section 36-723(h).
- Review the wetland preservation standards to specify who will enforce the requirements. The regulations are based on MDEQ standards, and the Township does issue wetlands permits and or currently have fees to cover independent wetland evaluations to determine if the requirements are met.
- Remove or revise Section 36-705 Wetland Buffer. The Township does not have the expertise to evaluate or enforce such a requirement.

LANDSCAPING AND NATURAL FEATURES PRESERVATION (New Chapter Heading)

We recommend identifying the landscaping and natural features regulations in their own chapter with a distinct heading for ease of reference. Additionally, several other landscaping-related provisions are scattered throughout the Zoning Ordinance and we recommend these standards be placed in the new landscaping chapter, for example, 36-706 Transition Strip. Among the changes we recommend are the following:

- Consider including details for various circumstances where landscaping is required. By having a section dedicated to each design requirement, the user can easily follow along with the requirements. Examples are:
 - Transition Strips/Greenbelts
 - Parking Lot Landscaping
 - Loading Area Landscaping
 - General Site Landscaping
 - Garbage and Dumpster Screening
 - Berms
 - Landscaping Applicable to Specific Uses
 - Stormwater Basin Landscaping
- Graphics should be added to communicate the landscape requirements and to illustrate how landscaping enhances a site and its surrounding area.
- We recommend adding specifications for ornamental trees (Section 36-722(e)).
- Section 36-722(n)(3) lists Seedless Ash as an acceptable large deciduous tree. The Emerald Ash Borer has decimated these trees, those they are no longer recommended. Also, several spreading evergreens are in the recommended list as large evergreen shrubs for screening, which is not generally appropriate. We will have McKenna's landscape architect review these lists 722 and 723 and suggest changes based on recent history with species and diseases.
- Enable the Planning Commission to grant a waiver or modification of requirements subject to appropriate standards and procedures (Sec. 36-722). *
- Review and revise natural features requirements to ensure they are consistent with State and County regulations and consistently applied across project types (Sec. 36-723). *
- Clarify what trees are protected under 36-723(f)(3), particularly in light of the regulations in 36-704(3).

FENCES AND LIGHTING (New Chapter Heading)

- Combines sections 36-715 and 36-728.
- Fences erected for screening purposes should have the good, finished face toward the neighboring property for whose benefit the screening is installed.
- A cross-reference to Entrance Structures (Section 36-98(g)(3)) should be added.
- Section 36-728, which regulates exterior lighting, should be amended to describe what a full cutoff fixture is and include a graphic.
- Clarify the requirement for a Zoning Compliance application for ALL fences irrespective of district it is located in. Clarify extent of regulations for AR or large residential lot districts.
- Specify that a Zoning Compliance for fence is not the same as a fence permit.

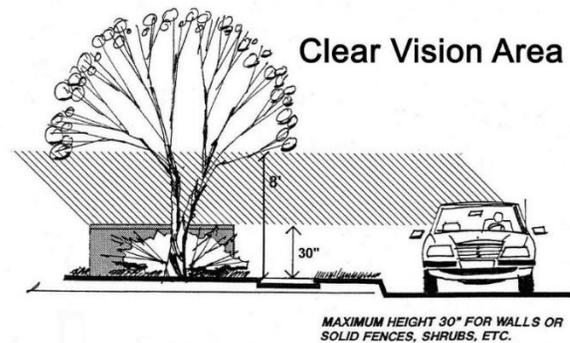
TEMPORARY USES AND STRUCTURES (New Chapter Heading)

- Temporary uses and structures are regulated under several different sections in different parts of the Zoning Ordinance, for example, 36-724, 36-734, and 36-62. We recommend these sections be relocated under a new chapter heading.

- Need regulations for clothing bins, roadside book kiosks, firewood racks, and similar temporary structures. *
- Revise Sec. 36-724 to address temporary holiday sales, including fireworks sales and other holidays. *

VISION CLEARANCE/VISIBILITY AT INTERSECTIONS

Several sections (e.g., fences, schedule of district regulations, possibly others) regulate visibility at intersections through a required clear vision zone. We recommend consolidating the clear vision regulations into one section and adding a graphic that illustrates the clear vision area similar to the one on the right.



OPEN SPACE DEVELOPMENT OPTION (New Chapter Heading)

Consider limiting the maximum amount of required, dedicated open space that may be part of a detention pond, even if that pond is designed to appear natural. Such facilities that are required for site development should not be permitted to satisfy an over-proportion of the open space area.

PRIVATE ROADS AND DRIVEWAYS (New Chapter Heading)

- Require an executed cross-access easement when two homes share a common drive.
- Consider developing standards for approval of certain driveways longer than 1,000 ft. rather than requiring construction of a Class A private road, or that the applicant seek a variance from the Zoning Board of Appeals.
- Add graphics illustrating the Class A and Class B private road specifications.

SITE CONDOMINIUMS (New Chapter Heading)

We will review the standards for site condominiums (36-709) to ensure that they are consistent with the rest of the Zoning Ordinance and best planning and zoning practices.

ALTERNATIVE ENERGY

The use of wind and solar energy has been growing in recent years, both for utility-scale facilities (e.g., wind farms and solar farms) and small-scale facilities (e.g., solar panels on a roof or a wind tower in a yard). If the technology and cost-effectiveness of these facilities improves, we can expect them to be more prevalent. The Commission should consider adopting standards for these uses, including regulating the location and development of these facilities to control potential negative impacts and ensure they are aesthetically compatible with the community. Currently solar panels are being reviewed and approved as accessory structures.

OTHER ARTICLES

OFF-STREET PARKING AND LOADING

- Establish Planning Commission waiver or modification of parking and loading requirements with appropriate standards and procedures (Sec. 36-761 and 36-765). *
- Add illustrations of parking space and aisle dimensions (36-762).
- Review parking standards for specific uses to ensure they are appropriate based on current parking patterns.

- For uses not mentioned, we recommend including a reference to the most recent edition of Parking Generation.
- Consider putting the parking standards for uses in a table for ease of reference.
- The current article includes landscaping and lighting requirements that could be relocated to their respective sections of the Zoning Ordinance. As previously stated, the landscaping requirements will be consolidated into a single article as will the lighting requirements.
- We recommend including a requirement for locating snow piles.
- We recommend including a minimum requirement for bicycle parking.
- We recommend requiring cross-access easement agreements where cross-access would be beneficial to the public, improve traffic flow, and relieve traffic congestion.

SIGNS

Article XXVI Sign Regulations:

- In fall 2017, we drafted proposed revised sign regulations. The draft received planning commission comments in is in the process of being reviewed by the Township Attorney and updated for Planning Commission Review.

NONCONFORMIITIES

- Establish Class A and Class B non-conforming use status with standards and procedures. (Sec. 36-902). *
- Revise non-conforming use and non-conforming site standards to encourage owners of blighted and violating sites to take steps toward compliance with the Zoning Ordinance and make needed site improvements.
- Under non-conforming extraction operations, add a cross-reference to Section 36-700.

ZONING DISTRICTS

We will review the permitted and conditional uses in each district for consistency with the master plan, existing patterns of use, as well as compare the lists within and between the zoning districts. We noted a few inconsistencies in the use lists, for example, the RC, AR, LR, SR1 and MR districts all specify one sign as a permitted use, yet the SR2 district does not.

AGRICULTURE (AR) DISTRICT

- Review Permitted and Conditional Uses (Sec. 36-156 and 36-157) to make sure that agricultural tourism is supported. *
- Review AR District regulations to ensure they are consistent with the Right to Farm Act. *
- Consider consulting with the Farmland & Natural Areas Preservation Committee. *

MULTIPLE-FAMILY RESIDENTIAL (MR) DISTRICT

A graphic would facilitate interpretation of the required distance between buildings.

MANUFACTURED HOUSING COMMUNITY (MHC) DISTRICT

Most of the regulations in this article are directed at manufactured housing developments, as regulated by the Michigan Mobile Manufactured Housing Commission and PA 96 of 1987.

- Manufactured home dwellings and single-family dwellings are permitted uses in this district and are not restricted to a location within a manufactured housing community. We recommend that setback, height, bulk and similar standards be added for those units on individual lots, and that a manufactured housing park be added to the list of permitted uses.

- All amendments to this district are subject to review by the Michigan Manufactured Housing Commission.

WHITMORE LAKE (WLD) DISTRICT(S)

- Review and update the permitted land uses and standards to reflect any changes in the Master Plan and to reflect realistic expectations for this important core area of the Township. *
- Consider making more land uses permitted by right in this district. *
- Evaluate the form-based design standards to ensure they are practical and achievable in light of the built environment in much of the WLD area.
- Evaluate whether expansion of a conforming structure that is larger than 500 sq. ft. or 5% of the total floor area could be exempt from form-based standards (36-338(b)(3). Clarify that the exemptions in section (b) applies to when the form-based standards of the district are triggered.
- Consider “pop-up” retail and pre-approval provisions for tenant-ready spaces. *
- Codify and update design guidelines with accompanying graphics based on the Downtown Strategic Action Plan. *
- Consider permitting food trucks/vendors.

WHITMORE LAKE/NORTH TERRITORIAL OVERLAY DISTRICT (WLNT)

- Review and revise uses permitted and standards. *
- Consider whether district boundaries should be revised via a future map amendment. *

SAMPLE: SINGLE PAGE ZONING DISTRICT

M-1, LIGHT INDUSTRIAL DISTRICT

STATEMENT OF PURPOSE
In the M-1 District, it is intended that limitations placed upon the degree of noise, smoke, glare and other features of light industrial operations shall make such uses compatible with nearby commercial and residential uses. It is further intended that some light industrial uses shall act as a transition between heavy industrial uses and non-industrial uses and shall not require railroad access or major utility facilities. Certain commercial uses which are desirable to serve the employees and visitors of the industrial uses are also permitted in this district.

PERMITTED USES	SPECIAL LAND USES
<ul style="list-style-type: none"> • Wholesale Sales • Warehousing (excluding Distribution Centers) • Manufacturing and Processing (Light) • Laboratories, Minor • Laboratories, Major • Retail Dry Cleaning Plants and Laundries • Public utility buildings, telephone exchange buildings, electric transformer stations and substations and gas regulator stations and including storage yards, when necessary to serve the immediate vicinity. • Accessory Outdoor Industrial Storage • Accessory structures and uses customarily incidental to the above permitted uses • Indoor Recreation 	<ul style="list-style-type: none"> • Automobile Wash Establishment, Automatic • Drive-In Theaters • Private Clubs • Recreational Vehicle Storage Yards • Regulated Uses (Tattoo establishments, pawnshops, pool and billiard halls, and massage parlors) • Outdoor Storage of Building or Contracting Equipment and Supplies • Instructional Services, Outdoor • Truck Repair and Maintenance Facility, Minor • Accessory Caretaker Dwelling

The above list is a summary of uses permitted by right or special land use approval in the district. Refer to [Error! Reference source not found.](#) (including footnotes) for standards and requirements applicable to permitted and special land uses. In case of a conflict between the above list and the uses listed in [Error! Reference source not found.](#) (including footnotes), then [Error! Reference source not found.](#) shall prevail. Refer to [Error! Reference source not found.](#) for definitions of uses and refer to [Error! Reference source not found.](#) for development standards for specific uses.

PERMITTED RETAIL AND SERVICE ESTABLISHMENTS THAT ARE INTENDED TO SUPPORT AND PROVIDE SERVICES TO OTHER USES AND VISITORS TO THE DISTRICT
<ul style="list-style-type: none"> • Restaurants (Sit-Down or Take-Out), provided no single business shall occupy more than five thousand (5,000) sq. ft. and no structure housing more than one (1) business shall exceed ten thousand (10,000) sq. ft. • Service Establishments, Personal Service • Veterinary Clinics and Hospitals • Automobile Wash Establishment, Self-Serve • Retail (Food, Beverage, and Convenience Items) with no on-premise consumption. No single business shall occupy more than a three thousand (3,000) square foot gross floor area and no structure having more than one (1) retail business shall exceed ten thousand (10,000) square feet.

DIMENSION REGULATIONS			
Lot Standards		Minimum Setbacks	
<i>Min. Lot Area (sq. ft.)</i>	--	<i>Front Yard</i>	50 Error! Reference source not found.
<i>Min. Lot Width (ft.)</i>	--	<i>Side Yard (one)</i>	40 Error! Reference source not found.
<i>Min. Lot Depth (ft.)</i>	--	<i>Side Yard (total of 2)</i>	80
<i>Max. Lot Coverage (%)</i>	35	<i>Rear Yard</i>	40
<i>Min. Floor Area/Unit (ft.)</i>	--		

Max. Building Height (ft.)	30 Error! Reference source not found.		
Max. Building Height (stories)	2.5 Error! Reference source not found.		

Footnotes: Refer to [Error! Reference source not found.](#) wherever a footnote is referenced in parentheses after one of the design regulations.



June 14, 2018

Planning Commission
Northfield Township
8350 Main Street
Whitmore Lake, MI 48189

MEMORANDUM: Enforcement of Dog Park Rules

Dear Commissioners:

Please consider the following revisions to the Townships regulations for leashing dogs. This revision is intended to address the need to enforce rules at dog parks. We are recommending that dog parks rules be created and updated administratively and the violation of such rules be enforceable as a civil infraction. We have provided an example from the City of Ann Arbor, which grants the authority to make park rules to the City Administrator.

A: EXAMPLE FROM THE CITY OF ANN ARBOR:

Chapter 39 - PARKS—GENERAL REGULATIONS

3:8. - Enforcement.

- (1) Violations of this chapter shall be punishable by a fine of up to \$500.00.
- (2) The regulations of this chapter shall be enforceable by the Ann Arbor Police Services Unit. Also, the Public Services Area Administrator or designee may enforce these regulations by the issuance of code violation summonses.
- (3) A decision of the Community Services Area Administrator, Public Services Area Administrator, or designee, to refuse to issue a permit or to bar a person from a park for a period in excess of 7 days may be appealed to the City Administrator.

3:9. - Rules.

The administrator is authorized to make rules governing the use of specific parks and park areas. The substance of such rules shall be posted where applicable and violation of those rules shall be punishable as a violation of this chapter.

B: PROPOSED MODIFICATIONS TO NORTHFIELD ORDINANCE:

CHAPTER 10 ENVIRONMENT, ARTICLE V. - BARKING DOGS AND DOG LEASHES

Sec. 10-102. - Dog leash.

(a) All dogs within the municipal limits of the township brought or kept outdoors shall be restrained by leashes, by electronic tethers, or by other acceptable means on the property in which the animal is being kept and in all developments and developed areas of the township as described herein, except working dogs such as service dogs, farm dogs, hunting dogs, and other such dogs, when accompanied by their owner or authorized agent, and while actively engaged in the activities for which the dogs are trained. Any person, or agent of such person, who shall own, keep, harbor, or be the custodian of any dog that goes unleashed in a designated dog park shall be required to manage the animal in accordance with the posted rules of the dog park. The Township Manager, or a designee, shall have the authority to create, amend, and post rules.

(b) It shall be the responsibility of a dog owner or authorized agent to immediately remove any feces deposited by the dog on any property not owned by the dog's owner or authorized agent that contains development such as but not necessarily limited to subdivision plats, site condominium developments, multiple-family residential developments, mobile home parks, and grounds containing institutional, including public parks, commercial or industrial land use and the landscaped areas, drives and off-street parking areas of such places, but excluding public road rights-of-way and private road easements in undeveloped areas of the township.

(c) Any dog in violation of subsection (a) and/or (b) of this section is declared to be a nuisance.

(d) Any person, or agent of such person, who shall own, keep, harbor, or be the custodian of any dog described in subsection (c) of this section within the municipal limits of the township, or who shall otherwise be in violation of subsection (a) or (b) of this section, shall be responsible for the offense of a municipal civil infraction.

(e) If the person described in subsection (d) of this section cannot be located, and the dog described in subsection (c) of this section cannot be sufficiently confined, the dog may be impounded to return peace to the neighborhood.



(f) A person found responsible under this article is subject to the penalties set forth in section 10-103.

Sec. 10-103. - Penalties.

(a) The provisions of the township municipal civil infraction ordinance (section 16-80 et seq.), and as may be amended, shall apply to this article.

(b) Any person, or agent of such person, who shall violate any of the provisions of this article shall be responsible for the offense of a municipal civil infraction. Each day that a violation continues to exist shall constitute a separate violation, with potentially a separate fine, cost and/or penalty.

(c) Any person, or agent of such person, found responsible for the offense of a civil infraction for violating this article as herein provided shall suffer the fines, costs, and/or other penalties as outlined in the schedule of fines and/or costs set forth in the municipal civil infraction ordinance. That schedule is as follows:

- (1) First violation, warning.
- (2) Second violation, \$50.00.
- (3) Third repeat offense, \$100.00.
- (4) Fourth or subsequent repeat offense, \$150.00.

The term "repeat offense" is defined as another violation of this Code and/or an ordinance within a two-year period as determined from the dates of the violations.

(d) Nothing in this article shall supersede or avoid compliance with state law.



NORTHFIELD TOWNSHIP PLANNING COMMISSION Minutes of Regular Meeting June 6, 2018

1. CALL TO ORDER

The meeting was called to order by Chair Roman at 7:00 P.M. at 8350 Main Street.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL AND DETERMINATION OF QUORUM

Roll call:

Janet Chick	Present
Brad Cousino	Present
Eamonn Dwyer	Present
Sam Iaquinto	Present
Cecilia Infante	Absent with notice
Larry Roman	Present
John Zarzecki	Present

Also present:

Assessing & Building Assistant Mary Bird
Planning Consultant Paul Lippens, McKenna Associates
Township Engineer Ronald Cavallero
Recording Secretary Lisa Lemble
Members of the Community

4. ADOPTION OF AGENDA

- **Motion:** Roman moved, Chick seconded, that the agenda be adopted as presented.
Motion carried 6—0 on a voice vote.

5. FIRST CALL TO THE PUBLIC

No comments.

6. CLARIFICATIONS FROM THE COMMISSION

None.

7. CORRESPONDENCE

Roman referred to information in the meeting packet.

8. PUBLIC HEARINGS

None.

9. REPORTS

9A. Board of Trustees

Chick provided a brief report of action taken by the Board at their May 22nd meeting. She reported that the Township will consider options for code enforcement in light of the resignation of the Code Enforcement Officer.

9B. ZBA

Cousino reported the ZBA approved variances to allow an addition to the Sutton School building to be used as a residence.

9C. Staff Report

Nothing to report.

9D. Planning Consultant

Lippens said he discussed Bark Park regulations with the Township Manager who reported he is discussing this with the Public Safety Director. Commissioners emphasized that they do not want action on this to be significantly delayed.

9E. Parks and Recreation

Iaquinto reported that at the next meeting on June 21st the Committee will be working on the Community Garden, and said plots can be reserved by calling the Township office. He added the Bark Park is open, and the Committee has applied for a streetscape grant.

9F. Downtown Planning Group

No report.

10. UNFINISHED BUSINESS

None.

11. NEW BUSINESS

11A. Case #JPC180002; Northfield Township Library Request to add a 1200 square foot Pavilion.

Chris Childs of Tri-County Builders appeared for the Library. He said they wish to build a pavilion for public events on the site of a previously-demolished structure. He said the design will match the Library building, and noted that the west sidewalk shown on the plans from the pavilion to the parking lot is going to be eliminated due to cost restraints. He added that the plans have been revised to address issues brought up in the Township engineer's report.

Lippens referred to his report and said this will be a great addition to the property. He said his June 1st letter reflects changes made to the plans following his May 24th report, and he recommended approval.

Township Engineer Ronald Cavallero said the comments in his May 31st letter have been addressed in the revised plans.

Commissioners discussed whether use restrictions can be placed on the proposal. Margaret Avalon, Library Board President said the uses will include summer concerts, but they will typically last until about 7:30 pm. She said there will also be picnics, etc. She said there is currently no policy about getting permission to use the pavilion, but it will probably be available for use during regular library hours (10-8 Monday through Friday, 11-3 Saturdays, and closed on Sundays). Two Board members said they would not be in favor of any use restrictions.

- **Motion:** Roman moved, Iaquinto seconded, to approve the request of Northfield Township Library to construct a pavilion with the condition that the revised plans show removal of the west sidewalk and any necessary information per OHM's 5/31/18 report.
Motion carried 6—0 on a roll call vote.

11B. Review Technical Memo.

Lippens reviewed his report of 5/30/18 containing recommendations for technical review of the zoning ordinance which is the next step in the overall process of updating the zoning ordinance. He said additional issues could be added during the review process, but this memo should serve as a guide of the issues that have been previously identified.

Comments from Commissioners included:

- The Single Page Zoning District idea is very appealing for its simplicity and clarity.
- There are concerns about delays in updating the muni-code. It was noted this is a Township administrative function with costs associated, but copies of the zoning ordinance containing all amendments are available for review in the office. Lippens recommended waiting until this process is finished to update the muni-code with all changes.
- Regarding Definitions, the term "Special Land Use" is commonly used, but it is not used in the zoning ordinance. Lippens noted these are referred to as "Conditional Land Uses" in the Northfield Township zoning ordinance, and perhaps the ordinance should be changed to match State law language.
- There should be references in each zoning district to Supplemental Regulations and Standards.
- The ordinance already includes a food truck permitting system.

11C. Correspondence Discussion.

Commissioners discussed how to handle correspondence in an age of fast-paced electronic methods of communication, including email. Commissioners said they want to be able to consider the new information that is submitted by applicants, advisors, or the public after Commission packets have been published; however, it can very difficult for staff

to distribute new information and for Commissioners to review it on short notice, or to even be aware of it.

If was agreed that a cutoff as of the close of business on Monday should be set for submittal of all follow-up information regarding agenda items.

12. MINUTES

- **Motion:** Iaquinto moved, Zarzecki seconded, that the minutes of May 16 2018, regular meeting be approved as presented, and to dispense with the reading. **Motion carried 6—0 on a voice vote.**

13. SECOND CALL TO THE PUBLIC

Jack Secrist, 7140 Nollar Road, Library Board member, thanked the Commission for approval of the Library pavilion. David Gordon, 5558 Hellner Road, asked for clarification of the decision regarding Communications.

14. COMMENTS FROM THE COMMISSIONERS

Responding to the question about Communications (Item 11C), Roman said any information received prior to a Planning Commission meeting—even after the final deadline of the close of business Monday—will be considered if possible, but the public should be aware that it may not be possible for information received after that to be distributed.

Commissioners asked that discussion of the Bark Park regulations be in the next agenda. It was noted that Saturday, June 9th, is a county-wide clean-up day.

15. ANNOUNCEMENT OF NEXT MEETING

June 20, 2018, at 7:00 P.M. at the Public Safety Building was announced as the next regular Commission meeting time and location.

16. ADJOURNMENT

- **Motion:** Iaquinto moved, Chick seconded, that the meeting be adjourned.
Motion carried 6—0 on a voice vote.

The meeting was adjourned at 8:12 P.M.

Prepared by Lisa Lemble. Corrections to the originally issued minutes are indicated as follows:
Wording removed is ~~stricken through~~; wording added is underlined.

Adopted on _____, 2018.

Larry Roman, Chair

John Zarzecki, Secretary

Official minutes of all meetings are available on the Township's website at
<http://www.twp-northfield.org/government/>